



Hamburg Township Public Safety Department

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RICHARD DUFFANY, DIRECTOR OF PUBLIC SAFETY/CHIEF OF POLICE

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TO: Hamburg Township Board
FROM: Chief Richard Duffany
DATE: August 31, 2022
RE: Agenda Item Topic: **Updated Public Safety SOPs**
General Ledger #: N/A
Number of Supporting Documents: 10
NEW/OLD BUSINESS: **XXX** New Business
_____ Old Business – Previous Agenda #:

Requested Action

- Motion to approve the following Hamburg Township Public Safety SOPs:
 - 100-15: *Active Shooter Hostile Event Response (ASHER)*
 - 200-01: *Health and Safety Program*
 - 300-01: *Incident Reports*
 - 300-06: *Response to Incapacitated Persons*
 - 300-09: *Death and Major Crime Scenes*
 - 300-16: *Crash Investigations*
 - 300-25: *Use of Force*
 - 300-34: *Traffic Direction and Control*
 - 300-77: *Holding Cells*
 - 300-79: *Special Investigations*

Background

All of the attached Public Safety SOPs are being submitted to the Township Board for review and approval as part of the State of Michigan police accreditation process, with the exception of SOP #200-01: *Health and Safety Program* which is an updated Fire policy.

Respectfully,

A handwritten signature in black ink, appearing to read "Richard Duffany".

Chief Richard Duffany
Director of Public Safety

HAMBURG TOWNSHIP PUBLIC SAFETY DEPARTMENT			
STANDARD OPERATING PROCEDURE			
Title: Active Shooter Hostile Event Response			No. 100-15
Distribution: All Personnel	☐ New ☒ Amended	Rescinds: HTPD 300-34	MLEAC Standard(s): N/A
Effective Date: DRAFT			

I. PURPOSE

The purpose of this policy is to establish guidelines for police and fire personnel of the Hamburg Township Public Safety Department when responding to active shooter events.

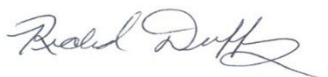
II. POLICY

It is the policy of the department to respond to active shooter events in accordance with the procedures as outlined in the Livingston County First Responders Standard Operating Guideline: Active Shooter Hostile Event Response (ASHER).

III. PROCEDURES

- A. The Livingston County ASHER Standard Operating Guideline (Appendix I) is adopted as the policy of the Hamburg Township Public Safety Department.
- B. All members of the department shall adhere to the provisions of the ASHER Standard Operating Guideline when responding to active shooter events, except as outlined in this section.
- C. Active shooter events by their nature are chaotic and fluid events and no policy can take into account all possible variables and circumstances. As such, the Livingston County ASHER guidelines are just that, "guidelines". Department personnel, especially police officers tasked with the primary responsibility of neutralizing the threat, may deviate from the guidelines if necessary to save human life. Specifically, no police officer shall be required to wait for authorization to enter a location to confront an active shooter where innocent life is in peril.

Issued by:



Richard Duffany
Director of Public Safety

Approved by Hamburg Township Board of Trustees: DRAFT

HAMBURG TOWNSHIP PUBLIC SAFETY DEPARTMENT			
STANDARD OPERATING PROCEDURE			
Title: Health and Safety Program			No. 200-01
Distribution: FIRE	☐ New ☒ Amended	Rescinds: 10-134	MLEAC Standard(s): N/A
Effective Date: DRAFT			

I. **PURPOSE**

The purpose of this policy is to establish a safe work environment for all personnel.

II. **POLICY**

Every employee is entitled to a safe and healthy place in which to work. As such, it is the policy of the department to provide and maintain safe and healthy working conditions and to establish and insist upon safe work practices at all times. All employees including command officers, line officers, firefighters, and office personnel are expected to express the department's attitude toward workplace safety and health by the daily example they set.

III. **PROCEDURES**

A. Department Safety Officer

1. The position of department Safety Officer is hereby established in order to facilitate a safe work environment by ensuring that the department's occupational safety and health program is properly and consistently maintained.
2. The Deputy Fire Chief shall serve as the department's Safety Officer.
3. The Safety Officer shall:
 - a. Acquaint themselves with the provisions of NFPA 1500, *Standard on Fire Department Occupational Safety and Health Program*, and NFPA 1521, *Standard for Fire Department Safety Officer*.
 - b. Manage the department's occupational health and safety program.
 - c. Serve as the chairperson of the Health and Safety Committee.
4. The duties of the Safety Officer shall include but are not be limited to:

- a. Identifying health and safety hazards and developing plans to correct them.
 - b. Immediately correcting situations that create an imminent hazard to the members of the department.
 - c. Training members to act as incident safety officers.
 - d. Maintaining records of accidents, occupational deaths, injuries, illnesses, and exposures and providing analysis and reports to the Deputy Director - Fire as directed.
 - e. Acting as the department's liaison with risk management representatives.
 - f. Serving as the chair of the department's Health and Safety Committee. In this capacity, the Safety Officer shall prepare and distribute meeting agendas and notices and shall forward a copy of the minutes of each meeting to the Deputy Director - Fire.
 - g. Providing safety training, bulletins, posters, and newsletters to all members.
 - h. Performing other duties as specified in NFPA 1521 or as directed by the Deputy Director - Fire .
5. At least annually the Health and Safety Committee will record safety and health goals with projected progress dates.
 6. The Safety Officer will have health and safety suggestion forms available to all employees. These forms will be dated by the employee making the suggestion and be retained by a Health and Safety Committee member until the next Health and Safety Committee meeting where they will be addressed and answered by the committee.
 7. A health or safety concern should never be ignored. An employee with a concern should bring it to the attention of their immediate supervisor and then contact the Safety Officer, Deputy Director - Fire or Director of Public Safety if necessary. This concern should be investigated with appropriate action taken, including letting the concerned employee know the results.
 8. The Safety Officer will implement a written plan of action for correction of hazards found in the work place and for communicating these positive actions to all employees.

B. Health and Safety Committee

1. The Health and Safety Committee will be comprised of the Safety Officer (chairperson), a Duty Captain and the Executive Lieutenant.
2. The Duty Captain representative will rotate annually among each of the Duty Captains.
3. The Executive Lieutenant will serve as the representative of the department's part-time firefighters.
4. The committee will meet at least quarterly to address health/safety concerns and will have a formal agenda, minutes taken, and will have a clear goal or purpose. Actions taken at these meetings and subsequent actions will be documented. Copies will be posted on the bulletin boards for all employees to read.

C. Safety Inspections

1. Station Bosses (Lieutenants) will conduct safety inspections at least quarterly in their respective stations to identify hazardous conditions and initiate correction. Findings will be presented to the Safety Officer for review. Corrective action will be implemented under direction of the Deputy Director - Fire in a timely manner.
2. The Safety Officer will ensure that a comprehensive hazard survey of all Fire buildings and apparatus is completed at least annually in order to recognize and minimize potential hazards in the workplace.

D. Employee Reports of Hazards

1. Employee insight and experience in health and safety protections shall be utilized. Employees shall be encouraged to come forward with their health/safety concerns without fear of reprisal.
2. Any supervisory officer who receives a health/safety concern or idea for improvement from a subordinate shall forward that concern/idea to the Safety Officer via department email.
3. The Safety Officer shall ensure that the Deputy Director – Fire is notified of any hazardous conditions who shall have the responsibility of ensuring that the hazardous condition is rectified in a timely manner.

E. Accident/Incident Investigation

1. The Safety Officer shall provide for investigation of accidents and “near miss” incidents so that their causes and means for preventing their repetitions are identified.
2. The Safety Officer shall prepare a report for each accident and “near miss” incident. All reports will be reviewed and discussed at the Health and Safety Committee meeting and then will be forwarded to the Deputy Director – Fire. The Deputy Director – Fire will also review these reports to determine injury and illness trends over time so that patterns with common causes can be identified and prevented.

F. Health and Safety Training

1. A key to controlling the potential for exposure to hazards as well as preventing accidents is training. All Hamburg Township Fire employees will be thoroughly trained to perform their jobs safely and productively. Employee training will be documented and reviewed as necessary to insure consistent safe work practices.
2. Training schedules will follow, at a minimum, the requirements of the MIOSHA standards. Re-training will be performed as necessary to ensure that all employees have the information necessary to do their jobs in a safe and healthy manner.

Issued by:



Richard Duffany
Director of Public Safety

Approved by the Hamburg Board of Trustees: Draft.

HAMBURG TOWNSHIP PUBLIC SAFETY DEPARTMENT			
STANDARD OPERATING PROCEDURE			
Title: Incident Reports			No. 300-01
Distribution: POLICE	☐ New ☒ Amended	Rescinds: 300-2	MLEAC Standard(s): 1.8.3, 3.3.5
Effective Date: DRAFT			

I. PURPOSE

The purpose of this procedure is to establish guidelines for the completion, review, follow-up and approval of incident reports and traffic crash reports. In addition, this procedure establishes guidelines for the sharing of information of a criminal or suspicious nature that can aid in the identification and/or apprehension of criminals or the prevention of crimes as well as enhancement of officer safety.

II. DEFINITIONS

- A. **Incident Report:** A report completed in the department's Record Management System (RMS) and Mobile Field Reporting (MFR) which provides details and descriptions of criminal or other police-related activities.
- B. **Traffic Crash Report:** The State of Michigan UD-10 Traffic Crash Report or department private property crash report. The type of traffic crash report will be dependent upon the circumstances and requirements of state law.

III. REQUIRED REPORTS

- A. An Incident Report will be completed and a complaint number assigned on all of the following:
 - 1. Any violation of local, state, or federal laws and/or ordinances.
 - 2. Damage to or loss of any Hamburg Township property.
 - 3. Complaint of Violation of Conditional Bond Release.
 - 4. Non-criminal incidents including, but not limited to, Persons Requiring Treatment (PRT), Protective Custody/Incapacitated Person, Sudden Death, Attempt Suicide, Suicide, Overdose, Missing Persons/Runaways, Property Safekeeping, Strip Searches or any other situation where a report is determined to be appropriate.
 - 5. Submitting evidence or found/confiscated property to the property room.

6. Use of force.
 7. Discharge of a firearm (other than training or to humanely end the suffering of an injured animal).
 8. When a report is required by a departmental policy, procedure or order.
 9. When a report is required under state law.
 10. When ordered to complete a report by a supervisor.
- B. A traffic crash report will be completed and a complaint number assigned on all of the following:
1. Traffic crash where a report is required under state law.
 2. Traffic crash, including on private property, where one of the parties involved in the crash requests a traffic crash report.
 3. Any traffic crash involving a Hamburg Township Public Safety Department vehicle.
- C. All traffic crash investigations shall be completed pursuant to the guidelines contained in Public Safety SOP #300-16: *Crash Investigations*.
- D. The officer taking the report shall provide the involved parties the incident/traffic crash report number.

IV. REPORT FORMAT/OTHER REQUIREMENTS

Officers shall be mindful that their reports are read by and circulated to courts, prosecutors, attorneys, and other agencies. The contents and appearance of each report is a direct reflection upon the Hamburg Township Public Safety Department.

- A. Incident reports shall be completed in MFR and RMS unless circumstances prevent completion of the report in a timely manner. If MFR is down the report should be written in another program, such as word and pasted into MFR once it is working.
- B. Reports are to be completed using proper grammar and correct spelling in lower case form using proper capitalization. Handwritten reports are to be completed in legible handwriting.
- C. Appropriate headings shall be utilized.

- D. Utilize a heading of LEIN information when information from the Law Enforcement Information Network (LEIN) is inserted into the narrative section of any report. This is very helpful in identifying information that cannot be released for Freedom of Information Act (FOIA) requests.
- E. When writing incident reports, officers shall use the first-person pronouns “I” or “we” rather than “the undersigned officer” or “the reporting officer”.
- F. When writing about victims, complainants, or witnesses in an incident report, officers shall refer to the person by name rather than referring to only the title of which they are involved.
- G. All arrests that are lodged will have incident reports with a completed Prosecutor Packet turned in to the “Lodged” tray by the end of the reporting officer’s shift unless otherwise instructed by a supervisor. The on-duty supervisor or on-coming shift supervisor will be notified of all lodged arrests.
 - 1. In the event an on-duty supervisor isn’t available, the Deputy Director – Police will be notified. If the Deputy Director is not available the Detective Sergeant will be notified. If neither are available, an attempt will be made to reach any other available off-duty supervisor. If none of the above can be reached then the Director of Public Safety shall be notified.
- H. Incident reports and UD-10 Crash reports shall be reviewed by a supervisor. Unacceptable reports shall be returned to the officer for revisions or corrections.
- I. Reports should be written upon the completion of a call. If an officer is unable to complete the report by the end of the shift, they will generate an incident number, enter at minimum the complainant, witness and suspect names and contact information if known and submit the report to the server incomplete.
- J. All reports that require follow-up will have the preliminary report completed at the earliest possible opportunity prior to the end of reporting officer’s shift unless otherwise instructed by a supervisor. Follow-up will be done in coordination with the detective(s) for criminal reports.
- K. Supplemental reports shall be added as additional information is gathered.

V. INCIDENT REPORT MANAGEMENT

The Case Management Module in RMS shall be used for all incident reports.

A. Patrol Officers Responsibilities

- 1. Check Case Management at the beginning of each shift or as time allows.

2. Complete any follow-up tasks assigned in a timely manner.
3. Send or cause to be sent a BOL (LEIN message) for any crimes that just occurred or recently occurred which have suspect information/descriptions (vehicle, plate info, suspect information, etc.).
4. Send an email to department personnel with any useful information about any current suspicious incidents, wanted suspects or criminal activity.
5. Do not use the “Info Only” box when writing a report.
 - a. If a report is later determined to be non-criminal in nature, then a supervisor or detective will close out the report as “unfounded” when appropriate (i.e. UDAA that is later determined to be false).
6. Make proper notification by department email when a report is ready to be sent to the prosecutor’s office for review.
7. When arresting someone on a Hamburg Township warrant, ensure an arrest is entered in MFR for the original charge(s) under our agency and case number.

B. Patrol Supervisor Responsibilities

1. Daily review of BOL’s from various sources (email, LEIN, etc.) for any pertinent or useful information, including crime trends with a focus on officer safety information
2. Review all reports prior to the end of the shift wherever possible to ensure:
 - A. Proper grammar and correct spelling.
 - B. Appropriate offense code(s).
 - C. Necessary elements.
 - D. Property stolen, recovered, etc. is properly listed in the report.
 - E. Thoroughness.
 - F. Arrest card completed in MFR when required.
3. Return the incident report to the reporting officer if corrections are necessary.
4. If follow-up is required use the task function in MFR.

5. Assign reports of a criminal nature, suspicious or domestic intervention to the detective(s).
6. Informational reports, minor traffic offenses (DWLS, OWI) or non-criminal informational reports will generally be assigned to the reporting officer and closed out in case management,
7. Ensure officers are completing and coordinating, when necessary any follow-up with the detective(s) and/or traffic investigator(s) in a timely manner.
8. For recent crimes, send or cause to be sent an email to department personnel and/or a BOL (LEIN message) to the appropriate departments/counties, when appropriate if it wasn't already done.
9. Send completed lodged packets to the prosecutor's office when administrative staff is not working.
10. Review all their assigned officer's activity using Daily Records Review in RMS.

C. Detective Supervisor/Investigator Responsibilities

1. Review all assigned reports daily as soon as practical.
2. Evaluate each criminal case for solvability factors.
3. Review each case for similarities to other criminal activity.
4. Perform necessary follow-up and/or assign the case back to the reporting officer using case management and/or the task function in MFR.
5. Ensure the appropriate offense code was utilized and that property stolen, recovered, etc. is properly listed in the report and evidence module.
6. Make the appropriate case assignment and update the case status if appropriate.
7. Conduct follow-up or ensure proper follow-up is done in a timely fashion if a warrant is furthered from the prosecutor's office.
8. Close out cases properly in case management (closed by arrest, closed no suspect, exceptional clearance, etc.)
9. Attend Livingston County Detective meetings and share pertinent information with other law enforcement agencies.

10. Share useful information about criminal activity and suspect information with department personnel.
11. Review pawn sheets and LEIN BOL's regularly.

D. Administrative Support Staff Responsibilities

1. Review LEIN BOL's and post pertinent BOL's with an emphasis on Officer Safety. Forward any LEIN messages for investigative leads to the detective(s).
2. Post event summaries daily.
3. Post new pawn sheets.
4. Receive Laboratory Reports
 - A. Attach to report.
 - B. If applicable, update UD-10 to reflect alcohol / drug results & resubmit to state.
 - C. Send the Laboratory Report to the prosecutor's office.
 - D. Email the Laboratory Report to the OIC of the case.
 - E. Write the blood results on DI-177 and mail the Driver's Notice of Blood or Urine Test Results to the Defendant.
 - E. Submit a supplemental report.
5. Change the status in RMS case management when an incident is sent to the prosecutor to the appropriate status code.
6. If the prosecutor approves charges, check to see if an arrest was entered in MFR. If one wasn't completed, fill out the arrest module in MFR, unless an arrest warrant for the original charge(s) has been issued.
 - a. If an arrest warrant is issued for the original charge, then the arrest is entered in MFR after the defendant is apprehended.
 - b. When staff is aware that someone was arrested on a Hamburg Township warrant they should;
 - i. confirm an arrest was properly entered in MFR.
 - ii. confirm the warrant was cancelled in LEIN.

7. Notify officers/detectives by email when a case is furthered by the prosecutor's office and attach the notice in RMS.
8. Update information in the RMS employee module when necessary such as a change in assignment/shift, promotion, retirement, emergency contact change, address change, etc.

E. Deputy Director Responsibilities

1. Daily Records Review of supervisors in RMS.
2. Monthly Incident Crime Reporting (MICR) and Uniform Crime Reporting (UCR) submission.
3. Monthly reporting to the Department of Justice (DOJ)/Federal Bureau of Investigation (FBI) Use-of-Force Data Collection Program.
4. Prior to January 31st of each year complete an audit of all MICR and UCR reportable offenses.
5. Ensure compliance by all staff and provide instruction to members of the department to assure consistency in managing reports and cases

Issued by:



Richard Duffany
Director of Public Safety

Approved by Hamburg Township Board of Trustees: Draft.

HAMBURG TOWNSHIP PUBLIC SAFETY DEPARTMENT			
STANDARD OPERATING PROCEDURE			
Title: Response to Incapacitated Persons			No. 300-06
Distribution: POLICE	☐ New ☒ Amended	Rescinds: 300-8 (1/22/14)	MLEAC Standard(s): N/A
Effective Date: DRAFT			

I. PURPOSE

The purpose of this procedure is to establish guidelines for taking into protective custody, transporting, or arresting incapacitated persons.

II. POLICY

It is the policy of the Hamburg Township Public Safety Department that every incapacitated person who is unconscious or seriously injured to the extent that medical treatment is necessary shall be transported to a hospital.

III. INCAPACITATED PERSON

- A. Michigan law defines an “incapacitated” person as an individual, as a result of the use of alcohol or drugs, is unconscious or has his/her mental or physical functioning so impaired that he/she either poses an immediate and substantial danger to his/her own health and safety or is endangering the health and safety of the public (MCL 330.1100b).
- B. Officers must realize, however, that a person may be incapacitated for reasons other than intoxication. Unconsciousness may be an indication of a medical problem or emergency. In all cases where the unconscious person cannot be aroused by the reasonable efforts of the officer to a level of consciousness where the officer can communicate with the subject, the officer shall consider the subject’s condition to be a medical emergency and summon Fire and EMS personnel.

IV. MANDATORY PROTECTIVE CUSTODY/TRANSPORTATION OF APPARENTLY INCAPACITATED PERSONS

- A. An individual who appears to be incapacitated in a public place shall be taken into protective custody by a law enforcement officer and taken to an approved service program, or to an emergency medical service, or to a transfer facility pursuant to MCL 330.1276 for subsequent transportation to an approved service program or emergency medical service. When requested by a law enforcement officer, an emergency service unit or staff shall provide transportation for the individual to an approved service program or an emergency medical service. This subsection

shall not apply to an individual who the law enforcement officer reasonably believes will attempt escape or will be unreasonably difficult for staff to control MCL 330.1276 (1).

- B. When an officer encounters an incapacitated person or a person who is apparently injured or unconscious to the extent that the person does not immediately respond to reasonable attempts to awaken and communicate with the officer, the officer shall request that Fire and EMS personnel respond to the scene.
- C. An officer may take an individual into protective custody with that kind and degree of force which would be lawful were the officer effecting an arrest for a misdemeanor without a warrant. In taking the individual, a law enforcement officer may take reasonable steps to protect himself/herself. The protective steps may include a pat-down search of the individual in his/her immediate surroundings, but only to the extent necessary to discover and seize any dangerous weapon which may on that occasion be used against the officer or other individuals present. These protective steps shall be taken by the law enforcement officer before an emergency service unit or staff provides transportation of an individual to an approved service program or emergency medical service MCL 330.1276 (2).
- D. The taking of an individual to an approved service program, emergency medical service, or transfer facility under MCL 330.1276 (1) is not an arrest, but is a taking into protective custody with or without consent of the individual. The officer shall inform the individual that he/she is being held in protective custody and is not under arrest. An incident report shall be made indicating the date, time, and place of the taking, but the report shall not be treated for any purpose as an arrest or criminal record and shall not be made to indicate that the individual was arrested or charged with either a crime or for being incapacitated. MCL 330.1276 (3).

V. REFUSAL OF EMS PERSONNEL TO TRANSPORT AN APPARENTLY INCAPACITATED PERSON

- A. When requested by an officer, an EMS unit or staff shall provide transportation for the individual to an approved service program or an emergency medical service. This subsection shall not apply to an individual who the law enforcement officer reasonably believes will attempt escape or will be unreasonably difficult for staff to control MCL 330.1276 (1).
- B. If EMS personnel refuse or fail to respond or refuse to transport an unconscious or incapacitated person, the officer shall immediately notify Central Dispatch and a supervisor. In this situation, if approved by a supervisor, an officer may transport in a police vehicle a person who is unconscious or injured pursuant to the following guidelines:

1. If not already on scene, the officer shall request that Hamburg Township Fire personnel respond to the scene.
 2. The officer shall notify Central Dispatch of the proposed transport and request that Central Dispatch notify the hospital or emergency service facility of the circumstances surrounding the transport.
 3. A firefighter/EMT shall ride along in the police vehicle in order to monitor the person during the transport.
- C. If EMS personnel refuse to transport, the requesting officer shall include in an incident report the reasons for the request, the identity of the individual who decided that transport was not necessary, and the reasons, if any, given for the refusal.

VI. TRANSPORTING AN INCAPACITATED PERSON BELIEVED LIKELY TO ATTEMPT ESCAPE OR TO BE DIFFICULT TO CONTROL

- A. In the event that the officer has a reasonable belief the person will attempt to escape or will be unreasonably difficult for staff to control, the officer may transport the person to a hospital or emergency care facility in a police vehicle. The officer shall immediately notify Central Dispatch and a supervisor of the proposed transport. The officer shall request Central Dispatch to notify the hospital or emergency service facility of the circumstances surrounding the transport. Whenever possible, the transporting officer shall request the assistance of another officer to monitor the person during the transport. One officer shall remain with the incapacitated person until he/she is delivered to hospital personnel.
- B. Incapacitated persons **shall not** be transported in a prone position or in any manner that will restrict breathing.
- C. The transporting officer shall complete a written incident report detailing the circumstances of the transport and the reasons the subject could not be safely transported by EMS.

VII. TRANSPORTING AN INCAPACITATED PERSON UNDER ARREST

- A. Misdemeanor Charges
1. An individual arrested by a law enforcement officer for the commission of a misdemeanor punishable by the imprisonment for not more than three months, or by a fine of the more than \$500, or both, may be taken to an approved service program or an emergency medical service for emergency treatment if the individual appears to be incapacitated at the time of apprehension. This treatment is not in lieu of criminal prosecution of the individual for the offense with which the individual is charged, nor shall it

preclude the administration of any test as provided for by law MCL 330.1276 (5).

2. If an apparently intoxicated person is arrested for a misdemeanor and is also either unconscious or injured to an extent requiring medical attention, the person shall be transported in an ambulance as outlined in Section IV., C., above. If an EMS ambulance is unavailable, EMS personnel refuse to transport, or the person is difficult to control, an officer may transport the person according to the provisions in Section V and VI above.
3. The transporting officer shall request that hospital personnel notify the department prior to releasing a person under arrest. When an officer receives a call to transport a person who has been arrested and hospitalized, the officer shall transport the subject to the Livingston County Jail (LCJ) for booking and provide jail personnel with any medical information which the hospital provided to the officer.

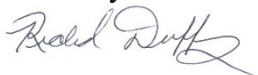
B. Felony Charges

1. If an apparently intoxicated person is arrested for a felony and is also either unconscious or injured to an extent requiring medical attention, the person shall be transported in an ambulance as outlined in Section IV., C., above. If an EMS ambulance is unavailable, EMS personnel refuse to transport, or the person is difficult to control, an officer may transport the person according to the provisions in Section V and VI above. Regardless of the means of transportation, the officer shall immediately notify a supervisor that a person who has been arrested for a felony is being transported to a hospital or emergency care facility.
2. It shall be the responsibility of the on-duty supervisor to contact hospital personnel to determine if the arrestee can be safely detained at the hospital. If so, an officer shall stand guard until the prisoner can be transported to the LCJ.

VIII. REQUIRED REPORTS

- A. An incident report shall be completed on all instances where an incapacitated person is taken into protective custody.

Issued by:



Richard Duffany
Director of Public Safety

Approved by Hamburg Township Board of Trustees: DRAFT

HAMBURG TOWNSHIP PUBLIC SAFETY DEPARTMENT			
STANDARD OPERATING PROCEDURE			
Title: Death & Major Crime Scene Investigations			No. 300-09
Distribution: POLICE	☐ New ☒ Amended	Rescinds: 300-9 (6/19/16)	MLEAC Standard(s): N/A
Effective Date: DRAFT			

I. PURPOSE

The purpose of this procedure is to establish guidelines to be used during death and major crime scene investigations in order to handle these incidents in an organized, consistent and professional manner.

II. DEFINITIONS

A. Accidental or Violent Deaths – An accidental or violent death is any death resulting from any apparent violent act or circumstance. Such deaths can be caused directly or indirectly; by intentional acts or negligent conduct. The death can be caused by another person's actions or may be self-inflicted. Examples of violent or accidental deaths are as follows:

1. Death due to poison or drug overdose.
2. Death from injuries sustained in any accident (e.g., automobile, household, occupational, or athletic related). The direct cause of death could be varied (e.g., drowning, poisoning, or electrocution).

NOTE: Scenes involving death or serious injury as the result of a traffic crash shall be investigated and processed in accordance with the procedures outlined in Public Safety SOP #300-16: *Crash Investigations*.

3. Homicides.
4. Suicides.
5. Death resulting from suspected abuse or neglect.
6. Death resulting from any other suspected criminal activity.

B. Death of a Minor – The death of a person under 18 years of age.

- C. Expected or Hospice Death – Death of a person under hospice care or where the investigation reveals that the decedent was suffering from a medical condition which directly contributed to the death and where a physician of record is able to designate a cause of death and will certify the cause of death.
1. Officers shall notify a supervisor of all deaths; however, a supervisor is not required to respond to the scene of an expected or hospice death.
- D. In-Custody Death – Death for any reason that occurs when an individual is in an officer's custody or control.
- E. Major Crime Scene – A major crime scene includes all accidental/violent deaths as defined in this policy, death of a minor, in-custody death, death under suspicious circumstances, injuries resulting from a violent act (shooting, stabbing, etc...), a minor missing under suspicious or unusual circumstances and all incidents involving serious felony crimes such as armed robbery, kidnapping and attempted murder.
- F. Sudden or Unexpected Deaths – The initial investigation conducted by an officer may reveal that a person is believed to have been in good health with no known history of major medical problems. This would include the death of a person who has received medical attention for such a short length of time that no diagnosis can be determined. It also includes situations where the recent medical attention received is unrelated to the death-causing injury or illness. Contacts with the family or any person with the body itself may often establish the existence or absence of such history. A supervisor shall respond to all sudden or unexpected deaths involving suspicious or unusual circumstances and to all deaths of a minor.

Examples of sudden or unexpected deaths are as follows:

1. Any death where a physician of record is unable to designate a cause of death.
2. Unexpected death of a child, including suspicions of Sudden Infant Death Syndrome (SIDS).

NOTE: When a child under the age of 2 years dies within this state under circumstances of sudden death, cause unknown, or found dead, cause unknown, that death shall be immediately reported to the county MEI, MCL 52.205a. The Department of Human Services shall also be notified.

3. Unexpected death related to decedent's occupation, drug or alcohol consumption, or as the result of any diagnostic or anesthetic procedures.

4. Death without recent medical attention when the attending physician will not or cannot certify the cause of death.

III. DUTIES OF OFFICERS AT MAJOR CRIME SCENE

- A. Attend to any injured victims.
- B. Secure the scene and any evidence.
 1. If there are not enough Hamburg Township police officers available to adequately secure a scene (due to the physical location of the scene, the size of the scene, number of citizens present at scene, etc...) then request assistance through mutual aid.
 2. Do not leave the crime scene or any evidence unattended at any time (preservation of evidence and the integrity of the crime scene is essential).
 3. Do not leave the crime scene to respond to the hospital until properly relieved.
 4. Do not leave the scene to handle another priority call. If another priority call comes in and no Hamburg Township officers are available then request mutual aid.
 5. Do not move the body of any deceased victims. Only a Medical Examiner Investigator may authorize a body to be moved or released or order an autopsy. Some exceptions to the prohibition on moving the body exist when there is an inherent danger to others, the body can be further damaged if not removed (e.g., fire), it is in a public place and impedes traffic or when it is subject to becoming a public spectacle (e.g., accident scenes).
- C. Identify and separate all possible suspects, victims and witnesses.
- D. Notify a supervisor.
 1. The supervisor will provide further instructions as to how the scene and incident will be investigated and processed.
- E. The initial responding officer shall obtain a complaint number and complete the original report outlining their actions and involvement at the scene including the following:
 1. How call received
 2. Officer's actions (his/her own)
 3. Statements of witnesses

4. List of crash victims
 5. Injuries observed
 6. Evidence collected and disposition of evidence
 7. Any other pertinent information related to the incident
- F. All assisting officers shall complete a supplemental report outlining their actions and involvement at the scene.
- G. All original and supplemental reports from initial responding officers shall be completed and submitted prior to the officer going out of service.
- H. Officers at a major crime scene shall not release any information to the media without the express permission of the Director of Public Safety, or designee.
- I. The initial responding officer shall assist the MEI in identifying the deceased and assist in making notification of the next of kin.
- NOTE:** Notification of next of kin shall not be made over the telephone.
- J. Remain at the scene until the body is properly removed or the officer is relieved of scene responsibilities. Stay at the scene of violent or unexpected deaths until relieved by a supervisor.

IV. DUTIES OF PATROL SUPERVISORS AT MAJOR CRIME SCENE

- A. Respond to the scene of all major crime scene investigations.
- B. Determine personnel needs.
1. Are additional officers needed at the scene?
 2. Are additional officers needed at the hospital?
 3. Are additional officers needed for road patrol coverage?
 4. Call in additional officers on overtime if there are not enough officers to adequately handle the scene or road patrol.
- C. Notify Detective Supervisor
1. Contact the detective supervisor and determine if they are going to respond to the scene. As a general rule, a detective should respond to assist at all major crime scenes.

2. If the detective supervisor is unavailable and you believe that a detective should respond to the scene, advise the Director/Deputy Director – Police of this fact when you make notification.
- D. Notify the Director of any major crime scenes. If the Director is unavailable or does not respond to a call or text then contact the Deputy Director – Police.
- E. The supervisor shall work in conjunction with the on-scene detective(s) and shall provide direction to all department personnel at the scene including:
1. Assigning Officer(s) to Process the Scene
 - a. Determine which officer(s) are going to collect/process evidence at the scene.
 - b. An Evidence Tech. should be used to process major crime scenes whenever possible even if it requires calling the Evidence Tech. in on overtime.
 2. Determining Who Will Conduct Interviews
 - a. Confer with the on-scene detective and determine who will conduct interviews of all suspects, victims and witnesses.
 - b. Keep in mind that there are special statutory requirements concerning interviewing in cases of the death of a child or the interviewing of minors who are victims of neglect/abuse.
 3. Determining Who Will Prepare Search Warrant(s).
- F. The patrol supervisor shall collect and review all forms/paperwork from the initial responding officer and all assisting officers and shall ensure that all reports are completed by all officers prior to the end of their shift.
- G. In the event that a detective cannot or does not respond to the scene, the patrol supervisor shall ensure that all duties and responsibilities of the detective supervisor (as outlined in this policy) are assigned and completed.

V. DUTIES OF DETECTIVE SUPERVISOR AT MAJOR CRIME SCENE

- A. Upon arrival at the scene of a major crime scene, the detective supervisor shall assume command of the scene and shall become the OIC of the investigation and any subsequent criminal case.
- B. The detective supervisor shall provide direction to officers assisting at the scene and shall ensure all of the following:

1. The scene is properly secured and processed.
 2. All relevant evidence is collected and stored in accordance with department policy.
- C. The detective supervisor shall be responsible for coordinating and conducting any necessary follow-up investigation.
 - D. The detective supervisor shall be responsible for preparing the warrant request packet for review by the prosecutor's office.
 - E. The detective supervisor shall be responsible for attending all autopsies, or assigning another officer to attend if unavailable, to provide related detailed information of the investigation to the pathologist and provide positive identification.

VI. DUTIES OF DIRECTOR OF PUBLIC SAFETY

The Director of Public Safety, or Deputy Director – Police in the Director's absence, shall be responsible for:

- A. Authorizing activation of the Livingston County Major Crimes Task Force.
- B. Authorizing activation of the Livingston Regional SWAT Special Team.
- C. Advising the supervisor as to what information may be released to the media during or immediately after a major crime scene.
- D. Preparing any official department press release.

Issued by:



Chief of Police Richard Duffany

Approved by Hamburg Township Board of Trustees: DRAFT.

HAMBURG TOWNSHIP PUBLIC SAFETY DEPARTMENT			
STANDARD OPERATING PROCEDURE			
Title: Crash Investigations			No. 300-16
Distribution: POLICE	☐ New ☒ Amended	Rescinds: 300-16 (5/28/15)	MLEAC Standard(s): N/A
Effective Date: DRAFT			

I. PURPOSE

The purpose of this procedure is to establish guidelines for the investigation of various types of crashes.

II. DEFINITIONS

- A. A traffic crash is defined as unintentional damage and/or injury resulting from the motion of a motor vehicle or its load. This includes collision and non-collision crashes.
 - 1. A collision crash is a crash in which a vehicle collides with another vehicle, fixed object, pedestrian, bicycle, or animal.
 - 2. A non-collision crash includes all crashes other than collision crashes which result in damage to a vehicle and/or injury. Examples of non-collision crashes include: rollovers, undercarriage damage due to potholes or missing utility access covers, occupants thrown from a vehicle, objects thrown by a vehicle, or an occupant hit by an object in or thrown against some part of a vehicle, and damage or injury from unsecured or shifting loads.
- B. In the case of a deliberate collision, a *UD-10 Crash Report* is not required. An officer should still complete an appropriate department incident report (i.e., MDOP or Felonious Assault) for the incident.
- C. A *UD-10 Crash Report* does not need to be completed when an officer makes contact with a fleeing vehicle while employing the Precision Immobilization Technique (PIT) maneuver.

III. RESPONDING TO MOTOR VEHICLE CRASH SCENES

- A. Department officers have initial investigative responsibility for all property damage (PD), personal injury (PI), serious and fatal crashes which occur within Hamburg Township.

- B. A police officer shall be dispatched to locations within Hamburg Township to investigate and complete a *UD-10 Crash Report* in the following instances:
1. PI crashes occurring inside Township limits.
 2. PD crashes occurring on public streets, including structures and the fixtures adjacent to them (i.e., mailboxes, fences, and buildings), when total damage is to an apparent extent of \$1,000.00 or more.
 3. PD crashes involving any Township vehicle, or any Township-owned structures, or Township-owned fixtures which are legally upon or adjacent to the roadway (i.e., signs, light poles, and trees); regardless of the amount of damage.
 4. PD crashes which occur as a result of a defect or condition in the roadway (i.e., potholes and missing manhole covers), regardless of the amount of damage.
 5. Hit and run crashes occurring on public streets and alleys, on any township owned property, and on private property open to the public.
 6. Any crash where one or more drivers refuse or are unable to provide a driver's license, registration information, and proof of insurance to all other drivers.
 7. A crash where a deer has been killed and the driver or other person wants to claim the deer; even if no crash report will be taken (see Section VII., CRASHES INVOLVING DEER, below).
- C. It shall be the policy of this department that when a PD crash occurs on private property (including shopping centers and school parking lots) where both drivers are present, an officer will respond and complete a *Private Property Crash Report Form* (see APPENDIX I, below) if a report is requested by at least one of the involved drivers.
- D. When a PD crash occurs on public streets or on Township-owned property other than streets and the damage does not exceed an apparent extent of \$1,000.00 and where both drivers are present officers will still respond and complete a *UD-10 Crash Report* if a report is requested by at least one of the involved drivers.
- E. If a crash occurs wherein a defect in the roadway or engineering is a contributing factor (i.e., shrubs causing a vision obstruction, a missing sign, a malfunctioning traffic signal, or potholes); the appropriate agency having responsibility for the defect shall be contacted.

- F. Drivers who have temporarily left the crash scene shall be instructed to return to a safe location at the scene to await the arrival of the officer. If a driver refuses to return to the crash scene, an officer will be dispatched to their current location. If the location is outside of Hamburg Township, a supervisor will determine if an officer will respond.
- G. Officers will be dispatched to locations within the Township for late PD crash reports, which would have required a response under Section III., B., 1-7. If the location is outside of Hamburg Township, a supervisor will determine if an officer will respond.

NOTE: If the quantity of PD crashes occurring during a snow/ice event or other circumstances are beyond the capabilities of the on-duty personnel to conduct a timely on-scene investigation, the vehicles are drivable, and the crash would require a response under Section III., B., 1-7, the drivers should be advised to exchange information and call the police department after the event is over so the crash investigation can be handled as a late crash report.

- H. Officers will be dispatched to locations within the Township for late PI crash reports anywhere within Hamburg Township. If the location is outside of the township, a supervisor will determine if an officer will respond.

IV. DUTIES OF POLICE PERSONNEL AT THE SCENE OF A CRASH INVOLVING INJURIES

- A. The *UD-10* injury code is to be based on the apparent injury at the time of the crash report. The investigating officer shall contact injured parties to determine the extent of the injuries received and the need for emergency medical attention.

NOTE: If a minor child (below 18 years of age) requires medical attention or is transported to a hospital, the officer will make a reasonable effort to notify a parent or guardian.

- B. If a person involved in a PI crash refuses medical attention when, in the opinion of the officer, the person will jeopardize his/her own life by delaying or refusing medical treatment, the officer shall follow guidelines established in Public Safety SOP #300-06: *Response to Incapacitated Persons*.
- C. Unless extenuating circumstances exist, officers shall issue the appropriate traffic violation(s) to the at-fault driver in all crashes involving injuries, except as outlined in section V(b)(4) below.

V. DUTIES OF POLICE PERSONNEL AT A FATAL/SERIOUS PI CRASH SCENE

A. INITIAL RESPONDING OFFICERS

1. The initial responding officer at the scene of a fatal or serious PI crash shall assist in attending to any injured persons.
2. The initial responding officer shall be responsible for securing the crash scene including directing traffic flow around the scene.
3. Initial responding officers shall not move vehicles involved in a fatal or serious PI unless directed to do so by a supervisor or an Accident Reconstruction Investigator (ARI).
4. The initial officer at the scene of a fatal or serious PI crash shall notify a supervisor of the incident and request that the department Accident Reconstruction Investigator (ARI) respond.
5. The initial officer shall be responsible for ensuring that all available witnesses, including drivers and passengers, are interviewed. If there are an extensive number of witnesses, the investigating officer may ask assistance from another officer in obtaining statements from the witnesses.
6. The initial responding officer shall obtain a complaint number and complete the original report outlining their actions and involvement at the scene including the following:
 - a. How call received
 - b. Officer's actions (his/her own)
 - c. Statements of witnesses
 - d. List of crash victims
 - d. Injuries observed
 - f. Evidence collected and disposition of evidence
 - g. Any other pertinent information related to the crash
7. All assisting officers shall complete a supplemental report outlining their actions and involvement at the scene.
8. It shall be the responsibility of the responding ARI to complete the *UD-10 Crash Report* on all fatal/serious PI crashes.
9. The initial responding officer shall submit for review all forms/paperwork to a supervisor before the end of the officer's tour-of-duty.

B. ACCIDENT RECONSTRUCTION INVESTIGATOR (ARI)

1. Upon arrival at the scene of a fatal/serious PI, the ARI shall assume command of the scene and shall become the OIC of the crash investigation and any subsequent criminal case arising out of the crash.
2. The ARI shall provide direction to officers assisting at the scene and shall ensure all of the following:
 - a. The crash scene is properly secured and processed
 - b. All relevant evidence is collected and stored in accordance with department policy
 - c. All involved vehicles are impounded and properly stored
3. The ARI shall be responsible for completing the *UD-10 Crash Report* and conducting any necessary follow-up investigation.
4. The ARI shall be responsible for preparing the warrant request packet for review by the prosecutor's office and/or issuing any traffic citations.
5. The ARI shall be responsible for releasing vehicles impounded and held for investigation. The ARI shall only release a vehicle impounded in connection with a fatal/serious PI crash after receiving authorization to do so from the Livingston County Prosecutor's Office.

C. SUPERVISOR

1. A supervisor shall be responsible for authorizing the response of an ARI if needed.
2. If the crash involves a department vehicle or other Hamburg Township emergency response vehicle, and the crash involves the response of an ARI, the supervisor shall be responsible for contacting the Director of Public Safety.
3. Supervisors shall work in conjunction with the ARI and provide direction to all department personnel at the scene.
4. A supervisor shall collect and review all forms/paperwork from the initial responding officer and all assisting officers.
 - a. If an arrest is made relating to a crash for which no follow-up is initially required and no ARI is involved, the forms/paperwork

shall be forwarded to the Livingston County Prosecutors Office for purpose of seeking a warrant.

D. VEHICLES INVOLVED IN FATAL/SERIOUS PI CRASH

1. All vehicles involved in a fatal/serious PI shall be impounded and held for investigation until released by the ARI.
2. All impounded vehicles shall be inventoried, towed and stored in accordance with Public Safety SOP #300-17: *Motor Vehicle Towing*.
3. At no time shall any personnel remove or release any property or vehicle part from any vehicle involved in a fatal/serious PI without notifying and receiving permission from the ARI.

VI. CRASHES OCCURRING OUTSIDE HAMBURG TOWNSHIP

- A. Upon arrival at crash scenes determined to be outside the Township, the responding officer shall advise if an ambulance or other emergency equipment is needed and request Central Dispatch to notify the police agency having jurisdiction of the need for police response.
- B. Depending on circumstances, department officers shall protect the scene or move the vehicle to a safe area and remain at the scene until relieved by the responding agency or until advised to clear the scene by a supervisor.

VII. CRASHES INVOLVING DEER

A deer which is killed by a motor vehicle collision or injured to the extent that it must be terminated may be taken possession of by a person. The person taking possession of the deer must submit a *Michigan Road Kill Salvage Application* to the Michigan DNR and attach the permit to the carcass within 24 hours. The *Michigan Road Kill Salvage Application* can be found on the Michigan DNR website. The driver of the vehicle that killed the deer has first priority to the carcass.

NOTE: Non-residents of Michigan wanting to claim a killed deer should be cautioned that adjacent state laws may prohibit bringing a killed deer into that state during a non-hunting season.

- A. If the car/deer crash meets the crash report criteria set forth in Section III., B., 1-6, a *UD-10 Report* shall be completed.
- B. If a deer carcass is going to be taken when no *UD-10 Report* is being completed, officers shall document the following information in the call for service notes:

1. Date and time of possession.
 2. Location of where possession occurred.
 3. Identify if antlered, number of antler points, or if antlerless.
 4. If a salvage tag was requested.
 5. Full name including middle initial, date of birth, mailing address, phone number, and driver license number.
 6. Intended purpose for obtaining possession.
- C. A permit will not be issued to possess a spotted fawn.
- D. If more than one deer is killed in a single incident, the person permitted to claim the deer may claim all deer involved. A separate permit application should be completed for each deer carcass.

VIII. BOATING ACCIDENT REPORTS

- A. A boating accident includes, but is not limited to: capsizing, collision, flood, fire, explosion, and the disappearance of a vessel other than by theft.
- B. A State of Michigan *Official Boating Accident Report* form (Form PR9257) shall be completed when a boating accident results in: damage by or to the vessel or its equipment in the apparent amount of \$2,000.00 or more, injury to any person, loss of life, or the disappearance of any person from on board under circumstances which indicate the possibility of death or injury.
- C. All water skiing accidents will be submitted on the *Official Boating Accident Report* form.

NOTE: The investigation officer shall open a non-criminal investigation report for any incident in which a person falls from or is ejected from a watercraft; with the exception of falling off a jet ski or while engaged in water skiing, tubing, wake boarding, etc. This type of incident does not qualify for reporting on the *Official Boating Accident Report* but a description of the circumstances of the incident, identity of the individual(s) involved, and details of the watercraft involved.

IX. ICE SURFACE ACCIDENTS

- A. Accidents involving motorized vehicle(s) (i.e., snowmobiles, automobiles, all-terrain vehicle (ATVs), etc.) used on frozen waterway surfaces should be submitted on a *UD-10 Report*. This includes all deaths, personal injury, and property damage accidents exceeding the applicable dollar amount.

NOTE: The applicable dollar amount for a crash involving automobiles is \$1,000.00; for snowmobiles and ATVs the amount is \$100.00.

- B. Accidents involving vehicles which are not motorized and which are used on ice surfaces should be submitted on an *Official Boating Accident Report*.

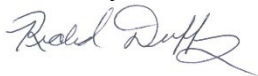
X. SNOWMOBILE AND OFF ROAD RECREATION VEHICLE (ORV) ACCIDENT REPORTS

- A. Accidents involving snowmobiles and ORVs (including ATVs) resulting in injuries to or death of a person, or resulting in property damage in the apparent amount of \$100.00 or more, shall be submitted on a *UD-10 Crash Report*.
- B. In addition to a *UD-10 Crash Report*, a *Fatal Snowmobile Accident Report* (Form PR9170) shall also be completed when there is a fatal crash involving a snowmobile.

XI. TRAIN ACCIDENTS

- A. When an accident occurs involving a train within the Township, Hamburg Township Public Safety personnel (police and fire) will be dispatched to the scene of the accident.
- B. Responding officers will render aid to the injured and secure the scene.
- C. Officers shall advise Central Dispatch to contact the appropriate railroad agency in order to notify them of the crash and of any possible obstruction on the tracks.
- D. A *UD-10 Crash Report* shall be completed on all train accidents listing the train as one of the units.

Issued by:



Richard Duffany
Director of Public Safety

Approved by Hamburg Township Board of Trustees: DRAFT

____ of ____

Hamburg Township Police Private Property Crash Report

Case# _____

10409 MERRILL ROAD • P.O. BOX 157 • HAMBURG • MICHIGAN 48139 • PHONE: (810) 231-9391 • FAX: (810) 231-9401

Please fill in the blanks with as much information as you can supply. This is an **OFFICIAL POLICE REPORT**. Making false or fictitious reports may subject you to **criminal prosecution**. It is recommended that all parties involved fill out and submit this report form to the Hamburg Township Police Department. If there were **ANY INJURIES**, this report form **CANNOT** be used to report this incident.

DATE OF INCIDENT: _____
TIME OF INCIDENT: _____
NUMBER OF VEHICLES INVOLVED: _____

LOCATION OF INCIDENT: (address or business) _____

DRIVER #1

DRIVER #1:

NAME: _____ PHONE NUMBER: (____) _____ - _____

VEHICLE INFORMATION:

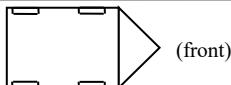
____ MAKE ____ MODEL ____ COLOR ____ YEAR ____

INSURANCE INFORMATION:

____ INSURANCE COMPANY ____ POLICY NUMBER ____

DAMAGE TO VEHICLE:

(Mark with an "X" areas of damage to the vehicle and indicate the extent of damage, 0 = none to 7 = severe)



BRIEFLY DESCRIBE WHAT HAPPENED: _____

SIGNATURE AND DATE: _____

DRIVER #2

DRIVER #2:

NAME: _____ PHONE NUMBER: (____) _____ - _____

VEHICLE INFORMATION:

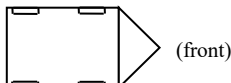
____ MAKE ____ MODEL ____ COLOR ____ YEAR ____

INSURANCE INFORMATION:

____ INSURANCE COMPANY ____ POLICY NUMBER ____

DAMAGE TO VEHICLE:

(Mark with an "X" areas of damage to the vehicle and indicate the extent of damage, 0 = none to 7 = severe)



BRIEFLY DESCRIBE WHAT HAPPENED: _____

SIGNATURE AND DATE: _____

HAMBURG TOWNSHIP PUBLIC SAFETY DEPARTMENT			
STANDARD OPERATING PROCEDURE			
Title: Use of Force			No. 300-25
Distribution: POLICE	☐ New ☒ Amended	Rescinds: 300-25 (10/7/20)	MLEAC Standard(s): 3.3.1, 3.3.2, 3.3.3, 3.3.5
Effective Date: DRAFT			

I. PURPOSE

The purpose of this procedure is to provide Hamburg Township police officers with guidelines on the use of force during the legal performance of their duties and to establish a procedure for reporting use of force.

II. POLICY

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 careful balancing of all human interests is required. Further, this department recognizes that officers are often forced to make split-second judgments, in circumstances that are tense, uncertain, and rapidly evolving when deciding the amount of force necessary in a particular situation (*Graham v. Conner*, 390 U.S. 368, 1989).

Use of Force shall never be considered routine. Department members shall use only objectively reasonable force to overcome resistance while affecting a lawful arrest, bringing an incident under control, or protecting the public in the lawful performance of their duty. This shall include force up to and including deadly force.

The use of unreasonable, unnecessary or excessive force, and/or the failure to provide medical treatment following the use of force, shall result in disciplinary action against those who use or allow the use of such force or fail to provide for the care of persons in custody, up to and including termination.

III. DEPARTMENTAL USE

This procedure is for departmental use only and represents an administrative guide for officers' decision-making processes and not as a standard for civil or criminal litigation. It should not be construed as a creation of a higher legal standard of safety or care in an evidentiary sense with respect to civil suits or administrative claims. However, violations of this procedure may form the basis for departmental administrative sanctions.

IV. DEFINITIONS

For this procedure, the following definitions will apply:

- A. **Choke Hold:** A neck restraint or any hold applied to or around the neck with intent to restrict the flow of blood to the brain or the flow of air through the windpipe.
- B. **Deadly Force:** Any force used by an officer that has a reasonable probability of causing death or serious bodily harm.
- C. **De-Escalation:** The Department of Justice (DOJ) defines “de-escalation” as the strategic slowing down of an incident in a manner that allows officers more time, distance, space and tactical flexibility during dynamic situations on the street.
- D. **Firearm:** Department issued/authorized handgun, rifle or shotgun.
- E. **Last Resort:** Situations wherein certain immediate and drastic measures must be undertaken by an officer in order to protect human life. Force used in these situations may involve the use of techniques or weapons not covered by this policy. However, the force used must still be objectively reasonable under the circumstances.
- F. **Less-Lethal Force:** Any force used by an officer that will not reasonably be expected to cause death or serious bodily harm.
- G. **Less-Lethal Weapons:** Those devices that when properly used by an officer are not reasonably expected to cause death or serious bodily harm.
- H. **Lethal Weapon:** A device which when used by an officer may result in great bodily harm or loss of human life. Lethal weapons are considered deadly force in the Force Continuum.
- I. **Level of Control:** That amount of force officers use to gain control over a subject’s resistant actions in the performance of their lawful duties.
- J. **Level of Resistance:** That amount of resistance or force used by a subject to resist compliance with the lawful order or action by an officer.
- K. **Meaningful Review:** A documented review of an incident or occurrence, regardless of outcome, prepared by or for the Director of Public Safety or his/her designee. The review should indicate whether policy, training, equipment, or disciplinary issues should be addressed.
- L. **Minimum Amount of Force:** The least amount of force that will permit officers to overcome the resistance offered.

- M. **Objectively Reasonable Force:** Any force used by an officer which is suitable to the situation and consistent with department approved training and policies. The reasonableness of an officer's actions will be based upon what a "reasonable" officer would have done under similar circumstances
- N. **Serious Bodily Harm:** A bodily injury that creates a substantial risk of death, causes serious/permanent disfigurement, or results in long-term loss or impairment of any bodily function.
- O. **TASER®:** A less-lethal weapon approved by the department that transmits electrical pulses that causes an uncontrollable contraction of muscle tissue, resulting in temporary physical debilitation to a person.

V. **AUTHORIZED USE OF LESS-LETHAL FORCE**

- A. The application of a necessary amount of less lethal force may be used in the following situations, or when other alternatives are not available or have failed. The totality of circumstances is the factor to be considered in determining the degree of force to be used. Officers are authorized to use department-approved control techniques and authorized less-lethal weapons for resolution of incidents as follows:
 - 1. To stop potentially dangerous and/or unlawful behavior.
 - 2. To protect the officer or another from injury or death.
 - 3. To prevent a person from injuring themselves.
 - 4. During the process of effecting an arrest when a subject offers resistance.
 - 5. To protect another officer or other person from physical assault.
 - 6. To control the attack or menacing of animals against officers, other persons, or property.
 - 7. To prevent escape from custody.
 - 8. To take a person into protective custody.
- B. Officers shall only utilize department authorized less-lethal weapons and shall follow the guidelines for the use of less lethal weapons as outlined in Public Safety SOP #300-28: *Less-Lethal Weapons*.

VI. **AUTHORIZED USE OF DEADLY FORCE**

An officer may use deadly force under the following circumstances:

- A. When an officer reasonably believes that the use of deadly force is in defense of human life, including the officer's own life, or in defense of any person in imminent danger of serious physical harm., or;
- B. To prevent the escape of a fleeing felon when the felony committed involves the infliction or threatened infliction of death or serious bodily harm; provided that the officer has exhausted all other reasonable means of apprehension and *all of the following circumstances exist*:
 - 1. The fleeing felon is apparently armed and dangerous; and,
 - 2. Deadly force is necessary to prevent the felon's escape; and,
 - 3. The officer has probable cause to believe that the felon poses a significant threat of death or serious bodily harm to the officer or others if the subject escapes; and,
 - 4. Whenever feasible, some form of verbal warning is given to the fleeing felon.
- C. All firearms, regardless of whether they are owned privately or by the department, shall be used in a lawful manner at all times.
- D. Officers shall not discharge a firearm at a moving vehicle for the purpose of stopping that vehicle unless it can be justified as an authorized use of deadly force or in last resort situations.
- E. Members of this department shall not fire warning shots.

VII. LEVELS OF RESISTANCE AND CONTROL

- A. Officers may use such reasonable force as may be, or reasonably appears to be, necessary to protect themselves or others or to carry out their lawful duties. Officers should use the amount of force that is proportionate to the level of demonstrated subject resistance. As the subject's resistance de-escalates, the amount of force used by the officer must also de-escalate. Force may never be used as punishment or retaliation.
- B. Once a determination is made that physical force is necessary, the amount of force used must be "reasonable" under the circumstances. The factors to be considered in determining reasonableness include, but are not limited to:
 - 1. The severity of the crime;
 - 2. Whether the suspect poses an immediate threat to the safety of the officers

or others;

3. Whether the suspect is actively resisting arrest or attempting to flee.

C. For the purpose of this policy, the use of force will be addressed from two perspectives: resistance and control. Both resistance and control can be in the form of verbal directives or physical action. Resistance is defined as actions that are directed from the subject toward the officer; while control is action directed from the officer toward the subject.

1. **Levels of Resistance:** The amount of resistance or force used by a subject to resist compliance with the lawful order or action by an officer.

a. **Inactive Resistance** – Resistance that may include psychological intimidation and/or verbal resistance (e.g., blank stare, clenching of fist(s), tightening of jaw muscles, etc.).

b. **Passive Resistance** – Any type of resistance whereby the subject does not attempt to defeat the officer's attempt to touch and control the subject, but still will not voluntarily comply with verbal and physical attempts to control (e.g., dead weight, does not react to verbal commands, etc.). This is the lowest level of physical resistance. At this level, the offender never makes any attempt to defeat the physical contact of the officer. In passive resistance situations, officers should, whenever possible, secure assistance in lifting or wheeling an uncooperative subject to a transporting patrol vehicle. As long as the subject's level of resistance does not exceed the passive resistance stage an officer's response shall not exceed "compliance controls" in the force category. Physical controls such as hard empty hand techniques shall not be used unless it becomes necessary to protect the safety of the officer, subject, or others. Physical controls and/or Intermediate controls may be justified when an officer can articulate their reason to believe the subject or other persons on the scene are using or likely to use greater resistance.

c. **Active Resistance** – Any action by a subject that attempts to prevent an officer from gaining control of the subject (e.g., pulling/pushing away, blocking, etc.). At this level the offender attempts to push/pull away in a manner that does not allow the officer to establish control. However, the subject never attempts to strike the officer.

d. **Active Aggression** – Physical actions/assaults against the officer with less than deadly force (e.g., advancing, challenging, punching, kicking, grabbing, wrestling, etc.). At this level the subject attacks

the officer to defeat the officer's attempt to control him/her. The attack is a physical assault on the officer in which the offender strikes or uses techniques in a manner that may result in injury to the officer or others.

- e. **Deadly Force Assault** – Any force used against an officer and/or another person that may result in great bodily harm or the loss of human life.

2. **Levels of Control:** Force that an officer uses to gain control over a subject's resistant actions.

- a. **Officer Presence/Verbal Direction** – Identification of Authority (i.e., uniformed presence or identification as a police officer); Verbal Direction (i.e., for arrest or to control subject's movements); and/or Use of Restraint Devices (i.e., compliant handcuffing). If the officer is not in uniform, this level would require verbal identification.
- b. **Compliance Controls** – Soft Empty Hand Techniques (e.g., physical control such as strength techniques, leverage locks, pain compliance techniques and pressure points).
- c. **Physical Controls** – Hard Empty Hand Techniques are applied when lower forms of control have failed or **appear to be insufficient**. Techniques that fall into this level of force have a probability of creating soft or connective tissue damage, skin lacerations that require medical attention, or bone fractures (e.g., take downs, strikes, PPCT Shoulder Pin Restraint System, etc.). Strikes may be delivered with an officer's open hand, fist, forearm, leg, knee, or foot.
- d. **Intermediate Controls** – Intermediate Controls (i.e., impact weapons, less-lethal weapons, chemical agents, and/or TASER© device) when used consistently within training deployment standards, provides a method of controlling subjects when deadly force is not justified but when empty hand control techniques **have failed or appear to be insufficient** in controlling, moving or effecting an arrest. The officer's intent should always be to temporarily disable an offender and not to inflict permanent injury. When intermediate weapons are used, it is quite likely that some form of skin irritation, bruising, soft or connective tissue damage, or bone fracture may occur.
- e. **Deadly Force** – Any force used by an officer that may result in great bodily harm or the loss of human life to be used only in those

situations described in Section VI of this procedure. Neck restraints or choke holds, whether applied by empty hand or intermediate weapon, constitute deadly force and can be used only when such force is justified.

3. In deciding which level of force to use in response to resistance encountered by an officer, the following factors should be considered:
 - a. Relative size/stature of the subject.
 - b. Multiple subjects/offenders.
 - c. Subject's access to weapons.
 - d. Subject under the influence of alcohol or drugs.
 - e. Exceptional abilities/skills (e.g., martial arts).
 - f. Injury to, or exhaustion of, the officer.
 - g. Weather or terrain conditions.
 - h. Immediacy of danger and/or distance from the subject(s).
 - i. Special knowledge (e.g., subject's prior history of violence, etc.).
 - j. Officer's perception of the subject's willingness to resist.
 - k. Officer's perception of the immediate threat to the subject, third party, or the officer himself/herself.
 - l. Availability of or closeness of back-up assistance.
4. Officers shall draw and/or display weapons only:
 - a. Where an ordinary prudent officer would reasonably fear for his or her safety or the safety of others, or,
 - b. Where an officer is authorized to use the weapon to effect an arrest as established by this procedure, or,
 - c. For the purposes of destroying an animal, training, or cleaning as provided by departmental policies and procedures.

VIII. DE-ESCALATION

De-escalation tactics are employed in an attempt to increase the likelihood of voluntary compliance and cooperation. It is the policy of this department that when all of the reasonably known circumstances indicate it is safe, prudent, and feasible to do so, an officer shall provide a subject an opportunity to de-escalate. De-escalation tactics may help an officer expand time and space in order to put themselves in a more advantageous position to evaluate response options.

- A. An officer shall attempt to slow down, reduce the intensity, or stabilize a situation so that more time, options and /or resources may become available for incident resolution, when reasonable and when it can be accomplished safely.

Tactics include:

1. Increasing distance to allow for greater reaction time. Officers should recognize that they may withdraw or reposition to a location that is tactically more secure or allows them greater distance in order to consider or deploy a greater variety of force options.
 2. Maximizing the use of cover or concealment to reduce officer(s) exposure to potential threats by placing the officer(s) in a safer position.
 3. Communicating from a safe position to gain the subject's compliance through the use of verbal persuasion, advisements, and/or warnings. Generally, communication techniques should involve active listening to calm agitated individuals and promote rational decision-making.
- B. When time and circumstances reasonably permit, an officer shall consider whether a subject's lack of compliance is a deliberate attempt to resist or is the result of an inability to comply based on factors including, but not limited to:
1. Medical Conditions
 2. Mental Impairment
 3. Developmental disability
 4. Physical limitation
 5. Language barrier
 6. Behavioral crisis
 7. Fear or anxiety

8. Drug interaction
 9. Past history/experiences
- C. An officer's awareness of factors such as outlined above (VIII. B), when time and circumstances reasonably permit, shall be balanced against the facts of the incident and which tactical options are the most appropriate to bring the situation to a safe resolution. An officer is not expected to engage in force de-escalation measures that could jeopardize the safety of the community or the safety of officers.
 - D. Supervisors should possess a good knowledge of tactics and supervise officers under their command in regard to proper training standards. As a good practice, supervisors when available will respond to incidents in a timely manner where law enforcement use of force is probable.
 - E. De-escalation cannot be measured solely on whether officers used force or not. There are times when the application of reasonable force is the only way to "de-escalate" a situation.

IX. DUTY TO INTERVENE

- A. Each officer has an affirmative duty to safely intervene in instances where the circumstances are such that the officer should reasonably conclude that another officer is using inappropriate, unreasonable or excessive force on a person in violation of this policy or any state/federal law.
- B. Officers failing to intervene to stop the use of inappropriate, unreasonable or excessive force by another officer, regardless of the ranks of the involved officers, shall be subject to strict discipline up to and including termination of employment.

X. AFTERCARE PROCEDURES

- A. All personnel shall be alert to any injury or complaint of injury occurring as a result of any use of force utilized to control a subject.
- B. Officers using force on a subject shall make medical treatment available to that subject when:
 1. The subject complains of injury and/or requests medical treatment.
 2. Any officer observes or suspects injury to the subject.
 3. The subject does not substantially recover from the effects of a less-lethal weapon within a reasonable and expected time period.
 4. When directed by a supervisor.

- C. When a less-lethal weapon is used on a subject the officer shall follow the post-deployment procedures specific to that less-lethal weapon as outlined in Public Safety SOP #300-28: *Less-Lethal Weapons*.
- D. If a less-lethal weapon is used on a subject and they are lodged in the Livingston County Jail, the transporting officer shall inform jail personnel upon arrival at the jail that a less-lethal weapon was deployed on the subject.
- E. If a less-lethal weapon is used on a subject and they are turned over to another agency, the transporting officer shall inform the receiving officer from that agency that a less-lethal weapon was deployed on the subject.
- F. Officers are reminded that they may be held civilly and criminally liable for failing to provide appropriate care and/or failing to request medical treatment for persons in their custody when circumstances warrant. When in doubt, request a medical evaluation by fire personnel or Livingston County EMS.

XI. SUPERVISORY RESPONSIBILITIES

- A. Any officer, whose actions or use of force in an official capacity results in death or serious physical injury, shall be removed from line-duty assignment, pending a documented meaningful review and/or investigation. The on-scene supervisor shall ensure that the procedures outlined in Public Safety SOP #300-23: *Response to Critical Incidents* and Public Safety SOP #300-59: *Administrative Duty/Leave* are followed.
- B. Whenever a supervisor has knowledge that a use of force incident has occurred, it shall be the supervisor's responsibility to ensure that both an incident report and Use of Force form are completed.
- C. The shift/on-duty supervisor will conduct a meaningful review of all use of force incidents. The supervisor's responsibility is to determine whether the degree of force used was justified in accordance with the terms of this policy, whether any violations of department policies or procedures occurred, and whether policy, training, equipment, or disciplinary issues should be addressed. The reviewing supervisor should be one rank above the officer using force whenever possible. If a supervisor one rank above the officer using force isn't available or the Director of Public Safety was involved in the Use of Force, a review committee of department Use of Force instructors will conduct the meaningful review.
- D. If the reviewing supervisor finds that the use of force was not justified or that a violation of department policy occurred the reviewing supervisor shall indicate their findings on the Use of Force form and initiate the disciplinary process as outlined in Public Safety

SOP #100-3: *Disciplinary Procedures* and Public Safety SOP #300-59: *Administrative Duty/Leave*.

- E. If the reviewing supervisor finds that the use of force was justified the supervisor shall indicate that finding on the department's Use of Force form and forward it to the Deputy Director - Police for review.
- F. The Deputy Director shall review the findings and forward the Use of Force form to the Director of Public Safety.
- G. The Director of Public Safety shall review the use of force incident and make a final determination if the amount of force used was within department policy. If the Director was involved in the use of force, the Township Supervisor shall assume the role of the Director of Public safety for purposes of making a final determination.

XII. REPORTS

- A. Officers shall complete a detailed incident report and the department's Use of Force form (Appendix A) whenever force is used, except in instances outlined in Officer Presence/Verbal Direction level of control (VII.C 2a).
- B. In Use of Force incidents for which the officer is already generating a complaint number for the incident (e.g., resisting, disorderly, etc.), the officer will complete the following under the original complaint number:
 - 1. Complainant, victim and witness information and statements.
 - 2. Factors used to determine the reasonable suspicion and/or probable cause that existed.
 - 3. Level(s) of resistance encountered and the type(s) and degree of force used to overcome the resistance.
 - 4. Injury to the prisoner or officer(s).
 - 5. Treatment of prisoner or officer(s).
 - 6. Follow-up actions taken by officers.
 - 7. Other officers involved.
 - 8. Evidence, including weapons and photographs.
- C. If a prisoner requires medical treatment or complains of injury that occurred during the officer's contact with the subject when force was used, the officer shall include in the original incident report: the injury, treatment, and photographs of the injury, as well as, all other information listed in XII. B., above.

- D. If a prisoner requires medical treatment or complains of injury when force was not used and the injury did not occur during the officer's contact with the subject, notation of this required medical treatment or complaint of injury shall be made in the original incident report.
- E. Whenever a department issued or department approved and registered second/back-up firearm is discharged by police personnel under any circumstance other than authorized animal terminations, training exercises at the range, lawful hunting, or lawful recreation a report shall be initiated detailing the incident for a police firearm discharge.
- F. The use of restraints is outlined in Public Safety SOP #300-76: *Use of Handcuffs and Restraining Devices*.

XIII. DATA COLLECTION

The Hamburg Township Public Safety Department participates in the DOJ/FBI National Use of Force Data Collection. The Deputy Director, or designee, will submit monthly statistics on use of force. This national database is used to provide an aggregate view of the incidents reported and the circumstances, subjects, and officers involved.

- XIV. The Director of Public Safety, or designee, will conduct a documented annual review and a written annual analysis of all use of force incidents in the aggregate. This analysis should reveal patterns or trends that could be predictive or could indicate effectiveness, training needs, equipment upgrade needs and/or policy modification needs.

XV. OFFICERS ASSIGNED TO OTHER AGENCIES

Officers of this department assigned to or assisting other law enforcement agencies shall follow the guidelines established in this procedure.

Issued by:



Richard Duffany
Director of Public Safety

Approved by Hamburg Township Board of Trustees: Draft.

(APPENDIX A)

HAMBURG TOWNSHIP PUBLIC SAFETY DEPARTMENT

USE OF FORCE REPORT

Complaint Number _____

INCIDENT:

Date of Incident _____ Time of Incident _____

Location of Incident _____

Nature of the Incident _____

Requested Charges _____

Lodged (Y/N) _____ Location Lodged: _____

SUBJECT:

Subjects Full Name _____ Date of Birth _____

Subjects: Sex _____ Race _____ Height _____ Weight _____

Subjects clothing description _____

Did suspect appear under the influence of alcohol/drugs (Y/N) _____

If yes, describe _____

OFFICER(S):

Officer(s) Using Force _____

Type of Force Used (check all that apply):

Compliance Controls _____ Describe _____

Physical Controls _____ Describe _____

Intermediate Controls _____ Describe _____

(NOTE: Complete TASER© section if TASER© was deployed)

Deadly Force _____ Describe _____

INJURY:

Did the application of force cause injury? (Y/N) _____

If yes, describe nature of injuries (including complaints of injury):

Did the subject receive medical treatment at the scene (Y/N) _____

If yes, who provided treatment (EMS, Fire, officer, etc.) _____

Was the subject transported to the hospital (Y/N) _____

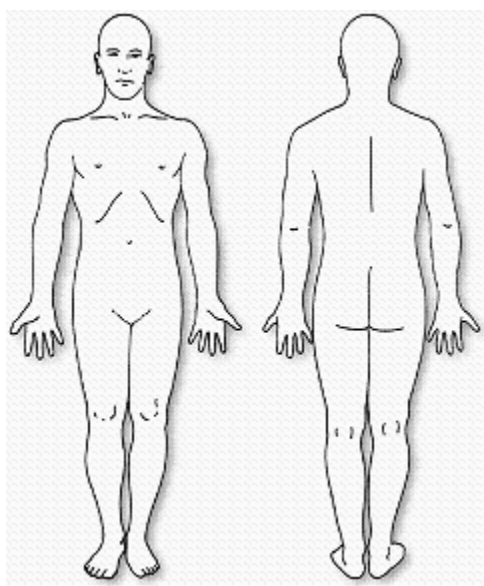
If yes, name of hospital _____ Who transported _____

TASER®:

TASER® Serial Number _____
Number of cartridges fired _____ Number of cycles applied _____
Was this a dart probe contact? _____ Was this a stun gun contact? _____
Approximate target distance at the time of the dart launch _____
Distance between the two probes _____
Did dart contacts penetrate the subject's skin? _____
Were the probes removed on scene? _____

DESCRIPTION OF INJURY:

Application Areas – Points of contact (place an “X” where each probe made contact with suspect)



Synopsis:

Need for additional application? _____ Did the device respond satisfactorily? _____
Describe the subject's demeanor after the device was used, or displayed _____

Were photographs taken of the impact site and/or further injuries? _____

Remarks:

REVIEW:

_____ I find that the use of force was justified.

_____ I find that the use of force was not justified and/or violated department policy.

(NOTE: A detailed memorandum shall be sent to the Deputy Director – Police outlining the alleged violations).

Investigating Supervisor: _____ Date: _____

_____ I concur with the findings of the investigating Sergeant.

_____ I do not concur with the findings of the investigating Sergeant.

(NOTE: A detailed memorandum shall be sent to the Chief of Police in all instances where the Deputy Chief does not concur with the findings of the investigating Sergeant).

Deputy Director: _____ Date: _____

_____ I find that the use of force was justified and within department policy.

_____ Disciplinary process has been initiated.

Director of Public Safety: _____ Date: _____

HAMBURG TOWNSHIP PUBLIC SAFETY DEPARTMENT			
STANDARD OPERATING PROCEDURE			
Title: Traffic Direction and Control			No. 300-34
Distribution: POLICE	☒ New ☐ Amended	Rescinds:	MLEAC Standard(s): 3.6.5
Effective Date: DRAFT			

I. PURPOSE

The purpose of this policy is to provide guidelines for the manual direction and control of traffic in order to facilitate the safe flow of vehicle and pedestrian traffic as required by road conditions or emergency situations.

II. PROCEDURES

In order to facilitate the safe flow of vehicle and pedestrian traffic as required by road conditions or emergency situations, officers shall adhere to the following guidelines:

A. Presence and Purpose

Personnel carrying out manual traffic direction and control will ensure that their presence and purpose are well demonstrated to drivers and pedestrians, by:

1. Procuring and placing necessary traffic control devices prior to the planned event (e.g., road closed barricades, cones, or other temporary traffic control device).
2. Positioning themselves so that they can clearly be seen by all; usually in the center of an intersection or street.
3. Standing facing or with back to stopped traffic, and with the side toward traffic being directed to move.

B. Traffic Direction and Control Aids

As soon as practical, officers shall establish a traffic pattern using the following to direct the flow of traffic as necessary:

1. Patrol vehicles (with emergency lights activated).
2. Orange Cones.
3. Flares.
4. Barricades (for extended events).

C. Hand Signals and Commands

Officers shall use consistent and uniform hand signals when directing traffic:

1. **To stop traffic**, the officer should first extend his/her arm, point their index finger toward the driver, and look directly at the person to be stopped. The officer will make eye contact with the driver so the officer can be sure the driver is aware of the officer's gesture. Second, the pointing hand is raised at the wrist so that its palm is toward the person to be stopped, and the palm is held in this position until the person is observed to stop. To stop traffic from both directions on a two-way street the procedure is then repeated for traffic coming from the other direction while continuing to maintain the raised arm and palm toward the traffic previously stopped.
2. **To start traffic**, the officer should first stand with shoulder and side toward the traffic to be started, extend his/her arm and index finger toward and look directly at the person to be started until that person is aware or it can be reasonably assumed that he is aware of the officer's gesture. Second, with palm up, the pointing arm is swung from the elbow, only, through a vertical semicircle until the hand is adjacent to the chin. If necessary, this gesture is repeated until traffic begins to move. To start traffic from both directions on a two-way street, the procedure is then repeated for traffic coming from the other direction.
3. **Right turning** drivers usually effect their turns without the necessity of being directed by the officer. When directing a right turn becomes necessary, the officer should proceed as follows: if the driver is approaching from the officer's right side his/her extended right arm and index finger and gaze are first directed toward the driver, followed by swinging the extended arm and index finger in the direction of the driver's intended turn. If the driver is approaching from the officer's left side, either the same procedure may be followed utilizing the left arm extended or the extended left forearm may be raised to a vertical position from the elbow while closing the fingers so that the remaining extended thumb points in the direction of the driver's intended turn.
4. **Left turning** drivers should not be directed to affect their movement while the officer is also directing oncoming traffic to proceed. Therefore, the officer should either direct opposing vehicles to start while avoiding left turn gestures directed at turning drivers, which will lead them to complete their turn only when there is a gap in the oncoming traffic, or to stop or hold oncoming drivers, after which the left turning driver can be directed into his turn. The officer's right side and arm should be toward the oncoming traffic, and the left side and arm should be toward the left turning driver. After stopping oncoming traffic by using the right arm and hand, the right hand should remain in the halt gesture, then the extended left arm and index finger and officer's gaze is directed toward the driver who intends to affect a left turn. When the left turning driver's attention

has been gained, the extended left arm and index finger are swung to point in the direction the driver intends to go.

D. *Signaling Aids*

1. **The whistle**, if used, is to get the attention of drivers and pedestrians. It is used as follows:
 - a. One long blast with a STOP hand signal.
 - b. Two short blasts with a GO hand signal
 - c. Several short blasts to get the attention of a driver or pedestrian who does not respond to a given signal.
2. **A flashlight** can be used to halt traffic. To stop traffic, slowly swing the beam of the light across the path of oncoming traffic. The beam from the flashlight strikes the pavement as an elongated spot of light. After the driver has stopped, arm signals may be given in the usual manner, the vehicle's headlights providing illumination.
3. **The voice** is seldom used in directing traffic. Arm gestures and the whistle are usually sufficient.
 - a. There are numerous reasons why verbal commands are not used. Verbal orders are not easy to give or understand and often lead to misinterpretations which are dangerous. An order which is shouted can antagonize the motorist.
 - b. Occasionally a driver or pedestrian will not understand the officer's directions. When this happens, the officer should move reasonably close to the person and politely and briefly explain his directions. No officer shall exhibit loss of temper by shouting or otherwise indicate antagonism toward those who do not understand or who do not wish to obey the officer's directions.

E. *High-Visibility Vests*

Officers shall wear their department-issued high visibility vests when directing traffic in accordance with Public Safety SOP #300-51: *Traffic Safety Vests*.

F. *Manual Control of a Traffic Light*

1. There are times during special events when officers will direct traffic using the traffic light that is in place. Officers are specifically authorized to manually operate the manner in which the traffic light functions at M-36 and Merrill Road when clearing traffic from large pre-planned events being held on Township grounds.
2. For unplanned events or at other locations, officers shall receive authorization from a supervisor prior to manually operating a traffic light.

G. *Pre-planned Events*

The Traffic Sergeant, or designated supervisor in the absence of the Traffic Sergeant, shall be responsible for providing traffic direction and control for pre-planned events. They shall:

1. Procure and place necessary traffic control devices prior to the planned event (e.g., road closed barricades, cones, or other temporary traffic control device).
2. Determine the necessary personnel required for the special event.
3. Determine location of personnel assignments.
4. Provide overall supervision of traffic control and direction for the event.
5. Provide for the removal of traffic control devices and termination of assignments for personnel at the event's conclusion.

H. *Unplanned Events (traffic accidents, motorist assists, etc.)*

For unplanned situations requiring traffic direction and control, the first arriving officer shall be responsible for the incident. They shall, as needed:

1. Provide traffic direction and control in such a manner that ensures the greatest safety factor for the officer(s) and others at the scene.
2. Request additional patrol units to the scene.
3. Request additional resources.

I. *Traffic Control Devices – Immediate Attention*

1. If a traffic control device that is essential to the safe control or movement of vehicular or pedestrian traffic is found non-functional or missing, the officer shall report the incident to Central Dispatch and remain at the scene providing traffic control as needed until the situation is rectified or until relieved by other authorized personnel.
 - a. Officers shall follow this directive especially when the missing or non-functional device is a primary control device such as a stop sign, traffic signal, or other control device, which if left unattended places the safety of the public in jeopardy.
 - b. In cases where it appears there will be an extended delay in the repair of the device, the officer shall notify a supervisor who will be responsible for coordinating additional personnel/resources including from non-law enforcement entities.

J. *Traffic Control Devices – Non-Immediate Attention.*

1. Upon receiving a report of or discovering a malfunctioning traffic control device that does not require immediate attention, officers report it to Central Dispatch and request that the appropriate personnel are notified.

2. Officers shall contact a supervisor if there is any question on the immediacy of the need.

K. *Adverse Road Conditions*

1. Adverse road and weather conditions may include, but are not necessarily limited to:
 - a. Accidental hazards, such as debris that has fallen onto the roadway from another vehicle, downed power lines, etc.
 - b. Acts of nature, such as fog, ice on the road, etc.
 - c. Engineering hazards, such as an exposed guardrail end or other object that might cause unnecessary additional damage or injury should a vehicle, for any reason, impact with such object upon leaving the road.
2. Department personnel shall:
 - a. Maintain a close working relationship with all agencies that share responsibility for traffic safety when adverse road and weather conditions occur.
 - b. Continue to cooperate with other agencies in developing and carrying out mutual assistance policies, procedures, and programs to serve the public as effectively as possible when adverse weather conditions exist.
 - c. Upon discovering an adverse road or weather condition affecting traffic, notify Central Dispatch. of the condition
 - d. Provide traffic direction and control services and scene protection services in the vicinity of adverse road and weather conditions, as appropriate.

L. *Fire Scenes*

1. Officers shall position their patrol vehicles in a manner as to control traffic and protect fire personnel and equipment.
2. If the vehicle positioning is an ineffective deterrent for traffic, notify Central Dispatch and request additional officers, including mutual aid if necessary.

Issued by:

A handwritten signature in dark ink, appearing to read "Richard Duffany". The signature is fluid and cursive, with the first name "Richard" and last name "Duffany" clearly distinguishable.

Richard Duffany
Director of Public Safety

Approved by Hamburg Township Board of Trustees: DRAFT.

HAMBURG TOWNSHIP PUBLIC SAFETY DEPARTMENT			
STANDARD OPERATING PROCEDURE			
Title: Holding Cells			No. 300-77
Distribution: POLICE	☒ New ☐ Amended	Rescinds:	MLEAC Standard(s): 5.3.1, 5.3.2, 5.3.3, 5.3.4, 5.3.5
Effective Date: DRAFT			

I. PURPOSE

The purpose of this policy is to establish guidelines for the management and administration of the department's temporary holding cells, including the security, control and care of persons temporarily held therein.

II. POLICY

It is the policy of the Hamburg Township Public Safety Department to provide secure, temporary holding cells for prisoners/detainees awaiting interrogation, transfer to the Livingston County Jail, or other administrative procedures and to maintain these facilities in a sanitary and safe manner. As such, personnel using the temporary holding cells shall adhere to the following procedures and shall be alert to any problems or conditions that may compromise security or safety of employees and prisoners.

III. DEFINITION

Holding cell(s) means the two specially-constructed cells/rooms located adjacent to Garage Bay #1 within the Hamburg Township police station built for the temporary lodging of persons in police custody.

IV. PROCEDURES

- A. The following guidelines shall be applied when placing/lodging any prisoner/detainee in the holding cells at the Hamburg Township police station:
 1. Officers shall place their duty weapon in a secured location outside the holding cell area prior to bringing a prisoner into the department holding cell area.
 2. All officers who enter the cell area must have a portable radio with them or be in the company of an officer who has a portable radio.
 3. Officers shall ensure that the two exterior doors leading to the holding cell area are closed upon entry with a prisoner.

4. All prisoners shall be thoroughly searched again prior to removal of handcuffs and/or placement into a holding cell.
 - a. Belts, shoelaces, watches, lighters, matches, keys, jewelry and any other item which may cause harm to the prisoner or an officer will be removed from the prisoner.
 - b. Officers shall ensure that their body-worn camera is activated when removing any property from a prisoner.
 - c. All money in possession of a prisoner shall be counted with body-worn camera activated.
 - d. All property taken from a prisoner shall be placed in an evidence bag and either return to the prisoner upon release or turned over to jail personnel if transferred.
5. Officers shall inspect the holding cell before and after placement of a prisoner in it for weapons, contraband or potentially hazardous conditions.
6. Officers may elect to keep handcuffs on a prisoner while the person is being detained in a holding cell if an officer is alone in the police station at the time the prisoner is being placed in the holding cell. However, if the prisoner is going to be lodged for an extended period of time (generally more than an hour), the officer shall make arrangements to have a second officer respond to the station and remove the handcuffs.
7. If two or more officers are present, handcuffs should be removed from a prisoner while they are being held in the holding cell unless the officers can provide articulable facts as to the necessity of maintaining handcuffs on the prisoner.
8. A prisoner may be handcuffed to a restraint bar within the holding cell if an officer has a reasonable belief that the prisoner poses a threat to themselves or others and to prevent property damage to the cell area by the prisoner.
9. The cell doors shall remain closed when the holding facility has prisoners present but can remain open when the facility is not in use for prisoner purposes.
10. Officers shall check on the physical well-being of prisoners placed in a holding cell through visual observations at least every 30 minutes. Officers handcuffing a prisoner to a restraint bar within a holding cell shall check on the physical well-being of the prisoner through visual

observation at least every 15 minutes. Officers shall document the time of these observations in the arrest incident report.

11. Male and female prisoners shall not be placed in the same holding cell.
 12. As part of the intake process, officers shall observe and make inquiries as to the prisoner's health and well-being (both physically and mentally). This includes:
 - a. Any observed behaviors or statements by the prisoners.
 - b. Physical injuries or disabilities.
 - c. Drug/alcohol use.
 13. As a general rule, prisoners with known or observable medical or mental health issues should not be placed in a holding cell. Officers with prisoners having known/observable medical or mental health issues shall transport or arrange transportation of the prisoner with EMS to an appropriate medical facility in accordance with department policy.
 14. Should a medical emergency occur with the prisoner while in the holding cell, officers shall immediately request through Central Dispatch that Fire and EMS personnel respond to the scene. Officers shall render aid to the prisoner consistent with their training utilizing, if appropriate, the First Aid equipment, AED and/or NARCAN located in the training room outside the holding cell area.
 15. It is the policy of the department that police officers are not to administer and/or dispense any medications (prescriptions or over the counter) to prisoners being temporarily detained in the holding cells. If a prisoner requests any medications be given to them officers shall request that EMS personnel be dispatched to assess the situation.
 16. Access to prisoners being held in the holding cells shall be limited only to law enforcement officers in the course of their official duties and the prisoner's attorney. There shall be no public access (i.e., family, friends, etc..).
- B. Additional guidelines for the use of the holding cells for juvenile detainees are covered in Public Safety SOP #300-11: *Handling of Juveniles*.
- C. In the event of an escape, the following procedures will be adhered to:
1. Immediately notify Central Dispatch and a supervisor.
 2. Establish a perimeter in the area of the escape.
 3. In the event an immediate apprehension is not made, request mutual aid assistance from other law enforcement agencies.

4. Deploy drone(s) if a member of the Drone Team is working; If no pilot is working then request activation of the Drone Team.
 5. Determine if additional resources, such as a canine team, should be requested.
 6. The on-duty supervisor shall be responsible for organizing and conducting the immediate search.
 7. For extended searches, a department detective shall be notified and shall assume responsibility conducting the search for the escapee.
 8. The supervisor shall submit a written report to the Deputy Director – Police documenting the circumstances of the escape and all actions taken.
- D. The following fire prevention, evacuation and suppression protocols shall be followed:
1. Prisoners are prohibited from smoking in the temporary holding cells. All lighters and matches are to be removed when searching the prisoner prior to placement in the cell.
 2. The police station, including the holding cell area, and all fire suppression equipment located within the police station shall be inspected annually by Hamburg Township Fire personnel in accordance with department policy regarding annual commercial building fire code inspections.
 3. A fire extinguisher is located in the hallway just outside the north doorway leading to the holding cell area.
 4. Prisoners may be evacuated from the holding cells through the rear garage bays (via south doorway) and through the front lobby (via north doorway).
 5. Both garage bays can be used for the temporary detainment of prisoners during an emergency. If the emergency is expected to last more than a short time, prisoners should be moved to the Livingston County Jail or to another police department.
- E. The following guidelines for sanitation and security inspections shall be adhered to:
1. Officers shall immediately notify a supervisor if they observe blood/bodily fluids or other unsanitary/hazardous conditions within a holding cell and that holding cell shall be taken out of service until the issue has been properly remedied.
 2. Routine sanitation inspections of the holding cells shall be conducted on a weekly basis by the Administrative Supervisor, or designee.

3. Security inspections of the holding cells/area shall be conducted by the Deputy Director – Police, or designee, on a quarterly basis and documented in an incident report. Doors, latches, fixtures, access plates, protective screens and other security devices should be checked.
- F. The holding cells and common area shall be under 24-hour video surveillance. When a prisoner is placed in a holding cell the officer shall ensure that the video monitor in the squad room is activated. All video footage shall be retained for thirty (30) days on the server unless needed for evidentiary purposes.
 - G. Officers shall ensure that the following information is included in their incident report when a prisoner is detained in a holding cell:
 - a. Prisoner's name.
 - b. Prisoner's sex.
 - c. Reason for custody.
 - d. Date and time prisoner was placed in the holding cell.
 - e. Date and time of each visual observation of the prisoner in the holding cell.
 - f. Any meals provided.
 - g. Any medications provided or medical treatment provided by Fire or EMS personnel.
 - H. All sworn personnel shall be trained in the use of physical restraint devices and the searching of prisoners. All department employees shall receive orientation on all functions of the holding facility including the location and use of fire suppression equipment and first aid equipment. Refresher training is required every 3 years.

Issued by:



Richard Duffany
Director of Public Safety

Approved by the Hamburg Township Board of Trustees: DRAFT.

HAMBURG TOWNSHIP PUBLIC SAFETY DEPARTMENT			
STANDARD OPERATING PROCEDURE			
Title: Special Investigation/Operations and Confidential Informants			No. 300-79
Distribution: POLICE	☒ New ☐ Amended	Rescinds:	MLEAC Standard(s): 4.5.1, 4.5.2, 4.5.3
Effective Date: DRAFT			

I. PURPOSE

The purpose of this policy is to establish procedures for handling special investigations involving organized crime, narcotics and vice crimes as well as to establish procedures for surveillance, decoys, raids, undercover operations and the utilization of confidential informants.

II. POLICY

The department is a member of the Livingston and Washtenaw Narcotics Enforcement Team (LAWNET). LAWNET is a multi-jurisdictional cooperative unit comprised of personnel from state, county, and local law enforcement agencies within Livingston and Washtenaw counties created to enforce Michigan's controlled substance laws and investigate associated criminal activity related to traditional vice crimes. All cases involving drug and higher-level vice and organized crimes shall be referred to LAWNET for further investigation.

III. DEFINITIONS

- A. **Drug Complaint** - Any complaint associated with the illegal use, manufacturing, distribution, or sale of a controlled substance.
- B. **Organized Crime Complaint** - Any complaint associated with the unlawful activities of organized groups or associations engaged in extortion, theft, fencing, loan sharking, labor racketeering, other offense for profit, supplying illegal goods and services, prostitution, drugs, weapons violations, or other unlawful conduct which may include intimidation or corruption.
- C. **Vice Complaint** - Any complaint associated with prostitution, illegal gambling or the distribution or sale of pornographic/obscene material. For purposes of this policy, this term does not include crimes associated with violations of the Michigan Liquor Control Act.

IV. PROCEDURES

- A. Department members shall accept all complaints regarding vice, drug, and organized crime activities from all sources, including direct contact with department employees, outside law enforcement agencies, other governmental sources and citizens at large.
- B. Department members shall accept all complaints regarding vice, drug, and organized crime activities in any format, including but not limited to phone, email, public forum, and tip lines.
- C. Personnel shall process all complaints as follows:
 - 1. Assign an incident number to all received complaints including complaints or information received from other departments and complete an incident report.
 - 2. Submit the completed report for approval and request that it is forwarded to a detective who shall:
 - a. Determine whether the complaint needs to be assigned to LАWNET or turned over to another jurisdiction;
 - b. Give the complaint a proper disposition and ensure it is documented on the report.
 - c. Inform the Director of Public Safety of any significant cases reported to the department.
- D. LАWNET or the outside jurisdiction receiving the complaint will be responsible for the investigation, de-confliction, and final disposition of the complaint.
- E. All complaints regarding violations of the Michigan Liquor Control Act shall be handled by department personnel pursuant to Public Safety SOP #300-24: *LCC Investigations*.
- F. All special investigation operations, including surveillance, decoys, raids, and undercover operations shall be turned over to LАWNET.
- G. The department does not use confidential informants and does not maintain or control any records for confidential informants. Any person interested in being used as a confidential informant shall be directed to the department's LАWNET officer. Any informants utilized by the department's LАWNET officer are strictly controlled as a LАWNET informant in accordance with their policies and procedures.

V. OFFICERS ASSIGNED TO OUTSIDE AGENCIES

Officers assigned to or assisting other law enforcement agencies will be guided by this policy. The Director of Public Safety may authorize personnel assigned to special investigation teams to follow procedures set forth by the agency they are assigned to.

Issued by:

A handwritten signature in black ink, appearing to read "Richard Duffany", with a stylized flourish at the end.

Richard Duffany
Director of Public Safety

Approved by Hamburg Township Board of Trustees: DRAFT.