

Traffic Function and Responsibility

500.1 PURPOSE AND SCOPE

The ultimate goal of traffic law enforcement is to reduce traffic collisions. This may be achieved through the application of such techniques as geographic/temporal assignment of personnel and equipment and the establishment of preventative patrols to deal with specific categories of unlawful driving behavior. Traffic enforcement techniques are based on collision data, enforcement activity records, traffic volume and traffic conditions. This department provides enforcement efforts toward violations, not only in proportion to the frequency of their occurrence in collision situations but also in terms of traffic-related needs.

500.2 ENFORCEMENT

Enforcement actions are commensurate with applicable laws and take into account the degree and severity of the violation committed. This department does not establish ticket quotas and the number of citations issued by any officer shall not be used when evaluating officer performance (Minn. Stat. § 169.985; Minn. Stat. § 299D.08). The visibility and quality of an officer's work effort will be commensurate with the philosophy of this policy. Several methods are effective in the reduction of collisions:

500.2.1 WARNINGS

Warnings or other non-punitive enforcement actions should be considered in each situation and substituted for arrests or citations when circumstances warrant.

500.2.2 TRAFFIC CITATIONS

Traffic citations may be issued when an officer believes it is appropriate. It is essential that officers fully explain the rights and requirements imposed on motorists upon issuance of a citation for a traffic violation. Officers should provide the following information at a minimum:

- (a) Explanation of the violation or charge.
- (b) Court appearance procedure, including the optional or mandatory appearance by the motorist.
- (c) Notice of whether the motorist can enter a plea and pay the fine by mail or at the court.
- (d) The court contact information.

500.2.3 TRAFFIC CITATION COURT JURISDICTION

An officer who issues a traffic citation shall ensure that the citation is properly directed to the court having jurisdiction (Minn. Stat. § 169.91 Subd. 3).

500.2.4 PHYSICAL ARREST

Physical arrest can be made on a number of criminal traffic offenses. These physical arrest cases usually deal with, but are not limited to (Minn. Stat. § 169.91):

- (a) Negligent homicide.
- (b) Driving under the influence of alcohol/drugs.
- (c) Hit-and-run resulting in serious injury or death.
- (d) Hit-and-run resulting in damage to any vehicle or property.

500.3 HIGH-VISIBILITY VESTS

The Department has provided American National Standards Institute (ANSI) Class II high-visibility vests to increase the visibility of department members who may be exposed to hazards presented by passing traffic, maneuvering or operating vehicles, machinery and equipment (23 CFR 655.601; Minn. R. 5205.0030).

Although intended primarily for use while performing traffic-related assignments, high-visibility vests should be worn at any time increased visibility would improve the safety or efficiency of the member.

500.3.1 REQUIRED USE

Except when working in a potentially adversarial or confrontational role, such as during vehicle stops, high-visibility vests should be worn at any time it is anticipated that an employee will be exposed to the hazards of approaching traffic or construction and recovery equipment. Examples of when high-visibility vests should be worn include traffic control duties, collision investigations, lane closures and while at disaster scenes, or any time high visibility is desirable. When emergency conditions preclude the immediate donning of the vest, officers should retrieve and wear the vest as soon as conditions reasonably permit. Use of the vests shall also be mandatory when directed by a supervisor.

500.3.2 CARE AND STORAGE OF HIGH-VISIBILITY VESTS

High-visibility vests shall be maintained in each patrol and investigation vehicle. Before going into service each employee shall ensure a serviceable high-visibility vest is properly stored.

500.4 SUPERVISOR RESPONSIBILITIES

- A. Supervisors shall ensure that officers follow the procedures outlined in this policy.
- B. All complaints alleging officer misconduct regarding traffic stops shall be handled as outlined in Chapter 1010 Personnel Complaints.

Traffic Collisions

501.1 PURPOSE AND SCOPE

This policy provides guidelines for responding to and investigating traffic collisions.

501.2 POLICY

It is the policy of the St. Francis Police Department to respond to traffic collisions and render or summon aid to injured victims as needed. The Department will investigate and prepare reports according to the established minimum reporting requirements with the goal of reducing the occurrence of collisions by attempting to identify the cause of the collision and through enforcing applicable laws. Unless restricted by law, traffic collision reports will be made available to the public upon request.

501.3 RESPONSE

Upon arriving at the scene, the responding member should assess the need for additional resources and summon assistance as appropriate.

A supervisor should be notified when the incident:

- (a) Is within the jurisdiction of this department and there is:
 - (a) A life-threatening injury.
 - (b) A fatality.
 - (c) A City vehicle involved.
 - (d) A City official or employee involved.
 - (e) Involvement of an on- or off-duty member of this department.
- (b) Is within another jurisdiction and there is:
 - 1. A City of St. Francis vehicle involved.
 - 2. A City of St. Francis official involved.
 - 3. Involvement of an on-duty member of this department.

501.3.1 MEMBER RESPONSIBILITIES

Upon arriving at the scene, the responding member should consider and appropriately address:

- (a) Traffic direction and control

- (b) Proper placement of emergency vehicles, cones, roadway flares or other devices if available to provide protection for members, the public and the scene.
- (c) First aid for any injured parties if it can be done safely.
- (d) The potential for involvement of hazardous materials.
- (e) The need for additional support as necessary (e.g., traffic control, emergency medical services, fire department, HAZMAT, tow vehicles).
- (f) Clearance and cleanup of the roadway.

501.4 NOTIFICATION

If a traffic collision involves a life-threatening injury or fatality, the responding officer shall notify the Minnesota State Patrol, Anoka County CID and a supervisor. The supervisor will ensure notification is made to the Chief of Police and City Administrator in accordance with the Major Incident Notification Policy.

501.4.1 NOTIFICATION OF FAMILY

In the event of a life-threatening injury or fatality, the supervisor responsible for the incident should ensure notification of the victim's immediate family or coordinate such notification with the Medical Examiner, department chaplain or another suitable person. Notification should be made as soon as practicable following positive identification of the victim.

The identity of any person seriously injured or deceased in a traffic collision should not be released until notification is made to the victim's immediate family.

501.5 MINIMUM REPORTING REQUIREMENTS

A state crash report shall be completed when:

- (a) A fatality, any injury (including complaint of pain), impaired driving or hit and run is involved.
- (b) An on-duty member of the City of St. Francis is involved.
- (c) The collision results in any damage to any City-owned or leased vehicle.
- (d) The collision involves any other public agency driver or vehicle.
- (e) There is damage to public property.
- (f) There is damage to any vehicle to the extent that towing is required.
- (g) Prosecution or follow-up investigation is contemplated.
- (h) Directed by a supervisor.

501.5.1 CITY VEHICLE INVOLVED

A state crash report shall be completed when a City vehicle is involved in a traffic collision that results in property damage or injury.

A general incident report may be completed in lieu of a state crash report at the direction of a supervisor when the incident occurs entirely on private property or does not involve another vehicle.

501.6 INVESTIGATION

Investigation of traffic collisions should include, as a minimum:

- (a) Identification and interview of all involved parties.
- (b) Identification and interview of any witnesses.
- (c) A determination of whether a violation of law has occurred and the appropriate enforcement action.
- (d) Identification and protection of items of apparent evidentiary value.
- (e) Documentation of the incident as necessary (e.g., statements, measurements, photographs, collection of evidence and reporting) on the appropriate forms.

501.6.1 INVESTIGATION BY OUTSIDE LAW ENFORCEMENT AGENCY

The Sergeant should request that the Minnesota Department of Public Safety or other outside law enforcement agency investigate and complete a traffic collision investigation when a life-threatening injury or fatal traffic collision occurs within the jurisdiction of the St. Francis Police Department and involves:

- (a) An on- or off-duty member of the Department.
 - (a) The involved member shall complete a department incident report. If the member is unable to complete the report, the supervisor shall complete it.
- (b) An on-or off-duty official or employee of the City of St. Francis.

Department members shall promptly notify a supervisor when any department vehicle is involved in a traffic collision. The collision investigation and report shall be completed by the agency having jurisdiction.

501.6.2 COMMERCIAL VEHICLE COLLISIONS

Commercial vehicle collisions additionally require notification to the Minnesota State Patrol if the collision results in (Minn. Stat. § 169.783):

- (a) A fatality.
- (b) Bodily injury to a person who, as a result of the injury, immediately receives medical treatment away from the scene of the collision.
- (c) One or more vehicles incurring disabling damage as a result of the collision, requiring the vehicle to be transported away from the scene by tow truck or other motor vehicle.

A waiver or inspection by a state trooper or other authorized person is required before a person may drive a commercial motor vehicle that was involved in such a collision (Minn. Stat. § 169.783).

501.7 ENFORCEMENT ACTION

After a thorough investigation in which physical evidence or independent witness statements indicate that a violation of a traffic law contributed to the collision, authorized members should issue a citation or arrest the offending driver, as appropriate.

More serious violations, such as driving under the influence of drugs or alcohol, vehicular manslaughter, or other felonies, shall be enforced. If a driver who is subject to enforcement action is admitted to a hospital, a supervisor shall be contacted to determine the best enforcement option.

Department members shall utilize forms approved by the Minnesota Department of Public Safety as required for the reporting of traffic collisions (Minn. Stat. § 169.09, Subd. 9).

501.8.1 REPORT MODIFICATION

A change or modification of a written report that alters a material fact in the report may be made only by the member who prepared the report, and only prior to its approval and distribution. Once a report has been approved and distributed, corrections shall only be made by way of a written supplemental report. A written supplemental report may be made by any authorized member.

501.8.2 SERGEANT RESPONSIBILITIES

The responsibilities of the Sergeant include but are not limited to:

- (a) Forwarding the traffic collision report to the Department of Public Safety within 10 days of the collision investigation (Minn. Stat. § 169.09, Subd. 8).
- (b) Ensuring the Department of Public Safety is notified within two business days of a collision that results in a fatality (Minn. Stat. § 169.09, Subd. 8).

Mobile Video Recorders

419.1 PURPOSE AND SCOPE

The St. Francis Police Department has equipped patrol cars with Mobile Video Recording (MVR) systems to provide records of events and assist officers in the performance of their duties. This policy provides guidance on the use of these systems.

419.1.1 DEFINITIONS

Definitions related to this policy include:

Activate - Any process that causes the MVR system to transmit or store video or audio data in an active mode.

In-car camera system and Mobile Video Recorder (MVR) - Synonymous terms - that refer to any system that captures audio and video signals that is capable of installation in a vehicle and that includes at minimum, a camera, microphone, recorder and monitor.

Law Enforcement Operator (LEO) - Primarily a licensed peace officer but on occasion may be a non-licensed representative of the Department who is authorized and assigned to operate MVR equipped vehicles to the extent consistent with Minn. Stat. § 169.98.

MGDPA - The Minnesota Government Data Practices Act, Minnesota Statutes Chapter 13.

MVR technician - Personnel certified or trained in the operational use and repair of MVRs, duplicating methods, storage and retrieval methods and procedures, and who possess a working knowledge of video forensics and evidentiary procedures.

Recorded media - Audio-video signals recorded or digitally stored on a storage device or portable media.

419.2 POLICY

It is the goal of the St. Francis Police Department to use mobile video recorder (MVR) technology to more effectively fulfill the department's mission and to ensure these systems are used securely and efficiently.

419.3 OFFICER RESPONSIBILITIES

Officers operating department vehicles equipped with MVR systems shall be responsible to maintain the equipment in the condition in which it was issued and to be thoroughly familiar with the proper operation of the MVR system.

Prior to going into service each officer will properly equip him/herself to record audio and video in the field. At the end of the shift each officer will follow the established procedures for providing to the Department any recordings or used media and any other related equipment.

At the start of each shift, officers should test the MVR system operation in accordance with manufacturer specifications and department operating procedures and training.

If an officer finds that the equipment is not functioning properly they shall report the malfunction to his/her supervisor. Supervisors shall take prompt actions to address malfunctions. If practical, the squad should be taken out of service and another squad utilized unless a supervisor requests the vehicle remain in service. Officers shall not attempt any repair of mobile video equipment that would require going into the internal parts of the unit.

419.4 REQUIRED ACTIVATION OF THE MVR

This policy is not intended to describe every possible situation in which the MVR system may be used, although there are many situations where its use would be appropriate and/or valuable to document an incident.

The MVR system should be activated in any of the following situations:

- (a) All field contacts involving actual or potential criminal conduct within video or audio range
 1. Traffic stops (to include, but not limited to, traffic violations, stranded motorist assistance and all crime interdiction stops)
 2. Priority responses
 3. Vehicle pursuits
 4. Suspicious vehicles
 5. Arrests and search of arrestee (if practical).
 6. Vehicle searches
 7. Physical or verbal confrontations or use of force
 8. Prisoner transports
 9. Non-custody transports
 10. Pedestrian checks
 11. DWI investigations including field sobriety tests

12. Consensual encounters
13. Crimes in progress
14. Responding to an in-progress call
15. Medical incidents attended to by members of the Department

(b). All self-initiated activity in which an officer would normally notify Central Communications

(c). Any call for service involving a crime where the recorder may aid in the apprehension and/or prosecution of a suspect:

1. Family violence calls
2. Disturbance of peace calls
3. Offenses involving violence or weapons

(d). Any other contact that becomes adversarial after the initial contact, in a situation that would not otherwise require recording

(e). Any other circumstance where the officer believes that a recording of an incident would be appropriate

419.4.1 CESSATION OF RECORDING

Once activated the MVR system should remain on until the incident has concluded. For purposes of this section conclusion of an incident has occurred when all arrests have been made, arrestees have been transported and all witnesses and victims have been interviewed. Recording may cease if an officer is simply waiting for a tow truck or a family member to arrive, or in other similar situations when the officer does not reasonably believe that the deactivation will result in the loss of critical documentary information.

419.4.2 WHEN ACTIVATION IS NOT REQUIRED

Activation of the MVR system is not required when exchanging information with other officers or during breaks, lunch periods, when not in service or actively on patrol.

No member of this department may surreptitiously use city equipment to record a conversation of any other member of this department except with a court order or when lawfully authorized by the Chief of Police or the authorized designee for the purpose of conducting a criminal or administrative investigation.

419.4.3 SUPERVISOR RESPONSIBILITIES

Supervisors should determine if vehicles with non-functioning MVR systems should be placed into service.

At reasonable intervals, supervisors should validate that officers are utilizing the departments MVR according to training and this policy.

When an incident arises that requires the immediate retrieval of the recorded media (e.g., serious crime scenes, peace officer-involved shootings, department-involved collisions), a supervisor shall respond to the scene and ensure that the appropriate supervisor, MVR technician or crime scene investigator properly retrieves the recorded media. The media may need to be treated as evidence and should be handled in accordance with current evidence procedures for recorded media.

Copies may be distributed to investigators as appropriate to the investigation.

419.4 REVIEW OF MVR RECORDINGS

All recording media, recorded images and audio recordings are the property of the agency and subject to the provisions of the MGDPA. Dissemination outside of the agency is strictly prohibited except to the extent permitted or required under the MGDPA, Peace Officer Disciplinary Procedures Act or other applicable law.

To prevent damage to, or alteration of, the original recorded media, it shall not be copied, viewed or otherwise inserted into any device not approved by the department MVR technician or forensic media staff. When reasonably possible a copy of the original media shall be used for viewing (unless otherwise directed by the courts) to preserve the original media.

Recordings may be reviewed in any of the following situations.

- (a) For use when preparing reports or statements
- (b) By a supervisor investigating a specific act of officer conduct
- (c) By a supervisor to assess officer performance
- (d) To assess proper functioning of MVR systems
- (e) By department investigators, after approval of a supervisor, who are participating in an official investigation such as a personnel complaint, administrative inquiry or a criminal investigation
- (f) By department personnel who request to review recordings
- (g) By an officer who is captured on or referenced in the video or audio data and reviews and uses the data for any purpose relating to his/her employment
- (h) By court personnel through proper process or with permission of the Chief of Police or the authorized designee
- (i) By the media through proper process or with an MGDPA request (Minn. Stat. § 13.01 et seq.)
- (j) To assess possible training value
- (k) Recordings may be shown for staff or public safety training purposes. If an involved officer objects to showing a recording, his/her objection will be submitted to the staff to determine if the training value outweighs the officer's objection

Employees desiring to view any previously uploaded or archived MVR recording should submit a request in writing to the supervisor. Approved requests should be forwarded to the MVR technician for processing.

In no event shall any recording be used or shown for the purpose of ridiculing or embarrassing any employee.

419.5 DOCUMENTING MVR USE

If any incident is recorded with either the video or audio system, the existence of that recording shall be documented in a manner to identify the existence of the recording.

419.6 RECORDING MEDIA STORAGE AND INTEGRITY

All recordings not retained as evidence will be retained for a minimum of 90 days and disposed of in compliance with the established records retention schedule.

419.7 SYSTEM OPERATIONAL STANDARDS

- (a) MVR system vehicle installations should be based on officer safety requirements and vehicle and device manufacturer recommendations.
- (b) The MVR system should be configured to minimally record for 30 seconds prior to an event.
- (c) The MVR system may not be configured to record audio data occurring prior to activation.
- (d) To prevent bleed-over and/or noise from other MVRs in systems using low band transmitters (analog) only the primary LEO initiating the contact shall activate his/her audio recorder.
- (e) LEOs using digital transmitters that are individually synchronized to their individual MVR shall activate both audio and video recordings when responding in a support capacity in order to obtain additional perspectives of the incident scene.
- (f) With the exception of law enforcement radios or other emergency equipment other electronic devices should not be used within the law enforcement vehicle in order to intentionally interfere with the capability of the MVR system to record audio data.
- (g) LEOs shall not erase, alter, reuse, modify or tamper with MVR recordings. Only a supervisor, MVR technician or other approved designee may erase and reissue previously recorded recordings and may only do so pursuant to the provisions of this policy.
- (h) To prevent damage original recordings shall not be viewed on any equipment other than the equipment issued or authorized by the MVR technician.

419.8 MVR TECHNICIAN RESPONSIBILITIES

The MVR technician is responsible for:

- (a) Ordering, issuing, retrieving, storing, erasing and duplicating of all recorded media.
- (b) Collecting all completed media for oversight and verification of wireless downloaded media. Once collected the MVR technician:
 - 1. Ensures it is stored in a secured location with authorized controlled access.
 - 2. Makes appropriate entries in the chain of custody log.
- (c) Erasing of media:
 - 1. Pursuant to a court order.
 - 2. In accordance with established records retention policies, including reissuing all other media deemed to be of no evidentiary value.
- (d) Assigning all media an identification number prior to issuance to the field.
 - 1. Maintaining a record of issued media.
- (e) Ensuring that an adequate supply of recording media is available.
- (f) Managing the long-term storage of media that has been deemed to be of evidentiary value in accordance with the department evidence storage protocols and the records retention schedule.

419.9 TRAINING

Users of the MVR systems and supervisors shall successfully complete an approved course of instruction prior to being deployed with MVR systems in operational settings.

Vehicle Towing

502.1 PURPOSE AND SCOPE

This policy provides the procedures for towing a vehicle by or at the direction of the St. Francis Police Department and under the authority of Minn. Stat. § 168B.035.

502.2 STORAGE AND IMPOUNDS

Vehicles may be towed for violations of Minn. Stat. § 168B.035, including parking, registration and snow emergency violations.

Vehicles may be moved or removed from a highway when in violation of Minn. Stat. § 169.32(a) or when left unattended upon any street or highway or upon any bridge or causeway or in any tunnel where such vehicle constitutes an obstruction to traffic (Minn. Stat. § 169.33).

Vehicles may be towed if abandoned on public or private property under the guidelines of Minn. Stat. § 168B.04.

Vehicles may be towed if left unattended and unmoved on a public street or highway for 24 hours or more. Prior to removal of the vehicle, an effort shall be made to notify the owner to remove the vehicle.

Vehicles may be towed if the driver, operator, or person in physical control of the vehicle is taken into custody and the vehicle is impounded for safekeeping in accordance with Minn. Stat. § 168B.035.

Vehicles shall be towed if it was involved in a crash where the officer has reasonable belief that the vehicle's mechanical conditions contributed to a crash, which involved personal injury or death.

Vehicles involved in property damage crash may also be towed at the officer's discretion.

Vehicles shall be towed if the vehicle is subject to forfeiture pursuant to state statute or federal law.

The responsibilities of those employees storing or impounding a vehicle are as follows:

502.2.1 COMPLETION OF VEHICLE IMPOUND AND INVENTORY REPORT

Department members requesting towing of a vehicle shall complete a vehicle tow form, including a description of property within the vehicle. A copy is to be provided to the tow company and the original is to be submitted to the Records as soon as practicable after the vehicle is towed. The

officer shall perform a registration check and ensure Owner information (name and address) is accurately provided on the tow form. The officer should also confirm the Vehicle Identification Number (VIN) matches the vehicle and should be entered on the tow sheet when there are no license plates displayed.

The officer shall note on the tow sheet any and all special requirements for release. If these requirements are from an officer other than the one completing the tow sheet, the officer's name shall be indicated on the tow form.

For any tow and/or impoundment where the registered owner is not the driver of the vehicle and/or is not aware of the tow (i.e abandoned vehicles, snow emergency violation etc), the vehicle information will be entered into NCIC as an impounded vehicle by dispatch.

502.2.2 REMOVAL OF VEHICLE DISABLED IN A TRAFFIC COLLISION

When a vehicle has been involved in a traffic collision and must be removed from the scene, the officer shall have the driver select a towing company, if reasonably possible, and shall relay the request for the specified towing company to the dispatcher. When there is no preferred company requested, the departments contracted tow company will be used.

If the owner is incapacitated or for any reason it is necessary for the Department to assume responsibility for a vehicle involved in a collision, the officer shall request the dispatcher to request the departments contracted tow company. The officer will then conduct an inventory and complete a vehicle tow sheet.

502.2.3 DRIVING A NON-CITY VEHICLE

Vehicles that have been towed by or at the direction of the Department should not be driven by police personnel unless it is necessary to move a vehicle a short distance to eliminate a hazard, prevent the obstruction of a fire hydrant or to comply with posted signs.

502.2.4 NOTICE TO VICTIM OF VEHICLE THEFT

Within 48 hours of recovering a stolen vehicle or receiving notification that a vehicle reported stolen through this department has been recovered, the assigned officer shall make a reasonable and good faith effort to notify the victim of the recovery. The notice must specify when the recovering law enforcement agency expects to release the vehicle to the owner and where the owner may pick up the vehicle. Upon recovery of a vehicle reported stolen to another agency, the assigned officer is to promptly inform the agency that the vehicle is recovered, where it is located and when it can be released to the owner (Minn. Stat. § 169.042 Subd. 1).

502.3 TOWING SERVICES

The City of St. Francis periodically selects one or more firms to act as official tow services and awards contracts to those firms. Those firms will be used in the following situations:

- (a) When it is necessary to safeguard a vehicle due to the inability of the owner or operator to take the required action.
- (b) When a vehicle is being held as evidence in connection with an investigation.

- (c) When it is otherwise necessary to store a motor vehicle. This would include situations involving the recovery of stolen or abandoned vehicles and the removal of vehicles obstructing traffic in violation of state or local regulations.

If more than one firm has been awarded contracts, they shall be placed on a rotation list. Nothing in this policy shall require the Department to tow a vehicle.

502.4 TOWING AT ARREST SCENES

Whenever a person in charge or in control of a vehicle is arrested, it is the policy of this department to provide reasonable safekeeping by towing the arrestee's vehicle subject to the exceptions described below. However, a vehicle shall be towed whenever it is needed for the furtherance of an investigation or prosecution of the case, or when the community caretaker doctrine would reasonably suggest that the vehicle should be towed. For example, the vehicle would present a traffic hazard if it were not removed, or the vehicle is located in a high-crime area and is susceptible to theft or damage if left at the scene.

The following are examples of situations where consideration should be given to leaving a vehicle at the scene in lieu of towing, provided the vehicle can be lawfully parked and left in a reasonably secured and safe condition:

- Traffic-related warrant arrest.
- Situations where the vehicle was not used to further the offense for which the occupant was arrested nor may be subject to forfeiture proceedings.
- Whenever the vehicle otherwise does not need to be stored and the owner requests that it be left at the scene.

In such cases, the handling employee shall note in the report that the owner was informed that the Department will not be responsible for theft or damages.

502.5 VEHICLE INVENTORY

All property in a stored or impounded vehicle shall be inventoried and listed on the tow form. This includes the trunk and any compartments or containers, unless locked, then entry will not be forced absent probable cause having been established for an evidentiary search. Members conducting inventory searches should be as thorough and accurate as practicable in preparing an inventory list.

These inventory procedures are for the purpose of protecting an owner's property while the owner is in police custody, to provide for the safety of officers and the public, and to protect the Department against fraudulent claims of lost, stolen or damaged property. It should be understood that each officer must make a professional judgment as to how to best provide safekeeping for the vehicle and its contents as it is to the officer's as well as the St. Francis Police Department's responsibility to ensure the security of the property.

If there is personal property of value not permanently affixed in a vehicle that is being impounded, the officer shall inventory the contents on the tow sheet. It is not necessary to inventory small

items normally found in a motor vehicle or obvious trash. Items may be released to the owner/driver/operator prior to the tow, at officer's discretion.

Vehicle keys must go with the vehicle, other keys not associated with the vehicle may be returned to owner/driver/operator.

A vehicle inventory may occur at the incident scene or at the place where the vehicle is to be impounded, provided such inventory occurs in a reasonable period of time. Reasonable time will be defined by safety, practicality and satisfactory when considering the inventory objectives.

502.6 PRESERVATION OF EVIDENCE

An officer who removes a vehicle pursuant to Minn. Stat. § 168B.035 is required to take reasonable and necessary steps to preserve evidence. If there is probable cause to believe that a vehicle or its contents constitute any evidence which tends to show that a criminal offense has been committed, or that a particular person has committed a criminal offense, officers shall ensure that all legally required and reasonably necessary efforts are taken to preserve the evidence. Such evidence is to be provided safe storage and preserved until released to the owner or otherwise disposed of according to law.

502.7 SECURITY OF VEHICLES AND PROPERTY

Unless it would cause an unreasonable delay in the completion of a vehicle impound/storage or create an issue of officer safety, officer should make reasonable accommodations to permit a driver/owner to retrieve small items of value or personal need (e.g., cash, jewelry, cellular telephone, prescriptions) that are not considered evidence or contraband.

If a search of a vehicle leaves the vehicle or any property contained therein vulnerable to unauthorized entry, theft or damage, personnel conducting the search shall take such steps as are reasonably necessary to secure and/or preserve the vehicle or property from such hazards.

502.8 RELEASE OF VEHICLES

On scene release:

- The officer may release the vehicle to a responsible person at the scene or a person that is "reasonably" available, if the owner requests (the officer need not offer) that person to take the vehicle and the vehicle or contents are not needed for evidence. If the vehicle is released at the scene, a notation shall be made in the officer's report(s) concerning the disposition of the vehicle.
- An officer is not required to wait for an extended period of time while a private tow service is being arranged. If it is the officer's judgment that the vehicle constitutes a traffic hazard and it appears the arrangements for a private tow will be for a longer period of time than the police can remain on the scene, a department tow will be ordered and proper notations made on the officer's report(s).
- Persons to whom the vehicle is released for driving away must be identified, checked for a valid driver's license and be noted in the officer's report.

After impoundment:

Vehicles not being held for evidence:

- Any vehicle being released must be checked through NCIC to ensure that it is not entered as an "IMPOUNDED" vehicle. Vehicles listed as impounded should be removed from NCIC by dispatch at the time of release.
- Held vehicles should be released during business hours by office staff. Evenings, weekends or holidays, officers may release vehicles to prevent unnecessary storage costs to the vehicle owner.
- For held vehicles, the owner or an authorized agent must present documentation to satisfy the hold on the vehicle (ie, ownership, insurance, valid driver etc.) and obtain release papers at the Police Department prior to picking up the impounded vehicle.

Vehicles held for evidence:

- Stolen vehicles recovered or impounded vehicles being held for evidence collection can only be released by a supervisor or the officer or investigator responsible for that particular case or incident. That officer or investigator (or designee) will notify the vehicle owner when the vehicle is eligible for release. The time and date of this notification should be noted in a supplemental report.
- If a vehicle owner does not pick up the vehicle within three days after telephone notification or if the owner cannot be contacted by telephone, the officer/investigator in charge of the incident will notify the clerical staff to send out a written notification and should note this in a supplemental report.

502.9 PRIVATE TOWS - NOT FOR IMPOUNDMENT

If a tow is required for an individual who is stalled, disabled, or at the scene of a crash where the owner/driver is not arrested or removed for medical care, and the officer does not want the vehicle impounded for investigation, the officer shall inform the owner/driver/operator that a tow truck will be called to the scene to remove the vehicle and that it is the responsibility of the owner/driver/operator to determine where the vehicle is to be towed. If the vehicle is not a hazard, the owner/driver/operator may arrange for their own tow. To the extent possible, the officer at the scene will assist in calling for the private tow but will specify to the towing agency that the request is a private matter and not a police tow request. The disposition of the tow should be noted in the officer's report.

Ride-Along Policy

403.1 PURPOSE AND SCOPE

The Ride-Along Program provides an opportunity for persons to experience the law enforcement function first hand. This policy provides the requirements, approval process and hours of operation for the Ride-Along Program.

403.1.1 ELIGIBILITY

The St. Francis Police Department Ride-Along Program is offered to residents. The program is also open to non-residents under the following circumstances.

- Students 16 years of age or older who wish to participate as part of a school related assignment or activity
- Members of criminal justice related agencies, who are participating in the course of their employment.
- Anoka County Dispatchers, when, as part of their job are directed to do ride-alongs for official training.
- Members of the Anoka County Attorney's or the City Attorney's Office when in official capacity.
- Person's authorized to perform repairs or service on a City of St. Francis vehicle.
- The department chaplain.
- City Council members
- Non-sworn department employees.
- Police Reserve Officers.
- Individuals with take home vehicles may from time to time transport family members or other authorized persons in their squad without ride along waivers.
- Any other person as authorized by the Chief of Police.

Every reasonable attempt will be made to accommodate interested persons. Any applicant may be disqualified with or without cause from participating in the program.

The following factors may be considered in disqualifying an applicant and are not limited to:

- Being under 16 years of age.
- Prior criminal history.
- Pending criminal action.
- Pending lawsuit against the Department.
- Denial by any supervisor.

403.2 PROCEDURE TO REQUEST A RIDE-ALONG

Generally, ride-along requests will be scheduled by the Supervisor. The participant will complete a level one security awareness and sign a ride-along waiver form. Information requested will include a valid driver's license, address and telephone number.

A parent/guardian must accompany a ride-along requester under 18 years old to the police department to meet with the officer. The parent/guardian must also sign the ride along waiver form. Juveniles will only be allowed to ride-along during daytime and early evening hours no later than 10 p.m.

All ride-alongs should be approved by a supervisor and all approved and signed ride-along forms will be provided to the Chief of Police.

If the ride-along is denied after the request has been made, a representative of the Department will contact the applicant and advise him/her of the denial.

403.2.1 PROGRAM REQUIREMENTS

An effort will be made to ensure that no more than one citizen will participate in a ride-along during any given time period. Normally, no more than one ride-along will be allowed in the officer's vehicle at a given time.

403.2.2 SUITABLE ATTIRE

Any person approved to ride-along is required to be suitably dressed in collared shirt, blouse or jacket, slacks and shoes. Sandals, T-shirts, tank tops, shorts and ripped or torn blue jeans are not permitted. An officer may refuse a ride-along to anyone not properly dressed.

403.2.3 RIDE-ALONG CRIMINAL HISTORY CHECK

All ride-along applicants are subject to a criminal history check. The criminal history check may include a local records check and a Minnesota Bureau of Criminal Apprehension Criminal History System check prior to approval (provided that the ride-along is not an employee of the St. Francis Police Department).

403.3 OFFICER'S RESPONSIBILITIES

Officers shall consider the safety of the ride-along at all times.

Officers should use sound discretion when encountering a potentially dangerous situation, and if feasible, let the participant out of the vehicle in a well-lighted place of safety. The dispatcher will be advised of the situation and as soon as practicable have another police unit respond to pick up the participant at that location. The ride-along may be continued or terminated at this time.

Conduct by a person participating in a ride-along that results in termination of the ride or is otherwise inappropriate should be immediately reported to a supervisor.

403.4 CONTROL OF RIDE-ALONG

The assigned employee shall maintain control over the ride-along at all times and instruct him/her in the conditions that necessarily limit participation. These instructions should include:

- (a) The ride-along will follow the directions of the officer.
- (b) The ride-along will not become involved in any investigation, handling of evidence, discussions with victims or suspects or handling any police equipment.
- (c) The ride-along may terminate the ride at any time and the officer may return the observer to his/her home or to the station if the ride-along interferes with the performance of the officer's duties.
- (d) The officer may terminate the ride-along and return the observer to their home or to the station if the ride-along interferes with the performance of any officer's duties.
- (e) Ride-alongs may be allowed to continue riding during the transportation and booking process provided this does not jeopardize their safety.
- (f) Officers will not allow any ride-alongs to be present in any residence or situation that would jeopardize their safety or cause undue stress or embarrassment to a victim or any other person.
- (g) Under no circumstance shall a civilian ride-along be permitted to enter a private residence with an officer without the expressed consent of the resident or other authorized person.

Retiree Concealed Firearms

206.1 PURPOSE AND SCOPE

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

206.2 POLICY

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

206.3 LEOSA

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

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

206.3.1 LEOSA IDENTIFICATION CARD FORMAT

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

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

206.3.2 AUTHORIZATION

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

- (a) In possession of photographic identification that identifies him/her as having been employed as a law enforcement officer, and one of the following:
 - 1. An indication from the person's former law enforcement agency that he/she has, within the past year, been tested or otherwise found by the law enforcement agency to meet agency-established active duty standards for qualification in firearms training to carry a firearm of the same type as the concealed firearm.
 - 2. A certification, issued by either the state in which the person resides or by a certified firearms instructor who is qualified to conduct a firearms qualification test for active duty law enforcement officers within that state, indicating that the person has, within the past year, been tested or otherwise found to meet the standards established by the state or, if not applicable, the standards of any agency in that state.
- (b) Not under the influence of alcohol or another intoxicating or hallucinatory drug or substance.
- (c) Not prohibited by federal law from receiving a firearm.
- (d) Not in a location prohibited by Minnesota law or by a private person or entity on his/her property if such prohibition is permitted by Minnesota law.

206.4 FORMER OFFICER RESPONSIBILITIES

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

206.4.1 RESPONSIBILITIES UNDER LEOSA

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

- (a) Sign a waiver of liability of the Department for all acts taken related to carrying a concealed firearm, acknowledging both his/her personal responsibility as a private person for all acts taken when carrying a concealed firearm as permitted by LEOSA and also that these acts were not taken as an employee or former employee of the Department.
- (b) Remain subject to all applicable department policies and federal, state and local laws.
- (c) Demonstrate good judgment and character commensurate with carrying a loaded and concealed firearm.
- (d) Successfully pass an annual criminal history background check indicating that he/she is not prohibited by law from receiving or possessing a firearm.

206.5 DENIAL, SUSPENSION OR REVOCATION

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

206.6 FIREARM QUALIFICATIONS

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