

Policy and Procedure Manual

Bowling Green Police Department



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911 Kentucky Street
Bowling Green, Kentucky 42101
USA

Policy and Procedure Manual

Bowling Green Police Department



Officer

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HIGHLIGHTS of REVISION 10

Chapter 1.2.1.9 Department Staff Meetings

- 1) Changed the quarterly mandate of departmental meetings from quarterly to the direction of Chief.

Chapter 1.2.2.2 Department Employee Committee

- 1) New Policy added to outline how many members and how they are selected to the employee committee.

Chapter 1.2.2.4 Staff Review of Proposed Department Written Objectives

- 1) Revised the Department's Policy Review Committee and dissemination of the manual.

Chapter 1.8.3.3 Inspections (Evidence)

- 1) Addition of requiring a 100% annual audit of all property and requiring an inventory upon naming a new Chief (mainly guns, drugs, money, and jewelry).

Chapter 2.1 Recruitment

- 1) Updated the language and current practices in the recruitment and hiring process.
- 2) Added a new segment outlining the practice for certified police and dispatch applicants can transfer up to 480 hours of sick leave from their former employer.
- 3) Listed the recruitment bonus procedure for employees who recruit employees.
- 4) New segment listing the academy completion bonuses for new employees when they complete basic training and completion of field training bonuses for certified employees.

Chapter 2.10.2.2.43 Use of Social Networking/Internet Posting

- 1) New Policy outlining social media/internet postings by employees both on-duty and off-duty.

Chapter 2.3.6.7 School Instructor

- 1) New Policy added to outline the duties and responsibilities of the School Instructor at BG High.

Chapter 2.3.5.2 Police Training Program

- 1) Changed the duration of the program from 14 weeks to 15 weeks and deleted the on-duty PT.

Chapter 4.1.12.5.10 Return to Communications Duty Orientation

- 1) New Policy added, which is similar to the Return to Patrol Duty Orientation, for dispatchers who have been off work for 3-6 months or 6 months or longer.

Chapter 4.14.5.4 Coordinated Police Entry

- 1) Outlined the three lawful methods upon which officers may enter a place or premises.
- 2) Structured the guidelines for approval, administrators at the scene and a post incident eval.

Chapter 4.15 Critical Response Team

- 1) Authorized the Patrol Major to Pre-activate the CRT Commander and Leaders if the points on the CRT Threat Matrix totals more than 31 points.
- 2) Changed the selection process to become a member of CRT with a Pre-qualification and Eligibility Section.
- 3) Eliminated the section of Guidelines for Selection of Tactical Team Commander.

Chapter 4.3.5.3 General Policy (Emergency Vehicle Operation)

- 1) Added language from the KY Supreme Court's decision in Gonzalez v. Johnson holding that officers can be the cause-in-fact and legal cause of damages inflicted upon a third party as a result of a negligent pursuit.

Chapter 4.3.22.4 Motor Vehicle Stops/Searches

- 1) New Policy added to provide the four circumstances in which officers can lawfully stop vehicles.
- 2) This policy provides legal case law references dictating searching vehicles after stopping the vehicle.

Chapter 4.3.34 Volunteer Chaplain Program

- 1) Clarified the requirements to be a volunteer chaplain and directed uniform procedures.

Chapter 4.4.9 Traffic Ancillary Procedures Impound/Courtesy Towing of Vehicles

- 1) Added definitions of courtesy tow, impound, inspection and inventory and defined the processes for each.
- 2) Deleted and updated language in multiple policy sections which mention impounding, towing and

Chapter 4.4.4 Volunteer Parking Enforcement

- 1) Deleted Section due to this being an obsolete program.

Chapter 4.8.4.3 Disposition of Money/Property Pursuant to Forfeiture Orders

- 1) Updating the language and forfeiture procedures and deleted the outdated forfeited form.

Chapter 4.10.5.5.1 Ride-Along Program

- 1) Requiring a record and NCIC check of all applicants for ride-along.
- 2) Lists expectations of the participant while on the ride-along including dress, restricting weapons, etc.

(End of Updates)

PREFACE

Authority and Revision

By virtue of the authority vested in him by the City Manager and City Commission of the City of Bowling Green; Code of Ordinance 2-11.02. City of Bowling Green Administrative Personnel Policy and Procedures Manual 1-3.3, and the Kentucky Revised Statutes; and in accordance with Administrative Personnel Policy and Procedures Manual 1-3.3, the Chief of the Bowling Green Police Department has caused to be established the following procedures for the administration of the Police Department.

Subject to the above regulations, the Chief of Police reserves the right to alter, amend, or repeal any of these procedures or to make additions, thereto as circumstances may require; and if the occasion demands, to issue verbal or written directives and orders which shall have the same force and effect as these procedures. All procedures previously issued are here, or revoked insofar as they conflict with the procedures set forth, or have been made a part of these procedures.

Goal and Purpose

This document is the Policy and Procedures Manual for the Bowling Green Police Department.

The **Goal** of this manual is to define policy and procedure for the police service not otherwise specified by federal and state laws; or federal and state court decisions; and/or Bowling Green City Code of Ordinances; and/or the Bowling Green City Administrative Policy and Procedures Manual.

The **Purpose** of this manual is to serve as a reference document to the police staff, sworn and civilian, for the proper conduct of their law enforcement activities.

Compliance

The police staff have the responsibility to conduct police operations in a safe, responsible manner and to comply with applicable federal, state, city and departmental standards. Awareness and compliance with the policy and procedure in this manual is mandatory.

Legal Disclaimer

This manual is for Departmental use only and does not apply to any criminal or civil proceeding. The policy and procedure in this manual shall not be construed as creating a higher legal standard of care or safety in an evidentiary sense with respect to third party claims. Violations of the material contained herein will form the basis of Departmental administrative sanctions only.

Quality and Continuous Improvement

Care has been used in the preparation and distribution of the manual. However, should any perceived conflict arise between portions of this manual and existing federal, state, city and departmental standards, the perceived conflict shall be brought to my attention for formal resolution.

Finally, all users should regard this manual as an integral part of a continuous improvement process. Your recommendations for improvement are welcome.

Doug Hawkins

Doug Hawkins
Chief of Police

Law Enforcement Code of Ethics

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

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

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

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

Additional References

The Code of Ethics for the Bowling Green Police Department are contained in § 3.1.4 . The subject listings and manual references are listed below for your convenience and use.

- 3.1.4, code of ethics (kacp; see also § 2.10.2, conduct)
- 3.1.4.1, primary responsibilities of a police officer
- 3.1.4.2, performance of the duties of a police officer
- 3.1.4.3, discretion
- 3.1.4.4, use of force
- 3.1.4.5, confidentiality
- 3.1.4.6, integrity
- 3.1.4.7, cooperation with other officers and agencies
- 3.1.4.8, personal / professional capabilities
- 3.1.4.9, private life

* * *

Oath of Office

All personnel within the Bowling Green Police Department assuming sworn status shall take the following oath of office set forth in the Constitution of the Commonwealth of Kentucky Section 228 and consistent with KRS 95.200, and 95.490:

"I do solemnly swear (or affirm, as the case may be) that I will support the Constitution of the United States and the Constitution of the Commonwealth and be faithful and true to the Commonwealth of Kentucky so long as I continue a citizen thereof, and that I will faithfully execute, to the best of my ability, the office of (Police Officer) according to law; and I do further solemnly swear (or affirm) that since the adoption of the present Constitution, I, being a citizen of this State, have not fought a duel with deadly weapons within this State nor out of it, nor have I sent or accepted a challenge to fight a duel with deadly weapons, nor have I acted as a second in carrying a challenge, nor aided or assisted any person thus offending, so help me God."

. . . . The Oath of Office is also listed in § 3.1.3 .

* * *

Mission and Value Statements

We, the members of the Bowling Green Police Department, in partnership with the community and on behalf of the city, commit ourselves to maintaining order, creating safe and secure neighborhoods and promoting driver safety. In doing so, we shall adhere to the following principles:

SERVICE We are committed to quality service and are responsive to the needs of our citizens through problem-solving partnerships.

INTEGRITY We foster the highest performance standards, ethical conduct and truthfulness.

RESPECT We value the dignity of every individual and understand ethnic and cultural diversity. We uphold the principles of the Constitution of the United States and the laws of the Commonwealth of Kentucky.

End of Table of Contents

**PART 1: ORGANIZATION, MANAGEMENT, AND
ADMINISTRATION**

CHAPTER 1.1

ORGANIZATION

1.1 CHAPTER 1.1 - ORGANIZATION

This chapter is concerned with the organization of the Police Department. Policies relate to organizing by function, unity of command, delineation of responsibility, and the delegation of authority.

1.1.1 ORGANIZATIONAL STRUCTURE

1.1.1.1 DEFINITIONS

Organization Structure	An arrangement into an orderly, structured or functional whole.
Senior Officer	Above others in length of service within a specific rank.
Ranking Officer or Superior Officer	An officer of higher rank.

1.1.1.2 GOAL

The Department's organizational structure seeks to overcome the limitations of its individual members and provide the most effective police service practicable in the most efficient possible manner.

1.1.1.3 STRUCTURE

Department order of authority and chain of command:

- 1) Chief of Police Colonel
- 2) Deputy Chief Lieutenant Colonel
- 3) Assistant Chief Major
- 4) Captain
- 5) Sergeant
- 6) Police Officer

1.1.1.4 CHIEF EXECUTIVE OFFICER SPAN OF CONTROL

The Department's two primary bureaus are formed according to function:

- 1) Police Field Operations; and
- 2) Support Services.

A Deputy Chief is in charge of each bureau. Each Deputy Chief reports directly to the Chief of Police.

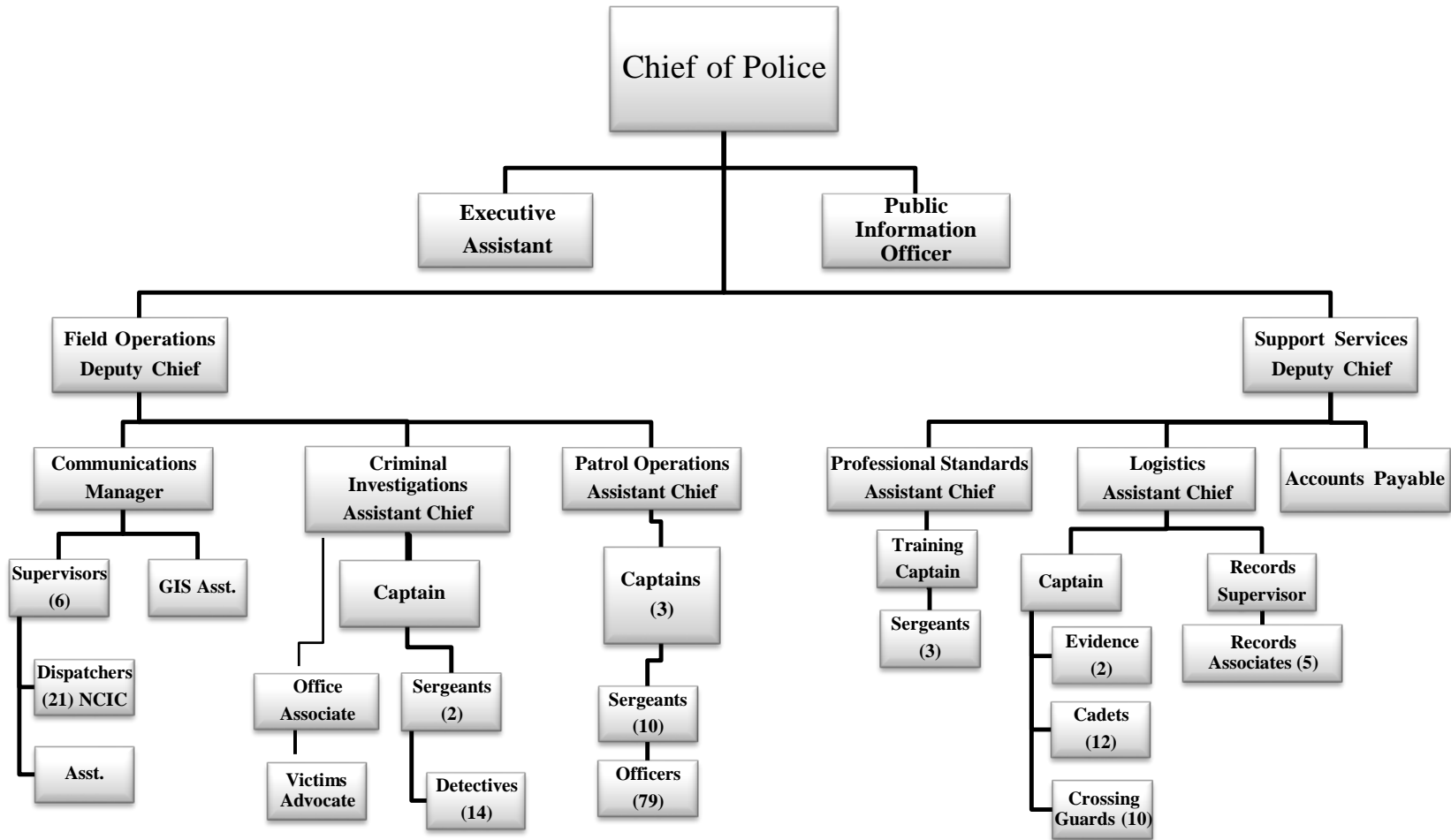
The Bureau functions are as follows:

- 1) The Bureau of Field Operations - Patrol Operations, Criminal Investigations and Communications.
- 2) The Bureau of Support Services - Central Records, Evidence / Property, Professional Standards and Logistics.

(Remainder of page reserved.)

1.1.1.5

BGPD ORGANIZATIONAL CHART



1.1.2 UNITY OF COMMAND

1.1.2.1 EACH ORGANIZATIONAL COMPONENT

Each organizational component is under the direct command of only one supervisor.

1.1.2.2 EMPLOYEE ACCOUNTABILITY

Each employee is accountable to only one supervisor at any given time. In order to become aware of what is expected and to promote efficiency and responsibility, each employee is accountable to only one supervisor. There may be times when a supervisor has to give a command to an employee who is outside his span of control (see Command Protocol, below). In ordinary circumstances, however, each employee shall be able to identify one, and only one, supervisor to whom the employee is accountable.

1.1.2.3 COMMAND PROTOCOL (KACP)

Generally, command protocol follows the Department's chain of command. However, protocol for personnel engaged in a specific police incident, single assignment or operation, may be further defined:

1. Situations involving officers of the same departmental unit:

The first officer responding to an incident scene, will be in charge of directing the police operations involved. That officer may be relieved of that responsibility, (1) if another officer is assigned, (2) if he requests to be relieved AND another officer takes active command responsibility, OR (3) if a senior officer or higher ranking officer assumes command. When a senior officer or higher ranking officer takes active command, he should inform the officer relieved, and, when necessary, other personnel who may be involved.
2. Situations involving officers from different department units:
 - a) Whenever command structure cannot easily be distinguished by rank, responsibility of command remains with the officer having primary functional responsibility.
 - b) In all events of concurrent jurisdiction, it shall be the policy of the Bowling Green Police Department that Departmental members either assume a primary role with exclusive responsibility for resolving the situation or a secondary support role involving traffic control, barricade placement, perimeter control, etc.
3. Concurrent jurisdictional situations involving department officers and personnel of other agencies:
 - a) This Department's command officer at the scene will assume command and operational control until the other agency clearly indicates that the

jurisdictional responsibility is exclusively theirs and that they are ready to assume them.

- b) Whenever command structure is easily distinguished by rank but the officer having primary functional responsibility is of lower rank, responsibility of command remains with the officer of highest rank.

1.1.3 SPAN OF CONTROL

To achieve effective direction, coordination, and control, the number of employees under the immediate control of a supervisor should not be excessive. The Department's supervisory span of control is as follows:

- 1) The Department's Chief executive officer supervises the two Deputy Chiefs that are in charge of the Department's two Bureaus.
- 2) The Department's two Deputy Chiefs:
 - a) The Deputy Chief of the Bureau of Field Operations supervises an Assistant Chief of Patrol Operations, an Assistant Chief of Criminal Investigations, and a Manager of Communications.
 - b) The Deputy Chief of the Support Services Division supervises an Assistant Chief of Professional Standards, and the Assistant Chief of Logistics, and the Accounts Payable Office Associate.
- 3) Shift Captains supervise Shift Sergeants.
- 4) The Department's sworn Supervisors (Sergeants) supervise assigned Police Officers (including Master Police Officers (MPOs) Advanced Police Officers (APOs)), and non-sworn personnel.
- 5) The Department's non-sworn Supervisors supervise the daily operations and personnel of the Communication and Records Units.
- 6) Overall command of police operations is the responsibility of the ranking sworn supervisor on duty.

1.1.4 RESPONSIBILITIES OF ORGANIZATIONAL COMPONENTS

To enhance coordination, all personnel should understand the responsibilities of each organizational component.

In addition to law, this manual provides additional guidance concerning Department responsibilities. The following three tables depict the distribution of responsibilities within the Department's major organizational components:

Department Administration (Office of the Chief) or shared with the two Department bureaus.

Responsibility	Manual Reference
Organization	§ 1.1
Direction	§ 1.2
General Management	§ 1.3
Planning and Research	§ 1.4
Allocation and Distribution of Personnel	§ 1.6
Budget Development	§ 1.7
Training	§ 2.3
Disciplinary Procedures	§ 2.10
Selection	§ 2.2
Promotion	§ 2.7
Performance Evaluation	§ 2.8
Internal Affairs	§ 4.10.2
Inspectional Services	§ 4.10.3

Bureau of Field Operations

Responsibility	Manual Reference
Patrol & Traffic Administration	§ 4.2
Patrol & Traffic Operations	§§ 4.3, 4.4
Communications	§ 4.1
Investigations	§§ 4.6, 4.7
Operations for Unusual Occurrences	§ 4.13
Day to Day Fiscal Management	§ 1.7
Special Police Operations	§ 4.14
Criminal Investigation	§ 4.3.17
Organized Crime & Vice Control	§ 4.8

Bureau of Support Services

Responsibility	Manual Reference
Records & Data Processing	§ 1.9
Property Management	§ 1.8
Day to day fiscal management	§ 1.7
Crime Prevention	§ 4.12
Intelligence, Public Information & Community Relations	§ 4.10
Crime Analysis	§ 1.5

1.1.5 AUTHORITY AND RESPONSIBILITY

Authority: At every level within the Department, personnel shall be given the authority to make decisions necessary for the effective execution of their assigned responsibilities.

Responsibility: Each employee is accountable for the use of delegated authority. Accountability is in direct proportion to the authority granted or delegated.

End of Chapter 1.1

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CHAPTER 1.2

DIRECTION

1.2 CHAPTER 1.2 - DIRECTION

This chapter is concerned with the direction and supervision of the Department. Policies recognize and establish the authority of the Department's Chief executive officer, designate command during the absence of the Chief, establish the accountability of supervisors for the performance of subordinates, and describe the scope of the Department's written directive and written communication systems.

1.2.1 GUIDANCE, SUPERVISION, MANAGEMENT AND CONTROL

1.2.1.1 DEFINITION

Direction

Direction of the Department relates to its guidance, supervision, management, and control of operations and administration.

1.2.1.2 AUTHORITY AND RESPONSIBILITY (KACP)

The Chief of Police possesses the authority and responsibility for the management, direction, and control of the operations and administration of the Department as set forth in:

- 1) KRS 95.430 -- 95.495,
- 2) Code of Ordinance 2-11.02, and
- 3) Administrative Personnel Policy and Procedures Manual 1-1.3 and 1-3.3.

1.2.1.3 ORDER OF PRECEDENCE (KACP)

Authority in the event of the absence of the Chief of Police will be specified by verbal or written directive. In the event of the absence of a directive, the order of authority shall be according to rank and seniority and consistent with § 1.1.

1.2.1.4 DELEGATION OF AUTHORITY

Authority may be delegated by superior to subordinate.

1.2.1.5 PERFORMANCE ACCOUNTABILITY (KACP)

To achieve effective direction, coordination, and control, supervisory personnel shall be accountable for the performance of employees under their direct control. Accountability is in direct proportion to the authority granted or delegated.

1.2.1.6 LAWFUL ORDERS

Departmental employees shall be required to obey any lawful order of a superior including any order relayed from a superior by an employee of the same or lesser rank. Any employee who willfully disobeys or disregards the direct order, verbal or written, of a superior officer will be considered to be insubordinate. (§ 2.10.2.2.16, Insubordination)

1.2.1.7 CONFLICTING ORDERS

In the event an employee receives a conflicting order or directive, the employee shall respectfully call the conflict to the attention of the superior officer giving the order. Should the latter not change the order, it shall be obeyed and the employee thereafter shall not be responsible for disobeying the first order. Under these circumstances, the responsibility for the conflict shall be upon the superior officer.

1.2.1.8 UNLAWFUL ORDERS

Officers shall not obey any order which they know would require them to commit any illegal act. If in doubt as to the legality of an order, officers shall request the issuing officer to clarify the order or to confer with higher authority.

1.2.1.9 DEPARTMENT STAFF MEETINGS

The Chief of Police holds staff meetings with bureau commanders and other staff.

Division, Shift, or first-line staff meetings are held on an as-needed basis.

One-on-one meetings should be held by each supervisor with each member of his staff on a regular basis, not less than quarterly. Items for discussion include, but are not limited to, the following:

- Problem solving
- Suggestions for improvement or change
- Work and performance evaluations
- Communication and recognition

Departmental meetings are held at the discretion of the Chief.

1.2.1.10 DEPARTMENT EMPLOYEE COMMITTEE

1.2.1.10.1 PURPOSE

Employee committees are established city-wide to address administrative issues, to obtain increased employee input into City operations, and to improve communication between employees and the City Manager.

1.2.1.10.2 COMPOSITION AND SELECTION

The Police Department Employee Committee will be composed of seven members ensuring consistently broad and equitable representation of the full-time employees. One member will be selected from each of the following employee groups to form the employee committee:

- a. Patrol – “A” shift
- b. Patrol – “B” shift
- c. Patrol – “C” shift
- d. Criminal Investigations
- e. Logistics (Records/Evidence)
- f. Communications
- g. Administration

All members of the Employee Committee will be full-time, non-supervisory, sworn or civilian staff. The representative for each employee group will be the most senior, non-supervisory employee in each employee group (as of the first day of the July Shift Change) who has not previously served on the Employee Committee. The term of service for the Employee Committee is one year beginning July 1st.

The selection process will recommence once all members of that employee group have served on the Employee Committee. Due to the fluidity of shift and division transfers, as well as to provide an equal opportunity for participation, an employee who has previously represented an employee group will not be selected to the employee committee until all employees of that group have served an equal number of times.

In the event an Employee Committee member is unable to complete the majority of their one-year term, the next eligible member from their employee group will join the committee and complete the term. Reassignments from one employee group to another during a term will not disqualify a committee member from completing their current, one-year term.

1.2.1.10.3 OPERATION

The City of Bowling Green Administrative Personnel Policy and Procedures Manual for Classified Employees (Section 6-1) outlines the specific procedures for the operation of the Employee Committee with the City Manager’s office.

(Remainder of page reserved.)

1.2.2 WRITTEN DIRECTIVES

1.2.2.1 DEFINITION

Written Directive

A written directive is any form of documentation that is intended to affect or guide the action of others.

1.2.2.2 DEPARTMENT WRITTEN DIRECTIVE SYSTEM

The Department's written directive system is as follows:

- 1) Policy and Procedure Manual: material of a generally permanent nature directed to the entire Department concerning organizational structure, statements of policy, and procedures for carrying out Department activities, and rules and regulations.
- 2) Special Orders: written orders of a permanent or temporary nature, directed toward all or a segment of the department, establishing a new policy / procedure or modifying an existing policy / procedure. Such orders can be delivered by e-mail.
- 3) Memoranda: Written information of general interest to the Department used to clarify or inform. A memo may be:
 - Used to affect or guide the action of others (as a directive) or
 - For communicative purposes only to clarify, inform, inquire, question, or complain (see § 1.2.4); and,
 - Can be delivered by e-mail.
- 4) Instructional material: any written material of an official nature issued or sanctioned by the Department for purposes of teaching, guidance, and affecting performance. Instructional material can be in the form of an e-mail.

(Remainder of page reserved.)

1.2.2.3 ISSUING AUTHORITY POLICY (KACP)

Within limits granted in Code of Ordinances 2.11.01 and Administrative Personnel Policy and Procedures Manual 1-1.3 and 1-3.3, the Chief of Police has the authority to issue, modify, or approve any Department written directives.

Issuing authority may be further defined in the following manner:

<u>Directive Type</u>	<u>Authority</u>
Policy and Procedure Manual	Chief of Police.
Special Orders	
1. To all personnel	Chief of Police.
2. To subordinate personnel	Deputy Chiefs
Memoranda (Used as a Directive)	
1. To all personnel	Chief of Police,Assigned Authorative Personnel.
2. To subordinate personnel	Chief of Police,Deputy Chiefs,Assistant Chiefs,Captains,Supervisors,Assigned Authorative Personnel.
Instructional Material	
1. To all personnel	Chief of Police,Assigned Authorative Personnel.
2. To subordinate personnel	Deputy Chiefs,Assistant Chiefs,Captains,Supervisors,Assigned Authorative Personnel.

1.2.2.4 STAFF REVIEW OF PROPOSED DEPARTMENT WRITTEN DIRECTIVES

The following are procedures for appropriate Staff review of proposed policies, procedures, and rules and regulations:

The Department's Policy Review Committee shall, at minimum, consist of the following:

- 1) Chief of Police
- 2) Deputy Chief of Support Services
- 3) Deputy Chief of Field Operations
- 4) Assistant Chief of the division the proposed policy and procedure affects.
- 5) Other personnel whose presence might be necessary for discussion regarding the policy and procedure.

For review of Directives and Special Orders, see below.

1.2.2.5 PREPARATION OF WRITTEN DIRECTIVES FOR ISSUE

- 1) Written directives shall not conflict with established policy and procedures, unless short-term extenuating circumstances exist.
- 2) All written directives will be stated in precise and positive terms with grammatical accuracy.
- 3) Whenever applicable, all written directives shall carry notations directing attention to other published documents, directives, or manuals which are related. Any directive amending, rescinding, or superseding other written directives shall indicate identifying notations necessary to connect them.
- 4) All Special Orders and directive Memos shall be forwarded to the Executive Assistant to the Chief of Police.

1.2.2.6 WRITTEN DIRECTIVE FORMAT (KACP)

1.2.2.6.1 Policy and Procedure Manual Format

Information presented in this manual is directive in nature. The policies, procedures and work instructions are arranged by Part, Chapter, and major / minor subjects within chapters. A decimal system of numbering allows for order and cross references. When the material is revised a change bar will be in the right margin to indicate the revised material.

Each Part, Chapter, Section, and Subsection is designated by title and Arabic numeral. All numbering breakdowns are arranged according to a decimal sequence.

1.....Part.....The first enumerates the Part.
1.1.....Chapter.....The second number enumerates the Chapter.
1.1.1.....Section.....The third number enumerates the Section.
1.1.1.1.....Subsection.....The fourth number enumerates the Subsection.
1.1.1.1.1.....Subsection.....The fifth number enumerates the Subsection, etc.
1) then **a)** or **•**Series LetteringItems listed in series under the sections are
.....enumerated as a numeric list then
.....an alphabetic list or as bullets.

This system provides a simple method of referral and cross reference to material in this manual. The symbol “§” is used to indicate the prefix Section or Subsection. For example, the notation § 1.1.2.5 is read as Subsection 1.1.2.5 (or conversationally, section 1.1.2.5 .). Likewise, §§ 3.2.3 – 3.2.8 (or §§ 3.2.3 – 8) is read as “section 3.2.3 through section 3.2.8 .”

Pagination, Revision Control and Revision Marks

Pagination

All Chapters are numbered sequentially within a Part and all pages are numbered sequentially within a Chapter. The Part number, Chapter name / number and the page number are located in the footer at the bottom of each page. Care must be taken during

revision to ensure any revised page is inserted into the correct Part and Chapter of the manual. The notation 1.2:6 is read as "page 6 in chapter 1.2" or as "Part 1, chapter 2 page 6."

Revision Control

The version or revision control of all pages is indicated in the lower left corner of all pages. For example, "Original, 31 Jan 02" indicates an original page dated 31 Jan 02. If that page is subsequently revised on 12 Feb 02, the page would be marked "Rev 01, 12 Feb 02."

Gender

The use of the masculine term "his" and "he" in this manual includes the feminine "her" and "she" when appropriate.

1.2.2.6.2 Special Orders Format

SPECIAL ORDER

TO:

VIA: (If Necessary)

FROM:

DATE:

(Text of the Order)

1.2.2.6.3 Memoranda Format

MEMORANDUM

TO:

VIA:

FROM:

DATE:

RE:

(Text of Memorandum)

1.2.2.6.4 Instructional Material

Instructional material may be issued in manual form, (e.g., PTO Manual) or as an attachment to a memorandum.

1.2.2.7 DISSEMINATION OF POLICY AND PROCEDURE MANUAL (KACP)

- 1) The manual is maintained in digital format and is available to all Department personnel via computer. Notification is sent to all personnel via e-mail when revisions are released. Each individual must open and accept the e-mail notification.

- 2) Any Special Order issued by the Chief of Police should be distributed in the same manner as described in paragraph 1, above.
- 3) Memorandums are distributed to indicated personnel. It shall be the responsibility of the receiver to distribute to subordinate personnel if needed.

1.2.2.8 PURGING, UPDATING, REVISING THE POLICY AND PROCEDURE MANUAL (KACP)

The contents of this manual are revised and updated on an as-needed basis. The manual is reviewed annually and approved by the City Manager and Board of Commissioners.

All Special orders with no expiration date shall remain in effect until:

- 1) They are cancelled by the Chief of Police; or,
- 2) They are incorporated as part of the Policy and Procedure Manual; or
- 3) They are revised and reissued the Chief of Police.

(Remainder of page reserved.)

1.2.3 POLICY AND PROCEDURE MANUAL

1.2.3.1 DEFINITION

Policy and Procedure Manual

This manual is an organized collection of Departmental policies and procedures that are revised periodically. The material in the manual is directive in nature.

1.2.3.2 POLICY

Department personnel are responsible for knowing, understanding, and obeying all applicable provisions of the Manual. The material in the manual is directive in nature. Suggestions for improvement or revision are welcome.

1.2.3.3 PURPOSE OF THE MANUAL

This manual establishes an easy-access system which catalogs Departmental policy and procedures for carrying out agency activities. Thus, the purpose of the manual is to serve as a reference document to the police staff for the proper conduct of their law enforcement activities.

1.2.3.4 TERMS USED IN THE MANUAL

The following definitions are applicable for use of the Manual:

Civilian Employees	Employees who have not taken the police officer's oath of office.
Off Duty	A rest period when employees are free from regular duties.
Officer(s)	Personnel of the Police Department who have taken an oath of office and who possess the police power of arrest.
On Duty	The period when employees are actively engaged in the performance of duties.
Order	Instruction given by a superior to a subordinate.
Ranking Officer	The officer having the highest grade or rank.
Report	A written communication the purpose of which is to make statement, account, disclose, or reveal details of an incident, assignment, or significant occurrence.
Superior Officer	One having supervisory responsibilities, either temporarily or permanently, over officers of lower rank.
Supervisor	Those personnel who provide the oversight and direction to others.

1.2.4 WRITTEN COMMUNICATION

1.2.4.1 DEFINITION

**Written
Communication**

Is any form of documentation that is intended for communication purposes only and is not a formal written directive.

1.2.4.2 DEPARTMENT WRITTEN COMMUNICATION SYSTEM

The Department's written communication system is as follows:

Memoranda: standard To/From/Subject Form used for communication purposes. Memoranda may be used to clarify, inform, inquire, question, or complain and can be delivered in e-mail form.

Reports: written communication the purpose of which is to make statement, account, disclose, or reveal details of an incident, assignment, or significant occurrence.

1.2.4.3 MEMORANDA

- 1) Memoranda may be used to clarify, inform, or inquire and can be delivered in e-mail form.
- 2) Memoranda may be used to question or complain through the chain or to submit a formal grievance. The following procedures should be used (see also § 2.9.2, department grievance procedures.):
 - a) Each Supervisor between the writer and the person to whom the communication is written shall read, review, and initial the memorandum. Initialing by a supervisor or any person in the chain of command will signify approval of the contents of the memorandum or report by that person.
 - b) Each Supervisor between the writer and the person to whom the communication is written may add attachment(s) to the communication containing concurring information, dissenting information, or additional information.
 - c) Each Supervisor between the writer and the person to whom the communication is written shall keep the communication only long enough to read, review, add to if necessary, and initial. It shall then be sent immediately to the next person in the chain of command.
 - d) The person to whom the communication is directed shall review the communication and send a written notice of action via the chain of command to the sender within fourteen (14) working days. (In the event a formal grievance has been submitted to the Chief, he shall reply in writing within three working days after receipt of the employee's grievance as specified in the Administrative Personnel Policy and Procedures Manual, Chapter VI.)

- e) If the person to whom the communication is directed should be unavailable for the specified amount of time indicated above, the next lower person in the chain of command shall inform the sender of that fact within the specified amount of time.
- f) A communication may bypass a person in the chain of command if that person's absence exceeds one day.
- g) If the writer does not receive an answer within the specified amount of time when an answer is appropriate, or if he is not satisfied with the action or lack of action, he may appeal to the City Manager according to City grievance procedures specified in the Administrative Personnel Policy and Procedures Manual, Chapter VI.

1.2.4.4 REPORTS

A detailed account of specific assignment or incident may be communicated through (1) completion and submission through normal Departmental channels of standard Departmental, City, or State forms which are utilized by the Department; or, if appropriate, (2) completion and submission of standard To/From/Subject form. Duty assignment, situation reports, or administrative reports directed to a specific superior should be made using the To/From/Subject form (see § 3.1).

1.2.4.5 WRITTEN COMMUNICATION FORMAT

Memoranda for written communicative purposes should use the format as described in § 1.2.2.6 .

Reports may be written in the following form:

REPORT

TO:

VIA:

FROM:

DATE:

RE:

(Text of report)

1.2.5 LETTERS OF OFFICIAL CORRESPONDENCE

1.2.5.1 APPROVAL REQUIRED OR NOT REQUIRED

Official correspondence requiring approval of the Chief of Police includes the following:

- 1) Letters relating, budget, planning, and other administrative concerns of the Department.
- 2) Letters to City or County governmental officials.
- 3) Letters to the Governor, Attorney General, or other State or Federal officials.

- 4) All other official correspondence which may relay Department policy.

Correspondence not included under the criteria above will not require personal approval of the Chief.

1.2.6 OTHER COMMUNICATION

Communication of information of a personal nature, or information concerning internal criminal activity may be directed to the Chief of Police without going through the chain of command. Members may report directly to the Chief under exigent circumstances which are perceived by the individual to be necessary for preservation of information or individual integrity. After submitting like such information to the Chief of Police and after a reasonable period of time with no reply or feedback, members may submit, if appropriate, the same information to the City Manager and/or Commonwealth Attorney.

End of Chapter 1.2

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CHAPTER 1.3

GENERAL MANAGEMENT

1.3 CHAPTER 1.3 - GENERAL MANAGEMENT

This chapter serves to address management principles of a general nature that are not addressed in other topic areas. Policies focus upon management information, administrative reporting, and accountability for agency forms. Related policies are concerned with Departmental planning and research (§ chapter 1.4 - planning and research); the analysis of criminal activity (§ chapter 1.5 - crime analysis); and § 1.2.4 - written communication.

1.3.1 DEPARTMENT MANAGEMENT INFORMATION

1.3.1.1 DEFINITION

Department Management Information

Information consisting of statistical and data summaries or summaries of significant occurrences which are of value to management for decision making.

1.3.1.2 GOAL

The Department's management information system seeks to provide reliable information for use in management decisions.

1.3.1.3 DATA SOURCES

The Department recognizes that administrative reports are essential to the timely distribution of information. Information may be obtained from the following computer files:

- 1) Investigative reports.
- 2) Accident reports.
- 3) Citations (Arrests).
- 4) Impounds.
- 5) Officer Contacts.
- 6) Warrants, summons and indictments

(Remainder of page reserved.)

1.3.2 ADMINISTRATIVE REPORTING PROGRAM (KACP)

1.3.2.1 DAILY REPORTS

- 1) A Daily Morning Report consisting of significant incidents which have occurred during the previous twenty-four hours is prepared by Shift Supervision of A, B and C shifts. The completed report is forwarded to select personnel via e-mail. The report is a summary of all significant incidents. A Briefing Sheet is compiled by Communications for distribution to each shift at shift change. All accidents involving personnel shall be noted on the Daily Morning Report.

1.3.2.2 WEEKLY REPORTS

The following weekly report is prepared:

- 1) Other significant activity reports.
- 2) Juvenile Curfew List.

1.3.2.3 MONTHLY REPORTS

Monthly reports are prepared by those in charge of each organizational component to give account to their immediate supervisor for activities during the previous month. The following monthly report is prepared:

- 1) Officer Activity Report.
- 2) Case Management Report.

1.3.2.4 ANNUAL REPORTS

- 1) A summary of monthly reports is submitted by those in charge of each organizational component to give account to their immediate supervisor for activities during the previous year.
- 2) The Department compiles an annual report specifying the activities of the previous fiscal year.

1.3.3 DEPARTMENT-DEVELOPED FORMS

1.3.3.1 ACCOUNTABILITY

The Departmental Forms Committee, appointed by the Chief of Police, has the authority and is responsible for arranging the following:

- 1) Annually reviewing all Department-developed forms used by the Department;
- 2) Developing, modifying, approving and procuring forms; and
- 3) Deletion of forms when necessary.

1.3.3.2 PROCEDURES FOR DEVELOPMENT, MODIFICATION, APPROVAL, AND DELETION OF FORMS

All forms developed and utilized by the Department are reviewed and evaluated by the above authority periodically to ensure that the format is consistent with the records maintenance and data processing requirements of the Department. Final approval of Department-developed forms is the responsibility of the Chief of Police. Form development and modification shall be arranged by the above authority and according to the following procedures:

- 1) A determination of desired form information is made through an examination of:
 - a) UCR data required,
 - b) State data required, and
 - c) Computer and records system requirements.
- 2) A review to ensure that the information to be captured on NEW or modified EXISTING Department forms is not duplicative.
- 3) A decision should be made regarding whether a specific existing form should continue:
 - a) As is,
 - b) Be modified, or
 - c) Be discontinued. Notification to discontinue the use of any form shall be by Departmental memorandum.
- 4) Any proposed NEW form or modification of an existing form should be arranged by contacting the Departmental Forms Committee.

End of Chapter 1.3

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CHAPTER 1.4

PLANNING AND RESEARCH

1.4 CHAPTER 1.4 - PLANNING AND RESEARCH

This chapter relates to Department planning and research. Related policies specify development of operational procedures and policy guidelines:

- § 1.2, chapter 1.2 - direction
- § 1.5, chapter 1.5 - crime analysis
- § 1.6, chapter 1.6 - allocation and distribution of personnel, and
- § 1.7, chapter 1.7 - fiscal management .

1.4.1 DEFINITION AND GOAL

1.4.1.1 DEFINITION

Planning and Research

Planning and research relates to the Department's close careful study of operations and the development of future plans. Planning and research may involve such activities as: crime analysis; multi-year planning; operations planning; budgeting; manpower allocation alternatives; systems analysis; uniform crime reporting; contingency planning; and traffic analysis.

1.4.1.2 GOAL

Department planning and research seeks to provide the most effective police service practicable in the most efficient possible manner.

1.4.2 DEPARTMENT PLANNING AND RESEARCH OPERATIONS

1.4.2.1 DEPARTMENT PLANNING AND RESEARCH FUNCTIONS

Generally, planning and research, particularly that having to do with strategic operational planning, is the responsibility of the Chief of Police. The Chief may assign individuals to specific research or planning projects as he deems necessary and appropriate. Planning and research functions under the Chief of Police may include, but are not limited to:

- 1) Development of short term and long range agency plans,
- 2) Research and preparation of budgetary recommendations,
- 3) Liaison with other criminal justice planning agencies,
- 4) Development of operational procedures and policy guidelines, and
- 5) Preparation of other studies and analyses as he may direct.

1.4.2.2 ROUTINE DEPARTMENT PLANNING AND RESEARCH

Routine Department planning and research should include the following:

- 1) Annual budget development. The Chief of Police is responsible for Department new-program and equipment proposals included within the Department's Capital Improvement Budget and for coordinating annual budget proposals. An assigned Deputy Chief is responsible for monitoring accounts payable. (§ 1.7)
- 2) Grant management will be handled by the City's Grant Manager.
- 3) Traffic collision and enforcement pattern analysis.
- 4) Crime analysis. The Department's Patrol Division is responsible for crime analysis. (§ 1.5)
- 5) Uniform crime reporting. (See § 1.9.)
- 6) Manpower allocation alternatives. (See § 1.6.)
- 7) Contingency planning. (See § 4.13.2.2, responsibility for planning / annual review / maintenance of liaison (KACP).)

1.4.2.3 ANALYSIS OF OPERATIONAL ACTIVITIES (KACP)

Planning and research includes analyses of Patrol Division activities in order to facilitate accurate and timely decision making in the allocation or deployment of agency resources.

The Department reassesses annually the workload demands of each organizational component (§ 1.6.2).

The Commander of the Patrol Division refers to the latest Police Personnel Allocation Manual (PAM) Study for recommended patrol staffing levels (§ 1.6.2). Analyses of field operational activities should include data concerning type of activity and the occurrence or reporting of each event, as follows: time of day, day of week, month, year, shift, district, and patrol or reporting area.

1.4.2.4 DISSEMINATION OF ANALYTICAL REPORTS TO AFFECTED ORGANIZATIONAL UNITS (KACP)

The above computer analysis data is supplied to the Commander of the Patrol Division by Data Processing. Trend and pattern crime analysis reports that have clear implications for assisting the Patrol Division are submitted to the officer in charge of the receiving user group and the Chief of Police (§ 1.5). Traffic analysis information is supplied to the Commander of the Patrol Division by the Crime Analyst. (§ 1.5).

1.4.2.5 MULTI-YEAR PLAN (KACP)

Each year, a multi-year plan is presented as a part of the Department's annual report. The plan includes the following:

- 1) Goals and operational objectives,
- 2) Anticipated workload and population trends,
- 3) Anticipated personnel levels; and

Anticipated capital improvements and equipment needs are included in the Department capital improvement budget.

End of Chapter 1.4

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CHAPTER 1.5

CRIME ANALYSIS

1.5 CHAPTER 1.5 - CRIME ANALYSIS

This chapter sets forth the Department's crime analysis function whereby data relating to crime is collected, collated, analyzed, and disseminated. The information obtained by analyzing the data is used to support management and operations. Related policies are concerned with some aspects of crime analysis (see § chapter 1.4 - planning and research, and § 4.10.1, intelligence operations).

1.5.1 DEFINITION AND GOAL

1.5.1.1 DEFINITION

**Crime
Analysis**

Crime analysis is the systematic collecting, collating, and analyzing of crime data for dissemination to Departmental planners and practitioners.

1.5.1.2 GOAL

Crime analysis should seek to accomplish two goals:

- 1) It should provide the Chief of Police and Departmental planners and practitioners with crime data in a timely manner, and
- 2) It should help form a foundation upon which the Chief and other planners can implement effective action programs.

(Remainder of page reserved.)

1.5.2 CRIME ANALYSIS

1.5.2.1 CRIME ANALYSIS FUNCTION

Crime analysis may be used to assist in the achievement and development of current and futuristic crime control and crime prevention objectives. When pertinent and timely its information will, therefore, impact not only the tactical but the strategic as well. Crime analysis techniques may be useful to Investigative and Patrol/Traffic operations by identifying and analyzing individual criminal methods of operation and by providing crime pattern recognition and analysis from field interrogations and arrests. Its information may be useful to planners when assessing crime trends and identifying enforcement priorities. Crime analysis may also be useful in determining the criteria for assigning a case to follow-up investigation based upon the following documented experience and research:

- 1) Documented experiences of the agency;
- 2) Documented experiences of other law enforcement agencies;
- 3) Research conducted within the agency; and
- 4) Research conducted in other law enforcement agencies.

1.5.2.2 CRIME ANALYSIS PROCESS

The crime analysis process may be divided into five steps:

- 1) Collection of data;
- 2) Collation of data;
- 3) Analysis of data;
- 4) Dissemination of analyzed information; and
- 5) Feedback analysis and program evaluation.

1.5.2.3 RESPONSIBILITY

The crime analysis function is the responsibility of the Patrol Division.

1.5.3 COLLECTION OF DATA

The accumulation of raw data may be accomplished through two sources: internal and external.

- 1) Internal sources such as:
 - a) CAD Incidents.
 - b) Briefing Sheets.
 - c) Investigative Reports.
 - d) Arrests/Citation records.
 - e) Officer Contact Cards.
 - f) Pawn Shop Files.

- g) Intelligence information including that pertaining to known active criminals (see § 4.10).
 - h) Computer files.
 - i) Informal sources.
- 2) External sources such as:
- a) Criminal history records.
 - b) Federal & State Prisoner release notifications.
 - c) Vehicle registration.
 - d) Intelligence organizations sources.
 - e) Trend analyses from other cities/national.

1.5.4 COLLATION OF DATA

The organization of the raw data into a usable format may be accomplished through:

- 1) The compilation of resource-comparison files such as:
- a) Crime elements.
 - b) Wanted suspects.
 - c) Known offender profiles.
 - d) Alias/nicknames.
 - e) Identifiable stolen property.
 - f) Officer Contact Cards.
- 2) The compilation of incident-developing (situation / circumstance) files which seek to define WHO, WHAT, WHERE, WHEN, and HOW:
- a) Victim information
 - b) Location
 - c) Time
 - d) Day of week
 - e) Modus operandi elements
 - f) Suspect information
- 3) The maintenance of crime data such as:
- a) Crime summary maps
 - b) Hot spot maps
 - c) Charts
 - d) Graphs
 - e) Time lines

1.5.5 ANALYSIS OF DATA

The analysis may assist in the screening and ordering of lists of suspects, and aid in the assembling and ordering of specific crimes that may involve an offender already in custody. An examination of compiled crime data should produce:

- 1) A statistical presentation of criminal activity,
- 2) An analysis of crime trends, and
- 3) The possibility of crime forecasts.

Crime analysis should identify similarities among different offenses and reveal commonalities and patterns in the characteristics of current crime problems. Two elements involved are: (1) the recognition of changes in numbers relative to a recognized norm (frequency) and (2) the recognition of relationship between similarities in characteristics (pattern). Common factors are:

- 1) Frequency by type of crime
- 2) Geographic (location)
- 3) Chronological
 - Order of events
 - Time of day
 - Day of week
 - Seasonal
- 4) Victim and target
 - Victim descriptors
 - Physical
 - Clothing
 - Occupation
 - Other
 - Target descriptors
 - Crimes against persons
 - Crimes against property
- 5) Suspect
 - Physical descriptors
 - Clothing descriptors
 - Other
- 6) Suspect vehicle descriptors
 - Make, year, model, color, etc.
 - Other
- 7) Modus operandi factors
 - Method of operation
 - Point of entry
 - Weapons used
 - Suspect actions
- 8) Physical evidence information
 - Evidence at crime scene
 - Identifiable evidence elsewhere (e.g., stolen property)

1.5.6 DISSEMINATION OF ANALYZED INFORMATION

Information concerning operational needs (e.g., known offenders, modus operandi, suspects, and investigative leads) is restricted to persons having a need to know.

The transfer of analyzed information to restricted user groups is accomplished in the following ways:

- 1) Publication and distribution of Prisoner Release Notifications (as available),

- 2) Trend and pattern reports (as they develop) that have clear implications for assisting the Patrol Division are submitted to:
 - a) The officer in charge of the receiving user group, and
 - b) The Chief of Police.

1.5.7 FEEDBACK AND PROGRAM EVALUATION

Those user groups receiving trend and pattern reports or any other thoroughly developed crime analysis report having clear implications for assisting their operation (item 2, above) shall be responsible for:

- 1) Submitting a follow-up report to the Chief of Police within 90 days outlining actions taken and results obtained, and
- 2) Submitting a similar feedback report to the Patrol Division to assist in program evaluation.

End of Chapter 1.5

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CHAPTER 1.6

ALLOCATION AND DISTRIBUTION OF PERSONNEL

1.6 CHAPTER 1.6 - ALLOCATION AND DISTRIBUTION OF PERSONNEL

This chapter sets forth the Department's methods of allocation and distribution of personnel. Policies relate to appropriate deployment of personnel by determining service demands through the use of workload assessments and computer-based or manual methods of allocation and distribution. Positions not requiring sworn personnel are specified and staffed accordingly.

1.6.1 DEFINITION AND GOAL

1.6.1.1 DEFINITIONS

The following are definitions of key terms having to do with allocation and distribution of personnel:

Allocation	The determination of the overall numbers of personnel for the Department and for each organizational component within the Department.
Distribution	The assignment of a given number of personnel within each organizational component according to functional, spatial (geographic), and/or temporal (time) workload demands.
Personnel alternatives	The use of civilian personnel in lieu of full-time, sworn officers. The Department does not utilize reserves or auxiliaries.
Specialized Assignment	An assignment often characterized by increased levels of responsibility and specialized training, but within a given position classification.

1.6.1.2 GOAL

Policies within this chapter seek to facilitate:

- Department personnel allocation recommendations;
- The distribution of available personnel according to spatial and temporal demands; and
- The use of civilian personnel when practical and possible.

1.6.2 DEPARTMENT ALLOCATION OF PERSONNEL

1.6.2.1 STAFFING TABLE

The Department maintains a staffing table that provides the following information:

- Total personnel strength as authorized by the City Government; and
- Number of personnel, by rank or job title, within each organizational component, including civilians.

1.6.2.2 PATROL STAFFING LEVELS (STANDARD METHOD)

The method for determining patrol staffing levels will normally involve use of the PAM Study or another method selected by the Chief of Police. The Patrol Operations Commander will provide continuous updates regarding staffing needs to the Chief of Police.

1.6.2.3 DEPARTMENT ALLOCATION ASSESSMENT

In order to determine the overall numbers of personnel for the Department and for each organizational component (allocation), the Department continually reassesses the workload demands of each organizational component. In conjunction with the January goals and objectives update (see § 3.1.1.3), each Commander or Supervisor directly accountable to the Chief shall reassess workload demands for his sphere of responsibility. Workload-documentation reports and allocation recommendations are usually submitted to the Chief of Police on an “as needed” basis.

1.6.2.4 DEPARTMENT DISTRIBUTION OF PERSONNEL

1.6.2.4.1 Department Distribution Assessment

In order to determine the assignment of a given number of personnel within each organizational component (distribution), the Department reassesses annually the workload demands of each organizational component. In conjunction with the January goals and objectives update and preparation for budget work, each Commander or Supervisor directly accountable to the Chief shall reassess workload demands for his sphere of responsibility. Workload-documentation reports and distribution recommendations are submitted to the Chief of Police no later than January 31. (An exception to this procedure concerns the reassessment of patrol personnel distribution. For distribution-assessment of patrol personnel, see § 1.6.2.4.2, item 7) below.

1.6.2.4.2 Patrol Distribution Levels

- 1) For purposes of the distribution of patrol personnel, the Department maintains a map of its service area organized into identified reporting areas and/or patrol districts.

- 2) Patrol districts have traditionally been based upon existing geographic conditions and man-made boundaries. The single most influential existing geographical feature is the CSX Railroad which cuts through the city. When the railroad is in use, automotive traffic may be restricted to two (2) underpasses and one (1) overpass. Despite this barrier, northwest and southeast sectors are now divided at 31-W by pass due to population shift.
- 3) As calls for service have increased over the years and business districts have changed, patrol areas within the halves have been rearranged and their numbers increased. The system utilized for patrol area number and size; has basically been a judgment of what works best based upon geographic configurations and numbers of calls for service (workload). Actual district patrol structure is adjusted for each patrol shift to reflect relative activity levels. (Statistics are maintained within the LPC system according to reporting area identifier: the basic patrol district number.)
- 4) Once an acceptable staffing level for the patrol force has been determined (see Patrol Staffing Levels, above) it is necessary to assign personnel in a manner that provides for equitable distribution of the workload. Assignment of personnel to work schedules that best reflect actual service workload demands is called proportional scheduling. The process involves distribution in accordance with temporal (time) and spatial (geographic) distribution of incidents. The process begins with a tabulation of incidents by reporting areas.
- 5) Incidents by reporting areas are tabulated annually at the direction of the Commander of Patrol Operations. This consists of a computer breakdown of patrol activities according to time, place, type, and day of week. Once the total number of activities has been determined, along with the time committed to them, they are plotted according to day of the week and hour of the day. This information is then used to develop charts which show high, medium, and low activity periods (percentages may also be shown). With the above information the Commander of Patrol Operations is able to devise work schedules that match staffing levels to activity levels, although it is rarely possible to be precise in this matter. Generally, the heaviest workload normally occurs from 4:00 PM to 12:00 PM and on weekends. (Tabulations may be based on a sample of incidents.)
- 6) As stated above, the patrol force is divided into geographic areas or districts, which reflect the relative activity levels of the Department's jurisdiction. Activity levels are obtained through statistics compiled through the Department's reporting areas. Analysis of patrol activities is conducted as a part of the above annual tabulation to determine any changes in activity levels. District patrol adjustment for each patrol shift to reflect activity levels is an on-going process conducted by the Commander of Patrol Operations (through the above process), Shift Commanders, and Shift Supervisors. The boundaries of each patrol district are based on a grouping of reporting areas.
- 7) Patrol staffing level distribution is assessed quarterly by the Commander of Patrol Operations. Every three months the Department reassesses and revises, when necessary, the distribution of patrol personnel. Time (temporal) and location (spatial) demands for service as well as shift

hours and district configurations are analyzed through the above patrol force distribution method to determine if any revisions are necessary.

1.6.2.5 ASSIGNMENT

The following are job classes within the Police Department; for job assignments, see BGPD Staffing Table and Organizational Chart.

Sworn Personnel	Civilian Personnel
Police Chief	Communication Center Manager
Deputy Chief	Communication Center Supervisor
Assistant Chief	Communication Center Dispatcher
Police Captain	Advanced Communications Dispatcher
Police Sergeant	Office Associate III
Master Police Officer	Office Associate II
Advanced Police Officer	Office Associate I
Police Officer	Police Cadet (part-time)
	Crossing Guard (part-time)
	Communications Assistant (part-time)
	GIS Mapping Assistant (part-time)

1.6.2.6 SPECIALIZED ASSIGNMENT (KACP)

Anticipated special assignment openings are advertised throughout the Department by E-mail. Announcements state the position available and may state the skills, knowledge, and abilities necessary. Interested personnel should submit a To/From/Subject letter to the appropriate authority via chain of command. All qualified individuals will be allowed to apply and compete for positions. (For promotional positions, see § 2.7.) All special assignments are approved by the Chief of Police.

Selection of personnel for special assignments within a given position classification is based upon the following criteria:

- Core criteria;
- Skills, knowledge, and abilities required for the specialized assignment;
- Formal education requirements, if any;
- Length of experience required, if any; and
- Previous performance.

All special assignments are reviewed annually to determine if they are to continue. The review includes:

- 1) An evaluation of the initial problem or condition that required the implementation of the specialized assignment; and
- 2) A cost-benefit analysis of the specialized assignment.

1.6.2.7 CIVILIAN EMPLOYEES

1.6.2.7.1 Civilian Positions

The Department seeks to designate as civilian those positions common to other governmental agencies which require specified skills which differ from those of sworn positions and to assign sworn personnel to those positions only in the event of an urgent agency need or to broaden an officer's experience. The Department recognizes that sworn personnel should not be permanently assigned to civilian positions.

1.6.2.7.2 Annual Review

An annual job-review of all positions is conducted by the City's Human Resources Director. Part of the review within the Police Department determines whether positions should be designated as civilian.

End of Chapter 1.6

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CHAPTER 1.7

FISCAL MANAGEMENT

1.7 CHAPTER 1.7 - FISCAL MANAGEMENT

This chapter sets forth the Department's budgeting, accounting, and fiscal control procedures. Policies focus upon annual budget development, supervision of internal expenditures and related controls, and maintenance of liaison with the government's fiscal officers.

1.7.1 DEFINITION AND GOAL

1.7.1.1 DEFINITION

Fiscal Management

Is the supervision or controlling of the Department's resource and budgetary responsibilities. The fiscal management function includes annual budget development, supervision of internal expenditures and related controls, and maintenance of liaison with government's fiscal officers.
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1.7.1.2 GOAL

Resource management is essential to effective and efficient governmental service. Departmental resources depend upon annual budgetary development, internal expenditure supervision, and the management of agency-owned property. In this regard, the Department seeks to both develop and manage its resources in order to provide the most effective police service practicable.

1.7.2 DEPARTMENT FISCAL MANAGEMENT

1.7.2.1 RESPONSIBILITY FOR FISCAL MANAGEMENT (KACP)

The Chief of Police has the authority and responsibility within City Department of Finance guidelines for the fiscal management of the Police Department. Generally, this includes Departmental equipment and new-program proposals and the maintenance of existing programs. In this regard, his responsibilities include:

- 1) Supervising the annual preparation of the Department's Capital Improvement Budget proposal;
- 2) Supervising the annual preparation of the Department's operating budget proposal;
- 3) General management of internal expenditures;
- 4) General management of agency-owned property; and
- 5) General management of liaison with the Department of Finance, Department of Administration, and Board of Commissioners.

The Deputy Chiefs of the two Bureaus are responsible for:

- 1) Assisting the Chief of Police in annual budget preparation;
- 2) Supervising of internal expenditures and related controls; and
- 3) Maintenance of liaison with the City's budget Director and other fiscal officers.

1.7.2.2 PREPARATION OF ANNUAL BUDGET

The Department's budget is developed according to the various programs which make up the budget as a whole. The Department is responsible for equipment and new-program proposals and the maintenance of existing programs. The Human Resources Director, and City Budget Analyst are responsible for the Department's salary and benefit proposals. The Chief of Police supervises the Department's budget staff and team in the development of each year's budget preparation and recommendations.

1.7.2.3 ACCOUNTING SYSTEM STATUS REPORTS (KACP)

The City's financial program includes the following reports:

- Initial appropriation for each program;
- Balances at the commencement of each monthly period;
- Expenditures and encumbrances made during each period; and
- Unencumbered balances

1.7.2.4 POSITION CONTROL IN RELATION TO BUDGET AUTHORIZATIONS

Controls on the number and type of agency positions filled and vacant at any time are regulated by the city's Classification Plan set forth within the Administrative Personnel Policy and Procedures Manual.

1.7.2.5 CASH (KACP)

The Department maintains cash for records transactions, confidential funds, and petty cash for small purchases. Procedures for collecting, safeguarding, and dispersing cash are regulated by the city's Purchasing Procedure Manual and Consolidated Financial Policy Statements manual, and administrated by the city's Department of Finance. Audits may be administered at any time via the Financial Management Computer system. Annual audits are administered through the City's Finance Department Records. (See § 1.9.3).

1.7.2.5.1 Petty Cash

The City's Finance Department allots \$200 to the Police Department for immediate payment of small purchases. Financial statement is made through preparation and submission of Petty Cash Reimbursement Form and Purchase Orders to the Department

of Finance. The reimbursement form is audited by the Finance Department and a check is issued to the Custodian of Petty cash to reimburse the fund. Internal records are maintained by the petty cash custodian.

1.7.2.5.2 Confidential Fund

The Department maintains a confidential fund to be available for the purchase of information, contraband, or other evidence. It may also be used to pay informants, expenses for surveillance activities, and to purchase equipment. (See § 4.8.7 for procedures for safeguarding and dispersing these funds).

1.7.2.5.3 Donations or Gifts

City Ordinance 25-8 (2) reads in part:

"No public official, employee or board member of a City agency as defined shall accept directly or indirectly any gratuity, regardless of value, which is offered based upon any understanding that the vote, official act, or judgment of the public official, employee or board member would be influenced thereby or if it may reasonably be inferred that the purpose of the gift was to influence the action of the public official or employee or board member or to affect the performance or nonperformance of an official act or that the gift - giver has an interest which may be substantially affected directly or indirectly by the performance or nonperformance of an official act."

Notify the Chief of Police in the event any person or organization should want to donate money or other items to the Police Department.

1.7.2.6 OTHER FISCAL MATTERS (KACP)

Procedures for conducting internal monitoring of Departmental non-cash fiscal activities; conducting an independent audit of the Department's activities; requisitioning and purchasing of agency equipment and supplies; emergency purchasing or rental agreements for equipment; and inventory control of agency property, equipment, and other assets are regulated by the city's Purchasing Procedure Manual and Consolidated Financial Policy Statements manual, and administrated by the city's Department of Finance. Audits may be administered at any time via the Financial Management Computer system. Annual audits are administered through the City's Finance Department.

Those individuals responsible for Department budget programs shall request an Appropriation Ledger Report via the Financial Management Computer System at least quarterly for monitoring/auditing purposes.

End of Chapter 1.7

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CHAPTER 1.8

PROPERTY MANAGEMENT

1.8 CHAPTER 1.8 - PROPERTY MANAGEMENT

This chapter sets forth the Department's procedures for management of evidence and property, and agency-owned property. Related policies address collection and preservation of in-custody property (see § 4.6.5); Fiscal Management (see § 1.7); and inspection of facilities, property, and equipment (§ 4.10.3.7).

1.8.1 DEFINITION AND GOAL

1.8.1.1 DEFINITIONS

Property Management	Property Management is the management and control of acquired and in-custody property (found, recovered, and evidentiary property), and Department-owned property.
Capital Assets	Capital Assets includes furniture, vehicles, radios, cameras, special equipment, etc.
Personal Equipment	Personal Equipment includes uniforms, side arms, batons, etc.
Evidence	Evidence includes any piece of property, regardless of its nature, that is confiscated or impounded by the Department as part of an investigation and will be used to substantiate the investigation in court.
Recovered Property	Recovered Property includes any piece of property that has been identified as having been stolen. In some cases, this property may also be classified as evidence.
Found Property	Found property is non-evidentiary property, which has been determined to be lost or abandoned and is not known or suspected to be connected with any criminal offense.
Safe Keeping	Non-evidentiary property whose rightful owner is known.

1.8.1.2 GOALS OF DEPARTMENT PROPERTY MANAGEMENT

The Department seeks to manage acquired and in-custody property according to recognized custodial procedures for responsibility, inventory, storage, and records.

The Department seeks to manage Department-owned property according to recognized procedures for its procurement, distribution, storage, and accountability.

(Remainder of page reserved.)

1.8.2 DEPARTMENT PROPERTY MANAGEMENT

1.8.2.1 CONTROL

- 1) The Commander of the Bureau of Support Services is charged with responsibility of all property owned by or in custody of the Police Department. Beneath support services, the Logistics Commander is responsible for City inventory. (The inventory list is computer-maintained by the City's Department of Finance.)
- 2) Other Responsible Individuals:

Type of Property	Other Responsible Individuals
Found, recovered, or evidential property:	The Unit's Property Custodian.
Personal Equipment:	Assigned personnel (uniforms) and other assigned personnel (weapons/ammunition).
Expendable Property or Operating Supplies:	Assigned individuals according to budget programs.

- 3) Monitoring the use, condition, and control of property is the responsibility of the user and those responsible for inspections. However, the Commander of Logistics should be notified whenever any property is lost, stolen, destroyed, or becomes obsolete and/or inoperable.

1.8.2.2 INVENTORY PROCEDURES (KACP)

Capital Assets are budgeted according to cost:

- Items with a value less than \$25,000 may be budgeted, upon approval, within the projected fiscal year budget; and
- Items with a value of \$25,000 or more must be placed within the projected Capital Improvement Budget.

Upon purchase of any item valued over \$5,000, the financial computer system will automatically produce an inventory number. Items are inventoried according to item number; description of item; location of item (may also designate to whom issued); serial number, if any; quantity; vehicle number, if applicable; purchase date; and purchase price. An annual inventory of the Department's capital assets is completed every year.

Record of purchase of expendable property is recorded within the City's Purchase Order computer system.

Found, recovered, or evidential property is the responsibility of the Property Unit. All items are entered into Departmental inventory according to procedures set forth in § 4.6.5.3. Inventory record is computer-maintained by the Property and Evidence Unit.

1.8.3 ACQUIRED AND IN-CUSTODY PROPERTY

1.8.3.1 CONTROL OF PROPERTY HELD BY THE DEPARTMENT (KACP)

- 1) The establishment and maintenance of correct evidence-handling procedures are most important to the successful prosecution of cases in court. (See § 4.6.5 .)
- 2) The Property and Evidence Unit is accountable for control of all property accepted by or stored in the Department's property storage areas. When property items do not meet packaging standards, Unit staff can refuse to accept the item for permanent storage until the correction is made. Contact evidence clerks if extreme/unusual issues arise with regard to evidence packaging or storage.
- 3) All property stored by the Department is within a designated secure area.
- 4) Items of property requiring added protection are stored in separate, locked secure area located within the Department's storage area. Such items include: money, precious metals, jewelry, gemstones, weapons, narcotics, and dangerous drugs.
- 5) The Department utilizes the following control system relating to the acceptance and release of narcotics and dangerous drugs from custody:
 - Narcotic and dangerous drug evidence (capsules, pills) should be counted as well as weighed. Counting should be performed in addition to, not in lieu of, weighing. Exceptions to weighing the substance are permissible when officially sealed in tamper-proof protective packages.
 - All containers of narcotics and dangerous drugs should be inspected for tampering as a safeguard against the substitution of materials having the same weight.
- 6) Secure refrigerated storage is available for storage of perishable items.
- 7) Secure facilities are provided for storage of found, recovered, or evidential property during periods when the property room is closed.

1.8.3.2 SYRINGES AND NEEDLES

The Property and Evidence Unit will not accept and store syringes and needles except under extreme circumstances; such as a serious physical injury or death investigation. If a syringe or needle is collected and not needed as evidence the collecting officer shall deposit it in the biohazard sharps disposal container in the Evidence Intake Room. The disposal can be documented in the police report or CAD notes.

1.8.3.3 INSPECTIONS (KACP)

- 1) A monthly inspection of adherence to procedures used for the control of property is conducted by a designated staff officer. The inspection is conducted to determine that the property room is being maintained in a clean and orderly fashion, that provisions of agency orders or other directives concerning the property management system are being followed, that property is being protected from damage or deterioration, that proper accountability procedures are being maintained, and that property having no further evidentiary value is being disposed of promptly.
- 2) A monthly Staff inspection inventory of property held by the Department is conducted by an officer who is not routinely or directly connected with control of property or has the property function under his control. The purpose of the inventory is to ensure the integrity of the system, and not require an accounting for every item of property. Written notice is sent 30 days in advance to the property unit. (See § 4.10.3.7, staff inspections.)
- 3) Unannounced inspections of property storage areas are conducted semi- annually. Proper accountability and security procedures should receive primary attention during spot inspections. A random comparison of records with physical property should consume most of the time allotted to the conduct of spot inspections. The same operations and procedures performed in the property storage areas need not be examined each time a spot inspection is conducted; rather, a different variety of activities should receive attention during successive spot inspections.
- 4) A 100% property audit is completed annually by the Evidence Technicians and a memorandum is submitted to the Chief of Police detailing the results.
- 5) In the event a new property custodian is designated, an inventory of property, to ensure that records are correct and properly annotated, is conducted jointly by the newly designated property custodian and the outgoing property custodian. The purpose of the inventory is to ensure the continuity of custody and not to require the accounting of every single item of property. The inventory should be sufficient to ensure the integrity of the system and the accountability of the property. During the joint inventory, a sufficient number of property records should be reviewed carefully with respect to proper documentation and accountability. The person assuming custody of the property should ensure that all records are current and properly annotated. All discrepancies should be recorded prior to the assumption of property accountability by the newly appointed custodian.
- 6) In the event a new Chief of Police is designated, an inventory of property to ensure the records are correct and properly annotated will be conducted. The purpose of the inventory is to ensure the continuity of custody and the accounting of the property maintained by the evidence staff. At a minimum, all weapons, money, jewelry, and drug evidence will be audited. The results of the audit will be forwarded to the City Manager and City Auditor for review.

(Remainder of page reserved.)

1.8.3.4 DISPOSITION

- 1) The exchange of property between the Department and the public is handled through: the Bowling Green Police Department Property and Evidence Record. All property (found, evidential, or recovered) is recorded in the evidence tracking system. In the event property can be released, (1) the computer record is updated, (2) the property receiver signs for the property via electronic signature pad through the evidence tracking system or a property/evidence card. If the property is an impounded vehicle, the pre-release section of the Vehicle Inventory Report must be completed and signed by the receiving party and the Evidence Custodian. A copy of the report will be provided to the receiving party and the original will be maintained with the Evidence/Property Unit.
- 2) In order to prevent an overload on the property management system and reduce the requirement for additional storage space, the Department seeks final disposition of found, recovered, and evidentiary property. Annually the Property and Evidence Unit shall distribute to each officer or case officer a list of evidence seized by the officer, or evidence assigned to the officer. The collecting or case officer shall review the evidence and determine if it shall be held, destroyed, or returned to the owner. The officer shall return the reviewed list to the Property and Evidence Unit within (60) days.
- 3) Regarding found property, recovered property, or misdemeanor-case evidential property:
 - a) The investigating officer shall be responsible for:
 - Supplying the Property and Evidence Unit with a disposition regarding each item collected, and
 - Returning recovered property determined not to be held as evidence.
 - b) The Property and Evidence Unit shall be responsible for duties as specified § 4.6.5.3 and:
 - Necessary securing of collected property, and
 - Disposing of secured property when necessary.

NOTE

Unless otherwise directed by the collecting-officer / investigating officer and/or the court, found property and misdemeanor-case evidential property will be disposed of according to Departmental procedures and KRS 500.090 and 95.435.

- c) Records and storage of items released from Departmental custody to the custody of the prosecutor should become the Court or prosecutor's responsibility once the property has been entered into evidence.
- d) When possible and with approval of the prosecutor, evidential property should be photographed and returned to its owner consistent with KRS 422.350.

- e) Whenever the custody of physical evidence is transferred for any reason, the following information should be recorded:
- The date and time of transfer,
 - The name of the receiver, and
 - The reason for transfer.

(Remainder of page reserved.)

1.8.4 DEPARTMENT-OWNED PROPERTY

1.8.4.1 PROCUREMENT OF PROPERTY

Expenditures are controlled by the amount budgeted within each of the Department's programs. Procurement of agency-owned property is recorded through the Department of Finance's numbered NWS Computer Program. The Purchase Order System is supervised by the Chief of Police. Procurement means all items purchased by the Department including expendable property (Operating Supplies), installed property, uninstalled property, equipment, vehicles, munitions, and personal-wear items within the custody of the Department.

1.8.4.2 DISTRIBUTION, ISSUANCE AND ACCOUNTABILITY OF PROPERTY

The distribution, issuance and accountability of procured property is the responsibility of designated individuals within each of the Department's budget programs. Distribution means all items purchased by the Department and distributed including expendable property (Operating Supplies), installed property, uninstalled property, equipment, vehicles, munitions, and personal-wear items within the custody of the Department. Accountability means: (1) responsibility of the issuer for distribution and record of distribution of property, and (2) responsibility of its user for proper use. Inventory-tagged property is checked through computer print-out each year.

1.8.4.3 MAINTENANCE OF STORED PROPERTY

Stored property should be maintained in a state of operational readiness. Operational readiness includes care and cleaning, preventive maintenance, repair, workability and responsiveness. Operational readiness of stored property is the responsibility of those charged with its storage. Readiness should be assured through inspections at regular intervals by authority of the Division Commanders.

Appendix information for this chapter follows.

(Remainder of page reserved.)

1.8.5 APPENDIX A - DISPOSITION OF PROPERTY

1.8.5.1 DISPOSITION OF PROPERTY

Found, recovered, and evidential property not returned to its owner, sold at auction, ordered by the Court to be held as evidence, or given by the Court to the Department for official use shall be removed and deleted from Department in-custody property inventory.

1.8.5.2 ALCOHOLIC BEVERAGES

- 1) Property destroyed:
 - Alcoholic beverages as defined in KRS 241 being held by the Department as in-custody property.
- 2) Notification:
 - The Property and Evidence Unit will notify the Commander of Support Services the proposed date of the destruction of large quantities of property.
- 3) Supervision / Monitoring:
 - Destruction is supervised by the Department Property and Evidence Unit and monitored by the Logistics Major.
- 4) Record:
 - Destruction is recorded by the Property and Evidence Unit via computer file.

1.8.5.3 CONTROLLED SUBSTANCES

- 1) Substances destroyed:
 - A drug, substance, or immediate precursor in Schedules I through V as prescribed in KRS 218A.010 being held by the Department as in-custody property. (“Immediate precursor” means a substance which is the principal compound commonly used or produced primarily for use, and which is an immediate chemical intermediary used or likely to be used in the manufacture of a controlled substance, the control of which is necessary to prevent, curtail, or limit manufacture.)
 - Drug paraphernalia, kit, device, equipment, container or other object described unlawful in KRS 218A.500.
- 2) Notification:

- The Property and Evidence Unit will notify the Commander of Support Services the proposed date of destruction of large quantities of property.
- 3) Destruction:
- Plant substances are destroyed by fire.
 - Paper containing controlled substances are destroyed by fire.
 - Capsules, tablets, power substances, or any form of substances defined above are destroyed by fire.
 - Drug paraphernalia, kit, device, and etc., are destroyed by fire or rendered unusable.
- 4) Supervision:
- Destruction of drugs is supervised by the Property and Evidence Unit and the Professional Standards Major.
- 5) Record:
- Destruction is recorded by the Property Unit via computer file.
- 6) Substances retained:
- Retainment of substances for training purposes may be authorized by the Commander of Support Services and the Court. A list of those authorized to exhibit controlled substances for training sessions shall be maintained by the Commander of Support Services. Substances retained by the Department for training purposes shall be secured at all times. (Controlled substances will not be released to civilian educators unless directed by the Court.) (See 4.3.15.4)

1.8.5.4 FIREARMS AND AMMUNITION

- 1) Firearms and ammunition are not subject to destruction or City Auction (KRS 500.090).
- 2) Firearms and ammunition not kept for Departmental use will be turned over to the Kentucky State Police in accordance with paragraph 1C of KRS 500.090 to be sold at auction under the rules of KRS 16.220.
- 3) Proper documentation of firearms and ammunition transfer will be kept by the Property and Evidence Unit.
- 4) Firearms retained: See exceptions in § 1.8.6.6, official use of forfeited weapons.

1.8.5.5 FOUND AND UNCLAIMED PROPERTY

1.8.5.5.1 Found Property

Includes any piece of property regardless of its nature that has been found by a citizen or Police Department employee and is being held for safekeeping until the owner can be identified.

1.8.5.5.2 Unclaimed Property

Property whose owner has not been identified, or property whose owner has been identified but failed to make claim of property.

1.8.5.5.3 Disposition

1.8.5.5.3.1 Found Property

The Collecting officer of found property shall:

- Endeavor to identify the owner through computer files or other method and, if found,
- Inform the owner that he will have ninety (90) days in which to claim his property or his property will be disposed of by the Department in the same manner as unclaimed property.

1.8.5.5.3.2 Unclaimed Property

When reasonable attempts to identify owners have failed or notified owners of property have failed to make arrangements for claiming their property, the Property and Evidence Unit may:

- Retain property for official Departmental use,
- Sell property at public auction,
- Destroy property, or
- Release to finder after 90 days.
(Property will not be released to finder if finder is a Police Department employee.)

1.8.5.5.4 Retain for Official Use

Unclaimed property may be retained by the Department for official use. The Commander of Support Services shall be advised of property suitable for official use.

1.8.5.5.5 Sell at Auction

Unclaimed property except drugs, alcoholic beverages, police scanners, and weapons may be sold at public auction as authorized by KRS 500.090. The Commander of Support Services shall be advised of property suitable for public sale.

1.8.5.5.6 Destroy

Found and unclaimed property may be destroyed by the Department's Property Unit.

1.8.5.6 RECORDS

Whenever the custody of property is transferred from in-custody inventory for any reason, the following information is recorded:

- 1) The date and time of transfer,
- 2) The name of the receiver (if applicable), and
- 3) The reason for transfer.

End of Appendix A

1.8.6 APPENDIX B - FORFEITED PROPERTY, KENTUCKY PENAL CODE PROVISIONS

1.8.6.1 DISPOSITION OF PROPERTY

The following paragraphs provide for additional guidelines pursuant to KRS 500.090, other provisions of the Kentucky Penal Code relating to forfeiture, and Chapter 218A.

1.8.6.2 FORFEITED PROPERTY

In accordance with the above statutes, the property which is subject to forfeiture under any of the above sections of the Kentucky Revised Statutes which is confiscated on behalf of the Bowling Green Police Department will be for official use only. This means that all property retained by the Department, which is forfeited pursuant to the above statutes, is official property, for official use only. The property will not be the personal property of any police officer but will remain the property of the City of Bowling Green. Although title to the property will be with the City of Bowling Green and the Police Department, the property may be used by individual police officers at the discretion of the Chief of Police for the performance of their official duties, as outlined in this and other sections of the Bowling Green Police Department's Policy and Procedure Manual.

It shall be the policy of the Bowling Green Police Department that all property which is subject to forfeiture can be so forfeited only upon the Trial Court's order. The forfeiture laws are clear that the trial court has the discretionary power to either order forfeiture or to deny it. All officers should also be aware that there are numerous exceptions to the forfeiture statutes which defendants can use to argue against forfeiture and which the Trial Court will consider if petitioned to do so. Any officer who is unsure whether a particular type of property can be forfeited should contact the appropriate court prosecutor's office.

All officers should note that simply because an item of property is used in the commission of a crime does not automatically make that item subject to forfeiture. The property must be of a specific type and it must be used in the crime which provides for forfeiture of the property.

1.8.6.3 TYPES OF PROPERTY SUBJECT TO FORFEITURE

Under KRS 527.060, upon the conviction of any person for the violation of any law of the Commonwealth of Kentucky in which a deadly weapon was used, displayed, or unlawfully possessed by such person, the Court shall order the weapon forfeited to the State and sold, destroyed, or otherwise disposed in accordance with KRS 500.090.

Under KRS 514.130, upon the conviction of any person for violation of any offense in Chapter 514, all property held in violation of the chapter, and any personal property including but not limited to vehicles or aircraft, used in the commission or furtherance of an offense under this chapter or in the transportation of stolen property shall be forfeited as provided in KRS 500.090 by court order and sold, destroyed, or otherwise disposed in accordance with KRS 500.090. Possession of a vehicle with stolen major part or parts installed thereon shall be deemed to bring the entire vehicle within the provisions of this section. For the purposes of this section a major part of an automobile or other propeller vehicle shall mean:

- 1) the engine,
- 2) the frame,
- 3) the transmission,
- 4) the front cap,
- 5) the front clip,
- 6) the rear clip,
- 7) the top clip,
- 8) the cowl clip,
- 9) a door,
- 10) a truck bed,
- 11) a truck cab, or
- 12) a vehicle body shell.

It shall be the duty of every peace officer to seize any property that is subject to forfeiture under this section.

Any motor vehicle, aircraft, boat, or personal property used in the commission of an offense under KRS 514 is subject to forfeiture. But, in order to be subject to forfeiture under 514, the property must have been used during a theft or theft-related offense as defined in Chapter 514.

The Kentucky Controlled Substance Act, KRS 218A.410 et seq, authorizes law enforcement agencies to seize and forfeit any property or contraband article which has been used, is being used, or was intended to be used in violation of any provision of the Act.

Note

This Act should always be consulted should any part of this statute have changed since manual updates.

It is the policy of this Department to utilize the forfeiture provisions to the fullest extent possible in order to impact upon crime, yet protect owners, while providing the Department with the maximum amount of economic benefit for the continued enforcement of the Kentucky Controlled Substance act.

1.8.6.4 PROCEDURES FOR FORFEITURE UNDER THE KENTUCKY CONTROLLED SUBSTANCES ACT

Vessels, vehicles, aircraft, currency, or other personal property or contraband articles may be seized according to the following:

- 1) The seizing agency may seize property for forfeiture under the Act without process if it determines that:
 - a) The seizure is incident to an arrest or a search under a search warrant; or,
 - b) The property subject to seizure has been the subject of a prior final order of forfeiture; or,
 - c) The agency has probable cause to believe that the property is directly or indirectly dangerous to health or safety; or,
 - d) The agency has probable cause to believe the property is subject to forfeiture pursuant to KRS 218A.410.

- 2) Probable cause seizures taking place at the time of violations may be made without prior judicial approval.
- 3) Property not seized at the time of violations presently located on private premises should be seized pursuant to a court order authorizing entry onto the private premises, unless otherwise authorized by law.
- 4) As soon as practicable following seizure, the agency shall make a diligent effort to determine ownership of the seized property, including the identification of the registered owner(s), title holder(s), and bona fide lien holder(s), if any.
- 5) The seizing agency shall give notice of the seizure to the owner(s) and/or bona fide lien holder(s), if any, once identified, within twenty-one (21) days after the identification is made. Such notice may be made by certified mail, return receipt requested.
- 6) Following an agency's determination not to proceed with a forfeiture based upon innocent-owner considerations, the agency shall release the seized property to the lawful owner or his legally authorized designee.
- 7) As soon as practicable after the seizure, the seizing officer, deputy, or agent should complete an offense or seizure report, particularly describing the circumstances attendant to the seizure and forward same to the Commonwealth Attorney who will be handling the forfeiture action.

Seized vessels, vehicle & aircraft storage should be stored and maintained according to the following:

- 1) At the time of seizure, vessels, vehicles, or aircrafts should be impounded and stored according to Department procedures. (See § 4.4.9.2, removal / towing of vehicles (kacp).)
- 2) A complete inventory of the seized property and all containers, open or closed, found therein shall be completed at the time of the seizure. As soon as practicable after seizure, the case officer shall make a good faith attempt to release to the lawful owner all personal property (e.g., clothing) seized with items impounded and not being retained as evidence or for forfeiture. If the owner is unknown, has been arrested, or is otherwise unavailable to take possession of the property, the property shall be placed in secure storage according to Department procedures, i.e., in the same manner as evidential property, or may be secured in the vehicle's trunk as the situation may allow. (See § 4.6.5.3, entering evidence in departmental inventory.)
- 3) Any personal property seized as evidence shall be packaged and stored separately and handled in accordance with established procedures for the processing of evidence. (See § 4.6.5, collection and preservation of evidence.)
- 4) Reasonable attempts shall be made to maintain the property in time-of-seizure condition. Although all rights, interest in the title to seized assets vest immediately in the seizing agency upon seizure, seized items shall not be used for any purpose until the rights, interest in and title to the seized property are perfected by final order of forfeiture. This section does not prohibit use or operation necessary for reasonable maintenance of seized property.
- 5) If special maintenance is required to maintain seized property in time-of-seizure condition as may be necessary with aircraft and vessels, the Department shall ensure that such maintenance is provided within a reasonable time after seizure, with such care continuing through the pendency of the forfeiture action. Required maintenance should be documented appropriately.
- 6) The case officer should make arrangements for periodic inspections of all property which has been seized subject to forfeiture in order to ensure that time-of-seizure conditions of property is maintained. Such inspections should be documented appropriately.

Real property may be seized and forfeited according to the following:

- 1) The Department may seize real property only with process:
 - a) Real property subject to forfeiture may be seized pursuant to final judgment and order of forfeiture by the court with jurisdiction over the forfeiture action; or,
 - b) Real property may be seized prior to final judgment by the agency if it obtains a seizure order from the court following a hearing. Seizure prior to judgment is only permissible on a showing by the Commonwealth that seizure is necessary to preserve the property pending final judgment.
- 2) Real property which is seized prior to final judgment must be maintained at time-of-seizure condition. On-going business, including agricultural enterprises, must be continued. For this reason, seizure of real property prior to final judgment of forfeiture is not recommended.
- 3) If there is probable cause to believe that real property is subject to forfeiture the Department should as soon as practicable consult with the Commonwealth Attorney to perfect the lien created in KRS 218A. A lien is preferred over pre-judgment seizure of real property.

Seized property may be released according to the following:

- 1) If at the conclusion of the judicial process the claimant prevails, the seized property shall be released to the lawful owner immediately. Under these circumstances, the seizing agency shall not assess any towing charges, storage fees, administrative costs, maintenance costs, etc. against the claimant, unless so authorized by the appropriate court.
- 2) In all other instances, if a seized vessel, vehicle, aircraft, etc. is to be released to the lawful owner, the seizing agency may assess against the owner the actual costs of towing, storage, and maintenance of the seized property. Absent settlement, administrative costs which do not reflect actual expenses shall not be assessed.
- 3) Property which has been seized as having evidentiary value shall be treated accordingly, and shall NOT be released pursuant to this policy.

1.8.6.5 RETENTION FOR OFFICIAL USE, SALE, AND DISTRIBUTION UNDER THE KENTUCKY CONTROLLED SUBSTANCE ACT AND REPORTING REQUIREMENTS

Retention of vehicles:

- 1) Any vehicle seized and subsequently forfeited to a law enforcement agency may be retained by that agency for official use.
- 2) Any vehicle retained may be sold by the agency. Funds from such sale shall not be considered as funds to be distributed.
- 3) Proceeds from sale of retained vehicles must be spent on a specific law enforcement purpose. "Specific law enforcement purpose" means any agency activity which materially facilitates enforcement of the law of the Commonwealth of Kentucky.
- 4) The recipient agency must pay any bona fide perfected security interest on any forfeited vehicle retained for official use.

Sale of forfeited property:

- 1) All sales of property forfeited pursuant to the Controlled Substances Act must be advertised, public sales.
- 2) The Commonwealth may transfer any forfeited real property sold by deed of general warranty.
- 3) All bona fide, perfected security interests on forfeited property must be paid from proceeds of sale of such property.
- 4) Controlled substances which have been forfeited but which have a lawful purpose may be sold to a proper buyer as determined by the regulations of the Cabinet for Human Resources.

Distribution of sale proceeds:

- 1) Following deduction of any direct expenses related to the sale of forfeited assets, the agency retains the first \$50,000 from sale of assets itemized in any final order of forfeiture. Of that, 10% is paid to the office of the Commonwealth Attorney which handled the forfeiture action.
- 2) The seizing agency retains 45% of all sale proceeds in excess of direct sale expenses and \$50,000. No portion of these proceeds is required to be shared with a prosecutorial office.
- 3) All proceeds from sale of forfeited property must be expended for specific law enforcement purposes.
- 4) All sale proceeds in excess of the above proscribed amounts shall be paid into the Asset Forfeiture Trust Fund as managed by the Office for Investment and Debt Management of the Commonwealth of Kentucky.
- 5) When money or property is seized in a joint operation involving more than one law enforcement agency, the apportionment of funds shall be made among the agencies in such a manner as to reflect the degree of participation of each agency in the law enforcement effort resulting in the forfeiture, taking in to account the total value of all property forfeited and the total law enforcement effort with respect to the violation of law on which the forfeiture is based. The trial court shall determine the proper division and include the determination in the final order of forfeiture.

Reporting requirements under the Kentucky Controlled Substance Act shall be according to the following seizure reports:

- 1) Any agency which seizes property subject to forfeiture without court order shall immediately prepare a report completely describing and inventorying the property so seized. A copy of the report shall be included in the criminal case file. Duplicates of the report shall be forwarded to the appropriate prosecutorial office and the Kentucky Justice Cabinet.
- 2) Any agency which wishes to obtain a court order to seize property shall submit a "Request for Forfeiture" form to the appropriate prosecutorial office. Property seized pursuant to such order should be reported in the same manner as property seized without order. A copy of the Court Order shall be attached to the seizure report.
- 3) Any agency which wishes to place a lien against forfeitable real property shall submit a "Request for Forfeiture Lien" to the appropriate Commonwealth Attorney. A copy of the forfeiture lien notice shall be maintained in the Criminal case file and a copy shall be forwarded to the Kentucky Justice Cabinet.
- 4) A copy of all final orders of forfeiture shall be forwarded to the Kentucky Justice Cabinet by the appropriate Commonwealth's Attorney.
- 5) Fiscal reports itemizing costs of sale, proceeds retained by a law enforcement agency, proceeds paid to a local prosecutor, and proceeds paid into the Asset

- Forfeiture Trust Fund, shall be sent to the Kentucky Justice Cabinet within thirty (30) days after each sale of forfeited property.
- 6) Agencies shall notify the Kentucky Justice Cabinet of each forfeited vehicle retained for official use or sold for the benefit of the agency.

1.8.6.6 OFFICIAL USE OF FORFEITED WEAPONS

All weapons confiscated and held by the Bowling Green Police Department pending disposition by the Trial Court, shall be considered "In-custody" property consistent with § 1.8.3 and shall be retained by the Property Unit.

All firearms confiscated and forfeited to the Department, shall be transferred to the Kentucky State Police for public auction according to State law.

All firearms confiscated and classified within in-custody property as "found or unclaimed property," which remains in the custody of the property unit for three months (90 days) without a lawful claimant (see KRS 95.435) becomes the property of the Department and shall be transferred to the Kentucky State Police for public auction according to State law.

All other forfeited property (e.g., vehicles) shall be issued to various units within the Department at the discretion of the Chief of Police or his designee. Appropriate record is kept by Department inventory.

End of Appendix B

1.8.7 APPENDIX C - COMPLIANCE FOR RELEASE OF FIREARMS FORM

COMPLIANCE FOR RELEASE OF FIREARMS BOWLING GREEN POLICE DEPARTMENT

According to Title 18, United States Code, Section 922(d) it shall be unlawful for any person to sell or otherwise dispose of any firearm or ammunition to any person knowing or having reasonable cause to believe that such person-

- 1) is under indictment for, or has been convicted of, a crime punishable by imprisonment for a term exceeding one year;
Does this apply to you? _____
- 2) is a fugitive from justice;
Does this apply to you? _____
- 3) is an unlawful user of or addicted to any controlled substance;
Does this apply to you? _____
- 4) has been adjudicated as mental defective or has been committed to any mental institution;
Does this apply to you? _____
- 5) who, being an alien, is illegally or unlawfully in the United States;
Does this apply to you? _____
- 6) who has been discharged from the Armed Forces under dishonorable conditions;
Does this apply to you? _____
- 7) who, having been a citizen of the United States, has renounced his citizenship;
Does this apply to you? _____
- 8) is subject to a court order that restrains such person from harassing, stalking, or threatening an intimate partner of such person or child of such an intimate partner or person, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child;
Does this apply to you? _____
- 9) has been convicted in any court of a misdemeanor crime of domestic violence.
Does this apply to you? _____

Date: _____

Print Name of Person Requesting Release

Date of Birth

Signature

Address

Address

Officer Signature

Notice to Releasing Officer: Check photo identification and run a criminal history.

For office use only:

Case #: _____

Firearm Qualifies for Release? Yes No

Make of Firearm: _____

Model of Firearm _____

Caliber: _____

Serial #: _____

Form: "Firearms Release Compliance Form"

End of Appendix C

and

End of Chapter 1.8

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CHAPTER 1.9

RECORDS

1.9 CHAPTER 1.9 - RECORDS

This chapter sets forth the Department's records functions that are basic to meeting its management, operational, and information needs. Policies are principally concerned with field reporting and central records activities and generally do not address the records functions attendant to specialized entities within the Department.

1.9.1 DEFINITION AND GOAL

1.9.1.1 DEFINITION

Central Records

Central Records is the records system having to do with field reporting, and reported crime. The Department's Central Records and Data Processing is a unit within the Division of Logistics. The Supervisor of Central Records is accountable for the Department's records function.

1.9.1.2 GOAL

The goal of Central Records is to provide Departmental administration and operations the information they need, when they need it.

1.9.2 ADMINISTRATION OF CENTRAL RECORDS

1.9.2.1 CENTRAL RECORDS FUNCTIONS (KACP)

- 1) Central Records receives, processes, stores, and maintains police records. Central Records files and stores the following reports:
 - a) Investigative reports.
 - b) Accident reports.
 - c) Citations.
 - d) Records checks.
 - e) Contact cards.
 - f) Alarm permits.
 - g) False alarms.
 - h) Pawn tickets.
 - i) Ferrous / non-ferrous metal forms.

- j) JC-3 reports
 - k) Missing person reports
 - l) Felony case files
 - m) Accident reconstruction files
 - n) Open records requests
 - o) Breath test results
- 2) Upon submission of completed field reports to Central Records the following procedures take place:
 - a) All document PDFs are extracted from KYOPS and are attached to the Records Management System's file.
 - b) Investigative report copies are routed to supervisors in the Criminal Investigations Division, and the Public Information Officer.
 - c) Reports are filed by report number. Citations and contact cards are filed electronically.
 - 3) All reports are maintained within Central Records' paper files according to State statute KRS 171.410 through 171.740. (See § 1.9.2.7).
 - 4) Records may be retrieved through computer inquiry.

1.9.2.2 INCIDENT REPORTS

- 1) Incident numbers are generated by the Computer Aided Dispatch System (CAD) for reported incidents. The following information is recorded for each incident:
 - a) An incident number;
 - b) Date and time of the initial reporting;
 - c) Name (if available) of the citizen requesting the service, or victim's, or complainant's name;
 - d) Nature of the incident; and
 - e) Date and time of action taken by law enforcement personnel.
- 2) For any incident requiring a police report, the C.A.D. System will generate a report number.
- 3) A record should be made of actions taken by law enforcement personnel whether in response to a request for service or for self-initiated actions.

1.9.2.3 TELE-REPORTING

- 1) The Department utilizes a tele-reporting system whereby certain non-emergency calls for service are taken by telephone. Telephone calls for service to the Police Department which meet all of the following criteria or conditions, may be investigated through the tele-reporting process:
 - a) No serious physical injury has occurred.
 - b) Complainants are not in immediate danger.
 - c) The offense is not in progress.

- d) The complainant has not requested a patrol unit.
 - e) The complainant is safe and may be called back if needed.
 - f) The complainant may be a candidate for on-line reporting.
- 2) The following types of calls which meet all of the above criteria and conditions may be processed through Tele-reporting:
- a) All types of thefts.
 - b) Incidents of harassing or annoying phone calls. (This does not include bomb threats)
 - c) Lost property (e.g., purses, wallets, etc., and including stolen auto tags).
 - d) Criminal Mischief. (This does not include those cases involving extensive or widespread damage to property, or cases in which the incident is still in progress or suspects are in the vicinity, or where collection of evidence is necessary.)
- 3) The Department's Tele-reporting system consists of the following procedures:
- a) All calls are taken by telecommunicators according to the general procedures set forth in Incident Reporting, above.
 - b) Calls meeting the above criteria or conditions are referred to a Cadet.
 - c) If a call occurs when a Cadet is not on duty, the caller is advised by Dispatch that their request may be handled through the tele-reporting system or on-line reporting. If the caller wishes to have the report taken by a Cadet, Dispatch records a brief description of the incident, crime, items taken, etc., and the telephone number and time for contact by the next Cadet on duty.
At the appointed time, the caller is contacted by the Cadet.
 - d) Reports made through the tele-reporting system are turned over to the appropriate supervisory personnel for review.

1.9.2.4 PROCEDURES FOR SUPERVISORY REVIEW OF FIELD REPORTS

All reports are turned over to Supervision when the report is completed by the investigating officer. Each document is reviewed by a supervisor for the following:

- Accuracy, and
- Completeness

Reports deemed not accurate, complete, or properly applied are returned for correction.

1.9.2.5 PROCEDURES FOR DISTRIBUTION OF REPORTS AND RECORDS (KACP)

- 1) Information from Central Records may be released:
 - a) To the Media according to procedures set forth in § 4.10.4, public information;
 - b) When the requesting person or agency has a clear vested interest (e.g., an accident report in which the person was a party or an accident report requested by the insuring agency);

- c) To law enforcement personnel as a part of an on-going police criminal investigation or official duty;
 - d) To non-police agencies requesting background information who have secured a release signed by the person whose background is being checked; or
 - e) As directed by the Chief of Police or his designee.
- 2) Department personnel are reminded that the right of privacy must be observed in the release of any records. If there is any question whether a particular record should be released, approval of the Commander of Logistics or Records Supervisor should be obtained. Review by the City Attorney's office of certain release requests may be petitioned.
 - 3) Generally, unless the party has a vested interest in the information contained in a particular report, the information contained therein should be considered privileged. The guidelines of the Privacy Act and the Kentucky Open Records Act shall apply.
 - 4) Collision reports and a summary report of a select type of incident reports are available for purchase via an online vendor.

1.9.2.6 PRIVACY AND SECURITY PRECAUTIONS (KACP)

- 1) Privacy and security precautions for the Central Records function are set forth in:
 - a) § 4.10.4, public information;
 - b) City ordinance 2-19; and
 - c) KRS 61.870 through 61.884.

1.9.2.7 RECORDS RETENTION

Records are retained according to State statute KRS 171.410 - 171.740.

1.9.2.8 PROCEDURES FOR HANDLING FUNDS BY RECORDS PERSONNEL (KACP)

Receipt of money and handling of Central Records funds is performed by Records personnel during their duty hours. Money may be received for:

- 1) Reports copied.
- 2) Open records requests.
- 3) Transportation Reimbursements from other agencies.
- 4) Expenditure reimbursements.

A receipt is recorded for all monies taken in.

Funds are counted, balanced with receipts, and turned over to the City Department of Finance by the Central Records Supervisor, or the employee designated by the Logistics Commander, every business day.

A minimum of one hundred and fifty dollars (\$150.00) is maintained within the cash drawer at all times.

(Remainder of page reserved.)

1.9.3 OPERATIONS

1.9.3.1 ACCESSIBILITY OF CENTRAL RECORDS (KACP)

Central records files are accessible to operations personnel at all times electronically. No files should be accessed by anyone other than Records or on-duty sworn supervisory staff.

1.9.3.2 RECORD REPOSITORY

The Department maintains the following repository of records:

- 1) Investigative reports.
- 2) Traffic collision reports.
- 3) Citations.
- 4) Records checks (copies).
- 5) BA Results.
- 6) Arrest Log.
- 7) Contact Cards.
- 8) Open Records Requests.

1.9.3.3 COMPUTERIZED RECORDS SYSTEM

The Department maintains a computerized records system which enables Department personnel to retrieve information and view scanned document images.

1.9.3.4 CRITERIA FOR INCLUSION OF NAMES IN MASTER NAME INDEX (KACP)

The Department's Master Name Index includes the names of persons identified in field reports and serves as a cross-reference to all documents in which a person has been named. The system serves as a computer-aided tracking process collating names of citizens with reports of incidents or contacts. The index is maintained for police-search purposes only.

1.9.3.5 WARRANTS AND WANTED PERSONS FILE

Kentucky Department of Homeland Security maintains the E-warrants and summons. Refer to the Division Policy and Procedure Manual. (See § 4.1.11).

1.9.3.6 TRAFFIC CITATION RECORDS (KACP)

Traffic citation records are maintained in the following manner:

- 1) New Uniform Citation books are stored in an area specified by the Department.
- 2) Each Uniform Citation book of 25 citations is issued by a patrol supervisor and recorded on the citation log. Digital citations are obtained from KSP via KYOPS.
- 3) Completed citations are entered in the Department's computer system. The paper copies are filed by date and held according to records retention statutes.
- 4) Voided citations are filed in the paper file.
- 5) See also § 4.4.2.17, citation control (KACP).

1.9.3.7 RECORDS MAINTAINED FOR OPERATIONAL UNITS (KACP)

Closed criminal investigation files are stored in the Central Records storage room.

Names of arrested juveniles are identified as such within the Department's computer system. The criminal records of juveniles are sealed at age 18 and destroyed at age 21 according to record retention guidelines. The purging occurs on a quarterly basis.

1.9.3.8 PROCEDURES FOR COLLECTING AND SUBMITTING UCR CRIME DATA (KACP)

The Department submits data to the national Uniform Crime Reporting program. Data collected and stored within the computer system is reported according to State procedures.

End of Chapter 1.9

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PART 2: PERSONNEL

CHAPTER 2.1

RECRUITMENT

2.1 CHAPTER 2.1 - RECRUITMENT

This chapter sets forth the Department's personnel recruitment procedures. Related policies address the selection of candidates (see § 2.2). Policies complement those of the City's Administrative Personnel Policy and Procedures Manual for Classified Employees.

2.1.1 DEFINITION AND GOAL

2.1.1.1 DEFINITION

Recruitment

Recruitment is the process through which the best available candidates are identified and employed.

2.1.1.2 GOAL

The goals of the City of Bowling Green Public Safety Recruitment Plan are:

- 1) To build and maintain a qualified workforce by recruiting persons who possess the needed knowledge, skills, and abilities, or demonstrate the capability of acquiring them through training; and
- 2) To build and maintain a qualified force that is representative of the racial and cultural composition of the city.

2.1.2 RECRUITMENT OPERATIONS

2.1.2.1 RESPONSIBILITY

The Chief of Police, acting for the Department and within the personnel policies of the City, is responsible for administering the Department's role in the recruitment program and may initiate such recruitment processes as he may deem necessary and appropriate, and in accordance with the City's Public Safety Recruitment Plan.

The primary City employee assigned to recruitment activities is the City's Human Resources Director. He is knowledgeable in personnel matters, especially Equal Employment Opportunity/Affirmative Action as it affects the management and operation of the Department. The Deputy Chief of Support Services serves as the Police Department liaison to the Human Resources Director of the City.

2.1.2.2 ADMINISTRATIVE PRACTICES AND PROCEDURES

The extent of recruitment activities is based upon the number of vacancies within the Department. If the number of personnel currently employed is less than the number officially authorized in the Department budget, a recruitment effort may be initiated. Recruitment activities are shared with the City's Human Resources Department. For details, see City of Bowling Green Public Safety Recruitment Plan (Appendix A at the end of this chapter).

The Department actively participates in the recruitment process. The Chief of Police initiates the formal recruitment process, and develops with the City's Human Resources Director the recruitment/selection schedule. Law enforcement personnel help in soliciting potential recruits.

All Department personnel are involved in recruitment activities. The City's Equal Employment Opportunity policies are referenced and highlighted.

Minority personnel are actively included in recruitment activities. Each officer is asked to refer and recruit potential applicants and to suggest organizations and groups that could be contacted to solicit potential minority and female candidates.

2.1.2.3 COMMUNITY OUTREACH

Section 2.1.3.2, item 3) e) of the Public Safety Recruitment Plan identifies examples of community organizations and leaders who are contacted for recruitment assistance, referrals, and advice.

The Chief of Police may provide opportunities for college students interested in the law enforcement field by providing them with firsthand experience in law enforcement. Within the budget limitations of the City, student interns may be recruited and placed within the Department for a specific period to assist with special programs or to gain and offer related expertise.

2.1.2.4 COMPREHENSIVE RECRUITMENT PLAN

- 1) The Department has a written recruitment plan that includes the following elements:
 - a) Objective stated in quantitative terms;
 - b) A statement of the Department's authorized, budgeted and actual strength;
 - c) Key activity timetables;
 - d) An itemized recruitment budget;
 - e) A written statement of support from the law enforcement agency's chief executive officer; and
 - f) Procedures for seeking assistance from community organizations and key leaders, and Workforce Recruitment Outreach Committee (WROC).
- 2) For the comprehensive recruitment plan, see:
 - a) City of Bowling Green Public Safety Recruitment Plan,
 - b) BGPD Staffing Analysis and Organizational Chart, and
 - c) The operating budget for the City's Human Resources Office.
- 3) Written job analyses support the recruitment strategies and procedures. The file is maintained in the City Human Resources Office.

2.1.2.5 AFFIRMATIVE ACTION AND EQUAL EMPLOYMENT OPPORTUNITY

The City's Affirmative Action Plan is located in Chapter IX of the Administrative Personnel Policy and Procedures Manual. Quarterly reports are prepared by Human Resources, disseminated to interested officials and organizations, and maintained on file in the Human Resources Office.

The Plan assures equal opportunities in all areas of personnel management without discrimination on the basis of non-job-related factors. The plan is reviewed annually for impact on the employment and utilization of minorities and women through evaluation of affirmative action efforts.

2.1.2.6 JOB ANNOUNCEMENTS AND PUBLICITY

The job announcement includes a copy of the job description, which contains a list of the duties and responsibilities; requisite skills, knowledge and abilities; and minimum educational requirement. The announcement makes reference to the physical requirements, which are detailed in the application packet provided to prospective candidates. The schedule provided in each application packet lists minimum standards that must be met. The current job description is included in the current recruitment packet.

Entry-level vacancies are advertised a minimum of ten days through the mass media; application deadline is approximately thirty days after the first advertisement appears (see Sections III-1 and 2 of the City Public Safety Recruitment Plan).

The City advertises as an Equal Opportunity Employer on all employment applications and recruitment advertisements.

2.1.2.7 APPLICATION PROCESS

- 1) Throughout the year a register of potential applicants in the Human Resources Department is maintained. The pre-application contact register requests only the applicant's name, mailing address, e-mail address and telephone number and is considered simply as an expression of the applicant's interest and an aid to recruiters.
- 2) The official application filing deadline is clearly indicated on employment announcements and recruitment advertisements. The deadline is also listed in each recruitment notice and in each application packet.
- 3) Applications are not rejected because of omissions or deficiencies that can be corrected prior to testing. Upon receipt, the application and attachments are reviewed for completeness. When necessary, the applicant is asked to provide needed information as soon as possible. Section 2.1.3.3, item 2) of the Public Safety Recruitment Plan states that applicants will be given a reasonable opportunity to correct any omissions or deficiencies prior to the date of the polygraph.
- 4) Contact is maintained with applicants from initial application to final employment disposition. After each step in the selection process, candidates still under consideration are notified by e-mail. Applicants who do not pass the physical agility test are so advised at that time. Applicants who do not successfully complete a phase are notified by e-mail as soon as possible.
- 5) The Department recruits outside of Bowling Green, as indicated in § 2.1.3.2, item 3) of the Public Safety Recruitment Plan. (Entry-level vacancies are advertised through the mass media.)

2.1.2.8 SICK LEAVE INCENTIVE

For Kentucky Certified Officers and Dispatchers, the City will honor and transfer up to 480 hours (5 years) of accrued sick time. Written documentation from the former employer must be submitted verifying the ending sick leave balance. For the employee to utilize this transferred sick leave during their training period, a doctor's note will be required.

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2.1.3 APPENDIX A - PUBLIC SAFETY RECRUITMENT PLAN

CITY OF BOWLING GREEN PUBLIC SAFETY RECRUITMENT/HIRING PLAN

2.1.3.1 OBJECTIVE

To build and maintain a qualified workforce by recruiting persons who possess the needed knowledge, skills, and abilities, or demonstrate the capability of acquiring them through training.

2.1.3.2 EXTENT OF RECRUITMENT

- 1) The current City operating budget establishes each Department's authorized strength. Formal recruitment occurs on an annual basis. A general selection process is conducted as often as needed to maintain staffing levels, but no more than twice a year. A list of eligible candidates is certified to fill existing vacancies and any that might occur within the next twelve months. When the list expires, the Chief may initiate the general selection process again.
- 2) Throughout the year a register of potential applicants is maintained in Human Resources. As inquiries are received, other than during the formal annual recruitment period, the person's name, address, telephone number, e-mail address and date of inquiry are recorded. No other information (such as race, sex, national origin, etc.) is obtained. Persons are advised that they will be notified when applications will again be solicited in the next recruitment period. In this manner, every potential applicant is invited to apply during the recruitment period, and all information provided by the applicant will be up to date.
- 3) Recruitment resources include the following:
 - a) Internal notice via e-mail to all City employees regarding employment opportunities in public safety.
 - b) Newspaper advertisements locally, regionally, and statewide.
 - c) Public announcements on the local government access channel.
 - d) Special assistance requested of Department employees in recruiting qualified candidates, especially those who would help meet equal opportunity goals.
 - e) Job announcements and requests for referral of potential applicants are provided to community-based organizations and key leaders, such as the WROC, college placement offices, the Human Rights Commission, and the NAACP.
 - f) Job announcements and requests for referral of potential applicants are provided to state colleges outside of the immediate area that offer public safety courses and/or degrees.

All recruitment notices, advertisements, and application forms state that the City of Bowling Green is an Equal Opportunity Employer. Any recruitment literature should depict women and minorities in public safety roles.

2.1.3.3 KEY ACTIVITY TIMETABLES

At the beginning of each recruitment / hiring period, a schedule is prepared outlining when key activities will take place. Applicants and key staff members are provided with a copy. The schedule includes the following elements and timeframes:

- 1) Advertisement Period - minimum of ten days; three weeks or more preferred.
- 2) Application Deadline - at least thirty days after first advertisement. Applicants will be given a reasonable opportunity to correct any omissions or deficiencies prior to the polygraph test date.
- 3) Psychological - approximately two/three weeks after deadline.
- 4) Police officer professional standards physical and suitability screening - two weeks.
- 5) Polygraph and personality profile tests are conducted at same time. Three weeks needed for personality profile analysis.
- 6) Background Investigations - three/four weeks.
- 7) Chief's oral board, final selections, physical agility tests and physical examinations - two/three weeks, depending on when City Commission meets to appoint new personnel.
- 8) KLEC Certified Officers can be considered any time of the year outside the recruitment hiring process. (Kentucky Certified Officers are grandfathered for purposes of Peace Officer Professional Standards for physical agility and suitability screener.

Since new police recruits must complete a basic training program, initiation of the annual recruitment process may vary year-to-year depending on when the training academy will start a new class.

2.1.3.4 BUDGET

Specific expenses for recruitment are included in the current operating budget for the Human Resources Department. This includes Professional Services (testing and consulting services, physical examinations, personality profile analyses.) Communications (postage); advertising; office supplies; and forms and printing. The budget includes costs for recruiting for all City positions and is adjusted annually depending on anticipated activity.

- 1) When a Bowling Green Police Employee is going to recruit a candidate (either police officer or tele-communicator) notification via an applicant referral form must be completed and submitted to the Human Resources Department within 30 days of the submitted application of the candidate.
- 2) The applicant must list the employee(s) as a referral source on the application.
- 3) From a total of \$750,000, one third (\$250,000 minus any taxes to be withheld and no retirement funds will be paid on this bonus) will be delivered to the employee who made the successful recruitment once the person is hired by the Bowling Green City Commission for 30 days.
- 4) The second third of the funds as totaled in section 3 will be delivered to the recruiting employee(s) when the applicant successfully completes their DOCJT academy training (for a non-certified applicant) or their Police/Communications Training Program (for certified applicants).

- 5) The remaining third of the funds as totaled in section 3 will be delivered to the recruiting employee(s) upon the one-year anniversary of the applicant's hire date.
- 6) If there are multiple employees referring an applicant, the monies will be split amongst the number of employees. The Human Resources Department will be responsible for verification of these three milestones and for dispersing of the monies to the employee(s).
- 7) Upon completion of the Department of Criminal Justice Training Basic Academy, officers will receive a one-time incentive of \$1000.00. Telecommunicators will receive a one-time incentive of \$500.00.
- 8) Certified officers will receive a one-time incentive of \$1000.00 upon successful completion of the Police Training program. Certified Telecommunicators will receive a one-time incentive of \$500.00 upon successful completion of the Telecommunications Training program.

2.1.3.5 COMMUNITY SUPPORT

Community organizations, such as those listed in § 2.1.3.2, item e), are to be contacted periodically to assist with recruiting efforts. The Bowling Green Human Rights Commission and WROC periodically reviews the City's affirmative action report. Public safety employees are also asked to generate assistance whenever they have an opportunity to do so.

2.1.3.6 PROGRESS AND EVALUATION

2.1.3.6.1 Progress

The formal recruitment programs are essentially completed within a twelve-week period each year. The Chief should be provided with a progress report at the end of the recruitment period, giving particular attention to key activities and other indicators of program progress.

2.1.3.6.2 Evaluation

Department personnel should be asked to provide any comments of their own or which were received from others about the effectiveness of the recruitment process. Candidates who were not hired could be surveyed to determine why they did not complete an application or participate in any step of the hiring process; of if not hired, any comments they might have regarding the recruitment process.

End of Appendix A

and

End of Chapter 2.1

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CHAPTER 2.2

SELECTION

2.2 CHAPTER 2.2 - SELECTION

This chapter sets forth the Department's personnel selection procedures. Related policies address the recruitment of candidates (see § 2.1). Policies complement those of the City's Administrative Personnel Policy and Procedures Manual for Classified Employees.

2.2.1 DEFINITION AND GOAL

2.2.1.1 DEFINITION

Selection

Selection is the process that results in the appointment of those individuals who best possess the skills, knowledge, and abilities necessary for an effective and respected law enforcement agency.

2.2.1.2 GOAL

The goals of personnel selection are:

- 1) To build and maintain a qualified workforce by selecting persons who possess the needed knowledge, skills, and abilities, or demonstrate the capability of acquiring them through training; and
- 2) To build and maintain a qualified force that is representative of the racial and cultural composition of the city.

2.2.2 SELECTION OPERATIONS (KACP)

2.2.2.1 ADMINISTRATIVE PRACTICES AND PROCEDURES

- 1) The Chief of Police administers the Department's role in the selection process. Responsibilities are shared with the City's Human Resources Director. However, the Department maintains primary responsibility for background investigations, oral interviews, and probationary period assessment.
- 2) Selection for sworn personnel includes the following initial procedures:
 - a) Each candidate completes a written examination for the position of Police Officer. (See § 2.1.3.3 above, item 8).

- b) Each candidate completes fitness and medical testing. Medical testing shall include, but not be limited to, drug-screen testing.
 - c) Each candidate completes a polygraph examination.
 - d) Each candidate is interviewed by an oral board.
 - e) Each candidate is subject to a complete background investigation.
 - f) Each candidate must comply with or pass all Police Officer Professional Standards as required by KY statute or administrative regulations.
- 3) Selection for sworn personnel includes the following follow-up procedures:
- a) Upon completion of the selection process, the Chief may recommend to the City Manager those candidates for employment. Final approval for appointment is subject to approval of the Board of Commissioners.
 - b) After being employed by the City Commission, employees not already basic-certified must complete basic training at Richmond, Kentucky.
 - c) Upon the successful completion of police basic training, employees are required to take the Bowling Green Police Department's Oath of Office (§ 3.1.3).
 - d) New Officers are required to participate in and successfully complete field training (§ 2.3.6).
 - e) New officers are on probationary status for one year from the ending date of their post-academy training program. Probationary status may be defined as that period during which one's employment may be sustained or terminated by the Chief. During probation, the continuing selection process shall include, but not be limited to, random drug-screen testing.

2.2.2.2 BACKGROUND INVESTIGATIONS (SEE § 4.7.8.9)

- 1) A background investigation of each candidate is conducted prior to appointment to probationary status.
- 2) Background investigations include the verification of a candidate's qualifying credentials.
- 3) Personnel used to conduct background investigations are trained in collecting required information.
- 4) A record of each candidate's background investigation is maintained on file for at least two years.

2.2.2.3 POLYGRAPH EXAMINATIONS FOR DETECTION OF DECEPTION (SEE § 4.7.8.9)

- 1) The administration of polygraph examinations and the evaluation of results are conducted by personnel trained in these procedures.
- 2) The results of polygraph examinations are not the single determinant of employment status.

End of Chapter 2.2

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CHAPTER 2.3

TRAINING

2.3 CHAPTER 2.3 - TRAINING

This chapter sets forth the Department's training function. The Department recognizes that training:

- Prepares officers to act decisively and correctly in a broad spectrum of situations;
- Results in greater productivity and effectiveness; and
- Fosters cooperation and unity of purpose.

Policies relate to organization, administration, and training operations; and include standards concerning recruit, field, in-service, roll call, and advanced training.

Related policies recognize training's influence on the exercise of discretion (§§ 3.1.4.3 and 3.1.5.2) and the use of force (§§ 3.1.4.4 and 3.1.6); and set forth Department firearms provisions and qualification standards (§ 3.1.9).

2.3.1 DEFINITION , GOAL AND OBJECTIVE

2.3.1.1 DEFINITION

Training

Police training is the process by which the Department seeks to accustom its members to enforcement principles and philosophies and to recognized modes of behavior and performance.

2.3.1.2 GOAL

The goal of police training is to prepare recruit officers to conform to the high standards expected of them, to maintain and develop skills of veteran police officers, and to provide supervisory and command officers with the skills and knowledge necessary to obtain best results.

2.3.1.3 OBJECTIVES

- 1) The Department's field training seeks to:
 - a) Teach the application of skills and knowledge learned in basic training,
 - b) Supplement such training,
 - c) Aid the new recruit in developing appropriate attitudes toward the role of police officer and its tasks, and
 - d) Continue the probationary screening process begun at application and completed the first year of employment after the ending date of the Police Training Officer program OR at termination.
- 2) The Department's in-service training seeks to enhance:

- a) The maintenance of law enforcement's role and authority,
 - b) The maintenance and development of Department law enforcement operations,
 - c) The development of Department supervision and administration and
 - d) Compliance with Kentucky's Law Enforcement Foundation Program.
- 3) The above goals and objectives provide the basis for all Department-developed training programs, their manner of teaching and performance evaluation, and for the Department's participation in the Law Enforcement Foundation Program. Specific objectives are developed according to specific training applied.

2.3.2 DEPARTMENT TRAINING OPERATIONS

2.3.2.1 TRAINING OPERATIONS AND FACILITIES (KACP)

- 1) The Bowling Green Police Department participates in the Law Enforcement Foundation Fund Program (KRS 15.440), administered by the Department of Criminal Justice Training (DOCJT). All mandatory training is approved by the Kentucky Law Enforcement Council (KLEC).
- 2) The Department provides for Departmental personnel the following training:
 - a) For sworn employees, DOCJT recruit academy basic training;
 - b) For sworn employees, recruit Field Training;
 - c) 40 hours of KLEC-approved or equivalent supervisory training for each employee appointed to a first-level supervisory position prior to or within one year of such appointment;
 - d) 40 hours of KLEC-approved management training for each employee appointed to a mid-level management position prior to or within one year of such appointment;
 - e) Annual 40-hour in-service training, for sworn employees;
 - f) Various specialized training for both sworn and non-sworn personnel.

2.3.3 ORGANIZATION AND ADMINISTRATION

2.3.3.1 TRAINING FUNCTION AND TRAINING COMPONENT ACTIVITIES

The Department's training function provides:

- Recruit field training and evaluation through the Police Training Officer (PTO) Program (handled by Training Unit),
- The development and coordination of in-service training programs, and
- The coordination of training provided by the Department of Criminal Justice Training.

The Department training function is the responsibility of the Professional Standards Assistant Chief.

In the interest of unity of purpose, Department training component activities are conducted within the framework of agency goals and objectives and in cooperation with all operational units.

2.3.3.2 TRAINING COMMITTEE

The Training Committee consists of the Training Captain and the Professional Standards Assistant Chief.

The Command Staff and the Employee Advisory Team will serve as resources for new developments and advise the committee on unique training matters.

The Department's Training Committee is responsible for evaluation of personnel training needs. All changes, additions and deletions to training programs and/or content must be approved by the Chief of Police. The Committee is chaired by the Professional Standards Assistant Chief.

2.3.3.3 ANNUAL EVALUATION

The Department's training programs are reviewed annually to assure that they fulfill Department needs, legal requirements, and policies. The review is the responsibility of the Training Committee. Its report is submitted in January each year as part of the Professional Standards report. The review process includes:

- A review of new Department directives, court decisions, and laws;
- The identification of problems associated with scheduling, physical facilities, or materials;
- Consultation with the Management Team and Employee Advisory Team; and
- A review of training given each individual and its applicability to job/tasks.

2.3.3.4 RESOURCES FOR TRAINING PROGRAM DEVELOPMENT

Sources for training development include:

- Inspection reports (see § 4.10.3, inspectional services),
- Staff reports and/or meetings,
- Consultation with field personnel and field observations,
- Training evaluations,
- Internal affairs investigative reports,
- Professional training resources, and/or
- Any public or private resource available.

Training recommendations should be submitted in writing to the Training Committee.

2.3.3.5 ATTENDANCE REQUIREMENTS FOR REQUIRED TRAINING PROGRAMS

- 1) Department personnel attending DOCJT-sponsored training shall comply with attendance requirements specified in DOCJT Policy #37.
- 2) For Department-sponsored training, the following general rules apply regarding absences:
 - a) Notice of absence should be given, if possible, to one's supervisor and the class instructor, prior to any absence. To be excused, absences must be for legitimate reasons such as sickness, court appearances, and emergencies.
 - b) Absences of 20% or more should require the student to repeat the area of instruction.
- 3) For authorized training sponsored by any other agency, employees shall adhere to attendance requirements specified by the training agency.
- 4) Sworn personnel attendance requirements for firearms qualifications is set forth in § 3.1.9.2.
- 5) Training attendance and successful completion is documented by training instructors and the Training Unit Captain.

2.3.3.6 PERFORMANCE OBJECTIVES

A performance objective is a precise statement of what a student will be able to do as a result of instruction. All training should be developed using performance objectives. Performance objectives:

- Focus on the elements of the job-task analysis for which formal training is needed;
- Provide clear statements of what is to be learned;
- Provide the basis for evaluating the participants; and
- Provide a basis for evaluating the effectiveness of the training program.

The BGPD Training Lesson Plan Outline (appendix b - lesson plan at the end of this chapter) is supplied as a resource for the development of behavioral or performance objectives.

2.3.3.7 LESSON PLANS

The Department requires lesson plans for all training courses. The following general guidelines apply for the development of lesson plans:

- 1) A lesson plan establishes the purpose of the instruction; set forth its performance objectives; relates training to critical job-task; and identifies matters that will be taught and tested.
- 2) A lesson plan should include:
 - a) Performance objectives;
 - b) References;

- c) The content of the training;
- d) Specification of the appropriate teaching techniques, such as;
 - Conferences (debate, discussion groups),
 - Panels and seminars,
 - Field experiences,
 - Presentations (lecture, etc.),
 - Problem investigations (committee), or
 - Simulations (case study, role play),
- e) Relationships to job-tasks;
- f) Responsibilities of the participants for the material taught; and
- g) Plans for evaluation of the participants.

For Department lesson plan format, see appendix b - lesson plan.

2.3.3.8 LESSON PLAN APPROVAL

Each lesson plan shall:

- 1) Properly sequence its material with other training material;
- 2) Be consistent with the goals and objectives of the Police Department;
- 3) Be consistent with the Department's training course lesson plan policies; and
- 4) If it covers training which is a part of the Department's participation in the Law Enforcement Foundation Program Fund, be approved by the Kentucky Law Enforcement Council.

Department-developed lesson plans must be approved by the Professional Standards Assistant Chief prior to presentation of the lesson.

2.3.3.9 TESTING

Competency-based testing should be used in training programs. Test questions may be written using both essay (subjective) or objective items (multiple choice, completion, matching, and true-false). In some instances Pass/Fail demonstrations of job skills are required (e.g., tear gas launching, and rifle marksmanship see § 3.1.9.2, item 4). The following general guidelines are used for the development of competency-based testing:

- Tests cover material that is job-related.
- Tests cover the material that has been taught.
- Tests measure participant knowledge of and ability to use job-related skills.

2.3.3.10 SKILLS, KNOWLEDGE, AND ABILITIES REQUIRED FOR INSTRUCTORS

The following skills, knowledge, and abilities are required for instructors in all Department-operated training programs.

- Knowledge of the subject.

- Knowledge of methods of instruction.
- Leadership ability.
- Professional attitude.
- Sincerity.
- Enthusiasm.
- Salesmanship.

2.3.3.11 REMEDIAL TRAINING

- 1) When a Commander or Unit Supervisor has identified a need for remedial training in one of the employees under his command, he will make such recommendation to the Professional Standards Assistant Chief.
- 2) A recommendation for remedial training must be preceded by:
 - a) Direct observations of the employee's deficiency by the Commander or supervision in charge;
 - b) Counseling and retraining of the employee by the Commander and Supervisors; and
 - c) Repeated performance errors or other indicators of work deficiency by the employee.
- 3) The Training Committee will review recommendations and approve remedial instruction courses.
- 4) A recommendation for remedial instruction should be made for ANY employee displaying a pattern of work deficiency, uncorrected through normal supervisory instruction, regardless of the employee's length of service.
- 5) All recommendations for remedial training should be considered by the Professional Standards Assistant Chief as soon as possible so that needed training can be implemented without delay.

2.3.3.12 TRAINING RECORD UPDATES

The Department updates all records of employees following their participation in training programs. As personnel complete training programs, a training record is maintained by the Training Unit Captain that describes:

- The date of training,
- The type of training received,
- Any certificates received,
- Attendance, and
- Test scores, if applicable.

2.3.3.13 RELEASE OF TRAINING RECORDS OUTSIDE THE DEPARTMENT

Department training records will be released to any interested outside agencies or individuals only according to the following:

- 1) The following training information may be released to any interested agency or individual:
 - a) The list of courses given,
 - b) Their content,
 - c) The number of attendees,
 - d) The names of instructors, and
 - e) Instructor qualifications.
- 2) Except under subpoena for a civil or criminal case, no other information may be released without the approval of the Professional Standards Assistant Chief or the Chief of Police.

2.3.4 RELATIONSHIP BETWEEN THE DEPARTMENT AND THE DOCJT REGARDING ACADEMY TRAINING

- 1) Police Department recruits receive basic police training from the Department of Criminal Justice Training in Richmond, Kentucky.
- 2) The Professional Standards Division maintains a close liaison with the DOCJT staff in order to:
 - Coordinate Department recruit basic training and in service training, and
 - To supply the DOCJT with recommended training needs.
- 3) The Police Department is responsible for providing uniforms worn at the academy and transportation arrangements or compensation for travel to and from the Academy.
- 4) Liability for any training connected physical impairment of any employee at the recruit academy is born by this agency. The academy itself shall be responsible for the administration of the prescribed training programs and provide for the fair and nondiscriminatory testing, and progression of each student. Liability for said administration shall be borne by the academy.

2.3.5 BGPD POLICE TRAINING OFFICER (PTO) PROGRAM

The PTO program is positioned in the training unit.

2.3.5.1 PREREQUISITE (KACP)

The Police Department requires the following provisions for all newly sworn police officers prior to any routine assignment in any capacity in which they are allowed to carry a firearm or to be placed in a position to make an arrest or be charged with the responsibility of enforcing criminal laws in general:

- 1) To have completed the recruit academy training program;
- 2) To have passed the BGPD firearms qualifications (see § 3.1.9); and
- 3) To have been instructed in Department policy and procedures regarding the use of force including limitations on the use of force in general and the use of deadly force in particular (see § 3.1).

2.3.5.2 THE PROGRAM

- 1) After successful completion of basic academy training, recruits are assigned to patrol for Police field training. The purposes of Police field training are:
 - To teach the application of Problem Based Learning (PBL) skills and knowledge learned in basic training.
 - To supplement such training.
 - To aid the new recruit in developing appropriate attitudes toward the role of the police officer and police tasks.
 - To continue the probationary screening process.
- 2) Generally, the Police Training Officer Program includes fifteen weeks of training and requires a systematic rotation of each recruit through field assignments. It is divided into four phases and is structured to accommodate individual recruit needs. During the Police Training period, each recruit is rotated four times and is trained by different Police Training Officers.
- 3) Prior to enrollment in police training each recruit must have passed Departmental firearms and driving safety requirements.
- 4) During the fifteen week program, recruits are instructed in a variety of subjects including but not limited to:
 - a) Department role and authority (§ 3.1)
 - b) Goals and objectives of the Department (§ 3.1)
 - c) Department organization (§ 1.1)
 - d) Department written directive system (§ 1.2.2)
 - e) Department record keeping (§ 1.9)
 - f) Other Department policies, procedures, rules and regulations
 - g) Detention facility procedures;
 - h) Central Records procedures (§ 1.9);
 - i) Communications procedures (§ 4.1)
 - j) Evidence and property management procedures (§ 4.6.5).
- 5) Recruits are evaluated daily during the fourteen weeks of instruction. In addition to daily evaluation, each recruit is required to pass written tests covering each phase of instruction.
- 6) Officers selected for the Police Training Officer position are trained by the Department of Criminal Justice Training or other KLEC approved provider. Liaison with the DOCJT is maintained by keeping the school informed and updated with our current PTO manual. All PTOs must:
 - a) Volunteer for the program and be willing to be trained;
 - b) Have above average skills and knowledge (see below);

- c) Believe in the police curriculum and instructors;
 - d) View Police training as a meaningful experience for both recruits and training officers; and
 - e) Possess the following:
 - Knowledge of his field (tested in patrol work),
 - Leadership ability,
 - A professional attitude,
 - Sincerity,
 - Enthusiasm, and
 - Salesmanship.
- 7) Officers must have successfully completed the Department of Criminal Justice Training's or other KLEC approved provider Police Training Officer Course prior to assignment as Police Training Officers.

2.3.5.2.1 Return to Patrol Duty Orientation

Various circumstances (modified duty, CID assignment, DTF assignment, Training Staff assignment, etc.) may occasionally result in an officer being unable to perform the essential job functions required in the Patrol Division for extended periods of time. Many of the essential job functions are related to perishable skills that diminish with long periods of dormancy. Those perishable skills must be brought back to operational standards prior to the return to active service.

The following guidelines will ensure that an appropriate level of competency and supervised observation is applied. The guidelines are based on the individual officer's time away from active patrol duty as determined by the Deputy Chief of Field Operations.

- 1) If, for any reason, an officer is out of the active, non-restricted, full-duty patrol function for less than 3 months:
 - No remedial training required
- 2) If, for any reason, an officer is out of the active, non-restricted, full-duty patrol function for 3-6 months:
 - "Return to Duty Orientation Checklist" – The checklist provides specific requirements and guidance that will be followed prior to return to active solo patrol.
 - A minimum of two weeks of supervised observation required.
- 3) If, for any reason, an officer is out of the active, non-restricted, full-duty patrol function for 6 or more months; or, if, for any reason, an officer is out of the active, non-restricted, full-duty patrol function for a substantial portion of duty time within a 12 month period, the officer must complete:
 - A minimum of four weeks of supervised observation required;
 - "Return to Duty Orientation Checklist"

If the returning officer is of the rank of Sergeant or Captain, the "Return to Duty Orientation Checklist" will be utilized. The "Assessor/Trainer" will always be of equivalent rank or higher.

(Remainder of page reserved.)

2.3.6 IN-SERVICE, ANNUAL RETRAINING, ROLL CALL, ADVANCED, SPECIALIZED, AND CIVILIAN TRAINING

2.3.6.1 IN-SERVICE TRAINING

In-service training includes:

- 1) Periodic retraining or refresher training,
- 2) Specialized training,
- 3) Advanced training, and
- 4) Roll call training.

2.3.6.2 ANNUAL RETRAINING

The annual retraining of all sworn personnel is intended to ensure that officers are kept up to date with new laws, technological improvements, and revisions in Department policy, procedures, rules and regulations. This retraining is structured so as to motivate experienced officers and to further the professionalization of the Department.

Annual retraining consists of the following:

- 1) 40-hour in-service training provided by DOCJT or training otherwise certified to satisfy KLEFF standards,
- 2) Firearms qualifications (see § 3.1.9),
- 3) Internal training courses designed to further officer's knowledge, and/or
- 4) Any other seminar or class designed to update knowledge of procedures, techniques, or legal issues, whether conducted internally or outside the Department.

2.3.6.3 ROLL CALL TRAINING

Roll call training is a technique used to keep officers up to date between formal retraining sessions and to supply material which may not be included in those sessions. Roll call training is especially applicable but not limited to the following:

- 1) Review of Department policy, procedures, and rules and regulations, with emphasis on changes;
- 2) Review of statutory or case law affecting law enforcement operations, with emphasis on changes;
- 3) Review of Department contingency plans, including those relating to special police operations and unusual occurrences;
- 4) Review of Department policy on the use of force, including the use of deadly force; and
- 5) Department report writing and records system procedures and requirements.

Roll Call training requires (1) pre-planning of the topic to be covered and (2) application of the most appropriate instructional method. A lesson plan/report shall be filled out by the Supervisor documenting each training session. The form requires:

- Notation of the lesson's source or preparation;
- The instructional method used;
- A list of references;
- An outline of subject matter;
- The name of instructor; and
- A listing of officers present for the training.

Evaluation of Roll Call training is performed through (1) analysis of completed training forms and (2) observation of actual training sessions. Roll Call training is evaluated during the Department's annual training evaluation but may be evaluated at any time by the Training Committee.

2.3.6.4 ADVANCED TRAINING (KACP)

Advanced training is the type of training provided at the FBI National Academy or the Southern Police Institute designed to impart higher-level supervisory and management skills to participants. Every newly-promoted Sergeant and Captain must successfully complete training described in § 2.3.2. Any equivalent training must be equal to or exceed Kentucky Law Enforcement Standards.

The following courses have been recognized by the DOCJT as satisfying the requirements for KLEFF's annual mandatory 40-hour training:

- 1) The Southern Police Institute's Administrative Officers Course, or equivalent.
- 2) The Federal Bureau of Investigation's National Academy, or equivalent.
- 3) The Department of Criminal Justice's Criminal Justice Executive Development, or equivalent.
- 4) The Southern Police Institute's Police Supervision, or equivalent.
- 5) The Department of Criminal Justice's Academy of Police Supervision, or equivalent.

2.3.6.5 SPECIALIZED TRAINING

The Department ensures that any employee selected for a special assignment or a promoted position receives some form of additional training.

All specialized training provided to personnel includes the following:

- Development and/or enhancement of the skills, knowledge, and abilities particular to the specialization;
- Management, administration, supervision, personnel policies, and support services of the function or component;
- Performance standards of the function or component; and
- Agency policies, procedures, rules, and regulations specifically related to the function or component.

2.3.6.6 CIVILIAN TRAINING

The Department provides in-house training, including legal, safety, and coordinative responsibilities of their assignment (including dealing with the public), to the following civilian personnel BEFORE assumption of their job responsibilities:

- School Crossing Guard.
- Police Cadet.
- Animal Control Officer.

The Department provides in-house training, including the skills necessary to perform the position's technical aspects and its importance as a link between the citizen and the agency, to the following civilian personnel after assumption of their job responsibilities:

- Communications personnel.
- Records personnel.

Communications personnel are required by law to successfully complete Telecommunications Basic Academy within 12 months of date of employment as a Telecommunicator and to successfully complete each calendar year thereafter an 8-hour, KLEC-approved in-service training course (KRS 15.560).

All newly appointed civilian personnel shall receive the following training:

- 1) Orientation to the Department's role, purpose, goals, policies, and procedures;
- 2) Working conditions and regulations; and
- 3) Responsibilities and rights of employees.

2.3.6.7 SCHOOL INSTRUCTOR

The Department provides the service(s) of a qualified officer(s) to perform the duties of a School Instructor at Bowling Green Independent Schools. The officer(s) will have the appropriate training and education to be classified as a School Resource Officer, as set forth in KRS chapter 158 and required by DOCJT.

The Department School Instructors are dedicated to addressing a safe school environment by providing law enforcement services at designated Bowling Green Independent School locations. School Instructors:

- 1) Act as liaisons between the school district and the department.
- 2) Take Law Enforcement action as required to address criminal activity and disturbances on school property.
- 3) Promote positive relationships between police officers, students, staff, faculty, parents and legal guardians.
- 4) Mentor, educate and develop instruction on a variety of subject areas, including but not limited to, police and their role in society, laws, juvenile and adult criminal justice systems, law enforcement career opportunities, drug education, gang resistance education and training, conflict resolution and similar areas as agreed to by the police officer and the Principal.
- 5) Assist the Principal in developing plans and strategies to prevent and/or minimize dangerous situations that may arise. The School Instructor shall notify the Principal as soon as possible of any law enforcement action taken.
- 6) Will not enforce administrative or disciplinary rules enacted by the school district, individual schools, administrators or faculty. This includes, but is not limited to:

- a) Failure to follow classroom rules or disrupting class.
 - b) Dress code violations.
 - c) Failure to carry a hall-pass or other appropriate identification.
 - d) Failure to participate in or being unprepared for class.
 - e) Truancy, excessive tardiness, or cutting class.
 - f) Possession or use of cell phones or other electronic devices.
 - g) Possession of any inappropriate personal items.
 - h) Public displays of affection or other inappropriate, but not criminal, personal contact.
 - i) Verbal altercations.
- 7) Will conduct searches of persons and/or property in accordance with current constitutional procedures and case law. Although school personnel may conduct a search based on reasonable articulable suspicion, absent consent, School Instructor(s) and other law enforcement officers need probable cause to conduct a search. School Instructor(s) must act independently from school personnel and cannot use school personnel as an agent in conducting searches.
- 8) Shall not release any audio/video recordings from Body Worn Cameras to school personnel. All requests for audio/video recordings will be submitted to the custodian of records via Open Records Request, and be reviewed by the legal requirements found in KRS Chapter 600-645.
- 9) Will not release any confidential information protected under FERPA (Family Educational Rights and Privacy Act). This information includes but is not limited to the student's name, the name of the student's parent or other family members, the address of the student or student's family, a personal identifier, such as the student's social security number, student number, or biometric record, other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name, and other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty.

Appendix information for this chapter follows.

(Remainder of page reserved.)

2.3.6.7 APPENDIX A - RECRUIT TRAINING PROGRAM SUBJECT AREAS FOR SWORN OFFICERS

The recruit training program for sworn officers includes instruction in the subject areas listed below.

- 1) Law Enforcement Role, Responsibilities, and Relationships
 - History of Law Enforcement; the Criminal Justice System; Mission; Community Relations; Ethics in law Enforcement.
- 2) Administration
 - Civil and Criminal Liability.
- 3) Operations
 - Constitutional Law; Criminal Law, Laws of Arrest; Alternatives to Arrest; Probable Cause; Rules of Evidence; Identification of Evidence; Search and Seizure; Laws of Interrogation and Interrogation Techniques; Warrants, Summonses, and Subpoenas; Civil Process; Juvenile Law; Court System; Prosecutorial Functions; Moot Court and Courtroom Demeanor; Techniques of Stopping Violators, Arresting Suspects, Handling and Processing Prisoners; Uncooperative Subjects; Patrol Observation; Domestic Disputes; Crisis Intervention and Conflict Management; Search of Persons, Vehicles, Building, Premises, and Property; Crimes in Progress; Crowd Control; Hostage and Barricade Situations; CRT Operations; Hazardous Materials Incidents; Drug and Alcohol Abuse; Crime Prevention; Communications Skills; Victim/Witness Assistance; Juvenile Operations; Preliminary Investigation; Motor Vehicle Code; Traffic Collision Management and Investigation; Traffic Direction and Control; Driving While Intoxicated; Driver Safety Education for Officers; Crime Scene Investigation; Collection and Preservation of Evidence; Interviews and Interrogations; Fingerprint Identification; Crime Laboratory Functions; Surveillance; Narcotics; Special Investigative Matters -- Sexual Assault, Homicides, Suicides, and Child and Spouse Abuse; Organized and White Collar Crime; Emergency Medical Training, including cardiopulmonary resuscitation; Use of Firearms, including range qualification and policies on when to shoot and not to shoot; Use of Force, including limitations of the use of force in general and the use of deadly force in particular; Physical Training, including fitness conditioning; Patrol Vehicle Operation; Defensive Driving; Pursuit Driving; Mechanics of Arrest; Officer Safety; Handling Personal Stress.
- 4) Auxiliary and Technical Services
 - Report Writing, Field Note-Taking.

End of Appendix A

2.3.6.8 APPENDIX B - LESSON PLAN

LESSON PLAN

Course: _____ **Subject:** _____

Title: _____ **Allotted Time:** _____

Prepared by: _____ **Date of Preparation:** _____

Lesson Scope or Content and Relationship to Job-tasks: _____

Performance Objective(s), (Precise statements of what a student will be able to do as a result of instruction.): _____

References: _____

Instructional Aids, Equipment, and Material: _____

Assistant(s): _____

Study Assignment(s): _____

Teaching Technique(s): _____

(See reverse side for additional instructions.)

INSTRUCTIONS

For each training session, a Lesson Plan must be completed by the instructor and forwarded to the Training Unit Captain prior to presentation of the lesson. Due to time constraints, however, this procedure may not always be feasible in the case of Roll Call training. Therefore, lesson plans for Roll Call training may be filed after training has been completed. You may use the Lesson Plan Outline and the Attendance Record Form for documentation purposes.

ATTENDANCE RECORD

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End of Appendix B

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End of Chapter 2.3

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CHAPTER 2.4

CLASSIFICATION AND DELINEATION OF DUTIES AND RESPONSIBILITIES

2.4 CHAPTER 2.4 - CLASSIFICATION AND DELINEATION OF DUTIES AND RESPONSIBILITIES

This chapter sets forth the Department's personnel classification policies. Policies relate to job analysis, classification plans, and position classification. The Department's recruitment strategies and procedures are based upon a detailed written analysis of the nature of the job to be performed; the knowledge, skills, and training required to perform the job tasks; any training required to perform the job tasks; and any prerequisite personal attributes. Policies complement those of the City's Administrative Personnel Policy and Procedures Manual for Classified Employees.

2.4.1 DEFINITION

The following are definitions of key terms having to do with personnel classification.

Job Task Analysis	A systematic examination of the functions and objectives of each job to be performed as it relates to the skills, knowledge, and abilities required to perform the tasks or duties of the job.
Class	A grouping of jobs for which duties, responsibilities, qualifications, and conditions of employment are sufficiently alike to justify the same treatment with respect to personnel practices.
Class Specification	An official statement or guideline about the general duties, responsibilities, and qualifications involved in the kinds of jobs included in the same class.
Position	The duties and responsibilities, or work, assignable to one employee. A position may be filled or vacant.
Job	One or more positions with duties and responsibilities that are identical in all significant respects so that a single descriptive title can be used to identify the work done by incumbents.

2.4.2 DEPARTMENT PERSONNEL CLASSIFICATION

2.4.2.1 JOB ANALYSIS

The Department has not performed a written job task analysis for the Department. Some analysis work, however, regarding sworn positions has been done and is maintained by the Human Resources Director.

Job functions and objectives have been examined to a level which allows for the writing of a job description for each position. The objectives job analysis should be to:

- 1) Serve as a basis for the determination of position classification and compensation;
- 2) Provide a basis for establishing minimum qualifications for recruitment, examination, selection and appointment, and promotion;
- 3) Assist in the establishment of training curricula; and

- 4) Provide guidance to employees and their supervisors concerning the duties and responsibilities of individual positions.

A written job task analysis should include a list of the employee's duties by amount of time required to perform or order of importance. It should also indicate the minimum and desired levels of education and training; required knowledge, skills, abilities and behaviors; level of supervision required and exercised; difficulty of work assignments and how assignments are received; and how work is evaluated.

A statement of the duties and responsibilities of each position within the Department is maintained by the City's Human Resources Director and is available to all personnel.

2.4.2.2 CLASSIFICATION

- 1) The City Administrative Personnel Policy and Procedures Manual contains sections on the classification and pay plan (see Chapter II). This plan includes the following:
 - a) Grouping of every position into classes, according to similarities in responsibilities, duties, and qualifications;
 - b) Class specifications for every type of job (commonly referred to as job descriptions);
 - c) Provisions for determining the level of pay for each class;
 - d) Provisions for pay increases due to reclassifications, promotion, evaluation of merit, and economic conditions; and
 - e) A classification/pay schedule listing each classification and the corresponding pay grade to which it has been assigned. Progressively-responsible ranks are assigned progressively-higher pay grades. There are uniform percentage increases between grades. Each grade has an entry-level and maximum salary, and intermediate steps to provide for recognition of superior performance.
- 2) Revision of the Department's Classification/Pay Plan is accomplished according to the following (see City Personnel Policy & Procedures Manual Section 2-3):
 - a) The Chief of Police recommends re-evaluation of duties, classification, and promotions to the City Manager for consideration and approval by the City Commission when required. The Chief of Police must approve all personnel transactions involving a proposed personnel change.
 - b) The classification/pay plan is reviewed and updated annually, both to maintain the usefulness of the classifications and to revise entry-level salaries in accordance with economic and financial conditions.
 - c) A job description is included with each annual evaluation notice. At evaluation time, it is the responsibility of the supervisor to review job descriptions and recommend any necessary changes to the Chief. A Department head may submit a request for review to the City Manager.
- 3) The Police Department assists with the development and maintenance of class specifications through the job task analysis process described in § 2.4.2.1 above and § 2.4.2.2, item 2) a) above. The role of the Department is further described in City Personnel Policy and Procedures Manual Chapter II.
- 4) Annual review of the written classification plan is described in § 2.4.2.2, item 2) b) above, and City Personnel Policy and Procedures Manual Chapter II.

End of Chapter 2.4

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CHAPTER 2.5

COMPENSATION, BENEFITS AND CONDITIONS OF WORK

2.5 CHAPTER 2.5 - COMPENSATION, BENEFITS AND CONDITIONS OF WORK

This chapter sets forth the Department's compensation for work, conditions of work, and benefits offered to employees. Policies complement those of the City's Administrative Personnel Policy and Procedures Manual for Classified Employees.

2.5.1 DEPARTMENT COMPENSATION

2.5.1.1 COMPENSATION (KACP)

Compensation may be defined as a description of the complete salary plan of the Department, including the basic salary levels for all classes of positions and all forms of compensation provided by the agency. The Department's salary program includes:

- 1) Entry-level salary for the Department;
- 2) Salary differential within ranks;
- 3) Salary levels for those with special skills, and
- 4) Shift differential for shift assignment (third shift).

2.5.1.2 WRITTEN PAY PLAN

For the written pay plan, see City Personnel Policy and Procedures Manual, Chapter II. The pay plan is reviewed annually.

2.5.1.3 SALARY AUGMENTATION

Salary augmentation may be defined as pay that is added to the base salary of the employee. Salary augmentation for the Department is described as follows:

2.5.1.3.1 Overtime

Overtime - For time served beyond regular duty schedule, provisions of City Personnel Policy and Procedures Manual, Chapter II; for court-appearance time, and the following special provisions:

- 1) Expenses resulting from out-of-county or out-of-state subpoenas should be borne by the issuing authority. In some cases our Department may have an interest and, therefore, may bear expenses for court appearance.

- 2) Officers who receive out-of-county or out-of-state subpoenas shall report such receipt immediately to Supervision. Subpoenaed officers and appropriate Supervision shall then report to the Chief for final overtime disposition. Officers shall be cognizant of the fact that when one is properly subpoenaed, one must appear or be held in contempt.
- 3) Officers shall receive overtime for court appearance according to the following procedure:
 - a) Any off-duty appearance for criminal cases (including Juvenile Court cases and appearances before the State Traffic Commission) when subpoenaed by authority in Warren County, Kentucky
 - b) Authority granted by the Chief on an individual basis in criminal cases located outside the county or state
 - c) Any off-duty appearance for civil cases when subpoenaed by authority in Warren County, Kentucky
 - d) Authority granted by the Chief on an individual basis in civil cases located outside of the county or state

2.5.1.3.2 Personnel With Special Skills

Personnel with special skills - Overtime is granted to certain officers when exercising special skills.

2.5.1.3.3 Compensatory Time

Compensatory time - On occasions when irregular and unscheduled work is required, compensatory leave may be earned in lieu of overtime, with approval of the department head. (See City Personnel Policy and Procedures Manual, Chapter 2-4.5 for detailed information; 2.5.1.3.4.19 below).

2.5.1.3.4 Overtime Guidelines

2.5.1.3.4.1 Court

Two hour minimum overtime will be paid. Overtime will begin when the Officer is scheduled for the court appearance and will be counted to the nearest quarter hour that the Officer is released from court.

Example 1: An Officer is scheduled for court at 0900 hours and is released at 0930 hours. How much overtime?

Answer 1: The Officer will be paid the 2 hour minimum.

Example 2: An Officer is scheduled for court at 0900 hours and is released at 11:25 hours. How much overtime?

Answer 2: The Officer will be paid 2.5 hours overtime.

2.5.1.3.4.2 Case Investigations

Actual time over the 8.5 hour work day may be paid overtime. However, supervisors should decide whether the overtime is necessary and attempts should be made to use flex time when appropriate to avoid a longer week for the employee and to avoid paid overtime.

2.5.1.3.4.3 Travel

Employees will be paid for actual time used for mandatory work related travel. In the event an employee has been allowed to take off work early to prepare for travel, that time will be deducted from the amount of actual travel overtime.

Example: An employee is attending a mandatory training session that requires out of town travel and is allowed to leave work two hours early to gain more sleep before traveling. The employee leaves Bowling Green at 0600 hours and returns to Bowling Green at 1800 hours (12 hours elapsed time). How much overtime?

Answer: The employee would normally be paid 4 hours overtime. However because the employee was allowed 2 hours off from work prior to the travel, the employee would now submit 2 hours overtime. If a lunch period was taken, remember to deduct that time from any overtime submitted.

No overtime will be paid to an employee while an employee is at a training session.

Example: An employee is at a training session and work is required after class time by the instructor. How much overtime?

Answer: The after class time will not be paid overtime. Travel time may not be paid in the event the employee is allowed to leave training early on the last day of the session and the travel time would not require the employee to exceed the 8.5 hour work day.

Travel to an event that the employee elects to attend will not be paid travel overtime.

Example: An employee wants to attend a conference out of town. The conference is not mandated by supervision, but the employee may benefit from attending. How much overtime?

Answer: The employee will not be paid travel overtime.

Special circumstances may arise in dealing with travel overtime. However, those arrangements must be made in advance and approved by the unit Major.

2.5.1.3.4.4 Meetings / Programs / Presentations

Activities of this nature must be pre-approved by the employee's supervisor. Flex time should be used whenever possible. Supervisors should check to make certain overtime money is available for this type of activity prior to granting approval.

2.5.1.3.4.5 Late Calls

Supervision has the responsibility to ensure employees are not late on a call unless absolutely necessary. Overtime will be paid for being late on shift after the first fifteen minutes. The first completed fifteen minutes will then be paid and then overtime will be paid to the nearest quarter hour.

2.5.1.3.4.6 On Call

Generally, no overtime will be paid unless the employee on call is actually called out. In the event an on call employee handles a situation over the telephone for more than fifteen minutes the employee may be eligible for overtime. These situations should be discussed with the employee's supervisor prior to submitting the overtime request.

2.5.1.3.4.7 Employee Call Out

The employee will be paid overtime from the time the employee arrives at the location there were told to report.

Example 1: An employee is called to report to a shooting at 202 Anywhere Street. When does overtime begin?

Answer 1: The employee's overtime begins upon arrival at 202 Anywhere Street.

Example 2: An employee is called out to report to the Police Station. When does overtime begin?

Answer 2: The employee's overtime begins upon arrival at the Police Station.

2.5.1.3.4.8 Field Training / Communication Training

A dispatcher CTO; or police officer APO or MPO will only receive overtime pay for actual overtime worked. The pay of a CTO, APO, and MPO action in Field Training Actions is already reflected in the assignment pay.

Example: An MPO is training a recruit and is given a late call. How much, if any, overtime?

Answer: The MPO and the recruit would be paid for the actual overtime because of the late call.

2.5.1.3.4.9 Honor Guard

Overtime will be paid for actual time the employee is involved in this activity that is in excess of their regular duty time. The Supervisor responsible for the Honor Guard should not exceed the budgeted amount for this program.

2.5.1.3.4.10 Pathfinder Program

Overtime may be paid for this program. Flex time will be at the discretion of the employees unit Major. The use of overtime or flex time must be pre-approved.

2.5.1.3.4.11 Short Shift

Employees that are held over or work on their regular day off to cover for short shifts will be paid overtime. However, flex time may be granted by a supervisor if the employee requests flex time and the granting of flex time will not cause additional overtime or scheduling problems. The minimum staffing levels for patrol shifts shall be set by the Patrol Division's Assistant Chief.

2.5.1.3.4.12 Training

Steps should be taken to avoid overtime for training purposes. However, all mandatory training that causes an employee to exceed their regular work day or exceed the regular work week shall be paid overtime. Flex time may be granted by a supervisor if the employee requests flex time and the granting of flex time will not cause additional overtime or scheduling problems. All training overtime must be approved by supervision.

2.5.1.3.4.13 Volunteering

Employees may volunteer for activities knowing that they will not be paid overtime for their involvement in the activity.

Example 1: An employee participates in firearms practice and the employee's attendance is not mandatory. Overtime?

Answer 1: The employee would not receive overtime pay.

Example 2: An employee attends a Departmental meeting that is not mandatory. Overtime?

Answer 2: The employee would not receive overtime pay.

2.5.1.3.4.14 Home Fleet

Any duties performed off duty as a result from being assigned a home fleet vehicle will be paid overtime. The overtime would begin after completing at least fifteen minutes. The overtime would then be paid to the nearest quarter hour with the first fifteen minutes being paid overtime. Home fleet related overtime should be reported to Communications so a record can be made of the activity.

2.5.1.3.4.15 Canine

Canine officers work a 9.5 hour work day. The additional one hour a day is devoted to canine care or training. Any time spent in excess of a 9.5 hour day will be paid overtime. One hour of overtime will be paid for each day the canine officer(s) is on a Regular Day off (RDO) and still has animal care responsibilities.

2.5.1.3.4.16 Work at Home

An employee that performs Police Department work while at home shall be paid overtime. The overtime must be pre-approved by the employee's supervisor. However, flex time may be granted by a supervisor if the employee requests flex time and the granting of flex time will not cause additional overtime or scheduling problems.

2.5.1.3.4.17 Special Details

Overtime will be paid for employees that are assigned to special details. Special detail overtime shall be pre-approved by the employee's supervisor. Special detail overtime assignments shall be documented and reported to the Deputy Chief in charge of Field Operations. The Field Operations Deputy Chief shall submit a report to the Chief of Police each year detailing special events and the amount of overtime expended due to special events.

2.5.1.3.4.18 No Lunch Breaks

Supervisors should ensure that employees receive their lunch break. However, employees that do not receive a lunch break and are on duty 8.5 hours shall be paid one-half hour overtime.

2.5.1.3.4.19 Comp Time

On occasions when irregular and unscheduled work is required, compensatory leave may be earned in lieu of overtime, with approval of the department head. (See City Personnel Policy and Procedures Manual, Chapter 2-4.5 for detailed information; 2.5.1.3.3 above).

2.5.1.3.4.20 Flex Time

The work week begins at 0001 on Sunday and ends at 2400 on Saturday. Any flex time earned during the week must be taken during the same week and cannot be carried over to the next work week. Flex time is taken back at regular time.

Example: An employee receives 2 hours overtime on Monday and requests to flex the time for Thursday morning. The supervisor approves the flex time. By granting the employee's flex time request, no additional overtime will be paid and the request does not cause scheduling problems. What happens on Thursday?

Answer: The employee is allowed to take off 2 hours on Thursday morning. Had arrangements been made to flex the employee's time and an emergency occurred and the employee could not flex the time during that work week, the supervisor would complete an overtime form so that the overtime would be paid.

2.5.1.3.4.21 Off Duty Employment

No overtime will be paid as a result of off duty employment except under an approved off-duty job contract.

2.5.1.4 SALARY SEPARATION

Salary separation may be defined as the difference between salary of one rank and the next highest rank, or between that provided for one classification of work and any other. Salary differentials are described within City Personnel Policy and Procedures Manual, Chapter II.

(Remainder of page reserved.)

2.5.2 LEAVE (KACP)

2.5.2.1 CITY ADMINISTRATIVE POLICY

The City's policies relating to administrative leave are outlined in the City Personnel Policy and Procedures Manual, Chapter V. Specific subheadings include: civil leave (jury duty and court appearances); military leave; funeral leave; educational leave without pay; other leaves with pay (such as for training); leave of absence without pay; and absences due to adverse weather conditions.

The City's policies relating to holiday leave are outlined in the City Personnel Policy and Procedures Manual, Chapter V. The last sub-heading in this section is Holidays. The days during the year that are established as holidays are listed. The specific policy on accrual and use of holiday leaves by uniformed personnel is included.

The City's policies relating to sick leave are outlined in the City Personnel Policy and Procedures Manual, Chapter V. The sub-section on Sick Leave describes the rate of accumulation (accrual), limit on accumulation, use of sick leave, reporting and control, and conditions for credit for sick leave upon retirement. (See also § 2.5.3, insurance / retirement (kacp) .)

The City's policies relating to vacation leave are outlined in the City Personnel Policy and Procedures Manual, Chapter V. The next-to-last sub-heading in this section is Vacation Leave. This sub-section describes the rate of accrual, conditions of accrual and use, limitations on accrual, procedures for scheduling, and control of use (advance approval required).

2.5.2.2 DEPARTMENT LEAVE PROCEDURES (KACP)

- 1) Officers reporting in sick shall contact, if possible, on duty Supervision at least two (2) hours prior to duty time. If Supervision is not available at the time of officer's sick status reporting call, on duty Supervision and/or relieving Supervision may confirm said officer's sick leave status via phone or visit.
- 2) Sick leave shall be used only for legitimate instances of illness. Should circumstances indicate sick leave abuse, it is Supervision's responsibility to investigate (see City Personnel Policy and Procedures Manual Chapter III).
- 3) Applications for leave time shall be made no sooner than thirty (30) days prior to the beginning date of proposed leave. Long range planning should be considered tentative, and may be individually planned employing judgmental considerations for work load, possible upcoming special events, inevitable use of sick leave, and training scheduling.
- 4) Leave scheduling is the responsibility of Supervision. The judgmental responsibility of scheduling the presence of adequate numbers of personnel shall take precedence over other considerations. Those individuals charged with the responsibility of scheduling special events (training, etc.) and/or special work scheduling shall be cognizant of the impact of their responsibilities upon that of those charged with scheduling leave.

- 5) Applications for leave should be approved according to the numerical order in which they were received. If several applications, however, are submitted during any single duty shift seeking leave for the same date or beginning date, approval will be made according to Departmental seniority. Special circumstances may require deviance.
- 6) Holiday Leave requests for leave prior to their being accrued shall be approved only when corresponding number of vacation days have already been accrued and are being held.
- 7) School Crossing Guard leaves of absence shall be processed in the following manner:
 - a) The Telecommunicator taking the call from the reporting guard shall create a CAD incident using nature code CGRO (crossing guard call out), and notify an on call crossing guard to cover the crossing. In the event an on call guard is not available the Telecommunicator will build a call for an officer to cover the crossing.

Support Services supervision will fill out the appropriate leave request form.

(Remainder of page reserved.)

2.5.3 INSURANCE / RETIREMENT (KACP)

2.5.3.1 RETIREMENT AND HEALTH PROGRAMS

The City's retirement programs are outlined in the City Personnel Policy and Procedures Manual, Chapter IV. The County Employees Retirement System (CERS) serves all full-time personnel. Minimum and mandatory retirement ages are listed.

The City's medical and hospitalization insurance programs are described in the City Personnel Policy and Procedures Manual, Chapter IV. Comprehensive coverage for both the employee and family are provided at a small or no cost to the employee. The insurance plan is reviewed annually. Employees receive booklets from the insurance companies that describe coverage provisions. Physical, medical, and psychological examinations are provided to police recruits at no cost to the employee.

City Policy and Procedures Manual, Chapter IV, Educational Assistance, outlines policy for reimbursing employees full cost of approved training coursework.

The City's Personnel Department provides information on employee benefits and help for employees in case of injury or death. The City Employee Assistance Program provides related counseling to employees and family members at no charge for contracted number of sessions.

2.5.3.2 LIABILITY PROTECTION (KACP)

Actions or omissions by an employee that may result in need for liability protection should be reported as soon as possible to their immediate supervisor. Specific procedures are outlined elsewhere pertaining to:

- § 2.5.6.....procedure for reporting citizen accidents/incidents which occur on city-owned property, e.g., fall on steps
- § 4.4.....chapter 4.4 - traffic operations,
- § 3.1.8.....reporting use of force;
- § 4.10.2.....internal affairs;
- § 4.10.2.6.....complaint processing, and
- § 2.10.3.6.....appendix a - administrative memorandum

Any employee may also submit to their supervisor an Incident Report or a detailed report in the format set forth in § 1.2.4. (The City provides legal counsel through the City Attorney and maintains liability insurance.)

(Remainder of page reserved.)

2.5.3.3 DISABILITY AND DEATH BENEFITS PROGRAM

Employees are eligible for compensation for temporary, partial and total work-related disability through the worker's compensation program. The CERS Retirement Fund provides several different levels of benefits due to disability or death. This includes continuous benefits to a survivor in the event of death, as well as lump sum payments from the State and Federal governments if death occurs in the line of duty. See the following sections of the Kentucky Revised Statutes for details. (78.545; 79.080; 164.2841-2; and 346.155)

2.5.3.4 INJURY AND ACCIDENT REPORTING FOR WORKERS COMPENSATION BENEFITS

Authorized on 07/01/96 by Municipal Order 96-94, the City of Bowling Green has participated in a Managed Care Organization (MCO) approved by the KY Workers Compensation Board through the Kentucky League of Cities and City Commission.

Any duty related accident or injury must be reported to the Safety and Risk Manager or human resources department immediately via use of the current reporting forms or methods.

(Remainder of page reserved.)

2.5.4 PROCEDURES FOR HANDLING ON-DUTY WORK-RELATED INJURY ACCIDENTS (KACP)

2.5.4.1 WORK-RELATED 911 EMERGENCY INJURY

If there is a 911-type emergency at any hour, medical treatment should be sought at the nearest emergency room.

2.5.4.2 WORK-RELATED INJURY OCCURRING DURING REGULAR MEDICAL OFFICE HOURS

When injuries to personnel occur during regular medical office hours, employees may seek treatment at a physician of choice. It is preferred however that all non-emergency medical treatment be sought at the City's designated health care provider.

Upon arrival at any medical office, the injured employee should notify the office personnel know that their injury is being considered for workers' compensation.

2.5.4.3 WORK-RELATED INJURY OCCURRING DURING MEDICAL OFFICE CLOSING (E.G., AT NIGHT OR WEEKEND)

Work-related injuries or illnesses considered non-life threatening may be treated at either emergency room if all other medical offices are closed.

2.5.4.4 WORK-RELATED INJURY REPORTING PROCEDURES

All work related injuries and illnesses shall be reported as stated in Chapter XIV (Loss Occurrence Reporting Policies and Procedures) of the City's Risk Management Manual.

2.5.5 PROCEDURES FOR HANDLING ON-DUTY NON-INJURY ACCIDENTS

2.5.5.1 ACCIDENT RECORD

All vehicle accidents must be reported according to the Accident / Injury Reporting Policies and Procedures located in the City's Loss Control Manual.

2.5.5.2 NON-INJURY REPORTS PROCEDURE FOR DEPARTMENTAL PERSONNEL

Non-injury vehicle collisions are to be reported according to those requirements outlined in the in the Accident / Injury Reporting Policies and Procedures, located in the City's Loss Control Manual.

2.5.6 PROCEDURE FOR REPORTING CITIZEN ACCIDENTS/INCIDENTS WHICH OCCUR ON CITY-OWNED PROPERTY, E.G., FALL ON STEPS

When an officer becomes aware that a citizen has had an accident which occurred on City-owned property use the reporting requirements set forth in the City's Loss Control Manual, Accident / Injury Reporting Policies and Procedures.

(Remainder of page reserved.)

2.5.7 INFECTION CONTROL PROGRAM / EXPOSURE PLAN

2.5.7.1 AFFECTED EMPLOYEES

This policy affects any police department employee who through the performance of their duties may reasonably anticipate skin, eye, mucous membrane, or parenteral contact with blood or other potentially infectious materials.

2.5.7.1.1 INFECTION CONTROL OFFICER

The City Safety Manager shall be designated as the Infection Control Officer. The infection control officer shall have a thorough understanding of the Infection Control Program, and be knowledgeable in the subject matter covered by the elements contained in the program as it relates to the workplace. In addition, the Infection Control Officer shall:

- 1) Develop standards for the selection of personal protective equipment.
 - a) Modify and / or update standards as needed.
- 2) Review exposure incidents with the effected employee immediately following an exposure.
- 3) Arrange for medical treatment (if necessary), and the completion of the medical disposition section of the Exposure Report.
- 4) Follow through the Source Individual Testing & Employee Health Care Provider Notification as provided in § 2.5.7.8.3.
- 5) Periodically evaluate operations to ensure compliance with the written Infection Control Program.

2.5.7.2 OCCUPATIONAL EXPOSURE

Employees of the following tasks or procedures may present exposure hazards to employees.

- 1) Any arrest situation,
- 2) Investigation at a crime scene,
- 3) Contact with crime victim(s),
- 4) Collection and preservation of evidence,
- 5) Traffic collision investigation,
- 6) Any situation in which blood or bodily fluid is present, or
- 7) Handling of needles, or sharps and or other objects contaminated with blood or bodily fluid.

2.5.7.3 FACILITY AND EQUIPMENT PROCEDURES

The Police Department headquarters facility has assigned designated areas for the storage, decontamination and disinfection of equipment, and storage of bio-hazardous waste. Procedures regarding these locations are listed below.

2.5.7.3.1 Decontamination Area

The men's and women's shower rooms shall be utilized for decontamination of blood and/or body fluids and will be equipped with the means for washing oneself and contaminated equipment. The area will also:

- 1) Provide containers for the storage of infectious waste,
- 2) Be equipped with clean personal protective equipment,
- 3) Be equipped with soap and running water, other disinfectant products for decontaminating equipment, and
- 4) Be equipped with clean clothing/outerwear.

The shower rooms shall be the only designated area of the facility to be used for the decontamination, disinfection and or disposal of contaminated equipment, personal protective gear, uniforms, or other potentially infectious waste material derived from decontamination procedures.

2.5.7.3.2 Containerization of Infectious Waste

Infectious waste containers will be marked with bio-hazard signs and maintained in accordance with all EPA and local regulations. All potentially contaminated materials will be stored in a red bio-hazard plastic leak-proof bag.

2.5.7.3.3 Infectious Waste Storage

Potentially infectious waste material shall be placed into an infectious waste container. Properly containerized infectious waste material shall be removed from the facility and properly disposed of in a timely manner.

2.5.7.3.4 Method of Infectious Waste Disposal

The method by which infectious waste shall be disposed is described in § 2.5.7.3.4

2.5.7.4 PERSONAL PROTECTIVE EQUIPMENT

Standards for personal protective equipment will be developed by the Infection Control Officer and updated or modified as needed. An infection control kit will be placed in each police vehicle and will include at least the following items:

- 1) One omni-size gown,
- 2) One pair of heavy-duty gloves,
- 3) One surgeon cap,
- 4) One pair of shoe covers,
- 5) One face shield with mask,
- 6) One container of disinfectant cleaner,
- 7) One bio-hazard disposal bag, and
- 8) One pocket one-way valve CPR mask.

2.5.7.4.1 PPE supply

The Department is responsible for the supply, repair, and replacement of infection control PPE. The Department will determine proper stock supply levels of PPE for the decontamination station and for response vehicles.

- 1) Each employee will be responsible for ensuring the vehicle stock of PPE (infection control kit) is adequate.

2.5.7.5 SELECTION AND USE OF PERSONAL PROTECTIVE EQUIPMENT (PPE)

Emergency response is often unpredictable. Blood is the single most important source of HIV and HBV infection; however, all blood and bodily fluids are to be considered potentially infectious. When blood or body fluids are present, Universal Precautions shall be taken (whenever possible) to reduce the chance of exposure.

2.5.7.5.1 Hand Protection

Disposable latex or neoprene gloves shall be worn when there is a potential for contact with blood, bodily fluids, non-intact skin, other potentially infectious material.

- 1) Gloves will be replaced as soon as possible when soiled, torn, or punctured. Hands must be washed after glove removal.
- 2) Heavy duty utility gloves may be used for the handling, cleaning, decontamination, or disinfection of potentially contaminated equipment.

2.5.7.5.2 Facial Protection

Facial protection will be used in situations where blood or bodily splash contact with the face is possible. Facial protection may be afforded by using the combined face mask / eye shield protector piece.

2.5.7.5.3 Head / Feet / Body Protection

If splashing of the potentially infectious material is possible or if contact is otherwise unavoidable, head, feet and body protective barrier clothing shall be worn.

2.5.7.6 SCENE OPERATIONS

Police Department employees during their normal performance of duties will experience various occupation exposure hazards; some will be beyond the control of the employee. While complete control of an emergency situation is not possible, operations at a scene in which blood or body fluids are present will utilize the minimum number of employees necessary to safely complete on-scene tasks. Employees not immediately needed will remain a safe distance from those operations where occupational exposure is possible or anticipated.

2.5.7.6.1 Proper Handling of PPE

Personal protective equipment shall be removed after leaving the work area, and as soon as possible if contaminated. After use, all PPE will be placed in leak-proof bags, color coded and marked as biohazard, and transported to the decontamination station for disposal. If available, EMS provided means of disposal may be utilized.

2.5.7.6.2 Hand Washing

The most important aspect of infection control is hand washing. Hands shall be washed following any incident where blood and / or bodily fluids are present, and:

- 1) After removing PPE,
- 2) After each contact with a suspect or individual,
- 3) After handling potentially infectious materials,
- 4) After cleaning or decontaminating equipment,
- 5) Before getting into a vehicle, and
- 6) Before handling equipment / tools, writing instruments.

If soap and water is not available at the scene, a waterless hand wash shall be used and followed up with a soap and water wash upon return to a facility with such amenities. Proper washing of hands include the following procedures:

- 1) Using soap and water, rub hands together for at least 20 full seconds; wash the back of hands, between fingers, wrist and nail areas, and rinse very well.
- 2) Following the soap and water wash, an alcohol based wash shall be performed on the exposed skin to determine the presence of any non-visible non-intact skin. Non-intact skin is associated with a burning or tingling sensation during the alcohol wash.

2.5.7.6.3 Working Around EMS Personnel

Needles and sharps are the source of the most common occupational exposure. Caution shall be exercised when working around EMS personnel who are using needles or other sharps.

2.5.7.6.4 Handling Evidence

Evidence contaminated or potentially contaminated with blood or other body fluids will be handled using universal precautions. All potentially contaminated evidence shall be handled with extreme care and precaution to not contaminate oneself or other surfaces. Sharps shall be placed into a sharps container, or other rigid container that will resist puncture. Care shall be taken to not contaminate the outside of evidence containers. Personal protective equipment (gloves) worn to handle evidence shall not be worn when handling evidence containers. All potentially contaminated evidence shall be identified with a bio-hazard symbol prior to official logging with the evidence clerk.

2.5.7.6.5 Performing CPR

A one-way valve pocket mask shall be provided to all employees whose job may require the administration of CPR. After administering CPR, the pocket mask shall be disposed or decontaminated (depending on type).

2.5.7.7 POST RESPONSE PROTOCOL

Following response to an incident in which blood or bodily fluids were present, the following activities shall be performed immediately upon return to the station:

- 1) Contaminated equipment will be removed and replaced with clean equipment. Supplies of PPE shall be replenished.
- 2) Contaminated equipment shall be placed only in those areas designated for storage of contaminated items. Cleaning and decontamination will be performed as soon as practical.
- 3) Disposable equipment and other potentially infectious waste generated during the operation will be stored in the bio-hazard disposal area, in an appropriate leak-proof container.
- 4) Hand protection shall be worn for all contact with contaminated equipment or the potentially infectious material during removal / disposal / decontamination. Additional PPE such as barrier suits and/ or face shield shall be used according to potential for splash or spill potential.
- 5) Decontamination will be performed with a Department approved disinfectant or with a 1:10 solution of bleach in water. All disinfectants shall be EPA approved and registered.
- 6) Damaged equipment shall be cleaned and disinfected before being sent out for repair.
 - a) The manufacturer's guidelines will be used for the cleaning and decontamination of all equipment.
- 7) Contaminated work surfaces shall be decontaminated with an appropriate disinfectant. Potential work surfaces needing decontaminated may include:
 - a) Vehicle floors, seats, etc.,
 - b) Those items making contact with soiled PPE,
 - c) Facility decontamination area floors, benches, showers, sinks, etc.
- 8) Contaminated clothing or uniforms visibly soiled with blood or body fluids are to be removed and placed into a bio-hazard plastic bag for disposal. Your name and department are to be inscribed onto the outside of the plastic bag and, if during regular business hours, (1) taken to the Medical Center's Laundry, or (2) if during non-business hours, taken to the Medical Center's Ambulance Service to be disposed of by the hospital. If uniforms are to be washed at the station, they shall be washed in a designated washing machine using hot water and liquid detergent. Chlorine bleach is not recommended for washing uniforms. **Under no circumstance are uniforms to be laundered at home.**
- 9) Waste generated during cleaning and decontamination operations will be placed into the bio-hazard disposal container.
- 10) Following post response activities (listed above), the employee shall wash their hands according to procedures set forth in § 2.5.7.6.2.

2.5.7.8 POST – EXPOSURE PROTOCOL

An “exposure” as defined by KYOSH includes: “A specific eye, mouth, other mucous membrane, non-intact skin, or parenteral (piercing of the skin) contact with blood or other potentially infectious materials that results from the performance of an employee’s duties.” Examples of non-intact skin include, but are not limited to, the following: cuts, scratches, blisters, acne or other skin irritation, or an opening in the skin caused by a human bite.

If by definition an employee is exposed to blood or other potentially infectious materials, the following post-exposure protocol are to be performed immediately:

2.5.7.8.1 Immediate Employee Care

When a potential exposure has occurred, the following items shall take place as soon as practical.

- 1) Washing the exposed area as set forth in § 2.5.7.6.2.
- 2) Remove contaminated clothing and equipment; store / dispose / decontaminate equipment and uniforms / clothing in accordance with § 2.5.7.7.

2.5.7.8.1.1 Exposures Related to Prescribed and Illicit Drugs

Narcotics and synthetic narcotics, prescribed or illicit, that cause sedation or pain relief effects can be unintentionally transmitted a number of ways. Bowling Green Police Department Officers assigned as first responders will be trained in the recognition of inadvertent exposure. Each officer will be issued a dose of an opioid antagonist (Naloxone) to counter the effects of an accidental opiate exposure. The opioid antagonist (Naloxone) works by displacing the opiate from the receptors in the brain that control the central nervous system and respiratory system.

When an officer realizes that an exposure to an opioid may have occurred the following steps should be taken:

- Self-administer or have another officer present administer a dose of the opioid antagonist in accordance with the officer's training.
- Immediately notify dispatch of the situation and request EMS.
- Suspected drugs should not be field tested.
- The Warren County Drug Task Force should be notified of the circumstances and requested to respond.
- In addition to the required exposure documentation, the "First Aid Administration Reporting Form" should also be completed.

2.5.7.8.1.2 Overdose Victims

When an officer arrives on the scene of a possible overdose, he/she will assess the individual for symptoms of an opiate overdose. The KRS provides "good faith immunity" for civil and criminal liability for administration of Naloxone. (See KRS 217.186(4)).

Once the officer suspects the presence of any opiate overdose symptoms, the following steps should be taken:

- Immediately request EMS to the scene;
- Utilize universal precautions to prevent exposure to potential hazards;
- Administer the opioid antagonist in accordance with the officer's training;
- Place the individual in a recovery position unless there is evidence of head or neck trauma; and,
- Monitor respirations.
- Suspected drugs should not be field tested.
- The Warren County Drug Task Force should be notified of the circumstances and requested to respond.

Officers should be aware that the rapid reversal of an opiate overdose may cause projectile vomiting and/or violent behavior.

Upon completing the medical assist, the officer will complete the required documentation detailing the nature of the incident, the care the individual received and the fact that the opioid antagonist was deployed.

2.5.7.8.2 Reporting An Exposure Incident

Immediately following the exposure, the employee shall notify his / her supervisor and Infection Control Officer, and:

- 1) Complete the Exposure Report (Loss Control Manual – Infection Control Plan, Appendix G). The employee shall provide in the report, details of the task being performed, means of transmission, portal of entry, and the type of PPE used at the time of exposure.
- 2) The supervisor will review the Exposure Report and forward it to the Infection Control Officer.
- 3) The Infection Control Officer will evaluate the exposure report and discuss the incident with the affected employee.
 - a) If the Infection Control Officer determines that an exposure took place, he / she shall arrange for medical evaluation. Medical Evaluation will be arranged by the Infection Control Officer within 2-hours of exposure.
 - b) If the Infection Control Officer determines that no exposure took place, the Infection Control Officer will review the definition of “exposure” with the employee.
- 4) The Infection Control Officer will complete the Exposure Report, indicating the disposition of medical management (whether or not the employee was sent for medical evaluation).
- 5) If the employee is sent for medical evaluation, Workers’ Compensation forms will be completed and forwarded to the Human Resources and Risk Management Department.

2.5.7.8.3 Source Individual Testing and Employee Health Care Provider Notification

Following an exposure incident from a known source (individual), it will be necessary to try and obtain consent for testing source individual for infectious disease. In order to properly and promptly obtain necessary information, the Infection Control Officer shall be responsible to see that the following steps are taken:

- 1) If the source individual will be receiving medical treatment, the Infection Control Officer shall contact the receiving medical facility and notify them that an exposure took place, and request an infectious disease determination.
 - a) If the source individual refuses to consent to testing, the Infection Control Officer shall notify the appropriate personnel to seek a court order to require testing be completed on the source individual.
- 2) The Infection Control Officer will request that the source individual's test results be communicated to the Employee Health Care Provider.
- 3) The Infection Control Officer will provide the employee Health Care Provider with a copy of the Exposure Report, and other information as deemed necessary.
 - a) The Infection Control Officer will notify the Employee Health Care Provider of any request for testing of source individual.

2.5.7.8.4 Employee Health Care Provider

When an exposure to personnel occurs during regular medical office hours, treatment by a "Gatekeeper" physician is REQUIRED. The exposed employee should choose a physician from the City's Gatekeeper physician list (See § 2.5.4.2).

(Remainder of page reserved.)

2.5.8 PHYSICAL FITNESS (KACP)

2.5.8.1 POLICY

It is the policy of the Bowling Green Police Department to maintain a general health and physical fitness standard to which all hazardous duty personnel must adhere.

2.5.8.2 PURPOSE

The purpose of the fitness program is:

- To screen prospective police officers during the hiring process,
- To identify individual fitness deficiencies of veteran officers,
- To provide individual fitness counseling and develop individual fitness programs when necessary to promote good physical conditioning, and
- Record results.

2.5.8.3 EVALUATION (KACP)

Individual overall fitness may be assessed through an annual medical wellness screening provided at no cost to employees by the City through a designated medical facility. Annual essential skills testing is provided by the Police Department with follow-up fitness counseling/instruction and re-testing, when necessary.

2.5.8.4 FITNESS STANDARD

Hazardous duty employees are required to participate in the Department's essential skills testing and encouraged to participate in the City's wellness screening program which consists of a health fair offering medical information and blood work (cholesterol screening). Essential skills testing is scheduled two times each year and each employee must complete the test once each year.

The Police Department tests those physical skills considered necessary for performance of police duties.

Any sworn member of the Department who does not complete scheduled essential skills testing may not return to regularly assigned duty until the member submits a doctor's written release to the Chief of Police which permits member's participation in the next regularly scheduled test. This general policy applies to:

- Individuals who have experienced a significant work-related or non-work-related injury which prevents their participation (A significant injury is defined as one that requires seven (7) or more calendar days of absence from work.),
- Individuals who decline for any reason to participate in the essential skills test, or
- Any individual who is otherwise unable to complete the essential skills test.

The following procedures also apply to any sworn member who has not completed scheduled essential skills testing:

- 1) If the individual's doctor indicates, via written release, that participation in a conditioning program will provide the opportunity for him/her to complete the essential skills test, the Department will make reasonable efforts to place the individual in a "modified duty program", while providing him/her with a fitness instruction/counseling and work-out program developed by a member of the training staff.
- 2) A member of the training staff will then determine the date for the next test and, at the appropriate time, administer it. Should the employee successfully complete the test, the employee will be returned to regular duty.
- 3) In the event the employee is unable to complete the test within a period of 90 days, the case will be referred through the Professional Standards Assistant Chief to the Chief of Police for further action.

Accumulated paid or non-paid leave may be taken in order to extend employment when modified duty is not an option.

2.5.8.5 ESSENTIAL SKILLS PHYSICAL TEST

The skills test consists of a 440 yard run during which the following activities shall be performed. The test should be conducted with all officers wearing a duty belt. Uniform, jumpsuit or other clothing may be worn. Once begun the officer must continue in a forward motion unless failing to successfully complete one of the stations. The officer may immediately go back through that portion of the test twice more before failing the entire course. Time does not stop until completion of the course.

2.5.8.5.1 Description of Test

Begin

- 1) Enter and exit vehicle. Open vehicle door, sit in driver's seat, close door, fasten seat belt, unfasten belt, open door, exit vehicle.
- 2) Run approximately 110 yards.
- 3) Jump two hurdles (one foot and two feet in height).
- 4) Crawl over / jump a four foot wall.
- 5) Jump over a four foot wide area.
- 6) Walk / run the length of an eight foot railroad tie.
- 7) Weave through three traffic cones without knocking any cone over.
- 8) Crawl six feet under an obstacle three feet in height.
- 9) Run approximately 110 yards.
- 10) Enter through a window three and one-half feet above floor level. No diving through the window is allowed.
- 11) Ascend and descend a flight of steps six times. Each step must be stepped upon and use of the handrail is required.
- 12) Open and close a door.
- 13) Push and rotate 80 pounds through 180 degrees. Pull and rotate 80 pounds through 180 degrees.
- 14) Carry a thirty pound doll (or dumbbell) fifty feet. No dragging allowed.
- 15) Drag a 160 pound dummy 25 feet.
- 16) Dry fire a weapon six times with each hand. **End.**

2.5.8.5.2 Explanation of Test

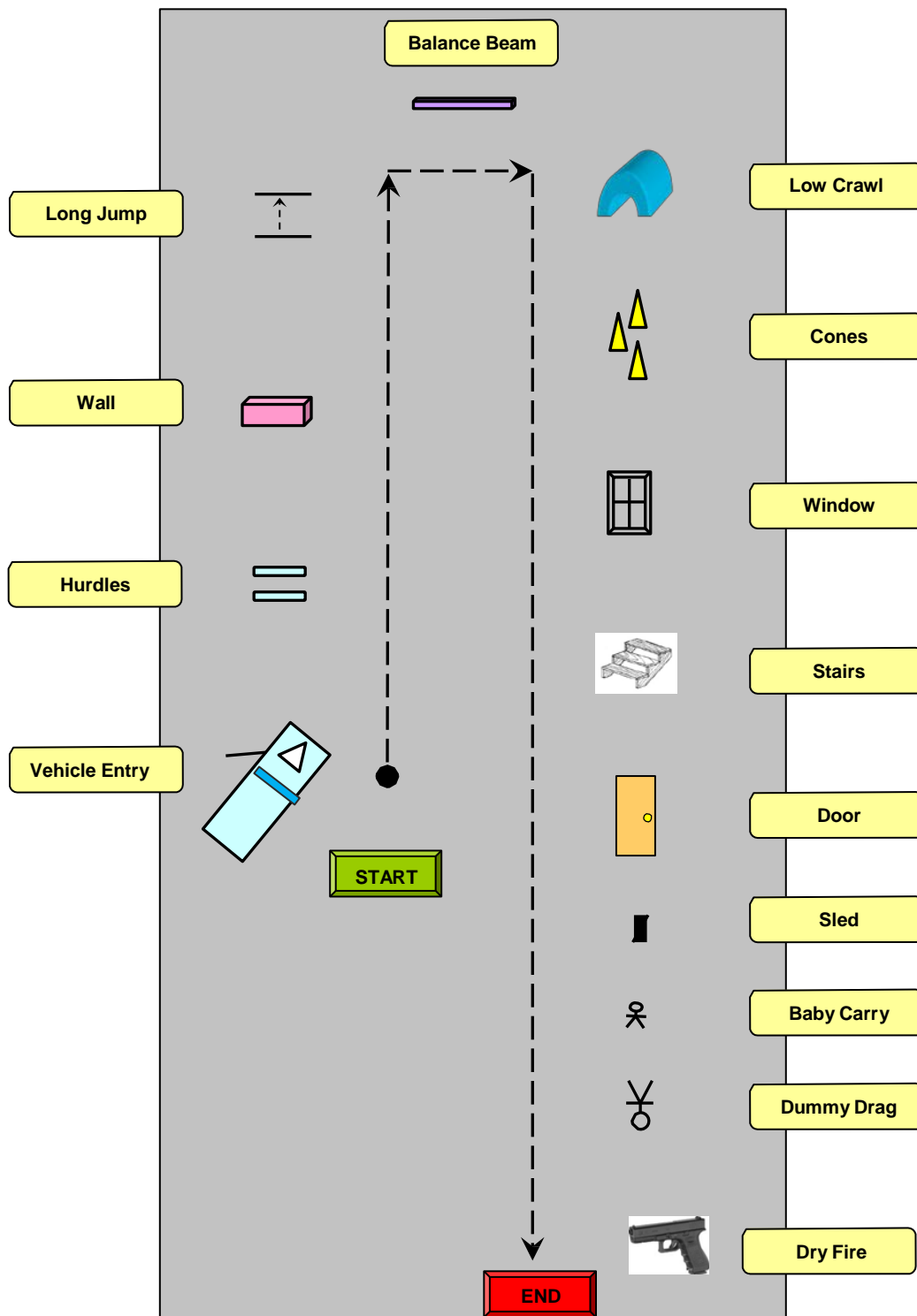
The explanation that follows corresponds by number to the numbered list in § 2.5.8.5.1 above.

- 1) Duplicates the daily task of getting in and out of vehicles.
- 2) Duplicates running after a fleeing subject.
- 3) Simulates small obstacles (bush, small fence, etc.) that an officer might have to jump over (height).
- 4) Simulates climbing over a four foot fence.
- 5) Simulates obstacles (water, ditch, etc.) an officer might have to jump over (distance).
- 6) Simulates running or walking over elevated objects while maintaining balance.
- 7) Simulates avoiding obstacles in your path (vehicles, trees, etc.).
- 8) Simulates crawling under obstacles (house, fence, etc.).
- 9) Continues in the duplication of running after a fleeing subject.
- 10) Duplicates entering and exiting a building by the use of a window.
- 11) Duplicates climbing and descending stairs.
- 12) Duplicates the daily task of opening doors.
- 13) Simulates controlling a resisting subject by controlling in both a pushing and pulling manner.
- 14) Simulates carrying small objects weighing approximately 30 pounds (children, animals, etc.)
- 15) Simulates dragging a weight of approximately 160 pounds (intoxicated subjects, elderly subjects, etc.)
- 16) Simulates firing your duty weapon.

Note: All of the measurements (distances, heights and weights) are averages of measurements that were taken from obstacles and records in Bowling Green, Kentucky, with the exception of the machine that simulates subjects resisting arrest.

(Remainder of page reserved.)

2.5.8.5.3 Diagram of Essential Skills Physical Test



2.5.8.5.4 Privileged Use of BGPD Fitness Center

The BGPD Fitness Center is available for use by any BGPD employee, once they have received required training. Family members or a single guest can accompany an employee and use the fitness center; the employee is responsible for their safety and conduct. Under the following guidelines, an employee's spouse or other immediate family member is permitted to use our facility unaccompanied:

- 1) Family members must be approved on an individual basis by the Chief of Police via a written request. A BGPD Fitness Center Agreement form and Liability Waiver can be obtained from a member of the training staff.
- 2) All Privileged Fitness Members (PFMs) must receive fitness center orientation and training from a member of the training staff.
- 3) The BGPD employee will arrange training for their PFM; both employee and PFM will sign the agreement concerning rules, liabilities, and responsibilities; the trainer will witness and sign the agreement.
- 4) Once the agreement is signed, the original will be forwarded to the office of the Chief of Police for assignment of an access code to the PFM. The access code will permit entry only through the rear door of the station and into the fitness center, including locker areas. Unaccompanied PFMs are not permitted to enter any other section of the building.
- 5) Once an access code is created for a PFM, it will be delivered to the PFM upon completion of the orientation by a training staff member.
- 6) The office of the Chief of Police will forward the signed agreement to the Fitness Coordinator, who shall maintain a list of PFMs. The list will be available through the BGPD computer system.
- 7) This privilege can be temporarily suspended by a BGPD Supervisor and the reason for suspension forwarded to the Fitness Coordinator.
- 8) This privilege can be permanently revoked at any time by the Chief of Police or his designee. Reasons or revocation include, but are not limited to: failure to follow Fitness Center rules, misuse of equipment, accessing off-limits sections of the building, or a request from the BGPD employee that co-signed the Fitness Center Agreement.
- 9) The Fitness Coordinator will immediately forward any privilege denials to the appropriate employee and the office of the Chief of Police. Upon receiving proper notification, the office of the Chief of Police will void the PFM's access code. It is the employee's responsibility to inform a PFM of privilege denial.

2.5.8.5.5 BGPD Fitness Center Rules

The BGPD will maintain and post a set of rules that anyone using the facility must abide by.

(Remainder of page reserved.)

2.5.9 WELLNESS PROGRAM

Research continues to prove a healthy, physically fit employee is a better, more confident employee capable of greater work output, higher quality work, using fewer sick days, incurring fewer job-related injuries, and handling stress better. A healthy lifestyle is a win-win situation: it benefits both employee and employer. Major elements involve physical fitness and health status; both elements can be altered by an individual's choice, with improvements shown almost immediately.

2.5.9.1 OBJECTIVE

The City of Bowling Green provides a wellness program for all city employees, covering topics such as medical screenings, smoking cessation opportunities, a health fair, etc. The BGD will supplement the City's program and strive to improve department employees' physical fitness levels through education, encouragement, and incentives. The voluntary program will include a year-round wellness program, and fitness assessments. Certified Fitness Instructors will be available to assist with training questions and progress. All employees will be encouraged to participate, with incentives provided for participation.

2.5.9.2 FITNESS ASSESSMENT

Participation in fitness assessments will be voluntary. Fitness ratings will be based on a scale used by DOCJT for fitness evaluations; the scale is not adjusted for age or sex.

Certified Fitness Instructors will assess participating employees in the areas of:

- a) Cardiovascular Capacity – 1.5 mile run,
- b) Anaerobic Power – 300 meter run,
- c) Muscular Endurance – pushups and sit-ups,
- d) Muscular Strength – maximum bench press (single repetition),
- e) Flexibility – sit and reach, and
- f) Body Composition – body composition test.

2.5.9.3 REQUIREMENTS OF THE WELLNESS PROGRAM

- 1) Participation in the Annual POPS fitness testing will be voluntary. Essential Skills testing will be conducted required twice annually. Officers are required to complete the Essential Skills testing once per year.

(Remainder of page reserved.)

2.5.10 UNIFORMS / EQUIPMENT (KACP)

Employees of BGPD are expected to present a clean, neat, and professional appearance and to dress safely in accordance with the position held. It is mandatory that, during working hours, under normal conditions, employees wear uniforms if provided to them by the City. Any time employees are on-duty or representing BGPD at any public event or training, they must adhere to these minimum dress code requirements.

Any employee uncertain as to the appropriateness of a particular item should consult with supervisory staff. Exceptions to the dress code can be made by supervision as the needs of the job dictate.

Sworn employees have been provided with guidelines pertaining to three distinct classes of uniforms:

- 1) Class A – Basic patrol uniform
- 2) Class B – Extreme conditions uniform
- 3) Class C – Special Duties uniform
- 4) Class D – Staff uniform

Department members who are authorized to wear civilian dress while on duty will dress in a "business-like" manner. Articles of clothing will be clean and well pressed, and may include, for example:

- For male members:suit, sport coat, sweater, or dress-type jacket with trousers, a shirt, tie (when appropriate), shoes, and socks
- For female members:a suit coat or blazer-type jacket with a dress, or a suit or blazer-type jacket with slacks or skirt; a blouse or sweater; shoes and socks/hose.

(Supervision may authorize exception to civilian dress requirements).

Sworn officers in civilian dress are required to have access to the following:

- firearm and ammunition,
- police identification,
- badge,
- handcuffs, and
- radio.

The Chief of Police is the final authority on all uniform related decisions. No unapproved/non-issued tactical or uniform item may be utilized on-duty prior to an approved test and evaluation process being initiated – and then only for the purpose of the test and evaluation process. (This does not include improvised weapons utilized during a physical confrontation.)

The testing and evaluation (T&E) of a tactical or uniform item must first be requested, via the appropriate chain of command, and approved by the Chief of Police prior to any T&E activity.

All testing and evaluation of tactical or uniform items will be at the direction of the Chief of Police, under the supervision of an assigned member of the agency, and limited in time and scope based on the item being tested and evaluated.

A written report will be submitted by the supervising agency member to the Chief of Police with the results of the T&E process for each item tested and evaluated.

The Chief of Police will authorize, in writing, the use of any tactical and/or uniform item that has been approved through the T&E process for on-duty use. This policy does not restrict the Chief of Police from approving a tactical or uniform item for on-duty use prior to a test and evaluation process.

2.5.10.1 CLASS A – DESCRIPTION OF THE BASIC UNIFORM AND PERSONAL EQUIPMENT

The Class A uniform is the basic uniform worn by BGPD officers and can be worn by all sworn personnel. The uniform is designed to clearly display a positive image of the department while being immediately recognizable as the Police. Each Class A uniform is equipped with patches on both sleeves and a badge that identify the officer as a member of the Bowling Green Police Department.

All uniformed Field Operations Bureau line personnel (Patrol Officers, Supervisors, and Shift Commanders) will wear bullet resistant vests (soft body armor) provided by the Department while in uniform, during all assigned duty, or when subpoenaed to court. Any officer working an off duty job in uniform will wear the complete uniform which will include the wearing of the vest.

All employees will maintain a high standard of dress and appearance. Uniforms will fit properly and should not fit tightly, appear too long, or excessively loose. Uniforms must be pressed as necessary and should be serviceable. Leather gear or uniform items that have become unserviceable should be replaced immediately. Officers will ensure that items carried in pockets do not protrude from the pocket or present a bulky appearance.

The wearing of a department issued uniform or accessory in combination with civilian clothing is prohibited unless exigent circumstances exist. The headgear approved for wear with the Class "A" uniform is the department issued service cap with the affixed hat badge and the issued togoggan. Baseball style caps are prohibited from being worn with the Class A uniform.

A detailed description of the Class A uniform and equipment is listed below:

- 1) A dark navy blue long sleeve shirt with Department patches on both sleeves;
 - a) The bottom of the long sleeve should extend to the bottom part of the wrist bone. Sleeves that extend well beyond the wrist or contain excess fabric should be altered.
 - b) The crease of the sleeve should not extend into the patch,
 - c) Black under shirt is to be worn with the issued uniform shirt.
- 2) A short sleeve shirt with Department patches on both sleeves.
 - a) Black under shirt is to be worn with the issued uniform shirt.
- 3) Dark navy blue trousers.
 - a) The bottom of the waistband rests on the hipbone. The waist fits with a slight amount of looseness, but should not form a pleated effect when the duty belt is worn.
 - b) The bottom edge of the front of the trouser leg rests on the middle of the instep and may have a slight break in the crease.
- 4) A dark navy blue departmentally issued hat with dark blue trim and silver braid (Ranking officers and officers with ten years or more, wear gold trim with gold braid.)
- 5) Black smooth leather or Clarino shoes or boots.
 - a) Footwear should be cleaned and shined,

- 6) Inclement weather gear.
- a) Rain cover for cap with grommet for hat badge exposure,
 - b) Raincoat with badge tab and short waist raincoat (reversible black with lime green),
 - c) Black leather gloves,
 - d) Black toboggan with BGPD embroidery,
 - e) Black under shirt is to be worn with the issued uniform shirt.
- 7) All-black Clarino leather gear & equipment. The set-up of the duty belt is based upon officer preference and policy. (Items listed below are required to be worn for all officers working patrol duties):
- a) Duty belt.
 - b) Security holster for Department approved weapon.
 - c) Ammo and pouch.
 - d) Handcuffs and case.
 - e) Radio and holder.
 - f) OC spray and case.
 - g) Baton and holder.
 - h) Assigned duty belt flashlight.
 - i) Surgical gloves.
 - k) Belt keepers.
 - l) Taser and holder.
- 8) Badges, rank, pins, etc:
- Items required on uniform shirts.
- a) Breast badge over left breast.
 - b) Name tag should be centered above the top edge of the right breast pocket. The bottom edge of the nameplate rests on the top edge of the pocket. If the nameplate is equipped with a serving since tab, the bottom of the tab should rest on the top edge of the pocket
 - c) Whistle and chain, with chain hooked to right epaulet and whistle placed in right pocket.
- Items permitted on uniform shirts.
- a) Authorized award ribbons. The ribbons should be worn in order of precedence from the wearer's right to left.
 - Medal of Honor.
 - Silver Cross,
 - Lifesaving Medal.
 - Distinguished Service.
 - Medal of Merit.
 - b) Ribbons that have been awarded on multiple occasions will be designated by a diamond centered in the middle of the ribbon.
 - c) The ribbon should be placed one half inch above and centered over the top edge of the nameplate.

- d) Multiple ribbons should be placed on an award bar slide holder, (double, triple variations are acceptable).
- e) Special unit pins (CRT, Motor, etc.) and other authorized pins should be placed one half inch above and centered over the top edge of the nameplate.
- f) Only one special unit or other authorized pin may be worn at a time.
- g) When a pin is worn in conjunction with ribbons it should be placed one half inch above and centered over the top edge of the ribbon.
- h) Training officer pins should be worn on the left breast pocket centered between the button and the top edge of the pocket.
- i) Firearm instructor pins and firearm related award pins should be worn on the right breast pocket centered between the button and the top edge of the pocket. (See 2.5.10.5).
- j) Only one pin should be worn on either pocket at a time.

Rank designations:

- a) Chief, Deputy Chiefs, Assistant Chiefs, Captains, and Sergeants: gold and silver badges with the rank printed on the badge.
- b) Patrol Officers, including Advanced and Master Police Officers: gold and silver badges and paraphernalia.
- c) Chief: gold eagles on collar, centered on both collars with the centerline of the insignia bisecting the points of each collar and positioned at least 1" up from the collar point.
- d) Deputy Chief: silver oak leaves on collar, centered on both collars with the centerline of the insignia bisecting the points of each collar and positioned at least 1" up from the collar point.
- e) Assistant Chief: gold oak leaves on collar, centered on both collars with the centerline of the insignia bisecting the points of each collar and positioned at least 1" up from the collar point.
- f) Captain: gold bars on collar, centered on both collars with the centerline of the insignia bisecting the points of each collar and positioned at least 1" up from the collar point.
- g) Sergeant: three gold chevrons on collar, centered on both collars with the centerline of the insignia bisecting the points of each collar and positioned at least 1" up from the collar point, three blue chevrons centered on each shirt sleeve midway between the shoulder and elbow, with the point of the chevrons facing upward.
- h) MPO: two gold or silver chevrons on collar, (gold chevrons after 10 years of service), two blue chevrons in the same fashion as Sergeant.
- i) APO: one silver chevron on collar, one blue chevron in the same fashion as Sergeant.
- j) Officer "BGPD" worn on collar just above or even with the stitching. The letters should be parallel with the edge of the collar.
- k) Only Departmentally issued chevrons are authorized to be worn with the BGPD uniforms

Jackets / outer wear.

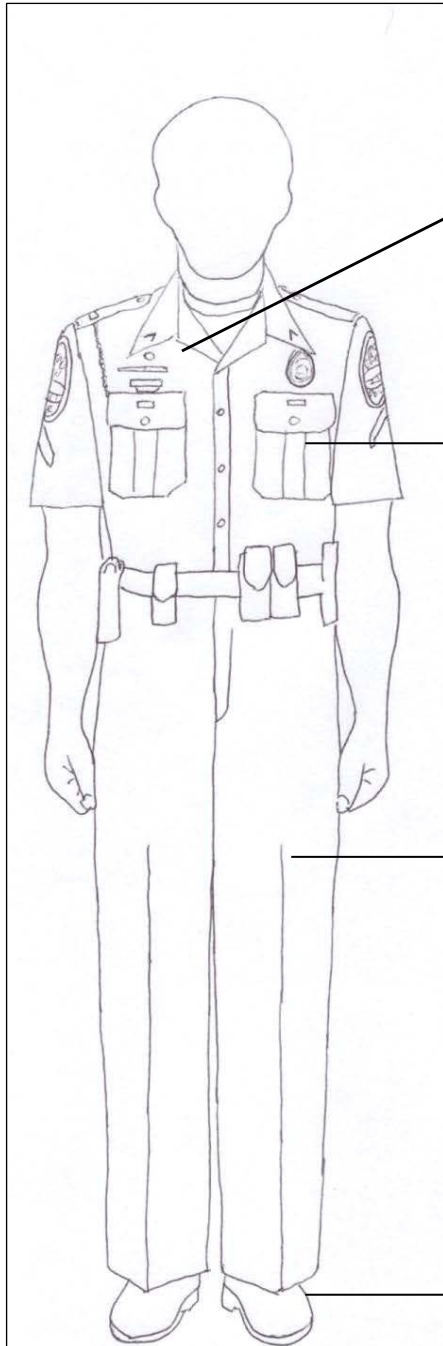
- a) Jackets and outer garments will be equipped with markings that identify the wearer as a BGPD officer. The rank designations are optional but if present are to be worn in the following manner:
- b) Chief, Deputy Chief, Assistant Chief, and Captain are to place their respective rank pins on the shoulder loops. Only non-subdued, pin-on grade insignia will be affixed to the garment. The rank will be placed

- near the seam opposite the button. The rank is placed parallel to the shoulder seam.
- c) SGT, MPO, APO, and Officers should have appropriate rank sewn on the sleeves in the same fashion as the uniform shirts.

(Remainder of page reserved.)

2.5.10.2

CLASS A UNIFORM: PLACEMENT AND ILLUSTRATION



Class A Uniform

Ribbons and medals worn above the name plate.

Pockets should not appear bulky or have any items protruding from them. No more than two pens should be visible at the top of the left pocket.

Trousers should be creased and appropriate length.

The uniform shoes should be free of dirt and appear clean. If leather, the shoes should be shined or wiped clean if Clarino style.

Rank Insignia



The insignia should be centered on both collars with the centerline of the insignia bisecting the points of each collar and positioned at least 1" up from the collar point. The bottom points of the insignia should not make contact with the seam of the collar. The insignia should be at least 1" from the collar point but may be up 1.5".

The "BGPD" insignia should be even with, or just above, the collar seam and centered.

Nameplate

“Serving Since” configuration



Probationary configuration



The name tag should be centered above the top edge of the right breast pocket. The bottom edge of the nameplate rests on the top edge of the pocket. If the nameplate is equipped with a serving since tab, the bottom of the tab should rest on the top edge of the pocket.

Long sleeve shirt collar



Short sleeve shirt collar



The shirt collar's top button should remain unbuttoned.

Pant length



The bottom edge of the front of the trouser leg rests on the middle of the instep and may have a slight break in the crease. Alterations should be made for inseams that are too long or cause excessive bunching of material.

Pin / Award placement



Firearm instructor pins and firearm related award pins should be worn on the right breast pocket centered between the button and the top edge of the pocket.

Training officer pins should be worn on the left breast pocket centered between the button and the top edge of the pocket.

Ribbons and Pins



The ribbons should be worn in order of precedence from the wearer's right to left. (1) Medal of Honor, (2) Silver Cross, (3) Lifesaving Medal, (4) Distinguished Service, (5) Medal of Merit. Ribbons that have been awarded on multiple occasions will be designated by a diamond centered in the middle of the ribbon. The ribbon should be placed one half inch above and centered over the top edge of the nameplate, multiple ribbons should be placed on an award bar slide holder, (double, triple variations are acceptable). (The ribbons can be the cloth or enamel variation).

Special unit pins (CRT, Motor, etc.) and other authorized pins should be placed one half inch above and centered over the top edge of the nameplate. Only one special unit or other authorized pin may be worn at a time. When a pin is worn in conjunction with ribbons it should be placed one half inch above and centered over the top edge of the ribbon.

2.5.10.3 CLASS B – DESCRIPTION OF THE EXTREME CONDITIONS UNIFORM AND PERSONAL EQUIPMENT

The Class B uniform is a variation of the patrol uniform worn by BGPD officers. The Class B uniform is designed to assist the officer maintain the same level of performance in extreme weather conditions. The uniform is designed to clearly display a positive image of the department while being immediately recognizable as the Police. Each Class B uniform is equipped with patches on both sleeves and a badge that identify the officer as a member of the Bowling Green Police Department. The Class B uniform utilizes patches and embroidery for rank and name designation. The Class B uniform is available to be worn in two variations, cold weather and hot weather.

All uniformed Patrol Division line personnel (Patrol Officers, Supervisors, and Shift Commanders) will wear bullet resistant vests (soft body armor) provided by the Department while in uniform, during all assigned duty, or when subpoenaed to court. CID personnel temporarily assigned to patrol duties will be held to the same standard.

All employees will maintain a high standard of dress and appearance. Uniforms will fit properly and should not fit tightly, appear too long, or excessively loose. Uniforms must be pressed as necessary and should be serviceable. Leather gear or uniform items that have become

unserviceable should be replaced immediately. Officers will ensure that items carried in pockets do not protrude from the pocket or present a bulky appearance.

The wearing of a department issued uniform or accessory in combination with civilian clothing is prohibited unless exigent circumstances exist. Department issued baseball style caps are approved to be worn with the Class B uniform.

The Class B is authorized for wear during extreme weather conditions when the projected air temperature is above 85°F or below 32°F for the majority of the assigned work period.

Ribbons and special unit pins are not approved to be worn on the Class B uniform.

A detailed description of the Class B uniform and equipment is listed below:

Extreme Cold

- 1) A dark navy blue long sleeve BDU style shirt with Department patches on both sleeves, embroidered name and badge;
 - a) The bottom of the long sleeve should extend to the bottom part of the wrist bone. Sleeves that extend well beyond the wrist or contain excess fabric should be altered.
 - b) The crease of the sleeve should not extend into the patch,
 - c) Black under shirt is to be worn with the issued uniform shirt.
- 2) Dark navy blue BDU style trousers.
 - a) The bottom of the waistband rests on the hipbone. The waist fits with a slight amount of looseness, but should not form a pleated effect when the duty belt is worn.
 - b) The bottom edge of the front of the trouser leg rests on the middle of the instep and may have a slight break in the crease.
- 3) A department issued BGPD baseball cap is approved to be worn with the Class B uniform.
- 4) Black smooth leather boots.
 - a) Footwear should be cleaned and shined,

Extreme Heat

- 1) A dark navy blue polo style short sleeve shirt with Department patches on both sleeves, embroidered name and badge;
 - a) The crease of the sleeve should not extend into the patch,
 - b) Black under shirt is to be worn with the issued uniform shirt.
- 2) Dark navy blue 511 style shorts with 11" or 9" inseam;
 - a) The bottom of the shorts should reach the knees.
- 3) A department issued BGPD baseball cap is approved to be worn with both variations of the Class B uniform.
- 4) Department issued black active wear shoes (athletic or bicycle).

Duty Belt

- 1) All-black Clarino leather gear & equipment is worn. The set-up of the duty belt is based upon officer preference and policy. (Items listed below are required to be worn for all officers working patrol duties):
 - a) Duty belt.
 - b) Security holster for Department approved weapon.
 - c) Ammo and pouch.
 - d) Handcuffs and case.
 - e) Radio and holder.
 - f) OC spray and case.
 - g) Baton and holder.
 - h) Assigned duty belt flashlight.
 - i) Surgical gloves.
 - k) Belt keepers.
 - l) Taser and holder.

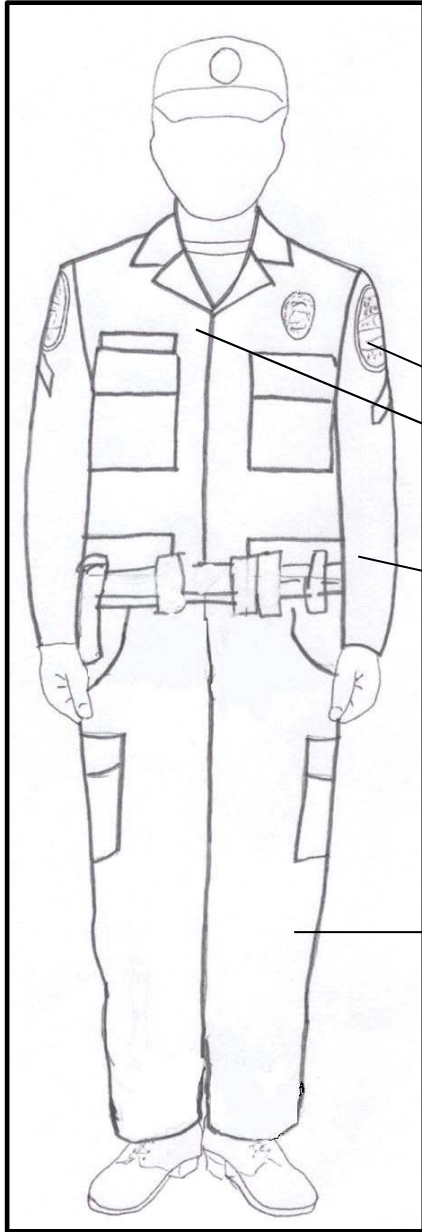
Supervisory discretion should be exercised in order to NOT make the Class B –Extreme Heat uniform a de facto summer uniform.

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2.5.10.4

CLASS B UNIFORM: PLACEMENT AND ILLUSTRATION

Class B Uniform – Extreme Cold



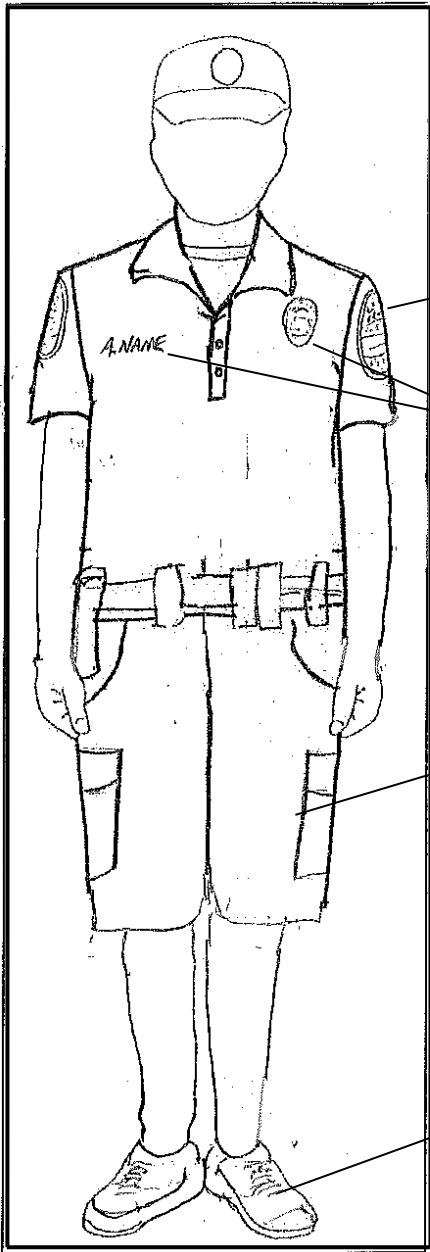
The Class B Extreme Cold uniform consists of a “BDU” style blouse and trouser. Nylon gear, black under shirt, and boots are to be worn with the uniform.

Patches and rank are displayed in a fashion similar to the Class A uniform.

Shirt sleeves may be rolled up above the elbow as desired. The roll should be even and symmetrical in a tight fashion.

Trousers should not be bloused in a military fashion. Rather they should be worn in a fashion similar to the Class A trousers.

**Class B Uniform –
Extreme Heat**



The Class B Hot Weather uniform consists of a dark navy, polo style blouse and shorts. Duty Belt, black under shirt, and black shoes are to be worn with the uniform.

Patches are displayed in a fashion similar to the Class A uniform.

The badge and name are embroidered on the shirt.

The uniform shorts should have a 9" or 11" inseam.

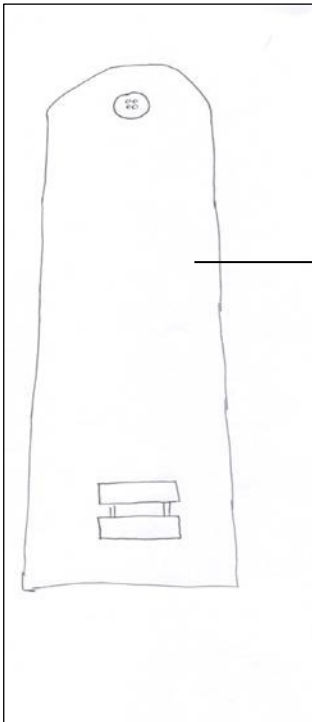
Athletic or bicycle shoes should be worn with black, ankle cut socks.

2.5.10.5

JACKETS / OUTER WEAR

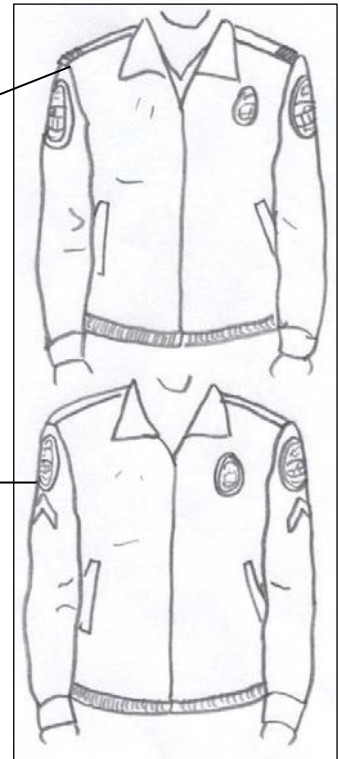
Jackets / Outer Wear

Use of the rank on the jacket is left to the officer's discretion. Guidelines are provided for those who choose to utilize the insignia.



Chief, Deputy Chief, Assistant Chief and Captain are to place their respective rank pins on the shoulder loops. Only non-subdued, pin-on grade insignia will be affixed to the garment. The rank will be placed near the seam opposite the button. The rank is placed parallel to the shoulder seam.

SGT, MPO, APO, and Officers should have appropriate rank attached to the sleeves in a fashion similar to the uniform shirts.



(Remainder of page reserved.)

2.5.10.6 CLASS C – DESCRIPTION OF THE SPECIAL DUTIES UNIFORM AND PERSONAL EQUIPMENT

The Class C uniform contains several subsets of uniforms designed to be worn by officers assigned to various specific assignments. Some are a direct variation of the patrol uniform worn by BGPD officers. Others, such as the CRT uniform appear completely different. The Class C uniforms are designed to clearly display a positive image of the department while being immediately recognizable as the Police. In addition, the Class C uniforms have an added level of functionality specific to the various assignments. Each Class C uniform is equipped with a badge and some other displayed patch that identifies the officer as a member of the Bowling Green Police Department.

All uniformed Patrol Division line personnel (Patrol Officers, Supervisors, and Shift Commanders) will wear bullet resistant vests (soft body armor) provided by the Department while in uniform, during all assigned duty, or when subpoenaed to court. However, in most cases the Class C uniform is not authorized to be worn for court testimony. CID personnel temporarily assigned to patrol duties will be held to the same standard.

All employees will maintain a high standard of dress and appearance. Uniforms will fit properly and should not fit tightly, appear too long, or excessively loose. Uniforms must be pressed as necessary and should be serviceable. Leather gear or uniform items that have become unserviceable should be replaced immediately. Officers will ensure that items carried in pockets do not protrude from the pocket or present a bulky appearance.

The wearing of a department issued uniform or accessory in combination with civilian clothing is prohibited unless exigent circumstances exist.

A detailed description of Class C uniforms is listed below:

- 1) Critical Response Team
 - a) A department issued long sleeve bdu style shirt with CRT patches on both sleeves, embroidered name and badge;
 - b) Department issued matching bdu style trousers.
 - c) Department issued leather boots.
 - d) Department issued baseball style hat with embroidered CRT emblem.

- 2) Motor
 - a) A Class A shirt worn in the normal fashion.
 - b) Department issued riding trousers equipped with a reflective stripe on both legs.
 - c) Department issued full length leather riding boots.
 - d) Department issued baseball style hat with motor emblem and embroidery.

- 3) Honor Guard
 - a) A dark navy blue dress jacket with department patches on both sleeves, gold lanyard from right shoulder,
 - b) Dark navy blue trousers,
 - c) Clarino style leather shoes,
 - d) White gloves,
 - d) Duty belt equipped with an over the shoulder strap connected near the firearm.
 - e) Department issued hat with hat badge.

- 4) Bicycle (Same as Extreme Heat)
 - a) A dark navy blue polo style short or long sleeve shirt with Department patches on both sleeves, embroidered name and badge;
 - I) The crease of the sleeve should not extend into the patch,
 - II) Black under shirt is to be worn with the issued uniform shirt.
 - b) Dark navy blue 511 style shorts with 11" or 9" inseam;
 - I) The bottom of the shorts should reach the knees.
 - c) A department issued BGPD baseball cap is approved to be worn with both variations of the Class B uniform.
 - d) Department issued black active wear shoes (athletic or bicycle).
 - e) Department issued bicycle glove
 - f) Department issued bicycle helmet
 - g) Department issued long riding pants

- 5) K9
 - a) Class B shirt with subdued patches.
 - b) Class B pants.
 - c) Leather boots.

2.5.10.7 CLASS D – DESCRIPTION OF THE STAFF UNIFORM

The Class D uniform is an "administrative" uniform. The Class D uniform will maintain a high standard of dress and appearance while being more practical in a non-patrol setting. The Class D uniform is authorized for wear under certain non-patrol related circumstances, to include daily use by the Training Staff, as directed by the Chief of Police.

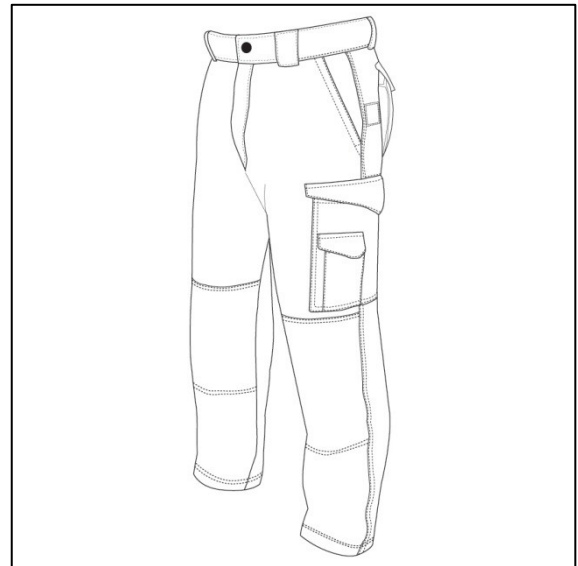
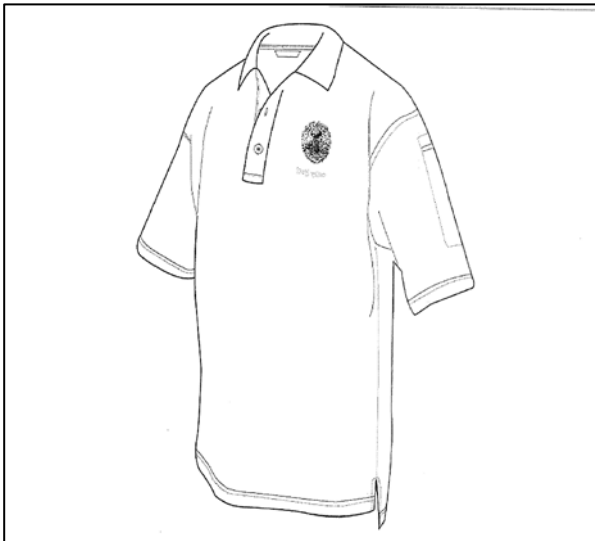
Sworn officers wearing Class D uniforms inside police headquarters are required to have access to the following:

- firearm and ammunition,
- police identification,
- badge,
- handcuffs, and
- radio

A detailed description of the Class D uniform and equipment is listed below:

- 1) A dark navy blue polo style long or short sleeve shirt with gold embroidered badge and corresponding title below;
- 2) Departmentally approved pair of tan trousers;
 - a) The bottom of the waistband rests on the hipbone. The waist fits with a slight amount of looseness, but should not form a pleated effect when the duty belt is worn.
 - b) The bottom edge of the front of the trouser leg rests on the middle of the instep and may have a slight break in the crease.
- 3) A department issued BGPLD baseball cap is approved to be worn with the Class D uniform.
- 4) Tan, brown, or black Departmentally issued shoe or boot (excluding Clarino). Non-issued (i.e., privately purchased) predominantly tan, brown, or black shoes may be worn, but only after approval from the Chief of Police.
- 5) Black or brown belt.
- 6) Training staff members are authorized to wear a red polo long or short sleeve shirt with gold embroidery while conducting training at the ATTC.

2.5.10.8 CLASS D UNIFORM: PLACEMENT AND ILLUSTRATION



2.5.10.9 UNIFORM / CLOTHING / EQUIPMENT COMBINATIONS (KACP 12.1)

Employees of BGPLD are expected to present a clean, neat, and professional appearance and to dress safely in accordance with the position held. It is mandatory that, during working hours in a patrol related task, employees wear uniforms if provided to them by the City. Any time employees

are on-duty or representing BGPLD at any public event or training, they must adhere to these minimum dress code requirements. Officers involved in take home fleet incidents would not be in violation of the policy.

Any employee uncertain as to the appropriateness of a particular item should consult with supervisory staff. Exceptions to the dress code can be made by supervision as the needs of the job dictate.

Department members who are authorized to wear civilian dress while on duty will dress in a "businesslike" manner. Articles of clothing will be clean and well pressed, and may include, for example:

- For male members:suit, sport coat, sweater, or dress-type jacket with trousers, a shirt, tie (when appropriate), shoes, and socks
- For female members:a suit coat or blazer-type jacket with a dress, or a suit or blazer-type jacket with slacks or skirt; a blouse or sweater; shoes and socks/hose.

(Supervision may authorize exception to civilian dress requirements.)

The wearing of a department issued uniform or accessory in combination with civilian clothing is prohibited unless exigent circumstances exist.

Sworn officers in civilian dress are required to have access to the following:

- firearm and ammunition,
- police identification,
- badge,
- handcuffs, and
- radio

2.5.10.10 PLAIN CLOTHES / ON-DUTY HOLSTERS – WEAPON RETENTION REQUIREMENTS

In order to enhance officer safety, while on-duty and in plain clothes all officers are required to secure their departmentally issued or approved primary duty weapon in a holster that has a positive engagement "automatic locking system" to secure the weapon. Any holster approved under this policy must automatically secure the weapon upon holstering.

Removal of the weapon from the holster must require an overt action to disengage the locking system prior to drawing the weapon. Holsters that have a passive retention system (only) that can be defeated by forcefully drawing the weapon (i.e., Fobus), even if canting the weapon is required for removal, will not be authorized under this policy.

Whenever practical, officers in plain clothes should wear their badge in close proximity to their weapon (i.e., belt clip) and make every effort to conceal their weapon from public view.

Exceptions may be made for undercover assignments where concealment of the weapon and/or badge is critical. This exception will require Chief of Police approval and may be authorized for a single assignment (i.e., -prostitution sting) or for an extended period (i.e., - DTF assignments). (See 3.1.9.1).

2.5.10.11 CIVILIAN UNIFORMS

Department uniforms are provided for the following civilian personnel:

- Pathfinders.
- Cadets.

2.5.10.12 INSPECTIONS

Supervision is expected to conduct regular weekly uniform and equipment inspections. Supervision is expected to conduct daily cursory uniform and equipment inspections.

Inspections should ensure:

- 1) Only authorized uniforms and equipment are worn,
- 2) Uniforms and equipment are worn properly,
- 3) Worn out uniforms and equipment are replaced, and
- 4) Appearances reflect positively upon the Department.

2.5.10.13 PERSONAL APPEARANCE (KACP)

- 1) When appearing in uniform - whether to and from work, or working an authorized off-duty job in uniform (see § 2.5.11 below) - the entire uniform shall be worn in proper fashion.
- 2) When on-duty but out of uniform § 2.5.10.13 below applies.
- 3) When appearing for court, whether a trial, hearing, or Grand Jury, the full uniform or plain clothes apparel previously described shall be worn.
- 4) During periods of severe weather conditions, supervision may authorize the use of non-approved items of clothing. The protection of health and safety are the deciding factors for such authorization. Supervision may withdraw authorization as soon as weather conditions improve.
- 5) The regular uniform duty hat should be readily accessible to the individual officer at all times and may be worn outside any time an officer is before the public in an official capacity. The hat shall be worn during the following:
 - a) When directing traffic, if practical,
 - b) When working a traffic collision, if practical,
 - c) When standing at attention at the entrance to a cemetery as part of a funeral escort,
 - d) On special assignments, and
 - e) At the direction of supervision.
- 6) Every member of the Department is expected to maintain grooming habits conducive to a professional police agency.

- a) Sworn **male** personnel grooming standards:
- The hair will be clipped at the edges of the side and back and will not fall below the collar's upper edge nor cover any part of the ear.
 - The back and sides of the head, below the hairline, will be shaved or trimmed.
 - Hair will be styled in such a manner so as not to interfere with the proper wearing of the uniform hat.
 - Sideburns will not extend below the bottom of the ear lobe.
 - The face will be clean shaven, except that a mustache is permitted.

If a mustache is worn, it will be neatly trimmed and will not extend below the upper lip or beyond the outer points of the lips, or be excessively bushy, rolled, or curled. (Approval of all mustaches remains the prerogative of the Chief of Police.)

- b) Sworn **female** personnel grooming standards:
- Hair will be neatly shaped and arranged and styled in manner which will not interfere with the proper wearing of the uniform hat.
 - The hair may touch the collar but may not fall below the collar's
 - Cosmetics may be applied conservatively, but exaggerated or unusual cosmetic styles are unacceptable.
- c) No visible tattoos are to be displayed while in departmental uniform and / or on-duty attire. (Any tattoo in place on an employee, which is visible while in uniform and / or on-duty attire prior to October 13, 2003, shall fall under a grandfather provision.)
- d) No visible body studs will be allowed and / or displayed while on-duty. (Any one currently authorized to wear a stud, will be covered under a grandfather provision.) In addition, due to safety concerns sworn police personnel will not wear ear rings while on duty.

Supervisory personnel may authorize exceptions to grooming standards under special conditions.

2.5.10.14 CIVILIAN DRESS CODE -- MINIMUM STANDARDS

Employees of BGPD are expected to present a clean, neat, and professional appearance and to dress safely in accordance with the position held. It is mandatory that, during working hours, employees wear uniforms if provided to them by the City. Any time employees are on-duty or representing BGPD at any public event or training, they must adhere to these minimum dress code requirements. Any employee uncertain as to the appropriateness of a particular item should consult with supervisory staff. Exceptions to the dress code can be made by supervision as the needs of the job dictate.

Employees who arrive at work inappropriately dressed may be sent home by a supervisor and directed to return to work in proper attire. Exceptions can be made by supervision for emergency call-ins or exigent circumstances.

2.5.10.14.1 Hair

- 1) Female employees – hair must be neat and clean and may be worn in a conservative style. Extreme styles are prohibited.
- 2) Male employees – hair must be neat and clean and may be worn in a conservative style not to extend below the bottom of the shirt collar. Extreme styles are prohibited.
- 3) Male employees – face is recommended to be clean shaven, however, moustaches and closely trimmed beards are permitted. If a moustache is worn, it will be neatly trimmed and will not extend below the upper lip or beyond the outer points of the lips, or be excessively bushy, rolled, or curled.
- 4) Male employees – sideburns will be neatly trimmed and will not extend below the bottom of the ear lobe unless part of a full beard.
- 5) Male employees – may have closely trimmed full beard or goatee that is not excessively bushy, rolled or curled.

2.5.10.14.2 Makeup, Tattoos, and Fingernails

- 1) The use of make-up and nail polish by female employees will be conservative. Exaggerated or unusual cosmetic styles are unacceptable.
- 2) Fingernails must be clean and well groomed. Length of nails must not interfere with work duties.
- 3) Tattoos must be covered while on duty.

2.5.10.14.3 Jewelry

Female employees will be permitted to wear a maximum of 3 earrings. Earrings will be of a conservative style and number and must not interfere with the operation of work related equipment or headsets. No other adornment of body piercing will be permitted while on duty (i.e., tongue piercing, eyebrow piercing).

2.5.10.14.4 Shirts

- 1) Shirts designed by the manufacturer to be tucked into the pant / skirt, shall be worn tucked inside the pants / skirt. Shirts designed by the manufacturer to be worn untucked may be worn outside the pant / skirt.
- 2) Shirts must be long enough so that no part of the back or midriff is exposed at any time during the course of duty or the shirt must be tucked in. Necklines must be conservative.
- 3) Shirts constructed of see through material will not be permitted.

- 4) Both male and female employees may wear an undershirt or turtleneck beneath their shirt.

2.5.10.14.5 Pants / Skirts / Dresses

- 1) Male employees will wear pants. Female employees may wear pants, skirts or dresses of conservative length and style. Capri length pants are acceptable, however, wearing excessively baggy or clingy material or active wear is not acceptable. Unacceptable clothing includes: leggings, stirrup pants, spandex, sweat pants / wind suit pants, and shorts / skorts.
- 2) Jeans may be worn on Friday or the day preceding a holiday adjacent to a weekend. They may also be worn if you are scheduled to work on a City approved holiday or as approved by the Chief of Police.
- 3) When shirts are tucked into the pants or skirt, if designed to wear a belt, a belt of a coordinating color and a conservative style must be worn. Belt packs (also known as fanny packs) will not be worn while on duty.

2.5.10.14.6 Shoes

Employees will wear shoes or boots of a conservative style and of coordinating color. All shoes should be kept clean and in good condition. Excessively worn or dirty shoes are unacceptable. Flip flops and thongs are not permitted. Shoes must be worn at all times.

2.5.10.14.7 Jackets / Sweaters

Employees may wear a jacket or sweater or fleece cardigan of a conservative style and of coordinating solid color while on duty.

2.5.10.14.8 Maternity Wear

Female employees who are pregnant may wear business casual maternity clothing during pregnancy.

2.5.10.15 UNIFORM ACQUISITION

The Logistics Captain is designated as the uniform coordinator and is responsible for obtaining bids and supplying uniform items. The Uniform Committee will periodically review all aspects pertaining to the basic uniform and its bid and purchasing procedures.

Recommendations will be made to the uniform coordinator. Any substantial changes in uniform or procedure will, subsequently, be referred to the Chief of Police.

Officers are provided with academy uniforms, leather gear, and related items. Upon successful completion of the training academy the officers are supplied with their initial issue of uniforms and related items

Newly-hired officers are supplied with the following:

- 1) Hat with hat badge
- 2) Five Class A - short sleeve shirts
- 3) Five Class A -long sleeve shirts
- 4) Five Class A - pairs of trousers
- 5) One pair of shoes / one pair of boots
- 6) Coat
- 7) Raincoat and cap cover
- 8) Set of leather gear
- 9) Badge, name tag, whistle and chain
- 10) Sweat shirt and pants
- 11) Running shoes
- 12) Bullet-resistant vest
- 13) Five T-shirts
- 14) ID / Wallet
- 15) Off-duty wallet badge
- 16) Class B extreme heat and extreme cold weather uniforms (one set, each)
- 17) Class D (one long sleeve, one short sleeve, two pairs of trousers)

2.5.10.16 UNIFORM REPLACEMENT

Newly hired officers are provided with all uniforms and equipment necessary to perform the essential functions of assigned tasks. When uniforms and equipment become unserviceable the department provides a replacement as needed. Should an officer damage a uniform item, or it becomes unserviceable from normal “wear and tear”, a uniform replacement request should be forwarded to the uniform coordinator for replacement. The Department will provide replacements to keep all uniformed officer with at least the minimum issue.

No unapproved/non-issued tactical or uniform item may be utilized on-duty prior to an approved test and evaluation process being initiated – and then only for the purpose of the test and evaluation process. (This does not include improvised weapons utilized during a physical confrontation.)

The testing and evaluation (T&E) of a tactical or uniform item must first be requested, via the appropriate chain of command, and approved by the Chief of Police prior to any T&E activity.

All testing and evaluation of tactical or uniform items will be at the direction of the Chief of Police, under the supervision of an assigned member of the agency, and limited in time and scope based on the item being tested and evaluated.

A written report will be submitted by the supervising agency member to the Chief of Police with the results of the T&E process for each item tested and evaluated.

The Chief of Police will authorize, in writing, the use of any tactical and/or uniform item that has been approved through the T&E process for on-duty use. This policy does not restrict the Chief of Police from approving a tactical or uniform item for on-duty use prior to a test and evaluation process.

(Remainder of page reserved.)

2.5.11 GENERAL POLICIES

2.5.11.1 EMPLOYMENT OUTSIDE OF THE DEPARTMENT

Employees may engage in off-duty employment only with the written approval of the Chief of Police and in accordance with the provisions outlined in the City Personnel Policy and Procedures Manual, Chapter VI.

Employees shall submit the "Outside Employment Approval Form" to the Chief. Approval must be granted prior to engaging in any off-duty employment.

Employees shall not engage in off-duty business or employment involving the sale or distribution of alcoholic beverages unless authorized by the Chief of Police, or engage in off-duty business or employment where such employment would constitute a clear conflict of interest.

2.5.11.2 RESIDENCE AND TELEPHONE

Residence requirements for all officers shall be in accordance with the City Personnel Policy and Procedures Manual, Chapter III (3-2.5). Officers shall immediately inform the Department any changes of address.

Officers shall have telephones and shall keep an up-to-date record of their number on file with the Department.

2.5.11.3 VOTER REGISTRATION

Members of the Bowling Green Police Department are not required to be registered voters.

2.5.11.4 EYEGLASS REPLACEMENT

Officers whose eyeglasses or contact lenses are damaged in the line of duty are entitled to reimbursement from the City. Requesting officers should submit a report describing incident or damage and personal replacement receipt costs.

End of Chapter 2.5

CHAPTER 2.6

CAREER DEVELOPMENT AND HIGHER EDUCATION

2.6 CHAPTER 2.6 - CAREER DEVELOPMENT AND HIGHER EDUCATION

This chapter sets forth the Department's process utilized to provide opportunities for individual growth and development. Related policies set forth the Department's training activities (§ 2.3) and the City's educational assistance opportunities (Administrative Personnel Policy and Procedures Manual for Classified Employees, Chapter IV).

2.6.1 DEFINITION, GOAL AND OBJECTIVE

2.6.1.1 DEFINITION

Career Development

Career development is the structured process that is utilized by the City and the Department to provide at all levels opportunities for individual growth and development.

2.6.1.2 GOAL

The Department's career development process seeks to promote productive, efficient, and effective job performance; improve the overall level of individual job satisfaction; and foster the improvement of personal skills, knowledge, and abilities of all sworn personnel.

2.6.1.3 OBJECTIVES

In order to encourage the personal and professional growth of its employees, the Department's career development policy is designed to provide a medium for job enrichment and career development. The objectives of career development are to:

- 1) Ensure that every sworn member of the Department receives adequate training in the skills necessary to provide police service consistent with overall Department goals;
- 2) Ensure that training is timely and up-to-date;
- 3) Provide training for personnel who:
 - Have been promoted and are required to participate in the advanced training specified in § 2.3.6.4 ;
 - Are in the position to receive the specialized training specified in §§ 2.3.6.5 and 2.3.6.6 ;
 - Have been determined by their Shift Captain and supervisors to need remedial training as specified in § 2.3.3.11 ; and
- 4) Provide educational opportunities and assistance.

2.6.2 DEPARTMENT CAREER DEVELOPMENT

2.6.2.1 DESCRIPTION

The Department's career development program consists of (1) the Department's training and career counseling program, and (2) the City's educational assistance program.

Upon appointment to probationary status, sworn personnel are enrolled in Police Basic Training. At the completion of basic, officers participate in the Department's Police Training Officer Program. (Completion of Police Basic or PTO Training is not to be considered as an organizational guarantee of position appointment within the Department until after the completion of probation.)

Members are required to participate in in-service training as specified in § 2.3.6 .

Promotion-related training is required as specified in §§ 2.3.6.4 and 2.3.6.5 .

All members are eligible to participate in the City's Educational Assistance Program as stated in Administrative Policy and Procedures Manual Chapter IV. (Completion of higher education courses or degree programs is not to be considered as an organizational guarantee or statement as to possible position appointment within the Department.)

2.6.2.2 CAREER COUNSELING AND IN-SERVICE TRAINING

At a minimum, career counseling for each sworn officer should consists of the following elements:

- 1) Administration of an annual performance evaluation;
- 2) An annual inventory update of the skills, knowledge, and abilities of each employee;
- 3) Correlating requests for enrollment into the available training scheduling and budget consideration; and
- 4) Maintenance of the following records:
 - a) Individual requests for enrollment in available training;
 - b) Individual training received;
 - c) Individual training scheduled;
 - d) A list of resources for anticipated training;
 - e) Participation in the DOCJT Career Development Program.

2.6.2.3 HIGHER EDUCATION

Higher education is encouraged with up to six credit hours cost being reimbursed per semester. Tuition reimbursement requirements for courses taken are outlined in the Administrative Personnel Policy and Procedures Manual, Chapter IV.

End of Chapter 2.6

CHAPTER 2.7

PROMOTION

2.7 CHAPTER 2.7 - PROMOTION

This chapter sets forth the Department's process for promotion.

2.7.1 DEFINITION AND GOAL

2.7.1.1 DEFINITION

Promotion

Promotion is the vertical movement in the Department hierarchy from one rank classification or position to another.

2.7.1.2 GOAL

The Department's promotional process seeks to identify and promote employees who have the potential for assuming greater responsibility and who possess the skills, knowledge, and abilities required to perform at that level.

2.7.2 DEPARTMENT PROMOTION PROCESS

2.7.2.1 DESCRIPTION

The Department's promotional process consists of the following:

- 1) Performance evaluation
- 2) Written test
- 3) Oral examination

The process results in the establishment of an eligible list, to be effective for a period of one year, for the following classifications:

- Police Sergeant
- Police Captain
- Assistant Chief of Police
- Deputy Chief of Police

For full description of the process, see City of Bowling Green Public Safety Promotional Procedures and City of Bowling Green Promotional Procedures for Police Chief and Fire Chief.

2.7.2.2 ADMINISTRATION (KACP)

The initiation and direction of the promotional process each year is the responsibility of the City's Human Resources Director. The schedule includes the following:

- 1) Notification posting,
- 2) A deadline for submission of promotional applications,
- 3) Employee performance evaluations,
- 4) A written examination study session,
- 5) Written exams,
- 6) Examination review/appeal sessions,
- 7) Receipt of official written test scores,
- 8) A professional review of any written examination appeals,
- 9) An oral examination study session,
- 10) Oral interviews,
- 11) Posting of final scores and eligibility lists, and
- 12) Eligibility list effective.

Performance evaluations are Departmental responsibilities of the following individuals:

For each candidate's job performance evaluation: his immediate supervisor.

The Chief recommends to the City Manager law enforcement professionals to serve on the Department's promotional oral boards. The Department also retains primary responsibility for all employees' probationary periods.

The promotional process is evaluated annually by the Chief and the Human Resources Director, and revised if necessary.

2.7.2.3 PURPOSE OF PROMOTIONAL PROCEDURES (KACP)

The Public Safety Promotional Procedures have been established to provide a fair means of promoting qualified employees from within the Department. The procedures are job related and nondiscriminatory. Any necessary revisions shall be approved by the City Manager and the City Commission.

The procedures apply to all sworn, hazardous-duty positions in the Department. The Chief has the authority to recommend which positions are to be covered by these procedures. Applicability of these procedures may change if a position is converted from hazardous-duty to civilian status or vice versa. Any such reclassifications shall be approved by the City Manager and the City Commission.

The Chief may recommend, and the City Manager and/or the City Commission may approve or disapprove, certain changes in classification or assignment. The promotional procedures shall not apply in the following instances: demotions, either disciplinary or economic; lateral transfers, either within classification or pay grade; and reassignment requested by an employee presently at a rank or classification allocated to a pay grade higher than that for the vacant position sought.

2.7.2.4 ELEMENTS OF PROMOTION PROCESS (KACP)

The City of Bowling Green Public Safety Promotional Procedures describes all of the elements used in the promotional process.

- 1) A promotional performance evaluation is performed for each candidate, which supplements the on-the-job annual performance evaluation. The candidate must be rated by his immediate supervisor as satisfactory in order to be eligible to take the written test.
- 2) Written examinations are administered for each classification. A passing score of 60% is required to qualify for the oral interview.
- 3) Oral interviews are conducted using uniform questions, a uniform rating scale, and a standardized form.
- 4) The promotional procedures pertain only to Departmental personnel, and do not permit lateral entry from other law enforcement agencies.
- 5) Any candidate eligible to compete for promotion to a higher rank must complete his twelve-month promotional probation prior to appointment to the higher rank. Section 3-5 of the City of Bowling Green Administrative Personnel Policy and Procedures Manual allows for an extended probationary period to assist the employee in resolving the problems that caused the extension.

The procedures used for promotions are job-related and nondiscriminatory. The written examinations and the oral interview format are developed by the City's testing consultants. The oral board chairman is trained by the consultants, and then provides training to the other oral board members in proper interview techniques and the questions and rating system. Written reports are provided after each test phase to assure that validity, utility, and fairness have been achieved. The written tests are administered by an independent consultant not employed by either the Police Department or the testing firm. See the City of Bowling Green Selection Procedures for related sections on the written examination, oral interview, and adverse impact. The manner in which promotional testing is handled is similar to the related selection procedures.

2.7.2.5 ANNOUNCEMENT OF PROMOTIONAL PROCESS (KACP)

As stated in the City of Bowling Green Public Safety Promotional Procedures the promotional process will be initiated each January. The notice of initiation of the process will be by administrative memorandum, to be posted in the prominent places throughout the Police Department at least 30 days prior to the written test. The Police Chief also assures that announcements will be made at staff and shift meetings. The announcement includes:

- 1) A copy of the promotional procedures, which include descriptions of the minimum eligibility requirements and the process used to select personnel for any vacancies,
- 2) A thorough description and salary range for each job classification for which testing will be held,
- 3) A schedule of dates, times, and locations of all elements of the process, and
- 4) An updated bibliography of reading materials used as the sources of questions. A separate bibliography is provided for each classification for which testing will be conducted. The reference lists are provided by the testing company and are revised annually. The majority of the questions on the written test come from this bibliography.

The promotional procedures also include: a formal qualifying period that continues until the closing date for submitting a completed application; the expected duration of the entire process;

the general format and length of the written examination; the cut-off score for written examination (60%); and the numerical weight assigned to the written and oral elements of the process (50%).

2.7.3 ELIGIBILITY LISTS

2.7.3.1 DEVELOPMENT

As soon as possible and within five working days after all phases of the process are complete, the Human Resources Director will post the official eligible list, which will include scores from both phases of the process each weighted 50% (written and oral interview). This posting will be made by written test identification number, with a separate alphabetical listing of names of eligible officers. This list will include only the names of those who have passed all necessary phases of the process and are actually eligible to be promoted.

In the event of a tie, the candidate with the most seniority in the Department will be ranked ahead of the candidate(s) with whom he tied.

2.7.3.2 USE

The eligible list remains in effect for one year from the first day of the month following final posting (June 1).

In the event of a vacancy, the Chief and/or the Department's two Deputy Chiefs may interview the eligible candidates. The Chief, in consultation with his staff, bases his appointment recommendation to the City Manager and Commission according to the consideration of such elements as each candidate's job-related experience, sick leave, disciplinary records, education, and Departmental interviews if they are held.

The Chief's recommendation contains a written explanation of his reason or reasons for each recommended appointment.

2.7.4 APPOINTMENT AND REVIEW

2.7.4.1 PROMOTION APPOINTMENT (KACP)

As a safeguard against the promotion of employees beyond their capability, the Department includes a probationary period as the final step in the promotion process. Upon appointment to probational vacancies, officers are on probationary status for one year from date of promotion.

Officers on probation should be closely observed and evaluated. An incumbent's probationary status may be extended or he may be returned by the Chief to his former rank, depending upon an evaluation of his progress. As early as possible during the probationary period, unsatisfactory

incumbents should be alerted about their need for improvement and told that lack of improvement would be cause for return to their former rank.

2.7.4.2 REVIEW AND APPEAL

The promotional procedures and other City Policies provide for the review and appeal by employees of adverse decisions concerning their eligibility for or appointment to promotional vacancies. This includes the following:

- 1) Each candidate may review the answer key to written examinations, and appeal any contested questions to the testing firm and an independent, third-party reviewer.
- 2) After completion of the appropriate testing phase, each candidate is provided a breakdown of his written test score by sub-test, and a copy of the section of the written report pertaining to his oral interview.
- 3) Any candidate rated as "unsatisfactory" on the promotional performance evaluation may appeal the rating to the Police Chief for final decision.
- 4) Any employee who feels that City policies were not applied or interpreted fairly may submit a grievance, as is provided in Section 6-7 of the City of Bowling Green Administrative Personnel Policy and Procedures Manual.
- 5) Any candidate who fails an element of the promotional process, or is not appointed during the life of the eligible list, may reapply and retest the next year, as long as he meets the minimum eligibility requirements.

(Remainder of page reserved.)

2.7.5 ADVANCED POLICE OFFICER / MASTER POLICE OFFICER / ADVANCED COMMUNICATIONS DISPATCHER PLAN

2.7.5.1 PURPOSE

The purpose of the Advanced Police Officer / Master Police Officer / Advanced Communications Dispatcher (APO/MPO/ACD) program is threefold:

- 1) Enhance the image of the police officer or dispatcher within the Bowling Green Police Department;
- 2) Provide more lateral opportunities to the police officers and dispatchers within the Department; and
- 3) Compensate police officers and dispatchers who have achieved a higher degree of skill and knowledge than that of the average police officer or dispatcher.

The Master/Advanced Police Officer may also be required to perform limited supervisory duties and responsibilities to assist in the daily operations of the department. The Advanced/Master Police Officer/Advanced Communications Dispatcher should be a highly skilled, experienced employee who can function at a high level of professionalism and skill with very little direct supervision. The Advanced/Master Police Officer/Advanced Communications Dispatcher will be expected to represent the Department in a favorable manner at all times.

2.7.5.2 ELIGIBILITY

All officers below the rank of Sergeant or dispatcher below the rank of supervisor and meeting the minimum requirements for Advanced Police Officer, or Master Police Officer, or Advanced Communications Dispatcher will be eligible to apply by the method described in § 2.7.5.4 below. If hired before July 1, 2012, the employee may choose the Kentucky Law Enforcement Council Career Development certificates outlined below. All officers or dispatchers hired after July 1, 2012 must seek APO/MPO or ACD by the KLEC CDP method described below. Employees seeking the CDP path must be off probation in order to be eligible.

2.7.5.3 CONDUCT

The Advanced Police Officer, and the Master Police Officer and Advanced Communications Dispatcher will be expected to maintain a higher standard of conduct than that of the average employee. All Advanced Police Officer, Master Police Officer, or Advanced Communications Dispatcher candidates will be expected to adhere stringently to the Code of Conduct policy outlined in § 2.10.2.2, code of conduct (kacp, see also § 3.1.4, code of ethics). Any misconduct may result in removal of the assignment and associated pay. Removal of assignment from APO/MPO/ACD will be for a minimum of one year. Employees having APO/MPO/ACD will be notified at the time of the removal when they may re-apply for the assignment.

2.7.5.4 APO/MPO/ACD APPLICATION PROCESS

- 1) Each officer or dispatcher will be responsible for completing and submitting his own application for consideration to the assignment of Advanced Police Officer and Master Police Officer, or Advanced Communications Dispatcher. Applications will be accepted year-round.
- 2) The Professional Standards Division Commander will be the department point of contact with the Kentucky Law Enforcement Council CDP program and will provide assistance to employees seeking CDP certificates.

When pursuing APO, MPO, or ACD, under the KLEC Career Development program, officers or dispatchers will be eligible for the assignment after completing probation. The employee must have at least a fully competent on their most recent employee evaluation. The employee will be eligible to apply for APO/MPO/ACD after receiving the below listed certificates corresponding to the appropriate assignment. (KLEC guidelines for each certificate must be met. Any changes made by KLEC to the forms or program should be considered changes to this policy).

KLEC: Certification Title	Current Title
Intermediate Law Enforcement Officer	APO
Law Enforcement Officer Investigator	APO
Advanced Law Enforcement Officer	MPO
Law Enforcement Officer Advanced Investigator	MPO
Intermediate Telecommunicator	ACD

Completed must be submitted to the employee's chain of command for consideration and approval. Approved applications will be forwarded through the Chief's office for approval by the City Manager.

Any supervisor recommending the denial of an APO/MPO/ACD application must attach a memorandum articulating the reason for denial prior to forwarding to the next in the chain of command.

(Remainder of page reserved.)

2.7.5.5 ASSIGNMENT PROCESS

All applications will be submitted to the Chief of Police through the chain of command. All approved applications for assignment to Advanced Police Officer and/or Master Police Officer or Advanced Communications Dispatcher will be forwarded to the City Manager by the Chief of Police for approval.

All assignments pertaining to the APO/MPO/ACD will be effective immediately upon approval by the Chief of Police. The associated pay increase will be effective the next pay period following approval by the City Manager.

2.7.5.6 APPEALS PROCESS

The appeals process will be the same as the procedure outlined in § 2.9.2, department grievance procedures.

(Remainder of page reserved.)

2.7.5.7 MINIMUM REQUIREMENTS

2.7.5.7.1 Advanced Police Officer

- 1) At least four (4) years of service with the Bowling Green Police Department.
- 2) Must have satisfactory evaluation for the most recent annual evaluation prior to application.
- 3) Must have accumulated at least 15 total points based on predetermined point values listed on the point value schedule.

Note: The Field Training Officer training is not a requirement for the Advanced Police Officer and the Master Police Officer positions. This training is in high demand and may take some time to schedule and obtain a confirmed class date.

NOTE

An officer may be assigned MPO/APO if the department did not provide an opportunity to attend FTO training.

Should an officer not meet this requirement because of class scheduling problems, the requirement may be temporarily waived pending successful completion.

OR for CDP path: (and all officers and dispatchers hired after July 1, 2012)

- 1) Be off probation
- 2) Have received at least a Fully Competent on most recent evaluation
- 3) Receive KLEC CDP certificate "Intermediate Law Enforcement Officer" or "Law Enforcement Officer Investigator"

2.7.5.7.2 Master Police Officer

- 1) At least seven (7) years of service with the Bowling Green Police Department.
- 2) Must have satisfactory evaluation for the most recent annual evaluation prior to application.
- 3) Must have accumulated at least 25 total points based on predetermined point values listed on the point value schedule.

OR for CDP path: (and all officers and dispatchers hired after July 1, 2012)

- 1) Be off probation
- 2) Have received at least a Fully Competent on most recent evaluation
- 3) Receive KLEC CDP certificate "Intermediate Law Enforcement Officer" or "Law Enforcement Officer Investigator"

2.7.5.7.3 Advanced Communications Dispatcher

- 1) Must have at least six (6) years of service with the Bowling Green Police Department.
- 2) Must have a satisfactory evaluation for the most recent annual evaluation prior to application.
- 3) Must have accumulated 20 total points (maximum of 15 points obtained by time in service based on the pre-determined point value on the point value schedule.

OR for CDP path: (and all officers and dispatchers hired after July 1, 2012)

- 1) Be off probation
- 2) Have received at least a Fully Competent on most recent evaluation
- 3) Receive KLEC CDP certificate "Intermediate Telecommunicator"

(Remainder of page reserved.)

2.7.5.8 POINT VALUE SCHEDULE

Option for APO/MPO if hired prior to July 1, 2012:

	<u>Points</u>
1) Education. Points awarded from one education category only.	
a) No degree but at least 30 hours of college credit	1
b) Associate Degree or at least 60 hours of college credit.....	2
c) At least 90 hours of college credit.....	3
d) Bachelor Degree.....	4
e) Any degree above a Bachelor Degree.....	6
2) Field Training Officer School.....	3
3) Crime Scene Processor	2
4) Investigations.....Includes accident reconstructionist, crime stoppers follow-up, criminal, juvenile, and drug investigation assignments. (Note: Only 2 points may be claimed from this category.).....	2
5) K-9 Officer.....	2
6) Critical Response Team Member.....	2
7) Neighborhood Response Team Member	2
8) School Resource Officer	2
9) Logistics Division.....	2
10) Instructor (Note: Only 2 points may be claimed from this category.).....	2
11) Community InvolvementCommunity Involvement may be defined as participation in any community benefiting activity on an on- going basis (i.e., volunteer work with a non-profit organization), not just membership in the organization. Your letter should describe your participation.	2
12) Pathfinder Advisor..... Pathfinder points awarded as long as the person satisfactorily meets the requirements of this position as outlined in the Pathfinder guidelines. Also, Community Involvement points may not be claimed for participation with Pathfinders.	2
13) Years of Police Service	
a) Points per <u>year</u> with BGPD	2
b) Points per <u>year</u> with other agency.....The other agency must require police academy training of at least 400 hours and the officer must have attended the required training in order to claim the 1 point per year for their years of service with another agency.....	1

(End of Point Value Schedule.)

Option for ACD if hired before July 1, 2012:

MINIMUM REQUIREMENTS

1. Must have at least six (6) years of service with the Bowling Green Police Department.
2. Must have a satisfactory evaluation for the most recent annual evaluation prior to application.

3. Must have accumulated 20 total points (maximum of 15 points obtained by time in service) based on the pre-determined point value on the point value schedule.

<u>CATEGORY</u>	<u>POINTS</u>
Years of Service	1 point per year for 1 st ten years and ½ point per year thereafter, not to exceed 15 points
Experience as Dispatcher with another agency	1 point (Must have completed certification through DOCJT while employed at another agency)
Education	1 point for 30+ hours; 2 points for 60+ hours; 4 points for BA degree and above
Communications Training Officer	2 points 1 additional point if CTO class at DOCJT has been completed
Community Involvement*	1 point

* Community Involvement will be defined as documented, ongoing (regular) participation in any registered non-profit organization within Warren County, Kentucky designed to provide a positive benefit to the citizens or Warren County, Kentucky. Note: Ongoing (regular) participation will be defined as attending at least 50% of planned meetings or events sponsored by the organization annually.

ADDITIONAL RESPONSIBILITIES

- | | |
|--|--|
| 1. Third party Checking of NCIC entries, modifications and clearances | 1 point
1 point additional if TAC/Advanced CJIS class at DOCJT has been completed* |
| 2. Domestic Violence Validations | 1 point
1 point additional if TAC/Advanced CJIS class at DOCJT has been completed* |
| 3. Prepare and facilitate training scenarios for the Communications Division to enhance job performance | 1 point (must provide training scenarios quarterly as approved by the Communications Center Manager) |
| 1. Maintain accuracy of CAD emergency contact and locations information. Information must be kept current. | 1 point |
| 2. Review 911 call printouts monthly and send in corrections as needed. Information must be kept current. | 1 point |
| 7. Attend additional training classes that will | ½ point for each course attended. |

- | | |
|--|--|
| enhance job performance | Course sessions must be a minimum of 8 hours. |
| 8. Active participation on Departmental/City committees that meet at least 5 times | ½ point for 80% attendance minimum |
| 9. Miscellaneous duties | ½ point for combination of duties as approved by Communications Center Manager |

* The one additional point for completion of TAC/Advanced CJIS class can only be earned one time even if the Dispatcher performs more than one of the listed duties.

(Remainder of page reserved.)

2.7.5.1 APO / MPO/ ACD APPLICATION FOR APPOINTMENT

Name: _____

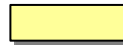
Applying for: **MPO / APO**

CDP Path (proceed to signature lines)

MPO / APO

Category	Pts (Circle)	Documentation Required / Approval Authority	Approval Signature
Education, Degree above BA / BS. (Points awarded from one education category only)	6	Transcript / Professional Standards Major	
Education, Bachelor Degree. (Points awarded from one education category only)	4	Transcript / Professional Standards Major	
Education, 90+ hrs. (Points awarded from one education category only)	3	Transcript / Professional Standards Major	
Education, Associate Degree or 60+ hrs. (Points awarded from one education category only)	2	Transcript / Professional Standards Major	
Education, 30+ hrs (Points awarded from one education category only)	1	Transcript / Professional Standards Major	
Field Training Officer – Training Experience Required.	4	Professional Standards Major	
Crime Scene Processor (CSP)	2	CSP Captain	
Advanced CSP (additional points)	2	CSP Captain	
Investigations: includes accident reconstruction, criminal, & drug. (2 pts only may be claimed)	2	Investigations Major / Patrol Major	
K-9 Officer	2	Patrol Ops Major	
Critical Response Team Member	2	CRT Team Member	
Logistics Division	2	Logistics Major	
Instructor, (2 pts only may be claimed). List type of instructor: _____	2	Professional Standards Major	
Community Involvement (2 pts only may be claimed). List Activity: _____	2	Letter from agency / Chain of Command Major	
Pathfinder Advisor	2	Patrol Ops Major	
Honor Guard (past or current)	1	Patrol Ops Major	
Police Bicycle Certification	1	Professional Standards Major	
Police Motorcycle Certification	1	Professional Standards Major	
Crisis Hostage Negotiator	2	Professional Standards Major	
Continuous Yrs of BGPD Sworn Service, Hire date: _____	2 pts / yr	Professional Standards Major	
Yrs of other Agency Police Sworn Service or past service with BGPD: Agency Name: _____ Employment Date (Beg/End): _____ Agency Name: _____ Employment Date (Beg/End): _____ (Pts awarded for 1 yr intervals only per agency.)	1 pt per yr <u>4 max</u>	Professional Standards Major	

Total Points:



**15 points required for APO.
25 points required for MPO.**

The applicant, by signing below, understands that any documentation required to support a category must be provided by him or her and, the applicant attests that the information provided on this application is accurate and complete to the best of his or her knowledge and belief.

Applicant:	_____	Date:	_____		
Supervisor:	_____	Date:	_____	Approved	Denied
Captain:	_____	Date:	_____	Approved	Denied
Major:	_____	Date:	_____	Approved	Denied
Deputy Chief:	_____	Date:	_____	Approved	Denied
Chief:	_____	Date:	_____	Approved	Denied

Authorization for Assignment:

City Manager _____ **Date:** _____

2.7.5.2 APO / MPO/ ACD APPLICATION FOR APPOINTMENT

Name: _____

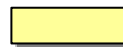
Applying for: **ACD**

CDP Path (proceed to signature lines)

ACD

Category	Pts (Circle)	Documentation Required / Approval Authority	Approval Signature
Education, Degree above BA / BS. (Points awarded from one education category only)	4	Transcript / Professional Standards Major	
Education, (60+ college hours). (Points awarded from one education category only)	2	Transcript / Professional Standards Major	
Education, (30+ college hours), (Points awarded from one education category only)	1	Transcript / Professional Standards Major	
Years of Service – Bowling Green Police Dept (include date of hire _____) 1 point per year for 1 st ten years and 1/2 point per year thereafter not to exceed 15 points	<u> </u> 15 max	Communications Manager	
Experience certified at other agency. Agency Name: _____ Employment Date (Beg/End): _____	1	Professional Standards Major	
Communications Training Officer	2	Transcript/ Professional Standards Major	
Completion of CTO class at DOCJT (70% grade or higher)	1	Transcript/Professional Standards Major	
Community Involvement (list activity) _____	2	Letter from agency/ Communications Manager	
NCIC Third Party Checks	1	Communications Manager	
Completion of DOCJT TAC/ Advanced CJIS class (70% grade or higher)	1	Transcript/ Professional Standards Major	
Review 911 printouts	1	Communications Manager	
Prepare/facilitate division training	1	Communications Manager	
CAD file maintenance	1	Communications Manager	
Pathfinder Advisor	1	Patrol Opns Major	
Active participation on departmental/city committees (80% attendance minimum).	1/2	Statement from committee chairperson / Communications Manager	
Attend additional job related classes	1/2	Documentation of attendance/ Communications Manager	
Additional miscellaneous duties	1/2	Communications Manager	

Total Points:



20 points required for ACD

The applicant, by signing below, understands that any documentation required to support a category must be provided by him or her and, the applicant attests that the information provided on this application is accurate and complete to the best of his or her knowledge and belief.

Applicant: _____	Date: _____		
Supervisor: _____	Date: _____	Approved	Denied
Manager: _____	Date: _____	Approved	Denied
Deputy Chief: _____	Date: _____	Approved	Denied
Chief: _____	Date: _____	Approved	Denied

Authorization for Assignment:

City Manager _____ **Date:** _____

End of Chapter 2.7

CHAPTER 2.8

PERFORMANCE EVALUATION

2.8 CHAPTER 2.8 - PERFORMANCE EVALUATION

This chapter sets forth the Department's performance evaluation system. There is a direct relationship between performance evaluation and the subjects dealt with in other chapters, particularly those on recruitment (§ 2.1), selection (§ 2.2), career development (§ 2.6), promotion (§ 2.7), classification (§ 2.4), and grievance procedures (§ 2.9). This relationship is based on the fact that the nature and quality of the employees' performance must have a bearing on their working life in the Department; on the manner in which they relate to management; and on their assignment, advancements, and promotions.

2.8.1 DEFINITION, GOAL AND POLICY, AND OBJECTIVE

2.8.1.1 DEFINITION

Performance Evaluation	Performance evaluation is the measurement of the worker's on-the-job performance of assigned duties by the employee's supervisor.
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2.8.1.2 GOAL AND POLICY

The Department's performance evaluation system is intended to provide an objective measure of member performance and to assist in employee development.

2.8.1.3 OBJECTIVES

The Department's evaluation system seeks to:

- 1) Clarify employee perceptions of Department goals and objectives;
- 2) Provide constructive feedback on the degree to which employees are meeting goals and objectives;
- 3) Provide supervisory staff with information regarding employee:
 - a) Training needs,
 - b) Effectiveness in assignment, and
 - c) Suitability for new assignment;
- 4) Recognize employees whose performance meets or exceeds Department goals;
- 5) Reduce the influence of personal bias often fostered through informal evaluations of performance;
- 6) Ensure uniformity of ratings by having the rater's supervisor evaluate the completed appraisal for fairness and impartiality; and
- 7) For probationary personnel, ascertain whether they can actually perform required functions.

2.8.2 DEPARTMENT PERFORMANCE EVALUATION SYSTEM

2.8.2.1 PURPOSE

An evaluation system serves both management and the employee. Performance evaluation should be viewed by the supervisor as well as by the employee as a positive means of improving individual performance. Performance deficiencies should be detected and proper measures taken to correct them. Performance evaluation should not be construed as a punitive measure, nor should employees feel threatened by performance evaluation.

2.8.2.2 DESCRIPTION (KACP)

- 1) The performance evaluation system is described in Section 2-7 of the City of Bowling Green Administrative Personnel Policy and Procedures Manual. Instructions are also provided to raters on the Instructions to Evaluator form attached to each performance evaluation form.
- 2) The performance evaluation system includes the following:
 - a).. Performance Levels: The rating process is described on the instruction form, and includes a rating scale and related definitions.
 - b).. Procedures for use of forms: The evaluation process is described on the instruction form and in Section 2-7 of the personnel manual.
 - c).. Rater responsibilities: The rater is responsible for careful, fair evaluation of the employee's performance for the entire period covered by the evaluation. The ratings should be substantiated by facts, careful observation, and notes from previous informal review. The supervisor shall discuss the evaluation with the employee.
 - d).. Rater training: Whenever a new supervisor becomes responsible for the evaluation of another employee, he shall receive appropriate and sufficient training from his immediate supervisor on the Departmental performance evaluation system, measurement definitions, procedures for use of forms, and rater responsibilities. Training shall stress the importance of impartial ratings, the rater's role in the performance evaluation system, and how to counsel and guide employees.
- 3) The following performance evaluations are conducted within the Department:
 - a).. Performance Planning: The development of a list of performance objectives by the employee and their supervisor to be accomplished during the performance review period.
 - b).. Progress Review: Mid-year discussion of progress toward accomplishing objectives.
 - c).. Annual Review: A review at the end of the annual performance management period.

- 4) An employee's performance, gives information concerning suitability for assignment, training needs, ability for absorbing more responsibilities, and effectiveness in the assigned position. Evaluations of performance are conducted according to the following procedures:
 - a) Each employee is counseled at the beginning of the performance review period by their supervisor. Counseling may include:
 - Tasks of the employee's position;
 - Performance expectations of the rater; and
 - The evaluation rating criteria to be applied.
 - b) Each employee's performance is documented on the City of Bowling Green Employee Performance Management Report.
 - c) Evaluation of the employee's performance covers a specific period, i.e., the Annual Review noted above, which is shown on the completed form.
 - d) Evaluations are based only on performance during the rating period (Performance of the employee prior to or following the rating period should be excluded in the ratings.).
 - e) Each employee is given the opportunity to sign the completed performance evaluation report to indicate that he has read it.
 - f) A copy of the completed evaluation report is provided to the employee.
 - g) Each performance evaluation report is reviewed and signed by the rater's supervisor.
 - h) Evaluation reports are then submitted to the Human Resources Director.
- 5) Criteria used for performance evaluation are specific to the position occupied by the employee. Tasks of the position and required knowledge, skills, and abilities, as set forth in the job description, form the basis for the factors to be evaluated in the performance evaluation.

2.8.2.3 ADMINISTRATION AND MANAGEMENT (KACP)

Administration of the overall performance evaluation system is the responsibility of the City's Human Resources Director. Completed evaluations are filed in his office.

Personnel assigned to conduct employee evaluations have been trained by their supervisor in conducting employee evaluations.

Employees are rated by their immediate supervisor. The raters are evaluated by their supervisors regarding the quality of ratings given employees. Supervisors shall evaluate raters according to the following criteria (see also rating forms):

- The fairness and impartiality of ratings given,
- Their participation in counseling and guidance for rated employees, and
- Their ability to carry out the rater's role in the performance evaluation system.

(Remainder of page reserved.)

2.8.3 UTILIZATION (KACP)

2.8.3.1 GENERAL DESCRIPTION (KACP)

A separate set of criteria is used in rating of personnel on probation in order to determine, at the earliest point, their suitability for continued employment (see rating form). The principal objective of supervisors rating probationary employees is to ascertain whether they can actually perform the required functions. Probationary personnel are rated every month.

After probation, evaluation reports should form a key resource for actions to be taken by management regarding individual:

- Career development (§ 2.6.2), and
- Promotion (§ 2.7.2).

2.8.3.2 USING THE PERFORMANCE EVALUATION FORM

Evaluators are referred to the instructions on the evaluation form. Raters should be prepared to fully substantiate ratings in the lowest or highest categories and give specific reasons for the ratings through a narrative comment.

2.8.3.3 THE APPRAISAL INTERVIEW

Supervisors should begin every rating period with employee counseling on the following:

- 1) Position tasks, duties, and responsibilities;
- 2) Level of performance expected; and
- 3) Evaluation rating criteria.

Performance appraisal interviews are conducted by the evaluating supervisor to:

- 1) Explain the evaluation,
- 2) Solicit oral or written comments by the employee, and
- 3) Give the employee the opportunity to sign the completed evaluation report.

2.8.3.4 UNSATISFACTORY PERFORMANCE

- 1) Employees shall be advised in writing whenever their performance is deemed to be unsatisfactory. The written notification will include the following items and must be preceded by an interview between the immediate supervisor and the involved member:
 - a) The job performance that is deficient, and
 - b) Actions that should be taken to improve his or her performance.

- 2) Written notification of unsatisfactory performance should be tendered to the member at least 90 days prior to the end of the rating period in order to allow the member time to take appropriate corrective action. The supervisor must be prepared to substantiate ratings at the unsatisfactory level.
- 3) Evaluation reports express the judgment of the rater and, as such, are not subject to the full grievance process. However, employees may request additional review by the Chief of Police and may offer their own statistical or opinion information. The review process is intended to ensure fairness, uniformity, and validity.
- 4) Performance evaluations are permanently filed within personnel files by the Human Resources Director.

End of Chapter 2.8

CHAPTER 2.9

GRIEVANCE PROCEDURES

2.9 CHAPTER 2.9 - GRIEVANCE PROCEDURES

This chapter sets forth the Department's grievance procedures. Policies are intended to form viable procedures in accordance with contemporary personnel administration practices.

2.9.1 DEFINITION AND GOAL

2.9.1.1 DEFINITION (KACP)

Grievance	<p>A complaint or dispute relative to an employee's employment; a circumstance or condition which a member feels to be unjust or unfair and which cannot be resolved by his immediate supervisor to the satisfaction of the member. (A complaint or superior/subordinate conversation involving some area of subordinate dissatisfaction is not considered a formal grievance within the meaning of these procedures unless an impasse regarding disposition of the issue has been reached between the member and the immediate supervisor.) Grievances may include the following:</p> <ol style="list-style-type: none"> 1) An issue of a personal nature relating to a problem between members; 2) Disciplinary actions, including dismissals, demotions, and suspensions; 3) An issue of a technical nature relating to Department or City policy or procedures, including the proper application or interpretation of personnel policies, procedures, rules and regulations; 4) Acts of reprisal for using the grievance procedure; or for participation in the grievance of another employee; or 5) Any other issue which is not precluded from the grievance process.
Grievant	<p>A Department member who feels unjustly or unfairly affected by a circumstance and who desires to bring the matter to higher authority for resolution.</p>
Grievance Procedure	<p>An element of the City and Department's formal personnel system designed to resolve differences between the employee and the employer. This procedure shall not apply when the following procedures are used:</p> <ol style="list-style-type: none"> 1) Any employee aggrieved by a City Manager decision relating to suspension, demotion, or dismissal may appeal to the Personnel Board as provided in Chapter VI of the <u>Administrative Policy and Procedures Manual</u>. 2) Appeals based on alleged discrimination on the basis of race, religion, color, national origin, sex, age, handicap, or other protected classifications shall be handled by the procedures outlined in the City's Affirmative Action Plan.

2.9.1.2 GOAL

The Department's grievance procedures seek to allow employees to resolve their grievances with management fairly and expeditiously.

(Remainder of page reserved.)

2.9.2 DEPARTMENT GRIEVANCE PROCEDURES

2.9.2.1 GENERAL GUIDELINES

It is the desire of the City and the Department to resolve grievances informally. Both supervisors and employees are expected to make every effort to resolve problems as they arise. It is expected that grievances will not be initiated unless the member believes that the situation has merit and is appropriate to the grievance process. The following matters are not subject to the grievance process:

- 1) Pay schedules, or
- 2) Individual job assignment unless a member feels that a particular assignment is unfair and is part of a pattern of such assignments.

The procedure, general provisions, and conduct of the personnel board hearing sections of the City's Administrative Personnel Policy and Procedures Manual shall apply to the Police Department except any portions in conflict with KRS Chapter 95 for sworn police personnel shall be superseded by state law, and the remedies provided in said statutes shall apply.

- 1) Under certain conditions specified in KRS 95.450, charges must be preferred and a hearing conducted before a police officer may be reprimanded, dismissed, suspended or reduced in grade or pay. Charges must be filed with and the hearing conducted by the Board of Commissioners.
- 2) Administrative due process rights are specified in KRS 15.520, relating to the manner of investigating and hearing complaints against police officers.
- 3) Law enforcement officers have the option to resolve their grievances through either the grievance procedure, or the provisions in KRS 95.450 and/or KRS 15.520, depending on the specific circumstances and applicability of State law.

2.9.2.2 PROCEDURE (KACP)

- 1) Within thirty calendar days after the occurrence or condition giving rise to a grievance, the affected employee shall first discuss the grievance with his immediate supervisor, who shall make careful inquiry into the facts and circumstances of the complaint. The Supervisor shall attempt to resolve the problem promptly (within three working days) and fairly.
- 2) In the event an employee is dissatisfied with the decision of his supervisor he may submit the grievance to the Chief and shall specify the remedy he expects to obtain through use of this procedure. Supplemental to the City administrative manual, the following written communication procedures apply:
 - a) A formal grievance shall be submitted to (1) the Chief of Police (2) through the chain of command. It shall include the following elements:
 - a written statement of the grievance and the facts upon which it is based;
 - a written allegation of the specific wrongful act and harm done; and
 - a written statement of the remedy or adjustment sought.
 - b) The grievant shall use the specified Departmental written communication system, i.e., memoranda, for the submission of any formal grievance.

- c) Each supervisor between the writer and the Chief shall read, review, and initial the memorandum.
 - d) Each supervisor between the writer and the Chief may add attachment(s) to the communication containing concurring information, dissenting information, or additional information.
 - e) Each supervisor between the writer and the Chief shall keep the communication only long enough to read, review, add to if necessary, and initial (no more than three working days). It shall then be sent immediately to the next person in the chain of command.
 - f) The Chief shall:
 - acknowledge receipt by noting time and date;
 - analyze the facts or allegations;
 - affirm or deny, in writing, the allegations in the grievance;
 - identify the remedy or adjustments, if any, to be made; and
 - reply in writing within three working days after receipt of the employee's grievance, setting forth the reasons for rendering his decision.
 - g) If the Chief is unavailable during the specified amount of time indicated above, the next lower person in the chain of command shall inform the sender of that fact.
 - h) A grievance may bypass a person in the chain if that person's absence exceeds one day.
 - i) See also § 1.2.4, written communication; § 1.2.6, other communication, should also apply.
- 3) If the employee is dissatisfied with the decision of the Chief, he may, within three working days following the receipt of the Chief's decision, submit the grievance in writing to the City Manager.
 - 4) Any employee aggrieved by the City Manager's decision may appeal to the City's Personnel Board within five working days after receipt of that decision. The composition of the City's Personnel Board and criteria for the appointment of its members is described in Code of Ordinances 17-1.04. Its function is described in Administrative Personnel Policy and Procedures Manual 6-7.5. A grievant may be represented by legal counsel. However, if he chooses to be represented by legal counsel at any meeting regarding the grievance, the City likewise has the option of being represented by counsel.
 - 5) An employee may be represented by counsel at any meeting regarding a grievance. However, if the grievant is represented by counsel, the City likewise has the option of being represented by counsel.

2.9.2.3 GRIEVANCE FILES

The Chief of Police is responsible for maintaining the Department's grievance file. At a minimum, the file should contain:

- 1) Copies of grievances received and related supporting or investigative reports;
- 2) Copies of supervisor's reports; and
- 3) Attendant dispositions.

The Chief conducts an annual analysis of grievances to detect any trends so that steps may be taken to minimize the causes.

End of Chapter 2.9

CHAPTER 2.10

DISCIPLINARY PROCEDURES

2.10 CHAPTER 2.10 - DISCIPLINARY PROCEDURES

This chapter directs attention to the accountability component of the Department's disciplinary system. Many of the policies impacting on the system are included in other chapters relating to selection, training, and direction (§§ 2.2, 2.3, 1.2). Other policies deal more specifically with the handling of complaints against the Department and its members (§ 4.10.2, internal affairs).

2.10.1 DEFINITION AND GOAL

2.10.1.1 DEFINITION

Discipline

Discipline is a positive process of training and developing by instruction.

For definition of terms having to do with the conclusion of facts for each allegation of misconduct, see § 4.10.2.7.

2.10.1.2 GOAL

Departmental discipline procedures seeks to:

- 1) Build and maintain a qualified workforce by selecting persons who possess the needed knowledge, skills, and abilities, or demonstrate the capability of acquiring them through training;
- 2) Prepare recruit officers to conform to the high standards expected of them, to maintain and develop skills of veteran police officers, and to provide supervisory and command officers with the skills and knowledge necessary to obtain best results; and
- 3) Direct the Department as a whole with the authority and responsibility consistent with policies.

(Remainder of page reserved.)

2.10.2 CONDUCT

2.10.2.1 CODE OF ETHICS

All sworn officers within the Bowling Green Police Department shall abide by the principles of right and good behavior as specified in § 3.1.4.

2.10.2.2 CODE OF CONDUCT (KACP, SEE ALSO § 3.1.4, CODE OF ETHICS)

Unless otherwise specified all employees within the Bowling Green Police Department shall abide by the following general standards of conduct:

2.10.2.2.1 Abuse of Position

Employees shall not use their official identification cards, badges, or position for any of the following:

- 1) Avoiding consequences of illegal acts;
- 2) Obtaining privileges not otherwise available; and
- 3) Obtaining financial gain.

Employees shall not lend to another person their identification cards or badges or permit them to be photographed or reproduced without the approval of the Chief of Police.

Employees shall not authorize the use of their names or official titles in connection with testimonials or advertisements of any commodity or commercial enterprise, without the approval of the Chief of Police.

2.10.2.2.2 Abuse of Process

Officers shall not make false criminal, misdemeanor, traffic, or violation charges.

2.10.2.2.3 Arrest, Search and Seizure

Officers shall not make arrests, searches, or seizures which they know or should know are not lawful or in compliance with Departmental procedures.

2.10.2.2.4 Alcoholic Beverages and Drugs in Police Installations

Employees shall not store or bring into any police facility or vehicle alcoholic beverages, or controlled or illegal substances, except alcoholic beverages, or controlled or illegal substances which have been taken and held as evidence.

2.10.2.2.5 Associations

Employees shall use the utmost discretion when establishing regular and continuous associations with persons whom they know or should know are persons under criminal investigations or indictment, or are known to the Department to have present involvement in felonious or criminal behavior, except as necessary in the performance of official duties, or where unavoidable because of personal relationships.

2.10.2.2.6 Carrying Firearms

Officers shall carry firearms in accordance with law and established Departmental procedures (§ 3.1).

2.10.2.2.7 Confidentiality

Whatever an employee sees, hears or learns of, which is of a confidential nature, will be kept secret unless the performance of duty or legal provision requires otherwise. Members of the public have a right to security and privacy and information obtained about them must not be improperly divulged.

2.10.2.2.8 Conformance to Laws

All employees shall obey all laws of the United States and of any state or local jurisdiction in which they are present.

2.10.2.2.9 Courtesy

Employees shall exercise the utmost discretion, tact and control, not engaging in argumentative discussions, even in the face of extreme provocation. Employees shall not use coarse, violent, profane, or insolent language or gestures, and shall not express prejudice concerning one's race, religion, politics, national origin, life-style, or similar personal characteristics.

Employees shall not use language patterns that may be offensive to racial, ethnic, religious, women, or other groups. The use of nicknames, vulgarity, stereotyped terms, ethnic and religious jokes are examples deemed inappropriate.

2.10.2.2.10 Endorsements and Referrals

Employees shall not recommend or suggest in any manner, except in the transaction of personal business, the employment or procurement of a particular product, professional service, or commercial service (e.g., attorney, ambulance service, towing or garage service). When ambulance or towing services are needed while an employee is engaged in official duties, established Departmental procedures shall be utilized.

2.10.2.2.11 Fictitious Illness or Injury Reports

Employees shall not feign illness or injury, falsely report themselves ill or injured, or in any matter involving individual health, deceive or attempt to deceive any official of the City or the Police Department.

2.10.2.2.12 Gambling

Employees shall not engage or participate in any form of illegal gambling at any time, except in their performance of duty and while acting under proper and specific orders from a superior officer.

2.10.2.2.13 Gifts, Gratuities, Bribes or Rewards

Employees shall not solicit or accept from any person, business, or organization any gift (e.g., money, tangible or intangible personal property, food, beverage, loan, promise, service, or entertainment) of personal or Departmental benefit, if it may reasonably be inferred that the person, business, or organization:

- 1) Seeks to influence action of any official nature or seeks to affect the performance or non-performance of an official duty, or
- 2) Has an interest which may be substantially affected directly or indirectly by the performance or non-performance of an official.

2.10.2.2.14 Identification

Officers shall carry their badges and identification cards on their persons at all times, except when impractical or when in practice it might become dangerous to their safety or impede an investigation. When on duty or while holding themselves out as having official capacity, officers shall furnish their name and/or badge number to any person requesting that information, except when the withholding of such information is necessary for the performance of police duties or is authorized by proper authority.

2.10.2.2.15 Immoral Conduct

All employees shall maintain a level of moral conduct in their personal and business affairs which is in keeping with the highest standards of the law enforcement profession. Officers shall not participate in any incident involving moral turpitude which impairs their ability to perform as law enforcement officers or causes the Department to be brought into disrepute.

2.10.2.2.16 Insubordination

Departmental employees shall be required to obey any lawful order of a superior including any order relayed from a superior by an employee of the same or lesser rank.

Any employee who willfully disobeys or disregards a lawful direct order, verbal or written, of a superior officer will be considered to be insubordinate. (§ 1.2.1.6, lawful orders)

2.10.2.2.17 Leaving Duty Post

Officers and Communication Center personnel shall not leave their assigned duty posts during a tour of duty except when authorized by proper authority.

2.10.2.2.18 Neglect of Duty

Employees shall not read, play games, watch television or movies, or otherwise engage in entertainment while on duty, except as may be required in the performance of duty. They shall not engage in any activities or personal business which would cause them to neglect or be inattentive to duty.

2.10.2.2.19 Operating Vehicles

All employees shall operate official vehicles in a careful and prudent manner, and shall obey all laws and Departmental orders pertaining to such operation (see § 4.3.11, procedures for cruisers). Loss or suspension of any driving license shall be reported to the Department immediately.

2.10.2.2.20 Payment of Debts

Employees shall pay all just debts when due and shall not undertake any impractical financial obligation(s). Employees shall be subject to the City's personnel policies regarding garnishments and bankruptcies (see Personnel Policy and Procedures Manual, Chapter VII).

2.10.2.2.21 Personal Appearance

Officers on duty shall maintain a neat well-groomed appearance, unless acting under proper and special orders from a superior officer. Uniforms shall be worn in accordance with the established Departmental policy (§ 2.5.10).

Civilian employees shall maintain a neat well-groomed appearance in accordance with Departmental policy (see § 2.5.10).

2.10.2.2.22 Personal / Professional Capabilities

Employees will be responsible for their own standard of professional performance and will take every reasonable opportunity to enhance and improve their level of knowledge and competence.

Through study and experience, an employee can acquire the high level of knowledge and competence that is essential for the efficient and effective performance of duty. The acquisition of knowledge is a never-ending process of personal and professional development that should be pursued constantly.

2.10.2.2.23 Political Activity

Officers, while off duty and out of uniform, shall be entitled to the following according to KRS 95.017:

- 1) To place political bumper stickers on their privately-owned vehicles
- 2) To wear political buttons
- 3) To contribute money to political parties, political candidates, and political groups of their choice
- 4) To work at the polls on election day
- 5) To aid in registration and purgation of voters
- 6) To become members of political groups
- 7) To hold office in political groups and carry out the mandates of that group

Officers shall be subject to the following restrictions according to KRS 95.470:

- 1) No person shall be appointed a member of the Police Department on account of any political service, contribution, sentiment, or affiliation. No member shall be dismissed, suspended, or reduced in grade or pay for any political opinion.
- 2) The appointment and continuance in office of members of the Police Department shall depend solely upon their ability and willingness to enforce the law and comply with the rules of the Department and shall not be a reward for political activity or contribution to campaign funds.
- 3) No member of the Department shall be active in politics or work for the election of candidates while on duty.

2.10.2.2.24 Possession of Drugs

No employee shall possess or use any controlled substances, narcotics, or hallucinogens except when prescribed in the treatment of employees by a physician or dentist. When controlled substances, narcotics, or hallucinogens are prescribed, officers shall notify their superior officer.

2.10.2.2.25 Public Statements and Appearances

- 1) Employees shall not publicly criticize or ridicule other employees or the Department or its policies by speech, writing, or other expression, where such speech writing, or other expression is defamatory, obscene, unlawful, undermines the effectiveness of the Department, interferes with the maintenance of discipline, or is made with reckless disregard for truth or falsity.
- 2) Employees while holding themselves out as representing the Police Department, shall not, without proper authority, address public gatherings, appear on radio or television, prepare any articles for publication, act as correspondents for newspapers or periodicals, release or divulge investigative information, or release or divulge other matters of the Department.
- 3) Employees may lecture on "police" or related matters only with prior approval of the Chief.

- 4) All statements to the media regarding specific Departmental matters/official Departmental matters shall be made according to provisions set forth in § 4.10.4 .
- 5) Statement regarding internal affairs shall be made by the Chief or his designee according to provisions set forth in 4.10.4 . (See also § 4.10.2, internal affairs.)
- 6) Statements regarding homicides or other serious crimes shall be made according to provisions set forth in § 4.10.4 .
- 7) Statements regarding routine police matters may be made according to § 4.10.4.

2.10.2.2.26 Reporting for Duty

Employees shall report for duty at the time and place required by assignment or orders, and shall be physically and mentally fit to perform their duties. Employees shall be properly equipped and cognizant of information required for immediate and proper performance of duty. Judicial Subpoenas shall constitute an order to report for duty under this subsection.

2.10.2.2.27 Requests for Assistance

When any person applies for assistance or advice, or makes a report or complaint in person or by telephone, all pertinent information will be properly obtained officially, courteously, and judiciously, and acted upon consistent with established Departmental procedures. (See also § 3.3.2.2.)

2.10.2.2.28 Rights and Duties

All employees of the Department shall abide by and adhere to the rules and regulations set forth by the Kentucky Revised Statutes, the Board of Commissioners, and the Department; provided that no such rule, regulation or law shall apply that alters, abridges, or otherwise restricts the constitutional rights of said members; and said members, except when on duty, shall not be restrained from exercising their rights and privileges or from entering into any endeavor enjoyed by all other citizens of the City of Bowling Green (KRS 95.015).

2.10.2.2.29 Sleeping on Duty

Employees shall remain awake while on duty. If unable to do so, employees shall report such to their superior officer who shall then determine the proper course of action.

2.10.2.2.30 Treatment of Persons in Custody

Officers shall not mistreat persons who are in their custody. Officers shall handle such persons in accordance with law and Departmental procedures. (See § 4.3.23, arrest procedures.)

2.10.2.2.31 Truthfulness

Upon order of the Chief, his designee, or any superior, officers shall truthfully answer all questions asked of them which are specifically directed and narrowly related to the scope of employment, individual official conduct, or operations of the Department. (See also § 4.10.2.7, operational procedures.)

2.10.2.2.32 Unbecoming Conduct

Sworn officers and civilian employees shall conduct themselves at all times, both on and off duty, in such manner as to reflect most favorably on the Department. Conduct unbecoming an officer shall include that which brings the Department into disrepute, reflects discredit upon officers as members of the Department, or that which impairs the operation or efficiency of the Department or individual employee.

2.10.2.2.33 Unsatisfactory Performance (See also § 2.8.3.4)

Officers shall maintain sufficient competency in order to properly perform their duties and assume the responsibilities of their positions. Officers shall carry out the functions and objectives of the Department while maintaining the highest of standards. Unsatisfactory performance may be demonstrated in the following manner:

- 1) Inadequate knowledge and application of laws required to be enforced;
- 2) Unwillingness or inability to perform assigned tasks;
- 3) The failure to conform to work standards established for rank, grade, or position;
- 4) The failure to take appropriate action on the occasion of crime, disorder, or other condition requiring police attention; and/or
- 5) Absence without leave.

Unsatisfactory performance for all employees may be demonstrated in the following manner:

- 1) Unwillingness or inability to perform assigned tasks.
- 2) The failure to conform to work standards established for rank, grade or position.
- 3) Absence without leave.
- 4) Repeated poor evaluations.
- 5) Repeated infractions of rules, regulations, directives and/or orders.
- 6) Repeated infractions of orders.

2.10.2.2.34 Use of Alcohol Off Duty

While off duty, officers shall refrain from consuming intoxicating beverages to the extent resulting in impairment, intoxication, or obnoxious or offensive behavior which discredits them or the Department, or renders the officers unfit to report for their next regular tour of duty.

2.10.2.2.35 Use of Alcohol On Duty

Officers shall not consume intoxicating beverages while in uniform or on duty except in the performance of duty and while acting under proper and specific orders from a superior officer.

No employee shall appear for or be on duty while under the influence of alcoholic beverages to any degree, or appear for or be on duty with an odor of intoxicants on their breath.

2.10.2.2.36 Use of Department-owned Equipment

All employees shall utilize Department equipment only for its intended purpose and in accordance with established Departmental procedures. Employees shall not abuse, damage, or lose Department equipment. All Department issued equipment shall be maintained in proper order.

2.10.2.2.37 Use of Force

Officers shall not use more force in any situation than that which is reasonably necessary under the circumstances. Officers shall use force in accordance with law and Departmental procedures. (See § 3.1.6.)

2.10.2.2.38 Use of Weapons

Officers shall not use or handle weapons in a careless or imprudent manner. Officers shall use weapons in accordance with law and Departmental procedures. (See § 3.1.)

2.10.2.2.39 Violation of Rules

All employees shall not commit any acts or omit any acts which constitute a violation of any written or spoken policy, rule, regulation, or order of the Department.

2.10.2.2.40 Visiting Prohibited Establishments

Officers shall not knowingly visit, enter, or frequent any establishment wherein the laws of the United States, the Commonwealth of Kentucky, or local government are regularly violated except in the performance of duty or while acting under proper and specific orders from a superior officer.

2.10.2.2.41 Use of Tobacco Products

Except as listed below, use of all tobacco products including, but not limited to, cigarettes, cigars, smokeless tobaccos (dip) or chewing tobaccos are prohibited when in public view and on-duty **or** in public view and in uniform (or other BYPD logo clothing) **or** in public view while operating a police vehicle.

Use of tobacco products is authorized anytime while in the Bowling Green Police Department Employee Parking Lot (Adams St. side), near the rear entrance/exit points of the Bowling Green Police Department (Adams St. side), Dispatch courtyard or in the employee pavilion. Use of tobacco products is authorized for use during any plain clothes undercover operation. Care should be given when possible to minimize exposure to other persons that do not use tobacco products.

Smoking is prohibited at all times inside any city owned or leased building or city vehicle per Municipal Order 2007-261.

2.10.2.2.42 Use of BGPD Badge, Patch, and Cruiser Image

Any use, sharing, reproduction or internet posting of the Bowling Green Police Department Badge, Patch or Cruiser image for personal or work related use is prohibited without the express consent of the Chief of Police. The Bowling Green Police Department Badge and Patch are copyrighted and use of those without express consent of the Chief of Police may be considered a copyright infringement.

Exceptions would be limited to any pre-printed materials provided by the department for the purpose of official communication.

2.10.2.2.43 Use of Social Networking/ Internet Posting

The term "Social Media" is defined in general as including, but not limited to, all social networking sites (Facebook, Twitter, etc.), business and professional networking sites (LinkedIn, etc.), photo/video sharing sites (Snapchat, YouTube, Instagram, etc.), wikis (Wikipedia, etc.), blogs, news sites, posts, and profiles, as well as any other internet based sites.

It is essential for every employee to recognize the proper functioning of any law enforcement agency relies upon the public's confidence and trust in the individual employees and this agency to carry out law enforcement and public safety functions. Any matter which brings individual employees or the agency into disrepute will reduce public confidence and trust in our agency, thus, impeding our ability to work with and serve the public.

While employees maintain the right to use personal social networking pages or sites, employees of this agency are held to a higher standard than that of the general public with regard to standards of conduct and ethics. Employees must maintain a level of professionalism in both on-duty and off-duty conduct that fulfills the mission of our agency. Any publication, through any medium which is potentially adverse to the operation or efficiency of this agency will be deemed a violation of this policy.

2.10.2.2.43.1 On-Duty Procedures

Employees shall treat all official business of the Department as confidential. (See 2.10.2.2.7). All employees, except members who are specifically authorized as a function of their assigned job duties, are prohibited from posting, commenting, or any other broadcasting, without prior approval, information on Social Media the business of this department to include but not limited to:

- 1) Photographs, images, video, and/or audio files relating to any investigation or official activity.
- 2) Logos, Uniforms, Badges, or any other item which are symbols associated with or identifiable to this agency. (See 2.10.2.2.42).

- 3) Information regarding any other member of the Department including, but not limited to, names, telephone numbers, addresses, photographs or other potentially identifying information, without first receiving permission from the individual.

2.10.2.2.43.2 Off-Duty Procedures

Public employees have limited protections under the First Amendment. As such, Department employees, in their off-duty time, may express themselves as private citizens through the use of Social Media if those expressions pertain to matters of public concern and do not impair discipline, working relationships or harmony within the Department, impede the performance of the duties of employees, discredit the Department, affect public perception to the detriment of the Department, or breach obligations of confidentiality.

Employees shall not use a social networking site or other medium of internet communication to post the following:

- 1) Any material of an explicit, sexually graphic nature.
- 2) Any material which promotes violence.
- 3) Any material which may be insulting on the basis of national origin, race, religion, sex or any other protected classification pursuant to Federal or Kentucky law. Employees have the same obligation to refrain from harassing and/or discriminating behavior on Social Media as they do pursuant to Department Policy (See 4.10.5.5).
- 4) Comments (including hashtags) made pursuant to official duties or personal grievances regarding disciplinary action, work schedules, gossip, morale and complaints about supervisors or co-workers.

(Remainder of page reserved.)

2.10.3 DISCIPLINARY SYSTEM

2.10.3.1 AWARDS

2.10.3.1.1 Performance Recognition and Award Categories

Performance recognition is intended to provide tangible recognition for exemplary service and reinforce performance the Department wishes to encourage. Performance recognition is conferred at appropriate times throughout a given year. The Department recognizes the following awards categories in order of precedence:

1	Medal of Honor	Awarded to members of the Department who have distinguished themselves by conspicuous heroism performed under life threatening conditions.
2	Silver Cross	Awarded to members of the Department who have been wounded or given their life in the line of duty as a result of a hostile encounter.
3	Life Saving Medal	Awarded to members of the Department who have distinguished themselves by saving a life.
4	Distinguished Service	This award is presented to members of the Department who have demonstrated exceptional loyalty, devotion and service over prolonged periods of time.
5	Medal of Merit	The Medal of Merit is presented to members of the Department who have distinguished themselves in the service of others.

Other awards:

1	Outstanding Performance Recognition (Sworn and non-sworn personnel).
2	Fitness Awards (Sworn and non-sworn personnel).
3	Citations for Service (sworn personnel).
4	Citizen Outstanding Performance.

2.10.3.1.2 Nominations

Nominations for outstanding performance are submitted by supervisors to the Chief. Supervisors should be able to substantiate performance of the highest category and give specific reasons. Documentation may include a single outstanding incident or a record of consistently high performance. Nominations should be submitted using the standard To/From/Subject written communication format and entitled "Outstanding Performance Citation."

Nominations for citizen outstanding performance are submitted by supervisors to the Chief. Supervisors should be able to substantiate performance and give specific reasons. Documentation usually pertains to a single outstanding incident but may involve a history of community service or service to the Department.

The City's Service Award Program is set forth in Administrative Personnel Policy and Procedures Manual, Chapter IV.

2.10.3.2 LETTERS OF COMMENDATION

The Department expects professional conduct from all its members. It is not unusual to find, however, that members perform in a manner judged by Supervision and/or the public to exceed the norm. Official commendation by the Department is given according to the following:

Commendations received in the form of citizen letters are handled in the following manner:

- 1) The original letter, if possible, is placed in the employee's official personnel file;
- 2) A copy is forwarded to the employee; and
- 3) A copy is posted.

Commendations from supervisors are placed in the member's personnel file.

2.10.3.3 TRAINING

The following procedures and criteria utilize training as a form of discipline (see § 2.3):

- 1) Recruit academy basic training at Eastern Kentucky University.
- 2) Recruit Field Training at Bowling Green (§ 2.3.6).
- 3) In-service classroom and field training at Bowling Green and other locations and in-service training for participation in the Law Enforcement Foundation Program Fund (KRS 15.440) at Bowling Green and other locations.
- 4) Remedial Training.
- 5) Higher education assistance through the City (Administrative Personnel Policy and Procedures Manual Chapter IV).

2.10.3.4 COUNSELING (KACP)

The following procedures and criteria utilize counseling as a form of discipline (see also § 2.10.3.5 below):

- 1) The City's Personnel Department provides information on employee benefits and help for employees in case of injury or death. The City Employee Assistance Program provides related counseling to employees and family members at no charge (§ 2.5).
- 2) Utilization of the Department's performance evaluation system (§ 2.8) includes an appraisal interview:
 - a) Supervisors shall begin every rating period with employee counseling on the following:
 - Position tasks, duties, and responsibilities;
 - Level of performance expected; and
 - Evaluation rating criteria.

- b) Performance appraisal interviews are conducted by evaluating supervisors to:
 - Explain the evaluation,
 - Solicit oral or written comments by the employee, and
 - Give the employee the opportunity to sign the completed evaluation report.

2.10.3.5 PUNITIVE ACTIONS (KACP)

- 1) The following are general administrative considerations for employee discipline:
 - a) Department members are expected to conduct themselves in a manner which should cause serious corrective measures to be unnecessary. Knowledge of and compliance with Department policies and procedures should assure a desired level of professionalism.
 - b) Because supervisors are held accountable for the actions of their subordinates, they must be thoroughly familiar with policies and procedures and conduct themselves as examples accordingly. Supervisor's responsibilities include, but are not limited to:
 - Orientation of new employees to policies and procedures and expected standards of performance and conduct;
 - Implementation of policies and procedures; and
 - When necessary, implementing suitable disciplinary measures to ensure compliance.
 - c) Disciplinary action is intended to be corrective and progressive in nature:
 - Generally, discipline is designed to encourage members to conform to established standards of performance or conduct.
 - Failure or refusal by a Department member to comply with policies and procedures will result in disciplinary action against that member.
 - d) The degree of discipline imposed should be progressive in nature and determined on an individual basis, taking into account such factors as the seriousness of the offense and the employee's record of service with the Department.
 - e) Employees may be disciplined for inefficiency, misconduct, insubordination, violation of law, violation of Department policy, or violation of rules adopted by the Board of Commissioners.
- 2) The Department provides for the following non-punitive actions:
 - a)_____ Employee counseling: An interview intended to make the member aware of a situation or trend in performance or conduct which is unacceptable and which could result in punitive action if continued or repeated. See also § 2.10.3.4 above.
 - b)..... Remedial training: An alternative to disciplinary action when it is clear that the unacceptable performance or conduct is a result of lack of training. See also § 2.3.3.
- 3) The Department provides for the following punitive actions:
 - a)..... Oral reprimand: An oral warning that some action, lack of action, or level of performance is unacceptable and will result in further punitive action if repeated or continued.

- b)..... Written reprimand: A written warning that some action, lack of action, or performance is unacceptable and will result in further disciplinary action if repeated or continued.
- c)..... Suspension: Loss of time and/or pay due to some action, lack of action, or performance found to be unacceptable.
- d)..... Reduction in rank or pay: Loss of rank or pay due to some action, lack of action, or performance found to be unacceptable.
- e)..... Dismissal: The permanent termination of an employee for just cause.
- 4) The Department provides the following authority and responsibility for discipline:
- a) Supervisors are responsible for the counseling, oral discipline, and written discipline of Department members under their command. (When violations of a minor nature have not been corrected by progressive discipline, or when a particular infraction may warrant more stringent action, Supervision is expected to submit written recommendation to the Chief for additional measures to be taken.)
- b) With probable cause supervisors may suspend any member under their direct supervision from duty with pay until the Chief takes further action.
- c) With probable cause the Chief of Police may suspend any member from duty or from both pay and duty, pending trial, and the member shall not be placed on duty, or allowed pay, until the charges are heard before the Commission.
- d) Employees may waive their right to a hearing before the Board of Commissioners and accept a written reprimand, dismissal, suspension, or reduction in grade or pay provided:
- The employee has been informed of the Chief's recommendation both in writing and verbally in a personnel conference, and
 - The employee has completed and signed a Waiver of Hearing Form.
- e) Hearings for complaints against sworn members shall be in accord with the provisions of the Police Bill of Rights (KRS 15.520) and procedures outlined in the City Manager's Administrative Memorandum No. 81-4. They include provisions of a hearing in a second class of city under KRS 95.450.
- 5) Allegations of employee misconduct are investigated according to provisions set forth in § 4.10.2, internal affairs. For each allegation of misconduct a conclusion of fact is determined. (See § 4.10.2.7.)
- 6) Based upon the information gained, allegations of employee misconduct may be pursued by the Department either administratively or criminally. An administrative investigation may be conducted, as specified herein and in § 4.7, by immediate Supervision, the Chief, or by both. A criminal investigation is conducted, as specified herein and in §§ 4.7 and 4.9, by the Chief, or the Chief's assignment of the case to his or another police agency.
- 7) If an investigation of officer misconduct results in dismissal, the following information shall be provided to the officer:
- a) A statement citing the reason for dismissal;
- b) The effective date of the dismissal;
- c) A statement of the status of fringe and retirement benefits after dismissal;
- d) A statement as to the content of the officer's employment record relating to the dismissal.
- 8) Records of disciplinary actions are maintained according to the following:

- a) Records of oral reprimands should be maintained by the supervisor. An oral reprimand record may be retained and used as a basis for further disciplinary action through the employee's next evaluation, after which, it should be expunged.
- b) Written reprimands are recorded via the City's Employee Notice Form and forwarded to the Chief and the Personnel Office. A written reprimand shall be filed within the permanent personnel file unless ordered deleted by the Chief or the Commission. (Sworn members have a right to a hearing before the Commission regarding any written reprimand.)
- c) Records relating to internal affairs are maintained according to that specified in § 4.10.2.7 .

(Remainder of page reserved.)

2.10.3.6 APPENDIX A - ADMINISTRATIVE MEMORANDUM

ADMINISTRATIVE MEMORANDUM 81-4

RE: Civilian and Internal Complaints Against Members of the Police Department KRS 95.450; KRS 15.520

EFFECTIVE DATE: June 8, 1981

FROM: Kevin Defebbo, City Manager

The following procedures have been prepared for the hearing of civilian and internal complaints against members of the Bowling Green Police Department.

Functions of the City Attorney

The City Attorney will no longer be involved in the prosecution of discipline hearings. The City Attorney will remain neutral in the discipline process to provide advisory assistance to the City Commission during the hearing itself insofar as rulings on evidentiary matters are concerned, the legal proceedings and requirements which may be involved, and to provide advice and counsel to the Commission on the implications and legal effects of its decision in any particular regard.

Under this system, if a complaint is instituted by a civilian, it will be the responsibility of the civilian, or their attorney, to prosecute the complaint. If the complaint is internal, then the Chief of the Police Department will prosecute the complaint.

Conduct of the Hearing

Prior to the hearing, the City Commission will be given only that information which is necessary in order to determine whether or not probable cause exists in order for Charges to be preferred toward a member of the Police Department. Once that is determined, the balance of the evidence will be presented in the hearing of the charges. The City will provide a court recorder for the hearing.

The hearing process will be divided into two separate hearings. The first hearing will be to determine guilt or innocence. The second hearing will be held for determination of punishment only if the defendant is found guilty. To elaborate, should the Commission determine that the defendant is guilty, the hearing will be reopened at which time the personnel files of the defendant may be reviewed and the punishment fixed. This will provide to the complaining party an opportunity to argue to the Commission the punishment which he or she believes is fair and reasonable, and in the same way, will provide to the defendant an opportunity to explain matters which may appear in his or her personnel file and to offer to the Commission his or her thoughts of the type of punishment which should or should not be imposed. As required by law, any decision by the Commission to take formal action against a member of the Police Department must be done in open meeting after the hearing.

Civilian Complaint

In order to ensure the proper adherence to the provisions of the law, any civilian wishing to file a complaint against a police officer will be provided an instructional letter by the Chief of Police. A copy of this letter is attached to this memorandum.

* * *

Dear _____:

In order for you to make a formal complaint against an officer of the Bowling Green Police Department, you must file a statement with the City Clerk that has been signed, sworn to, and duly notarized. This statement must allege with specificity the conduct complained of and clearly describe the charges you wish to make against the officer.

The City Clerk will advise the Board of Commissioners of the complaint and should the Commission be satisfied that there is probable cause that the officer is guilty of misconduct, the Mayor will prefer charges against the officer.

A hearing must be held within sixty (60) days of the charges being filed. You will be required to testify and prosecute the officer of these charges, and you will be notified by certified mail return receipt requested of the time and place of the hearing. Should you fail to appear, the charges will be dismissed. Also, should you prefer to voluntarily withdraw the charges at any time prior to the conclusion of such a hearing, you may do so.

The officer is entitled to have his own attorney at the hearing and to cross examine witnesses and present evidence in his own behalf. Therefore, if you wish to hire an attorney, you may do so.

The City Attorney's office will not participate in the prosecution or defense of your claim, but will act as attorney for and advisor to the City Commission during the hearing itself. Should you have any questions regarding the procedure to be followed during the hearing or wish to inquire of other information regarding this matter, please contact [The name, address and phone number of the City's attorney inserted].

Very truly yours,

Doug Hawkins, Chief

End of Chapter 2.10

**PART 3: LAW ENFORCEMENT ROLE, RESPONSIBILITIES
AND RELATIONSHIPS**

CHAPTER 3.1

LAW ENFORCEMENT ROLE AND AUTHORITY

3.1 CHAPTER 3.1 - LAW ENFORCEMENT ROLE AND AUTHORITY

This chapter sets forth the Department's role in law enforcement and the limits of its authority in carrying out that role. The policy recognizes the limits of authority and defines what constitutes the need for Department accountability to the community (see also § 4.10.5, community relations). Policies relate to procedures for receiving complaints and investigating misconduct (see § 4.10.2, internal affairs).

3.1.1 DEFINITION, ORGANIZATIONAL GOALS AND ANNUAL GOALS AND OBJECTIVE UPDATE REQUIREMENT

3.1.1.1 DEFINITION

Role of Law Enforcement	The role of law enforcement is to maintain social order within carefully prescribed ethical and constitutional restrictions through prevention of criminality, repression of crime, apprehension of offenders, recovery of property, and regulation of noncriminal conduct.
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3.1.1.2 POLICE ORGANIZATIONAL GOALS

The Department performs a wide variety of functions due to legislative mandate, 24-hour availability, its investigative responsibilities and authority to use force lawfully, and an array of public pressures by various interest groups. The Department, therefore, seeks to represent a balanced overview of the nature of its responsibilities. The Bowling Green Police Department seeks to:

- 1) Prevent and control conduct widely recognized as threatening to life and property (serious crime);
- 2) Aid individuals who are in danger of physical harm, such as the victim of a criminal attack;
- 3) Protect constitutional guarantees, such as the right of free speech and assembly;
- 4) Facilitate the movement of people and vehicles;
- 5) Assist those who cannot care for themselves: the intoxicated, the addicted, the mentally ill, the physically disabled, the old, and the young;
- 6) Resolve conflict; and
- 7) Create and maintain a feeling of security in the community.

3.1.1.3 ANNUAL GOALS AND OBJECTIVES UPDATE REQUIREMENT FOR THE DEPARTMENT AND FOR EACH ORGANIZATIONAL COMPONENT

Department goals and objectives may be defined in the following manner:

- 1) A goal is a designed end result, broader in nature than an objective and usually spanning a longer period of time. Goals shall be:

- a) Realistic,
 - b) As explicit as possible, and
 - c) In concert with Department resources.
- 2) An objective is a designed end result, narrower in scope than a goal and may be attainable within an estimated period of time. Objectives shall be:
- a) Reasonably attainable,
 - b) Quantifiable and measurable, and
 - c) Subject to review and revision as necessary.

During January each year the goals and objectives of the Department and each division and unit are updated. Each Commander or Supervisor directly accountable to the Chief shall submit a report outlining (1) a written evaluation stating the progress made toward the attainment of current goals and objectives, and (2) the goals and objectives for his sphere of responsibility for the coming year. Commanders and Supervisors shall obtain input and suggestions pertaining to objectives from all personnel levels under their supervision. Care shall be taken to assure that specific objectives are consistent with those established for the Department as a whole. Reports are submitted to the Chief of Police no later than January 15. (Objectives are distributed throughout the Department via the Department's annual report, published after the January 15th deadline.)

3.1.2 OPERATIONS

The Bowling Green Police Department seeks to accomplish its goals through the following operations:

- 1) Law Enforcement Operations:
 - a) Patrol
 - b) Investigations
 - c) Crime Prevention
 - d) Operations for Unusual Occurrences, and
 - e) Logistics
- 2) Operations Support:
 - a) Intelligence
 - b) Internal Affairs
 - c) Inspectional Services, and
 - d) Public Information and Community Relations
- 3) Traffic Operations

(Remainder of page reserved.)

3.1.3 OATH OF OFFICE (KACP)

All personnel within the Bowling Green Police Department assuming sworn status shall take the following oath of office set forth in the Constitution of the Commonwealth of Kentucky Section 228 and consistent with KRS 95.200, and 95.490:

"I do solemnly swear (or affirm, as the case may be) that I will support the Constitution of the United States and the Constitution of the Commonwealth and be faithful and true to the Commonwealth of Kentucky so long as I continue a citizen thereof, and that I will faithfully execute, to the best of my ability, the office of (Police Officer) according to law; and I do further solemnly swear (or affirm) that since the adoption of the present Constitution, I, being a citizen of this State, have not fought a duel with deadly weapons within this State nor out of it, nor have I sent or accepted a challenge to fight a duel with deadly weapons, nor have I acted as a second in carrying a challenge, nor aided or assisted any person thus offending, so help me God."

3.1.4 CODE OF ETHICS (KACP; SEE ALSO § 2.10.2, CONDUCT)

3.1.4.1 PRIMARY RESPONSIBILITIES OF A POLICE OFFICER

A police officer acts as an official representative of government who is required and trusted to work within the law. The officer's powers and duties are conferred by statute. The fundamental duties of the police officer include serving the community; safeguarding lives and property; protecting the innocent; keeping the peace; and ensuring the rights of all to liberty, equality and justice.

3.1.4.2 PERFORMANCE OF THE DUTIES OF A POLICE OFFICER

A police officer shall perform all duties impartially, without favor or affection or ill will and without regard to status, sex, race, religion, political belief or aspiration. All citizens will be treated equally with courtesy, consideration and dignity.

Officers will never allow personal feelings, animosities or friendships to influence official conduct. Laws will be enforced appropriately and courteously and, in carrying out their responsibilities, officers will strive to obtain maximum cooperation from the public. They will conduct themselves in appearance and deportment in such manner as to inspire confidence and respect for the position of public trust they hold.

3.1.4.3 DISCRETION

A police officer will use responsibly the discretion vested in the position and exercise it within the law. The principle of reasonableness will guide the officer's determinations and the officer will consider all surrounding circumstances in determining whether any legal action shall be taken.

Consistent and wise use of discretion, based on professional policing competence, will do much to preserve good relationships and retain the confidence of the public. There can be difficulty in choosing between conflicting courses of action. It is important to remember that a timely word of advice rather than arrest -- which may be correct in appropriate circumstances -- can be a more effective means of achieving a desired end. (See also § 3.1.5, limits of authority.)

3.1.4.4 USE OF FORCE

A police officer will never employ unnecessary force or violence and will use only such force in the discharge of duty as is necessary in all circumstances.

Force should be used with the greatest restraint and after discussion, negotiation and persuasion have been found to be inappropriate or ineffective. While the use of force is occasionally unavoidable, every police officer will refrain from applying the unnecessary infliction of pain or suffering and will never engage in cruel, degrading or inhuman treatment of any person. (See also § 3.1.6, use of force.)

3.1.4.5 CONFIDENTIALITY

Whatever a police officer sees, hears or learns of, which is of a confidential nature, will be kept secret unless the performance of duty or legal provision requires otherwise.

Members of the public have a right to security and privacy, and information obtained about them must not be improperly divulged.

3.1.4.6 INTEGRITY

A police officer will not engage in acts of corruption or bribery, nor will an officer condone such acts by other police officers.

The public demands that the integrity of police officers be above reproach. Police officers must, therefore, avoid any conduct that might compromise integrity and thus undercut the public confidence in a law enforcement agency. Officers will refuse to accept any gifts, presents, subscriptions, favors, gratuities or promises that could be interpreted as seeking to cause the officer to refrain from performing official responsibilities honestly and within the law. Police officers must not receive private or special advantage from their official status.

3.1.4.7 COOPERATION WITH OTHER OFFICERS AND AGENCIES

Police officers will cooperate with all legally authorized agencies and their representatives in the pursuit of justice.

An officer or agency may be one among many organizations that may provide law enforcement service to a jurisdiction. It is imperative that a police officer assist colleagues fully and completely with respect and consideration at all times.

3.1.4.8 PERSONAL / PROFESSIONAL CAPABILITIES

Police officers will be responsible for their own standard of professional performance and will take every reasonable opportunity to enhance and improve their level of knowledge and competence.

Through study and experience, a police officer can acquire the high level of knowledge and competence that is essential for the efficient and effective performance of duty. The acquisition of knowledge is a never-ending process of personal and professional development that should be pursued constantly.

3.1.4.9 PRIVATE LIFE

Police officers will behave in a manner that does not bring discredit to their agencies or themselves.

A police officer's character and conduct while off duty must always be exemplary, thus maintaining a position of respect in the community in which he or she lives and serves. The officer's personal behavior must be beyond reproach.

3.1.5 LIMITS OF AUTHORITY

3.1.5.1 DEPARTMENT'S LEGALLY MANDATED AUTHORITY

- 1) "Members of the Police Department . . . in cities and urban-county governments shall abide by and adhere to the rules, regulations and laws set forth by the Kentucky Revised Statutes, and the legislative body of the city in which they are employed . . ." (KRS 95.015)
- 2) "The Chief and members of the police force in cities of the second class may make arrests anywhere in the county in which the city is located, but shall not be required to police any territory outside of the city limits." (KRS 95.019)
- 3) The use of physical force, including deadly physical force, in law enforcement is authorized by the Kentucky Revised Statutes. (KRS 503.090)
- 4) "The [City] commission shall by ordinance establish all appointive offices and the duties and responsibilities of those offices and codes, rules and regulations for the public health, safety and welfare." (KRS 83A.140; see also KRS 83A.150, City manager plan; powers and duties of the mayor, board of commissioners and city manager and KRS 82.082, Power for public purpose only and not in conflict with Constitution or statutes)
- 5) "Bond issues, bond contracts, and contracts of any nature, and all laws which may be passed in the future shall be made by the City as a City of the second class." (Code of Ordinances 2-1.03)

- 6) The Police Department consists of: (1) Administration, (2) Support Services, and (3) Field Operations. (Code of Ordinances 2.11-2.11.04)
- 7) The Police Department shall be supervised by a Chief of Police appointed by the City Manager subject to approval of the Board of Commissioners and the terms of subsection 2.11.01. The Department shall be responsible for enforcing all ordinances relating to traffic and crimes. The Department shall perform other duties assigned by ordinances and State laws." (Code of Ordinances 2.11.01)

3.1.5.2 USE OF DISCRETION

- 1) "It is impossible to eliminate discretion from the police role. Laws, rules, and policies cannot be written with sufficient breadth and precision to cover every situation in which police are required to act. The vagueness of the law, the ambiguity of the situations in which police intervene, the isolation of the individual officer on his or her beat, the difficulty of supervising people who work essentially alone -- these are the sources of discretionary power, and they rest in the very nature of the police role.
- 2) Thus, justice cannot be served by law enforcement that attempts to eliminate judgment and force officers to follow rigid codes. The officer on the scene must exercise judgment and make decisions. Only he or she can make the subtle connection between what he or she is confronting and what the law requires; only he or she can decide whether legal force should be applied or whether some sanction short of the law would be more effective. But such decisions cannot be made in a vacuum. The discretion of the police officer must be acknowledged, but at the same time, the city government and political leadership must provide for accountability and control of police activities. This is best achieved through a clearly defined intragovernmental process. Within this process it is the development of police policy which sets the framework within which police operational decisions are made." (Local Government and Police Management)
- 3) The Bowling Green Police Department's exercise of discretion is defined by a combination of:
 - § law enforcement operations,
 - § chapter 2.3 - training, and
 - § 1.2, chapter 1.2 - direction.
- 4) The authority, guidelines, and circumstances when sworn personnel should exercise alternatives to arrest and/or alternatives to pre-arraignment confinement follows:
 - a) On-duty Authority
 - While on duty, inside the city limits, officers have the full authority granted peace officers by the Commonwealth of Kentucky.
 - While on duty, outside the city limits, officer's authority is limited to actions directly related to his official duty as a police officer of the city of Bowling Green. (See also KRS 95.019.)
 - b) On-duty officers, within the city limits, after consideration of the situation at hand, are expected to take the steps necessary and consistent with their assignment (1) to protect life and property, and (2) to enforce City ordinances and State and Federal laws.
 - c) On-duty officers outside city limits should avoid overzealous involvement in police situations. If an incident arises in which an officer believes his own or

another's personal safety is jeopardized, he should make every effort practicable to cause the appropriate action to be effected by the responsible law enforcement agency. Action beyond notifying the appropriate agency should be taken only after careful consideration of the tactical situation and of liability factors.

- d) Off-duty Authority
- While off-duty, within city limits, officers have the same peace officer authority granted on-duty personnel.
 - While off-duty, outside city limits, Officers have the same peace officer authority granted on-duty personnel. (See KRS 95.019.)
- e) Both inside and outside the city limits, off-duty officers, observing situations which would indicate police action, should give first consideration to causing the appropriate action to be effected by on-duty personnel of the responsible law enforcement agency.

(Remainder of page reserved.)

3.1.6 USE OF FORCE

3.1.6.1 GENERAL GUIDELINES (KACP)

In all instances, police officers of this Department are expected to use the minimum force necessary to lawfully and properly neutralize an unlawful assault or that which is necessary to overcome resistance by a person taken into custody.

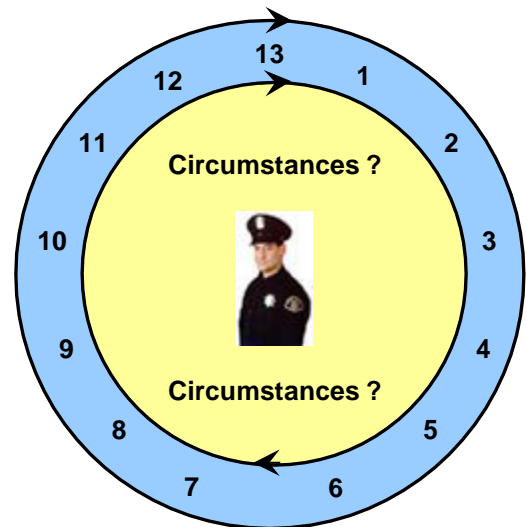
The Department has a number of policing equipment and/or tools that are manufactured with the intent to be used as less than lethal force devices and/or distraction devices. If and when equipment and devices of this nature are used, they should be used within the manufacturer's guidelines and by personnel that have been trained in their respective use. However, nothing in this policy prohibits their use in extraordinary situations or circumstances that were not or could not be reasonably foreseen.

An officer is not justified in the use of deadly force to protect himself or others from assaults which are not likely to result in death or serious physical injury.

3.1.6.2 USE OF FORCE CONTINUUM (KACP)

Use of force generally holds the following options that can be selected by an officer based on the totality of the circumstances.

- 1) **Officer's Presence in Uniform**
- 2) **Verbal Commands**
 - Verbal Communication
 - Non-Verbal Communication
- 3) **Canine Unit Presence**
- 4) **Passive Control**
 - Pain Compliance Holds
 - Escort Techniques
 - Light Subject Control
- 5) **Oleoresin Capsicum Aerosol Spray**
 - OC Products
- 6) **Taser**
- 7) **Decentralization**
 - Heavy Techniques of Subject Control
 - Defensive Tactics
- 8) **Empty Hand Impact**
 - Stunning Techniques
- 9) **Aerosol Chemical Agents**
 - CN Tear Gas
 - CS Irritant
- 10) **Less Lethal Force**
 - Pepper Ball
 - Bean Bag
 - Baton Rounds
- 11) **Canine Deployment**
 - Canine is instructed by handler to apprehend
- 12) **Intermediate Force**



- Baton
- 13) Lethal Force**
- Firearms

3.1.6.3 SPECIFIC (KACP)

- 1) The use of physical force by an officer upon another person is justifiable when the officer, acting under official authority, is making or assisting in making an arrest, and he:
 - a) Believes that such force is necessary to effect the arrest;
 - b) Makes known the purpose of the arrest or believes that it is otherwise known or cannot reasonably be made known to the person to be arrested; and
 - c) Believes the arrest to be lawful.
- 2) The use of deadly physical force by an officer upon another person is justifiable under the circumstances listed above only when:
 - a) The officer, in effecting the arrest, is authorized to act as a peace officer; and
 - b) The arrest is for a felony involving the use or threatened use of physical force likely to cause death or serious physical injury; and
 - c) The officer believes that the person to be arrested is likely to endanger human life unless apprehended without delay.
- 3) The use of physical force, including deadly physical force, by an officer upon another person is justifiable when the officer is preventing the escape of an arrested person, but is limited to the same requirements of justification of the use of force under items 1) and 2) above to re-effect the re-arrest:
- 4) Force likely to cause death or serious physical injury may not be used on mere suspicion that a crime, no matter how serious, was committed or that the person being pursued committed the crime. Officers should either have witnessed the crime or should have probable cause to believe the suspect committed an offense for which the use of deadly force is permitted. Flight in and of itself is not necessarily evidence of the commission of a crime and is not sufficient reason for the use of firearms.
- 5) Justification for the use of deadly force must be limited to what reasonably appears to be the facts known by an officer at the time he decides to use such force. Facts unknown to the officer, no matter how compelling, cannot be considered in later determining whether the shooting was justified.

(Remainder of page reserved.)

3.1.7 POLICE WEAPONS

3.1.7.1 DEFINITION

Police Weapons

Police weapons may generally be defined as any instrument, article, or substance which, under the circumstances in which it is used, or attempted to be used, (including but not limited to: preventing escape, defending self or innocent person from a threat or assault, deterring a threat or assault, and neutralizing a threat), is readily capable of causing a range of bodily injury up to and including death. (For exception, see § 3.1.7.6 below.)

3.1.7.2 POLICY (KACP)

- 1) The general policy of this Department regarding the use of weapons by an officer, on or off duty, against another person is that weapons should be used only to prevent death or serious physical injury to himself or another person.
- 2) The following weapons are authorized for officer use:
 - a) Firearms
 - b) Police baton
 - c) Police OC spray
 - d) Taser
 - e) Chemical delivery system (Specially Trained Personnel)
 - f) Pepperball delivery system (Specially Trained Personnel)
- 3) Other weapons such as blackjacks, slapjacks, nunchaku or karate sticks, or artificial knuckles made from metal, plastic, or other hard materials are strictly prohibited.

3.1.7.3 USE OF FIREARMS (KACP)

- 1) The use of a firearm is, by definition, considered a force readily capable of producing death or serious physical injury regardless of the extent of any injury inflicted on another person (KRS 500.080). Bowling Green Police Officers may use firearms only under the following circumstances:
 - a) If no other reasonable alternative exists (i.e., circumstances and according to procedures described in § 3.1.5.2 above, items 2) and 3)).
 - b) In self-defense and defense of others, when the officer has clear and sufficient reason to believe that a person presents an imminent threat, coupled with the capability of killing or seriously injuring the officer or another person.
 - c) In order to kill a dangerous animal or an animal so badly injured that humanity requires that it be removed from further suffering and when:
 - Permission, if possible, has been obtained from the animal's owner and the act is carried out, if possible, outside the presence of children, and

- Great care is taken for the protection of the public from any possible ricocheting bullet.
 - d) At any animal that is obviously mad or vicious and cannot otherwise be prevented from killing or seriously injuring a person,
 - e) For practice at an authorized range and in compliance with appropriate safety procedures.
 - f) For practice, in a safe manner, in any area where firing a weapon would not be in violation of the law.
- 2) Bowling Green Police Officers may not use firearms in any of the following ways:
- a) Firing indiscriminately into crowds.
 - b) Warning shots.
 - c) To effect an arrest on mere suspicion that a crime has been committed or that a particular person has committed a crime.
 - d) To halt a person who simply runs away in order to avoid arrest.
 - e) To prevent merely the theft or destruction of property.
 - f) To effect an arrest for a misdemeanor EXCEPT to defend himself or another person from unlawful attack when he has reasonable cause to believe there is imminent danger of death or serious bodily injury.
 - g) At or from a moving vehicle EXCEPT to defend himself or others from unlawful attack or when the occupants of a vehicle being pursued have committed a felony involving the use or threatened use of physical force likely to cause death or serious physical injury and there is probable cause to believe that the occupants are the actual offenders; that there is reasonable cause to believe that there is imminent danger of death or serious physical injury; that their immediate apprehension is necessary for public safety and there are no other reasonable means available to prevent their escape and secure their arrest.
- 3) Long barreled weapons.

Officers shall be held strictly accountable for the deployment of all long barreled weapons. Officers shall handle long barreled weapons as inconspicuously as possible given the totality of the circumstances. Situations calling for the deployment of long barreled weapons may include, but are not limited to:

- a) Potentials for mass violence (i.e., active shooters).
- b) Perimeter containment in barricaded suspect situations with a known weapon potential.

(Remainder of page reserved.)

3.1.7.4 USE OF POLICE BATON (KACP)

For police purposes, use of the baton is considered a lesser degree of force than use of firearms. However, officers should be aware that by definition the baton is considered a deadly weapon (KRS 500.080) and should be used according to procedures taught at the academy and Departmental in-house training. The baton may only be used under the following circumstances:

- 1) In overcoming resistance by a person to be arrested, or
- 2) As protection against an assault.

3.1.7.5 USE OF POLICE CHEMICAL MUNITIONS (KACP)

The use of police chemical munitions delivery systems may be a force readily capable of producing death or serious physical injury. Specially trained Bowling Green Officers (see § 3.1.9.2, item 4)) may use chemical munitions delivery systems only under the following circumstances:

- 1) In overcoming resistance by a person to be arrested,
- 2) As protection against an assault,
- 3) In situations involving crowd control, or
- 4) Barricaded persons.

3.1.7.6 USE OF OLEORESIN CAPSICUM (OC) SPRAY (KACP)

- 1) Oleoresin Capsicum (OC) spray is a less-than-lethal force option available to officers. Officers may use only non-flammable OC in 5 to 10 percent OC concentration. Officers may not use OC which uses alcohol as the carrier agent.
- 2) The use of (OC) is not normally considered a force readily capable of producing death or serious physical injury. Bowling Green Police Officers may use OC under the following circumstances:
 - a) In overcoming resistance by a person to be arrested, or
 - b) As protection against an assault,
 - c) In situations involving crowd control,
 - d) Barricaded persons.
- 3) Once an arrestee is under control, no further use of OC is permitted. OC will not be used indiscriminately nor will persons already restrained and under control be sprayed. In the event an arrestee is not brought under complete control (e.g., still struggling and kicking) by the act of handcuffing, an effort should be made to secure and control his feet and legs.
- 4) OC is biodegradable; it requires no special decontamination. Normal ventilation will remove OC from the environment within 45 minutes. Allow five to ten seconds for OC to drop before moving in on arrestee.
- 5) Persons sprayed with OC should be monitored and assisted as necessary. They should be verbally assured of the temporary nature of their discomfort and told to relax and breathe normally. Relief may be achieved through exposure to fresh air, flushing of eyes

with cool water, and washing of skin areas with soap and water. Removal of contact lenses should be allowed at the jail or other secure area.

- 6) All symptoms should disappear within 15 to 45 minutes with no after effects. If symptoms persist without any relief to eyes, skin, or respiratory system GET MEDICAL ATTENTION PROMPTLY. IF MEDICAL ATTENTION IS REQUESTED, TAKE THE PERSON TO THE MEDICAL CENTER OR GREENVIEW HOSPITAL.

3.1.7.7 USE OF THE PEPPERBALL DELIVERY SYSTEM

The use of the PepperBall Delivery System is considered to be a less than lethal force option. The PepperBall is a plastic sphere filled with powdered Oleoresin Capsicum (OC) that is launched by an air-powered launching device in which a pepper ball bursts upon impact when it hits a target. The PepperBall projectiles are to be launched using a PepperBall system only and should only be used by officers trained in its deployment under the following circumstances:

- 1) In overcoming resistance by a person to be arrested.
- 2) As protection against an assault.
- 3) In situations involving crowd control.
- 4) In situations involving barricaded persons.

See § 3.1.7.6, use of oleoresin capsicum (oc) spray (kacp), for decontamination and medical procedures. See § 3.1.8.1, report required (kacp), for reporting the use of the PepperBall system.

3.1.7.8 USE OF TASER (KLC)

The Taser is a less than lethal neuro-muscular incapacitation weapon that disrupts the body's ability to communicate messages from the brain to the muscles causing temporary motor skill dysfunction to a person resisting the police in their lawful authority. The use of the Department issued X26 Taser should be consistent with the Department techniques taught by the BGPD training staff (Taser certified instructors). Officers who are issued a Taser will receive initial Taser training prior to beginning the PTO program and will receive annual training. Officers should follow the Department's use of force policies and the Kentucky Revised Statutes. Officers may use Tasers under the following circumstances.

- 1) When overcoming active aggression and/or resistance by a person to be arrested;
- 2) When being used as protection against an imminent assault; or
- 3) Protecting themselves or others from vicious animals.

The following are circumstances when an officer will not use or should consider not using the issued Taser.

- 1) The Taser is not to be used indiscriminately nor will it be used on a person handcuffed and under police control.
- 2) The Taser will not be used when the officer knows that the person has come in contact with flammable liquids or is in a flammable atmosphere.
- 3) The Taser should not be used when it is obvious to the officer that a person is in a position where a fall may cause substantial injury or death or the person is in direct control of a vehicle or machinery.

- 4) The Taser should not be deployed (unless there are compelling reasons that are easily articulated) when a subject is at the extremes of age or disability or when there is a risk of drowning.
- 5) The Taser should not be used in a situation in which lethal force is clearly justified unless another officer is present to provide lethal force as a backup and doing so does not compromise the safety of innocent civilians or officers.
- 6) The Taser should not be deployed if the officer believes a female subject is pregnant unless deadly force would be justified due to the danger created by the secondary impact or the possibility of muscle contractions leading to premature birth.

The following are guidelines for Taser use involving fleeing subjects:

- 1) The Taser should not be deployed if the subject is fleeing for an unknown reason or is fleeing from a violation.
- 2) Tasers may be used on fleeing persons in the following circumstances:
 - Subject is fleeing from a known misdemeanor or felonious offense, or;
 - To conduct a Terry Stop under suspicion of a misdemeanor or felonious offense when force would be justifiably reasonable;
 - When failure to utilize the Taser may result in risk of injury to innocent bystanders or to the involved officer(s).

The use of the Taser on fleeing subjects must be based on the totality of the circumstances, taking into consideration the risk of Taser deployment on the fleeing subject versus the risk to the involved officer(s) and public if the subject is allowed to continue to flee or apprehended through other means. Officers should also weigh the use of the Taser in this situation against the seriousness of the offense.

3.1.7.8.1 Carry and Use

- 1) Officers will only carry and use the Department issued yellow X26 Taser and cartridges manufactured by Taser International.
- 2) The Taser is one of several force options available to officers and like the other options may not be effective in every situation.
- 3) Officers will carry the X26 Taser in a Department approved holster. The holster must be worn on the duty belt on the side opposite of the duty firearm. A cross-draw position is preferred but is optional.
- 4) The Department issued Taser is for official duty use and only by trained BYPD personnel.

3.1.7.8.2 Maintenance Check

Prior to beginning duty officers shall conduct a maintenance check of their assigned Taser. This check will consist of a visual inspection of the weapon. The battery life will be checked on the Central Information Display. A reading of one battery level bar will require that the battery be changed. The battery is never removed unless a change is required or to conduct a data download. These two functions are performed by an on-duty supervisor, or a member of the Training Staff, only. After the battery check, a spark test will be conducted to ensure proper function of the weapon. The spark test should last a full (5) seconds each time it is tested. The spark test does not require documentation.

3.1.7.8.3 Taser Application

There are three different types of reportable Taser applications that must be documented on a BGPD Use of Force Report::

- 1) Spark display,
- 2) Probe deployment, and
- 3) Drive stun.

Officers will need to decide which application to deploy. This decision will be based upon the officers' training, experience, and the totality of the circumstances at the time of the incident. Probe deployment is the preferred method of delivery for the Taser because the neuro-muscular incapacitation affects the subject's ability to control their muscles and creates an involuntary immobilization/incapacitation effect. Drive stun, the secondary method of delivery and control has the capability of delivering localized pain stimulus used to create pain compliance.

The use of the drive stun mode to overcome verbal non-compliance or passive resistance is prohibited.

The drive stun may be utilized when one probe misses the subject and/or the 2 probes are in close proximity to each other. The drive stun in conjunction with probe deployment will complete the circuit and allow for the desired neuro-muscular incapacitation. The intentional drive stun to the head, neck, chest, and groin area are prohibited unless officers are defending themselves from a violent attack.

3.1.7.8.4 Verbal Warnings and Target

If possible officers should issue a verbal warning prior to firing the Taser at a person. Verbal commands should be loud and repetitive before, during and after deployment to aid in the de-escalation process. Officers should also shout "Taser" to let other officers know that the Taser is being deployed.

Officers should not target the head, throat or groin areas unless a higher level of force is justified. The preferred target area is the center mass of the subject's back. Whenever back-targeting is not possible, frontal targeting should be lower center mass (below the heart). Intentional deployments to the chest should be avoided whenever possible. A range of 7-15 feet from the target is best for probe spread, accuracy, and officer safety. If proper probe deployment is achieved and the weapon appears to be ineffective, the officer should select another appropriate level of force to control the situation.

3.1.7.8.5 Probe Removal and Medical Assistance

The following procedure will apply to all incidents where a person is brought under control by use of the Taser and the probes have penetrated, and remain imbedded in the skin.

Once the person is brought under control by the act of handcuffing, the wires leading to the probes should be broken off after the weapon is placed on "safe." The probes are to remain intact.

All subjects who have been exposed to any Taser application shall receive a medical evaluation by emergency medical responders in the field or at a medical facility. EMS should be summoned to the field for initial assessment and probe removal. Mandatory medical clearance at an emergency room is required for the following categories:

- Persons who request medical assistance.
- Probes struck sensitive areas (eyes, head, genitals, female breasts).
- Probes have penetrated skin and cannot be removed by EMS personnel on site.
- Persons who refuse to allow EMS personnel on site to remove probes.
- Persons who have been exposed to a prolonged application (more than 15 seconds).
- Persons who fall into one of the vulnerable classes such as juveniles, elderly, pregnant women, persons with a known pre-existing medical condition.
- Persons who do not appear to have fully recovered after a short period of time.
- Persons who appear to be experiencing the effects of excited delirium.

Signs of excited delirium include but are not limited to:

- Subject complaining of chest pain.
 - Shortness of breath.
 - Unconsciousness.
 - Under the influence of drugs.
 - Exhibiting a continued state of agitation.
 - Aggressiveness, incoherent shouting.
 - Extreme paranoia.
 - Found naked or tries to disrobe.
- Or, in any circumstance when the officer believes it is prudent.

Excited delirium should be considered a medical emergency and officers should request an emergency medical response to the scene regardless of Taser use.

Subjects who do not meet one of the above listed criteria for mandatory emergency room clearance and who are given the option to refuse medical treatment by the EMS crew on site are not mandated to go to the emergency room.

All subjects who have been exposed by a Taser shall be monitored regularly while in police custody, even if they received medical care. Notification of the exposure should be made when the subject is transferred to jail personnel or is released from police custody.

After medical personnel remove probes, the officer will collect the probes, cartridge, wire, and a sample of the AFIDS for submission to the BGPD evidence clerk. Spent cartridges containing recovered probes will be packaged in sharp proof containers and labeled as biohazard contents.

the person will still be provided the opportunity for medical treatment in a fashion similar to other use of force incidents. (i.e., Ambulance called to the scene and medical assistance offered).

3.1.7.8.6 Taser Documentation and Data Download

The proper use of force documentation is critical anytime force is utilized. Unless the subject is too combative or the situation dictates otherwise photographs are to be made of the site of the probe impacts and any related injuries. Officers may have to make arrangements to take follow-up photographs at a later time to properly document the injuries. A Resistance to Arrest report will be completed. After a Taser use on a person the officer's supervisor will download the data from that officer's assigned Taser. This data will be printed out and attached to the force report along with the photographs and any other pertinent paperwork. Supervisors will periodically conduct random inspections of the Tasers including downloading stored data.

3.1.7.9 INSTRUCTION IN THE USE OF FORCE

All newly hired police personnel are provided instruction in the law regarding the use of force while attending recruit training at the Department of Criminal Justice Training.

As part of the Department's Training Program, all newly hired police personnel are issued copies of and provided with instruction in Department policy and procedures regarding the use of force prior to being allowed to carry a firearm, baton, OC spray canister, or Taser.

3.1.7.10 RENDERING FIRST AID

First Aid	Basic medical assistance given to a sick or injured person until full medical treatment is available.
Medical Emergency	An acute injury or illness that poses an immediate risk to a person's life or long-term health.

Officers receive training in basic first aid along with additional training to include: Cardio Pulmonary Resuscitation (CPR), Automated External Defibrillators (AED), Heimlich maneuver, Naloxone, and Tourniquets. (See 2.5.7.8.1.1; 3.1.7.6; 3.1.7.8.5; 3.1.8.4.1; 4.3.24.2; 4.3.27.4; 4.4.6.4; 4.4.7.2; 4.6.4.3)

3.1.7.10.1 Non-Emergency Situations

Once the scene is safe, and as soon as practical, an officer may provide appropriate medical care consistent with his or her training to any individual who has visible injuries, complains of being injured, or requests medical attention.

3.1.7.10.2 Emergency Situations

Once the scene is safe, and as soon as practical upon discovery of a medical emergency, an ambulance should be immediately requested. An officer may provide appropriate medical care consistent with his or her training, including circumstances related to his or her use of force.

(Remainder of page reserved.)

3.1.8 REPORTING USE OF FORCE

3.1.8.1 REPORT REQUIRED (KACP)

- 1) All use of force incidents involving members of the Bowling Green Police Department are documented by both the officer(s) using force and any officer(s) witnessing the use of force utilizing the departmental "Resistance to Arrest Report". All Resistance to Reports are reviewed by designated staff to determine the appropriateness of the force used. This cursory review is documented by signature(s) on every use of force report.
- 2) The use of a lethal or non-lethal weapon, whether or not an injury or death results, requires an official written report.
- 3) Unless prevented by physical inability (e.g., officer hospitalized), the report should be submitted to the shift supervisor before the officer leaves his tour of duty.
- 4) In the event a Department member is involved in the use of lethal or non-lethal force against another person, no public statement will be made by Department members unless authorized by the Chief of Police or his designee.
- 5) In addition to the Resistance to Arrest Report documentation, the Bowling Green Police Department will also conduct a comprehensive formal internal review of all incidents involving a member of this department and their use of force resulting in the serious physical injury or death of another individual, in-custody deaths, and the discharge of a firearm. (see 3.1.8.3)
- 6) The use of a lethal weapon on an animal (non-human) in instances as described below (See 3.1.7.3) will under normal circumstances not require a comprehensive formal internal review as described in subsection (5):
 - In order to kill a dangerous animal or an animal so badly injured that humanity requires that it be removed from further suffering and when;
 - Permission, if possible, has been obtained from the animal's owner and the act is carried out, if possible, outside the presence of children, and;
 - Great care should be taken for the protection of the public when humanely euthanizing an animal.

The humane euthanasia of any animal will still require documentation on a "Use of Force Report" in the normal manner.

3.1.8.2 GENERAL PROCEDURES (KACP)

- 1) In the event a Department member is involved in an incident in which lethal or less than lethal force is used against another person the following report forms may be utilized:
 - a) Resistance to Arrest Report (required)
 - b) Prisoner Medical Treatment Form (if necessary)
 - c) Bowling Green Police Department Incident Report and/or established To/From/Subject Form.

- 2) Reports will contain at a minimum:
 - a) The circumstances causing the member to resort to physical force,
 - b) The type of physical force used,
 - c) A description of lethal or non-lethal weapons used, and
 - d) Any other attendant circumstance.
- 3) All reports will be reviewed by shift supervisors on duty at the time of the incident. If necessary, reviewing officers may add supplemental material which may contain additional information, or other pertinent information.
- 4) Any officer whose use of force results in a death shall be placed on administrative leave pending termination of the investigation.

3.1.8.3 USE OF FORCE OR ACCIDENT RESULTING IN DEATH OR SERIOUS PHYSICAL INJURY

In all incidents where BGPD members are involved in the use of force, or accident, resulting in the serious physical injury or death of another individual, the Chief of Police or his designee will request the Kentucky State Police to conduct the criminal investigation. After the criminal investigation has been completed, the Chief will assign the appropriate staff to conduct an internal review of the incident, submit a report of findings and make a recommendation as to whether or not department policy and/or training modifications are necessary.

The internal review will consider the following:

- a) Was the force, control and/or restraint used consistent with the agency's policy
- b) Are there any issues requiring a re-evaluation of agency policies and/or procedures
- c) Are there any Training needs identified
- d) Was the equipment provided by the agency adequate, and
- e) Were the actions of the on-duty/on-scene supervisor(s) reasonable

3.1.8.4 USE OF FORCE OR ACCIDENT RESULTING IN DEATH OR SERIOUS PHYSICAL INJURY – FIRST OFFICER / SUPERVISOR ON SCENE: RESPONSIBILITIES (KACP)

- 1) All intentional or accidental discharges of firearms by Department members, other than for practice where permitted or hunting, must be reported to the Department. If the discharge results in injury to any person, the Chief of Police or his designee shall be immediately notified.
- 2) All firearms discharge-incidents reported under paragraph 1 shall be administered according to the following:

3.1.8.4.1 First Officer / Supervisor On Scene: Responsibilities

- 1) Secure the scene and ensure that the scene no longer poses a threat to other citizens, officers, and suspects.

- 2) Ensure that medical attention is provided to all injured parties. Request ambulances for all injured parties.
- 3) Secure the perimeter of the scene to the extent possible to preserve evidence. Do not handle or disturb any evidence once the scene is secure except in exigency to protect it from damage or destruction.

3.1.8.4.2 Additional On Scene Supervisor Responsibilities

- 1) Assume incident command until relieved.
- 2) Ensure that the above listed duties have been completed.
- 3) Determine the necessary resources to manage the incident. Call in additional personnel / resources as necessary.
- 4) Secure all weapons used during the use of force incident. At the Chief's discretion, new weapons will be provided to the officer(s) who's weapon(s) have been secured.
- 5) As soon as possible separate and remove the involved officer(s) to a safe and secure location away from the scene. Involved officers should not discuss their involvement in the incident except with incident investigators and/or at the direction of the Chief of Police. Police Headquarters is the preferred location to remove the involved officers to.
- 6) Assign a non-involved officer to accompany and remain with each involved officer and suspect to either the hospital or to the safe and secure location as appropriate until no longer necessary.
- 7) Secure and separate all witnesses of the incident until they can be interviewed by the incident investigator(s).
- 8) Notify the Chain of Command as soon as practical. Be prepared to provide a detailed briefing of the incident, to the degree known, to arriving on-scene command and investigators.
- 9) Notify the Commonwealth's Attorney as soon as practical.
- 10) Review all initial reports and supplements when available. Involved officers will be allowed to sleep prior to completing any incident and/or Resistance to Arrest reports. When possible, involved officers will be allowed to sleep before providing a detailed statement or being interviewed by the incident investigator.

3.1.8.5 USE OF FORCE OR ACCIDENT RESULTING IN DEATH OR SERIOUS PHYSICAL INJURY – POST INCIDENT PROCEDURES

- 1) Administrative Leave – At the Chief's discretion involved personnel may be placed on Administrative Leave to assist in the physical/psychological recovery from the incident and/or until the investigation has been completed. Officers on Administrative Leave will be required to make themselves available to assist in the incident investigation as necessary. (See also § 4.10.2, internal affairs.)
- 2) Counseling Assistance – All employees involved in or witnessing a use of force incident that results in the death or serious physical injury of another person are encouraged to seek counseling through the City provided Employee Assistance Program as needed. The Chief may require any employee(s) involved in the use of force to submit to a psychological evaluation. The psychological counseling may occur in the immediate aftermath of an incident as well as prior to returning to work.
- 3) Family Counseling Assistance – Family members may also seek counseling through the City provided Employee Assistance Program as needed. The psychological counseling may occur in the immediate aftermath of an incident as well as prior to returning to work.
- 4) Stress Recognition – Supervisors should monitor involved officers for changes in behavior or work performance that may be stress related. Supervisors should report

- these observed changes in behavior to their chain of command. Further action may be taken at the Chief's discretion.
- 5) Debriefing – A debriefing will be done for every use of force incident that results in the death or serious physical injury of another person. The debriefing will typically be done after the incident investigations have been completed. All employees directly or peripherally involved in the use of force incident will be invited to attend the debriefing.

(Remainder of page reserved.)

3.1.9 FIREARMS PROVISIONS AND QUALIFICATION

1	Primary weapon	The departmentally issued Smith and Wesson M & P .40 or .9mm caliber semi-automatic pistol, or any one of the approved semi-automatic pistols. Typically open carried in a gun belt configuration or in a gun holster worn on the waist (Patrol/CID), or in an approved concealed configuration and holster (DTF).
2	Secondary weapon	The departmentally issued Smith and Wesson Shield .9mm caliber semi-automatic typically carried as a back-up weapon in a concealed departmentally issued or approved holster.

3.1.9.1 FIREARMS PROVISIONS (KACP)

- 1) For safety and civil liability reasons officers shall use in the performance of duty only weapons and/or ammunition authorized and/or issued by the Agency. Officers shall carry as their on-duty Primary weapon the Department issued Smith and Wesson M & P .40, .45, or .9mm caliber semi-automatic pistol. Officers shall carry as their on-duty Secondary weapon the Department issued Smith and Wesson Shield semi-automatic pistol.

The on-duty carry of personally owned firearms will no longer be authorized. All officers previously authorized to carry personally owned firearms will be required to transition to the Department issued Primary and Secondary weapons by July 1, 2018.

- 2) Plain-clothes officers and administrative personnel will carry the Department issued Smith and Wesson M & P (Primary) and S&W Shield as a Secondary weapon, as necessary.
- 3) All holsters and accessories for weapons carried on duty by uniformed officers must conform to approved Department uniform standards and are subject to inspection. All holsters and accessories carried on duty by uniformed and plain clothes officers must be approved by the Chief of Police.
- 4) Pursuant to KRS 527.020 and City Code of Ordinances 9-1.09, officers are authorized to carry concealed deadly weapons at all times in the Commonwealth. Officers are not required by the Department, however, to carry a weapon off duty if they choose not to do so, (see § 4.3.12.5, off-duty use). If an officer chooses to carry a handgun while off-duty, the Department recommends that it be the same weapon carried while on-duty.
- 5) Officers are responsible for routine firearms cleaning and care for all Department owned firearms that are issued to them. All firearms are subject to inspection at any time.
- 6) Any malfunction of a Department-owned handgun which may or may not require repair work shall be reported immediately to a member of the Firearms Staff. The arrangement of repair work for Department-owned firearms shall be the responsibility of the Firearms Coordinator. Replacement weapons will be issued while repairs are being completed.
- 7) Officers shall not attempt to repair or dismantle a Department-owned handgun, beyond that which is taught by the Firearms Staff for cleaning purposes. Yearly maintenance of

the Department issued Smith and Wesson M & P will be performed by Firearms Staff members certified as armorers for that weapon system.

- 8) Each officer is assigned a Department owned .223 rifle for duty use. All routine loading and unloading procedures are accomplished outdoors at the cruiser parking lot or firing range.
- 9) Rifles should be cleaned at least monthly by the officer assigned to the weapon. Yearly maintenance of these weapons will be performed by Firearms Staff members certified as armorers for that weapon system.
- 10) Other Department owned and approved long guns may be available under prescribed circumstances to those qualified in their appropriate use.
- 11) It is recommended that officers store weapons by utilizing safety measures taught by the Department Firearms Staff.

3.1.9.2 FIREARMS QUALIFICATIONS (KACP)

- 1) Firearms qualifications involves not only the actual firing of weapons but also a passing score (70% or above) on a "what, when, where, and how" written test based on the training provided. DEMONSTRATED PROFICIENCY, therefore, includes:
 - a) Achieving minimum scores on a prescribed course,
 - b) Attaining and demonstrating a knowledge of the laws concerning the use of firearms, and
 - c) Being familiar with recognized safe-handling procedures for the use of weapons.
- 2) Training through the firing of weapons shall take place at various times of each year at the Bowling Green Police Department Firearms Range under the supervision of certified Bowling Green Police Department Firearms Staff (see § 2.3, chapter 2.3 - training).
- 3) All sworn members of the Department are required to undergo the following courses each year and successfully qualify at least twice per year with a score of 70% or above:

For S&W M & P (and approved personally owned handguns):

 - a) BGPD Silhouette Course,
 - b) BGPD Low Light Silhouette Course,
 - c) DOCJT Daytime Handgun Qualification Course,
 - d) DOCJT Low Light Handgun Qualification Course

For S&W Shield handgun (and approved personally owned secondary handguns):

 - a)BGPD Secondary Handgun course.

For rifles:

 - a).....BGPD Patrol Rifle course.(Daytime and Low Light)

For firearms:.....Department written test (see item 1) above).
- 4) A select number of sworn members of the Department are required to undergo the following courses and successfully qualify:
 - a)..... For chemical munitions launching operations: BGPD Pass/Fail Course.
 - b)..... For sniper rifles: BGPD Pass/Fail Course.

- 5) All sworn officers will be required to complete yearly scenario based training on force decision making. Scenarios will include daytime and low light conditions.
- 6) Officers that fail a particular course of fire will be required to immediately attempt to qualify. If the immediate requalification attempts are unsuccessful the officer will be recommended for at least (4) hours of remedial training. Remedial training will be scheduled with a member of the training staff on the first available day but must be completed within 30-days. The remedial training should document the steps taken to improve firearms proficiency.

End of Chapter 3.1

CHAPTER 3.2

AGENCY JURISDICTION, MUTUAL AID AND REGIONAL SERVICES

3.2 CHAPTER 3.2 - AGENCY JURISDICTION, MUTUAL AID AND REGIONAL SERVICES

This chapter relates to the Department's jurisdiction, mutual aid, and participation in regional services.

3.2.1 JURISDICTION AND MUTUAL AID

3.2.1.1 DEFINITION

Jurisdiction

The Department's jurisdiction is the territorial range over which its authority extends.

3.2.1.2 POLICE JURISDICTIONAL GOAL

The Bowling Green Police Department seeks to provide within its jurisdictional responsibilities the most effective police service practicable in the most efficient possible manner.

3.2.1.3 DEPARTMENT JURISDICTION RESPONSIBILITY (KACP)

Although the police departments of second class cities possess the authority to make arrests anywhere in the county in which the city is located, the Bowling Green Police Department is not required by the State or the City to police outside the city limits (see KRS 95.019). The Department's police responsibility is within the limits of Bowling Green. The Department maintains a detailed official map depicting the city's limits and coverage area.

3.2.1.4 CONCURRENT JURISDICTION (KACP)

Law enforcement situations of concurrent jurisdiction involving other law enforcement agencies should be managed in the following manner (see also § 1.1):

- 1) Concurrent jurisdiction implies concurrent responsibility; thus, every effort should be made to ensure mutual agency decision making agreement, especially in the planning and conduction of tactical operations.
- 2) The Department's command officer at the scene will assume command and operational control until the other law enforcement agency clearly indicates that the jurisdictional responsibility is exclusively theirs and that they are ready to assume them.
- 3) In all events of concurrent jurisdiction, it shall be the policy of the Bowling Green Police Department that Departmental members either assume a primary role with exclusive responsibility for resolving the situation or a secondary role involving traffic control, barricade placement, perimeter control, etc.

- 4) For operations involving hostages see § 4.14.3, hostage situations and barricaded subjects.

3.2.1.5 REQUESTING FEDERAL LAW ENFORCEMENT ASSISTANCE IN EMERGENCY SITUATIONS

In situations involving federal responsibilities, requests for federal law enforcement assistance may be made by the officer in charge by phone to the following local federal offices:

- 1) Federal Bureau of Investigation
- 2) US Treasury Dept. Alcohol Tobacco and Firearms
- 3) US Customs
- 4) US Marshall
- 5) IRS Criminal Investigative Division

3.2.1.6 REQUESTING NATIONAL GUARD ASSISTANCE IN EMERGENCY SITUATIONS

The Kentucky National Guard (KYNG) will support emergency operations necessitated by a natural or manmade disaster in the State of Kentucky when so ordered by the Governor, provided they have not been federalized or are otherwise not available (KRS 38.030).

Requests may be made according to the following procedures specified in the Bowling Green Warren County Emergency Operations Plans Manual, pages 4-5:

- 1) "The Chief Executives [Mayor] or DES Coordinator will contact the KY DES Area Coordinator to request state assistance.
- 2) If the Area Coordinator cannot be reached, the KY DES Duty Officer is on staff twenty-four hours a day to relay requests for assistance and to coordinate state response. The phone number of the Duty Officer is (502) 564-7815 or 564-8600.
- 3) The KY DES Duty Officer has available all the necessary resources to contact state, federal and private agency personnel and coordinate their response."

3.2.2 REGIONAL SERVICES

3.2.2.1 CENTRALIZED STATEWIDE FINGERPRINT RECORDS SYSTEM

Law enforcement agencies are required to submit a set of fingerprints of all persons arrested on a felony charge, to the Records Section, Dept. of State Police, Justice Cabinet within thirty (30) days after the arrest (KRS 17.110). The Bowling Green Police Department participates in this system.

3.2.2.2 CENTRALIZED STATEWIDE CRIMINAL INFORMATION SYSTEM

Law enforcement agencies are required to submit criminal information statistics to the Justice Cabinet (KRS 17.150). The Bowling Green Police Department participates in this system.

3.2.2.3 STATEWIDE CRIME REPORTING SYSTEM

The Bowling Green Police Department participates in the Uniform Crime Reporting system which is administered by the state.

End of Chapter 3.2

CHAPTER 3.3

RELATIONSHIPS WITH OTHER AGENCIES

3.3 CHAPTER 3.3 - RELATIONSHIPS WITH OTHER AGENCIES

This chapter relates to liaison with other agencies and interagency planning.

3.3.1 DEFINITION AND GOAL

3.3.1.1 DEFINITION

Liaison

Liaison is the establishment and maintenance of effective channels of communication between the Department and other agencies.

3.3.1.2 GOAL

Liaison seeks to improve cooperation between law enforcement agencies and other agencies.

3.3.2 DEPARTMENT LIAISON

3.3.2.1 CHANNELS OF COMMUNICATION

The Chief of Police attends a quarterly law enforcement meeting with the following:

- 1) The Coroner
- 2) Local prosecutors
- 3) Sheriff
- 4) State Police
- 5) The Jailer
- 6) State Probation and Parole personnel
- 7) Federal law enforcement officers

The Chief of Police attends a monthly utility manager's meeting attended by Fire Department and medical services personnel.

3.3.2.2 REFERRALS

Department members often encounter, during the course of duty, situations which may be best resolved through referral to another agency. When referrals are warranted, the following criteria should be considered:

- The nature of the problem,
- The type of help or remedy required, and
- The identification of the agency best suited to provide remedy.

3.3.2.3 SERVICES AND RESOURCES AVAILABLE

The following are resources and services provided for Department referral by other public and social service agencies:

Resources Available		Services
1	Department for Permanency and Protection.	Social Services, official case worker, counseling, monitoring, etc.
2	Comprehensive Care and the Help Line	Counseling services.
3	Hospice	Counseling.
4	B.R.A.S.S.	Battered Spouse counseling and temporary protection.
5	Child Protection Committee	Abuse protection and counseling.
6	Barren River District Health Dept.	Health related referrals.
7	Salvation Army	Temporary food and shelter.
8	Welfare Center	Temporary food and shelter.
9	H.O.T.E.L. Inc	Temporary food and shelter.
10	Court Designated Worker	Court-related referrals.
11	Rescue Squad	Rescue

3.3.3 THE CRIMINAL JUSTICE SYSTEM

3.3.3.1 DEPARTMENT'S DIVERSION PROGRAM

The Criminal Investigations Division seeks the least forceful alternative when disposing of cases involving juveniles by diverting certain cases from the Court. For its diversion program, see § 4.9.5.2, programs intended to prevent and control delinquent behavior (kacp).

3.3.3.2 COURT PROCEDURES FOR PRETRIAL RELEASE OF PERSONS ARRESTED

Bail bond reform in Kentucky was set forth by the legislature in 1976 through KRS 431.510-431.545. The Kentucky pretrial release program is administered under the Supreme Court Rules (Rules of Criminal Procedure) RCr 400-458. Pretrial release may be defined as the release of a

defendant from custody before his trial date. It may be secured by any authorized method of pretrial release including but not limited to release on personal recognizance, on nonfinancial conditions or upon execution of bail bond. Pretrial Services is the agency established or authorized by Supreme Court order to provide pretrial release investigation and services for trial courts having jurisdiction of criminal causes. After booking and lodging procedures at the regional jail it is the responsibility of Pretrial Services to investigate and arrange for any pretrial release procedure.

The primary responsibility of the local pretrial services officer is to serve as a neutral information gathering arm of the court in the initial phase of bail determination. In that role, the pretrial services officer must see to it that all defendants under custodial arrest are interviewed, that their potential for pretrial release is evaluated and that this information is supplied to the bail-setting judge. The standard duties of the local pretrial services officer are:

- 1) Interviewing defendants within 12 hours of custodial arrest for the purpose of gathering bail-setting information for use by the court;
- 2) Verifying the information given by the defendant through references provided by him during the interview;
- 3) Obtaining a complete and verified past criminal history of the defendant,
- 4) Administering affidavits of indigency,
- 5) Obtaining a release decision from the appropriate judicial officer and assisting the defendant in the actual release process where applicable,
- 6) Supervising the actions of defendants released on conditions,
- 7) Notifying all program releasees of their pending court dates,
- 8) Monitoring courts for the purposes of providing requested information to the trial bench and for observing the attendance of program releasees,
- 9) Monitoring those released on 10% deposit bond when requested,
- 10) Assisting clerks of court in the processes and procedures of the monetary bail bond system when requested,
- 11) Supervising volunteer interns who might be recruited from local colleges and civic organizations and coordinating internship programs with such organizations,
- 12) Establishing liaison and coordination of activities with other criminal justice agencies,
- 13) Working closely with trial judges in matters of service provisions and procedures,
- 14) Securing bail jumping warrants for program releasees who fail to appear for court (see below),
- 15) Submitting reports, and
- 16) Adjusting the local program to fit local needs.

Few people released on bond or their own recognizance fail to appear in court. Only a small percentage, however, of those who willfully fail to appear are subsequently apprehended. Low apprehension rates are generally attributed to the fact that those who willfully fail to appear do not remain in the area for long. For this reason, quick action by officers when notified of outstanding failure to appear warrants can significantly increase the likelihood of the arrest of specific bail jumpers. (For the Department's Legal Process, see § 4.3.26 and particularly § 4.3.26.3, records.)

3.3.3.3 HABITUAL / SERIOUS OFFENDERS

The criteria designating certain individuals as a persistent felony offender is set forth in KRS 532.080. Generally, a persistent felony offender in the first degree is a person who is more than twenty-one (21) years of age and who stands convicted of a felony after having been convicted of two (2) or more felonies. Generally, a persistent felony offender in the second degree is a person who is more than twenty-one years of age and who stands convicted of a felony after having been convicted of one (1) previous felony. (For further commentary, see paragraphs (2), (3), and (4) of the statute.)

Officers conducting felony crimes investigations which, by the above definition, may identify a perpetrator, if convicted, to be a persistent felony offender, should notify the Commonwealth Attorney's office and seek assistance in case preparation. (See also § 4.7.8, investigative procedures (and court presentation).)

End of Chapter 3.3

PART 4: LAW ENFORCEMENT OPERATIONS

CHAPTER 4.1

COMMUNICATIONS

4.1 CHAPTER 4.1 - COMMUNICATIONS

This chapter sets forth the Department's communications system. The system conveys information from the public to the Department through communications personnel; to the officer who responds to the call for assistance; to other law enforcement and public service agencies; and to information storage facilities and retrieval systems.

4.1.1 DEFINITION, GOAL AND POLICY

4.1.1.1 DEFINITION

Police Communications

Police communications is one part of the interrelated elements grouped to perform the police service. Its component parts include: the telephone system, radio communications, computer aided dispatch system and command and control operations. This chapter is concerned with the operations of the Communications Center, telephone system and radio communications.

4.1.1.2 GOAL

The basic goal of the police communications system is to satisfy the immediate information needs of the Police Department in the course of its normal daily activities and during emergency situations.

4.1.1.3 POLICY

The communications function of any law enforcement agency is generally the first link in the chain of police service. Recognizing the importance of this function, the Bowling Green Police Department continually endeavors to improve the operation of its communications component, both in the course of the normal daily activities and during emergency situations. In so doing, it is also the policy of the Police Department to comply with all regulations pertaining to local, state, and federal criminal justice information systems.

4.1.2 ADMINISTRATION

4.1.2.1 ADMINISTRATION AND FUNCTIONS

- 1) The Department's telephone communications include emergency and non-emergency response to:
 - a) Telephonic requests for police, fire, and some ambulance services; and
 - b) Telephonic requests for such information as may be within the purview of this Department.
- 2) The Department radio communication include:
 - a) The dispatch of police officers, City & County fire units, and transfer calls to medical and county law enforcement dispatch in response to various calls for service,
 - b) The monitoring of radio traffic initiating from officers and fire units directed to the dispatcher, and
 - c) The dissemination via radio of such other information as may be appropriate.
- 3) Teletype and automated data communications including:
 - a) The dissemination of such computerized information as may be allowed by State and Federal regulation or Department procedures,
 - b) The entry of information into the computer system as directed, and
 - c) The maintenance of such print-outs or computerized information as may be directed.
- 4) The communications division is a part of the Field Operations Services Bureau. Direct supervision is administered by the Communications Center manager. The manager of the communications division along with the communications supervisors are responsible for:
 - d) Assisting in the recruitment of communications personnel,
 - e) Assisting in the selection and recommendation of suitable personnel,
 - f) The ongoing training of communications personnel,
 - g) The supervising and scheduling of communications personnel,
 - h) Such discipline of communications personnel as may be consistent with Department and City procedures,
 - i) Assuring that Department radio communications are conducted in accordance with FCC regulations, and
 - j) Assuring that the various communications systems are in good working order.

4.1.2.2 COMMUNICATIONS PERSONNEL

Communications personnel are bound by the same levels of professionalism and courtesy expected of sworn personnel. Personnel are expected to refrain from conduct, both on-duty and off-duty, which would reflect negatively on themselves or the Department.

Duty hours for communications personnel are determined by the supervisor, the on duty or on call division supervisor or, the division manager if the on call supervisor cannot be reached. Requests for holidays, vacation time, etc., are approved by the communications supervisor or manager. Shift times may vary to ensure adequate twenty-four hour coverage.

Telecommunicators assigned to the communications division are responsible for:

- 1) Responding to requests for police, fire, or ambulance services;
- 2) Communicative responsibilities enumerated in § 4.3.2, communications;

- 3) Monitoring and operating the various official radio systems in accordance with Federal Communications Commission (FCC) procedures and requirements;
- 4) Entering, retrieving, and operation of the automated data information systems maintained by the Department; and
- 5) Performing such other related duties as may be directed by higher authority.

4.1.2.2.1 PERSONAL COMMUNICATIONS

The Communications Division employees may not send or receive phone calls of a personal nature, while working in the Communications Center, unless explicitly authorized by the Communications Center Supervisor or chain of command or unless the call is related to an unexpected personal emergency. The employee must notify his/her supervisor of the phone call as soon as practical after receiving the personal emergency call.

Personal communication devices, to include cell phones, will not be allowed in the Communications Center unless explicitly authorized by the Communications Center Supervisor or chain of command - on a case-by-case basis - or in the event all other telephone communication has failed. The use of a personal communication device for the purpose of calling, sending or receiving text messages or internet access, while in the Communications Center, is expressly prohibited without authorization.

All "calls for service" will be dispatched by police radio unless explicitly authorized by the Communications Center Supervisor or chain of command, or unless exigency requires an alternate form of communication – to include dispatching bomb threats or other, easy to articulate, officer safety/public safety considerations.

Officers will not be dispatched to, or respond to, non-police related calls for service, to include other emergency responder calls for service (i.e., Medical Emergency) unless the agency of authority requests police presence. This does not prohibit officers from rendering aid to any person if they, in the course of their normal duties, are presented with an opportunity to do so.

(Remainder of page reserved.)

4.1.3 OPERATIONS

4.1.3.1 PUBLIC ACCESSIBILITY TO THE DEPARTMENT (KACP)

The Department's law enforcement function is available 24 hours a day, every day of the week within the City's limits. Law enforcement service may be obtained by the public from the Police Department through the following communicative arrangements:

- The public is able to contact the Department at all times for information or assistance through 24-hour telephone service.
- The Department's Enhanced 911 System increases the ability of citizens to quickly and easily telephone for emergency service.

Alarms are not wired to the Police Department, however, the Department responds to:

- Professional alarm services, and
- Reported audible alarms.

4.1.3.2 DEPARTMENT RESOURCES FOR RESPONSE (KACP)

Communications personnel have immediate access to the following Departmental resources:

- The officer in charge,
- Duty roster of all personnel, and
- The telephone number of every Department member.
- On Call information for persons who are needed on a 24 hour basis.

The Department has the capability of immediate playback of recorded telephone and radio conversations through the recording device.

4.1.3.3 RECORDS

The documentation of Incidents is initiated by telecommunicators via the Computer Aided Dispatch (CAD) System and serves as a complaint control source for follow-up and/or as the full report of an incident. All follow-up incident reporting is based upon this system.

A record is made, within the CAD Incident, of the primary and backup officers assigned to an incident.

4.1.3.4 RELEASE OF RECORDS (KACP)

Citizen / clients requesting review and/or release of information recorded within this Department's communication system shall be referred to the Records Division for filing of Open Records procedures.

Third-party complainants and witnesses' names shall not be released. Persons requesting such information will be referred to the Records Division for filing of Open Records procedures.

4.1.3.5 MEDIA INFORMATION (§ 4.3.36.5 AND 4.10.4)

Telecommunicators will refer all requests for information from the public or news media in reference to any case or topic to the appropriate media relations officer (Police or Fire) or to a Patrol Supervisor. The only information that will be given out by a telecommunicator is the location and nature of an incident.

(Remainder of page reserved.)

4.1.4 FACILITIES AND EQUIPMENT

4.1.4.1 COMMUNICATIONS SECURITY (KACP)

The Deputy Chief in charge of Field Operations is responsible for the security of the communications and call processing facilities of the Department. Access to the service area is limited to authorized personnel. In general, the communications center is limited to those persons who operate and command the center.

The ability to maintain communications in all emergency situations dictates that security measures should be implemented to protect communications personnel and equipment. Other appropriate measures may be approved for the security and protection of communications personnel and equipment as needed.

4.1.4.2 RECORDING EQUIPMENT

Telephone and radio communications processed by the communications center are recorded. Recordings are retained at minimum to State specifications.

Approval for obtaining recorded material may only be granted by the Chief of Police, the Field Operations Deputy Chief, the Communications Center Manager, or a Communications Center Supervisor. The replaying of tapes should be done in a manner which will not disrupt normal communication operations:

- 1) Approval will be necessary for persons other than police or fire department personnel.
- 2) Recordings involving ongoing investigations may be withheld pending approval from the investigating officer.

Use of personal recording devices (audio or video) within the Communications Center is prohibited, except as authorized by the Chief of Police.

4.1.4.2.1 Instant Recall

Telecommunicators have the capability to immediately play back phone conversations and radio traffic for the previous 30 minutes. The call check at each station will access all radio channel recordings but only the telephone recordings for that position. A telecommunicator needing access to a recording that is more than 30 minutes old should contact a Communications Center Supervisor or the Communications Center Manager for assistance.

4.1.4.2.2 Personal Recordings Prohibited

Personal recording of conversations or activity within the Communications Center is prohibited except as authorized by the Chief of Police.

4.1.4.3 RESOURCES AND CAPABILITIES FOR RESPONSE

The Department provides communicative resources and capabilities for response to public calls for service including:

- 1) A listing of telephone numbers of emergency service agencies, immediately available to communications personnel;
- 2) Maps detailing the Department's service area, visually available to communications personnel;
- 3) The Department's 24-hour two-way radio capability providing continuous communication between the communications center and officers on duty; and
- 4) The Department's multi-channel mobile and portable radio equipment capable of two-way operation on joint public safety frequencies.

4.1.4.4 EMERGENCY GENERATOR

Departmental communications must be completed both in the course of the normal daily needs and in emergency situations. Therefore, a dependable alternate power source must be available in the event of failure of the primary service.

The Communications Center will remain fully operational in the event of a power outage. An Uninterrupted Power Supply (UPS) system facilitates a seamless transfer to generator power. The main generator is powered by natural gas with a propane gas backup. The generator is designed to start automatically. In the event the generator fails to start, the UPS system will power the Communications Center for several hours. A back-up generator powered by diesel fuel is available in the event the primary generator fails. The overhead lights in the Communications Center will remain out if the generator fails to start. If the Communications Center is on back-up power for more than 30 minutes, the on duty or on call Communications Supervisor should be notified. The generator is programmed to automatically test once a week under load and is serviced monthly by the City's Public Works Fleet Division.

End of Chapter 4.1

Appendix A begins on the next page.

Appendix A is the Communications Division Policy and Procedure Manual

4.1.5 APPENDIX A -- COMMUNICATIONS DIVISION POLICY AND PROCEDURES MANUAL

4.1.6 INTRODUCTION

Personnel assigned to the Communications Division of the Bowling Green Police Department work under the authority of the Chief of Police. The Communications Division is a part of the Field Operations Bureau. Communications personnel are responsible for communications activity for the Bowling Green Police Department, the Bowling Green Fire Department and the Warren County Volunteer Fire Departments. The Communications Center serves as the E911 Public Safety Answering Point (PSAP) for Bowling Green and Warren County for landline, VOIP (Voice Over Internet Protocol), and wireless 911 callers. Calls for county law enforcement, Emergency Medical Services, or Western Kentucky University Police Department are transferred to the appropriate responding agency. The Communications Division is responsible for Warrant Management for the Bowling Green Police Department and performs LINK/NCIC duties in accordance with LINK/NCIC policy and procedures.

4.1.6.1 CONTENTS

This manual shall be used as a guideline for Communications Division activity. While no document can cover every conceivable incident a telecommunicator may encounter, this manual, along with the Bowling Green Police Department Policy and Procedure Manual and the City of Bowling Green Administrative Personnel Policy and Procedure Manual should provide a basic understanding of the policies and procedures practiced in the Communications Center. The Communications Division policy and procedures manual is divided into the following:

Introduction and General Information	§ 4.1.6
Telephone	§ 4.1.7
Radio.....	§ 4.1.8
Calls for Service.....	§ 4.1.9
Computer Aided Dispatch.....	§ 4.1.10
Warrants and Summons	§ 4.1.11
Operations and Miscellaneous Information	§ 4.1.12
Evacuation	§ 4.1.13

4.1.6.2 MANUAL

A copy of this manual will be kept in the Communications Center accessible at all times. Each telecommunicator will be provided with a copy of the manual so all tasks can be handled as consistently and as efficiently as possible. It is the responsibility of each telecommunicator to read and become familiar with this manual and its contents and seek clarification from a Communication Center Supervisor on any policy or procedure they do not fully understand.

4.1.6.3 PURPOSE OF POSITION

The position of telecommunicator is one of great responsibility. This position provides the link between the citizen requesting service and the Public Safety Agency responding to the request. The way this job is handled could mean the difference between life and death for a citizen or emergency responder. The primary responsibility of a telecommunicator is to receive requests for service from citizens and to relay that request to the appropriate agency accurately, briefly, and clearly to ensure the safety of citizens and responding units. The secondary responsibility is to keep accurate records of Communications Center activity as well as maintain accurate warrant and LINK / NCIC files. The radios and telephones take precedence over all other activity in the Communications Center.

4.1.6.4 CODE OF ETHICS AND CONDUCT: (§ 2.10.2)

All employees of the Communications Division of the Bowling Green Police Department shall perform all duties impartially, without favor or affection or ill will and without regard to status, sex, race, religion, political belief or aspiration. All citizens will be treated equally with courtesy, consideration, and dignity.

4.1.6.4.1 Abuse of Position

Employees shall not use their official identification cards, badges, or position for any of the following:

- Avoiding consequences of illegal acts;
- Obtaining privileges not otherwise available; and
- Obtaining financial gain.

Employees shall not lend to another person their identification cards or badges or permit them to be photographed or reproduced without the approval of the Chief of Police. Employees shall not authorize the use of their names or official titles in connection with testimonials or advertisements of any commodity or commercial enterprise, without the approval of the Chief of Police.

4.1.6.4.2 Associations

Employees shall use the utmost discretion when establishing regular and continuous associations with persons whom they know or should know are persons under criminal investigation or indictment, or are known to the Department to have present involvement in felonious or criminal behavior, except as necessary in the performance of official duties, or where unavoidable because of personal relationships.

4.1.6.4.3 Confidentiality

All law enforcement, medical, or criminal justice related information obtained, heard, viewed, or discussed is to be kept confidential. Members of the public have a right to security and privacy and information learned about them must not be improperly divulged

unless the performance of duty or legal provision requires otherwise. Law enforcement resources shall not be used for personal use or gain.

4.1.6.4.4 Courtesy

Employees shall exercise the utmost discretion, tact and control, not engaging in argumentative discussions, even in the face of extreme provocation. Employees shall not use course, violent, profane, or insolent language, and shall not express prejudice concerning one's race, religion, politics, national origin, life-style, or similar personal characteristics. Employees shall not use language patterns that may be offensive to racial, ethnic, religious, women, or other groups. The use of nicknames, vulgarity, stereotyped terms, ethnic and religious jokes are examples deemed inappropriate

4.1.6.4.5 Endorsements or Referrals

Employees shall not recommend or suggest in any manner, except in the transaction of personal business, the employment or procurement of a particular product, professional service, or commercial service (e.g., attorney, ambulance service, towing or garage service). When ambulance or towing services are needed while employee is engaged in official duties, established Departmental procedures shall be utilized.

4.1.6.4.6 Fictitious Illness or Injury Reports

Employees shall not feign illness or injury, falsely report themselves ill or injured, or in any matter involving individual health, deceive or attempt to deceive any official of the City or the Police Department.

4.1.6.4.7 Gambling

Employees shall not engage or participate in any form of illegal gambling at any time.

4.1.6.4.8 Gifts, Gratuities, Bribes, or Rewards

Employees shall not solicit or accept from any person, business, or organization any gift (e.g. money, tangible or intangible personal property, food, beverage, loan, promise, service, or entertainment) of personal or Departmental benefit, if it may reasonably be inferred that the person, business, organization:

- Seeks to influence action of any official nature or seeks to affect the performance or non-performance of an official duty, or
- Has an interest which may be substantially affected directly or indirectly by the performance or non-performance of an official.

4.1.6.4.9 Immoral Conduct

All employees shall maintain a level of moral conduct in their personal and business affairs which is in keeping with the highest standards of the law enforcement profession. Employees shall not participate in any incident involving moral turpitude which impairs their ability to perform as law enforcement employees or causes the Department to be brought into disrepute.

4.1.6.4.10 Insubordination

Departmental employees shall be required to obey any lawful order of a superior including any order relayed from a superior by an employee of the same or lesser rank. Any employee who willfully disobeys or disregards a lawful direct order, verbal or written, of a Supervisor will be considered insubordinate.

4.1.6.4.11 Leaving Duty Post

Communications Center personnel shall not leave their assigned duty posts during a tour of duty except when authorized by proper authority.

4.1.6.4.12 Neglect of Duty

Employees shall not read, play games, watch television or movies, or otherwise engage in entertainment while on duty, except as may be required in the performance of duty. They shall not engage in any activities or personal business which would cause them to neglect or be inattentive to duty.

4.1.6.4.13 Operating Vehicles

All Employees shall operate official vehicles in a careful and prudent manner, and shall obey all laws and Departmental orders pertaining to such operation. Loss or suspension of any driving license shall be reported to the Department immediately.

4.1.6.4.14 Possession of Drugs

No employee shall possess or use any controlled substances, narcotics, or hallucinogens except when prescribed in the treatment of personnel by a physician or dentist. When controlled substances, narcotics, or hallucinogens are prescribed, employees shall notify their Supervisor.

4.1.6.4.15 Private Life

Communications Division personnel will behave in a manner that does not bring discredit to their agencies or themselves.

4.1.6.4.16 Public Statements

Communications Division personnel shall not publicly criticize or ridicule other employees of the Police Department or the Department or its policies by speech, writing, or other expression, where such speech, writing, or other expression is defamatory, obscene, unlawful, undermines the effectiveness of the Department, interferes with the maintenance of discipline, or is made with reckless disregard for truth or falsity.

Employees, while holding themselves out as representing the Police Department, shall not, without proper authority, address public gatherings, appear on radio or television, prepare any articles for publication, act as correspondents for newspapers or periodicals, release or divulge investigative information, or release or divulge other matters of the Police Department.

Employees may lecture on police department or related matters only with prior approval of the Chief.

Telecommunicators will refer requests for information from the public or news media to the appropriate Public Information Officer (Police or Fire) or to a Patrol Supervisor. The only information that may be given out by a telecommunicator is the location and nature of an incident.

4.1.6.4.17 Reporting for Duty

Communications Division personnel shall report for duty at the time and place required by assignment or orders, and shall be physically and mentally fit to perform their duties.

4.1.6.4.18 Requests for Assistance

When any person applies for assistance or advice, or makes a report or complaint in person or by telephone, all pertinent information will be properly obtained officially, courteously, and judiciously, and acted upon consistent with established Departmental procedures.

4.1.6.4.19 Sleeping on Duty

Communications Division personnel shall remain awake while on duty. If unable to do so, the employee shall report such to a Communications Center Supervisor either on-duty or on call who shall then determine the proper course of action.

4.1.6.4.20 Truthfulness

Upon order of the Chief, his designee, or any Supervisor, employees shall truthfully answer all questions asked of them which are specifically directed and narrowly related to the scope of employment, individual official conduct, or operations of the Department.

4.1.6.4.21 Unbecoming Conduct

Communications Division personnel shall conduct themselves at all times, both on and off duty, in such manner as to reflect most favorably on the Department. Conduct unbecoming an employee shall include that which brings the Department into disrepute, reflects discredit upon officers and members of the Department, or that which impairs the operation or efficiency of the Department or individual officer.

4.1.6.4.22 Unsatisfactory Performance

Communications Division personnel shall maintain sufficient competency in order to properly perform their duties and assume the responsibilities of their positions. Employees shall carry out the functions and objectives of the Department while maintaining the highest of standards. Unsatisfactory performance may be demonstrated in the following manner:

- 1) Inadequate knowledge and application of departmental procedures and laws to be enforced;
- 2) Unwillingness or inability to perform assigned tasks;
- 3) The failure to conform to work standards established for position;
- 4) The failure to take appropriate action on the occasion of crime, disorder, or other condition requiring police or fire department attention; and/or
- 5) Absence without leave.

In addition to other indications of unsatisfactory performance, the following will be also be considered evidence of unsatisfactory performance:

- 1) Repeated poor evaluations.
- 2) Repeated infractions of rules, regulations and directives; and/or
- 3) Repeated infractions of orders.

4.1.6.4.23 Use of Alcohol Off Duty

While off duty, Communications Division personnel shall refrain from consuming intoxicating beverages to the extent resulting in impairment, intoxication, or obnoxious or offensive behavior which discredits them or the Department, or renders the employee unfit to report for their next regular tour of duty.

4.1.6.4.24 Use of Alcohol On Duty

Communications Division personnel shall not consume intoxicating beverages while on duty and shall not appear for or be on duty while under the influence of alcoholic beverages to any degree.

4.1.6.4.25 Violation of Rules

Communications Division personnel shall not commit any acts or omit any acts which constitute a violation of any written or spoken policy, rule, regulation, or order of the Department.

4.1.6.4.26 Chain of Command

The chain of command for Communications personnel is as follows:

- 1) Communications Center Supervisor.
- 2) Communications Center Manager.
- 3) Deputy Chief Field Operations.
- 4) Chief of Police.

Issues that involve the Communications Division should be directed through the proper chain of command.

Information of a personal nature, or information concerning internal criminal activity may be directed to the Chief of Police without going through the chain of command.

Employees may report directly to the Chief under exigent circumstances which are perceived by the individual to be necessary for preservation of information or individual integrity. For problems, questions or concerns needing an immediate response and neither a Communications Supervisor or the Communications Center Manager is on duty, then the on call Communications Supervisor should be contacted. A Supervisor is on call 24/7 for the Division. If the on call Supervisor cannot be reached then the Communications Center Manager should be contacted. If neither the on call Supervisor or the Manager can be reached then the Deputy Chief in charge of Field Operations should be contacted.

(Remainder of page reserved.)

4.1.7 TELEPHONE

4.1.7.1 ANSWERING PHONES

All phones shall be answered promptly in accordance with the following procedures. Telecommunicators shall handle each request for service with concern, courtesy, and professionalism no matter how insignificant the request may seem. Although a large majority of the calls received are routine in nature, no call will be handled as "just another call." The telecommunicator controls the situation by controlling the call. Telecommunicators shall answer telephone lines identifying the line called as well as identifying themselves:

Incoming Call	Operator's Response
911 lines shall be answered:	"911, What is your emergency?"
Police listed non-emergency lines shall be answered:	"Bowling Green Police, (Operator name)." or "Bowling Green Police Dispatch, (Operator name)."
Fire listed lines shall be answered:	"Fire Dispatch (Operator name)."
In-house lines (ext 4537 and the intercom phones) shall be answered:	"Communications or Dispatch (Operator name)."
When there are 2 or more incoming calls the 911 lines are to be answered first.	

4.1.7.2 CALL HOLDS AND TRANSFERS

Telecommunicators shall transfer calls and put callers on hold in the following manner:

When a call is received for a specific person, the call will be transferred to that person's extension. If a caller requests a general division, the call will be transferred to the office associate for that division. The caller will be advised they are being transferred.

When transferring a 911 call to another agency, the caller will be advised they will be connected and asked to remain on the line. Telecommunicators should not say "hold on" before transferring the call giving the caller the impression they are being put on hold. The telecommunicator will wait until the other agency has answered before releasing the call. The telecommunicator shall relay to the other agency any location information or any pertinent information received from the caller when the line was first answered should the caller appear to have difficulty communicating. An incident shall be created in CAD when a 911 call is transferred.

When transferring a call received on the listed directory number to an outside number the caller will be advised their call is being transferred. The telecommunicator will wait until the other agency has answered before releasing the call. An incident will be created in CAD to record the transfer.

When it is necessary to put a caller on hold, the telecommunicator will ask the caller if they can hold, wait for a reply, and then put the caller on hold if the caller says that he or she can hold. Under no circumstances should a caller be put on hold or asked to hold before knowing whether or not there is an emergency. The telephone caller should never be asked to hold immediately after the phone is answered, such as "Bowling Green Police Operator Doe, Can you hold?"

4.1.7.3 CRITICAL DATA ELEMENTS

The telecommunicator will determine critical data elements in the following order:

Where..... The exact location of the incident is the most important data element; if no other data can be determined, the exact location must be. The location of the incident and the location of the caller may not always be the same. Both locations must be determined. Telecommunicators will record the information, and then repeat it to the caller for verification. Remember, LOCATION—DOCUMENTATION— VERIFICATION. Additional location information should be determined (e.g. apartment numbers, lot numbers, landmarks, cross streets, directions if applicable).

What..... The exact nature of the call must be determined.

When..... It must be determined if the incident is in progress or has recently occurred, and if so the time lapse should be determined in minutes (e.g., ask how many minutes since the incident occurred).

Weapons..... Weapons involved information shall be obtained if applicable to the nature of the call, (e.g., disturbances, fights, suspicious persons, etc.). The specific type of weapon and a description of the weapon should be obtained. (e.g., if the weapon is a gun, the specific type (handgun, rifle, shotgun, or other) should be determined.) If other than a gun, the type and size of weapon should be determined.

Who..... The suspect, suspect vehicle, name and/or description and direction of travel shall be obtained if possible. Description information should be obtained and given out head to toe and utilizing the CYMBALS method. The caller's location, name and call back number should also be determined. The caller should not be promised anonymity if they give their name but it should be noted in the CAD incident that the caller requests their name not be given out.

Injuries..... Does anyone at the scene require medical attention? If so, promptly advise EMS or transfer the caller.

Vehicle Descriptions: Color, year, make, body, and license, state. (CYMBALS.)

Physical Descriptions: Sex, race, age, height, weight, hair, facial hair, other, and clothing from head to toe.

4.1.7.4 DIRECTING CALLERS

During domestic or in-progress incidents, callers should be asked to stay on the line if they can safely do so. If not, the caller should be advised to lay the phone down rather than disconnect.

Generally, telecommunicators should not direct the action of any caller and should use caution when doing so. If a caller asks what to do they should generally be advised to do what they feel is best to keep themselves safe.

4.1.7.5 EMERGENCY CALLS VS. NON-EMERGENCY CALLS

The Communications Center telephone system is designed so that emergency calls can be distinguished from non-emergency calls. There are ten 911 lines (five landline and VOIP 911 and five wireless 911), six non-emergency police lines, one listed directory number for fire, two administrative in-house communication lines, and one independent line available for outgoing calls if all other lines are busy with incoming calls. The telephone lines are programmed to roll over so that a caller will only receive a busy signal if all nineteen lines are busy. If a 911 call rolls over to a non-emergency line then ANI / ALI information will not be available. There are also three building intercom phones that can be called from a phone located in the front vestibule of Police Headquarters, outside the back door, and in the hallway by the Communications Center door.

4.1.7.6 ENHANCED 911

When a 911 line is answered, the enhanced 911 system ANI / ALI screen in the telephone at each workstation will display information about the call. If the call is a landline 911 call, the name the telephone is listed in, the address, telephone number, type of phone service and police and fire jurisdiction will display. If it is a wireless 911 call, the tower address, call back number, and service provider will display. Voice Over Internet Protocol (VOIP) 911 calls will display the name, address, and telephone number provided by the VOIP subscriber however this may not be the actual location from which the call was placed. The Communications Center has the ability to track some wireless 911 callers.

4.1.7.7 CHECKING 911 CALLS

A CAD incident should be created for all 911 call checks. An incident should be created for misdialled or unintentional 911 calls where the caller is on the line and it has been determined 911 was accidentally dialed and for prank calls or children playing on the phone.

Communications personnel should pay close attention to background noise, tone and word choice of the caller when determining the status of the 911 call. The time of day and location of the caller may also indicate whether a response is necessary. In any situation where the call taker believes an emergency situation may exist, an appropriate public safety response will be initiated.

A response is not necessary to a 911 call in the following situations:

- 1) 911 Misdial. A call is classified as a 911 misdial when the caller stays on the line and admits to the misdial.
- 2) Unintentional 911 Call. A call is classified as unintentional when the 911 personnel can hear conversation, radio, etc. in the background and have listened sufficiently and checked with a TDD/TTY to determine that there is no indication of an emergency situation.
- 3) Children playing on the phone or prank 911 calls.

4.1.7.8 LANDLINE AND VOIP 911 CALLS

When a call is received on one of the five landline/VOIP 911 lines and the caller does not or cannot speak before hanging up, the telecommunicator will call the number back and attempt to establish contact with the caller. If contact cannot be made in a timely manner or if the line remains open or if it appears that there may be a problem, an officer will be dispatched immediately to the location of the call. If contact is made on callback and the telecommunicator can reasonably determine that no emergency exists, the telecommunicator should assign the incident to himself and indicate in the CAD incident notes the disposition of the call. Telecommunicators should call the business location (if possible) of payphones and PBX systems to try to verify whether or not an emergency exists. Depending on the circumstances (e.g., time of day or repeated calls), an officer should be dispatched to check the location of the payphone or PBX system hang up call.

4.1.7.9 WIRELESS (CELLULAR) 911 CALLS

For hang up calls or open lines on wireless 911 lines, the telecommunicator shall follow current National Emergency Number Association (NENA) recommended procedures. A CAD incident should be created to show the phone number that called and notes should be added to explain circumstances of call and disposition. Cellular telephone numbers that have an "area code" of 911 are non-service initialized "911 only" phones that cannot be called back. If the telecommunicator believes that an emergency situation exist and cannot track a location then the wireless service provider should be contacted and an attempt made to obtain subscriber information for the telephone number that has called. The numbers for the service providers are listed in the CAD dialer file.

4.1.7.10 911 SCREEN ERRORS

Any errors or problems found with the information on the 911 screen such as an incorrect address, incorrect responding agency, or "no record found" should be noted and left for a Communications Center Supervisor. The note should include the date, time, and location of the 911 call as well as the problem found with the information and the correct information if known.

4.1.7.11 MISDIRECTED EMERGENCY CALLS

If an emergency call is received that should be handled by another agency, the telecommunicator will either transfer the call to the proper agency and stay on the line until they are sure the call connected or take complete information and relay it to the appropriate agency. A CAD incident shall be created to document the call and its disposition.

4.1.7.12 MISDIRECTED NON-EMERGENCY CALLS

If the telecommunicator receives a non-emergency call to be handled by another agency, the telecommunicator will advise the caller of the proper agency to contact. The telecommunicator will then either provide the telephone number for the proper agency or transfer the caller directly

to the proper agency. If the call is relayed or transferred, a CAD incident shall be created to document the call and its disposition.

4.1.7.13 LANGUAGE INTERPRETATION

Under Title VI of the Civil Rights Act of 1964, all agencies, including police agencies who receive Federal funding are required to provide clear meaningful access to all persons regardless of their national origin or by proxy, their ability to speak English (i.e. persons who are "Limited English Proficient" or LEP). Upon contact with the victim or witnesses, if a language barrier is detected, officers should take the following measures to ensure the best service possible to all parties involved and to ensure that those parties are afforded clear and meaningful access (at no charge to the LEP) to the services provided to everyone regardless of his or her national origin, ability to speak English or lack thereof:

- a) Upon becoming aware of a language barrier, if the language spoken is not known, the responding officer should identify the language need (to include sign language) of the victim or witnesses as quickly as possible
- b) If circumstances are not exigent, but there is a dispute, disturbance, or otherwise unknown trouble, officers should utilize the telephonic interpreter service (or other interpretation service for deaf or hard of hearing) if no bilingual employee is available or able to assist in person or by phone (See section 4.1.7.13.1 for telephonic interpreter service use procedures).
- c) If circumstances are not exigent, but there is a dispute, disturbance, or otherwise unknown trouble, officers should exercise good judgment and discretion as in all situations, but should, as a practice, avoid using neighbors, acquaintances, family members and especially children as interpreters except in cases of exigent circumstances.

For the purposes of all sections of the BGPD Policy and procedure manual directly related to issues of Limited English Proficiency (LEP), the definitions for specific terminology are:

Limited English Proficient (LEP): A person is LEP if English is not the person's native language and his or her ability to speak English is limited or non-existent. This may include the deaf or hard of hearing requiring a sign language interpreter.

Direct Communication: Speaking directly to someone in his or her language without the need for a third party interpreter

Bilingual: Able to speak effectively in two languages

Interpreter: One who orally provides information from one language into another or one who provides sign language interpretation to or from a spoken language.

4.1.7.13.1 SPOKEN LANGUAGE – (TELEPHONIC INTERPRETOR)

The Bowling Green Police Department subscribes to a telephone interpretation service for spoken languages. If a caller's ability to speak English is limited or non-existent and the location of the caller or incident cannot be determined, the telecommunicator should connect with the service to get an interpreter on the line. If the location of the caller is known, i.e., the call came in on 911 or the telecommunicator can understand an address from the caller, a police officer should be dispatched so the response is not delayed in case an actual emergency exists. While officers are en route to the location, if the telecommunicator feels an emergency situation may exist, the telecommunicator should

connect to the telephonic interpreter service to try to obtain information as to the nature of the call as well as the language being spoken to assist the officer en route. The officer en route should be advised of the language barrier; the language the caller speaks; and any other pertinent information obtained as soon as possible.

Any member of the Police Department or any Bowling Green City employee may access the telephonic interpreter service by contacting dispatch. When requested, the telecommunicator should connect the employee to the telephonic interpreter service and maintain an open line so as to record the entire interpreted conversation. The requesting employee will provide his or her individual employee number rather than the telecommunicator providing his or her individual number.

The recorded telephonic interpreter service conversation will be requested by the investigating officer and maintained as part of the officer's investigation and logged into evidence. If no investigation is opened and/or no case file is generated, the conversation should be maintained for the standard amount of time that all calls are maintained.

4.1.7.13.2 SPOKEN LANGUAGE – (IN-PERSON INTERPRETOR)

The Bowling Police Department may utilize an authorized, in-person, interpretation services for spoken languages (if available) for persons that have Limited English Proficiency. If those services are required the interpretation service may be contacted directly or through dispatch. Only International Center interpreters or independent certified interpreters authorized to do business with the City of Bowling Green should be used during interview or interrogation situations.

4.1.7.13.3 SIGN LANGUAGE – (IN-PERSON INTERPRETOR)

The Bowling Police Department may use an authorized, in-person, sign language interpretation service (if available) for persons that are deaf or hard of hearing. If those services are required the interpretation service may be contacted directly or through dispatch. Only certified interpreters authorized to do business with the City of Bowling Green should be used during interview or interrogation situations.

4.1.7.14 THE COMMUNICATOR

The Bowling Green Police Department uses an emergency notification system known as "The Communicator." The system places outbound telephone calls to predefined groups or can be used to notify citizens in selected areas. The system can be activated from any telephone. Instructions are kept in the white notebooks at each position on how to activate the Communicator along with the scenario numbers. Instructions for activation are also accessible in CAD by typing SOP on the main command bar.

4.1.7.15 MISCELLANEOUS TELEPHONE INFORMATION

4.1.7.15.1 Phone Numbers

The Communications Center will keep a current list of home phone numbers for police officers and fire fighters. Many other phone numbers are available through emergency contacts and on call information. Home, cell, and pager numbers are confidential and

should not be given to non-police personnel. The Communications Center also keeps current phone numbers for other agencies and other resources.

4.1.7.15.2 Collect Calls

The telecommunicator shall not accept any collect phone calls from the general public unless specifically instructed to do so by a member of the Bowling Green Police Department. However, collect calls made by any employee of the Bowling Green Police Department WILL be accepted.

4.1.7.15.3 Voice Mail

Each officer has been issued a voice mail box. When called the automated attendant will prompt the caller for a mail box number. If an employee has a telephone extension, then the four digit extension number is the mail box number. For patrol officers, the mail box number is a "2" plus their badge number. The voice messaging system can be accessed from internal and outside phones.

4.1.7.15.4 Messages

Callers frequently request to leave a message for an officer. If the message is for a patrol unit on duty, the message will be taken and delivered as soon as feasible. A CAD incident will be created for deliver message. If the message is for someone not on duty, the caller will be transferred to the appropriate voice mail box. Calls for other employees will be transferred to their phone extension. A list of extensions and voice mail numbers is posted at each work station.

(Remainder of page reserved.)

4.1.8 RADIO

All radio traffic will be handled in a professional manner by using the procedures set forth in this manual.

4.1.8.1 RADIO PRIORITY

The radio will be the first priority of a telecommunicator and will be closely monitored at all times. All radio traffic will be as A-Accurate, B-Brief and C-Clear as possible. Units calling Headquarters or Fire Dispatch will not be told to “stand by” until the nature of their traffic is known.

The following radio talk groups will be monitored at all times: PD1, PD2, BGFD, WC Fire, WCF #2, and MA1PD. The unselect volumes on these talk groups shall be kept at a volume sufficient enough to hear traffic on these channels. Other talk groups will be monitored as necessary.

If a unit is heard calling on a talk group that is normally not monitored and no exigent circumstance exists then that unit should be directed back to the appropriate channel.

4.1.8.2 RADIO RESPONSIBILITY

The primary responsibility of a telecommunicator is to transmit available information to responding units to ensure they have the necessary information to respond to the call in the safest and most efficient manner possible.

4.1.8.3 RADIO TRANSMISSIONS

The telecommunicator will strive to keep all emotion out of their voice during each transmission. The telecommunicator controls the tone of the call. If the telecommunicator becomes excited, panicked, flustered, agitated or in any way too emotional it will affect the responding units. Each telecommunicator will speak in a clear voice with distinct enunciation and with sufficient volume to be easily understood at all times. The microphone must be keyed 2-3 seconds before beginning a transmission to ensure repeater activation. Radio headsets are provided to each telecommunicator and must be worn by the primary Police and Fire Dispatcher at all times.

4.1.8.4 MULTIPLE TRANSMISSIONS AT ONCE

When two or more units transmit simultaneously and no unit number or radio identifier is available, the telecommunicator will acknowledge with “Two Units” or “Multiple Units.” If one unit can be determined by either voice or radio alias identifier then the telecommunicator will also acknowledge that unit by number. That will let the other unit(s) know there were several transmissions at once. Once the telecommunicator knows the acknowledged unit does not have emergency traffic then that unit should be told to standby so the other unit(s) calling can be acknowledged. Example: Several units transmit at once. The telecommunicator can tell by the radio alias identifier that one of the units was A10. The telecommunicator will say “Several units, A10?” A10 says “Copy a tag?” The telecommunicator should advise “Standby A10, Other unit?” This gives the other unit a chance to transmit in case there is an urgent situation.

4.1.8.5 EXCESSIVE OR UNPROFESSIONAL TERMS

The telecommunicator should avoid excessive terms when transmitting on the radio. This includes phrases such as "I have a", "Will you respond to", "If you could", "Thanks", "Be advised", "Possibly," etc. The use of the terms "Go Ahead", "10-4", and "Copy Direct" will be limited. "10-4" should only be used when a positive response is required in answer to a question. Each transmission or acknowledgement should not be prefaced with "10-4". The word "notified" rather than "en route" will be used when other agencies or people are requested. Unprofessional phrases and slang shall not be used on the radio.

4.1.8.6 RADIO PROTOCOL

The telecommunicator will not argue with any unit while broadcasting. Should a problem arise with a unit, the telecommunicator will advise the Communications Center Supervisor or the Communications Center Manager. Telecommunicators shall not go directly to the Officer or Patrol Supervisor.

4.1.8.7 TRANSMITTING ATTEMPTS TO LOCATE

The officers should transmit their own attempt to locate messages whenever possible. After an officer or telecommunicator has given an attempt to locate which involves officer safety, the telecommunicator will poll all appropriate officers beginning with the District 10 officer to determine if each officer heard and understood the Attempt to Locate.

4.1.8.8 PLAIN LANGUAGE / TEN CODES

The Bowling Green Police Department uses plain language radio traffic. The telecommunicator will use the phonetic alphabet when applicable. Signals and ten codes are used for officer safety reasons to supplement plain language. Telecommunicators shall use approved signals and ten codes whenever needed. The signals, ten codes, and phonetic alphabet used by the Bowling Green Police Department are as follows:

4.1.8.8.1 Phonetic Alphabet

A Adam	J John	S Sam
B Baker	K King	T Tom
C Charlie	L Lincoln	U Union
D David	M Mary	V Victor
E Edward	N Nora	W William
F Frank	O Ocean	X X-Ray
G George	P Paul	Y Young
H Henry	Q Queen	Z Zebra
I Ida	R Robert	

4.1.8.8.2 Plain Language Communications

The following “10-codes” and “Signals” are used. All other communication is plain language.

10-4	-	Okay
10-12	-	Visitor/Officials Present
10-65	-	Drugs or Drug Incident
10-69	-	Possible NCIC Hit
10-75	-	Officer needs Backup – (Specify Level)
Signal 1	-	Officer’s home or family member.
Signal 5	-	Eating or going to eat.
Signal 7	-	Emergency. Officer in Danger.
Signal 10	-	Officer needs backup with minimum radio traffic.

4.1.8.9 TRAFFIC ON POLICE FREQUENCIES (§ 4.3.2.3)

Radio traffic on the police frequency will be handled as follows.

When the Communications Center calls a police unit, the telecommunicator will preface each transmission with “Headquarters to (unit number or shift designator.” Example: “Headquarters to A10” or “Headquarters to 101”). Partial shift designators such as 31 or 60 shall not be used to call or acknowledge a unit.

When a police unit calls Headquarters, the telecommunicator will acknowledge with the complete unit number or shift designator.

After a police unit has ended his transmission and a reply is needed from Headquarters the telecommunicator shall respond with both the unit number or shift designator and the current time. Telecommunicators should not routinely or consistently acknowledge by just saying “10-4” or by just announcing the time. During exigent circumstances where radio traffic should be limited, telecommunicators should acknowledge with the time instead of 10-4.

The telecommunicator will call a unit by number or shift designator and wait for a response before transmitting a message. Each unit should call headquarters and wait for a response from headquarters before transmitting a message unless exigent circumstances exist.

When a unit requests a registration inquiry, a driver’s license inquiry or wanted person inquiry, the telecommunicator will respond with the unit number or designator and repeat the data. (Example: If A10 requests a registration and stolen check on 123AAA, the telecommunicator will respond “A10, 123AAA (using the correct phonetics) standby.” The telecommunicator will repeat the data again when the information is transmitted to the unit.

When dispatching incidents where the nature code in itself does not sufficiently explain the details of the call such as attempt to serve, attempt to locate, citizens assist, assist other agency, etc., the telecommunicator must explain the circumstances of the call. Examples: When giving out an attempt to serve, advise what they are serving and on whom. When giving a check building residence call out, advise why they are checking and what they are looking for. When giving out an assist other agency advise who is requesting assistance and why.

When giving out report numbers it is not necessary to include all of the zeroes at the beginning of the number. The number should be repeated leaving off the year. Example: 12-00827 would be given out as “twelve dash 8-2-7, repeating eight twenty seven.”

Incident numbers should be given out once completely including the year 2012101687 then only the last six digits repeated. (Ex. 2012 101 687 repeating 101 687).

When a positive response is received through NCIC and matches the person inquired upon, the telecommunicator will relay the information to the inquiring officer. This includes data from files such as Wanted, Protective Order, CCDW, Sex Offender, Supervisor Release, etc. If the positive response is received from the Wanted Persons file the code 10-69 shall be used for officer safety.

4.1.8.10 CALL SEQUENCE

When a request for police service is received, the telecommunicator will assign the proper unit, according to the call response tables. The telecommunicator will dispatch calls in this sequence:

- 1) The Police Dispatcher will advise the nature of incident before giving the location.
- 2) When giving out a numerical address for a residence, the Police Dispatcher will advise the location, then repeat the numbers in a different format or enunciation. (Example: 1234 Kentucky should be transmitted as “Twelve thirty-four Kentucky” and then repeated as “one two three four Kentucky”). Addresses for businesses should be given out as the business name with the numeric address (example: Greenwood Mall, 2625 Scottsville Rd) and only repeated if it is a lesser known business or a location with which the officer may not be familiar.
- 3) The Police Dispatcher will advise any additional information pertinent to the call such as suspect, vehicle description, direction of travel and weapons, person to contact, etc. The Police Dispatcher will give additional information as concisely as possible by summarizing the notes and information provided and not reading all the notes verbatim over the radio.
- 4) The Police Dispatcher and/or Fire Dispatcher dispatching a call is responsible for relaying any caution note information attached to the incident location to the police officers or firefighters responding. If the information is found to be invalid, a note should be left for a Communications Center Supervisor to delete or correct the information.

4.1.8.11 EMERGENCY ALERT BUTTONS (§ 4.3.2.3)

Police portable and mobile radios are equipped with emergency alert buttons. When the emergency button is activated, the radio monitor in the Communications Center will display the name of the officer if it is a portable radio or the car unit number. Spare radios have been assigned radio numbers. When an emergency button is activated on these radios, the radio number will be displayed on the monitor. A record will be kept of spare radios assigned. When an emergency button is activated, a tone will be emitted from the radio console. The talk group will flash with a red box around it. The console will display the unit number of the mobile radio, the assigned person or the spare radio number. The unit number on the scroll bar will be red.

The following procedure shall be followed when an emergency button is activated on a BGPD portable or mobile radio:

1) Emergency Alert Activation - Known location

In the event an emergency radio alarm is activated by an officer actively on a call or checked out at a known location use the following procedure:

- a) Immediately broadcast, "Signal 7, (Unit number or designator) at (location)" and repeat, "Signal 7, (Unit Number or designator) at (location)."
- b) All radio users will keep radio traffic clear to allow the officer in trouble and supervision to communicate.
- c) Officers at the scene or supervision will advise when the emergency is over so that radio traffic can resume.

2) Emergency Alert Activation - Unknown location:

Use these procedures if an emergency radio alarm is activated by an officer whose location is unknown:

- a) The Communications Center will immediately broadcast, "Signal 7, (Unit Number or Shift designator), location?." If no answer, then repeat.
- b) If there is no answer on the second broadcast, the Communications Center will contact patrol supervision and advise the unit's last known location.

(Remainder of page reserved.)

4.1.8.12 RADIO FAILURE

The Communications Center operates on a 10 channel 800 MHz trunked radio system that is shared by both City and County agencies. If the trunking ability of the system should fail, then each agency's talk groups are combined into one conventional channel. This combining of channels is known as "fail soft".

Portable and mobile radios will show "Fsoft" on the radio's display and will beep every few seconds. Regardless of which talk group is transmitted on, only one channel is available for police talk groups, one channel for the City fire department talk groups, one channel for the County fire department talk groups, etc. If the system goes into fail soft, the Communications Center Supervisor on call should be notified immediately. A CAD incident RADF- Radio Failure should be created and notes added detailing the problem.

4.1.8.12.1 City Police Frequency

If a failure occurs on the radio consoles in the Communications Center portable radios are available in the Communications Center to communicate with police and fire. Motorola Support should be notified immediately of any radio or repeater failures on any frequencies. The on duty or on call Communications Center Supervisor or the Communications Center Manager should be notified as soon as possible.

For total system outages, the DIRECT frequency can be utilized. DIRECT does not rely on the repeaters and allows units and the Communications Center to communicate directly. Distance is a limitation when using the direct frequency. For total outage, officers may communicate by use of cellular phone or will go to a telephone to report in.

4.1.8.12.2 Communications Center Radio Console Failure

If the consoles in the Communications Center quit working but the units are still able to communicate via portable and mobile radios, the portable radios kept in the Communications Center should be used. The outage should be reported to Motorola Support and the on duty or on call Communications Supervisor contacted immediately.

4.1.8.12.3 Contacting Repair

If complete radio failure or severe radio problems occur, Motorola Support should be contacted immediately. A notebook is kept in the Communications Center with the contact information. (System failure is reported directly to Motorola Support and not to the local service provider.) An orange sheet in the notebook has our site ID number listed. A work ticket should be requested at severity level one. The on duty or on call Communications Center Supervisor should be contacted immediately. A CAD incident for radio failure should be created with an explanation of the problem in notes. The ticket number should be placed in the CAD notes. Note: Motorola Support should only be contacted for radio system problems. This does not include fire department knockouts, pagers, individual radios, County Fire 400 radios or frequency, or any equipment at the fire stations. For intermittent problems or any problem other than a system outage or

severely degraded communications, contact the on duty or on call Communications Supervisor before notifying repair.

4.1.8.13 MULTI-AGENCY COMMUNICATIONS:

The Bowling Green Police Department mobile and portable radios have the capability to communicate with other agencies in the area.

The Communications Center has a portable radio for the Bowling Green Municipal Utilities (BGMU) radio system. This radio can be used to communicate to both the water and electric divisions in emergency situations when regular telephonic communications are unavailable.

4.1.8.14 ALERT TONE

The Communications Center radios are equipped with an alert tone. The purpose of the alert tone is to alert all units on the radio that an emergency circumstance exists and to clear the channel for the units responding to the emergency. The alert tone will be used:

- Before dispatching any call or additional information where life is jeopardized or serious personal injury is present or likely to occur. (Brief tone, once)
- To alert all units that radio traffic is being held. (Brief tone, once)
- Before dispatching any fire run. (One tone)

4.1.8.15 CLEARING RADIO TRAFFIC IN EMERGENCY SITUATIONS

When a situation exists where life is jeopardized or serious personal injury is present or likely to occur, or, whenever requested the Police Dispatcher shall limit all radio traffic on a particular channel to the situation for which traffic is being held. Activate the alert tone once briefly and then announce "All units hold traffic until the units on (specific location) can advise" and give the time while immediately initiating the channel marker. Once the emergency situation has ended and the telecommunicator has been advised to resume radio traffic, discontinue the channel marker and announce "Headquarters to all units, resume normal radio traffic" and give the time. Also, make the "resume traffic" announcement on Channel 2 for the units that were not involved in the emergency situation.

When Channel 1 is being held, radio traffic should be limited on Channel 2 to emergency/urgent traffic only. Only Priority 1 calls should be dispatched while traffic is being held. Try to get a unit on Channel 2 first and only interrupt the held traffic on Channel 1 if absolutely necessary and as briefly as possible.

4.1.8.16 POLICE FREQUENCY AUTHORIZATION

Any unauthorized, unusual, or nuisance transmissions shall be reported to a Communications Center Supervisor or the Communications Center Manager. There are other people and agencies that have the ability and authorization to transmit on the Bowling Green Police radio channels. However, if a telecommunicator is not sure whether or not a transmission is authorized then a supervisor should be contacted.

4.1.8.17 BACKUP PORTABLE RADIOS

The telecommunicators will test and recharge the batteries in the backup portable radios that are kept in the Communications Center.

4.1.8.18 CALLING IN THE SHIFT

The Communications Center is responsible for “calling in the shift”. Promptly at 0730, 1530, and 0100 each day the shift should be cleared from duty. The Police Dispatcher will call each unit individually. The unit will either advise out of service or busy. The Police Dispatcher will take all out of service units off duty.

(Remainder of page reserved.)

4.1.9 CALLS FOR SERVICE

4.1.9.1 RESPONSES: (§ 4.3.7.3)

Telecommunicators will dispatch the appropriate agency to requests for service and will not attempt to convince the caller that the request for service is unnecessary. All requests for service shall be documented by a CAD incident and all requests for service will receive a response. Communications Center personnel shall:

- 1) Receive and record all incoming information on calls for assistance.
- 2) Dispatch appropriate field personnel.
- 3) Perform relevant record and motor vehicle checks, if appropriate.
- 4) Control all radio communications during an emergency.
- 5) Coordinate assistance under the direction of the Field Supervisor.
- 6) Continue to monitor each situation until stabilization or termination.

4.1.9.2 ASSIGNING PROPER PRIORITY

The CAD system automatically assigns a priority to a call when a nature code is chosen. Call priorities are 1 through 6. The Call Taker shall upgrade or downgrade the CAD recommended priority as necessary and according to the information received. The Call Taker must be mindful of the circumstances of the caller as well as the incident being reported. The alert tone shall be used when dispatching any call or additional information where life is jeopardized or serious personal injury is present or likely to occur. No telecommunicator will change the priority or nature of a call that another telecommunicator has taken without receiving additional information and/or without discussing it with the person who took the call.

Once a call has been dispatched, the responding officer(s) shall be advised if the priority of the call has been changed and the reason for the change.

4.1.9.3 ASSIGNING CALLS

The telecommunicator will assign waiting calls to the CAD recommended unit. If a unit is contacted on the radio and there is no response from the unit the telecommunicator will call that unit again. If again there is no response, assign the call to the next recommended unit and notify patrol Supervision. Assign officers to calls in a consistent manner as recommended by CAD unless special circumstances exist or other instructions have been given by a Supervisor. Officers are assigned to Priority 1, 2, and 3 calls in the following order:

4.1.9.3.1 Priority 1

- 1) District Officer.
- 2) Adjoining District Officer.
- 3) K9 Units.
- 4) Sergeants.

- 5) Non-adjointing District Officer.

4.1.9.3.2 Priority 2

- 1) District Officer.
- 2) Adjoining District Officer.
- 3) K9 Units.
- 4) Sergeants.

4.1.9.3.3 Priority 3

- 1) District Officer.
- 2) Adjoining District Officer (one pre-determined adjoining district officer).
- 3) K9 Units.
- 4) Sergeants.

4.1.9.4 CALLS FOR SERVICE – PRIORITIES (CALL MANAGEMENT) (§ 4.3.4.2)

Calls for service are prioritized according to their seriousness.

4.1.9.4.1 Priority 1 – Emergency / Urgent

Priority 1 indicates an emergency call wherein life is jeopardized or serious personal injury is present or likely to occur, where a property crime is in progress or where a Burglary/Hold-up alarm is activated. Response time is critical. Things to consider: Citizen and officer safety.

Priority 1 calls for service shall be dispatched immediately according to the response table recommendation. If CAD does not recommend a unit, a patrol supervisor will be notified immediately by radio of the call.

Examples of Priority 1 calls include but are not limited to:

- 1) Officer in trouble (excludes normal requests for back-up.)
- 2) Crimes in progress when personal injury is likely.
- 3) Calls involving in-progress assaults and/or weapons.
- 4) Missing juveniles of tender age, circumstances.
- 5) Missing adults - endangered.
- 6) Stalking in progress.

Priority 1 calls have priority over all lower priority calls.

4.1.9.4.2 Priority 2 – Prompt:

Priority 2 indicates a call which should be answered promptly, but not as promptly as Priority 1. Response time is less critical than Priority 1 calls. Things to consider: evidential value, potential for escalation, and citizen satisfaction.

Priority 2 calls for service shall be dispatched promptly according to response table recommendation. If CAD does not recommend a unit, a patrol supervisor will be notified by radio as soon as possible of the call. Notes should be added to the CAD incident advising which supervisor was contacted and the instructions received. The call should be dispatched as instructed or as soon as a CAD recommended unit becomes available. (See #3 below for exception.)

Examples of Priority 2 calls include but are not limited to:

- 1) Suspicious Person/Vehicle.
- 2) Motorist Assists.
- 3) Welfare Checks.
- 4) Loud music / party / people.
- 5) Accident No Injury.

For Priority 2 calls such as reckless drivers, drunk drivers, no operator license, no insurance, etc., if a CAD recommended unit is not available to send and the complainant does not want to speak with an officer, then the call should be given out to all units as a BOLO. If the call is dispatched to all units as a BOLO, the telecommunicator will assign themselves to the incident and use the disposition code "BOLO". This will not apply to in progress drunk or reckless driver calls where the complainant is following the vehicle. If the call is in progress then the appropriate "in progress" nature code should be used. It is the responsibility of the Police Dispatcher to make sure the BOLO information gets put on the air as soon as possible if the CAD recommended units are all busy.

Priority 2 calls have precedence over routine police matters.

4.1.9.4.3 Priority 3 -- Routine

Priority 3 indicates a call of a routine nature. Calls are stackable at the direction of Supervision. Response time is not critical. However, evidential value is a consideration.

Priority 3 calls for service are dispatched when officers are available and according to response table recommendation. If CAD does not recommend a unit, a patrol supervisor will be notified by radio as soon as possible of the call. Notes should be added to the CAD incident advising which supervisor was contacted and the instructions received. The call should be dispatched as instructed or as soon as a CAD recommended unit becomes available.

Priority 1 and 2 calls have priority over Priority 3 calls. If an officer is assigned a priority 1 or 2 call while enroute to a Priority 3 call, the telecommunicator will return the Priority 3 call to waiting and assign that call as instructed or to the first available CAD recommended unit.

Callers should be informed there could be a delay on all Priority 3 calls and if the call escalates, the caller should call back. If the caller does not call back within an hour, it shall be the responsibility of the Call Taker to call the complainant back and advise them of the status of their call. Follow up phone calls shall be made at one hour intervals until an officer arrives. Note in the CAD incident each time a call back is made or each time the caller calls to inquire about the status of the call. In order for call backs to be made, it

is essential for the call taker to obtain a phone number for the caller. If the caller refuses, has no phone, or leaves a different location phone number then this should be noted in the CAD incident.

4.1.9.4.4 Priority 4 – Animal Control

Priority 4 indicates a call of a routine nature generally handled by Animal Control. Animal Incidents of an emergency, urgent, or prompt nature should continue to be coded a higher priority.

Examples of Priority 4 calls include but are not limited to:

- 1) Reports of stray animals.
- 2) Requests to set a trap.
- 3) Reports of an animal caught by a trap set by animal control.

4.1.9.4.5 Priority 5 -- Tele-serve (See also § 1.9.2.3, tele-reporting)

Priority 5 indicates a call of a routine nature referable to Tele-Serve where information for the report can be taken over the telephone and handled by the Cadet Unit.

Criteria for Priority 5 calls are as follows:

- No serious personal injury has occurred.
- Complainants are not in immediate danger.
- The offense is not in progress and has not occurred so recently that the suspect(s) could be in the area.
- There is no indication that there is physical evidence at the scene that, if not collected, could provide investigative leads. In some cases, where the evidence is not sensitive in nature, teleserve may do the report and an officer may obtain the evidence for teleserve.
- The complainant is in a safe location and can give the telecommunicator a telephone number and specific time they can be reached by a teleserve cadet.
- The complainant has not requested a police officer. If the caller requests to speak to a police officer, a sworn officer will be dispatched.

Examples of Priority 5 calls include but are not limited to:

- 1) Delayed criminal mischief reports.
- 2) All types of thefts with the exception of shoplifting.
- 3) Incidents of harassing or annoying phone calls which do not contain an immediate threat of bodily harm or a bomb threat.
- 4) Terroristic threatening reports where the suspect is not, or soon to be, present.
- 5) Selected follow up reports.
- 6) Delayed forgery investigations.
- 7) Lost property reports.

If a call meets Priority 5 criteria, the caller will be referred to teleserve. However, if a citizen prefers to speak with an officer, a Priority 3 call will be created and an officer

dispatched. If agreeable to the caller, calls can be scheduled to be handled by the next teleserve cadet on duty.

Generally, Teleserve does not handle missing person's reports, reports requiring a JC3, identity thefts, stolen vehicle or unauthorized use of vehicle reports, or any accident reports.

4.1.9.4.6 Priority 6 -- Administrative

Priority 6 indicates a call recorded for information or administrative purposes.

Examples of these calls include but are not limited to:

- 1) Temporary road closures.
- 2) Controlled burns.
- 3) Alarm testing.
- 4) Administrative duties.

4.1.9.5 HOLDING CALLS FOR CITY POLICE SERVICE

When a request for service is received and there are no CAD recommended units available to respond:

- 1) The Call Taker will obtain all information necessary to properly dispatch the call and advise the caller that there could be a time delay on any Priority 3 call.
- 2) A call for service shall not be held unless instructions are received from a Supervisor to do so. Waiting calls shall be dispatched to the CAD recommended unit or to a patrol Supervisor if no CAD unit is recommended. The Police Dispatcher must be aware at all times of the nature and notes of calls waiting and should assign them upon availability of a CAD recommended unit or according to the instructions of supervision.

4.1.9.6 DISPATCHING ROBBERY AND BURGLARY ALARMS (§ 4.3.37.3)

A primary unit and a back-up unit are normally dispatched to answer robbery or burglary alarms. Quite frequently, however, after receiving a robbery or burglary alarm, the Communications Center will also receive a telephone call from someone at the alarm site stating that the alarm was accidentally activated and that it is not necessary for the Police Department to send an officer(s). When that happens, the Communications Center may dispatch only one officer without a back-up. This policy only applies to the above special situation when there is a phone call from someone allegedly at the alarm site claiming an accidental activation or malfunction of the alarm. It does not apply to alarms believed to be the result of active criminal activity, it does not apply to bank alarms, and it does not apply to alarms without the follow-up phone call. If after dispatching an alarm, the alarm company or alarm site telephones to report that the alarm is false then the information should be noted in CAD and the responding officers advised.

4.1.9.6.1 Bank Alarms (§ 4.3.37.2)

When a bank alarm is received by the Communications Center, the telecommunicator will assign at least two officers to respond to the alarm.

If requested, the Communications Center will telephone the bank and have a bank employee come outside and signal. Any information obtained will be relayed to the on scene and responding officers.

Note If the bank has a switchboard, then the switchboard number should be called rather than dialing the branch directly.

4.1.9.7 SPECIAL CONSIDERATION ALARMS

Police alarms at locations such as BRASS (Barren River Area Safe Space) and the Police Department's Bulk Storage for evidence should be dispatched by giving the name of the facility only. Fire incidents should be dispatched by giving the street address only. If a responder should ask what the location is or ask for the address, advise them they need to call by telephone for that information. Never give out both the name and the location on the radio.

4.1.9.8 DOMESTIC VIOLENCE CALLS (§ 4.3.38.5)

Communications general responsibilities include the following.

- 1) In progress domestic violence calls shall receive a high priority response. Communications will:
 - a) Use professional communications skills, obtain all pertinent critical information.
 - b) Promptly relay all important information including any information available through the LINK Domestic Violence File.
 - c) Update the responding officer(s) with additional information obtained from the caller by keeping them on the line unless they perceive themselves to be in danger.
 - d) Dispatch two officers when available.

- 2) Communications personnel should request the following information:
 - a) Location of incident, victim and perpetrator.
 - b) Type of incident (verbal/physical) (in progress/delayed).
 - c) Need for emergency medical assistance including injuries and severity.
 - d) Weapons involved and descriptions.
 - e) Name and telephone number.
 - f) Other people involved including children/witnesses.
 - g) Perpetrator's DOB/SOC, physical descriptors, previous history of domestic violence including previous law enforcement responses or outstanding warrants.
 - h) Alcohol or other drug use.
 - i) Has perpetrator left scene, vehicle description, and direction of travel.
 - j) Apparent hazards to responders including animals.
 - k) Dispatch two officers when available.

- 3) Communications personnel should be aware of the safety of the complainant and should:
 - a) Attempt to maintain telephone contact with the complaining party in order to monitor the situation and provide the most recent information until the officer arrives.
 - b) If the complainant must leave the telephone to seek safety, advise the caller to lay the phone down and not disconnect so the communications personnel can monitor the situation.
 - c) If the complainant is making the call from a location away from the scene, advise the caller to remain there until an officer arrives (advise officer of the location).
 - d) Update responding officers with all new information so they may approach the scene with as much information as possible.
 - e) Advise responding officers of any additional telephone calls from the residence including interrupted or disconnected calls or any requesting cancellation of Police response. (Interrupted or disconnected calls should be responded to if the location is known, and any request for cancellation should be ignored, i.e., the officers should proceed and answer the call anyway.)

4.1.9.9 UNUSUAL OCCURRENCES (§ 4.13)

Unusual occurrences connote situations, generally of an emergency nature, that result from disaster –both natural and man-made – civil disturbances, and acts of terrorism. Each situation is different, therefore, response to each situation must be accomplished with specific procedures.

4.1.9.10 WEATHER WARNINGS

Communications Center personnel are responsible for notifying emergency responders as well as the citizens of Bowling Green and Warren County when there is a weather warning or watch. A warning means severe weather has been indicated in the area and shelter should be sought immediately. A watch means conditions are favorable for the development of severe weather within the next few hours and preparations should be made for the possibility of severe weather.

Weather notification procedures can be accessed in CAD by typing SOP on the main command bar. Procedures are also kept in the white notebooks at each workstation. The telecommunicators on duty will coordinate and share the notifications to complete them in the least amount of time as possible. These notifications will be accomplished in the following manner:

4.1.9.10.1 Thunderstorm Warning

The following procedure should be followed when a thunderstorm warning is issued for Warren County:

- 1) Create CAD incident using nature code THUN, location Warren County. Include in the notes all available information including when warning is scheduled to expire.
- 2) Ship incident to both Police and Fire.

- 3) Notify Police units by radio.
- 4) Notify City Fire units by radio: Send alert tone and then broadcast warning by saying "Attention all Firefighters be advised..." Repeat.
- 5) Notify County Fire units by radio: Send alert tone. Pre-announce. Set off pagers for all 9 County Fire departments. Broadcast warning by saying, "Attention all Warren County firefighters be advised..." Repeat.
- 6) Activate CAVS (Community Activated Voice System). Go to paging screen, click on green CAVS paging icon. When tones are complete then click on the thunderstorm warning button and hold for 1-2 seconds. The light bulb on the icon turns yellow and light blue when clicked on and then goes away when you release the click. You will not hear the prerecorded message.
- 7) Notify the Communications Center Supervisor on duty or on call.

4.1.9.10.2 Tornado Watch

When a tornado watch is issued for Warren County the telecommunicator on duty will:

- 1) Create a CAD incident using nature code TOWA, location Warren County.
- 2) Include in the notes all available information including when watch is scheduled to expire.
- 3) Ship incident to both Police and Fire.
- 4) Notify City police units by radio.
- 5) Notify City Fire Car 1 by phone or radio.
- 6) Notify County Fire units by radio: Send alert tone. Pre announce. Set off pagers for all 9 County Fire departments. Broadcast watch by saying, "Attention all Warren County firefighters be advised..." Repeat.
- 7) Notify the Communication Center Supervisor on duty or on call.
- 8) Monitor the weather radio, LINK/NCIC, television and the Weather Channel for updates in the weather conditions.

4.1.9.10.3 Tornado Warning / Confirmed Tornado

When a tornado warning or confirmed sighting of a tornado is received by the Communications Center, tornado warning procedures will be activated immediately. Tornado warning procedures will be activated when:

- 1) We receive a warning message by phone, teletype, weather radio, or television from the National Weather Service.
- 2) We have a verified sighting from a law enforcement officer or other emergency service personnel.
- 3) We are notified by an Emergency Management Official.
- 4) We are notified by a weather spotter.
- 5) We receive numerous reported sightings or numerous structural damage reports from the same general area.

Time Matters. Notify as many people as quickly as possible. Tornado warning procedures are as follows:

- 1) Create CAD incident using nature code TWAR, location Warren County (or location of incident if spotted.) Include in the notes all available information including when warning is scheduled to expire and the location and direction of the tornado if known.
- 2) Ship incident to both Police and Fire.
- 3) Activate COWS. Go to paging screen, click on green COWS ALERT paging icon.
- 4) Activate CAVS. Go to paging screen, click on green CAVS paging icon. When tones are complete then click on the tornado warning button and hold for 1-2 seconds. The light bulb on the icon turns yellow and light blue when clicked on and then goes away when you release the click. You will not hear the prerecorded message.
- 5) Notify City Police units by radio.
- 6) Notify police building by intercom with warning information.
- 7) Notify City Fire Units by radio: Send alert tone and then broadcast warning by saying "Attention all Firefighters be advised..." Repeat.
- 8) Notify County Fire units by radio: Send alert tone. Pre announce. Set off pagers for all 9 County Fire departments. Broadcast warning by saying "Attention all Warren County firefighters be advised..." Repeat.
- 9) Activate communicator: Tornado Warning Scenario
- 10) Notify Communications Center Supervisor on duty or on call.
- 11) Monitor the weather radio, LINK/NCIC, the Weather Channel, or local media for any updates on weather conditions.
- 12) Refer to the Police Department Policies and Procedures manual § 4.13.4.

4.1.9.10.4 Unconfirmed Report of a Tornado

When an unconfirmed report of a tornado is received, the telecommunicator will:

- 1) Attempt to determine if the report is valid by dispatching emergency personnel to the area and by checking with other sources.
- 2) Notify local Emergency Management personnel.
- 3) Notify the Communications Center Supervisor on duty or on call.
- 4) Continue to get updates on weather conditions.
- 5) If a telecommunicator has reason to believe that an actual tornado has been spotted or is approaching because of the source or number of the sightings or for any other reason, the Tornado Warning procedures should be initiated immediately.

4.1.9.11 ALL OTHER UNUSUAL OCCURRENCES

The initial action in any unusual occurrence is to obtain the critical data elements necessary to dispatch the appropriate emergency service agencies. After initial emergency service personnel have been dispatched the telecommunicator should refer to the Police Department Manual § 4.13.4 on handling unusual occurrences and the Emergency Management EOP Manual for further information. The on duty or on call Communications Supervisor should be contacted.

4.1.9.12 DELIVERING EMERGENCY MESSAGES (§ 4.3.35)

The Bowling Green Police Department will deliver emergency messages which include but not limited to serious illness, injury or death notifications where regular telephonic communications would be inappropriate or cannot be established between the calling party and the person they seek to contact. When a request for making a death notification is received, an on duty patrol supervisor will be notified and the incident will be handled by the supervisor per patrol procedures. Other notifications will be assigned to the CAD recommended officer.

4.1.9.13 PROCURING EMERGENCY MEDICAL SERVICES

When there is a need for Emergency Medical Service (EMS), the telecommunicator will notify EMS in the following ways:

4.1.9.13.1 Transfer Caller

- 1) When a telephone call is received requesting or requiring medical service, the Call Taker shall transfer the caller directly to EMS. The Call Taker will remain on the line for the first three questions asked by Medcom and the responses. This should take approximately 30 seconds to one minute. Medcom will ask the following questions when receiving a call:
 - a) What is the address of your emergency? (Verify)
 - b) What is the phone number you are calling from?
 - c) Tell me exactly what happened.
- 2) Listen for one of the following key words or phrases. The caller may state the nature when you first answer the phone. If so, only the location of the incident will need to be obtained and verified. If the call is solely medical, do not question the caller for location or type of incident prior to transferring. If the problem being reported falls into one of the following categories then immediately create a fire incident and verbally notify the Fire Dispatcher and receive acknowledgement so the appropriate City or County Fire Department can be sent.
 - Heart problems (chest pain, heart attack).
 - Breathing problems (seizures, not breathing, difficulty breathing, choking).
 - Unconscious (unresponsive, not alert, fainting, near fainting, passed out).
 - Severe bleeding or trauma.
 - Traffic accident with injury.
- 3) If within the first minute the problem is not clear or does not fall into one of the emergency categories listed then the telecommunicator may disconnect. Medcom should call if first responders are needed. All calls transferred to EMS shall be documented with a CAD incident.

(Remainder of page reserved.)

4.1.9.13.2 Relay Request

The telecommunicator will relay all other requests by initiating a phone call to EMS. Or, by radio on the Medcom talk group if telephone notification is not possible.

4.1.9.13.3 All Other Medical Requests

All other emergency medical resources such as Poison Control can be procured through the Medical Center Emergency Medical Service.

4.1.9.14 PROCURING WRECKER SERVICE (§§ 4.4.9, AND 4.4.4.10)

Telecommunicators are responsible for notifying wrecker services upon request from police officers or firefighters. Wreckers should not be called for County firefighters unless exigent circumstances exist or if the Warren County Sheriff's Office or KSP are not en route. Instead of contacting a wrecker, the request for a wrecker should be relayed to the appropriate county law enforcement agency en route to the scene. If a City firefighter requests a wrecker and the City Police is also on the scene, double check to make sure that they both have not called for a wrecker. Typically, the City Fire Department will not request a wrecker if the City Police are on the scene. If a City firefighter requests a wrecker while City Police are still en route then notify the wrecker and also notify the primary responding Police officer of the wrecker notification to avoid duplicate requests.

A list of all wreckers approved to tow for the Bowling Green Police Department will be kept in the Communications Center. When a request for a next on the list wrecker is made the telecommunicator will:

- 1) Call the first wrecker on the list. Advise them the location and reason for request.
- 2) If the wrecker service is available for the call, the information will be recorded on the log and the wrecker placed on the bottom of the rotation.
- 3) If the wrecker service cannot respond (if they are not available, no answer or the line is busy for several minutes), the information will be recorded on the log and the wrecker be placed on the bottom of the rotation.
- 4) The telecommunicator will continue to call wrecker services until one is found that can respond.
- 5) If the request is for a particular wrecker or for the closest wrecker, the wrecker will remain in the same spot on the list and not be rotated to the bottom.

A wrecker log will be maintained which will contain the following information:

- 1) Date and time of notification.
- 2) Location the wrecker is needed.
- 3) Name of the wrecker service called.
- 4) Reason the wrecker was called, e.g., motorist assist, accident no injury, etc.
- 5) Unit requesting the wrecker.

- 6) Telecommunicator notifying the wrecker.
- 7) Type of request should be recorded, e.g., next on the list, or request by citizen. If called for an impound or courtesy tow, the vehicle license number should be noted.

4.1.9.15 ANIMAL INCIDENTS

Animal Control for the City of Bowling Green is part of the Bowling Green Police Department. Animal incidents in the City should be dispatched to Animal Control officers if they are on duty. Animal control for Warren County is handled by the Warren County Sheriff's Department.

The Bowling Green Police Department Animal Control will respond to vicious, stray, or nuisance animals, animal bites, animal cruelty, possibly rabid animals, barking dogs or any animal incident that presents a danger to public safety. After assessing the situation Animal Control may refer nuisance wild life calls to another agency or private contractor. Animal Control will not set traps for nuisance wild life.

If Animal Control is not on duty a police officer shall be dispatched to any animal complaint that could endanger the safety of citizens or other animals such as vicious animals and animal bites. Police officers will also be dispatched to complaints of barking dogs. Calls regarding stray or nuisance animals should be scheduled for dispatch during Animal Control working hours or the caller advised of the working hours and asked to call back.

BGPD Animal Control will only respond after working hours to vicious animals or animal incidents approved for call out by a Patrol Supervisor.

Reports of sick or injured animals should be referred or transferred to the Humane Society. Animal Control officers may respond during duty hours as a courtesy to citizens but will not transport sick or injured animals and are not equipped to deal with them. A CAD incident should be created to document any information taken and relayed to the Humane Society. The nature code ANIJ- Animal Injured will be used along with the appropriate disposition code. Brief notes should be added explaining the situation.

Reports of dead animals on the sidewalk, in the roadway, or on the edge of the roadway will be referred to the City Street Department or the State Highway Department. A CAD incident will be created to document any notifications using the nature code ANDE, Animal Dead, and the appropriate disposition code. If the information is received after hours, then an incident will be created and scheduled for notification during business hours of the next work day. If after hours the animal is in the roadway and causing a traffic hazard then the appropriate on call person should be notified and a police officer sent to the traffic hazard.

4.1.9.16 INTERLOCAL AGREEMENT (§ 3.2)

In order to facilitate emergency response and avoid confusion the Bowling Green Police and Fire Departments will respond to on-roadway incidents on some roadways outside of the City limits. The six areas of County roadway that City units will be dispatched to are:

- 1) Memphis Junction Rd from Russellville Rd up to and including intersection with Boxwood Dr.
- 2) Sections of Cave Mill Rd.

- 3) Sections of Old Barren River Rd not including the northwest intersection with Veterans Memorial Ln at Mudd Ave.
- 4) Sections of Smallhouse Rd up to 3429 Smallhouse Rd.
- 5) Sections of Lovers Ln from Scottsville Rd to 324 Lovers Ln. (Addresses decrease from Scottsville Rd end.)
- 6) Sections of Peachtree Ln up to 321 Peachtree Ln.

Officers should not be dispatched to respond outside the city limits except to the areas described above without authorization from a patrol supervisor.

4.1.9.17 INTER- AND INTRA-JURISDICTIONAL PURSUITS (SEE § 4.3.7, HOT PURSUIT PROCEDURES (KACP))

The Communications Center, with the approval of the Field Supervisor, will notify outside agencies if this Department is in pursuit in their jurisdiction. The informing person will specify that the call is either (1) a request for assistance or (2) merely a courtesy notification with no participation desired.

Notification by another jurisdiction of a pursuit in progress shall not be construed as a request to join the pursuit. The caller from the outside department will be specifically asked if they are making a request for assistance or merely making a notification.

In the event a specific request for assistance in an inter-jurisdictional pursuit is made by the pursuing agency, any assistance to the pursuing agency by this Department will be specifically authorized by the on-duty Supervisor after careful consideration of the pursuit facts, and the BCPD pursuit procedures established herein will be in effect.

The person receiving a notification of a pursuit by an outside agency shall carefully assess the circumstances to determine if the pursuit is likely to enter the Department's jurisdiction. Prior to making any radio broadcast, the Communications Center will obtain from the notifying department the same information the primary pursuit unit is expected to provide.

Upon receiving information that an inter-jurisdictional pursuit may be entering the limits of Bowling Green, the Communications Center will notify the on-duty Supervisor by police radio, providing all pertinent information regarding the pursuit to the Supervisor. Notification to the on-duty Supervisor, by police radio, will enhance officer safety for on-duty officers that may be required to react to changing circumstances of the inter-jurisdictional pursuit.

4.1.9.18 CALLS FOR SERVICE ON WKU PROPERTY (§ 4.3.4.2)

Western Kentucky University Police Department responds to all calls for service on any property owned by the University. BCPD officers should be sent any time WKU PD requests assistance with a call if available.

4.1.9.19 NOTIFYING EMERGENCY MANAGEMENT

Emergency Management shall be notified immediately of any reported drowning or water rescue situation. Notification shall also be made for missing person searches that have lasted two hours or more or immediately if the search involves an Alzheimer patient per KRS 39F.180.

4.1.9.20 VEHICLE REPOSSESSION RECORDS

When a Telecommunicator is notified by a car dealer, financial institution, or repossession company that a vehicle has been repossessed then a repossessed vehicle incident (REPO) should be created in CAD. If a vehicle is towed from private property at the request of the property owner then a towed vehicle (TOW) incident should be created. The incident should contain the following information:

- 1) Location from which vehicle was removed.
- 2) Name of person repossessing or towing the vehicle.
- 3) Name and telephone number of financial institution that repossessed vehicle or person requesting vehicle be towed.
- 4) Name of current owner of vehicle on repossessions.
- 5) Vehicle description, e.g., color, year, make, model, and license information.

4.1.9.21 MISCELLANEOUS CALLS FOR SERVICE INFORMATION (§§ 2.10 AND 4.10)

- 1) Employee complaint calls should be referred immediately to a Supervisor. A CAD incident should be created. Record in the notes whatever information is given but do not question the caller about the incident or try to handle the complaint. The caller's name and number should be taken for a call back. Ask the supervisor to call in for the information whenever possible instead of giving the information on the radio. Communications personnel receiving information of a complaint on another employee are prohibited from discussing the complaint or the employee(s) involved except as authorized by Supervision.
- 2) Missing Persons..... BGPD will complete a missing persons report on any person that does not reside in Bowling Green if that person's last known location was inside the City limits. Any follow up investigation will be coordinated with the proper jurisdictional agency.
- 3) Civil problems should be referred to Small Claims Court or a private attorney unless there is a dispute in progress with both parties present.
- 4) Landlord / tenant disputes should be referred to the Small Claims Court or a private attorney unless the dispute is in progress with both parties present. Eviction notices are served by the Warren County Sheriff's Office.
- 5) Delayed or on-going juvenile problems if the juvenile is not in immediate danger or causing an immediate problem, the problem should be referred to the Court Designated Worker's office or Juvenile Court.
- 6) Vehicle registration issues should be referred to the Auto License Division of the County Court Clerk's office.

(Remainder of page reserved.)

4.1.10 COMPUTER AIDED DISPATCH (CAD) (§§ 1.9.2.2 AND 4.1.3.3)

The Computer Aided Dispatch system (CAD) enables the separation of call taker and radio dispatcher duties. Telecommunicators are responsible for accurately recording calls for service and information received in the Computer Aided Dispatch (CAD) system and accurately maintaining officer status in the CAD system. Telecommunicators must work as a team. Since call taker and radio dispatcher tasks are generally separated, each position has guidelines for the tasks assigned to that position. The position tasks listed below are general guidelines only and must be combined and/or modified as needed to ensure all tasks are completed as effectively and efficiently as possible.

4.1.10.1 PRIMARY AND BACK-UP CALL TAKER(S)

- 1) The telecommunicator working as Primary Call Taker is responsible for answering as many of the incoming telephone calls as possible while being mindful of the need to spend enough time with each caller to obtain the critical data elements associated with the call and accurately enter into the CAD system. The Back-up Call Taker(s) will answer incoming telephone calls if the primary Call Taker is unable to answer the phone within three rings or has two or more lines on hold. The Call Taker(s) will assist the Police Dispatcher with outgoing phone calls during busy radio periods in notifying other agencies, requesting services, etc. When there are two or more incoming calls the 911 lines shall be answered first. Both the Primary and Back-up Call Taker(s) shall assist each other and other positions as needed.
- 2) The Call Taker(s) have the responsibility of “setting the tone” of the call. Therefore, it is very important that the Call Taker(s) obtains the critical data elements from the caller and enter it into a CAD incident in a timely manner.
- 3) The Call Taker(s) shall obtain the “critical data” elements first. The Call Taker(s) should type brief, accurate and understandable notes so the Police or Fire Dispatcher can more efficiently dispatch the appropriate units and keep them updated should the circumstances of the call change.
- 4) Incidents should not be delayed or ignored if the location is not recognized by CAD. A location can be forced into the CAD system by use of a Dummy Grid “DG”. The use of Dummy Grids should be limited to those times when the location is actually invalid and not as a short cut or substitute to finding the valid CAD location. If a Dummy Grid is used, CAD will not recommend a unit to respond so the Call Taker should get as much information about the incident location as possible from the caller. Before closing the call, an attempt should be made to input the correct valid location. If the correct valid location cannot be found and the call has to be closed with a Dummy Grid then a note should be left for a Communications Center Supervisor so that the location can be added to CAD. If an address is out of range or cannot be validated in CAD, the closest valid address should be used instead of a Dummy Grid and the actual address put in the notes. This will ensure the appropriate police and fire units are recommended for the call.
- 5) Registration and operator license information and the vehicle description should be added to the CAD incident in the designated fields. Accurate, brief, and clear notes should be added to the notes section during the creation of an incident.

- 6) An incident should be created any time a Call Taker gives information or transfers a call. The appropriate Nature Code shall be used and the telecommunicator shall assign himself to the incident.
- 7) The Call Taker(s) are responsible for making call backs on any Priority 3 call that has held over an hour.
- 8) The Call Taker shall notify the Fire Dispatcher verbally and receive verbal acknowledgement from the Fire Dispatcher to ensure awareness of any waiting fire call that has been shipped to the Fire Dispatcher for dispatch.

4.1.10.2 POLICE DISPATCHER

The Police Dispatcher will be primarily responsible for transmissions on the police radio. This position will monitor and respond to all radio traffic on police Channel 1 as well as police Channel 2 if radio traffic volume on Channel 1 allows. The Police Dispatcher shall assist other positions as needed.

The Police Dispatcher is responsible for assigning calls for service via radio and accurately recording in CAD any officer initiated activity received via radio. All information pertinent to the incident will be entered into the appropriate sections of the CAD incident. The police dispatcher will also handle any requests received from officers on the radio. Officer status shall be kept current and accurate.

The Police Dispatcher should answer incoming telephone calls only as a last resort.

4.1.10.3 FIRE DISPATCHER

- 1) The Fire Dispatcher also serves as a Back-Up Call Taker. This position is the least defined since there are a number of miscellaneous duties associated with this position. The Fire Dispatcher shall assist other positions as needed.
- 2) The Fire Dispatcher will dispatch both City and County fires in a timely manner and is responsible for all radio transmissions as well as accurately recording information related to these incidents. If a major fire incident occurs, the Fire Dispatcher should set aside other duties and focus on the fire incident. During a major fire incident, if the call volume is too great to eliminate duties as a Back-Up Call Taker then the on-duty or on call Communications Center Supervisor or the Communications Center Manager should be notified of the need for assistance.
- 3) The Fire Dispatcher is responsible for answering Police Channel 2 if the Police Dispatcher is busy with Channel 1. However, if there are active fire runs and/or heavy call volume teamwork is required to ensure efficient handling of all radio traffic.
- 4) The Fire Dispatcher is responsible for paper work duties.
- 5) The Fire Dispatcher must keep a waiting fire and active fire screen open at all times to monitor for incoming and active fire calls.

4.1.10.4 OFFICER INITIATED INCIDENTS

Officers may receive requests for service directly from citizens or initiate activity. Examples of such calls include but are not limited to motorist assists, accidents and bar checks. When an officer provides information on a self-initiated call the telecommunicator shall create a CAD incident using the appropriate nature code and accurate location.

4.1.10.5 TRAFFIC STOPS

The telecommunicator will record information regarding traffic stops initiated by police officers in the following manner:

- 1) Create an incident in CAD using T for Traffic Stop. (Or use TS- Traffic Stop if the nature of an incident needs to be changed to a traffic stop)
- 2) The Police Dispatcher will record the unit's number, license number, vehicle description, and exact location. The Police Dispatcher will respond by repeating the unit's number, the license number, vehicle description, location, and current time. Example: "B10, 1-2-3-A-B-C, Blue Ford truck, Broadway and Bypass, 15:34."

4.1.10.6 ATTEMPT TO SERVE INCIDENTS

When an officer checks out on an Attempt to Serve the name of the person that the warrant or summons is on should be recorded in the "person field" of the CAD incident. An incident should also be created each time a telecommunicator informs an officer about paperwork that needs to be served in his District. Note in the CAD incident when the officer was advised of the paperwork to be served and when he actually picks up the paperwork. The officer should not be assigned to the incident until he is actually en route or out on the attempt.

4.1.10.7 INFORMATION RECORDED

The following information shall be accurately recorded in the CAD Incident:

- 1) Location.
- 2) Nature of Call.
- 3) Disposition (Law or Fire).
- 4) Priority.
- 5) Complainant.
- 6) Callback number of complainant.
- 7) Primary and Back-up unit(s) assigned.
- 8) Time each unit is en route to call.
- 9) Time each unit arrives at call.
- 10) Time each unit completes call.
- 11) Update of each units location if applicable.
- 12) Additional information, descriptions, or times should be recorded in the notes.
- 13) Disposition of call.

4.1.10.8 ALARM DISPOSITION CODES

The Bowling Green Police Department bills for excessive false alarms. This includes burglary, robbery, panic, and duress alarms. Alarm dispositions are considered to be either billable or non-billable. It is extremely important that the disposition on an alarm incident be coded correctly. Alarm dispositions will be recorded as follows:

- 1) If the alarm company or permit holder calls to advise it is a false alarm before an officer goes on the scene, the first disposition should be FAA, False Alarm Acceptable. The Call Taker that speaks with the person who advises a false alarm should put FAA in the first disposition field after notes are updated. The code FAA should only be used if the officer has not yet arrived on the scene when the call is received.
- 2) If the alarm company or permit holder calls to advise there will definitely not be a responder then the first disposition should be FANR, False Alarm No Responder.

Example...“Mr. Doe, the business owner, was contacted but he will only respond if there is a problem.” Do not use this code as the primary disposition if the alarm company was unable to reach a responder or if the alarm company does not call back to advise either way. If the officer advises “no responder” as the disposition, enter it in the second disposition field and use FAU, False Alarm Unknown, in the primary disposition field.

4.1.10.9 MISCELLANEOUS CAD INFORMATION

4.1.10.9.1 Reporting CAD Problems

If any problem is found with the operation of the CAD system or if any error or problem is found with a location or street in CAD such as showing in the wrong district, address not in range or any other CAD related problem a memo shall be sent with as much detail as possible to the Communications Center shift supervisors. If the memo is for a CAD correction, the correct information should be provided if known.

4.1.10.9.2 Adding Caution Notes

To add caution notes to an address in CAD, the telecommunicator can type CN in the main command bar. When adding caution notes, the date and authority of the information needs to be included as well as the number of the telecommunicator adding the information. After entry the telecommunicator should advise (in person, email, note, etc.) a communications supervisor of the address the caution was added to for quality and content review. An expiration date must also be included at which time the caution note will automatically be purged.

4.1.10.9.3 CAD Failure

When a CAD failure occurs, telecommunicators will record incidents and track unit status with paper service request cards kept at each work station. The on duty or on call

Communications Supervisor should be notified immediately as well as the CITY IT staff on duty or on call. A city map with the City Fire districts and response guide is also kept in case of CAD failure. As soon as CAD is restored, an incident for CAD failure should be created and the approximate time and length of failure noted. Information from the paper service requests should be entered in CAD and reports numbers issued as needed.

4.1.10.9.4 Duplicate Calls

If it is determined that two incidents have been created for the same call, the incident with the most information should be used as the working incident and the other one assigned to the telecommunicator who took the call and closed with the disposition of DUP for duplicate call. Duplicate calls should not be cancelled. Care should be taken to ensure that all relevant information is combined into the notes of the one call. Telecommunicators should pay attention to the “possible duplicates” pop-up box when creating a CAD incident to avoid duplication if possible.

4.1.10.9.5 Changing Work Duties

The telecommunicator should change work position duties every three to four hours depending on the amount of activity in the Center and vary the order of positions worked from day to day. For extremely busy periods, two to three hour changes in duties are recommended. Work positions and duties may be assigned by supervision.

(Remainder of page reserved.)

4.1.11 WARRANTS AND SUMMONS

4.1.11.1 HANDLING OF WARRANTS / AUTHORIZED PERSONNEL (§ 1.9.3.5)

The Bowling Green Police Department participates in the statewide Kentucky electronic warrant management system known as E-Warrants. In addition to the E-warrants database, active e-warrants are listed in the Law Information Network of Kentucky (LINK) system. The Communications Division of the Bowling Green Police Department is responsible for processing paper documents received for service by our agency. A Communications Supervisor is designated as Warrant Clerk to ensure paperwork received is logged and processed. Paper warrants, summons, and juvenile orders are kept in a designated location in the Communications Center. No one, except Communications personnel, is authorized to access or remove any paperwork from this location.

The Bowling Green Police Department will not serve a copy of a warrant. Only original or certified copies of warrants will be served.

4.1.11.2 GIVING OUT WARRANT INFORMATION

Warrant information shall not be given out to the public. A petitioner on an EPO can be told whether or not the order has been served if he/she calls to inquire about the service of an order.

Warrant information may be given to other criminal justice or law enforcement agencies. If you have reason to believe the person is not who they say they are, then ask for a phone number to call them back or ask them to send a teletype requesting the information.

If a private attorney calls requesting the information either transfer them to a patrol supervisor if available or take their name and number and have a patrol supervisor call them back.

4.1.12 OPERATIONS AND MISCELLANEOUS INFORMATION

4.1.12.1 BUILDING SECURITY (§ 4.1.4.1)

4.1.12.1.1 Access to the Communications Center

Access to the Communications Center is limited to those persons authorized to be in the Communications Center. The Communications Center door is secured with a magnetic lock. An access key fob or code is necessary to gain entrance to the room unless the door is released by a telecommunicator. Persons authorized automatic entry into the Communications Center will be given key fob or code access. Telecommunicators will not release the door lock unless they know who is at the door. The door will not be

opened just because someone knocks on it. There is an intercom telephone positioned outside the door of the Communications Center for anyone wishing to ask for access to the room. The person requesting entry should not be given access unless the telecommunicator knows who they are or why they need access. Other than employees, access may be given to approved persons to observe in the Communications Center or to persons to perform repair or maintenance.

Telecommunicators will request permission from the Communications Center Manager prior to allowing anyone access to the Communications Center for observation.

Other personnel may enter the Communications Center if they have a legitimate reason to do so. Any personnel not in the direct Communications Division chain of command must enter the Communications Center through the main (hallway) entrance. No one other than Communications personnel, the two deputy chiefs of the chief will be permitted to enter the Center via the locker room door. All non-departmental personnel and visitors must sign the log when entering the Communications Center listing their name, date, times in and out, and reason for entry.

4.1.12.2 MAPS

The Communications Center has access to current maps for both the City and County. Each CAD workstation is equipped with a computerized GIS mapping system which shows City and County boundaries as well as boundaries of police districts. A photographic aerial view is also available. In addition, a map and map books are kept in the Communications Center which can be accessed should the computer mapping fail. Any errors on the GIS map should be forwarded to the GIS mapping assistant and the Communications Center Manager.

4.1.12.3 NOTIFYING THE CHAPLAINS (§ 4.3.34)

It will be up to an on-duty police supervisor to determine when to call out a Chaplain. Chaplain call outs may include, but are not limited to, death notifications, serious injury of an employee on or off-duty, or death of an employee on or off-duty. When a Chaplain is called out, a supervisor will brief him before being asked to perform duties. Any time the chaplains are called out a CAD incident should be created using the nature code CHNO, Chaplain Notification. The incident should be linked to the original call if applicable.

4.1.12.4 ON CALL INFORMATION

The telecommunicators have access to on call information for those persons who may be needed on a 24-hour basis. Communications Center personnel will maintain on call information for the following people:

- 1) Investigators.
- 2) Public Information Officer (Police and Fire).
- 3) Court designated worker.
- 4) Social services personnel.
- 5) Information Technology Department.
- 6) Street department/State Highway department.
- 7) K-9 unit.
- 8) Accident Reconstructionists.

- 9) Crime scene processors.
- 10) Animal Control.
- 11) Chaplains.
- 12) Emergency Management.
- 13) City Arson Investigator.
- 14) UAS pilot.

The on call information maintained will include:

- 1) Name of person on call.
- 2) Time span of on call duty.
- 3) Home phone number (if applicable).
- 4) Cellular phone number.

Home phone numbers and cell phone numbers will be maintained in the Communications Center in the CAD dialer file.

When a request for an on call person is received, the telecommunicator will contact the person by telephone at home and/or on cell phone. If no answer is received a message will be left on both the home and cell phone. If no response to the message is received within ten minutes then the requesting party should be notified of the unsuccessful attempt and further instructions obtained as to who to contact.

4.1.12.5 PERSONNEL MATTERS

Each Telecommunicator will be subject to all City and Departmental policies regarding personnel matters. In addition, certain other policies will apply to Communications Center personnel.

4.1.12.5.1 Staffing (§ 2.10.2.2.17)

Staffing levels shall be determined by the Communication Center Manager. If a telecommunicator becomes ill or must leave work for any reason for a time period longer than the normally scheduled break periods then the Communications Supervisor on duty or on call shall be contacted immediately.

4.1.12.5.2 Work Preparedness (§§ 2.10.2.2.24, 2.10.2.2.26, 2.10.2.2.29 and 2.10.2.2.34)

Telecommunicators will arrive to work fully prepared and capable to work. Telecommunicators will not report to work under the influence of alcohol or any drug that may impair their performance. No Telecommunicator will sleep while at their duty post.

4.1.12.5.3 Punctuality (§ 2.10.2.2.26)

Each telecommunicator is expected to be reliable and report to work at the designated time. The telecommunicator should be punctual and either in the Communications

Center or at shift briefing when their shift begins. A current schedule will be posted in the Communications Center. In rare instances when a telecommunicator cannot avoid being late to work, they should notify a Communications Supervisor or Manager as soon as possible in advance of the tardiness.

4.1.12.5.4 Assignments / Assignment Requests (§ 4.2.2.5)

- 1) All Non-Supervisory employees assigned to the Patrol Operations and Communications Divisions will be required to make a shift and squad (Patrol) or days off (Communications) assignment request every six months – with assignments to be effective on the shift change date for January and July each year. This process should begin well in advance of the effective dates to allow for smooth transitions for employees receiving reassignments.

This “assignment request process” applies to Non-Supervisory/Non-probationary Patrol and Communications Division personnel only. All supervisory and probationary assignments, department wide, will be at the discretion of the Chief of Police or his designee as deemed best for the organizational needs.

- 2) Non-Supervisory employees in the Patrol and Communications Divisions will submit their request, in order of seniority; by placing his/her name on an “Assignment Request Roll Call” in the vacant slot of his/her choice. The “Assignment Request Roll Call” will be made available to each employee in the Patrol Operation and Communications Divisions, in the order of Division seniority, for sign-up.
- 3) The “Assignment Request Roll Call”, when completed, will be submitted to the Chief’s office for review. The Chief, in consultation with supervision, will approve the final assignment for each 6th month period. However, all assignments are subject to change to meet the needs of the department.
- 4) Seniority will be a primary factor in shift assignment, but other factors may be considered when assignments are determined. Officers with specialized training could be limited on their request. Any specialized skill or training may dictate the shift/squad to which they are assigned.
- 5) Employees not granted their assignment request will be notified in writing by the Deputy Chief of the Field Operations Bureau.
- 6) The Chief of Police or his designee reserves the right to make adjustments in personnel assignments and/or reassignments for any member of the Police Department, in any division or unit, at any time to meet the needs of the department.
- 7) This policy does not prohibit a re-assignment request at any time for exceptional circumstances. Exceptional circumstance requests will be considered on a case-by-case basis.
- 8) Married employees or two employees with a “1st degree” relationship can only work on the same shift, in the Patrol Division or a non-Patrol Division, with the Chief’s approval.

4.1.12.5.5 Breaks

Breaks will be taken outside of the Communications Center. Generally, meals will not be eaten while working a position however Supervisors may authorize exceptions. A CAD incident SIG5, Signal 5, will be created to document the meal break. The time on all meal breaks will be counted from the time the position is left until the time the telecommunicator returns to the position. SIG5 CAD incidents must be closed promptly upon return of the telecommunicator from their break. If a fourth person is scheduled to work then every effort should be made to take breaks during that time.

4.1.12.5.6 Overtime (§§ 2.5.1.3, and 2.5.1.3.4.11)

The use of overtime is often necessary to ensure adequate staffing in the Communications Center. Overtime is typically assigned on a volunteer basis. However overtime may be assigned if there are no volunteers or if it is necessary to evenly distribute the number of overtime hours worked.

4.1.12.5.7 Daily Work Duties (§ 4.1.2.2)

In addition to dispatching and paperwork responsibilities telecommunicators are responsible for the following duties each day they work:

- 1) Reading e-mail and CAD memos.
- 2) Checking the schedule for any changes to their work schedule and overtime assignment.
- 3) Reviewing items posted on the bulletin board.
- 4) Briefing the oncoming shift or relief person of any shift activity or information that occurred on the previous shift that may affect the oncoming shift.

4.1.12.5.8 Sick Leave (§ 2.5.2.2, item 2)

Telecommunicators will notify the Communications Supervisor, on-duty or on-call Supervisor, or Manager if they will be unable to work their shift due to illness at least two hours prior to duty time if possible. A telecommunicator reporting out must communicate with a Supervisor to report out. Leaving a message on voice mail, unacknowledged text, or leaving a message with another telecommunicator is not acceptable. If no supervisor is on duty, then the on call Supervisor should be contacted. Sick leave shall be used only for legitimate instances of illness.

4.1.12.5.9 Leave (§ 2.5.2.2, item 3)

Telecommunicators are subject to policies regarding leave as stated in the City of Bowling Green Administrative Personnel Policy and Procedures Manual for Classified Employees. Applications for leave shall be made no sooner than thirty days prior to the beginning date of the proposed leave. Long range planning should be considered tentative. Holiday, vacation and personal leave will be granted upon request whenever

possible. However, due to the necessity to adequately staff the Communications Center 24 hours a day /7 days a week, requested leave may be denied.

Leave requested for the same date by more than one person will be generally approved based on the earliest request date. If the request date is the same, the leave is generally approved based on seniority. However, Supervision may consider other circumstances when approving or denying leave.

4.1.12.5.10 Return to Communications Duty Orientation

Various circumstances (modified duty, long-term illness or leave, etc.) may occasionally result in a telecommunicator being unable to perform the essential job functions required in the Communication's Division for extended periods of time. Many of the essential job functions are related to perishable skills that diminish with long periods of dormancy. Those perishable skills must be brought back to operational standards prior to the return to active service.

The following guidelines will ensure that an appropriate level of competency and supervised observation is applied. The guidelines are based on the individual telecommunicator's time away from active telecommunicator duty as determined by the Deputy Chief of Field Operations.

- 1) If, for any reason, a telecommunicator is out of the active, non-restricted, full-duty telecommunication's function for less than 3 months:
 - 4.- No remedial training required.
- 2) If, for any reason, a telecommunicator is out of the active, non-restricted, full-duty telecommunication's function for 3-6 months:
 - "Return to Duty Orientation Checklist" – The checklist provides specific requirements and guidance that will be followed prior to return to active, solo dispatching.
 - A minimum of one week supervised observation is required.
- 3) If, for any reason, a telecommunicator is out of the active, non-restricted, full-duty telecommunication's function for 6 or more months; or, if, for any reason, a telecommunicator is out of the active, non-restricted, full-duty telecommunications function for a substantial portion of duty time within a 12 month period, the telecommunicator must complete:
 - "Return to Duty Orientation Checklist" – The checklist provides specific requirements and guidance that will be followed prior to return to active, solo dispatching.
 - A minimum of three weeks supervised observation is required: One week of Fire/Phone Re-orientation, one week of Police Radio Re-orientation, and one week of combined evaluation.

If the returning telecommunicator is the rank of Supervisor, the "Return to Duty Orientation Checklist" will be utilized. The "Assessor/Trainer" will always be of equivalent rank or higher.

4.1.12.5.11 Shift Briefing

In order to improve overall communications and the working relationship between the Communications and Patrol Divisions, telecommunicators will attend shift briefing. Each telecommunicator coming on duty will attend briefing and should report to the briefing room at the beginning of their shift. For those telecommunicators whose shift begins sometime other than regular briefing time or those working overtime, briefing should be attended whenever work volume allows. Telecommunicators are expected to be on time and seated in the briefing room when briefing begins. Telecommunicators will not disrupt briefing by arriving late unless exigent circumstances exist and is approved by a Communications Center Supervisor.

4.1.12.6 TRAFFIC SIGNS AND SIGNALS, UTILITY POLES

Traffic signs and signals are maintained by either the City Operations Division or by the State Highway Department depending on the location of the signal. Utility poles are maintained by either BGMU, WRECC, or AT&T. Problems associated with "infrastructure" such as bulbs, power, signs, and poles should be directed to the appropriate agency or on-call personnel after a notification incident is created.

4.1.12.7 CROSSING GUARDS

When a school crossing guard calls to report they will be absent, it is the responsibility of the telecommunicator receiving the information to ensure the crossing is covered by notifying the on call crossing guard or scheduling a call for an on call guard to be contacted. If no crossing guard is available an incident will be scheduled to dispatch a patrol officer or cadet to work the crossing. The following reporting procedures will be used:

- 1) A CAD incident CGRO – Crossing Guard reporting out will be created using the location of the crossing and the following information obtained and noted in the CAD incident:
 - a) Name of guard.
 - b) Exact location and times of the crossing.
 - c) Length of time to be absent from crossing (morning, afternoon, or both).
 - d) Telephone number where guard or reporting person can be reached.
 - e) Name of replacement guard notified.

Any complaint received about a crossing guard should be forwarded to a the Support Services Captain in charge of crossing guards if available and the complaint does not immediately affect safety at the crossing or to a Patrol Supervisor.

4.1.12.8 VICTIM ADVOCATE (§ 4.6.4.3, ITEM 6)

The Victim Advocate's responsibility is to provide Criminal Justice support and advocacy to child abuse victims and their non-offending family members. Also, the Victim Advocate coordinates the Child Fatality Review Team and the Child Abuse Review Team. The Victim Advocate should be contacted any time requested by an officer or any time there is a child fatality. If the advocate cannot be reached by phone, then a message should be left on voice mail.

4.1.12.9 TELEVISION

The television located in the Communications Center is to stay tuned to the Weather Channel whenever the television is on. It is permissible to change to other channels when severe weather is predicted or occurring for weather and radar updates. The channel may be temporarily changed to watch news broadcasts or other broadcasts of a specific local interest. The television may be tuned to a news station in the event of a national news event. The volume should remain muted or very low unless it is temporarily turned up to watch a specific news story or weather update. Any other use of the television must be approved by a Communications Center Supervisor or the Communications Center Manager.

4.1.12.10 BRIEFING SHEET: (§ 1.3.2.1)

Telecommunicators will prepare a briefing sheet for each oncoming patrol shift:

The briefing sheet should include, but is not limited to, extra patrols, missing persons, stolen vehicles, attempt to locates, and any other information that may enhance officer safety and efficiency. Extra patrols should typically remain on the sheet 7 days unless it has been requested that the item remain longer (§ 4.3.2.4 item 2). Items that are critical to officer safety such as escapees or wanted persons should remain until the person is found. Each shift of telecommunicators' are responsible for preparing the briefing sheet for the next patrol shift and responsible for adding all pertinent information that occurred on their shift such as robberies, missing juveniles, etc. so the information will be available for the oncoming shift.

Information regarding bank robberies that occur anywhere in Kentucky or North Central Tennessee should be put on the briefing. Any teletype received from surrounding areas which impact officer safety should be placed on the briefing sheet, particularly if a vehicle description is included.

Items placed on the briefing sheet must contain on whose authority the item was added as well as the date that it was added.

The Communications Center keeps a list of scheduled court dates from the Warren District Judges. Telecommunicators are responsible for making sure the correct traffic and misdemeanor court dates and times are listed on the briefing sheet.

Telecommunicators are responsible for keeping the on call information listed on the briefing up to date.

Each shift of telecommunicators are responsible for sending the most current briefing out via email attachment to all members of the Police Department and other persons as designated. Night shift telecommunicators are responsible for removing any outdated information and ensuring on call information and court dates are accurate.

4.1.12.11 ARREST LOG (§ 1.9.3.2)

A daily register of prisoners (arrest log) will be maintained by the Communications Center. Officers will forward arrest citations to Communications Center personnel to be logged.

Juvenile arrests and subjects arrested on mental detention warrants will not be logged on the arrest log.

(Remainder of page reserved.)

4.1.13 EVACUATION (§ 4.13.3.1)

In the event that Communications Center personnel have to leave the Communications Center or evacuate the building, all operations of the Center will be transferred to the Alternate 911 Center located inside Greenwood Fire Station. Dispatchers should arrange travel to the Alternate 911 Center with on duty police personnel or as a last resort travel by privately owned vehicles. If evacuation becomes necessary, the on call Communications Supervisor and Communications Manager should be notified.

4.1.13.1 EVACUATION PROCEDURES

Employees may modify the procedures as necessary depending on the situation that is occurring. **PERSONNEL SAFETY IS TOP PRIORITY!**

Key steps for evacuation are as follows:

- 1) The Supervisor on duty shall assess the threat and decides to evacuate the Communications Center. (This decision can be made by Communications Center personnel if no supervisor is on duty or readily accessible.)
- 2) The Supervisor will notify Center personnel that evacuation is necessary. If during business hours, Center personnel should make a building wide announcement that building personnel, including the Communications Center, needs to evacuate.

The following tasks should be performed before leaving the Center if time permits. Personnel safety is first priority; not tasks or notifications.

- 3) Police Dispatcher announces on PD1 that evacuation of the Communications Center is in progress. Make sure the Patrol Supervisors on duty copied. The Supervisors will be responsible for assisting in monitoring and tracking the on duty police units until communications can be re-established from the Alternate Center.
- 4) Dispatchers have access to portable radios both in the Communications Center and in the Communications Supervisors office and should attempt to maintain contact with on duty police units via portable radio if possible.
- 5) If any City or County Fire Units are out on a call, the Fire Dispatcher will notify Car 1 or the Incident Commander that evacuation of the Communications Center is in progress and that portable radios will be used for Communications. If there are no active fire runs, the Fire Dispatcher will multi-select the City and County Fire Dispatch talk groups (BGFD and WCFD); transmit the alert tone for 3-5 seconds, and then announce, "The Communications Center is being evacuated. Repeating, the Communications Center is being evacuated. We will be using portable radios for Communications. You will be notified when Communications is re-established."
- 6) If time does not permit to make the Police and Fire notifications from the Radio Consoles, a portable radio will be used to make the notifications as the Dispatchers exit the building.

- 7) The Police Dispatcher will print the CAD police locations screen ("L screen") so there will be a printout of active and waiting calls. The Fire Dispatcher will print the fire screen ("F screen") if there are any active calls.

(Remainder of page reserved.)

4.1.13.2 RADIOS

Communications Center personnel will use portable radios to maintain communications with Police and Fire units until communications can be re-established at the Alternate Center. A portable radio should be tuned to PD1, BGFD, and WCFD channels in order to monitor the main dispatch channel for each of these agencies.

Telecommunicators should make radio contact with City Police units as soon as operations are established at the Alternate Center. Status checks should be performed and CAD locations updated. - Fire units on a run at the time of evacuation, should be contacted for a status update.

4.1.13.3 STAFFING LEVEL

The Communications Manager or Supervisor may call in off duty Communications personnel to assist if necessary or to standby at or near Police Headquarters to be available when operations return to the Police Headquarters building.

End of Chapter 4.1

CHAPTER 4.2

PATROL OPERATIONS AND ADMINISTRATION

4.2 CHAPTER 4.2 - PATROL OPERATIONS AND ADMINISTRATION

This chapter sets forth the organization and administration of the Department's patrol and traffic function. Patrol policies concern the definition of the patrol function, organization of the patrol component, establishment of patrol objectives, procedures for coordination of patrol with other agency functions, scheduling and assigning officers, roll call, and procedures that encourage optimum use of manpower. Traffic policies govern activities identifiable with the administrative and support processes of the Department that are performed for the primary purpose of enabling traffic line elements to execute their operational responsibilities. Related policies recognize that traffic functions are normally performed by the patrol component (see §§ 4.3 and 4.4).

4.2.1 DEFINITION, GOAL AND OBJECTIVE

4.2.1.1 DEFINITION

Patrol

Patrol is a generalized function involving a wide variety of law enforcement activities.

4.2.1.2 GOALS

The following goals are generally accepted as basic for police patrol:

- 1) Crime prevention and suppression,
- 2) Crime investigation,
- 3) Law enforcement,
- 4) Maintenance of order, and
- 5) Provision of public services.

4.2.1.3 OBJECTIVES

The Department seeks to achieve its patrol goals through the following general objectives:

- 1) Maintain preventative patrol aimed at prevention of crimes and accidents, maintenance of public order, and the discovery of hazards and delinquency-causing situations;
- 2) Maintain crime prevention activities, (§ 4.12);
- 3) Respond to called-for services, (§ 4.3.3);
- 4) Investigate alleged crimes by (§ 4.3.17)
 - a) Conducting preliminary investigation,
 - b) Conducting follow-up when appropriate, and
 - c) Collecting evidence (§ 4.6.5.1);
- 5) Enforce laws through:
 - a) Police authority (§ 3.1), and

- b) Use of force when necessary (§ 3.1);
- 6) Direct and control traffic (§ 4.4);
- 7) Maintain order through:
 - a) Use of discretion (§ 3.1.4), and
 - b) The maintenance of peace;
- 8) Respond to and deal effectively with a variety of situations through emergency services or referrals (§ 3.3.2);
- 9) Develop relationships between citizens and the Department (§ 4.10.5, community relations); and
- 10) Report information to appropriate organizational components (§ 4.3.2).

The Division of Patrol Operations maintains and reviews annually its patrol performance objectives (see § 3.1.1). Performance objectives are reasonable, attainable, quantifiable and measurable.

4.2.2 PATROL ORGANIZATION AND ADMINISTRATION

4.2.2.1 AVAILABILITY AND RESPONSE (KACP)

- 1) The law enforcement function is available 24 hours a day, every day of the week within the City's limits. The Department maintains 24 hour patrol shift coverage by assigning patrol officers to different shifts and patrol districts. Shift and district assignments are determined in the following manner:
 - a) Shifts
 - Officers are assigned to patrol shifts by the Assistant Chief of Patrol Operations.
 - Officer preference may be considered, but management retains final assignment authority in order to provide effective shift coverage. (See 4.2.2.5)
 - b) Patrol Districts
 - Assignments are made according to supervisory judgment.
- 2) Officers are responsible for the following assigned beat coverage:
 - a) General law enforcement patrol functions within their assigned areas including the transportation of prisoners to the Warren County Regional Jail,
 - b) Law enforcement back-up of other areas,
 - c) Any specifically assigned duty, and
 - d) Utilization of all appropriate resources.
- 3) Generally, back-up response is required for the actual or potential presence of one or more of the following factors:
 - a) An assault on an officer;
 - b) On-scene arrest for a felony or violent misdemeanor;
 - c) Resistance to arrest;
 - d) Use of force;
 - e) A crime in progress; or
 - f) A fleeing suspect.

- 4) Officers are expected to participate in foot patrols consistent with Community Policing practice.

4.2.2.2 24 HOUR COVERAGE (KACP)

The following daily shift hours provide for continuous patrol coverage:

A-Shift 0700 - 1530
 B-Shift 1430 - 0100
 C-Shift 2300 - 0730

Shift change generally occurs the first of each month. Officers' assignments generally do not change. Days off are rotated for patrol officers and first line supervisors on a monthly basis. However, changes may be made at the discretion of the Shift Commander.

The overlap of patrol shifts allows for the on-coming shift's Roll Call and the completion of shift change-over. Roll Calls should accomplish the following:

- 1) Briefing officers with information regarding daily patrol activity, with particular attention given to unusual situations, and changes in the status of wanted persons, stolen vehicles, and major investigations;
- 2) Notifying officers of changes in schedules and assignments;
- 3) Notifying officers of new directives or changes in directives;
- 4) Evaluating officers readiness to assume patrol; and
- 5) Providing officers with roll call training.

4.2.2.3 PATROL SUPERVISORY SPAN OF CONTROL

The Division of Patrol Operations is currently allocated in its patrol function ten (10) first-line supervisor (sergeant) positions and four (4) captain positions as follows.

A-Shift 3 Sergeants..... 1 Captain
 B-Shift 4 Sergeants..... 1 Captain
 C-Shift 3 Sergeants..... 1 Captain

Shift supervision possesses the authority and responsibility of ensuring proper policing of eight (8) patrol districts. During each shift's working hours, primary supervisory responsibility is assigned to the City's two geographical patrol divisions, the Northwest and the Southeast Sectors.

Each Supervisor shall have the PRIMARY supervisory responsibility for ensuring proper police activities of patrol personnel working the patrol districts within his assigned geographical division. This policy is consistent with policies relating to § 1.1.2, unity of command, and § 1.1.3, span of control.

4.2.2.4 NOTIFICATION OF SUPERVISION (KACP)

Incidents of a serious nature often arise that require the presence of a supervisor. Patrol officers may notify Supervision when investigating the following circumstances:

- 1) Investigations involving violent crimes or deaths.
- 2) Major investigations where assistance may be required.
- 3) Incidents which may be a threat to the public.
- 4) Interviews by the media.
- 5) Complaints against Departmental members or Departmental policy or actions.
- 6) Unusual occurrences not described above.

4.2.2.5 ASSIGNMENT REQUEST

- 1) All Non-Supervisory employees assigned to the Patrol Operations and Communications Divisions will be required to make a shift and squad (Patrol) or days off (Communications) assignment request every six months – with assignments to be effective on the shift change date for January and July each year. This process should begin well in advance of the effective dates to allow for smooth transitions for employees receiving reassignments.

This “assignment request process” applies to Non-Supervisory/Non-probationary Patrol and Communications Division personnel only. All supervisory and probationary assignments, department wide, will be at the discretion of the Chief of Police or his designee as deemed best for the organizational needs.

- 2) Non-Supervisory employees in the Patrol and Communications Divisions will submit their request, in order of seniority; by placing his/her name on an “Assignment Request Roll Call” in the vacant slot of his/her choice. The “Assignment Request Roll Call” will be made available to each employee in the Patrol Operation and Communications Divisions, in the order of Division seniority, for sign-up.
- 3) The “Assignment Request Roll Call”, when completed, will be submitted to the Chief’s office for review. The Chief, in consultation with supervision, will approve the final assignment for each 6th month period. However, all assignments are subject to change to meet the needs of the department.
- 4) Seniority will be a primary factor in shift assignment, but other factors may be considered when assignments are determined. Officers with specialized training could be limited on their request. Any specialized skill or training may dictate the shift/squad to which they are assigned.
- 5) Employees not granted their assignment request will be notified in writing by the Deputy Chief of the Field Operations Bureau.
- 6) The Chief of Police or his designee reserves the right to make adjustments in personnel assignments and/or reassignments for any member of the Police Department, in any division or unit, at any time to meet the needs of the department.
- 7) This policy does not prohibit a re-assignment request at any time for exceptional circumstances. Exceptional circumstance requests will be considered on a case-by-case basis.
- 8) Married employees or two employees with a “1st degree” relationship can only work on the same shift, in the Patrol Division or a non-Patrol Division, with the Chief’s approval.

4.2.2.6 COMMUNICATION (KACP)

Generally, clear speech communication is used by the Department. Bowling Green Police officers are identified during radio communication by their individual District assignment or call number.

In order to exchange information with specialized and support components for the purpose of coordinating performance, the Department provides for the following:

- 1) Maintenance of liaison with the Division of Investigations and the Drug and Alcohol Unit, and
- 2) Maintenance of regular meetings between investigative and patrol personnel for the dissemination of investigative and intelligence information (§ 4.10.1).

4.2.2.7 FISCAL MANAGEMENT

The Department's budget is developed according to the various programs which make up the budget as a whole. The Division of Patrol Operations' Commander is responsible for (1) the preparation of the Division's Patrol Operations budget request document, and (2) the management of agency-owned property (see § 1.8).

(This page reserved.)

4.2.3 TRAFFIC DEFINITION, GOAL AND OBJECTIVE

4.2.3.1 DEFINITION

Police Traffic Service Function

Police traffic service function includes the investigation of traffic collisions, enforcement of state and local traffic laws and regulations, and the direction of vehicle traffic.

4.2.3.2 GOAL

The Department traffic services seek to ensure the safe, convenient, and efficient transportation of people and property on the public highways of its jurisdiction.

4.2.3.3 OBJECTIVES

The Department seeks to achieve its traffic services goal through the following general objectives:

- 1) The Division of Patrol Operations' Administration and Staff seek to maximize the effectiveness and efficiency of the Department's traffic services by providing appropriate guidance, direction, and support.
- 2) Traffic Law Enforcement seeks to minimize the incidence of offenses committed on the highways and promote voluntary compliance with traffic laws (§ 4.4.2).
- 3) Collision Management seeks to minimize the incidence of loss of life, personal injury, and property damage resulting from traffic collisions (§§ 4.4.5 and 4.4.6).
- 4) Traffic Direction and Control seeks to minimize delays to highway users resulting from impediments or congestion (§ 4.4.7).
- 5) Ancillary Motorist Services seek to maximize service to highway users in need of aid or information (§ 4.4.8).

The Bureau of Field Operations maintains and reviews annually its traffic service performance objectives (see § 3.1.1). Performance objectives are reasonable, attainable, quantifiable and measurable.

4.2.3.4 POLICY (KACP)

Since there is a close interrelationship between traffic enforcement and all other law enforcement activities, the primary responsibility for enforcing traffic laws and regulation should rest with the uniformed patrol component. It is the policy of the Bowling Green Police Department that the responsibility for enforcing traffic laws and regulation is shared by all uniformed personnel.

4.2.4 TRAFFIC ORGANIZATION AND ADMINISTRATION

4.2.4.1 ORGANIZATION

The Division of Patrol Operations is responsible for planning, analysis, inspection, and coordination of the Department's traffic activities. The Division provides for the following:

- 1) Technical accident investigation;
- 2) Operation of speed-measuring devices;
- 3) Operation of breath test equipment;
- 4) Parking/congestion control;
- 5) Traffic safety education; and
- 6) Liaison with traffic safety groups.

4.2.4.2 TRAFFIC RECORDS (KACP)

The Department provides the following procedures in order to ensure that traffic collision reports are submitted in a timely manner and contain complete and accurate information:

- 1) Collision reports are normally turned in by the end of the shift in which they occurred, and
- 2) Shift supervisors conduct an initial review when the report is turned in.

The Department's computer system contains traffic collision data including reports, investigations, and locations and traffic enforcement data which includes citations, arrests, dispositions, and locations. Traffic volume data is maintained by the City's Engineering Department and the State Bureau of Highways. Reports may be obtained according to the following:

- 1) Traffic enforcement activity reports through printout from the computer system.
- 2) Roadway hazard reports through City Central (§ 4.4.10).
- 3) Traffic volume data and distribution reports through the City's Engineering Department and the State Bureau of Highways.

Provisions of § 1.9 governs the processing, maintenance, distribution, retention, and release of the Department's traffic records.

4.2.4.3 SELECTIVE ENFORCEMENT

Selective enforcement is the assigning of personnel to traffic enforcement actions designed to curtail a specific problem. The ultimate goal of selective traffic law enforcement is to reduce traffic collisions. The techniques used are based on the following:

- 1) Collision data:
 - a) Collision location
 - b) Time of occurrence
 - c) Contributing causes to accidents
 - d) Any seasonal variations

- 2) Enforcement data:
 - a) Citations
 - b) Time of occurrence
- 3) Traffic volume and traffic conditions:
 - a) Patrol observation data:
 - Traffic flow.
 - Improper driving behavior.
 - Hazardous conditions.
 - b) City complaint and City Central data:
 - Roadway hazard complaints.
 - City Central dispositions.
 - c) City engineering Department and State Bureau of Highways data
 - Traffic volume.
 - Traffic conditions.

Enforcement action should be against those violations determined to be accident causative and should involve the utilization of countermeasures ascertained to be the most effective for the specific enforcement problems involved. The Department's traffic selective enforcement:

- 1) Determines existing traffic problems through analysis of traffic collisions and traffic-related calls for services covering the most recent three-year period;
- 2) Establishes preventative patrol measures to deal with specific categories of unlawful driving behavior; and
- 3) Provides manpower and equipment.

4.2.4.4 PERSONNEL DEPLOYMENT

The purpose of assigning personnel to traffic enforcement is to take enforcement action against those violations determined to be collision causative. The countermeasures developed should be those ascertained to be the most effective for the specific enforcement problems involved. However, personnel deployment at any time, particularly deployment for selective enforcement as defined above, may depend upon (1) a determination of the degree of seriousness of the problem and (2) the Department's staffing level. Patrol shift traffic assignments are routinely determined by shift supervision according to observations and complaints and made according to each shift's daily capabilities.

End of Chapter 4.2

CHAPTER 4.3

PATROL OPERATIONS

4.3 CHAPTER 4.3 - PATROL OPERATIONS

This chapter sets forth the Department's patrol function as performed by assigned uniformed officers. Policies relate to patrol operational practice and include standards concerning response to calls, preliminary and follow-up investigations, field interrogation, identification of hazards, communications, and arrest procedures. Related policies recognize that traffic functions are normally performed by the patrol component (see §§ 4.2 and 4.4).

4.3.1 PATROL OPERATIONS

Patrol operations is the deployment of officers to repress and prevent criminal activities, investigate offenses, apprehend offenders, and furnish day-to-day police services to the community. See § 4.2 for goals and objectives.

4.3.2 COMMUNICATIONS

4.3.2.1 WRITTEN COMMUNICATION

For the Department's written directive and written communication systems, officers are referred to § 1.2.

For distribution of patrol information, officers are referred to the Daily Briefing Sheet system.

4.3.2.2 GENERAL GUIDELINES FOR PATROL RADIO COMMUNICATIONS (KACP)

Every patrol officer engaged in a field assignment shall have access to radio communications through portable and vehicle-equipped radio units.

Officers shall use their individual call / district assignment number for identification purposes when using the radio. Individual badge numbers will be used when an officer is not assigned to a district.

Communication between field personnel and the communications center should be conducted using clear speech as the primary communication.

4.3.2.3 OPERATIONAL GUIDELINES FOR PATROL RADIO COMMUNICATIONS (KACP)

- 1) Calls are dispatched to officers according to each officer's individual (unit) assignment and availability status.

- 2) For the communicative aspects of responding to routine, urgent, or emergency calls, officers are referred to Dispatch and Response to Calls (§ 4.3.3 and 4.3.4).
- 3) When assigning calls-for-service the dispatcher will call the appropriate unit. The patrol unit will respond by repeating his call number and location. Dispatch will then assign the call and the patrol unit will verify and acknowledge (10-4). If, in the event dispatch should receive no response from the called unit, dispatch will call the unit again. If dispatch again receives no response, the assignment will be made to another unit, and patrol Supervision will be notified.
- 4) To assure efficiency of operation and enhance officer safety, it is essential that officers notify communication of the following:
 - a) Arrival and completion of assignments;
 - b) Vehicle and pedestrian stops to include the location and a general description of vehicle and persons (more details when necessary for officer safety); and
 - c) Assignment and availability status.
- 5) In the event an emergency radio alarm is activated by an officer actively on a call or checked out at a known location,
 - a) The Communications Center will:
 - Immediately broadcast, "Signal 7, (Unit Number) at (Location) and repeat, "Signal 7, (Unit Number) at (Location);"
 - b) All radio users will keep radio traffic clear to allow the officer in trouble and supervision to communicate; and
 - c) Officers at the scene or supervision will advise when the emergency is over so that radio traffic can resume.
- 6) In the event an emergency radio alarm is activated by an officer whose location is unknown, the Communications Center will immediately:
 - a) Broadcast "Signal 7, (Unit Number), Location?"
 - b) If there is no answer, the Communications Center will contact Patrol supervision and advise the unit's last known location.

4.3.2.4 POLICY FOR IDENTIFYING HAZARDS WITHIN THE DEPARTMENT'S SERVICE AREA

Information collected (teletype, report, etc.) by the Department concerning any situation, person, property, or place that may induce an incident calling for some police law enforcement action is disseminated in the following manner:

- 1) Information requiring immediate release will be disseminated by the Communications Center to the on-duty shift.
- 2) Information received is placed on the Briefing Sheet and reprinted for one week.

In order to exchange information with specialized support components for the purpose of coordinating performance, the Department provides for maintenance of liaison between specialized units and the Bureau of Field Operations (§§ 4.2 and 4.7).

4.3.3 CALLS FOR SERVICE (KACP)

4.3.3.1 DEFINITION

Response to Calls

For the purpose expressed in this policy, "response to calls" refers to police officer's response to RADIO calls.

4.3.3.2 POLICY

Officers may use emergency warning equipment in responding to calls. However, officers are referred to procedures stated in § 4.3.4, procedures for response to calls (kacp); § 4.3.5, emergency vehicle operation (kacp), (see also § 4.4.2.3; 4.3.29); and 4.4.2.3, use of authorized emergency equipment (see also § 4.3.5).

Both marked and unmarked police vehicles equipped with blue lights and siren may be used in an emergency response in accordance with the provision of KRS 189.940 and applicable policy contained herein. Authorization to use emergency equipment, and the use thereof, does not relieve the officer of responsibility for the safe operation of his vehicle (KRS 189.940).

4.3.4 PROCEDURES FOR RESPONSE TO CALLS (KACP)

4.3.4.1 GENERAL PROCEDURES

- 1) Officers may use emergency warning equipment in responding to calls. However, officers are referred to response procedures in § 4.3.4.3 below.
 - a) Officers may not upgrade the response level of any call without express authorization of a police supervisor or in response to a re-prioritized call.
 - b) A maximum of two units will be authorized to respond Level 1 to any Priority 1 call unless otherwise authorized by a police supervisor.
 - c) Units assigned to an emergency call, but not authorized to respond Level 1, may respond Level 2. The officer's on-scene judgment may require that the response mode be decreased in some instances.
 - d) Units not specifically assigned to a call are expected to remain within their assigned area, but may move in the direction of the call in order to facilitate response if needed.
- 2) When responding to a call as an emergency vehicle, officers are expected to:
 - a) Adhere to basic traffic safety rules regardless of the nature of the assignment;
 - b) Operate the vehicle at a speed and in a manner that will ensure safe arrival at the scene and the safety of the public;

- c) Proceed through intersections or traffic signals only after all vehicular traffic has yielded the right-of-way;
- d) Yield the right-of-way to all pedestrian traffic; and
- e) Use discretion when in close proximity to a crime scene. (Unless a violent crime is in progress, a Level 3 response may be more appropriate when approaching a scene when the possibility exists that the use of emergency equipment may alert a criminal offender.)

4.3.4.2 CALLS FOR SERVICE -- PRIORITIES (CALL MANAGEMENT)

Calls for service are prioritized according to their seriousness:

1) Priority 1: Emergency/ Urgent

- a) Priority One indicates an emergency call wherein life is jeopardized or serious personal injury is present or likely to occur, where a property crime is in progress or where a Burglary / Hold-up alarm is activated. Response time is critical. Priority One calls for service are dispatched immediately according to response table recommendation. Things to consider: Citizen and Officer safety.
- b) Examples include, but are not limited to:
 - Officer in trouble (excludes normal requests for back-up).
 - Crimes in progress when personal injury is likely.
 - Calls involving in-progress assaults and/or weapons.
 - Missing juveniles of tender age, circumstances.
 - Missing adults – endangered.
 - Stalking in progress.
- c) Priority One calls have priority over all lower priority calls

2) Priority 2: Prompt

- a) Priority Two indicates a call which should be answered promptly but not as promptly as Priority One. Response time is not less critical than Priority One calls. Priority Two calls for service are dispatched promptly according to response table recommendation. Things to consider are: evidential value, potential for escalation and citizen satisfaction.
- b) Priority Two calls have priority over routine police matters.

3) Priority 3: Routine

- a) Priority Three indicates a call of routine nature. Calls are stackable at the direction of Supervision. Priority Three calls for service are dispatched when officers are available and according to response table recommendation. Response time is not critical. However, evidential value is a consideration.
- b) Priority Three calls are answered when assigned officers are available to respond.

4) Priority 4: Animal Control

5) Priority 5: Tele-Serve - indicates a call referable to Tele-Serve. (1.9.2.3Tele-reporting)

4.3.4.3 RESPONSE PROCEDURES

- 1) The Communications Center shall:
 - a) Receive and record all incoming information on calls for assistance.
 - b) Dispatch appropriate field personnel.
 - c) Perform relevant record and motor vehicle checks, if appropriate.
 - d) Control all radio communications during an emergency.
 - e) Coordinate assistance under the direction of the Field Supervisor.
 - f) Continue to monitor each situation until stabilization or termination.

- 2) Officers should respond to assigned calls according to the following procedures:
 - a) Level 1 Response:
 - Appropriate for Priority One calls for service.
 - Officer shall respond to the call immediately, proceeding directly to the location as quickly and safely as possible, operating the vehicle with due regard for the safety of all persons. Use of emergency equipment is authorized for Priority One calls, but officers should use their discretion when choosing whether or not to respond as an emergency vehicle. When operating as an emergency vehicle, officers must operate their vehicle in compliance with applicable policy (4.3.5.3) and KRS (189.940). When not operating as an emergency vehicle, officers shall comply with all traffic regulations.

 - b) Level 2 Response:
 - Appropriate for Priority Two calls for service.
 - Officers will respond to the call, proceeding to the location, operating the vehicle with due regard for the safety of all persons, but without utilizing emergency warning equipment, except to expedite safe passage through an intersection against a traffic control device or to bypass a roadway obstruction. Once an officer safely clears an intersection or obstruction, the emergency equipment should be turned off. When operating as an emergency vehicle, officers must operate their vehicle in compliance with applicable policy (4.3.5.3) and KRS (189.940). When not operating as an emergency vehicle, officers shall comply with all traffic regulations.

 - c) Level 3 Response:
 - Appropriate for Priority Three calls for service.
 - Officers will respond, proceeding to the location, operating the vehicle with due regard for the safety of all persons, while complying with all traffic regulations. Emergency equipment is not authorized when responding to Priority Three calls.

 - d) Level 4 Response:
Animal Control.

 - e) Tele-Serve:
 - Priority Five calls for service are referred to Tele-Serve.
 - Tele-Serve calls are handled by the Tele-Serve function when available unless the caller requests an officer in lieu of Tele-Serve.
 - Priority Five calls requiring officer response will become a Priority Four call for service.

- 3) When an officer in the field is involved in a situation where help is needed, he must be aware that a non-specific request will result in an uncoordinated response. This may be a greater hazard to life and property than the originating incident. He should minimize this hazard by giving the following information:

- a) Unit number.
 - b) Exact location.
 - c) Reason for the request.
 - d) Specify "emergency" (Level 1) if required.
 - e) Use "backup" if routine or urgent.
 - f) Number of units required to handle situation.
- 4) The officer making the request should remain near the radio long enough to determine if the call has been received by the Communications Center. Additionally, the officer should establish a radio command post as soon as possible to provide status reports, to coordinate the efforts of arriving units, and to confirm that adequate assistance actually arrives.
- 5) Officers should respond to another officer's request for assistance using the above levels and the following procedures:
- a) Primary response units shall identify themselves and give the Communications Center a conservative estimated time of arrival based on distance, traffic and weather conditions.
 - b) Primary response units shall immediately notify the Communications Center upon arrival at the scene and provide a status report as soon as possible.
 - c) Upon receipt of a termination notice, responding units shall discontinue any emergency operation and return to their assigned area unless specifically requested to continue to the location under normal driving conditions.
- 6) Supervisory responsibilities are according to the following:
- a) Assigned calls:
 - The Field Supervisor may review the classification/designation as determined by the responding officer.
 - The Shift Commander or the Field Supervisor may override the determination of the officer and order an officer to use a different response mode, if deemed to be necessary under the circumstances.
 - The Field Supervisor shall monitor the response until it has stabilized or terminated, and assert control by directing specific units into or out of the response if necessary.
 - b) Officer's request for assistance:
Upon notification, the Field Supervisor shall verify the following:
 - That proper response "emergency" or "backup" has been made,
 - No more than the required or necessary units are involved in the response, and
 - Affected allied agencies are being notified, if necessary.

The Field Supervisor shall monitor the response until it has stabilized or terminated, and assert control by directing specific units into or out of the response if necessary.

(Remainder of page reserved.)

4.3.5 **EMERGENCY VEHICLE OPERATION (KACP), (SEE ALSO § 4.4.2.3; 4.3.29)**

4.3.5.1 **EVALUATING THE CIRCUMSTANCES**

Officers, in the course of their duties, are frequently called upon to engage in emergency vehicle operation. Due to inherent hazards involved, officers should, therefore, try to determine whether circumstances warrant this type of vehicle operation before engaging in it.

It is difficult, if not impossible, to describe exactly how a fleeing motorist can or should be apprehended, or the manner in which the Department should respond to calls for emergency assistance, except to say that it must be done legally and safely. It is also difficult to list the specific traffic regulations that officers may or may not disregard. Likewise, one cannot set a "safe" maximum speed or in all cases specify the maximum number of police vehicles that should be involved. Each individual pursuit or call for emergency assistance has unique aspects. The pursuing/responding officer, field supervisors and commanding officers, in a short period of time, will have to use their own best judgment, collect their total resources, including their training and experience, bearing in mind the policies, procedures and directions outlined in these guidelines, and apply them collectively to the existing circumstances. If they feel certain that the pursuit/response is justified according to established criteria and it can be performed in relative safety, they should continue with intent to apprehend the suspect, all the while mindful of the safety of all concerned.

Even though the officer is engaged in the lawful performance of his duties, he is not relieved of his obligation to exercise due care, and excessive or negligent operation of Departmental vehicles may render both the officer and the Department liable to criminal and/or civil action. The use of emergency equipment does not demand the right of way, it requests it.

4.3.5.2 **DEFINITIONS**

The following definitions apply for the purpose expressed in emergency vehicle operation policy:

Hot Pursuit	An active attempt by one or more police officers to apprehend a suspect operating a motor vehicle, while the suspect is trying to avoid capture by using high speed driving or other evasive movements, or maintaining legal speed but willfully failing to yield to the officer's signal to stop.
Overtake	An active attempt to overtake a motorist who is not yet aware that he is being pursued, in order to: <ol style="list-style-type: none"> 1) position the police vehicle so that audible and/or visual signals to halt can effectively be communicated to the motorist; 2) continuously communicate audible and/or visual signals to the motorist until he becomes aware of them; 3) position the police vehicle so that the officer may more effectively observe the motorist, his vehicle and/or his passengers or load.
Emergency Response	A situation in which the physical safety and well-being of an individual is directly jeopardized; a potential life threatening situation.
Response Without Delay	A situation where personal injury is <u>likely</u> to occur if assistance is withheld or response is unnecessarily delayed. Included are those instances when a potentially dangerous assignment necessitates additional officers at the scene.

Serious Felony	A felony that involves an actual or threatened attack which the officer has reasonable cause to believe could or has resulted in death or serious bodily injury (e.g., aggravated assault, armed robbery, murder).
Roadblock	Any method, restriction, or obstruction utilized or intended for the purpose of preventing free passage of motor vehicles on a highway in order to effect the apprehension of an actual or suspected violator in a motor vehicle.
Primary Pursuing Unit	The police unit which initiates a pursuit or any unit which assumes control of the pursuit.

4.3.5.3 GENERAL POLICY

All emergency vehicle operations shall be conducted in accordance with KRS 189.940. Officers engaged in emergency vehicle operation should utilize both audible (siren) and visual (emergency lights) emergency warning equipment when engaged in hot pursuit, overtaking and response to calls for assistance.

All personnel operating Departmental vehicles shall exercise regard for the safety of all persons. No assignment shall be of such importance, and no task shall be expedited with such emphasis, that the principles of safety become secondary. There are no tasks in the Department of such importance that they justify the reckless disregard of the safety of innocent persons.

All Departmental personnel will be held strictly accountable for the consequences of their reckless disregard for the safety of others. The Kentucky Supreme Court held in *Gonzalez v. Johnson* "An officer can be the cause-in-fact and legal cause of damages inflicted upon a third party as a result of a negligent pursuit. The duty of care owed to the public at large by pursuing officers is that of due regard in accordance with KRS 189.940."

4.3.6 HOT PURSUITS (KACP)

4.3.6.1 EVALUATING THE CIRCUMSTANCES

The purpose of hot pursuit is the apprehension of a suspect who refuses to voluntarily comply with the law requiring drivers to stop upon command. The primary goal of the Department is the protection of life and property. To the extent that a hot pursuit exposes any officer, suspect, or member of the general public to an unnecessary risk or harm or injury, then hot pursuit is inconsistent with that goal. (See KRS 431.045 and Kentucky Criminal Law Manual, Pursuit to Make an Arrest.)

Hot pursuit is justified only when the officer knows or has reasonable grounds to believe the suspect presents a clear and immediate threat to safety of the other motorists, has committed or is attempting to commit a serious felony, or when the necessity of immediate apprehension outweighs the level of danger created by the hot pursuit. Hot pursuit is not justified in the case of a serious traffic violation such as DUI, unless there are extenuating circumstances.

4.3.6.2 NOTIFICATION

The responsibility for the decision to initiate hot pursuit rests with the individual officer. When a hot pursuit is initiated, it shall be reported to the Communications Center as soon as reasonably possible. This includes incidents that have escalated from routine overtaking situations.

The Communications Center shall be responsible for immediately notifying the Field Supervisor that a hot pursuit has been initiated.

4.3.6.3 COMMANDING OFFICER

The Field Supervisor shall be in overall command of the operation. This command responsibility shall include all Department personnel involved in the pursuit.

4.3.6.4 TERMINATION OF PURSUIT

The decision to abandon pursuit may be the most intelligent course of action. Officers must continually question whether the seriousness of the crime justifies continuing the pursuit. An officer will not be censured when, in the officer's opinion, continued pursuit constitutes an unreasonable risk. A hot pursuit shall be terminated under any of the following circumstances:

- 1) If, in the opinion of the pursuing officer or the Field Supervisor, there is a clear and unreasonable danger to the officer and other users of the highway created by the pursuit that outweighs the necessity for immediate apprehension;
- 2) The suspect(s) identity has been established to the point that later apprehension can be accomplished, and there is no longer any need for immediate apprehension;
- 3) The prevailing traffic, roadway and environmental conditions indicate the futility of continued hot pursuit;
- 4) The pursued vehicle's location is no longer known;
- 5) The pursuing officer knows, or is reasonably certain, that the fleeing vehicle is operated by a juvenile and the offense constitutes a misdemeanor or a non-serious felony and the safety factors involved are obviously greater than a juvenile can cope with; or
- 6) The termination of a pursuit does not prohibit the following of a vehicle at a safe speed, or remaining in an area to re-initiate pursuit if the opportunity and conditions permit.

(Remainder of page reserved.)

4.3.7 HOT PURSUIT PROCEDURES (KACP)

4.3.7.1 INITIATING / PRIMARY UNIT RESPONSIBILITIES

The officer initiating a pursuit shall, in all cases, notify Communications and soon as reasonably possible that a pursuit is underway and provide the following information:

- 1) Unit identification,
- 2) Location, speed, and direction of travel,
- 3) Vehicle description, including license number, if known,
- 4) The specific reason for the pursuit, including known laws violated,
- 5) Number of occupants, and
- 6) Traffic and weather conditions.

Failure to provide the above information may be cause for the Field Supervisor to order termination of the pursuit.

The authority of the primary unit pertains to the immediate field operation and is, at all times, subordinate to the command of the Field Supervisor.

4.3.7.2 ASSISTING UNIT RESPONSIBILITY

- 1) Assistance will be coordinated by the communications center under the direction of the commanding officer or the Field Supervisor. The Field Supervisor and primary unit will be advised of the identity and location of backup units who can assist.
- 2) The active pursuit will normally involve not more than two units: the primary unit and the backup unit. If more assistance is specifically requested, the amount will be determined by:
 - a) Nature of the offense,
 - b) Number of suspects,
 - c) Whether the participating units have more than one officer, and/or
 - d) Other clear and articulated facts that would warrant the increased hazard.
- 3) Only the Field Supervisor or Commanding Officer may authorize more than two units to be in active pursuit. All other units will remain aware of the direction and progress of the pursuit but shall not actively participate, and shall not respond or parallel the pursuit on adjacent streets unless specifically authorized to do so.
- 4) The assisting unit, upon joining the pursuit shall immediately identify himself to the Communications Center. If the primary unit is a one-man unit, the assisting unit may assume radio communications responsibility, allowing the primary unit to devote full attention to driving.
- 5) The assisting unit will maintain a safe distance behind the primary unit, but be close enough to render backup assistance if and when required.
- 6) Assisting units shall, at all costs, avoid intersecting the path of an oncoming high speed vehicle.

- 7) If the primary unit becomes disabled, the assisting unit will become the primary unit. The Communications Center will advise the Field Supervisor and other units that a new backup unit is needed, and the next unit to join the pursuit will be designated the backup unit.

4.3.7.3 COMMUNICATIONS CENTER RESPONSIBILITIES

The Communications Center Will:

- 1) Receive and record all incoming information on the pursuit and the pursued vehicle;
- 2) Immediately notify the Field Supervisor when pursuit is initiated;
- 3) Clear radio channel of any unnecessary traffic and advise all other units that a pursuit is in progress, providing all relevant information;
- 4) Perform relevant record and motor vehicle checks;
- 5) Control all radio communications during the pursuit;
- 6) Coordinate assistance under the direction of the Field Supervisor;
- 7) Continue to monitor the pursuit until it has been terminated.

4.3.7.4 SUPERVISORY RESPONSIBILITIES

4.3.7.4.1 Shift Commander

The Shift Commander is responsible for the actions of officers under his span of control. The Shift Commander will therefore:

- 1) Ensure that an overall analysis and critique of each hot pursuit is completed and it shall include a determination of compliance with Departmental policy, and
- 2) Ensure that all officers under his command receive appropriate training in policy and procedures related to pursuits.

4.3.7.4.2 Field Supervisor

- 1) Upon being notified of a pursuit, the Field Supervisor shall verify:
 - a) The validity of the pursuit;
 - b) That no more than the required or necessary units are involved in the pursuit;
 - c) That proper radio frequency is being utilized; and
 - d) That affected allied agencies are being notified, if necessary.
- 2) The Field Supervisor will continue to direct the pursuit, and approve or order alternative tactics, such as the use of a roadblock, and maintain control until the pursuit is terminated. In the absence of adequate information from the primary or backup unit, the field supervisor may order termination of the pursuit.
- 3) As with any tactical field problem, it is not necessary that the Field Supervisor be physically present in order to begin coordination and assert control of the pursuit.

- 4) The supervisor of the unit initiating the pursuit shall be responsible for submission of an analysis and report of the pursuit to the Shift Commander. The Shift Commander will review the supervisor's analysis and any other pertinent data (e.g., radio tape) and write a critique of the pursuit for submission to the Commander of Field Operations. It may be appropriate to have each officer involved submit a memorandum and critique their involvement with the pursuit and subsequent events.

4.3.7.5 VEHICLE OPERATION AND TACTICS

- 1) In the course of the pursuit, deliberate contact between vehicles or forcing the pursued vehicle into parked cars, ditches, or any other obstacle, boxing in, heading off, ramming, or driving alongside the pursued vehicle while it is in motion shall be prohibited, unless such actions are specifically authorized by the Field Supervisor. Such actions may be approved only when the use of deadly force would be authorized.
- 2) Reckless and hazardous driving maneuvers shall not be duplicated by any pursuing vehicle.
- 3) There shall be no caravanning by field units not directly involved in the immediate pursuit.
- 4) There shall be no attempt by officers to pass other field units involved in the pursuit unless the passing officer receives specific permission from the primary unit or the Field Supervisor.
- 5) All units in pursuit, whether the vehicle in front of the unit is the suspect vehicle or another police vehicle, shall space themselves at a distance that will ensure proper braking and reaction time in the event the lead vehicle stops, slows, or turns.
- 6) Officers shall not pursue suspects the wrong way on interstate or other controlled access highways or divided roadways unless specifically authorized by the Field Supervisor.
- 7) The use of roadblocks must be authorized by Field Supervisor. Generally, a roadblock will be employed only as a last resort.
- 8) Departmental policy regarding the use of deadly force shall be strictly followed. Officers shall not discharge a firearm at or from a moving vehicle except as the ultimate measure of self-defense or defense of another when the suspect is using deadly force by means other than the vehicle. Officers shall be guided by the following:
 - a) Officers shall not, under most conditions, fire upon a pursued vehicle. If fired upon, officer may return fire when appropriate.
 - b) Firing to disable a vehicle shall be a last resort measure and done only when failure to do so will, with a high degree of probability, result in injury or death to innocent persons.
 - c) Officers shall take into account the location, vehicular and pedestrian traffic, and hazard to innocent persons.

4.3.7.6 USE OF STOP STICKS

The Bowling Green Police Department has tire deflation devices recognized by the name brand of Stop Sticks. Stop Sticks have hollow needles that puncture a vehicle's tires, and then break off flush with the outer surface of the tire. This method allows for a controlled deflation of the tire that

should not cause the operator of a targeted vehicle to lose control of the steering and general operation of his vehicle.

Stop Sticks are generally considered to be less than lethal force; and thus can be used in less than lethal force situations to terminate a police pursuit. Generally, that situation is the proper deployment to stop a targeted vehicle in which the driver has chosen not to follow his / her legal duty and come to a complete stop when signaled to do so with the use of emergency lights and / or siren equipment attached to a Bowling Green Police Department vehicle. (Nothing here would prohibit the use of stop sticks to assist another police agency in the termination of a pursuit if so requested and is authorized by Supervision of the BGPD.)

4.3.7.6.1 Deployment

An officer shall only use the tire deflation devices (currently Stop Sticks brand) that are issued by this agency to its personnel. Except in extenuating circumstances, personnel of this agency shall notify supervision of the intent / need to use said devices; and shall receive supervisory authorization for the actual use of tire deflation devices. Stop Sticks can be used as a stand-alone measure and can also be used in conjunction with a Fixed Roadblock, should a last resort Roadblock under § 4.3.8.2, item 1) become necessary.

Supervisors may authorize the use of a tire deflation device during pursuits initiated by other agencies but are required to follow the Department's policy governing their use. Supervisors are encouraged to consult with pursuing officers and/or supervisor from those other agencies if practicable.

NOTE: STOP STICKS ARE NOT TO BE USED ON TWO WHEELED VEHICLES.

4.3.7.6.2 Training

Only Departmental Instructors that have been trained by Stop Tech, the manufacturer of Stop Sticks, may instruct other personnel on the use and deployment of the tire deflation device known as Stop Sticks. All members of the Patrol Section of Field Operations will receive the training on the deployment and use of the departmentally owned Stop Sticks. Officers that actually have Stop Sticks assigned to their police unit will receive additional training in policy and will learn the procedures to safely deploy Stop Sticks.

4.3.7.7 INTER- AND INTRA-JURISDICTIONAL PURSUITS

- 1) The Communications Center, with the approval of the Field Supervisor, will notify outside agencies if this Department is in pursuit in their jurisdiction. The informing person will specify that the call is either (1) a request for assistance or (2) merely a courtesy notification with no participation desired.
- 2) Notification by another jurisdiction of a pursuit in progress shall not be construed as a request to join the pursuit. The call from the outside department will be specifically asked if they are making a request for assistance or merely making a notification.
- 3) In the event a specific request for assistance in an inter-jurisdictional pursuit is made by the pursuing agency, any assistance to the pursuing agency by this Department will be specifically authorized by the on-duty Supervisor after careful consideration of the pursuit facts, and the BGPD pursuit procedures established herein will be in effect.

- 4) The person receiving a notification of a pursuit by an outside agency, shall carefully assess the circumstances to determine if the pursuit is likely to enter the Department's jurisdiction. Prior to making a radio broadcast, the Communications Center will obtain from the notifying department as much information as possible regarding the pursuit.
- 5) Upon receiving information that an inter-jurisdictional pursuit may be entering the limits of Bowling Green, the Communications Center will notify the on-duty Supervisor by police radio, providing all pertinent information regarding the pursuit to the Supervisor. Notification to the on-duty Supervisor, by police radio, will enhance officer safety for on-duty officers that may be required to react to changing circumstances of the inter-jurisdictional pursuit.

4.3.8 USE OF ROADBLOCKS (KACP)

4.3.8.1 DEFINITION

Roadblock

A roadblock is defined as a deliberate obstruction by physical means at one or more selection points on a roadway, for the specific purpose of checking persons using the highway.

4.3.8.2 FIXED ROADBLOCKS

- 1) Roadblocks may be used for the purpose of apprehending fleeing persons, when used for that purpose, they shall be employed as a last resort when all other efforts have failed and the use of deadly force is justified in accordance with § 3.1.
- 2) Moving roadblocks are strictly prohibited unless such action is specifically authorized by the Field Supervisor. Such action may be approved only when the use of deadly force would be authorized.
- 3) Any roadblock employed in a pursuit situation shall be approved and controlled by the Field Supervisor. The decision to activate a roadblock should be based on:
 - a) The seriousness of the crime
 - b) Sufficient information and description of wanted persons and vehicles
 - c) Liability, public safety, and safety of officers

4.3.8.3 CHECKPOINT ROADBLOCKS

Traffic checkpoint roadblocks may be employed:

- 1) To control ingress and egress at the scene of a major crime,
- 2) To control ingress and egress at the scene of an emergency or disaster situation, or

- 3) As a means of traffic enforcement.

Checkpoint roadblocks used to control ingress and egress shall be approved and controlled by shift Supervision. For checkpoint roadblocks used for traffic enforcement, see § 4.3.9.2.

4.3.8.4 ROAD HAZARD ROADBLOCKS

For Road Hazard Roadblocks (See § 4.3.9.3).

4.3.9 ROADBLOCK PROCEDURES (KACP)

4.3.9.1 FIXED ROADBLOCKS

Fixed roadblocks shall be controlled and implemented according to the following:

- 1) Employed only when the use of deadly force may be employed.
- 2) No avenue of escape will be afforded.
- 3) Personnel shall be clear of the blocking vehicles and shall maintain a safe distance from the roadblock.
- 4) If special vehicles for a roadblock are considered, discretion should dictate their employment in order to reduce potential hazards (e.g., avoid gasoline tankers, etc.).
- 5) Discretion shall be used in selecting a roadblock site:
 - a) Avoid school areas, gas stations, busy intersections, etc.
 - b) Provide no escape route and surprise, but sufficient area in which to stop.
- 6) Maintain high visibility:
 - a) Roadblocks shall be identifiable by marked cruisers, blue lights, etc.
 - b) Select a flat, straight roadway whenever possible.

4.3.9.2 CHECKPOINT ROADBLOCKS FOR TRAFFIC ENFORCEMENT

Checkpoint roadblocks USED for TRAFFIC ENFORCEMENT shall be controlled and implemented according to the following:

- 1) A roadblock may be authorized only by an administrative officer (Captain or above).
- 2) The date, time, and location of individual roadblock use shall be publicized via new media well in advance of specified time.
- 3) Once individually selected and publicized, however, a location as specified for a particular date and time shall not be changed.
- 4) Individual roadblocks shall be located in such place and manner which will be highly visible to the motoring public.
- 5) Individual roadblocks shall be adequately staffed in such manner which will not produce undue delay for the motoring public.
- 6) The completion of Field Contact Cards is not necessary during the implementation of roadblocks because of excessive delay.
- 7) Members of this Department shall not participate in joint-effort roadblocks with any other agency unless those roadblocks adhere to all of the guidelines established within this policy.

- 8) Individual roadblocks shall be easily identified through the utilization of police emergency blue lights and marked patrol vehicles.
- 9) Motorists shall be given an opportunity to turn around and avoid individual roadblocks (i.e., a place to turn around for avoidance purposes) without fear of being followed and stopped.
- 10) For consistent enforcement purposes, every vehicle should be stopped at individual roadblocks.
- 11) If traffic should become unduly congested (i.e., causing undue delay for the motoring public), officers should allow traffic to clear and then re-establish the roadblock.

4.3.9.3 ROAD HAZARD ROADBLOCKS

The district officer shall take immediate action to set up a roadblock and immediately notify his supervisor in the event that a road must be blocked to protect the public from any potential hazard (e.g., flooding, traffic collision, power line down, fire hose (KRS 189.930), etc.).

The Field supervisor should assess and control the situation consistent with the hazard involved.

(Remainder of page reserved.)

4.3.10 POLICE CRUISERS

4.3.10.1 CRUISER MARKINGS

Patrol cruisers used as emergency vehicles are conspicuously marked to include:

- 1) Emergency blue lights.
- 2) The Department's name and badge depicted in reflective material on the front doors.
- 3) Emergency 911 telephone number.
- 4) Reflective decals on the rear.

4.3.10.2 EQUIPMENT (KACP)

Each marked patrol cruiser is equipped with the following:

- 1) Emergency blue lights (KRS 189.920).
- 2) A siren (KRS 189.920).
- 3) A mobile radio transceiver.
- 4) Public address system.
- 5) Protective barrier (KRS 61.387).
- 6) Spotlights or Alley lights.
- 7) First aid kit.
- 8) Reflective traffic vest.
- 9) Smith & Wesson handcuffs.
- 10) Ice scrapper.
- 11) Traffic cones.
- 12) Hazardous Materials book (DOT).
- 13) Vehicle log book and gas card.
- 14) A fire extinguisher (§ 4.4.6.7).
- 15) Riot shield and riot stick.
- 16) Broom.

4.3.10.3 SEAT BELT USAGE (KACP)

The driver and all passengers of Department vehicles are required to use occupant safety restraining devices. The driver and front seat passenger of marked patrol cruisers equipped with shields are required to use the vehicle's occupant safety restraining devices (seat belts). Prisoners being transported shall be secured via the restraint system. If one is unable to secure a prisoner by the restraint system, alternative means of transportation must be arranged.

4.3.11 PROCEDURES FOR CRUISERS

4.3.11.1 MAINTENANCE, CARE AND INSPECTION FOR CONTRABAND / WEAPONS

- 1) Each officer is responsible for keeping his assigned vehicle as clean as circumstances might dictate. Vehicles are cleaned at the City's contracted cleaning facility.
- 2) It is the responsibility of the City Service Center to ensure general vehicle mechanical maintenance and repair. In order to maintain a sufficient fleet, emergency minor repair on weekends or week nights (when the Service Center is closed) may be procured through the contracted facility for that purpose. It is the responsibility of Supervision to authorize the use of this service. No major mechanical repair may be authorized. The following items illustrate the service which might be obtained:
 - Light bulbs replacement
 - Fan belt replacement
 - Repair of flat tires
 - Towing, if necessary
- 3) Each officer is responsible for the following items having to do with the care and maintenance of his assigned vehicle:
 - a) At the beginning of each work shift, officers should inspect their vehicles in order to check its general overall condition, its assigned equipment and condition of equipment, and to check the back seat area (behind the protective barrier) for possible contraband or weapons. Officers will log in the vehicle log book and report to proper authority any irregularity, damage, discrepancy, need.
 - b) During each work shift, officers will check the engine oil and add oil if necessary.
 - c) During each work shift, officers should fill their vehicle's fuel tank.
- 4) Officers will help ensure the safety and security of their assigned vehicle and its equipment by removing the keys and locking all doors when leaving the vehicle (e.g., while exiting the vehicle to answer calls).
- 5) In the event an officer damages or wrecks his assigned vehicle, he shall immediately notify Supervision and have a report made according to § 2.5.
- 6) The equipment in each vehicle is inspected for operational readiness once each month and recorded on the vehicle's Patrol Vehicle Inventory Check List. Fleet car equipment verification is made by an assigned supervisor or his designee. Take-home vehicle equipment inspection is made by an officer's supervisor.

(Remainder of page reserved.)

4.3.12 HOME FLEET PLAN

4.3.12.1 DESCRIPTION OF PLAN

The BGPD Home Fleet plan consists of police cars that are assigned to members of the Department to drive for police activities or related duties; such as, but not limited to, court appearances, training, seminars, physical fitness workouts and police related meetings. The plan also allows limited off duty use within county limits. Officers shall maintain radio contact and respond to emergencies and urgent calls as instructed by the shift supervisor.

The provision and continuation of home fleet vehicles depends upon the City's financial resources. The removal of a home fleet vehicle by the Department shall not be considered a reprimand or reduction in grade or pay and the provisions of KRS 15.520 and 95.450 shall not be applicable.

Violations of any provisions in the Home Fleet Plan will subject an officer to established Departmental disciplinary policies.

See also § 4.3.12.7 regarding contingency operation of the Home Fleet plan.

4.3.12.2 GOAL AND PURPOSE

The goal of this program is to make more police vehicles visible to citizens of Bowling Green.

The purpose of this program is to:

- Achieve a reduction in crime, accidents and hazardous driving habits.
- Locate and arrest more intoxicated drivers.
- Increase the morale of the officers by operating their own vehicles.
- Give citizens a more secure feeling by increased police presence on the streets and neighborhoods.
- Reduce wear and tear on police vehicles due to their constant 24 hour usage.
- Disperse resources to prevent a major incident from hindering operations.
- Decrease response time in the event of a partial or full-mobilization.

4.3.12.3 OFFICER ELIGIBILITY AND VEHICLE ASSIGNMENT

Officers eligible for the Home Fleet Plan will be those officers whose residence is within Warren County and have successfully completed their Field Training. Police supervisors and the Communication Center Manager who reside within Warren County also qualify for the Home Fleet Plan. Exceptions to this provision are acceptable as additional needs or emergencies arise.

Vehicles will be assigned as they become available each fiscal year. The provisions of KRS 15.520 and 95.450 shall not apply to a decision by the Chief of Police to reassign a home fleet vehicle from an officer.

The privilege of a home fleet vehicle may be revoked. Officers shall exercise good judgment in utilizing the vehicle in order not to reflect discredit upon the Department.

Operating a home fleet vehicle is a privilege afforded to the employee, not a right, and the removal of a home fleet vehicle from an officer is not a reprimand or reduction in grade or pay. The provisions of KRS 15.520 and 95.450 shall not apply to a decision by the Police Department to reassign a home fleet vehicle from an officer.

4.3.12.4 OPERATIONS AND CONDITIONS

- 1) Vehicles shall be operated within the confines of Warren County by authorized personnel only, unless authorized otherwise by the Chief of Police or his designee.
- 2) Vehicles will be parked in a location, preferably in the officer's driveway or in front of his house or apartment, so the vehicle is illuminated by street lights, exterior house or garage lights.
- 3) Home Fleet vehicles shall be used as a pool vehicle by other officers if deemed necessary by any supervisor. Officers shall be prepared to present their vehicle to any division of the Department as needed and submit to other criteria as necessary within each division or unit. Officers shall be notified as to when and why his vehicle is to be used as a pool vehicle.
- 4) Home Fleet vehicles shall be inspected on a monthly basis by shift supervision. Police vehicles may be subject to inspection at any time with or without notification.
- 5) Officers will ensure that all occupants wear seat belts or proper restraint whenever in the vehicle.
- 6) Officers shall not park any Departmental vehicle in prohibited parking areas unless required to do so in response to a dispatched call or an emergency.
- 7) While a vehicle is at City Service for extended repairs, officers may use a pool vehicle when available.
- 8) Children required to be transported in a car seat as prescribed by state law will not be allowed as the car seat cannot be installed according to manufacturer's recommendations in vehicles with the Laguna-type rear seat. Car seats will not be allowed in the front seat as it has been deemed unsafe to place a child in a car seat in the front seat of a vehicle.

4.3.12.5 OFF DUTY USE

Officers who are assigned home fleet vehicles may utilize the vehicles for police activities or related duties and for incidental personal use within county limits while traveling to or from work. The following restrictions shall be observed:

- 1) The vehicle (marked or unmarked) may not be used for transportation to and from personal or family recreational activities including, but not limited to, swimming, golf and private clubs, etc., or for any purpose that would be considered solely for personal benefit.

- 2) Only authorized persons may be in the vehicle. Authorized personnel include the officer's family members. Occupants, other than police personnel, shall not be exposed to dangers encountered during provision of police services. If an off-duty officer is to respond to an incident that could expose the occupants to undue danger, that officer shall remove their passengers to a safe area before responding to the incident. If removal of the occupants is not feasible, the officer shall not respond to a call. The officer is to notify Dispatch of his intentions so another unit(s) can be assigned to handle the situation if necessary.
- 3) Officers shall maintain radio contact with Dispatch by monitoring the primary channel. If required, respond as directed by a shift supervisor to a request for police services.
- 4) When in the vehicle, each officer shall possess their approved primary duty weapon, badge, Department ID, attire that identifies him/her as a police officer (e.g., jumpsuit, windbreaker, ball type cap, vest or jacket with police insignia) and be properly attired (no shorts above mid-thigh, sandals, swimsuits or any inappropriate attire) if required to respond off-duty.
- 5) Personnel will possess their portable police radio while in the vehicle.
- 6) Any travel shall adhere to City of Bowling Green travel policies.
- 7) Officers shall be held responsible for the proper conduct of all occupants.
- 8) Using vehicles to obtain special parking privileges, other than that required for the performance of duties, shall be forbidden.
- 9) Driving under the influence of alcohol or drugs and the consumption of alcoholic beverages is prohibited at any time while driving a home fleet vehicle. Officers are prohibited from driving vehicles to locations where the primary business at the time of the visit is the sale or consumption of alcoholic beverages.
- 10) The use of vehicles in off-duty police related employment will be granted if the situation is deemed to be in the best interest of the Department and City:
 - a) The officer would have the vehicle with him/her if transporting a prisoner was necessary after an arrest;
 - b) Would create the perception of increased police presence at these locations; and/or
 - c) To provide an off-duty officer the vehicle and equipment necessary if the officer is pressed into an on-duty situation.
- 11) In responding to calls involving a felony or misdemeanor while off-duty, officers may be required to handle the call in order to protect life and property and to preserve and handle evidence.

Officers are expected to enforce Moving Hazardous Violations which if action is not taken immediately there is a probability of injury or property damage if no action is taken. Examples would be, but not limited to, Driving Under the Influence, Reckless Driving, or other Moving Hazardous Violations where the safety of the motoring public is at immediate risk.
- 12) In minor cases encountered off-duty officers may summon a district car to handle the call and stand by and assist until the district car arrives. If immediate action is necessary, then the officer will handle the situation.
 - a) Both on and off-duty officers encountering a disabled motorist are required to stop and render assistance or to facilitate assistance from another Division unit or private source.

- b) Officers responding to priority calls which would preclude stopping and offering assistance to the motorist are to make the dispatcher aware of the location of the disabled motorist.
- 13) Officers shall be compensated at his overtime pay rate of pay when pressed into on-duty situations. (See § 2.5.1.3, salary augmentation.)

4.3.12.6 MAINTENANCE OF HOME FLEET VEHICLES

Officers shall maintain their assigned vehicle in the following manner.

- 1) All vehicles should be kept clean. All personnel will be responsible to maintain the cleanliness of their vehicle. Officers may utilize the self-serve car wash equipment provided at Fleet Operations. This responsibility may be completed on-duty as time allows and at the supervisor's discretion.
- 2) Vehicles shall remain free of bumper stickers, decals, window signs, etc. unless written approval is obtained from the Chief of Police or his designee.
- 3) Officers will check fluid levels on their assigned vehicle or pool car each time the vehicle is refueled.
- 4) Officers will service their vehicle on their own time in reference to minor problems (i.e., water, battery, radiator, tires checked, oil checked, etc.).
- 5) Officers are responsible for scheduling repairs or preventative maintenance on their assigned vehicle or pool car. Vehicles scheduled for service will be left at the service center no later than 0730 hours on the date of the appointment.
- 6) Vehicles shall remain locked when not in use. Unless special circumstances exist, vehicles will not be parked with the engine running.
- 7) All weapons and radio equipment shall be secured when vehicle is not in use.
- 8) Officers shall make every effort to secure vehicles in a manner to minimize opportunity for theft, vandalism, accident or damage.
- 9) Vehicle alteration by adding or removing any equipment is forbidden unless written approval is obtained from the Chief of Police or his designee.
- 10) Officers requiring wrecker assistance for their vehicle shall use the City of Bowling Green contracted towing service.

4.3.12.7 CONTINGENCY HOME FLEET PLAN

Circumstances may exist that would require the Chief of Police to place temporary restrictions on the Home Fleet Plan. These circumstances may include fuel or economic emergencies as determined by the Chief of Police.

(Remainder of page reserved.)

4.3.13 BICYCLE PATROL

4.3.13.1 POLICY

Bicycle patrol is a special method of patrol providing first-line police services in areas to which they are assigned. Bicycle patrol shall serve as a proactive force in crime prevention, crime detection and enforcement.

4.3.13.2 ELIGIBILITY

Applicants must be in good physical condition. At the discretion of the police administration, each selected applicant may be required to complete and pass a physical examination prior to training.

4.3.13.3 PATROL

Patrol as assigned.

4.3.13.4 EQUIPMENT

- 1) Approved mountain bicycle with the following:
 - a) Police identification markings,
 - b) Head lamp with rechargeable battery,
 - c) Rear lamp with red lens which can be seen at 2,000 feet,
 - d) Water bottle with rack,
 - e) Rear bicycle cargo rack,
 - f) Cargo bag, and
 - g) Tool kit.
- 2) No modifications will be made to the bike, nor other accessories added.
- 3) Headgear and other safety equipment are required for the rider.
- 4) Only Department-approved uniform and equipment will be authorized.

4.3.14 PROCEDURES FOR BICYCLES

4.3.14.1 MAINTENANCE

Officers assigned to bicycle patrol shall be responsible for routine and preventative maintenance as necessary and required by Department policy and manufacturer's warranty and recommendations.

Assigned personnel shall make minor repairs and adjustments. All major repairs and periodic scheduled maintenance will be performed by certified bicycle mechanics authorized by the Department.

4.3.14.2 USE OF BICYCLES

- 1) Bicycle personnel will perform patrol duties year-round except when street conditions are made hazardous due to ice, sleet or snow. When street conditions are deemed hazardous, officers will stop riding immediately.
- 2) Bicycle personnel will not expose the bicycle to unreasonable hazards or abuse, except in situations that pose a threat to the personal safety of any person.
- 3) Bicycles will not be left unattended except after being secured with a Departmental approved locking device.
- 4) No one other than the assigned member is permitted to ride a Department-owned bicycle except in situations requiring road testing by a bicycle mechanic.
- 5) A safety check shall be completed prior to the beginning of each tour of duty. The check shall include:
 - a) Brakes (cable adjustment and wear and brake pad wear);
 - b) Tires (inflation and wear);
 - c) Wheels and spokes;
 - d) Gears/sprockets (to include chain tension);
 - e) Bike equipment including;
 - Lights,
 - Cargo rack and bag,
 - Seat, and
 - Handlebar; and
 - f) General cleanliness and appearance.

(Remainder of page reserved.)

4.3.15 CANINE UNIT

4.3.15.1 DEFINITION AND GOAL

The Canine Unit is a uniform support service, consisting of selected canines and officers that offer tactical support to the Department by utilizing an effective law enforcement tool. The goal of the unit is to enhance the Department's crime prevention, detection and criminal apprehension capabilities, and officer safety. (The unit is assigned to the Patrol Operations Division.)

4.3.15.2 PURPOSE

The use of the police canine is a valuable and legitimate tool for law enforcement. The primary purpose of the canine team is to provide the City of Bowling Green with a trained police dog and handler to assist officers in the following situations:

- 1) Serious felony apprehensions,
- 2) Narcotic detection,
- 3) Tracking and deployment,
- 4) Searches, and
- 5) Other selected calls for service.

The decision to respond to requests from other agencies within Warren County may be made by a Shift Commander. Out-of-County requests shall be approved by the Commander of Field Operations or his designee. Any decision will be based upon, but not limited to, considerations such as the following:

- 1) Does the incident pose a serious threat to the general public if the suspect is not readily apprehended?
- 2) Does the incident involve a serious assault?
- 3) Does the incident involve a crime against an officer?
- 4) Is the Kentucky State Police Canine available for service?

Requests by other agencies for routine-type searches will not generally be approved.

4.3.15.3 USE OF FORCE

All Department personnel, particularly the canine handler, must recognize that the use of a police canine in any situation constitutes the use of force, or the implied threat of the use of force. Therefore, any decision to use a police dog will be made with full knowledge of the degree of force justified.

Dogs shall be trained and equipped by the Police Department and owned and insured by the City of Bowling Green.

4.3.15.4 TRAINING

- 1) Training includes building/structure and area searches, and article/evidential searches. Each dog is trained to find through detection of scent:
 - Persons,
 - Things touched and handled by persons, and
 - Certain drugs or contraband. (See 1.8.5.3(6)).
- 2) Each dog is trained to be aggressive and demonstrate pronounced willingness and ability to bite and apprehend human suspects on command of the canine handler and without command if the handler is being assaulted or injured. Dogs are permitted to bite:
 - a) Any person who resists force,
 - b) Any person inciting civil disturbances in large or unruly crowds,
 - c) Any known or suspected fleeing felon or concealed felon, or
 - d) Any fleeing or concealed suspect known to have committed a serious misdemeanor.
- 3) Dogs are not trained to bite a specific part of a suspect's body, any part might be bitten. However, they are trained to stop biting on command of the handler.
- 4) Each dog is trained to pursue and continue pursuit of a fleeing suspect beyond the sight or voice range of its handler.
- 5) Certification, maintenance and recertification training shall be conducted by a contracted trainer. All training shall be documented on a monthly K-9 report submitted to the Shift Commander or K-9 Unit Captain. (Any performance deficiencies shall be noted and addressed appropriately.) Each handler is responsible for maintaining the proficiency of his dog.

4.3.15.5 COMMAND AND CONTROL OF CANINES

It is the intent of the Bowling Green Police Department to protect innocent parties from accidental property damage or injury from police canines by providing a high level of command and control of police canines at all times.

Bowling Green Police canines are required to be under command and control at all times by adhering to one of the following conditions:

- 1) If the canine officer is unable to care for the canine (i.e.: injury, illness, etc.) or if the canine handler will be away from the home for a period longer than 24 hours, the canine will be secured at an approved animal boarding facility.
 - a) At-home care for the canine shall be provided by the assigned handler only.
- 2) When off-duty, while at the canine officer's residence, the canine may either be secured inside the department provided / approved outdoor canine kennel or inside the assigned canine officer's home.
 - a) The canine may only be in the home when the assigned canine handler is present and only when visitors (non-residents) are not present in the home. In

the event the canine handler is not present in the home, the canine must be secured in the department provided / approved outdoor kennel.

- 3) While on-duty or transporting the canine, the canine may be secured inside the police cruiser.
- 4) The canine may be under the direct on-lead control of the canine officer.
- 5) The canine may be under the care and control of a veterinarian or other animal health care professional.
- 6) While in a controlled training environment, the canine may be deployed on or off-lead, under the physical or verbal control of the assigned canine officer.
- 7) For tracking, apprehension or drug detection - while in the line of duty, the canine may be deployed, on or off-lead, while remaining under the physical and/or verbal control of the assigned canine officer. Off-lead deployment should only be used when on-lead deployment is impractical or ineffective.

The canine shall never be outside of the direct command and control of the handler, an animal health care professional, or an approved secure enclosure.

4.3.16 CANINE UNIT PROCEDURES

4.3.16.1 FELONY APPREHENSIONS

The use of the police canine in making and maintaining felony arrests is authorized when circumstances of a particular incident justify such use.

4.3.16.2 DEPLOYMENT

- 1) The decision of whether to deploy the dog is the responsibility of the dog handler. It is not the responsibility of the requester. Any decision, however, may be superseded by a supervisor.
- 2) The mere presence of a canine team is usually a deterrent to crime. However, if the dog is going to be used, its handler must give a proper warning before it is deployed. Except in the case of the team being unexpectedly attacked or if other safety circumstances apply, any deployment of the dog is prohibited prior to giving a warning. Examples follow:
 - a) For Building or Area Search: "Police Canine! Come out or the dog will be released!"
 - b) For Fleeing or Combative Suspect: "Police Canine! Halt or the dog will be turned loose!"
- 3) Before deployment of the dog, innocent bystanders will be cleared from the search area or building. Time for the suspect's surrender will be allowed after the warning is given.

4.3.16.3 BUILDING SEARCHES

A building search is the search of a building or other structure for the purpose of locating and apprehending a felony suspect who has concealed himself for the purpose of avoiding arrest.

When any residential, public or commercial building has evidence of forced entry and when there is reasonable suspicion to believe criminal suspects are attempting to hide or elude capture a building or structure, a search of the premises will be conducted at the discretion of the canine handler.

The first officers on the scene where a canine team is dispatched shall not enter the building to be searched, but will secure an outside perimeter and allow no one to enter.

In all cases, except those in which the handler perceives extreme danger, a verbal warning will be made announcing the immediate release of a police dog in the building if suspects refuse to surrender.

4.3.16.4 AREA AND ARTICLE SEARCHES, AND SCHOOL SEARCHES

Areas may be searched for persons or evidential objects such as weapons or contraband. When conducting area searches, the handler will remain cognizant of any possible hazards associated with the dog. The dog will remain on lead at all times during a school search.

School property may be searched for contraband. The responsibilities of the Department and City and County schools regarding the use of police canine units on school property is detailed by a memorandum of understanding signed by all parties.

4.3.16.5 CROWD CONTROL

The use of a police canine for crowd or riot control will be considered only as a last resort. Authorization may be given by the Commander of Field Operations or his designee.

4.3.16.6 CANINE OFFICER DOWN

In the event a canine handler is ill or injured and unable to control his dog, the dog will probably stand guard over the handler and prevent anyone from approaching to render aid. In this type of situation:

- 1) Officers should ask the handler to call the dog off, if possible.
- 2) Officers shall contact the on-duty supervisor.
- 3) The on-duty supervisor should attempt to contact another canine handler for assistance.
- 4) In critical situations, the bite sleeve in the canine vehicle can be used to capture the dog.
- 5) Animal Control can be used to sedate the canine with a dart gun.
- 6) In extreme circumstances deadly force may be necessary.

4.3.16.7 OFFICER IN PHYSICAL CONFRONTATION

When an officer is involved in a physical confrontation and a K-9 officer is on the scene, the K-9 officer will, under most circumstances, keep the canine under their physical control until the canine can focus or target the suspect. If at all possible the officer(s) involved in the confrontation should disengage with the perpetrator before the canine is released.

4.3.16.8 CANINE DEMONSTRATION

Canine teams are sometimes assigned to give dog-handling demonstrations for public educational purposes. When participating in these types of demonstrations, officers will conduct themselves and handle their dogs in a professional manner.

- 1) All canine demonstrations will be approved by the K-9 Unit Captain and documented.
- 2) At no time will a member of the audience be used to demonstrate bite or protection work.
- 3) At no time will the canine handler allow the dog off lead during a public demonstration.

4.3.16.9 CANINE HEALTH CARE

The Police Department budgets for food and veterinarian care for each dog. It is the responsibility of each canine handler to arrange veterinarian care for his dog. Regular health maintenance should be provided, e.g., rabies vaccinations, heart worm preventative, grooming, flea and tick prevention. Each dog's medical history will be documented by his handler in a Health Maintenance Log.

In the event of death of one of the dogs, a detailed written report will be provided to the Commander of Field Operations documenting cause of death and any preventative measures taken prior to death.

At the end of each police dog's working life, it will be retired and its ownership will be offered to its handler. If its handler does not want to assume that responsibility, its ownership will be offered to other officers within the Police Department who have been trained in handling police dogs. If no other trained officer wants the dog, it will be euthanized.

4.3.16.10 INJURIES

In the event a person is bitten, the handler or other officers at the scene will arrange for medical treatment.

All bites, on or off-duty shall be reported to an on-duty supervisor as soon as possible. Each bite will be photographed and the handler will complete a detailed police report concerning each incident. Any canine handler injuries will be properly documented by an on-duty supervisor.

4.3.16.11 VEHICLES, KENNELS AND HANDLER'S EQUIPMENT

- 1) Canine vehicles shall be maintained by each handler to ensure proper working condition. A cruiser inspection will be conducted by a shift supervisor according to the normal protocol. (4.3.11).
- 2) Dogs will not be left unattended in vehicles unless all measures have been taken to ensure the safety of the animal.
- 3) Each dog will be kept at the home of his handler in a kennel supplied by the City or in the assigned canine handler's home [subject to conditions in 4.3.15.5] and subject to periodic inspection by a supervisor.
- 4) Each handler is responsible for the upkeep and sanitation of his dog's kennel.
- 5) Each handler will maintain the issued canine equipment. A regular inspection and audit of training equipment (i.e., controlled substances) shall be conducted on a quarterly basis by the Commander assigned oversight of the unit. In addition, the controlled substances utilized by the canine unit will be included in the evidence audit conducted by the Professional Standards Commander. (1.8.3.3)

4.3.16.12 RECORDS AND REPORTS

Each canine handler is responsible for maintaining records and submitting required reports. Documents are subject to periodic review.

(Remainder of page reserved.)

4.3.17 CRIMINAL INVESTIGATIONS - PATROL

4.3.17.1 PRELIMINARY INVESTIGATIONS (KACP)

- 1) Preliminary investigations may begin when an officer first arrives at a crime or incident scene, makes first contact with a complainant, or becomes aware that his services are needed.
- 2) Patrol officers are responsible for the preliminary investigation of all dispatched calls for service. In general, their preliminary investigative responsibilities involve the following:
 - a) Determining if there is grounds to establish the reasonable belief that a crime has been or is being committed;
 - b) Recording thoroughly and accurately all investigative activities and results;
 - c) Returning to an "in-service" status; and
 - d) Submitting all reports for review by Supervision.

(Officers are also referred to § 4.6 for a general overview of the responsibilities of all parties involved in the Department's investigative activities.)

- 3) The single most important determinant in solving a crime is the information supplied by the victim or witnesses to the immediately responding patrol officer. However, the early involvement of specialists in the investigation of unusually serious and complicated crimes should be facilitated when it becomes apparent to the patrol officer that the investigation will be complex, lengthy and time consuming. Officers are referred to § 4.6 for circumstances calling for the early involvement of specialists to include the presence of investigators during the initial investigation. In these cases, the patrol-officer role should be limited to the completion of his initial report and referral to the appropriate support unit or specialist.

4.3.17.1.1 Video Recording and Photographing of Police Officers (KACP)

Individuals have a First Amendment right to record police officers in the public discharge of their duties. The right to record is not limited to streets and sidewalks -- it includes areas where individuals have a legal right to be present, including an individual's home or business, or other private property where the person has a right to be present.

Members of the press and members of the general public enjoy the same rights in any area accessible to the general public. No individual is required to have or to display 'press credentials' in order to exercise his/her right to observe, photograph, or record police activity taking place in an area accessible to, or within view of, the general public.

- 1) In situations where members of the public are photographing or recording a police action, officers must not search or seize a camera or recording device (including cell phones) without a warrant, except under very limited circumstances as described herein.
- 2) Officers are prohibited from threatening, intimidating or otherwise discouraging any individual from photographing or recording police activities.

- 3) Officers must not intentionally block or obstruct cameras or recording devices in any manner.
- 4) Officers are prohibited from deleting recordings or photographs, and from damaging or destroying recording devices/cameras under any circumstances.

4.3.17.1.2 Procedures for law violations

- 1) A person may record/photograph public police activity unless the person engages in actions that jeopardize the safety of the officer, the suspect, or others in the vicinity, violate the law, or incite others to violate the law. Examples of such actions include but are not limited to:
 - a) Physically interfering with the police officer's official duties. (Interviews with suspects and witnesses/gathering evidence).
 - b) Hindering a lawful arrest;
 - c) Inciting bystanders to hinder or obstruct an officer in the performance of their duties.

Conduct taken alone which would be insufficient to meet hindering or obstructing would include, but not be limited to:

- An individual's recording/photographing of police activity from a safe distance without any attendant action intended to obstruct the activity or threaten the safety of others does not amount to interference.
- A person's expression of criticism of the police (or the police activity being observed) does not amount to interference.

The U.S. Supreme Court has held that a properly trained officer may reasonably be expected to exercise a higher degree of restraint' than the average citizen when it comes to reacting to insults or 'fighting words.'

Courts have given First Amendment protection to persons who made obscene gestures and yelled profanities at police officers, and they have prohibited the police from interfering with such speech.

- 2) The warrantless seizure of material protected by the First Amendment (photos, videos, etc.) will be strictly scrutinized by a court. In ordinary circumstances, the seizure of cameras or recording devices without a warrant will not be reasonable. Cameras or recording devices will not be seized without a warrant unless:
 - a) Officers have probable cause to believe that critical evidence of a felony crime is contained on/in the camera or recording device; and
 - b) Officers first have explained the circumstances to the person in the possession of the recording device;
 - c) The seizure of the camera/recording device is for no longer than reasonably necessary for the officer, acting with diligence, to obtain a search warrant to seize the evidence

Seizing or viewing the evidence contained in the device without a warrant is prohibited unless an exigent circumstance exists; or, until a warrant is obtained for the seizing or viewing.

4.3.17.2 FOLLOW-UP INVESTIGATIONS (KACP)

Patrol officers are expected to pursue and follow-up preliminary investigation leads to the extent that available division resources permit. However, each patrol officer will conduct the follow-up of his own misdemeanor investigations, felony DUI investigations and other assigned felony cases.

When cases are referred to support units for follow-up investigation, officers are reminded that the assigned support unit then has not only the responsibility but the authority for the manner in which further investigation is conducted. (See also § 4.6.4.)

Each Patrol Supervisor, upon review of an initial investigative report, will authorize a "case status" of either Open or Closed - as recommended by the reporting officer. However, Criminal Investigations Supervision will review all Felony cases, regardless of the initial cases status, to determine if there may be a reason to re-open the case for further follow-up investigation.

Closed Misdemeanor Cases can be reopened and/or reassigned for follow-up at any time by a Patrol Operations Division Supervisor (or higher rank in the Patrol Chain of Command) if the case will be investigated by an officer assigned to the Patrol Division.

All misdemeanor cases assigned to a Patrol Officer will be reviewed by a Patrol Division Supervisor, as part of a comprehensive case review, with each officer at least monthly.

4.3.18 PROCEDURES FOR CRIMINAL INVESTIGATIONS

4.3.18.1 PRELIMINARY INVESTIGATIONS (KACP)

In conducting preliminary investigations, officers shall, if possible and appropriate:

- 1) Determine if an offense has been committed, and, if so, its nature by observing all conditions, events, and remarks;
- 2) If appropriate advise other units all conditions, events, descriptions, method and direction of flight, remarks, or other relevant information;
- 3) Locate and identify all witnesses;
- 4) Preserve and protect the scene;
- 5) Interview the complainant and/or witnesses;
- 6) Arrange for the collection of physical evidence (§ 4.6.5);
- 7) Effect an arrest and interrogation of suspect(s); and
- 8) If appropriate, take audio/written statement(s), complete the case, or complete preliminary matters and continue the follow-up, or refer it to the investigative division (see above).
- 9) If an interrogation of a suspect who is "Limited English Proficient" (LEP) is to be conducted, the interrogating officer/detective should make all efforts to ensure that an appropriate qualified interpreter -spoken or sign language - is obtained either in person or by phone (See 4.1.7.13.1LANGUAGE LINE and 4.1.7.13.2DEAF OR HARD OF HEARING). All efforts should be made to ensure that no conflict of interest or bias could be perceived or substantiated by the court or defendant. If the officer/detective who is to conduct the interrogation is able to adequately directly communicate with the suspect in the LEP person's native language without an interpreter, he or she may do so in the same way he or she would

conduct an interrogation with a suspect/defendant who is not LEP. See "4.1.7.13. LANGUAGE INTERPRETATION" for definitions of terminology.

4.3.18.2 FOLLOW-UP INVESTIGATIONS (KACP)

If investigation of the case may be brought by the officer to a satisfactory conclusion or if the case requires follow-up and it is appropriate for him to continue the investigation, he shall:

- 1) Continue investigation of those leads which have surfaced;
- 2) Work to link the crime with others of a similar type (if appropriate);
- 3) Complete a supplement report and all other required paper work whether or not an arrest has been made (A narrative shall be included to record in detail (1) the circumstances and events involved and (2) a chronological record of the investigation.); and
- 4) Prepare and carry out the arrest or if an arrest is already made, prepare the case for prosecution.

If investigation of the case is to be referred to a support unit for follow-up, he shall:

- 1) Identify the victim, place, and time of the crime;
- 2) Identify solvability factors (or leads); and
- 3) Communicate the circumstances of the crime, and identify completed investigative tasks.

4.3.19 FIELD INTERVIEWS (KACP)

4.3.19.1 "TERRY STOP"

- 1) An officer may, in certain circumstances in an appropriate manner, approach a person for the purposes of investigating possible criminal behavior even though there is no probable cause to make an arrest.
- 2) On grounds short of arrest, a police officer may "stop" a person under suspicious circumstances and ask the person's name and reason for being in the area. If the person refuses to answer, the police officer must evaluate whether or not valid grounds for arrest exist and proceed accordingly.
- 3) A police officer, in light of his experience, confronted with suspicious circumstances, may make inquiries of an investigative nature without first giving the Miranda warnings. If an arrest is made, the officer may be asked in court to articulate those conditions which aroused his suspicion. The standard against which the suspicion will be judged is "reasonable suspicion." The person stopped is not obliged to answer; answers may not be compelled, and refusal to answer is not basis for arrest, although it may alert the officer to the need for additional observation and investigation.
- 4) Officers are referred to the searches and seizure section of the Kentucky Criminal Law Manual, for a more complete description of procedures involved in the "Terry Stop."

4.3.19.2 CONTACT / DUI CARDS

- 1) The Department's contact cards provide officers, investigators and administrators with documentation concerning field interviews.
- 2) The following are circumstances under which contact cards should be completed and filed:
 - a) Vehicle stops when citations are not used (Completion of contact cards during Checkpoint Roadblocks is not required),
 - b) DUI arrests (in addition to a citation),
 - c) Field interviews or interrogations of citizens (each person),
 - d) Circumstances involving suspicious persons judged by officers to be of a nature which should be documented for possible intelligence or later evidentiary uses (e.g., a suspect in a possible shoplifting incident and where no arrest has been made.)
- 3) Any deviation from the policy set forth in items a-d above should be based upon the circumstances of the situation which, upon request, can be readily explained to Shift Supervision by the officer in question.

4.3.19.3 DISTRIBUTING THE CONTACT CARD RECORD

Contact cards are submitted to a supervisor. The supervisor will proof-check the cards and submit them for inclusion within the computer system.

Crime analysis reviews the computer file for trends or patterns which may develop and which could have implications for assisting field operations. Trend or pattern reports are published and distributed as they develop by crime analysis (see § 1.5).

4.3.19.4 PURGING THE CONTACT CARD RECORD

Contact records are maintained within the computer system. Record retention is according to that specified in § 1.9.

4.3.19.5 INFORMANT USAGE (KACP)

Informant usage may contribute to the successful and satisfactory completion of many investigations. Procedures to be followed are listed in § 4.8.

(Remainder of page reserved.)

4.3.20 PROCEDURES FOR FIELD INTERVIEWS (KACP)

4.3.20.1 RECORDING THE FIELD CONTACT

- 1) Officer contact cards shall be filled out as completely as circumstances allow. The following minimum items shall be entered upon all cards in situation not involving DUI arrests:
 - a) Probable cause for and/or reasonable suspicion that can be articulated
 - b) Name of person(s) interviewed
 - c) Social Security Number or State Issued Identification of person(s) interviewed
 - d) Location of contact
 - e) Date of contact
 - f) Time of contact
 - g) Type of contact
 - h) Sex of person contacted
 - i) Race of person contacted
 - j) Officer's name who made contact
 - k) Officer's unit number
 - l) Officer's assignment
- 2) The following minimum items shall be entered upon all cards in situations involving DUI arrests:
 - a) The items listed in paragraph A, above
 - b) Name of the person charged
 - c) Applicable DUI indicators
 - d) Field sobriety test information
 - e) Citation Number
- 3) When an arrest for DUI is made, the Contact Card will be filed with the citation.

(Remainder of page reserved.)

4.3.21 RACIAL AND CRIMINAL PROFILING (KACP)

4.3.21.1 POLICY

The protection of, and the preservation of the constitutional and civil rights of individuals remains one of the paramount concerns of government, and law enforcement in particular. To safeguard these rights, law enforcement personnel shall not engage in any behavior or activity that constitutes racial profiling. The decision of an officer to make a stop, or detain an individual, or conduct a search, shall not be solely motivated by considerations of race, color or ethnicity. Stops, detentions or searches shall be based upon articulable reasonable suspicions, observed violations of law or probable cause, and shall comply with accepted constitutional and legal provisions, and with the Code of Canon of Ethics adopted by the Kentucky Law Enforcement Council through the Peace Officer Professional Standards. Nothing in this policy shall preclude an officer from using the legitimate tool of criminal profiling based upon articulable reasonable suspicions, observed violations of law or probable cause.

4.3.21.1.1 Enforcement of Statutes Related to Alcoholic Beverage Control

The Bowling Green Police Department will not target, discriminate or otherwise violate the due process rights of any restaurant or bar owner in the enforcement of ordinances or statutes related to alcoholic beverage control.

4.3.21.2 DEFINITIONS

Racial Profiling	Racial profiling means a process that motivates the initiation of a stop, detention or search which is solely motivated by consideration of an individual's actual or perceived race, color or ethnicity, or making discretionary decisions during the execution of law enforcement duties based on the above stated considerations. Nothing shall preclude an officer from relying on an individual's actual or perceived race, color or ethnicity as an element in the identification of a suspect or in the investigation of a crime, a possible crime or violation of law or statute.
Criminal Profiling	Criminal profiling means an investigative method in which an officer, through observation of activities and environment, identifies suspicious persons and develops a legal basis through articulable reasonable suspicions, observed violations of law or probable cause to stop or detain an individual, or to conduct a search.

4.3.21.3 TRAINING

An officer shall complete the Kentucky Law Enforcement Council approved training related to racial profiling. Such training shall comply with Federal Law, state statutory provisions, case law and other applicable laws, regulations and established rules.

4.3.21.4 DISCIPLINE

An officer who violates a provision of this policy shall be subject to the Department's disciplinary procedures, which shall be consistent with other penalties imposed for similar officer misconduct.

(Remainder of page reserved.)

4.3.22 ARRESTS

4.3.22.1 DEFINITION AND LEGAL REQUIREMENTS

Officers are referred to the sections entitled "Arrest" and "Hospitalization of the Mentally Ill" within the Kentucky Criminal Law Manual for the definition of arrest and requirements for legal arrests, and criteria for involuntary hospitalization within the Commonwealth of Kentucky.

4.3.22.2 SEARCH INCIDENT TO A LAWFUL ARREST

The general rule is that a reasonable search may follow a valid arrest. The officer has the authority to make a search which may extend to articles carried by the suspect, and the suspect's immediate surroundings. The officer may search the entire person of the subject and the nearby area from which the subject might be able to obtain a weapon or destructible evidence.

More specific provisions are stated in "Search Incident To (In Connection With) A Lawful Arrest" within the Kentucky Criminal Law Manual. To be "incident" to an arrest and legal, a search should occur immediately after an arrest.

4.3.22.3 STRIP SEARCHES

A strip search may be conducted by court order. To have an arrested suspect strip searched officers should first obtain a search warrant from the Court. Supervisors, however, may authorize a strip search incident to a lawful arrest of an adult charged with a felony if the nature of the offense necessitates the search of the individual for the recovery of evidence which the officer has probable cause to believe could be lost if the search is delayed and the need for the search outweighs its intrusive nature.

The search must be performed by persons of the same sex as the person arrested and on premises where the search cannot be observed by persons not physically conducting the search.

4.3.22.4 MOTOR VEHICLE STOPS/SEARCHES

The policy of this Department is to protect and serve the constitutional rights of all citizens when conducting vehicle stops and searches while balancing the needs of law enforcement in solving crime for the protection of the community.

- 1) Vehicle Stops- Vehicles may be lawfully stopped under the following circumstances:
 - a. Reasonable Suspicion - an officer has articulated facts that support a belief that criminal activity is occurring and that a vehicle is involved. The officer may stop the vehicle to investigate further. The stop may continue as long as the officer diligently investigates to confirm or dispel his or her suspicion that criminal activity is occurring and the occupant(s) of the vehicle are involved.
 - b. Probable Cause (Traffic Violation) - an officer has probable cause to believe a violation of the motor vehicle code has occurred. The officer may stop the vehicle and detain the vehicle for a reasonable amount of time while the citation is completed.
 - c. Probable Cause Stop (Arrest/Search) - an officer has probable cause to believe a person in a vehicle has committed a crime or probable cause to believe that a vehicle contains evidence of a crime or contraband. The officer may stop the vehicle to arrest the occupant (in the arrest situation) or stop the motor vehicle to search the vehicle (in the search scenario).

- d. Consensual Contact - An officer may approach any stopped vehicle (a vehicle which is stopped by the operator's own choice prior to police contact) and attempt to speak to person(s) in the vehicle. The officer has no authority to force compliance with his attempt to contact in the consensual contact.
- 2) Ordering Persons From a Vehicle: An officer may order any occupant of a lawfully stopped vehicle to exit the vehicle during a lawful stop.
- 3) Frisk of a Vehicle: An officer who has reasonable suspicion to believe that a lawfully stopped vehicle contains a weapon may search the vehicle subject to the following limitations:
 - a. The search is limited to subject's immediate area of control which would be the passenger compartment of the vehicle.
 - b. The search is limited to those areas in the passenger compartment capable of holding a weapon.
- 4) Search Incident to Arrest (Vehicle): (Arizona v Gant). Following the lawful arrest of a subject from a vehicle or who had exited the vehicle just prior to arrest, officers may search the vehicle incident to arrest subject to the following limitations:
 - a. The arrest must be lawful and must be a full-custodial arrest.
 - b. The search must take place at the time of the arrest.
 - c. A search incident to arrest may not take place once the arrestee is secured in handcuffs and secured in a law enforcement vehicle unless the officer has reasonable grounds to believe that the vehicle contains evidence of the particular crime for which the subject was arrested.
 - d. The search incident to arrest is limited to the arrestee's immediate area of control (passenger compartment only) but is a thorough search.
 - e. Unlocked containers within the vehicle may be searched irrespective of who the containers belong to.
 - f. The person or other occupants may not be frisked or searched simply because another person in the vehicle has been arrested.
- 5) Consent Search of Vehicle: An officer may ask the person in control of any lawfully stopped vehicle or a vehicle that is not moving at the time of a consensual contact for consent to search the vehicle. Consent searches are subject to the following limitations:
 - a. The consent must be voluntary.
 - b. Written consent is not required under federal law; however written authorization or a mobile video recording that documents consent will assist in proving the voluntary nature of the consent.
 - c. The scope of the search is within the control of the person granting consent, thus, the consenting party can direct the area which an officer is allowed to search as well as how long the search may last.
 - d. Under the rules of consent there is no requirement that officers inform a person of their right to refuse the officer's request, however a person who is told of their ability to refuse will be less likely to make out a claim that their consent was not voluntary.
- 6) Probable Cause Searches of Vehicles (Carroll Doctrine/Motor Vehicle Exception to the Warrant Requirement/Mobile Conveyance Exception) An officer may, without a warrant, search a motor vehicle when the officer can articulate probable cause to believe that the vehicle contains evidence of a crime or contraband subject to the following limitations:
 - a. In cases where the vehicle was stopped or parked prior to contact by the police, the area where the vehicle is parked is not private property such that officers would have to obtain a warrant to gain access to the property itself.
 - b. The vehicle is capable of movement. This does not mean that the vehicle is occupied; it simply means that the vehicle could be started and driven off with the turn of a key.

Officers may search the entire vehicle unless the information known to the officer indicates that the evidence or contraband is located in a specific place within the vehicle in which case the scope of an officer's search would be limited to the specified area. Officers may only search those areas within the vehicle capable of containing the item being sought.

4.3.22.5 BODY CAVITY SEARCH

A body cavity search may be conducted only by court order. The search must be performed at a medical facility by medical personnel.

4.3.22.6 OTHER SEARCHES

Officers are advised to review Chapter II, Search and Seizure, of the Kentucky Criminal Law Manual.

(Remainder of page reserved.)

4.3.23 ARREST PROCEDURES

4.3.23.1 PRISONER RESTRAINT

After physically taking arrested persons into custody, officers shall restrain such persons by utilizing handcuffs. Except as indicated below, all persons arrested and transported in police vehicles, regardless of the charge, should be handcuffed behind the back. Propriety and practicality, however, should prevail under circumstances such as:

- 1) Physical or medical problems which prohibit the use of handcuffs,
- 2) Common sense situations where the use of handcuffs may be precluded, or
- 3) Authorized supervisory exemption.

4.3.23.2 USE OF PRISONER PROTECTIVE EQUIPMENT

Spit hoods/masks/socks (herein referred to as "spit hoods") are temporary protective devices designed to prevent the wearer from spitting and/or transferring or transmitting fluids (saliva, mucous, blood) to others.

- 1) Spit hoods may be placed upon persons in custody:
 - a) When the officer reasonably believes the prisoner has, or is likely to, spit either on a person or in an inappropriate place.
- 2) While using the spit hood:
 - a) The wearer must be under constant visual supervision and should not be left unattended,
 - b) The hood should be placed to allow for adequate ventilation and normal breathing,
 - c) The officer should provide assistance during movement due to the potential for impaired or distorted vision of the wearer,
- 3) Spit hoods should not be used when:
 - a) The prisoner is bleeding profusely from the area around the mouth or nose,
 - b) There are indications of a medical condition, such as difficulty breathing or vomiting,
 - c) Oleoresin capsicum spray has not been decontaminated from prisoner.
- 4) If the prisoner vomits while wearing the spit hood it should be immediately removed and discarded.
- 5) Spit hoods should not be reused and should be discarded after each use.
- 6) Only departmentally issued spit hoods are authorized for use.
- 7) Use of a spit hood will be documented as a notation in the post arrest complaint on the uniform citation.

4.3.24 PRISONER TRANSPORTATION

4.3.24.1 TRANSPORT OPERATIONS

Prisoner transportation by this Department primarily involves the transportation of prisoners immediately after arrest when the arrestee is taken by the arresting officer for booking and holding at the Regional Jail. After the care, custody, and control of prisoners has been transferred, it is generally the responsibility of jail personnel, officers of the Court, Sheriff Department personnel, and officers within the Commonwealth Attorney's office or other state officers to transport prisoners:

- 1) From the holding or detention facility to the Court;
- 2) From the detention facility to medical facilities;
- 3) From the detention facility in special situations, such as visiting a critically ill person, attending a funeral, or attending the reading of a will; or
- 4) From one detention facility to another.

In all instances of transfer of persons in custody of the Department, there are concerns that should be kept in mind for the prisoner's safety and their rights while assuring that they do not escape, that they are not injured or do not injure others, and that the safety of the transporting officer is not endangered.

The transporting officer is responsible for the safety and custody of the prisoner being transported. It must be assumed that the prisoner may have had an opportunity to obtain contraband or a weapon prior to the time he or she is accepted for transport by the officer. It should never be assumed by the officer that someone else has searched the prisoner. A SEARCH is REQUIRED of each prisoner by the transporting officer before being transported.

4.3.24.2 SPECIAL TRANSPORT SITUATIONS

- 1) The transportation of non-ambulatory or handicapped prisoners or those requiring wheelchairs, crutches, or prosthetic appliances may be conducted, if necessary, by Medical Center ambulance. The use of restraining devices is discretionary.
- 2) In the event a prisoner is injured, incident to an arrest, or becomes ill, the arresting officer shall immediately seek medical assistance. Sick or injured prisoners requiring emergency medical treatment may be transported by Medical Center ambulance. The use of restraining devices is discretionary.
- 3) Generally, restraining devices should be maintained while at the hospital unless their use interferes with treatment.
- 4) Mentally disturbed prisoners should be transported by ambulance whenever it appears the prisoner may injure someone, including himself.
- 5) Officers are not responsible for the transportation of prisoners from the Regional Jail after custody and control has been transferred to jail personnel, unless the prisoner needing transportation has been charged by THIS Department for a violation of a City Ordinance and that charge is the ONLY charge.

4.3.24.3 RESTRAINING DEVICES

Generally, prisoners shall be restrained during transport according to § 4.3.23, arrest procedures (i.e., handcuffed behind the back or employment of a restraining strap, or exceptions and procedures stated in Special Transport Situations, above. (Prisoners shall not be handcuffed to any part of a vehicle.)

Officers of this Department do not normally transport mentally disturbed prisoners except during an arrest situation. If it appears that medical assistance is needed for the control of a mentally disturbed individual during an arrest, officers should seek medical assistance and comply with the medical profession's method of restraining. (See KRS 202A.241).

4.3.24.4 TRANSPORT EQUIPMENT

All marked motor vehicles used by the Police Department for transporting prisoners, shall be equipped with a screen or other protective device between the area where prisoners are transported and the driver of the vehicle, and the area in which the prisoner is enclosed shall be equipped so that the doors and windows cannot be opened from the inside of the vehicle. (This does not apply to vehicles used for investigative purposes nor to special purpose vehicles not normally used for the transportation of prisoners.) (KRS 61.387) (See also 4.3.10.3)

Alternate vehicles (e.g., the evidence van) should only be used as a last resort and only with supervisory approval.

4.3.25 PROCEDURES FOR PRISONER TRANSPORTATION

4.3.25.1 TRANSPORT OPERATIONS

- 1) Prisoners shall be searched each time they come into the transporting officer's custody, including transports to and from the regional jail and/or the regional Juvenile Detention Center.
- 2) A SEARCH also is REQUIRED of the transport vehicle prior to and after transporting prisoners. Most vehicles will not have been under constant security surveillance, and a search is made under the assumption that an opportunity has existed for the introduction of contraband, weapons, and other items. Transport vehicle security and search shall be performed according to the following:
 - a) At the beginning of each shift, officers shall search the back seat area of their assigned cruiser.
 - b) Each time a prisoner is transported, the back seat area (behind the screen or protective barrier) will be searched again.
 - c) Cruisers not under constant surveillance by officers will be locked and the engines turned off.
- 3) A single prisoner should be placed behind the car's barrier on the opposite side of the car from the driver. No more than two prisoners should be transported in a single vehicle,

under ordinary circumstances. Prisoners who, for police purposes, should be separated to prevent their talking to one another, should be transported separately.

- 4) Transporting officers should not lose sight of prisoners under their control. Officers may not make traffic stops or cause delays when transporting prisoners, unless such action is unavoidable to protect life. Officers may not engage in pursuit, high speed, or erratic driving while transporting prisoners.
- 5) Officers shall abide by the security provisions when delivering prisoners to the Regional Jail, to include:
 - a) Securing firearms in lockers within the bay area;
 - b) Removing restraining devices within the booking area just prior to the prisoner being taken to a cell; and
 - c) Delivery of documentation to the receiving officer.
- 6) While at the Regional Jail and/or Regional Juvenile Detention Center officers will conduct themselves in a manner conducive to proper transfer of responsibilities.
 - a) While at the jail, officers will not leave the booking areas unless requested to do so by jail personnel. If requested by jail personnel, officer may ASSIST ONLY in the physical taking of persons in custody to the place of lock-up. If in the event either request is made, officers shall immediately cause an Incident Record to be made by Communications, fulfill the request if possible, and complete a report concerning actions taken.
 - b) Juveniles authorized to be transported to the Regional Detention Center shall be taken by officers to the booking area. (If in the event detention personnel will not facilitate the taking of a juvenile into the proper booking area or otherwise allow proper transfer of custody and control, transport the juvenile to police headquarters and call a supervisor.)
 - c) Warrants will be served in the booking area only. For warrants on persons already incarcerated, officers will wait for the named person to be brought by jail personnel to the booking area.
 - d) While at the jail, officers will not lounge about or waste time. Officers will complete their business at the jail and leave.
- 7) Officers should notify jail personnel of any prisoner considered to be a security hazard when the prisoner is booked and lodged. Notification to the Court should be made by officers through the appropriate prosecutor's office prior to the prisoner's scheduled court appearance.

4.3.25.2 SPECIAL TRANSPORT SITUATIONS

- 1) Whenever the situation arises wherein officers find themselves transporting a prisoner of the opposite sex, the following should be recorded:
 - a) Time of departure,
 - b) Time of arrival, and
 - c) The transporting vehicle's odometer reading recorded at both ends of the trip.
- 2) When the attending physician requests to keep a prisoner in the hospital for treatment due to the seriousness of his condition, the responsible officer will notify the Field Supervisor who will decide on the appropriate course of action to be followed for security of the prisoner.

- a) If the prisoner is charged with a violation, traffic or non-violent misdemeanor offenses, physical security may not need to be provided by this Department. The arresting officer should make arrangements with hospital security or hospital administration to notify this Department when the prisoner is to be released
 - b) When a prisoner is left at the hospital under these arrangements, the complete citation (all copies) shall be left with Communications with a note attached explaining the situation so that when the hospital calls the Department, Communications will be informed and the responding officer will have the necessary paper work.
 - c) If the prisoner is charged with, or is likely to be charged with, a felony, or violent misdemeanor, physical security may be necessary. Security should be maintained until responsibility can be assumed by other authority.
- 3) In the event it becomes necessary for officers of this Department to transport a prisoner for an extended period of time, officers should:
- a) Transport in a marked vehicle equipped with a barrier and other restraints appropriate for extended travel;
 - b) Provide a female as part of the escort if the prisoner is a female;
 - c) Allow prisoners reasonable opportunities to use toilet facilities without compromising security, and
 - d) Select meal facilities, if required, at random.
- 4) In the event a prisoner escapes custody, the officer shall immediately notify Communications and his supervisor. An incident record and report will be completed concerning the incident. If the prisoner escapes in another jurisdiction, officers shall immediately notify the police powers of the jurisdiction and file a report. All information should be entered into such law enforcement communications network as may be appropriate.

4.3.25.3 DOCUMENTATION

Generally, personnel from this Department are not involved in the transportation of prisoners from a detention facility to another location for any reason. However, should officers become involved in any type of transportation of prisoners from one detention facility to another the following documentary provisions should be made:

- 1) Before accepting the prisoner for transportation, verify the identity of the prisoner(s). Methods of positive identification include a comparison of booking records and photographs.
- 2) Forward the following documentation and property along with the prisoner:
 - a) Pertinent medical information;
 - b) A copy of the prisoner's arrest record;
 - c) The prisoner's personal property;
 - d) A copy of the written inventory of the prisoner's personal property; and
 - e) Information relating to the prisoner's escape or suicide potential or other traits of a security nature.

(Remainder of page reserved.)

4.3.26 LEGAL PROCESS

4.3.26.1 THE CRIMINAL PROCESS

An arrest warrant may be executed (served) by any peace officer (RCr 2.10). KRS 431.420 does provide that any warrant issued by a district court for an offense committed within a city shall be served by the Police Department of that city if the warrant is to be served within the city limits. These mandates, plus the broader potential civil liability for citizens who effect arrests, make it essential that only sworn officers execute criminal process. Therefore, the arrest warrants delivered by the courts to this Department for service shall be executed by the Department's sworn officers only.

The officer need not have the warrant in his possession at the time of arrest, but he must inform the defendant of the offense charged and the fact that a warrant has been issued (RCr 2.10). [The original copy] or certified copy of the warrant and of the complaint pursuant to which it is issued shall be served on the arrested party at the time of the arrest or as soon thereafter as practicable (RCr 2.06(4)).

The Department executes the arrest warrants issued by a judge and delivered to this Department for service KRS 431.005 and 95.480). (See RCr 1.06(a), RCr 2.04 and KRS 15.725(4) for definition of "judge.") An arrest warrant is issued upon a complaint that establishes probable cause (RCr 2.02 and RCr 2.04). The procedures that apply to an arrest warrant issued on a complaint also apply to an arrest warrant issued on an indictment or information (RCr 6.52). The Department also serves Criminal Summons issued by the court (RCr 2.06, RCr 2.10).

4.3.26.2 ARRESTS WITHOUT A WARRANT

Under KRS 431.005, a peace officer may make an arrest without a warrant either for a felony on probable cause or for a misdemeanor committed in his presence. He may not arrest without a warrant for a misdemeanor committed outside his presence, even with probable cause, except for:

- 1) Shoplifting (chargeable as "theft by unlawful taking: -- KRS 514.030) -- see KRS 433.236(3); (Note: Department policy specifies that a person may be cited in lieu of being arrested if the person cited:
 - a) Has a local address, i.e., is a resident of Bowling Green or Warren County,
 - b) Has proper identification or can otherwise be identified,
 - c) Has no previous shoplifting charges known to the officer(s), and
 - d) Has no previous charges for failure to appear in court.

(An arrest SHOULD be made if the person charged:

- a) Is not a resident of Bowling Green or Warren County,
 - b) Has no identification or cannot be identified by other means,
 - c) Is known by officers to have failed to appear in court for previous charges, and/or
 - d) The value of the property shoplifted is \$500.00 or more.)
- 2) Driving under the influence (KRS 189A.010 -- added in 1984). (See KRS 431.005(1)(e). All DUIs are now misdemeanors, even first offense); and

- 3) Assault in a domestic abuse situation. (Warrantless arrests are permitted under the provisions of KRS 431.005(2) for the offense of Assault in the Fourth Degree (KRS 508.030) in cases involving domestic violence and abuse when the investigating officer:
 - a) Has probable cause for believing that said person has intentionally or wantonly caused physical injury to his spouse, former spouse, parent, grandparent, child stepchild, or, if said person is a party of an unmarried couple which has a child in common, the other party of the couple. (See also § 4.3.38, domestic violence.)

For arrests without a warrant, officers shall abide by the above standards, applicable procedures listed in Chapter I (Arrest) and Chapter II (Search and Seizure) of the Kentucky Criminal Law Manual, and in particular the following topics (See also Form Jc-3, Child Abuse, Adult Abuse and Domestic Abuse Standard Report):

- 1) When an Arrest May be Made
- 2) Arrest for a Violation
- 3) Pursuit to Make an Arrest
- 4) Entering Premises to Make Arrest
- 5) Adult Defendant's Rights at Time of Arrest
- 6) Miranda Rights
- 7) Handling Juveniles

4) Involuntary Hospitalization. Warrantless arrests are permitted under the provisions of KRS 202A.041 when the officer:

- a) Has reasonable grounds to believe that an individual is mentally ill and presents a danger or threat of danger to self, family, or others if not restrained shall take the individual into custody and transport the individual without unnecessary delay to a hospital or psychiatric facility designated by the cabinet for the purpose of evaluation to be conducted by a qualified mental health professional.

Officers should at all times abide by the changes made to KRS Chapter 431 within the legislation passed in House Bill 463 (2011). DOCJT, BGPD, and individual officers have the responsibility to know changes to laws and abide by them. The department will make every effort to provide training pertaining to changes in laws that may affect operational contingencies.

4.3.26.3 RECORDS

Records of felony warrants delivered by the courts to this Department for service are entered in the LINK / NCIC systems according to LINK/NCIC requirements. Serious misdemeanors can be entered in the LINK / NCIC systems according to the systems' rules.

A record of attempts to serve and the service or execution of each document is also maintained via the CAD system.)

(Remainder of page reserved.)

4.3.27 DEALING WITH PERSONS OF DIMINISHED CAPACITY (KLC)

4.3.27.1 Definitions

- 1) Persons of diminished capacity: Encompasses all persons encountered in the field who exhibit unusual behaviors commonly referred to as irrational, bizarre, unpredictable or weird. These outward observable symptoms could be the result of intoxication, drug use, suicidal indications, mental illness or medical complications, intellectually and developmentally disabled (IDD), autistic, dementia and Alzheimer's.
- 2) Mentally Ill Person: means a person with substantially impaired capacity to use self-control, judgment, or discretion in the conduct of the person's affairs and social relations, associated with maladaptive behavior or recognized emotional symptoms where impaired capacity, maladaptive behavior, or emotional symptoms can be related to physiological, psychological or social factors.
- 3) Professional resources: These sources are those available to the police agency such as mental health professionals, emergency medical facilities, and detoxification centers.
- 4) Voluntary and involuntary commitments: These are the provisions within the KRS in which the agency can use for the civil commitment of persons requiring professional psychological intervention.

4.3.27.2 Procedure

The ultimate mission of law enforcement when encountering a person of diminished capacity is to control the encounter and then determine the best course of action for the safety of all parties involved.

- 1) If the nature of the call for service involves a person of diminished capacity two officers should be dispatched when available. Should an officer find him/herself in a situation with such a person, the officer should request a back-up before attempting to intercede. When two officers are responding, contact/cover tactics should be employed per the normal protocol. (See 4.2.2.1)
- 2) If circumstances allow, responding officers should avoid the use of emergency lights and siren when responding to this type of call for service. The emergency equipment could cause the person of diminished capacity to become agitated. When operating without emergency equipment, officers shall operate their vehicle according to applicable state law and departmental policy. (See 4.3.3)
- 3) The officers should attempt to separate the subject from other civilians, including but not limited to family, friends, etc., when possible.
- 4) Officers should use time to their advantage when dealing with persons of diminished capacity; so long as the person is not presenting an imminent threat to themselves or others.
- 5) Officers should continually gather intelligence regarding the subject being encountered in order to effectively deploy resources and develop strategies for resolution.
- 6) Officers should attempt to maintain communication with the subject. Officers may use but are not limited to the following techniques:

- Officer should use calming communicative attempts when possible. Sharp, authoritative commands should generally be avoided unless necessary.
 - It has been found that threats to arrest or use force are not productive when dealing with persons with diminished capacities. Reassure the subject that the police are there to help them.
 - Be as truthful as possible within the scope of the situation.
 - Officers must constantly analyze what affect, if any, their efforts are having on the subject. This is essential to identify areas that appear to agitate the subject that should then be avoided.
 - Normally, family members should not be used in an attempt to establish communications.
- 7) History has shown that the longer the encounter is allowed to occur, the better the chance for a successful and safe resolution. Increasing the time of the encounter and using defusing techniques allows the subject to reflect upon his/her predicament. Creating time also allows for the field units to be supported by the deployment of additional police personnel, specialized equipment and medical support personnel.
- Time encourages the ability to communicate and create a relationship between the subject and the command voice.

4.3.27.3 Commitment (Voluntary / Involuntary)

The primary purpose for police response to an incident involving a person of diminished capacities is to control the situation and ensure that the person receives the most appropriate form of professional resources. In determining if a commitment or voluntary referral is appropriate, officers should evaluate information provided by professional resources persons and family members.

It is important for the officers on the scene to determine what, if any, on-going threat potential the subject poses to him or herself, family, community and the officers. This threat potential may necessitate an involuntary commitment procedure to ensure the person of diminished capacity is evaluated by a QMHP (Qualified Mental Health Professional). The guidelines in KRS 202A.041 should be followed when encountering potential commitment circumstances.

- 1) Officers shall not use a jail as a holding facility for meeting the criteria of this policy unless the person also has criminal charges pending.
- 2) No officer shall place criminal charges against a person who is mentally ill and need of hospitalization solely for the purpose of avoiding transporting the person to an appropriate medical or psychiatric facility. This does not preclude officers from placing appropriate criminal charges for any criminal offense based upon probable cause in accordance with KRS.

Those persons who are a danger to self or others should be taken into custody and transported without delay to a hospital/designated psychiatric facility. Criminal charges, a summon(s) or arrest warrant(s) can be obtained by the officer in relation to any/all criminal offenses subsequent to the primary objective of appropriate medical and /or psychiatric treatment.

4.3.27.4 Excited Delirium

Excited delirium is a state of extreme mental and physiological excitement, characterized by extreme agitation, hyperthermia, epiphoria (excessive tears), hostility, exceptional strength, and endurance without fatigue. **This should be considered a true medical emergency.**

Possible Causes of Excited Delirium:

- Hypoxia: An inadequacy in the oxygen reaching the body's tissues.
- Hyperthermia: Unusually high body temperature.
- Hypoglycemia: Lower than normal level of blood glucose
- Drug Use
- Stroke
- Intracranial Bleeding
- Severe Mental Illness

Persons Suffering from Excited Delirium may exhibit one or more of the following:

- Irrational Speech/ Speaking in Gibberish
- Shouting, Yelling, or Screaming
- Confusion
- Sudden changes in behavior i.e. raging followed by sudden calmness
- Paranoia, belief that someone is after them
- Frightened/Panicky
- Hallucinating/delusional/hearing Voices
- Violent/Destroying Property
- Unexplained Strength/Endurance
- High level of Pain Tolerance
- Sweating Profusely/High Body Temperature
- Difficulty breathing
- Foaming at mouth
- Drooling
- Dilated Pupils
- Evidence of Self-inflicted injuries
- Removing Clothing
- Completely Naked
- Resisting violently during and post restraint
- Unable to follow commands or directions
- Gravitation toward "shiny objects" such as lights or mirrors
- Grandiose delusions

4.3.27.5 Procedures

4.3.27.5.1 Initial Response

- a) When possible, advise over the radio/dispatcher that the officer believes he/she is dealing with an excited delirium subject.

- b) Additional officers/resources should be requested to assist if there are indications that excited delirium may be involved.
- c) Medical attention shall be called to the scene and staged to provide immediate medical attention to the subject once the subject is controlled and it is safe to do so.

4.3.27.5.2 Tactical Response

- a) When feasible, pre-plan with assignments: i.e. which officer(s) will be responsible for direct communication with the person of diminished capacity (contact) and assist with coordination/control (cover).
- b) The use of an Electronic Control Device/TASER should be coupled with immediate restraint, when possible, to decrease the likelihood of a drawn out confrontation which may further diminish the subject's respiration levels.
- c) A "Multi-Officer Approach" may increase the likelihood of physically controlling the subject.
- d) When possible, an officer should be assigned to protect the head during the restraint process and speak calmly to the subject in an effort to reduce agitation.
- e) The subject should receive medical attention as soon as possible.

4.3.27.6 Mental Evaluation / Transport Orders

BGPD officers are allowed to serve faxed mental evaluation / transport orders under the following conditions.

- 1) The employees located at an approved LifeSkills psychiatric facility or the Medical Center have on their premises the person who is to be evaluated / transported.
- 2) The employees of an approved LifeSkills psychiatric facility or the Medical Center have completed the required petition and related documents.
- 3) The proper Judge authorizing the evaluation or transport has signed the order and it will be in the possession of the employees before the officer arrives.
- 4) Officers should only serve the faxed order that has been signed and faxed on the same day.

Note: If a person is going to be transported from any place other than an approved LifeSkills psychiatric facility or the Medical Center the original order will be provided before an officer will serve that order.

4.3.28 GOLDEN ALERT PROCEDURE

4.3.28.1 After Responding to the Call

- 1) Try to verify that the person is actually missing and meets the definition of impairment as delineated in KRS 39F.180.

- 2) The investigating officer should consider the following guidelines in determining impairment:
 - a) Does the missing person have a developmental disability, including but not limited to autism, or traumatic brain injury and whose disappearance poses a credible threat to the health or safety of the person; or
 - b) Does the missing person have physical, mental, or cognitive impairment or organic brain disorder, including but not limited to Alzheimer's disease, and whose disappearance poses a credible threat to the health or safety of the person,
- 3) Interview parents/siblings/guardian;
 - a) Determine who was the last person to see the missing adult.
 - b) Circumstances of disappearance, last place seen along with date and time
- 4) Interview any witness/friends;
- 5) If the circumstances and all available evidence strongly indicate that an impaired person is missing and there is a credible threat to their health and safety, a Golden Alert should be issued to the local media and the Kentucky Division of Emergency Management. The Golden Alert information should include, but is not limited to, the following:
 - a) Full name, nicknames, age, sex, race, height, weight, and hair color, facial hair, eye color, clothing person was last seen wearing;
 - b) Location, date and time the person was last seen;
 - c) Recent photograph(s), preferably a close-up of the face;
 - d) Medical issues, i.e., need for prescription drugs, allergies, or other pressing medical conditions;
 - e) Description of belongings in the person's possession when he or she was last seen (backpacks, purse, cane, walker or other identifiable items);
 - f) Description of any glasses, jewelry, body piercing, or noticeable scars;
 - g) If a vehicle is involved: a description of the vehicle, including year, make, model, color, license plate, distinctive insignia, personalization, or damage which sets it apart from others;
 - h) Direction of travel and last known location of vehicle or conveyance.
- 6) Preparation and dissemination of the Golden Alert should be made in coordination with Warren County Emergency Management and the BGPD PIO.

4.3.29 FOOT / BICYCLE PURSUITS (SEE ALSO § 4.3.5)

Foot/Bicycle Pursuits are inherently dangerous police actions. It is the policy of this department that officer and public safety shall be the overriding consideration in determining whether a Foot/Bicycle Pursuit will be initiated or continued. Foot/Bicycle Pursuits occur in a wide variety of circumstances. Therefore, this policy is intended to provide overall direction and guidance to officers when deciding if such pursuits are warranted and how they should be conducted.

4.3.29.1 DEFINITION

Foot /Bicycle Pursuit

An incident where an officer chases, on foot or bicycle, a person who is evading detention or arrest.

4.3.29.2 EVALUATING THE CIRCUMSTANCES

4.3.29.2.1 Deciding Whether to Pursue

Although it is an officer's decision to initiate a stop, it is the suspect or violator who decides to precipitate a Foot/Bicycle Pursuit by fleeing. An officer's decision to pursue on foot or bicycle shall be made with an awareness of and appreciation for the risk to which the officer and others will be exposed.

- 1) Where necessary, an officer may pursue persons who he or she reasonably believes have committed an act that would warrant a stop, investigative detention, or arrest.
- 2) In deciding whether or not to initiate a pursuit, an officer shall consider the following alternatives to Foot/Bicycle Pursuit;
 - Containment of the area
 - Canine search
 - Saturation of the area with patrol personnel
 - Apprehension at another time and place when the officer knows the identity of the subject or has other information that would likely allow for later apprehension.
- 3) In deciding whether to initiate or continue a Foot/Bicycle Pursuit, officers shall also consider risk factors such as: is the officer acting alone, in an unfamiliar area, in area that is hostile (such as a notorious drug trafficking location), pursuing suspects who are known to be or suspected of being armed, pursuing more than one person, unable to obtain backup in a timely manner, not in adequate physical condition to conduct a foot pursuit, unable to establish and maintain contact with the communications center, or pursuing in inclement weather, darkness, or reduced visibility conditions.

4.3.29.2.3 Procedures

- 1) Officers initiating a Foot/Bicycle Pursuit shall bear operational responsibility for the foot pursuit unless circumstances dictate otherwise or until directed otherwise by a supervisor. Pursuing officers are reminded that voice transmissions while running and in other field tactical situations may be difficult to understand and may have to be repeated.
- 2) The officer initiating a Foot/Bicycle Pursuit shall, as soon as practical, provide the following information to Dispatch:
 - Badge Number or District Identifier
 - Reason for the foot pursuit
 - Officer location and direction of pursuit
 - Number of suspects and description
 - Whether or not the suspect(s) is armed

4.3.29.2.4 Coordination

- 1) The primary (initiating) officer shall immediately coordinate—directly or indirectly through Dispatch—with secondary officers assisting in the apprehension/arrest or establishing a perimeter in the area to contain the suspect(s).
- 2) The initiating officer should use discretion, taking into account risk factors, when determining whether or not to attempt to affect the physical arrest of the fleeing suspect without assistance from another officer.
- 3) When two or more officers are in Foot/Bicycle Pursuit, they shall not separate unless they remain in sight of each other and maintain communication, but they shall allow the lead officer to concentrate on the suspect's actions while the second officer provides backup and maintains communications with dispatch and other assisting officers.

4.3.29.2.5 Guidelines and Restrictions

- 1) The pursuing officer shall terminate a pursuit if so instructed by a supervisor.
- 2) Unless there are exigent circumstances such as an immediate threat to the safety of other officers or civilians, officers should not engage in or continue a Foot/Bicycle Pursuit under the following conditions:
 - a) If the officer believes the danger to pursuing officers or the public outweighs the necessity for immediate apprehension.
 - b) If the officer becomes aware of any unanticipated circumstances that substantially increases the risk to public safety inherent in the pursuit.
 - c) While acting alone, where the risk posed by the pursuit outweighs the offense for which the suspect is being pursued.
 - d) Into buildings, structures, confined spaces, or into wooded or otherwise isolated areas without sufficient backup and containment of the area. The primary officer should wait for back-up officers to establish a containment perimeter.
 - e) If the officer loses possession of his firearm.
 - f) If the suspect's identity is established or other information exists that allows for the suspect's probable apprehension at a later time and there is no immediate threat to the public or police officers.
 - g) If the suspect's location is no longer known.
 - h) If primary officers lose communications with Dispatch or communication with backup officers is interrupted.
 - i) If an officer or third party is injured during the pursuit who requires immediate assistance and there are no other police or medical personnel able to render assistance.
 - j) If the officer loses visual contact with the suspect for an extended period.
 - k) If the officer is unsure of his or her own location or direction of travel.
- 3) When the pursuing officer terminates the pursuit he or she shall notify Dispatch with his or her location and request any assistance deemed necessary.

4.3.29.2.6 Supervisor's Responsibilities

Upon becoming aware of a Foot/Bicycle Pursuit, the supervisor shall decide as soon as possible whether pursuit should continue.

- 1) The supervisor should allow the Foot/Bicycle Pursuit to continue if:
 - There is a reasonable belief that the suspect has committed an act that would permit the officer to detain the suspect, or
 - There is a reasonable belief that the suspect poses an immediate threat to the safety of the public or other police officers, or
 - The pursuit does not violate provisions of departmental policy, procedures, or training.
- 2) The supervisor shall terminate a Foot/Bicycle Pursuit at any time he or she concludes that the danger to pursuing officers or the public outweighs the necessity for immediate apprehension of the suspect.
- 3) A supervisor may take command of and coordinate the Foot/Bicycle Pursuit as needed to ensure the best outcome of the pursuit. Supervisors shall manage the response of all backing officers to ensure the safest response for backing officers while minimizing the risk to the general public.

4.3.29.2.7 Dispatch Responsibilities

- 1) Upon being notified that a Foot/Bicycle Pursuit is in progress, communications personnel should immediately notify the field supervisor and provide all available information.
- 2) Communications personnel shall carry out the following responsibilities during a Foot/Bicycle Pursuit:
 - a) Receive and respond to any incoming information on the pursuit, the officers involved and the suspect.
 - b) Control all radio communications including clearing the radio channel of all non-emergency traffic.
 - c) Coordinate and dispatch back-up assistance to the officer(s) in pursuit at the request of the involved officer(s) and/or at the direction of a supervisor.

(Remainder of page reserved.)

4.3.30 LEGAL PROCESS PROCEDURES

4.3.30.1 THE CRIMINAL PROCESS

- 1) The Bowling Green Police Department participates in the statewide Kentucky electronic warrant management system known as E-Warrants. In addition to the E-warrants database, active e-warrants are listed in the Law Information Network of Kentucky (LINK) system. Warrants or summons will be served ONLY when the serving officer is reasonably certain the suspect in question is the person named on the document. An officer may be reasonably certain if the warrant or summons contains (1) the name and address of the suspect; (2) at least two additional identifiers from the following list; AND (3) the name, address, and additional identifiers correspond exactly with those of the suspect:
 - a) The suspect's date of birth,
 - b) The suspect's social security number,
 - c) The suspect's vehicle license number, or
 - d) The suspect's physical description.
- 2) Warrants or summons delivered to the Police Department for service must contain the minimum information listed in paragraph 1) above. An exception may be made by an officer who personally investigates a case and is reasonably certain the suspect is the same person named on a warrant.
- 3) Officers executing directed criminal process shall also abide by provisions noted above and those following:
 - a) For territorial limitations, see KRS 431.420, RCr 3.02, and Kentucky Criminal Law Manual, Arrest Powers -- Assisting in Another County.
 - b) For time requirements for execution, see KRS 500.050. (An arrest warrant could limit the time for arrest (quite rare).)
 - c) For statutory provisions for summoning aid, see KRS 70.060 and KRS 432.510.
 - d) For procedures for issuance of summons in lieu of arrest, see RCr 2.04.
 - e) For standards for use of force, see KRS 431.025, KRS 503.090, and § 3.1.6.
 - f) For provisions respecting immunity from arrest, see KRS 421.670, Commonwealth of Kentucky Constitution Sections 43 and 149, Subsection IV (Diplomatic Immunity), and Subsection V (Exemption from Traffic Arrest/Special Processing Requirements).
 - g) For a more complete explanation of the statutory provisions pertaining to arrests, see Kentucky Criminal Law Manual, Chapter I, Arrest.
 - h) E-warrant service must follow the procedure for service as outlined under "help" on the E-warrant home page.
- 4) All warrants or summons will be served.
- 5) Police employees will not try to put on hold a warrant or summons or try to have it recalled. Only a judge has authority to recall a warrant. If a warrant or summons is to be recalled, it is the responsibility of the offender to go to the appropriate judge.
- 6) Officers serving E-warrants will complete the procedures as outlined in the instructions for service outlined under "help" on the E-warrants home page. Once that has been completed, the officer must print a copy with "SERVED" printed on it by the E-warrants

system. This "SERVED" copy of the warrant will be attached to a copy of the citation for review by a supervisor.

4.3.30.2 ARREST WITHOUT A WARRANT

See § 4.3.26.2, arrests without a warrant.

4.3.30.3 SERVICE OF CRIMINAL PROCESS IN OTHER JURISDICTIONS

For service of criminal process in other jurisdictions, officers are advised of provisions stated in Pursuit to Make an Arrest and Arrest Powers -- Assisting in Another County. Criminal process should be as follows:

- 1) For requests by out-of-county authorities for criminal process to be served by this Department in this jurisdiction:
 - a) The validity of the document (warrant) must be verified through use of the KY E-warrant system.
 - b) Arrest, lodge, and submit related documents.
- 2) For requests by this Department for criminal process to be served by out-of-county authorities:
 - a) The validity of the document and our willingness to arrange for transportation of the prisoner back to Warren County shall be submitted to the out-of-county authority via the KY E-warrant system.
 - b) Request the authority to arrest and hold.
- 3) For requests by out-of-state authority for criminal process to be served by this Department in this jurisdiction:
 - a) Document validity and extradition restrictions shall be confirmed through LINK/NCIC.
 - b) Arrest, lodge, and submit copy of LINK/NCIC confirmation.
- 4) NCIC criminal process information submitted by this Department may be confirmed through the system upon request by an out-of-state authority. Extradition cases are coordinated through the Commonwealth Attorney's office and the Warren County Sheriff's Office.

(Remainder of page reserved.)

4.3.31 LEGISLATORS, FOREIGN DIPLOMATS AND MILITARY PERSONNEL POLICY

4.3.31.1 DIPLOMATIC IMMUNITY

Federal statutes and international treaties establish immunities and privileges for some foreign diplomats residing in this country. Very often, however, law enforcement officers are not aware of the exact aspect of immunities and privileges; nor are they aware of the particular persons and conditions to which these protections apply. The situation is aggravated by the often mistaken perceptions that foreign officials have of their responsibilities and rights when confronted by a law enforcement officer acting in the course of his official duty.

Immunity from arrest and prosecution is not a right that a foreign official has because of his position, but a privilege given by the President of the United States and verified by the State Department. Officers should be aware that the mere claim of "diplomatic immunity" does not make it a reality.

Department members are expected to treat foreign officials with the same courtesy provided every citizen and to accord them any privileges and immunities to which they may be lawfully entitled.

An officer having official contact with a foreign dignitary is empowered to temporarily detain any person claiming diplomatic immunity while official status is verified by the U.S. State Department. Persons making such a claim must possess photo identity cards (not diplomatic passports) issued by the State Department and the United Nations. These identity cards also show the holder's official title.

Generally, ambassadors, their immediate family, and some members of their staff enjoy immunity, except in cases where they directly threaten violence to others. Consuls, vice-consuls, deputy-consuls, and some of their staff hold immunity while actually engaged in diplomatic work. This immunity is sometimes dependent upon the activity of the person at that particular moment. Honorary consuls, their families, and families of consuls, vice-consuls, etc., generally have very little immunity.

4.3.31.2 EXEMPTION FROM TRAFFIC ARREST / SPECIAL PROCESSING REQUIREMENTS

Diplomatic officers, their families, official staff, and servants, who are not nationals of or permanently resident in the receiving state, are protected by unlimited immunity from arrest, detention, or prosecution with respect to any civil or criminal offense.

Consular officers, located in several states, are also official representatives of foreign governments and are entitled to limited immunities. Under prevailing international law and agreement, a foreign career Consular Officer is not liable to arrest or detention pending trial, except in the case of a grave crime (felony offense that would endanger the public safety) and pursuant to a decision by the competent judicial authority. His immunity from criminal jurisdiction is limited to acts performed in the exercise of consular functions and is subject to court determination.

Generally, no person belonging to the organized military shall be arrested on any process such as may be issued by military authority while going to, remaining at, or returning from any place at which he may be required to attend for military duty. However, on occasion, it will be necessary to issue a traffic citation, effect a physical arrest or investigate a traffic collision involving a member of the armed forces. (Armed forces personnel, for these purposes, shall include regular members of the Army, Navy, Air Force, Marine Corps, and Coast Guard, and reservists who are on active duty.)

Members of the United States Congress shall in all cases, except treason, felony and breach of peace, be immune from arrest during their attendance at the session of their respective houses, and in going to and returning from the same; and for any speech or debate in either house.

Members of the State Legislature have the same immunity granted to members of congress (Kentucky Constitution Section 43).

4.3.32 PROCEDURES FOR HANDLING LAW VIOLATIONS COMMITTED BY NONRESIDENTS, JUVENILES, LEGISLATORS, FOREIGN DIPLOMATS AND MILITARY PERSONNEL

4.3.32.1 DIPLOMATIC IMMUNITY

- 1) An officer having official contact with a foreign dignitary should determine the following:
 - a) The name, country of origin, and official title of the person detained;
 - b) In the case of persons other than ambassadors, whether they are engaged in diplomatic work at that particular moment; and
 - c) The State Department's verification of immunity status. (Law enforcement authorities should telephone the U.S. Department of State immediately concerning any questions at (202) 647-4415. Written inquiries may be addressed to Office of the Assistant Legal Adviser for Consular Affairs, Department of State, Washington, and D.C. 20520. Officers may telephone questions concerning Consular Affairs at (202) 674-3445 or 674-3712.)
- 2) Upon verifying a claim of immunity, the officer should immediately release the person and all property which may have been held.
- 3) If an immunity claim is not verified by the State Department, the officer may proceed as his discretion dictates. (State Department officials advise caution when proceeding against foreign officials as incidents of retaliation against American personnel residing in that person's country are not uncommon in some parts of the world. State Department officials also request that cases in which police personnel are abused in any way or effect an arrest, should be fully documented, forwarded through the chain of command, and transmitted to the State Department.)

4.3.32.2 EXEMPTION FROM TRAFFIC ARREST / SPECIAL PROCESSING REQUIREMENTS

- 1) The following are methods of handling selected incidents, violations, or minor offenses by **consular officials**:
 - a) When a Consular Officer is stopped for a moving traffic violation, the officer on the scene, upon being advised by the driver that he is a Consular Officer and ascertaining that he possesses the proper credentials, should exercise discretion based on the nature of the violation and either let him go with a warning of the danger of his actions or proceed with issuance of appropriate citation. Mere issuance of a traffic citation does not constitute arrest or detention.
 - b) In the event a Consular Officer is suspected of driving while under the influence the primary consideration should be to see that he is not a danger to himself or the public. Based upon a determination of the circumstances, the following options are available:
 - Take him to the station or a location where he can recover sufficiently to drive safely.
 - Take him to a telephone so that he can call a relative or a friend to come for him.
 - Call a taxi for him.
 - Take him home.
 - c) Family members of a Consular Officers cannot claim immunity. However, consideration should be given to the special nature of cases involving family members of a consular officer. A violation should be handled, when possible, through the seeking of a complaint. The individual should be released once positive identification is made and relationship with the Consular Official is verified. If the relative is a juvenile, as in all juvenile cases, the subject should be released to the parent Consular Officer.
 - d) In the event that a Consular Officer or member of his family or personal staff should become involved in any actions taken by members of the Department, the office of the governor shall be immediately furnished with all pertinent information through the office of the Chief of Police.
- 2) The following procedures apply when dealing with members of the armed forces:
 - a) When a physical arrest is made, the investigating officer's supervisor shall cause the liaison officer of the nearest armed forces investigating headquarters division to be notified. This does not apply to the issuance of a traffic citation when an actual physical arrest is not made.
 - b) The same shall apply when armed forces personnel are involved in a traffic collision, and are either killed, or injured to the extent that they require hospitalization. In this latter case, it will also apply to civilian employees of the armed forces while acting within the scope of their employment.
- 3) Officers having contact with persons claiming exemption based on their being a member of the U.S. Congress or the Ky. State Legislature should attempt to verify that person's exemption through use of a business card, I.D. card, etc. Generally, officers should give the benefit of the doubt to the person claiming exemption. Nothing in this directive or in the law precludes an officer from seeking a warrant at a later time for the person released under the claimed exemption.
- 4) Generally, juveniles 16 or over who have committed a traffic violation will not be placed in custody but will be issued a traffic citation with the following exceptions:

- a) Driving while impaired by alcohol or drugs
 - b) Manslaughter by automobile
 - c) Driving after revocation or suspension of license (see § 4.4.2.12.)
- 5) In all cases where a juvenile is taken into custody, the officer is responsible for notifying the juvenile's parents as soon as possible.
- 6) In the event an officer observes a traffic violation committed by a physician en route to an alleged emergency, the following procedures shall be taken:
- a) Upon determining that the driver is a physician, the officer will obtain the intended destination of the physician.
 - b) If the emergency is extreme, the physician may be allowed to secure his vehicle and be provided transportation by the patrol officer if approved by the field supervisor.
 - c) In the event the emergency is not extreme, but urgent, the physician should not be detained.
 - d) In the event the traffic violation committed was of a serious and dangerous nature, the officer, after verifying the nature of the emergency and the physician's identity, may take appropriate enforcement action, or release the physician and take enforcement action at a later time.
 - e) If in the officer's judgment, the violation was of a minor, nonhazardous nature, a verbal warning may suffice.
 - f) Generally, officers should give the benefit of the doubt. Nothing in this directive or in the law precludes an officer from seeking a warrant at a later time for the person released under these circumstances.
- 7) Generally, the following shall apply to the handling of traffic violators licensed in another state:
- a) An officer may not arrest (take into physical custody) for a violation even though committed in his presence, unless there are reasonable grounds to believe that the person, if merely cited, will not appear in court; or
 - b) The offense charged is
 - Reckless driving (KRS 189.290),
 - Failure to comply with traffic officer's signal (KRS 189.393),
 - Operating a vehicle, other than a motor vehicle, under the influence of intoxicants or other impairing substance (KRS 189.520),
 - Operating a vehicle while under the influence of alcohol or other substance (KRS 189A.010), or
 - Leaving the scene of an accident (KRS 189.580).

4.3.33 FORMS AND REPORTS

4.3.33.1 RESPONSIBILITY

Reports completed by Department personnel are read by many people, and often are forwarded outside the Department. Because much time can be wasted by readers who are forced to decipher illegible writing, and because the image of the Department may be reflected in the writings of its members, it is essential for reports to be accurate, complete, concise, and neatly

printed or typed. Personnel are expected to make every effort to complete all forms to the best of their ability and submit them through proper channels as quickly as possible.

4.3.33.2 POLICY

Accurate, timely, and complete reports are fundamental to this Department's efficient and effective operation and will be prepared in every instance when appropriate.

Any employee who steals, illegally alters, corrupts, withdraws, falsifies, forges, or illegally voids any report, document, or instrument of this Department will be subject to disciplinary action.

4.3.34 VOLUNTEER CHAPLAIN PROGRAM

4.3.34.1 PURPOSE

The purpose of the Chaplain Program is to augment the services of the Department in dealing with human crisis. Additionally, the program is expected to improve service and increase the level of understanding between the Department and the community it serves.

4.3.34.2 RESPONSIBILITIES

The Chaplain's Program is responsible for assisting the Police Department and the community in situations or events such as:

- A serious injury or death to Department personnel;
- Citizen death notifications, when requested;
- Funerals;
- Department graduations, award ceremonies, social events, etc.;
- Major disasters, hostage or barricaded, or attempted suicide situations, or
- At the supervisors discretion.

Chaplains are to act as resources in any situation where their specialized skills may assist. They may also be used to provide guidance and counseling to any member of the Police Department or family, upon request.

It will be up to an on-duty supervisor to determine when to call out a Chaplain. When a Chaplain is called out, a supervisor will brief him before being asked to perform duties. If asked to deliver a death message or notification, an officer will escort and stay with him until the message is delivered and the Chaplain goes back into service.

4.3.34.3 SELECTION AND APPOINTMENT

In order to be considered for the Volunteer Chaplain Program, an applicant must:

- 1) Be an active or retired, licensed or ordained pastor, priest minister, or preacher in good standing and endorsed by a recognized religious body,
- 2) Complete a civilian volunteer application and pass a background check (including fingerprinting),
- 3) Be familiar with community medical, psychiatric and other helping resources, and
- 4) Must never have been convicted of a criminal offense or offenses involving moral turpitude.

4.3.34.4 AVAILABILITY AND DRESS STANDARD

Chaplains must maintain regular interaction with the Department through ride-alongs and visits to Department headquarters. Their services should be available 24 hours each day. They may be contacted by phone.

Members of the Chaplain Program shall be well groomed and shall dress in such a manner as to provide a professional image. (It is not a requirement that a clerical collar be worn.) Members may wear either the issued shirt or clip-on identification card identifying them as a police volunteer Chaplain, (The pocket badge may be worn ONLY when participating in non ride-along activities.).

4.3.34.4.1 Uniforms

- 1) Uniforms may be worn for weddings and funerals of police personnel.
- 2) Uniforms may be worn for graduation ceremonies at DOCJT.
- 3) Uniforms may be worn at functions for International Conference of Police Chaplains.
- 4) Uniforms may be worn for local and state memorial services.
- 5) Uniforms may be worn when representing the police department at special occasions or when speaking to groups about the chaplain's program.
- 6) Uniforms may be worn for other police functions.
- 7) Uniforms may be worn when doing a ride along or during call-out situations (ie: death notifications).

4.3.34.5 GENERAL QUALIFICATIONS AND GUIDELINES

Upon appointment:

- 1) Chaplains should show compassion, understanding, and personal concern for all persons regardless of race, creed, or social position; and
- 2) Be willing to respond to any situation where a chaplain's presence is needed.

Upon appointment to the Volunteer Chaplain Program, members are expected to comply with the following general guidelines:

- 1) They shall demonstrate a willingness to be involved in training,
- 2) They shall be willing to devote at least four hours per week to Chaplain duties;
- 3) They shall maintain a sense of loyalty to the Police Department and shall abide by all applicable Department rules and regulations.

4.3.34.6 CHAPLAIN RIDE-ALONG POLICY

Members must remember that they shall not act in the capacity of a law enforcement officer. No participation in the exercise of police authority will be allowed. While participating in the ride-along program, members shall cooperate with sworn police personnel and shall be prohibited from:

- 1) Handling of weapons.
- 2) Handling contraband or evidence.
- 3) Handling prisoners.
- 4) Wearing or displaying official sworn officer uniform parts, badges, or identification.
- 5) Acting for, on behalf of, or as a representative of the Police Department or the City of Bowling Green (except as a Volunteer Chaplain for the Department).
- 6) Making statements regarding Department activity or releasing information to the news media or insurance representatives. (If contacted by a representative of any agency seeking information about Department activities, members should make referral to the appropriate Department official.)
- 7) Uniforms are not to be worn when doing ride alongs or when we are called out for death notifications unless so requested by the chief.

Should an event occur during a ride along or during any other police activity which causes a volunteer to be in danger, the officer should, if possible, place the individual in a safe environment prior to further discharge of duty.

(Remainder of page reserved.)

4.3.35 NOTIFICATION PROCESS - NEXT-OF-KIN, DECEASED CITIZEN, SERIOUSLY INJURED CITIZEN, OR SERIOUSLY ILL CITIZEN

Notification of the message shall be processed through the Communications Center by the assignment of an Incident Record Number. Shift Supervision will be responsible for ensuring that an officer is assigned and proper notifications are made.

Notifications to next-of-kin of deceased person, seriously injured person, or seriously ill person shall be according to the following guidelines:

- 1) Clergy should be contacted for assistance in any death notification. In this regard, officers should be aware of the above Police Volunteer Chaplain Program.
- 2) Each situation should be reviewed and an attempt should be made to ascertain the age, medical condition or other pertinent information concerning the person to be contacted.
- 3) All notifications should be made in person unless impractical.
- 4) Should any question arise as to the legitimacy of a notification or information to be conveyed in the notification, the Field Supervisor should clarify the matter.

4.3.36 DEATH OR CRITICAL INJURY OF POLICE OFFICER

4.3.36.1 POLICY

The Department will be prepared to provide liaison assistance to the immediate survivors of any officer who dies while an active member of the Department and to provide emotional support during the traumatic period of readjustment for the surviving family.

Procedures should be adhered to in cases of death or critical injury to officers. These procedures should be followed whenever possible with the understanding that the wishes of the family take precedence over the desires of the Police Department. Officers providing services and assistance to family members and survivors shall take all possible measures to accommodate their needs, wishes and desires, but should not make promises that they are not certain can be met.

4.3.36.2 DEFINITIONS

In the event of death or critical injury of a police officer, the following definitions apply:

Line of Duty Death	Any action, felonious or accidental, which claims the life of an active duty officer during the course of performing work-related functions either on or off duty.
Line of Duty Critical Injury	Any action, felonious or accidental, which results in critical injury to an active duty officer during the course of performing work-related functions either on or off duty.

Natural Cause

Any natural illness, disease or ailment that claims the life of an active duty officer either on or off duty.

4.3.36.3 NOTIFICATION PROCESS

- 1) In the event of the death of an officer or critical injury of an active duty officer, the following provisions apply:
 - a) The name of deceased or injured officer SHALL NOT be released to the media or other parties before immediate family members living within Bowling Green or Warren County are notified. Survivors may include a spouse, fiancée, significant other, sibling(s), grandparents and/or other close relative(s). (If the health of an immediate survivor is of concern, steps should be taken for medical assistance.) Family members living outside Warren County may be notified by requesting the jurisdiction's law enforcement authority to make notification.
 - b) Notification should be made in person and never alone.
 - c) The Chief of Police, or in his absence, his designee or the highest ranking officer available should perform the notification process. It should not be unduly delayed. The Chief or the officer making the notification should be accompanied by a member of the police Chaplaincy Program, if possible.
 - d) A ranking officer should also be dispatched to the hospital where the injured or deceased officer has been or will be taken. This officer will assume all duties listed in paragraph 3) below.
 - e) The City Manager shall be informed.
 - f) Caution should be taken with radio communications in order not to prematurely release information. Communication, when possible, should be by phone. If necessary, the media should be asked to delay publication until notification of survivors can be made.
 - g) If family members wish to go to the hospital, transportation should be provided by the Department.

- 2) The following general procedures should be utilized when making notification of death or critical injury:
 - a) If possible notification should be made inside the home with the family sitting down.
 - b) Inform the family slowly and clearly, and give all available information. Make sure the officer's name is used during the notification.
 - c) Be prepared for emotional reactions.
 - d) If the officer has died, relay that information. Never give false hope.
 - e) As much information should be relayed to the family as possible.

- 3) The following are provisions for assisting family members at the hospital:
 - a) If possible, coordinate the arrival of family members and Department personnel.
 - b) Arrange for waiting room for survivors and media. The desires of family should be followed whenever possible.
 - c) If possible, ensure that medical information is provided to the family.
 - d) Assist family, if desired, in gaining access to injured or deceased officer.
 - e) Provide hospital with all necessary information on billing. All billing should be directed to the Bowling Green Police Department.
 - f) If necessary, arrange transportation for family.

4.3.36.4 DEPARTMENT LIAISON OFFICER

The Chief of Police will designate a Department Liaison Officer and a member of the Honor Guard to serve as facilitators between family and Department.

The Liaison Officer will work closely with the family to ensure needs and requests are fulfilled. When applicable, the Liaison Officer will work as funeral liaison, benefits coordinator and family support advocate. These duties may include the following:

- 1) Meeting with the family and offering his services.
- 2) Providing oversight of travel and lodging arrangements for out-of-town family.
- 3) Coordinating any necessary home security checks
- 4) Relaying information to the family regarding the progress of the death investigation.
- 5) Being available to the family prior to and throughout the visitation (Wake) and funeral.
- 6) Ensure that the wishes of the family come before those of the Department.
- 7) Learn the family's wishes regarding funeral services.
- 8) If the family desires a Law Enforcement Funeral, the officer should:
 - a) Determine what assistance may be rendered by the Department and explain to the family the procedures involved, and
 - b) Assist the family and funeral director in order to work out details.

4.3.36.5 DEPARTMENT PUBLIC INFORMATION OFFICER

Public Information Officers shall assume the following responsibilities in addition to those stated in § 4.10.4, public information:

- 1) Ensure that Department personnel are aware of restrictions regarding release information that might undermine future legal proceedings.
- 2) Coordinate all official law enforcement notifications and arrangement with visiting law enforcement agencies.
- 3) Assist family members in dealing with general media inquiries and informing them of limitations on what they may say to the media in order not to jeopardize future legal proceedings.

4.3.36.6 IN MEMORIAM

The flag at Police Headquarters shall be flown at half-mast from the time of death to the eve of internment.

4.3.36.7 LAW ENFORCEMENT FUNERAL DETAIL

The Department Liaison Officer and Honor Guard representative will determine what services the Police Department will provide for the funeral. If the family so desires, the Department may provide the following:

- 1) Planning with the funeral director for special parking or escort arrangements for visiting departments, etc.;
- 2) Clergy (Chaplain Program);
- 3) Pallbearers or Honorary Pallbearers; and/or
- 4) The following funeral details:
 - a) Full honors (for in-line-of-duty deaths),
 - b) Funeral & grave site detail (for natural death while in office),
 - c) Honorary pall bearers (for retired members), or
 - d) A combination of the above at the direction of the Chief.

4.3.36.8 DEATH BENEFITS, ASSISTANCE

The following organizations are among the providers of death benefits:

- 1) Kentucky Occupational Safety & Health Commission
Kentucky Labor Cabinet
Frankfort, KY

To be notified within eight hours of fatality

- 2) Kentucky Workers Compensation
- 3) Kentucky Peace Officers' Association, Inc. (KPOA)

Members only

- 4) Kentucky Retirement System
Frankfort, KY

Benefits paid to beneficiary according to member's age and length of service at time of death.
KRS 61.640

- 5) Kentucky Peace Officer Death Benefit

Line-of-duty death benefit paid out of the Kentucky State Treasury by the State treasurer.
KRS 61.315

- 6) Fraternal Order of Police (FOP)

Members only

- 7) Public Safety Officers Benefits Program, Bureau of Justice Administration
Washington, D.C.

Benefit paid to surviving children, spouse, surviving children if there is not a spouse, surviving spouse if there are no children, or surviving parents if there are no children or spouse. Benefit is also provided "to a public safety officer who has been permanently and totally disabled as the direct result of a catastrophic injury sustained in the line of duty".

- 8) U.S. Department of Labor Employment Standards Administration Office of Workman's Compensation Program.

Compensation paid by the federal government to disabled officers or their survivors in order that worker's compensation benefits received from state and local sources not be less than those received by federal officers.

4.3.36.9 IN DEATH OR CRITICAL INJURY OF POLICE DEPARTMENT CIVILIAN EMPLOYEE

The above Department Policy, Notification Process, and general procedures for death or critical injury notification of a police officer are applicable to Department civilian employees except that:

Line of Duty Death means: Any action, felonious or accidental which claims the life of an active duty civilian employee during the course of performing work-related functions while ON duty.

Line of duty Critical Injury means:..... Any action, felonious or accidental which results in critical injury to an active duty civilian employee during the course of performing work-related functions while ON duty.

Natural Cause means:Any natural illness, disease or ailment that claims the life of an active duty civilian employee while ON duty.

4.3.37 ALARMS

4.3.37.1 ACTIVE ROBBERY AND BURGLARY ALARMS

Care must be taken in the approach of a robbery or burglary scene, especially one which is active. Officers shall be cognizant of the fact that their presence may be detected by robbery or burglary accomplices either inside or outside of in-progress scenes.

Upon arrival, the first priority should be scene containment. After the area scene has been secured, steps may be taken to ascertain exact current criminal activity (e.g., through a phone call by communications personnel). If it has been established that a robbery or burglary scene is no longer active, care must be taken for the preservation of the scene for further investigative purposes.

4.3.37.2 BANK ALARMS

When a bank alarm is received at the communications center, the telecommunicator will assign at least two officers to respond to the alarm. Assigned officers will proceed to the scene without use of sirens and deploy themselves in such manner so as to safely observe activity at the bank. Officers not assigned to respond to the alarm should proceed to the area within their beat that would be a likely escape route from the bank.

When requested, the Communications Center will telephone the bank and have a bank employee come outside and signal. In the event of an actual robbery, great care should be taken to ensure the safety of innocent persons. Officers are advised to seek to contain the situation, treating the incident as a hostage situation, and attempt to restrict the offender(s) from gaining access to a motor vehicle.

4.3.37.3 DISPATCHING ROBBERY AND BURGLARY ALARMS

A primary unit and a back-up unit are normally dispatched to answer robbery or burglary alarms. Quite frequently, however, after receiving a robbery or burglary alarm, the communications center will also receive a telephone call from someone at the alarm site stating that the alarm was accidentally activated and that it is not necessary for the Police Department to send an officer(s). When that happens, the communications center may dispatch only one officer without a back-up unit.

This policy only applies to the above special situation when there is a phone call from someone allegedly at the alarm site claiming an accidental activation or malfunction of the alarm. It does not apply to alarms believed to be the result of active criminal activity, it does not apply to bank alarms, and it does not apply to alarms without the follow-up phone call.

(Remainder of page reserved.)

4.3.38 DOMESTIC VIOLENCE

4.3.38.1 INTRODUCTION

Domestic violence is a serious crime against the individual and the community. The failure of any law enforcement officer to properly respond and handle a domestic call, no matter how frequent, will expose individuals and the community to danger up to and including death. Because domestic violence can and does result in the death of individuals, every response to a domestic call, no matter how often, shall be treated the same as any other crime against a person.

Every response to a domestic call shall include a substantive investigation of the incident which shall involve the gathering of background information, the gathering of physical evidence including pictures, clothing, and statements from direct and indirect witnesses including children and neighbors.

Every response to a domestic call, no matter how frequent, requires that every step possible be taken to ensure the safety of the victim including providing a safety plan form to the victim and, if necessary, transporting the victim and children, if appropriate, to another site for safekeeping.

Agencies and their officers should be aware that these cases are not only physically dangerous but they also present the risk of significant civil liability if officers respond inappropriately and the victim is injured or killed. While officers are protected by statute and offered qualified immunity for acting in good faith to protect victims of domestic violence, there is no such statutory immunity for failure to protect. See KRS 403.755(2) and KRS 403.7529(3).

Any Bowling Green Police Officer who is the subject of a Domestic Situation (this means a complaint was received on the officer, a restraining order or any other type of order related to domestic violence issued) will be placed on suspension with pay, until the matter is investigated and resolved. Any and all Departmental issued weapons or ammunition will be secured by supervisory members of this Department. In the event the matter is resolved in favor of the officer, the officer will be reinstated and all weapons and ammunition returned.

4.3.38.2 DEFINITIONS

4.3.38.2.1 General Definitions

- 1) "Domestic Disturbance or Dispute Call" means a call involving an argument or disagreement between family members, unmarried couples, or household members.
- 2) "Domestic Violence Call" means a call where an adult, child, or a family member or member of an unmarried couple is alleged to be the victim of:
 - a) Physical injury or fear of imminent physical injury (explicit or implied threats),
 - b) Sexual abuse or in fear of imminent sexual abuse,
 - c) Unlawful imprisonment/kidnapping,
 - d) Property crime,
 - e) Stalking, or
 - f) Violation of terms or conditions of a protective order by the other party.

(NOTE: These calls are the types of cases which, by statute, must be reported to the Department for Social Services on the JC-3 form.)

- 3) "Victim or Complainant" means any person who has been subjected to threats of or actual domestic violence and abuse. This includes persons who, at the time, may be reluctant to see the perpetrator arrested, file charges, or see the perpetrator prosecuted.
- 4) "Exigent Circumstances" means those circumstances or emergencies which authorize officer to enter a dwelling without consent or a warrant. Examples of such emergencies are:
 - a) Hot pursuit of a fleeing felon,
 - b) The imminent destruction of evidence,
 - c) The need to prevent a suspect's escape,
 - d) The risk of danger to the police or others, and
 - e) Reasonable belief that a person inside is in need of immediate protection or assistance.

(NOTE: If the officer is not in hot pursuit, the officer must have probable cause that one or more of the other four circumstances are present. In assessing the risk of danger, the officer should consider the seriousness of the crime and the likelihood that the suspect is armed. Minnesota v. Olson, 110 S.Ct. 1784 (1990)

- 5) "Probable Cause" to justify an arrest means facts and circumstances within the officer's knowledge that are sufficient to warrant a prudent person, or one of reasonable caution, in believing in the circumstances shown, that the suspect has committed, is committing, or is about to commit an offense. Probable cause means more than a simple suspicion or a reasonable belief that the suspect probably committed the crime. The officer must have concrete facts or reliable information giving the officer a reasonable belief that the suspect probably committed the crime. Probable cause is frequently referred to in cases and statutes as "reasonable grounds".

(NOTES: The victim's statement is a factor that should be considered in determining whether probable cause exists. The officer shall use the JC-3 form (Child Abuse, Adult Abuse and Domestic Abuse Standard Report) to document the evidence giving the officer probable cause to make the arrest, and/or report suspected abuse.)

4.3.38.2.2 Domestic Violence and Abuse Definitions

- 1) For the purposes of this subsection "Domestic Violence and Abuse" has the same meaning as set forth in 403.720.
- 2) For the purposes of this subsection "Physical Injury" has the same meaning as set forth in 500.080.
- 3) For the purposes of this subsection "Family Member" has the same meaning as set forth in KRS 403.720.
- 4) For the purposes of this subsection "Member of an Unmarried Couple" has the same meaning as set forth in KRS 403.720.

Notes:

The statutes do not define "couple" or "living together". Officers should make a determination of whether or not parties are a "couple" or "living together" without being influenced by gender or sexual orientation or whether or not sexual activity is involved.

"While no published Kentucky cases exist, other states have liberally construed domestic violence statutes so as to serve the goals of protecting victims of domestic violence." See Yankoskie v. Lenker, 526 A.2nd 429 (PA 1987). (Fact that a respondent maintains a residence apart from the petitioner is not dispositive. Relevant factors to consider are: duration of the relationship, frequency of contact between the parties, whether the parties are financially independent and whether parties have engaged in tasks towards maintaining a common household.) "Domestic violence statutes afford protection to same-sex couples just as they do to the other enumerated therein. The General Assembly has not given preferential treatment to same-sex couples; rather, it has provided for equal treatment under the law for homosexual victims of domestic violence." See Ireland v. Davis, KY App., 957 S.W.2d 310 (1977).

4.3.38.2.3 Protective Orders

- 1) "Emergency Protective Order" (EPO) means an ex parte court order (an order issued at the request of one party without a hearing) issued under the provisions of KRS 403.740 against a family member or a member of an unmarried couple who has been determined to present an immediate and present danger and which is valid for up to 6 months (the date of expiration should appear on the order).

(NOTES: The officer seeking to enforce the order shall determine that certain conduct has been prohibited on the order form or in the LINK system -- he cannot assume that any particular provision is in force. He must also determine whether service or notice of the order has been completed.

- 2) "Mutual Protection Order" is an order of protection against both the Petitioner and Respondent only if each has filed a separate petition seeking protection against the other. The order must be specific so as to make clear to any peace officer which party has violated the order. KRS 403.735(2).

(NOTE: Out of state mutual protection orders are enforceable only if the issuing court has made specific finding that each party in a separate order was entitled to an order of protection.

- 3) "Domestic Violence Order" (DVO) means a court order issued under the provisions of KRS 403.750 following a hearing against a family member or a member of an unmarried couple where the court has found violence has occurred and is likely to occur again. In Kentucky a DVO is valid for up to three years (The date of expiration should appear on the order.).
- 4) "Foreign Protective Order" (FPO) means any judgment, decree, or order of protection issued by a court of any state of the United States or tribal court which is entitled to full faith and credit in this state pursuant to 18 U.S.C. sec. 2265. KRS 403.7521(1). Foreign Protective Orders shall be enforced as written.

- 5) "Temporary Interpersonal Protective Order" (TIPO) mean an ex parte court order (an order issued at the request of one party without a hearing) issued under the provisions of KRS 456.030 against individuals who are or have been in a dating relationship. If a review indicates dating violence and abuse, stalking, or sexual assault exists the court shall summons the parties to an evidentiary hearing not more than fourteen (14) days in the future.
- 6) "Interpersonal Protective Order" (IPO) means a court order issued under the provisions of KRS 456.060 following a hearing against an individual in which the court finds by a preponderance of the evidence that dating violence and abuse, sexual assault, or stalking has occurred and may occur again. In Kentucky an IPO is valid for up to three years. (The date of expiration should appear on the order. The IPO may be reissued for subsequent periods of up to three years.).

(NOTE: These out-of-state orders may not have an expiration date and may even contain provisions which could not otherwise be issued by a Kentucky court.)

4.3.38.2.4 Adult Abuse or Neglect / Exploitation Definitions

- 1) "Abuse" means the infliction of physical pain, injury or mental injury of an adult. KRS 209.020(7).
- 2) "Adult" means a person eighteen (18) years of age or older or a married person without regard to age, who because of mental or physical dysfunction, or who is the victim of abuse or neglect inflicted by a spouse, is unable to manage his own resources, carry out the activities of daily living, or protect himself from neglect, hazardous or abusive situations without assistance from others and may be in need of protective services. KRS 209.020(4).
- 3) "Exploitation" means the improper use of an adult or an adult's resources by a caretaker or other person for the profit or advantage of the caretaker or other person. KRS 209.020(8).
- 4) "Neglect" means a situation in which an adult is unable to perform or obtain for himself the services which are necessary to maintain his health or welfare, or the deprivation of services by a caretaker which are necessary to maintain the health and welfare of an adult, or a situation in which a person deprives his spouse of reasonable services to maintain health and welfare. KRS 209.020(15).

4.3.38.2.5 Abused or Neglected / Dependent Child Definitions

- 1) "Abused or Neglected Child" means a child whose health or welfare is harmed or threatened with harm when his parent, guardian or other person exercising custodial control or supervision of the child:
 - a) Inflicts or allows to be inflicted upon the child physical or emotional injury (defined term) by other than accidental means;
 - b) Creates or allows to be created a risk of physical or emotional injury (defined) to the child by other than accidental means;
 - c) Engages in a pattern of conduct that renders the parent incapable of caring for the immediate and ongoing needs of the child, including, but not limited

- to, parental incapacity due to alcohol and other drug abuse as defined in KRS 222.005(12);
- d) Continually or repeatedly fails to provide essential parental care and protection for the child, considering the age of the child;
 - e) Commits or allows to be committed an act of sexual abuse, sexual exploitation, or prostitution upon the child;
 - f) Creates or allows to be created a risk that an act of sexual abuse, sexual exploitation, or prostitution will be committed upon the child;
 - g) Abandons or exploits such child;
 - h) Does not provide the child with adequate care, supervision, food, clothing, shelter and education or medical care necessary for the child's well-being. A parent or other person exercising custodial control or supervision of the child legitimately practicing his religious beliefs shall not be considered a negligent parent solely because he fails to provide specified medical treatment for a child for that reason alone. This exception shall not preclude a court from ordering necessary medical services for a child; and
 - i) Fails to make sufficient progress toward identified goals as set forth in the court approved case plan to allow for the safe return of the child to the parent that results in the child remaining committed to the cabinet and remaining in foster care for 15 of the most recent 22 months. KRS 600.020(1).
- 2) "Dependent Child" means any child, other than an abused or neglected child, who is under improper care, custody, control, or guardianship that is not due to an intentional act of the parent, guardian, or person exercising custodial control or supervision of the child. KRS 600.020(19).
- 3) "Emotional Injury" means an injury to the mental or psychological capacity or emotional stability of a child as evidenced by a substantial and observable impairment in the child's ability to function within a normal range of performance and behavior with due regard to his age, development, culture, and environment as testified to by a qualified mental health professional.
- 4) "Person Exercising Custodial Control or Supervision" means a person or agency that has assumed the role and responsibility of a parent or guardian for the child, but that does not necessarily have legal custody of the child. KRS 600.020(42).
- 5) "Physical Injury" means substantial physical pain or any impairment of physical condition.

4.3.38.2.6 Stalking Definitions

- 1) "Stalking" means an intentional course of conduct directed at a specific person which seriously alarms, annoys, intimidates or harasses; which serves no legitimate purpose; and which would cause a reasonable person to suffer substantial mental distress. KRS 508.130(1).
- 2) "Course of Conduct" means a pattern of conduct composed of two or more acts, evidencing a continuity of purpose; it does not include constitutionally protected activity. KRS 508.130(2).

4.3.38.2.7 Other Definitions

- 1) "Self Protection" or "Protection of Another" means a person's justifiable use of physical force upon another person when the person believes such force is necessary to defend himself or a third person from the use, or imminent use, of unlawful physical force by such other person. KRS 503.050; KRS 503.070.
- 2) "Imminent" means impending danger, and, in the context of domestic violence and abuse as defined by KRS 403.720, belief that danger is imminent can be inferred from a past pattern of repeated serious abuse. KRS 503.010(3).
- 3) "Peace Officer" for purposes of this policy means:
 - a) "A full-time sworn officer of the Kentucky State Police, a full-time sworn officer of the Kentucky Horse Park, a commissioned full-time state park ranger, a full-time state water patrol officer, a full-time officer of the Division of Law Enforcement with the Department of Fish and Wildlife Resources who is exercising authority under KRS Chapter 235, a full-time city policeman, a full-time county policeman, a full-time university safety and security officer appointed pursuant to KRS 164.950 to 164.970, a full-time city-county policeman, a duly elected sheriff, or a full-time paid deputy sheriff, or
 - b) A part-time law enforcement officer, or a special paid deputy, who has completed a Kentucky Law Enforcement Council approved education and training program referred to in KRS 431.005(3).

4.3.38.2.8 The Violence Against Women's Act Federal Crimes

- 1) "Interstate Domestic Violence" means: crossing a state line in order to commit domestic violence and subsequently committing the act. This crime occurs when:
 - a) a person who travels across a state line or enters or leaves Indian country with the intent to injure, harass, or intimidate that person's spouse or intimate partner; and
 - b) in the course or as a result of that conduct, intentionally commits a crime of violence and thereby causes bodily injury to the person's spouse or intimate partner. 18 U.S.C. sec. 2261 (a)(2).
- 2) "Interstate Domestic Violence" means: causing another to cross a state line due to domestic violence. This crime occurs when:
 - a) A person who causes a spouse or intimate partner to cross a state line or to enter or leave Indian country by force, coercion duress, or fraud; and
 - b) in the course or as a result of that conduct, intentionally commits a crime of violence and thereby causes bodily injury to the person's spouse or intimate partner. 18 U.S.C. sec. 2261 (a)(2).
- 3) "Interstate Violation of a Protection Order" means: crossing a state line in order to commit domestic violence in violation of a protection order and subsequently violating the protection order. This crime occurs when:
 - a) A person who travels across a state line or enters or leaves Indian country with the intent to engage in conduct that violates the portion of a protection order that involves protection against credible threats of violence, repeated

- harassment or bodily injury to the person or persons for whom the protection order was issued; or
- b) would violate the protection order if the conduct occurred in the jurisdiction in which the order was issued; and
 - c) subsequently engages in conduct which violates the protection order. 18 U.S.C. sec. 2262 (a)(1).
- 4) "Interstate Violation of a Protection Order" means: causing another to cross state lines fleeing because of domestic violence committed in violation of a protection order. This crime occurs when:
- a) A person who causes a spouse or intimate partner to cross a state line or to enter or leave Indian country by force, coercion, duress, or fraud; and
 - b) In the course or as a result of that conduct, intentionally commits an act that injures the person's spouse or intimate partner in violation of a valid protection order issued by a state. 18 U.S.C. sec. 2262 (a)(2).
- 5) Certain respondents to DVOs and certain defendants convicted of a misdemeanor crime of violence are prohibited from possessing a firearm or ammunition. 18 U.S.C. § 922(g)(8) and (9).

DVO respondents who are banned from firearm or ammunition possession:

- a) Respondents to DVOs which protect the respondent's "intimate partner" or child of such "intimate partner."
- b) "Intimate partner" means the spouse of the person [respondent], the former spouse of the person, an individual who is a parent of the child of the person, and an individual who cohabitates or has cohabitated with the person. 18 U.S.C. § 921(32).
- c) Antique firearms and service weapons are exempted from the gun ban. 18 U.S.C. § 925(a)(1).

4.3.38.3 PURPOSE OR GOALS

This domestic violence policy is designed to provide officers and support personnel with clear definitions, direction, and guidelines for providing and promoting a consistent, effective response to domestic violence crime in order to accomplish the following goals:

- 1) Make an arrest for any violation of an Emergency Protective Order (EPO), any violation of a Domestic Violence Order (DVO), any violation of a Foreign Protective Order (FPO), any violation of a Temporary Interpersonal Protective Order (TIPO), any violation of a Interpersonal Protective Order (IPO), or any violation of a condition of release or bond when authorized by state law,
- 2) Reduce the incidence and severity of domestic violence crime and dating violence and abuse,
- 3) Afford maximum protection and support to adult and child victims of domestic violence and dating violence and abuse through coordinated services of law enforcement and victim assistance, and
- 4) Reduce the risk of civil liability for officers, supervisors and administrators, and the employing unit of government.

4.3.38.4 POLICY

To accomplish these goals, every officer shall:

- 1) Make an arrest when authorized by state law as the preferred response, instead of using dispute mediation, separation or other police intervention techniques;
- 2) Treat all acts of domestic violence, and dating violence and abuse, as criminal conduct;
- 3) Respond with the same protection and sanctions for every domestic and dating violence incident, regardless of race, religion, creed, national origin, gender, sexual orientation, disability, and socio-economic status, including cases where any of the alleged parties may be a law enforcement officer, public official or prominent citizen; and
- 4) Immediately report all known or suspected cases of domestic violence and abuse, dating violence and abuse, adult abuse, or child abuse as required by state law; and
- 5) Receive training on domestic violence and dating violence as required by state law.

(NOTE: Every officer shall document action taken (arrest or non-arrest) on the JC-3 form.)

The following facts shall not be considered as an independent compelling reason not to arrest the perpetrator. These facts may be used as background information to complete a domestic violence and dating violence investigation for prosecution.

Domestic Violence

- 1) The marital status of the suspect and the victim;
- 2) Whether or not the suspect lives on the premises with the victim (except as may be necessary to qualify the parties as "members of an unmarried couple");
- 3) Whether the victim has not obtained a protective order against the perpetrator;
- 4) The potential financial consequences of arrest;
- 5) Whether there have been previous law enforcement responses to domestic calls at this address;
- 6) Verbal assurances that the violence will cease;
- 7) The victim's emotional status;
- 8) Whether or not physical injuries suffered by the victim can be personally observed at the time of the law enforcement response;
- 9) The location of the incident (i.e., public or private);
- 10) Speculation that the victim may not follow through with the prosecution, or that the arrest may not lead to a conviction;
- 11) The victim's initial reluctance regarding an officer-initiated arrest;
- 12) The fact that the victim and suspect are of the same gender; or,
- 13) The use of alcohol or drugs by either or both parties.

Dating Violence

- 1) Declarations of romantic interest;
- 2) Relationship characterized by the expectation of affection;
- 3) Attending social outings together as a couple;
- 4) Frequency and type of interaction/involved together over time/continuous basis;
- 5) Length and recency of relationship;
- 6) Other indicators of a substantial relationship leading a reasonable person to believe a dating relationship exists or existed.

4.3.38.5 COMMUNICATIONS PROCEDURES

Communications general responsibilities:

- 1) In progress domestic violence and dating violence calls shall receive a high priority response. Communication will:
 - a) Use professional communications skills, obtain all pertinent critical information;
 - b) Promptly relay all important information including any information available through the LINK-Domestic Violence File;
 - c) Update the responding officer with additional information obtained from the caller by keeping them on the line unless they perceive themselves to be in danger; and
 - d) Dispatch two officers when available.
- 2) Communications personnel should request the following information:
 - a) Location of incident, victim and perpetrator;
 - b) Type of incident (verbal/physical);
 - c) Need for emergency medical assistance including injuries and severity;
 - d) Weapons involved and descriptions;
 - e) Name and telephone number;
 - f) Other people involved including children/witnesses;
 - g) Perpetrator's DOB/SOC, previous history of domestic violence including previous law enforcement responses outstanding warrants;
 - h) Alcohol and or drug use;
 - i) Has perpetrator left scene, vehicle description, direction of travel; and
 - j) Apparent hazards to responders including animals; and
 - k) Dispatch two officers when available.
- 3) Communications personnel should be aware of the safety of the complainant and should:
 - a) Attempt to maintain telephone contact with the complaining party in order to monitor the situation and provide the most recent information until the officer arrives; and
 - b) If the complainant must leave the telephone to seek safety, advise the caller to lay the phone down and not disconnect so the communications personnel can monitor the situation; or
 - c) If the complainant is making the call from a location away from the scene, advise the caller to remain there until an officer arrives (advise responding officer of the location); and
 - d) Update responding officers with all new information so they may approach the scene with as much information as possible;
 - e) Advise responding officers of any additional telephone calls from the residence including interrupted or disconnected calls or any requesting cancellation of police response. (Interrupted or disconnected calls should be responded to if the location is known, and any request for cancellation should be ignored, i.e., the officers should proceed and answer the call anyway.)

4.3.38.6 ON-SCENE INVESTIGATION, ARREST AND POST ARREST PROCEDURES

4.3.38.6.1 General Responsibilities at the Scene

- 1) Respond promptly to the call - utilize two officers when available,
- 2) Establish control,
- 3) Assess the situation for risks to all parties including children,
- 4) Attend to the emergency medical needs of those involved,
- 5) Interview parties/witnesses separately and away from the line of sight and hearing of the perpetrator (use direct quotes from witnesses about their fears and concern),
- 6) Effect an arrest of the perpetrator as the preferred response, if legally possible,
- 7) Seize any weapons used in the incident,
- 8) Inform the victim of rights,
- 9) Provide victim information on legal remedies and community services available for protection and safety planning,
- 10) Assist the victim in securing medical attention which shall include arranging for the transporting of the victim to obtain medical attention,
- 11) Assist the victim in securing legal protection (warrant, protective order) which may include transporting the victim to obtain the legal protection, if appropriate,
- 12) Report all actual and suspected incidents of abuse to the Cabinet for Families and Children, Department for Social Services, using the "Child Abuse, Adult Abuse, and Domestic Abuse Standard Report" form (JC-3),
- 13) Obtain a consent to search if exigent circumstances have ceased, or a search warrant if appropriate,
- 14) Collect and photograph/video all relevant evidence required for successful prosecution (use body map with checklist to document injuries).

There are times when the immediate preservation of changing or deteriorating evidence by photograph and/or video is beneficial to an investigation. With the wide availability of digital cameras and smart phones with recording capability, it has become more common for first responders to collect photographic and/or video evidence. All photographs and/or video collected as part of a police response, action or a criminal investigation shall immediately become the property of the Bowling Green Police Department, is deemed evidence, and must be submitted into evidence.

Photographs and/or videos collected in the above stated circumstance are not the property of the employee capturing that photographic and/or video evidence. All members of this agency will be prohibited from sharing (electronically or in hard copy) any photographs and/or videos, or using any collected photographs and/or video for personal use or gain.

- 15) Arrange for follow-up photographs of the victim in order to demonstrate the extent of the injuries that may later become more obvious,
- 16) Attend to any children or dependent adults, and
- 17) Check LINK and NCIC for outstanding warrants, history file on protective orders and whether there are any active EPO's, DVO's or FPO's. (For various reasons not all valid domestic violence orders may be in the LINK system.)

4.3.38.6.2 Arrests

Arrest is the preferred response to domestic violence and dating violence crimes, whether felonies or misdemeanors. All arrests shall be made in conformity with Kentucky state law, agency policy and procedures.

Warrantless arrest for domestic violence and dating violence related felonies shall be made in the same manner as in all other felony crimes: when a felony is committed in the officer's presence or he has probable cause to believe that the perpetrator has committed a felony. KRS 431.005(1)(b) and (c).

4.3.38.6.2.1 Misdemeanant Arrests Without a Warrant

- 1) As long as there exists probable cause to believe an offender has intentionally or wantonly caused injury to a family member or a member of an unmarried couple, or another person with whom the person was or is in a dating relationship, any peace officer may arrest for Assault in the Fourth Degree. KRS 431.005(2)(a).

Notes:

- a) Effective July 1996 the officer does not have to determine whether the offender will present a danger or threat of danger to others if not immediately restrained in order to affect an arrest for an Assault in the Fourth Degree. KRS 431.005(2)(a).
 - b) A "Peace Officer" for the purposes of this provision now includes full-time sworn officers of the Kentucky Horse Park, a commissioned full-time state park ranger, or a part-time paid law enforcement officer, who had completed a Kentucky Law Enforcement Council approved education training program prescribed by statute. It also includes full time officers of the Department of Fish and Wildlife who are exercising authority under KRS 235 and full time university safety and security officers appointed pursuant to KRS 164.950 to 164.970. KRS 431.005(3).
 - c) In cases of third or subsequent incidents of fourth-degree assault committed in the domestic violence context, defendants may be prosecuted for a Class D Felony rather than a Class A misdemeanor. The decision whether or not to seek the enhancement and prosecute for a felony violation rests with the prosecutor. KRS 508.032.
- 2) If there is probable cause to believe that any condition of a bond or pre-trial release has been violated and the officer has verified that the offender has had notice of the conditions, then the officer shall arrest the offender without a warrant. KRS 431.005(4).

Note:

Effective July 2000, pre-trial release conditions (KRS 431.064) issued for defendants charged with violations of chapter 508 (assault) and 510 (sex offenses) shall be entered into the computer system of the Administrative Office of the Courts and from there be accessible to LINK terminal agencies. KRS 431.064. While some agencies may be able to find the pre-trial release conditions, law enforcement agencies should not assume that the absence of a pre-trial release condition

provision in the computer system necessarily signals that no such pre-trial release condition exists.

- 3) The officer may arrest without a warrant for any other misdemeanor committed in his presence, e.g., terroristic threatening, menacing. KRS 431.005(1)(d).
- 4) Emergency Protective Orders (EPO)
 - a) EPO's are immediately enforceable only if the respondent has been served or given notice of the contents.
 - b) The officer should check through the LINK-Domestic Violence File to verify service of the Emergency Protective Order. **Caution:** Some EPOs may not have been entered yet into the LINK system.
 - c) If personal service has not occurred, the officer shall immediately give the respondent notice of the contents of the emergency protective order.
 - d) After notice has been given to the respondent, its terms are binding and enforceable for subsequent acts.
 - e) The officer shall then make arrangements for personal service of the EPO if possible and make notification to the communications center of this Department and notification to the responsible agency for LINK entry of the orders.

Note:

Information regarding notice and arrangements for service shall be marked on the JC-3 form.

- f) Officers, having probable cause, shall arrest without a warrant respondents who have violated the Emergency Protective Order, who have received service or notice of the issuance of the EPO. KRS 431.015(1)(c);
 - g) The "no contact" condition found in protective orders, shall be defined as having no contact at all including such allegedly innocent activities as sending flowers. No contact conditions also have been found to have been violated by placing a series of hang up calls to the victim's residence, even if such calls involve no verbal communications between the parties. *Welch v. Commonwealth*, KY App., 988 S.W. 2d. 506(1999).
- 5) Domestic Violence Orders (DVO)
 - a) DVOs shall be enforced immediately upon issuance or service upon the respondent.
 - b) The officer shall make sure that the conditions for which an arrest is made are prohibited in the DVO.
 - c) Officers, having probable cause shall arrest without a warrant respondents who have violated the Domestic Violence Order. KRS 431.015(1)(c);
 - d) The meaning of "no contact" in the context of the DVO is the same as that for EPO, see 4.3.38.6.2.1, item g) above

Notes:

All law enforcement officers should be aware that pursuant to the Carrying Concealed Deadly Weapon statute, "...when a domestic violence order or emergency protective order is issued pursuant to the provision of KRS Chapter 403 against a person holding a license issued [the law], the holder of the permit shall surrender the license to the court or to the officer serving the order. The officer to whom the license is surrendered shall forthwith transmit the license to the court issuing the order. The license shall be suspended until the order is terminated, or until the judge who issued the order terminates the suspension prior to the termination of the underlying domestic violence order or emergency protective order, in writing and by return of the licenses, upon motion by the license holder." KRS 237.110(11).

The meaning of this statutory provision is not completely clear and law enforcement officers should be aware of any court decisions which interpret the authority of a law enforcement officer in this situation. However, when the DVO or EPO specifically requires the surrender of the license, and the officer has probable cause to believe the respondent has not surrendered the license, law enforcement officers should arrest the respondent for violation of the EPO/DVO.

6) Foreign Protective Orders (FPO)

- a) All out of state protective orders shall be enforced as written including provisions which grant relief not available in Kentucky.
- b) All FPO's are presumed valid upon presentation to the officer. FPO's do not have to have been entered into the LINK system to be valid and enforceable.
- c) Some FPO's may have been filed of record and may be verified through LINK.
- d) When a FPO is presented to the officer by the complainant, the officer shall:
 - Determine whether the order is current, and
 - Determine whether the conduct complained of is prohibited by the order.

Note:

For different reasons some foreign protective orders do not have expiration dates on them. Even though no expiration date is contained on the order, the officer shall accept the statement (written or oral) of the complainant that the order is current.

- e) The officer shall inquire of the complainant whether the protective order has been filed with the circuit clerk's office. If the order has been filed with the clerk's office, it can be further verified through the LINK system.

NOTE: Even if the order has not been filed with the court clerk and is not available on LINK, it is still a valid order of protection as long as step (d) is completed.

- f) The officer shall assume the respondent was given notice of domestic violence order and its contents.
 - g) If the officer has probable cause to believe the respondent has violated the terms of the protective order, he shall arrest the respondent as having violated a protective order. KRS 403.763.
 - h) All peace officer shall make arrests for a violation of a foreign protective order in the same manner as a violation of an emergency protective order or domestic violence order as if it had been entered by a Kentucky Court. The charge shall be a violation of a protective order. (NOTE: This shall not preclude officers from arresting the perpetrator for other violations of the Kentucky Penal Code. Law enforcement officers are not expected to be aware of any changes of a foreign protective order that are not clearly on the order itself, or, if the order is on LINK, if the changes are not indicated on LINK. It is the obligation of the victim to notify the court of changes in the order.)
- 7) Temporary Interpersonal Protective Orders (TIPO)
- a) TIPO's are immediately enforceable only if the respondent has been served or given notice of the contents.
 - b) The officer should check through the LINK-Domestic Violence File to verify service of the Temporary Interpersonal Protective Order. **Caution:** Some TIPOs may not have been entered yet into the LINK system.
 - c) If personal service has not occurred, the officer shall immediately give the respondent notice of the contents of the temporary interpersonal protective order.
 - d) After notice has been given to the respondent, its terms are binding and enforceable for subsequent acts.
 - e) The officer shall then make arrangements for personal service of the TIPO if possible and make notification to the communications center of this Department and notification to the responsible agency for LINK entry of the orders.
- Note:
Information regarding notice and arrangements for service shall be marked on the JC-3 form.
- f) Officers, having probable cause, shall arrest without a warrant respondents who have violated the Temporary Interpersonal Protective Order, who have received service or notice of the issuance of the TIPO. KRS 431.015(1)(c);
 - g) The "no contact" condition found in protective orders, shall be defined as having no contact at all including such allegedly innocent activities as sending flowers. No contact conditions also have been found to have been violated by placing a series of hang up calls to the victim's residence, even if such calls involve no verbal

communications between the parties. Welch v. Commonwealth, KY App., 988 S.W.2d. 506(1999).

8) Interpersonal Protective Orders (IPO)

- a) IPOs shall be enforced immediately upon issuance or service upon the respondent.
- b) The officer shall make sure that the conditions for which an arrest is made are prohibited in the IPO.
- c) Officers, having probable cause shall arrest without a warrant respondents who have violated the Interpersonal Protective Order. KRS 431.015(1)(c);
- d) The meaning of "no contact" in the context of the IPO is the same as that for TIPO, see 4.3.38.6.2.1, item g) above.

4.3.38.6.2.2 Mutual Violence

Where the officer has probable cause to believe that two or more persons committed a misdemeanor or felony, or if two or more persons make complaints to the officer, the officer shall try to determine who the primary aggressor was and whether one party acted in self-defense.

If the officer is able to determine who the primary aggressor is, the officer should arrest the primary aggressor.

Officers should not use mutual arrests as a substitute for a thorough investigation. Arresting both parties is not the preferred response.

Factors to consider in mutual violence situations to determine the primary aggressor:

- 1) The history of domestic/ dating disputes / violence between the persons,
- 2) The degree of injury inflicted upon each person (Keep in mind that many injuries to the head and body may not be readily visible.),
- 3) Objective and testimonial evidence from the parties and other persons at the scene including children,
- 4) Whether one person acted in self-defense,
- 5) The presence of fear of the parties involved and the level of fear (who is afraid of whom), and
- 6) The likelihood of future injury.

Note:

An injury inflicted in self-defense is not a basis for an arrest for a violation of a mutual protection order.

4.3.38.6.3 Obtaining Warrants / Protective Orders

- 1) When a domestic violence or dating violence crime has allegedly been committed, and the officer is unable to arrest the alleged perpetrator under the provisions discussed above, the officer shall assist the victim in obtaining an arrest warrant and/or protective order.
- 2) The officer may apply for an arrest warrant himself when he has sufficient information to establish probable cause.
- 3) Prosecution is the preferred response even if the officer has to take the initiative.
- 4) The victim's non-cooperation shall not be considered when seeking warrants.
- 5) If the offense occurs after normal working hours follow the 24-hour access policy established by the court.

4.3.38.6.4 Duty to Victim Whether or Not an Arrest Has Been Made

- 1) Whether or not an arrest has been made, if the officer has reason to suspect that a family member, member of an unmarried couple, or household member has been the victim of domestic or dating violence, the officer is required by the KRS to use all reasonable means necessary to prevent further domestic violence, including but not limited to:
 - a) Remaining at the scene as long as the officer reasonably suspects there is danger to the physical safety of the individuals present without the presence of a law enforcement officer,
 - b) Assisting the victim to obtain medical treatment, or arranging for the transportation of the victim to the nearest medical treatment facility capable of providing the necessary treatment, and
 - c) Advising the victim of rights and services available.

Notes:

These "rights and services" include information about criminal complaint procedures, availability and enforcement of civil protective orders, availability of emergency shelter services, protective services of DSS, and other community resources. This would include advising the victim of the availability of VINE (Victim Information and Notification Everyday). VINE provides the victim who has obtained a Protective Order with information concerning the perpetrator's attempt to purchase a weapon. It also provides information concerning the release of the perpetrator from incarceration. Many of these rights and services are printed on the "Victim Rights Information" of the E-JC-3.

Providing the victim rights information printed from the JC-3 form and giving it to a victim may not fully satisfy this duty. The responding officer should also offer to explain the form to the victim.

- 2) In order to protect the victim and provide access to a safe environment the officer should:
 - a) Provide a copy of a safety plan, if available; and
 - b) Inform the person of local procedures for victim notification.
- 3) Whether or not an arrest has been made, the officer shall report any known or suspected adult or child abuse, neglect or exploitation immediately, or any known or suspected domestic violence or abuse within 48 hours, to the Cabinet for Families and Children, Department for Social Services using the JC-3 form. (Death of an adult

or a child does not relieve the officer of the responsibility to report the circumstances surrounding the death to abuse or neglect.)

4.3.38.7 SPECIAL CIRCUMSTANCES

4.3.38.7.1 Agency Assigned Service of an Emergency Protective Order

Civil Orders of Protection assigned by the District or Circuit Court for service by this Department shall receive high priority response. These orders shall be segregated from other orders or warrants to be served.

Upon service of the order on the respondent, the officer shall immediately notify the communications center. The law enforcement agency in the issuing jurisdiction responsible for entry of domestic violence protective orders on the LINK-Domestic Violence File should be contacted by Communications Center personnel.

The officer should promptly arrange for a copy of the order with the verified service to be delivered to the entering agency for modification to the LINK-Domestic Violence File record.

4.3.38.7.2 Offender or Victim Has Left the Scene

- 1) If probable cause exists that an alleged perpetrator has committed an assault on a family member or member of an unmarried couple, or has violated a protective order, a domestic violence order, or a foreign protective order, but the perpetrator has left the scene, the responding officer shall interview all available witnesses, record or document these interviews, and collect all available physical evidence. (NOTE: In order to arrest the perpetrator, the officer does not have to make a determination that the perpetrator will present a danger or threat of danger to others if not immediately restrained. KRS 431.005(2)(a).)
- 2) If the officer is unable to arrest the alleged perpetrator within a reasonable time, the officer should assist the victim in seeking an arrest warrant and/or appropriate civil order of protection to deter future domestic or dating violence.
- 3) If probable cause exists that there has been an assault on a family member or a member of an unmarried couple or that a protective order has been violated, but the victim has left the scene, the responding officer shall, in addition to investigating the offense at the scene, attempt to locate the victim, determine whether the victim needs medical assistance and continue the investigation where the victim is located.
- 4) Effecting an arrest consistent with state law is the preferred response even when one party or the other has left the scene. This may include an arrest based on probable cause or the applying for an arrest warrant.
- 5) In 1998, legislation amended the crime of Fleeing or Evading Police in the First Degree to include defendants fleeing after committing an act of domestic violence. The crime is a Class D felony. KRS 521.100

4.3.38.7.3 Domestic Violence Perpetrator is a Juvenile

- 1) Officers shall handle juvenile perpetrators of domestic or dating violence in the same manner as when the alleged perpetrator is an adult.

- 2) If a juvenile is taken into custody, officers shall process the juvenile under the provisions of the Juvenile Code (KRS Chapters 600-645).
- 3) Officers should not release juvenile perpetrators at the scene.
- 4) Officers should contact the Court Designated Worker (CDW) for an alternative placement for the juvenile perpetrator.

4.3.38.7.4 Special Needs Victims

Some domestic violence victims have special needs because of their relationship to the perpetrator, limited physical or mental abilities, or some other factor. These factors make it extremely difficult for them to report their victimization, call for assistance, or participate fully in the investigation and prosecution of their case. Special needs victims may include:

- 1) Pregnant women,
- 2) Physically or mentally disabled persons,
- 3) Alcoholic or chemically dependent persons,
- 4) Adolescents,
- 5) Culturally diverse populations, and
- 6) Males.

Officers should treat all victims respectfully and as seriously as any other criminal case.

Officer should refer these victims to specialized support services to ensure the victim receives protection, physical assistance, medical treatment or other services as needed.

4.3.38.7.5 Marital Rape / Sexual Assault

Responding officers shall follow all procedures relating to investigation and evidence collection (including comprehensive rape examinations) where a sex offense is reported, regardless of the relationship including the marriage of the victim to the alleged perpetrator. (NOTE: There is no exemption for marital rape KRS 508 and KRS 510.)

4.3.38.7.6 Children, Dependent Adults and Elderly Adults

Even where a spouse or partner is the primary victim, officers shall take appropriate action on behalf of children, dependent adults, and elderly adults at the scene who may be the direct or indirect victims of violence.

4.3.38.7.7 Domestic Violence Stalking

Officers should complete a full report and investigation where a domestic violence or dating violence victim alleges that he or she has been stalked. Stalking is elevated from a misdemeanor to a felony when:

- 1) A protective order is issued to protect the victim;

- 2) A criminal complaint is currently pending by the victim against the defendant and the defendant has received notice of such;
- 3) The defendant has been convicted, within the last five years, of a felony or a Class A misdemeanor concerning the victim; or
- 4) The stalking was committed while the defendant had a deadly weapon.

Year 2000 legislation also provided a specific definition for "protective order" to include EPOs, DVOs, foreign protective orders, pre-trial release conditions under KRS 431.064 and any condition of bond, conditional release probation, parole, or pre-trial diversion order designed to protect the victim from the offender. KRS 508.140 and 150.

Officers should advise stalking victims to notify the Police Department of any subsequent incidents.

Caution: Research shows a close relationship between acts of stalking behavior and the commission of acts of domestic violence.

4.3.38.7.8 Special Relationship / Prominent Citizen

- 1) A responding officer shall notify his supervisor when he responds to a domestic violence call involving a public official, or a prominent citizen.
 - a) A responding officer and supervisor shall apply this policy equally to all members of the community.
 - b) This applies whether the person is the victim or the perpetrator.
- 2) A responding officer shall notify his supervisor when he responds to a domestic violence call involving law enforcement personnel.
 - a) When possible, the investigation should be handled by an officer at least one rank higher than the party involved.
 - b) The investigating officer shall notify the highest ranking officer on duty of the investigation.
- 3) When an officer is investigating a member of another law enforcement agency, the officer should notify the highest ranking officer on duty of the agency with whom the officer under investigation is employed. This applies whether the person is the victim or the perpetrator.

4.3.38.7.9 Duty to Warn

- 1) Officers who receive warning from mental health professionals under the provisions of KRS 202A.400 of threatened violence against an identifiable victim(s) should attempt to contact the intended victim(s).
- 2) Officers should inform the victim of the threatened violence, advise him or her of all available legal remedies and assist the victim in accessing those legal remedies.
- 3) Officer should discuss alternative safety plans with the intended victim, provide transportation to a safe location if necessary, and give other indicated assistance.
- 4) Officers and supervisors should decide what further investigation or action (e.g., increased patrol, alert to all shift officers, etc.) is indicated.
- 5) Officers and supervisors should fully document the report of threatened violence, all attempts by officers to contact the intended victim(s), actions taken on behalf of the intended victim(s) and all further recommended investigations or actions.

4.3.38.7.10 Involuntary Hospitalization

If the officer believes the domestic violence perpetrator has a mental health condition which indicates that the person is an imminent danger to self or others, the officer needs to follow the provisions set forth in KRS 202A.

This statute should not be used as a substitute for an arrest.

4.3.38.7.11 Duty to Notify / Federal Gun Ban

The federal government prohibits certain DVO respondents, and those defendants convicted of a misdemeanor crime of domestic violence, from possession of a firearm or of ammunition. 18 U.S.C. § 922. Local law enforcement should notify the Bureau of Alcohol, Tobacco and Firearms if made aware of respondent possessing a firearm in violation of federal law. Further, in 2000, legislation provided that "designated law enforcement agencies" shall make "reasonable efforts" to provide victims with notice that a perpetrator has attempted to purchase a firearm in violation of the federal gun ban. KRS 237.095

It should be noted that the prohibition of possessing or having access to firearms or ammunition is not applicable to Temporary Interpersonal Protective Orders (TIPO) or Interpersonal Protective Orders (IPO).

4.3.38.8 OTHER RELATED MATTERS

4.3.38.8.1 Confidentiality

The actual location of any spouse abuse center or other emergency shelters shall not be communicated by any electronic means. Such information shall be communicated only on a face-to-face, need-to-know basis to other law enforcement personnel.

4.3.38.8.2 Training

KRS 403.785 requires that each officer receive initial training, followed at least every two years by continuing education courses, developed by the Justice Cabinet concerning the dynamics of domestic violence, effects of domestic violence on adult and child victims, legal remedies for protection, lethality and risk issues, model protocols for addressing domestic violence, available community resources, victims services, and reporting requirements.

4.3.38.8.3 Good Faith Immunity from Liability

Officers who reasonably perform their duties in good faith have immunity from civil and criminal liability under the following situations:

- 1) Enforcing Emergency Protective Orders or Domestic Violence Orders (KRS 403.785,

- 2) Enforcing foreign protective orders (KRS 403.7529(3))
- 3) Making a report or investigation for adult abuse or neglect (KRS 209.050; KRS 403.715(5)), or
- 4) Making a report or investigation for child dependency, abuse or neglect (KRS 620.050(1); KRS403.715(5)).

(Remainder of page reserved.)

4.3.39 METHAMPHETAMINE LABORATORY RESPONSE PROCEDURES

4.3.39.1 GENERAL

Methamphetamine Laboratories (Meth Lab) are becoming a preferred method for drug dealers to produce illegal drug products in a short period of time. Meth labs can be set up in almost any location including homes, automobiles, hotel rooms, drink coolers, etc. Meth producers are limited only by their imagination and willingness to put others at risk.

Meth labs are extremely dangerous, unmanaged environments that have the potential of contaminating and affecting a broad area including any person that enters the lab area.

Warning!

The results of exposure and/or contamination to the chemicals or combination of chemicals used in the production of methamphetamine can be deadly.

When responding to a known or suspected meth lab the primary consideration should be for personal and public safety. Arrests of suspects, evidence preservation and evidence collection are a secondary consideration.

4.3.39.2 RESPONSE PROCEDURES

The following general guidelines should be considered when responding to a suspected or actual meth lab.

- 1) Respond in a manner that decreases the likelihood of personal exposure.
- 2) For actual labs plan for proper containment and clean-up to include notifying the Fire Department and other properly trained professionals for clean-up and decontamination.
- 3) Make every effort to evacuate any innocent citizens from the immediate danger area.
- 4) Enter an identified meth lab as a last resort and only when there is no other option to preserve innocent lives or when the lab area has been determined safe by trained personnel.

(Remainder of page reserved.)

4.3.40 MOTORCYCLE PATROL GUIDELINES

- 1) Officers will generally patrol on motors only when the outside temperature is forty-five (45°) or above. The upper temperature will be at the officer's discretion. A supervisor may determine that the temperature and humidity are too high for motor use.
- 2) Motors will not normally patrol in the rain. If motors are out and a rain shower occurs, rain gear may be used to return the motor to the garage area. Special details may still be worked in the rain with supervisor approval.
- 3) Breaks to cool or warm the motor officer as well as rehydrate may be taken at the officer's discretion. A motor officer may revert back to a patrol car for periods of time to cool or warm the officer.
- 4) Officers who appear for work wearing a motor uniform may continue to wear the motor uniform for the entire shift regardless of being on a motor or police car.
- 5) The shift supervisor will determine the number of motor officers that are to conduct motor patrol during a normal shift.
- 6) Motor units will work traffic enforcement, parades, funerals and other special details as assigned. Motor units may be used as district units at supervisor discretion. Motor units may serve as back up units as necessary.
- 7) Motor units may be assigned traffic collisions. A regular patrol unit should be called for traffic when needed for visibility.
- 8) Pursuits WILL NOT be conducted on motors. A violator may be followed at a safe distance and a safe speed until a police car or cars can be positioned to conduct a pursuit in situations that conform to the BGPD policy concerning vehicular pursuits. (See § 4.3.6, hot pursuits (kacp)).

4.3.40.1 MOTOR MAINTENANCE

- 1) A pre-ride inspection will be conducted prior to the operation of any BGPD motor. This inspection will include, but is not limited to, checking the pressure and condition of the tires, motor oil level, cables, emergency equipment and fuel level of the gasoline tank. The officer should report any problems to the unit coordinator. Any situation which cannot be corrected by the officer immediately will result in the motor unit being placed in a "downed" condition until arrangements can be made by the unit coordinator to have the motor repaired.
- 2) Motors should be refueled at the end of the shift or when it is returned to the garage.
- 3) Motors should be washed by one of the motor officers as needed.
- 4) The unit coordinator shall arrange all maintenance.

(Remainder of page reserved.)

4.3.41 TRANSIENT HELP FUND

The Transient Help Fund was established to assist primarily non-residents of Bowling Green who are traveling through the city that are in need of assistance in order to reach their destination. The money given to sustain this account is not city or tax funds. Funding is achieved by donations to the City from local churches in an attempt to promote good public relations and to facilitate the spirit of being a “Good Samaritan” community. These funds can also be used to assist needs of children in protective custody until Social Services can respond.

Guidelines for utilizing this fund:

1. Officers determine the need of individuals while at the scene. Factors to determine need include (but are not limited to):
 - a) Local/NCIC check of all subjects.
 - b) Prior contact/history of subjects.
 - c) Availability of other community resources (Salvation Army, Hope House, etc).
2. Officers contact the on-duty supervisor. The on-duty supervisor evaluates the request and confirms the officer checked all listed under guideline #1. Once approved, the on-duty supervisor retrieves the cash from the Transient Help Fund envelope. Note the withdrawal on the tracking form located in the envelope.
3. CASH is never given to the requesting party. The cash is utilized to pay for the item/services needed. A receipt must be obtained for these items/services.
4. A contact card and/or documentation on a report of use of this fund is required. The receipt must be stapled to this paperwork. These receipts and documents are filed for 2 years.

Examples of appropriate use of this fund:

While no guideline will be able to encompass every situation, here are a few examples of appropriate usage of this fund.

1. Food/Drinks. Either bought from a grocery store or restaurant.
2. Diapers, clothing, formula, over-counter medications.
3. Minor vehicle repairs (battery, tires, gasoline, oil, etc).
4. Overnight lodging accommodation.
5. Greyhound Bus Ticket/ Cab Fare (Use good/modest judgment in regards to destinations & cost).

A monthly audit of this account will be conducted by the Professional Standards Major. The Professional Standards Major will request money from the account to replenish the accessible cash.

End of Chapter 4.3

CHAPTER 4.4

TRAFFIC OPERATIONS

4.4 CHAPTER 4.4 - TRAFFIC OPERATIONS

This chapter sets forth the Department's Traffic function as performed by the patrol component. Policies relate to activities specifically directed toward controlling alleged violation through preventive patrol and active enforcement. Policies also govern relationships with motorists. Related policies recognize that traffic functions are normally performed by the patrol component (see §§ 4.2 and 4.3).

4.4.1 TRAFFIC FUNCTION (KACP)

The Department's traffic function includes the investigation of traffic collisions, enforcement of state and local traffic laws and regulations, and the direction of vehicle traffic. Since there is a close interrelationship between traffic enforcement and all other law enforcement activities, the primary responsibility for enforcing traffic laws and regulation rests with the uniformed patrol component. See § 4.2 for goals and objectives.

4.4.2 TRAFFIC LAW ENFORCEMENT

4.4.2.1 UNIFORM PROCEDURES FOR TAKING ENFORCEMENT ACTION (KACP)

Officers are expected to demonstrate a professional attitude and image and, if possible, seek to improve the relationship between the public and the Department. Officers are also expected to take appropriate enforcement action for violations of the law witnessed or reported to them. This includes violations occurring both on the public way and where applicable off-road vehicles statutes allow.

The public's perception of the Department may be influenced by an officer's demeanor. Enforcement action does not provide the officer a privilege to scold, belittle, berate, or otherwise verbally abuse a traffic violator. The officer and his uniform should present law enforcement at its best: firm, fair, impartial, and courteous.

4.4.2.1.1 Actions Incidental to Traffic Law Violations (KACP)

The following are uniform procedures for taking enforcement action incidental to traffic law violations:

- 1) A physical arrest:
 - a) For driving under the influence of intoxicants or other impairing substance (KRS 189A.010 and 431.005(1)(e), see also alcohol enforcement), or
 - b) When traffic offenses are committed in conjunction with the commission of crimes for which arrest is lawful and necessary.

- c) There may be other incidents in which a violator should be physically arrested. The decision to effect a physical arrest should be based upon sound legal principles as opposed to peripheral issues such as the violator's "attitude."
- 2) A citation only for the majority of traffic offenses.

(Under KRS 431.015(2), a peace officer may issue a citation instead of making an arrest for a violation committed in his presence but may not make a physical arrest unless there are reasonable grounds to believe that the defendant, if a citation is issued, will not appear at the designated time or unless the offense charged is for the following violations committed in his presence:
 - a) KRS 189.290 (Reckless driving),
 - b) KRS 189.393 (Failure to comply with traffic officer's signal),
 - c) KRS 189.520 (DUI involving vehicle other than motor vehicle)
- 3) KRS 198A.010 Operating motor vehicle while under the influence of alcohol or other substance which may impair driving ability
 - a) KRS 189.580 (Leaving the scene of an accident)
 - b) KRS 511.080 (Criminal Trespass in the Third Degree), or
 - c) KRS 525.070 (Harassment), OR

For a violation of KRS 189A.010 (Operating Motor vehicle while under the influence of Alcohol or other substance which may impair driving ability) not committed in his presence, for which an arrest without a warrant is permitted under KRS 431.005(e).
- 4) A verbal warning documented by a contact card, appropriate when the violator commits an act which may be due to ignorance of a local unique ordinance, or a violation of which the driver may not be aware.

4.4.2.1.2 Enforcement Guidelines in Routine Situations (KACP)

The following is intended to provide general guidance for uniform enforcement action in routine situations. In unusual circumstances, where normal procedures would not apply, the officer must decide for himself what enforcement action is proper by drawing on his training, experience, and good judgment. It is not the intent of this directive to supplant an individual officer's judgment, as it would be impossible to regulate enforcement action for every individual traffic violation encountered.

The following are uniform enforcement policies for traffic law violations:

- 1) Driving Under the Influence of Alcohol/Drugs
 - a) Officers should take the enforcement actions stated. (See also § 4.4.2.15, alcohol enforcement countermeasures)
 - b) An officer, with probable cause, may ARREST for DUI involving a motor vehicle even though not committed in his presence (KRS 431.005 (1)(e)).

2) Speed Violations

- a) Verbal warnings documented by contact card/courtesy notice should be issued for speed violation (confirmed by radar/lidar) up to and including nine (9) miles per hour over posted limits.
- b) Violators exceeding the posted speed limit by ten (10) to fifteen (15) miles per hour may be warned or cited, dependent on the seriousness of the violation as determined by any attendant conditions or circumstances.
- c) Violations wherein speeds exceed the legal limits by sixteen (16) miles per hour should be cited. However, hard fast adherence to this policy is not to be substituted for common sense.

3) Other Hazardous Violations

- a) Hazardous violations which result in accidents should be determined by appropriate police investigation and court action.
- b) Depending upon the seriousness of the violation and attendant circumstances, and according to law, officers are expected to issue citations for hazardous violations.

4) Equipment Violations

When a vehicle fixture is found to be missing or when a vehicle is found to be in violation of several equipment requirements, and it is obvious that the owner is aware of the defective equipment, a citation should generally be issued even though this may be the only violation on the vehicle.

5) Public Carrier/Commercial Vehicle

Department guidelines regarding enforcement of traffic laws for private vehicles extend equally to public carriers and commercial vehicles.

6) Other Nonhazardous Violations

Officers are expected to cite or warn other nonhazardous violations committed in their presence dependent on the seriousness of the violation as determined by any attendant conditions or circumstances.

7) Multiple Violations

- a) Enforcement of multiple hazardous violations should follow the same violation guidelines as those for single violations.
- b) Generally, officers should issue one citation in the case of related multiple, nonhazardous violations.

8) Generally, in lieu of instructions to the contrary, it is Department policy to issue warnings (verbal) for a period of thirty (30) days for violations of newly-enacted statutes or ordinances.

9) For Procedures for handling law violations committed by nonresidents, juveniles, legislators, foreign diplomats and military personnel, see § 4.3.32.

4.4.2.2 GENERAL TRAFFIC LAW ENFORCEMENT PRACTICES (KACP)

- 1) One of the basic purposes of traffic law enforcement is to create a deterrent and voluntary compliance with traffic laws. Therefore, traffic patrol efforts are conducted on the principle that:
 - a) People regularly and without natural consciousness of wrongdoing violate laws designed to ensure safe use of the highway,
 - b) The most effective deterrent to traffic law violations is visible patrol in marked vehicles, and
 - c) Prevention as opposed to apprehension, reduces the incidences of traffic collisions.
- 2) Except in extreme emergencies, officers are expected to drive patrol vehicles in compliance with existing laws and in such a manner as to demonstrate exemplary driving behavior (see vehicle operation below).
- 3) In those areas where fixed post observation is necessary to maximize the effectiveness of a selective enforcement effort, officers are expected to park in a conspicuous location and in such a manner that traffic flow is not impeded.
- 4) Unconventional cars may be used in the following manner:
 - a) For traffic patrol with the express approval of the shift supervisor;
 - b) For routine patrol if special enforcement needs exist; and
 - c) For radar/lidar operations as the stationary car in a two-car operation.
- 5) Regarding all traffic enforcement practices, officers are advised of policies within § 4.3 relating to vehicle operation.

4.4.2.3 USE OF AUTHORIZED EMERGENCY EQUIPMENT (SEE ALSO § 4.3.5)

- 1) The proper use of emergency equipment is essential to the safety of the officer and other motorists when unusual conditions exist. Basically, the emergency equipment is used to call attention to an unusual act or condition which presents a hazard to the safe operation and flow of vehicular and pedestrian traffic. Officers have broad individual discretion in the use of this equipment, and the following procedures, directed to traffic law enforcement needs, should be followed unless unusual conditions exist. Emergency equipment includes both blue lights and siren.

Both marked and unmarked police vehicles equipped with blue lights and siren may be used in an emergency response in accordance with the provision of KRS 189.940 and applicable policy contained herein.
- 2) The laws of our state require a motorist, when being approached by an authorized emergency vehicle, to pull as far to the right as is practicable and to stop his vehicle for the purpose of yielding to the emergency vehicle (KRS 189.930).
- 3) The laws of our state do not exempt a police officer or any driver of an authorized emergency vehicle from liability should he fail to drive with due regard for the safety of all persons, even though the emergency equipment (blue light and siren (KRS 189.940(5))) may be in operation at the time (KRS 189.940(7)).

- 4) It shall be the policy of the Bowling Green Police Department that officers utilize emergency equipment:
 - a) When authorized directly to do so by a supervisor, or
 - b) By the nature of a dispatched assignment (§ 4.3.3), or
 - c) When situations confront him that, in his best judgment, indicate the need for the use of emergency equipment.

4.4.2.4 BLUE LIGHTS

- 1) This equipment is used to signal other users of the traffic-way that emergency conditions exist and the right-of-way should be relinquished to the patrol vehicle. The light should be used in situations in which the officer is to take unusual liberties in his driving and to expedite his free movement in order to reach his destination more quickly.
- 2) The light is also used to signal violators to drive to the extreme right of the roadway and stop.
- 3) Emergency lights shall be utilized in the following circumstances:
 - a) To signal other users of the traffic-way that emergency conditions exist and the right-of-way should be relinquished to the patrol vehicle. (It cannot, however, be safely assumed by the officer that the light will be sufficient to assure the right-of-way, even though the law gives the right-of-way to emergency vehicles when emergency conditions exist. (See also KRS 189.940(5)(a)(b).)
 - b) When stopping traffic violators. (It may be necessary to utilize both emergency lights and siren to effect the stop.)
 - c) When assisting motorists parked/stopped in hazardous locations.
- 4) Officers are directed to the following policies within § 4.3, chapter 4.3 - patrol operations, having to do with the use of emergency blue lights and siren during a pursuit, response to an emergency, and response to crimes in progress:
 - a) § 4.3.4, procedures for response to calls (kacp);
 - b) § 4.3.5, emergency vehicle operation (kacp), (see also § 4.4.2.3; 4.3.29);
 - c) § 4.3.6, hot pursuits (kacp); and
 - d) § 4.3.7, hot pursuit procedures (kacp) .

4.4.2.5 SIREN

- 1) The siren is frequently used simultaneously with the blue light. The officer should be discreet in his use of the siren as it frequently complicates traffic problems. Under extreme conditions, such as pursuit at high speeds, the siren should be actuated continuously. (See KRS 189.940(5))
- 2) The siren should also be used to signal violators to drive to the right of the road when other means of attracting the violator's attention have failed.
- 3) Officers should use the siren based on existing traffic, roadway conditions, and the urgency of their early arrival. (See KRS 189.940.)

- 4) Emergency lights and siren in combination should be utilized in the following circumstances:
 - a) During pursuit situations.
 - b) When responding to an emergency.
 - c) When responding to a crime in progress if necessary to violate traffic regulations.

4.4.2.6 SPOTLIGHT

The spotlight should be used as a protection to the officer when hazardous conditions exist. For example, following a traffic stop, the spotlight may be used to illuminate the interior of the violator's car so that all occupants are kept within view and at a distinct disadvantage when looking back toward the police vehicle and officer. In this situation, the officer should exercise care in remaining behind the spotlight so he is not at the same disadvantage and silhouetted by the light.

The spotlight should not be used to signal violators to stop due to the possibility of temporary blindness of the violator and other drivers due to the glare created by the spotlight.

4.4.2.7 PUBLIC ADDRESS SYSTEM

The public address system is particularly valuable when stopping a traffic violator. The desired actions of the violator can be directed from a safe distance, minimizing the hazard to the officer.

The public address system is also valuable in directing persons when unusual conditions exist, such as the traffic artery temporarily obstructed, alerting pedestrians to hazardous conditions or elements, and communicating with other persons concerned with relieving the emergency conditions.

4.4.2.8 MOBILE VIDEO, BODY WORN CAMERAS, AND AUDIO RECORDING EQUIPMENT

This section provides guidelines for the use of mobile video, body worn cameras, and audio recording equipment.

Mobile video recording (MVR) equipment has been demonstrated to be of value in the prosecution of traffic violations and related offenses, in evaluation of officer performance as well as training. The Bowling Green Police Department has adopted the use of body worn cameras to further the mission of the department and enhance service to the community by accurately documenting events, actions, conditions and statements made during citizen encounters, traffic stops, arrests and other incidents in order to promote officer and public safety.

The Body Worn Camera (BWC) allows hands-free video and audio recording of important or critical incidents from the perspective of the user as they are occurring. This allows the officer to record locations and activities that are not available to in-car recording equipment. The BWC may be used as a stand-alone recorder or in conjunction with, and to supplement, the Mobile Video Recorder (MVR). Officers will only utilize the BWC issued by the BGPD. The BWC shall only be used by officers working in an official law enforcement capacity. This policy does not govern the use of covert recording devices, such as those used in undercover operations.

In order to maximize the utility of this equipment in these and related areas, officers shall follow the procedures of MVR and BWC equipment use as set forth in this section.

4.4.2.8.1 MVR Objectives

BGPD has adopted the use of in-car video, point of view, and audio recording systems to accomplish several objectives, including:

- 1) Accurate documentation of events, actions, conditions and statements made during arrest and critical incidents, so as to enhance officer reports, collection of evidence and testimony in court; and
- 2) The enhancement of BGPD's ability to review probable cause for arrest, arrest procedures, officer and suspect interaction, and evidence for investigation and training.

4.4.2.8.2 MVR Operating Procedures

Officers shall adhere to the following procedures when utilizing recording equipment.

- 1) MVR equipment installed in vehicles is the responsibility of the officer assigned to that vehicle and will be maintained according to manufacturer's recommendations. Officers shall not operate the Digital MVRs with the console unit in the unlocked position. Any changes to the system via an unlocked console (supervisor's key) shall be made by supervision, fleet, or the system administrator during non-enforcement activities. No changes shall be made to digital settings or settings of the system without the authorization of shift commanders and/or the system administrator. This does not include manually moving the camera lens to ensure it is properly positioned to capture video or zooming the camera to capture additional videos.
- 2) Prior to each shift, officers shall determine whether their MVR is working satisfactorily and shall immediately notify the on-duty supervisor and fleet maintenance on any issues that prevent the system from functioning correctly.
- 3) Vehicle installed MVR equipment will automatically activate when the vehicle's emergency warning devices are in operation. The equipment may be manually deactivated during non-enforcement activities such as when protecting accident scenes from other vehicular traffic. Point of view and audio recording devices must be activated and deactivated manually.
- 4) Where possible, officers should ensure that equipment is operating in order to record traffic stops or other enforcement actions. In so doing they will ensure that:
 - The video recorder is positioned and adjusted to record events;
 - The MVR is not deactivated until the enforcement action is completed, and
 - Their wireless microphone is activated in order to provide narration with the video recording to explain the reason for their current or planned enforcement action.
- 5) Where possible, officers shall also use their equipment to record:
 - The actions of suspects during interviews, when undergoing sobriety checks or when placed in custody if the recording would prove useful in later judicial proceedings; and
 - The circumstances at crime and accident scenes or other events such as the confiscation and documentation of evidence or contraband.

- 6) Officers shall not erase, reuse or in any manner alter recordings. Officers shall not delete any digital media.
- 7) Officers shall ensure that they are equipped with an adequate supply of hard drive storage space to complete their tour of duty. The digital MVR videos shall be downloaded by removable hard drive and/or wireless uploads via the departmentally controlled access points. Downloading should be completed in a timely manner or following any incident of serious nature. Point of view and audio recording devices should be downloaded at the end of each tour of duty or as directed by a supervisor.
- 8) All completed recordings shall be properly labeled and identified prior to being submitted with related documentation into the appropriate storage device/server.
- 9) Officers are encouraged to inform their supervisor of any sequences that may be of value for training purposes.
- 10) Officers will note in incident report, arrest (citation) and contact card, video / audio recordings that were made during the incident in question and depending on circumstances as to what forms are needed.
- 11) Officers shall categorize each digitally recorded incident in accordance with the following pre-assigned categories. The videos recorded shall be placed into the most appropriate category. (Point of view devices require that the categories be manually typed into the file management software upon being downloaded). In the event that the video meets the qualifications for more than one category the higher level category shall be selected. Example: A DUI arrest is made and recorded on the MVR. However during the stop the arrestee is also charged with a felony. "Felony" should be the category selected. The following is a list of the applicable categories and their definitions:

Accident – Collision investigations and collisions captured involving non-police vehicles.

Emergency Response – Response to calls for service that involve any emergency equipment.

DUI – Impaired driver contacts (non-felony). Felony

- (Includes traffic related felonies) Disturbance – Events captured (fights, crowds, etc).

Escorts/Parades – Escorts and parades that require emergency equipment use.

Interviews – Non-traffic

Non-DUI Arrests – Captured arrests that are not felony, traffic, or DUI related.

Traffic Stop – Any traffic related video excluding arrest DUI or Felony

Motorist Assist – Non-enforcement actions related to stalled or disabled vehicles that require the use of emergency equipment.

Vehicle Pursuits – Any police pursuits. This also includes any collisions involving police vehicles.

No Police Actions – Recordings made during training or accidental recordings. These recordings do not contain any citizen contact or police related actions.

Unassigned – Default not for storage purposes.

Use of Force – Recordings made that include use of force.

Each of the listed categories has predetermined retention times. The retention times are controlled internally by the propriety software.

Accident –	90 Days
Emergency Response -	90 Days
DUI -	5 Years
Felony -	Indefinitely
Disturbance -	90 Days

Escorts/Parades -	90 Days
Interviews -	180 Days
Non-DUI Arrests -	1 Year
Traffic Stop -	90 Days
Motorist Assist -	90 Days
Vehicle Pursuits -	Indefinitely
No Police Actions -	90 Days
Unassigned -	Indefinitely
Use of Force -	Indefinitely

4.4.2.8.3 MVR Recordings Control and Management

- 1) MVR recordings containing information that may be of value for case prosecution or civil adversarial proceeding shall be safeguarded as other forms of evidence. As such, these recordings will:
 - Be subject to the same security restrictions and chain of evidence safeguards as detailed in BGPD's evidence control policy;
 - Not be released to another criminal justice agency for trial or other reasons without having a duplicate copy made and returned to safe storage; and
 - Will not be released to other than bona fide criminal justice agencies without prior approval of the Chief of Police or his designee; except as is required to be in compliance with the Kentucky Open Records Laws.
- 2) MVR recordings not scheduled for court proceedings or other adversarial or Departmental uses shall be maintained according to the predetermined retention schedule listed in 4.4.2.8.2

4.4.2.8.4 MVR Supervisory Responsibilities

Those who manage officers equipped with MVR equipment shall ensure that:

- 1) All officers follow established procedures for the use and maintenance of MVR equipment, handling of video / audio recordings and the completion of MVR documentation;
- 2) Should randomly review recordings to assist in periodic assessment of officer performance. The review shall be done on a monthly basis for all probationary officers and at least quarterly for non-probationary officers.
- 3) Repairs and replacement of damaged or nonfunctional MVR equipment is performed; and
- 4) All statistical reporting requirements are being completed as required to ensure adequate program evaluation.

4.4.2.8.5 MVR Recordings Duplication

- 1) All recording media, recorded images and audio recordings are the property of the Bowling Green Police Department. Dissemination outside of the agency is strictly prohibited without specific written authorization of the Chief of Police or his designee.
- 2) Persons authorized to create copies of MVR recordings are determined by the Chief of Police and must have his written permission prior to creating any copy of an MVR recording.

- 3) Any copies made shall be utilized for viewing by investigators, patrol officers, training personnel, and the courts for official purposes only. Officers shall not duplicate MVR recordings for personal use.
- 4) On duty recordings (audio, video, still images) made in an effort to document perishable evidence via personally owned devices (cell phones, smart phones, tablet computers, cameras, etc.) must be submitted into Evidence in the manner described in 4.6.5 and are subject to the prohibitions listed in 4.4.2.8.3.

4.4.2.8.6 Body Worn Camera Objectives

The BYPD has adopted the use of the BWC to accomplish the following objectives:

- 1) Enhance the public's trust by preserving factual representations of officer-citizen interactions in the form of video and audio recordings, strengthening departmental transparency and reducing complaints.
- 2) Document statements and events during the course of an incident.
- 3) Enhance the officer's ability to document statements and actions for both internal reporting requirements and for court preparation/presentation.
- 4) Preserve visual and audio information for use in current and future investigations.
- 5) Provide an impartial measurement for self-critique and field evaluation during officer training.
- 6) Enhance officer safety.
- 7) Allow for the supervisory review of officer-citizen contacts, critical incidents and other police operations.

4.4.2.8.7 Body Worn Camera Procedures

It is the intent of this policy that all officers who will be using BWC equipment shall be trained on the manner in which the BWC shall be tested, maintained, used and how the recorded events will be properly documented and maintained as evidence in future judicial proceedings.

- 1) It shall be the responsibility of each individual officer to test the BWC equipment at the beginning of each tour of duty. Officers equipped with the BWC will ensure that the batteries are charged prior to the beginning of their shift or special event.

In the event that the equipment is found to be functioning improperly, the officer shall report the problem immediately to their immediate supervisor so that the information can be documented, and arrangements made for repair.

- 2) Patrol officers in uniform will wear BWC at all times while on-duty and actively working in the patrol function or a special detail. BWC will be worn according to manufacturer's specifications and/or recommendations. Officers will make every reasonable effort to ensure that the BWC recording equipment is capturing events by positioning and adjusting the BWC to record the event. Officers are authorized to utilize body worn video recorders during law enforcement events when the officer is a party to the conversation.
- 3) It is the policy of this agency to record with audio and video the following incidents:
 - a. All calls for service in which citizen contact is made

- b. All traffic stops
- c. All citizen transports (excluding ride-alongs)
- d. All investigatory stops
- e. All foot pursuits

Examples of these incidents include, but are not limited to:

- i. Arrest of any person
 - ii. Searches of any kind
 - iii. Seizure of any evidence
 - iv. Request for consent to search
 - v. Miranda warnings and response from in-custody suspects
 - vi. Statements made by citizens and suspects
 - vii. K-9 searches of vehicles
 - viii. Issuances of Written Violations
 - ix. Arriving at law enforcement events and/or citizen contacts initiated by other officers
 - x. Other incidents the officer reasonably believes should be recorded for law enforcement purposes
- 4) Under normal circumstances, officers should activate their body worn cameras prior to making citizen contact in each of the following situations:
- a. Any officer initiated field contacts involving actual or potential violations of the law including traffic stops, pedestrian or vehicle contacts;
 - b. Upon being dispatched to, and/or when responding to assist on, any and all calls for service, as soon as practical and when it can be safely done while inside the cruiser;
 - c. When engaged with a citizen for the purpose of investigating or assisting in the investigation of suspected criminal activity; and
 - d. While executing searches of individuals, personal property, vehicles, and premises.

There are many situations when to activate the body-worn camera, however, this policy is not intended to describe every possible circumstance.

The safety of officers and members of the public is the highest priority, and there may be situations in which the operation of the device is impractical or may be an impediment to public and officer safety. Additionally, the Department recognizes human performance limitations during particularly stressful, critical situations.

Officers shall make every effort to record non-enforcement contacts should they become confrontational, assaultive or enforcement-oriented. In addition to the required conditions, personnel may activate the system any time they feel its use would be appropriate and/or valuable to document an incident. Also, officers shall not be required to activate or deactivate their body worn camera based solely on the request or demand of a citizen, but rather rely on their training and this policy to direct their use of the body worn camera.

- 5) The recording shall continue until the law enforcement event or citizen contact is completed and the citizen involved departs or until the officer, who is recording the event through a BWC discontinues his or her participation in the law enforcement event or citizen contact by leaving the scene. In the event an officer deems it necessary to stop recording, he or she will make a verbal statement of their intent to stop the recording and the reason.

- 6) When a BWC recording is being entered into the property and evidence storage and management area of the agency it should be done according to existing agency policy governing the submission of property/evidence.
- 7) If an officer assigned BWC equipment participates in a law enforcement event or citizen contact and becomes aware that the event was not recorded using the BWC equipment, the officer shall notify their supervisor that the stop was not recorded and should notify them as to the reasons. The notification to the supervisor shall be in writing and shall be forwarded through the chain of command.
- 8) Officers shall ensure that they are equipped with an adequate supply of hard drive storage space to complete their tour of duty. The BWC videos shall be downloaded to the hard drive located in each cruiser by removable hard drive and subsequently uploaded via the departmentally controlled access points. Downloading should be completed in a timely manner or following any incident of serious nature.
- 9) All completed recordings shall be properly labeled and identified prior to being submitted with related documentation into the appropriate storage device/server.
- 10) Officers are encouraged to inform their supervisor of any sequences that may be of value for training purposes.
- 11) Officers will note in incident report, arrest (citation) and contact card, video / audio recordings that were made during the incident in question and depending on circumstances as to what forms are needed.
- 12) Officers shall categorize each digitally recorded incident in accordance with the following pre-assigned categories. The videos recorded shall be placed in to the most appropriate category. In the event that the video meets the qualifications for more than one category the higher level category shall be selected. Example: A DUI arrest is made and recorded on the BWC. However during the stop the arrestee is also charged with a felony. "Felony" should be the category selected. The following is a list of the applicable categories and their definitions:

Accident – Collision investigations and collisions captured involving non-police vehicles.

Emergency Response – Response to calls for service that involve any emergency equipment.

DUI – Impaired driver contacts (non-felony).

Felony - (Includes traffic related felonies)

Disturbance – Events captured (fights, crowds, etc).

Escorts/Parades –Escorts and parades that require emergency equipment use.

Interviews – Non-traffic

Non-DUI Arrests – Captured arrests that are not felony, traffic, or DUI related.

Traffic Stop – Any traffic related video excluding arrest DUI or Felony

Motorist Assist – Non-enforcement actions related to stalled or disabled vehicles that require the use of emergency equipment.

Vehicle Pursuits – Any police pursuits. This also includes any collisions involving police vehicles.

No Police Actions – Recordings made during training or accidental recordings. These recordings do not contain any citizen contact or police related actions.

Use of Force – Recordings made that include use of force. Each of the listed categories has predetermined retention times. The retention times are controlled internally by the propriety software.

Accident –	90	Days
Emergency Response -	90	Days
DUI -	10	Years
Felony-		Indefinitely
Disturbance -	90	Days
Escorts/Parades -	30	Days
Interviews -	180	Days
Non-DUI Arrests -	1	Year
Traffic Stop -	90	Days
Motorist Assist -	30	Days
Vehicle Pursuits -		Indefinitely
No Police Actions -	30	Days
Unassigned -		Indefinitely
Use of Force -		Indefinitely

Each of the above categories has an “Evidence” option with the exception of “No Police Action”, and “Unassigned”. When selected, the system will direct that an evidentiary DVD of the incident be automatically created and stored in the Property/Evidence room.

4.4.2.8.8 Body Worn Camera Issues Related to Privacy

- 1) The BWC should not be activated when the officer is on break or otherwise engaged in personal activities. Additionally, BWC should not generally be activated in areas such as a restroom or locker room unless the recording is required for a specific law enforcement activity. Officers have the right to record if they have a legal right to be at, or in, the location (e.g. responding to a call for service, pursuant to a valid search warrant, consent of the resident).
- 2) For safety and confidentiality reasons, encounters with undercover officers or confidential informants should not be recorded.
- 3) BWC are not required to be activated while engaged in training, inside a courtroom, or while giving court testimony.
- 4) Undercover contacts or plainclothes contacts are exempt from this policy where utilizing a camera may create a dangerous situation or otherwise diminish the investigative success of the operation.
- 5) BWC activation is limited to situations involving official police activities authorized by law or court order, including consensual citizen encounters and investigation of law violations.
- 6) The purposeful-intentional activation of BWCs during personal conversations between officers and between officers and supervisors involving counseling, guidance sessions, or personnel evaluations is prohibited.

- 7) The BWC shall not be used for non-law enforcement/personal use or to record personal activities. Officers shall not post recordings to any website, including social media websites. Officers shall not use other devices (e.g. cell phones, cameras) to record video and/or audio from the BWC.

4.4.2.8.9 BWC Supervisory Responsibility

- 1) The original digital files from body worn video recorders will be downloaded and stored on a designated storage location to prevent destruction. Officers will make every reasonable attempt to download video and audio files before the end of each shift.
- 2) Non-evidentiary video and audio recordings will be maintained on the designated storage location according to KRS and/or the applicable records retention schedule after their creation.
- 3) This media will be subject to the same restrictions and chain of evidence safeguards as detailed in the agency evidence control procedures.
- 4) Media will be released to another criminal justice agency for trial or other reasons by having a duplicate copy made. All recording media, recorded images and audio recordings are the property of this agency. Dissemination outside the agency, other than for court proceedings, is strictly prohibited without specific authorization of the agency head or designee.
- 5) 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 office BWC technician or forensic media staff.
- 6) Unauthorized and/or malicious destruction, editing, or deletion of video and audio files is prohibited.
- 7) All digital video and audio files are subject to open records request as allowed by Kentucky law. Recordings that are the subject of a denied open records request must be maintained until the dispute between the agency and the person or entity requesting the recordings is resolved.
- 8) Digital media from the BWC shall be stored on a secured server with access limited to supervisory personnel designated by the Chief.
- 9) At least once every 60 day period, supervisors should review a taped event of each officer. The supervisor will document this review under the officer's name.
- 10) Supervisors should use these reviews as a quality control measure. Following such a review, the supervisor will hold a meeting with the officer and provide the officer with either positive reinforcement or constructive criticism with respect to the activity reviewed. Constructive criticism may relate to officer safety issues, demeanor, policy issues or legal issues related to the stop as well as any other supervisory observation relative to performance.
- 11) In cases of infractions, the agency head or his/her designee shall determine proper disciplinary or corrective action.

4.4.2.9 VEHICLE STOPS: GENERAL (KACP)

Officers should follow the following pre-stop guidelines for "routine" vehicle stops:

- 1) Advise communications of the following:
 - a) The intended location of the stop,
 - b) A brief description of the vehicle and its license number, and
 - c) A description of the occupants if necessary.
- 2) The location of the stop should be planned. Stops on hills, curves, intersections, private drives and business locations having limited parking should be avoided (see below).

The following are general guidelines for stopping the vehicle:

- 1) Pick your location for the stop where there is adequate lighting (if possible) and where you will not be at too great a disadvantage.
- 2) Position the cruiser at the rear of the violator and signal him to stop, utilizing emergency equipment. Normally, the spot light will not be used (see § 4.4.2.6, spotlight).
- 3) Normally, the violator should stop at the right side of the road. Officers are reminded that on multi-lane roadways, lane changes may be necessary. (Should the violator stop abruptly in the wrong lane or in another undesirable location, he may be directed to move to a safer location.)
- 4) If time permits, do not attempt to stop vehicles in which felons are suspected to be or vehicles whose occupants are expected to render resistance, unless backup units are readily available.
- 5) If you choose during a solo "routine" vehicle stop to address the driver from the driver's side of his vehicle, you may stop your vehicle behind and slightly to the left of his vehicle in order to provide a protected space for standing. Leave about 15 feet to a full car length between the two vehicles. A passenger-side approach should be considered.
- 6) For non-routine stops, two-officer teams are the preferred vehicle stop procedure.
- 7) If you choose to approach a stopped vehicle, always do so cautiously attempting to keep its occupants under close scrutiny.
 - a) Approach from the rear and look into the rear seat area.
 - b) Stop at a point to the rear of the trailing edge of the left front door.
- 8) Do not stand where a vehicle's door may be used against you. Always be alert for emergencies.
- 9) Maintain a pleasant, professional, business-like, but firm presence.
- 10) When returning to your vehicle for administrative purposes, advise the stopped vehicle's occupant(s) to stay within their vehicle.
- 11) When returning to the stopped vehicle, approach again with caution.
- 12) During any stop, always remain cognizant of your safety, the safety of those within the stopped vehicle, and the safety and convenience of other motorists upon the highway.

4.4.2.10 VEHICLE STOPS: KNOWN OR SUSPECTED FELONS (KACP)

4.4.2.10.1 Pre-stop Guidelines

- 1) Advise communications of the following:
 - a) The vehicle's location and direction of travel,
 - b) A thorough description of the vehicle, and
 - c) A description of the occupants.
- 2) Keep the suspect vehicle in view.
- 3) Request assistance for the stop.
- 4) Keep supporting units informed of the vehicle's location and direction of travel to facilitate their approach with minimal use of emergency equipment.
- 5) The suspect vehicle should not be stopped unless absolutely necessary until adequate back-up is available and in position.

4.4.2.10.2 General Guidelines for Stopping the Vehicle

- 1) Plan to stop the suspect vehicle in a location presenting minimal danger to other citizens.
- 2) Position the cruiser at the rear of the suspect vehicle and signal the suspect to stop, utilizing emergency equipment.
- 3) Stop the suspect on the extreme right side of the road.
- 4) If the suspect is known to be armed, have your weapon easily accessible and ready for use.
- 5) When the suspect vehicle begins to stop, turn off the siren and activate the P.A. System.
- 6) Even during the day, all lights, especially the spot lights, should be focused on the interior of the suspect vehicle.

4.4.2.10.3 Guidelines Preliminary to Approaching the Suspect(s)

- 1) Exit the police vehicle quickly but remain behind the door and accessible to the public address system microphone.
- 2) Using the public address system, the officer in command should direct each occupant to remove himself from the vehicle according to specific directions and into the street.
- 3) The officer in command should give instructions to the support officer, even if not needed, to assure the suspects that additional support is available.
- 4) The support officer should not give additional commands as this would tend to confuse the suspects.

4.4.2.10.4 Guidelines for Approaching the Suspect(s)

- 1) When all occupants have been removed from the vehicle, the support officer should position himself to cover the arresting officer while the suspect(s) is being searched.
- 2) Caution should be exercised to stay out of the line of fire.

4.4.2.10.5 Guidelines for Searching and Securing of Suspect(s)

- 1) Suspects should be ordered into the prone, face-down position, with hands and arms fully extended.
- 2) If terrain or room does not permit the prone position, suspect(s) should be ordered to a kneeling position, with legs crossed, and with hands behind the head with fingers interlaced.
- 3) If suspects are in the kneeling or prone position, handcuffs should be used immediately. Only then should the suspect be searched.

(Remainder of page reserved.)

4.4.2.11 OFFICER / TRAFFIC VIOLATOR RELATIONS (KACP)

Traffic violation enforcement is one of the many routine tasks performed by police officers, but for violators it frequently is an emotionally traumatic experience. The Department seeks to make every traffic violator contact educational, leaving him with the impression that the officer has performed a necessary task in a professional and friendly manner.

The following are general guidelines for officers in the conduct of their relations with traffic violators:

- 1) Be alert for the unexpected, but do not be obviously apprehensive.
- 2) Be absolutely certain the observations of the traffic violation were accurate without reservation.
- 3) Present a professional image in dress, grooming, language, bearing, and emotional stability.
- 4) Be prepared for the contact by having the necessary equipment and forms immediately available.
- 5) Decide on appropriate enforcement action based upon the violator's driving behavior, not attitude. In most cases, it is advisable to have the form of enforcement action decided prior to the initial contact with the violator.

The following are general operational guidelines for officers in the conduct of their relations with traffic violators:

- 1) Greet the violator with an appropriate title and in a courteous manner.
- 2) Inform the violator what traffic law he has violated.
- 3) When requesting identification, vehicle registration or driver's license, accept only the document, not the wallet in which it might be contained.
- 4) Allow the driver to discuss the violation.
- 5) Do not argue, berate, belittle, or otherwise verbally abuse the violator.
- 6) Complete the forms required for the enforcement action taken or Contact Card.
- 7) Explain to the violator exactly what he is supposed to do in response to the citation and how it will affect him. If the enforcement action requires a court appearance, make sure the violator knows where and when. Explain any alternatives to the violator, but do not predict the actions of the court.
- 8) Return the violator's driver's license and a copy of the citation.
- 9) Be alert to any emotional stress exhibited by the driver. If stress is present, he may need to calm down before resuming operation of his vehicle. The instructions may also have to be repeated.
- 10) Assist the violator in safely re-entering the traffic flow. Do not follow the violator; wait until the motorist has pulled away, and turn off his path as soon as practical.

4.4.2.12 ENFORCEMENT OF SUSPENDED OR REVOKED OPERATOR'S LICENSE - OTHER THAN DUI SUSPENDED

Officers having contact with the operator of a motor vehicle; and observing the operation of a motor vehicle by the operator in question; and having verifiable reason to believe that the status of the operator's license of the operator in question is suspended for anything other than DUI (i.e., Failure to Appear, Failure to Pay, etc.) should take the following actions:

- 1) In most cases the officer should cite the operator of the motor vehicle unless there are other charges that would normally result in the lawful physical arrest of the operator of the vehicle; or there are additional factors that would make an arrest of the operator prudent.

- 2) There may be cases where the operator of a motor vehicle normally would be cited for "Operating on Suspended License" only, but it may be prudent – based on additional factors to make a physical arrest.
- 3) The following guidelines should be utilized to make an enforcement decision:

Citation in lieu of an arrest if the operator:

- a) Is a resident of Warren County;
- b) Has proper identification or can otherwise be identified;
- c) Is not being charged with any other offenses that may result in an arrest; or
- d) There is no other compelling reason that would justify the physical arrest of the operator.

Arrest in lieu of a citation if the operator:

- a) Is not a resident of Warren County;
- b) Has no identification or cannot otherwise be identified;
- c) Has one or more additional charges that may result in an arrest; or
- d) There is a compelling reason, in addition to the suspended license status, to make an arrest.

4.4.2.13 ENFORCEMENT OF A DUI SUSPENDED OPERATOR'S LICENSE

Officers having contact with the operator of a motor vehicle; and observing the operation of a motor vehicle by the operator in question; and having verifiable reason to believe that the status of the operator's license of the operator in question is suspended for DUI should take the following actions:

- 1) In most cases the officer should make a physical arrest of the operator of the motor vehicle.
- 2) Officers may cite for "Driving DUI Suspended" if there are additional factors that would make citing in lieu of a physical arrest prudent.
- 3) The officer should use his discretion when determining the best course of action.

4.4.2.14 GUIDELINES FOR THE USE OF LIDAR (KACP)

- 1) LIDAR (Light Detection and Ranging) as a speed measuring device is used in high or potentially high accident locations when speed is a factor, areas where speed violations are prevalent, and in response to citizen complaints concerning speeding motorists.
- 2) The Department requires all speed measuring device operators to complete a course of instruction approved by the Bowling Green Police Department and receive certification prior to engaging in speed enforcement activities.
- 3) Equipment used for speed measuring must meet standards approved by National Highway Traffic Safety Administration.
- 4) The Department's LIDAR instructors are responsible for:
 - a) Assuring that officers are properly trained in the use of LIDAR units.

- 5) Officers are expected to operate LIDAR units in compliance with approved training and the following general operational guidelines:
 - a) The effective range of the particular LIDAR unit must be thoroughly understood by the operator so visual observations can support the unit's readings.
 - b) The operator must choose an appropriate location relative to traffic incidents or complaints in which speed has been identified as a factor. The location will also be conducive to the effective and safe operation of LIDAR.
- 6) The following elements must be established in court:
 - a) The officer must establish the time, place, and location of the vehicle that was checked; the identity of the operator, and the estimated and actual speed of the vehicle.
 - b) The officer must establish his qualifications and training.
 - c) The officer must establish that the LIDAR unit was operating properly.
 - d) The officer must identify the vehicle as the violator and must make a visual observation of its apparent speed.

4.4.2.15 ALCOHOL ENFORCEMENT COUNTERMEASURES

Drivers impaired by alcohol and/or drugs represent a serious threat to the life and safety of persons using the streets and highways of this state, and consequently a comprehensive, coordinated countermeasures program involving education, enforcement, adjudication, treatment and public support is essential if the program is to have long term success in combating the DUI problem.

The Department fully supports comprehensive cooperative DUI countermeasures, and has established DUI enforcement as a high priority.

The detection and arrest of impaired drivers differs significantly from other traffic law enforcement. Specific statutes apply to driving while under the influence of alcohol and/or drugs (KRS 189A.010), implied consent and chemical tests for intoxication (KRS 189A.103), and establish legal limits of impairment or intoxication (KRS 189A.010). These statutes include provisions which affect an officer's authority and establish procedures for conducting chemical tests and initiating DUI sanction process.

The following are Department training provisions for DUI enforcement:

- 1) All sworn officers are provided DUI enforcement training during basic training provided by the Department of Criminal Justice Training.
- 2) All Department personnel conducting evidential tests for intoxication shall complete operator training provided by the DOCJT and become certified in its operation.

Detection is the first step in any DUI enforcement action. The officer's observations in this stage are crucial in establishing probable cause upon which the arrest decision is based. The following are screening and pre-arrest tasks:

- 1) Recognize and identify specific driving behaviors that have a probability of signifying that the driver may be impaired by alcohol and/or drugs.
- 2) Recognize and identify specific driving or other behaviors occurring during vehicle stops that provide additional evidence/suspicion that the driver may be impaired.
- 3) Note all observations leading to the suspicion that the driver may be impaired.

- 4) Notify communications of location, vehicle description, and reason for stop.
- 5) Summon assistance if necessary.
- 6) Once the vehicle has stopped and the driver is impaired, do not allow the driver to move the vehicle.
- 7) Approach the vehicle with caution, but with minimal delay.
- 8) Obtain driver license and/or other appropriate documents (e.g., registration).
- 9) Interview driver and passengers.
- 10) Recognize and identify specific characteristics, attitudes, and actions commonly manifested by impaired drivers during face-to-face contact.
- 11) Note all observations leading to the suspicion that the driver may be impaired. If probable cause exists to support your suspicion, request the driver to exit the vehicle for further investigation.
- 12) If the vehicle was not observed in motion, determine if probable cause exists to charge driver with actual physical control (see KRS 431.005(e)).
- 13) Request the subject to exit the vehicle and move to a safe location to conduct field sobriety tests.
- 14) Select and administer appropriate field sobriety tests to assess impairment (e.g., horizontal gaze, one-leg stand, and walk and turn).
- 15) Formulate appropriate arrest decision based on the evidence accumulated in the above steps.

The following are arrest and processing procedures for DUI enforcement:

- 1) If all elements of the DUI violation (e.g., a person operates; a motor vehicle; while under the influence of alcohol, or any other substance which may impair one's driving ability; anywhere in this state) have been clearly established, officers should effect a physical arrest of the subject.
- 2) Handcuff and search the subject.
- 3) Notify subject of his rights and responsibilities (e.g., implied consent (KRS 189A.103)).
- 4) Secure the vehicle and property; arrange for transportation/safety of any passengers.
- 5) Transport the subject to the Regional Jail for evidential testing and processing.
- 6) Evidential testing:

Conduct evidential test(s) in accordance with state/local requirements:

- a) This Department designates (KRS 189A.103(1)) the breath testing equipment which is provided by the State and located at the Regional Jail.
- b) Blood tests should be used under those circumstances when such tests appear the most reasonable means for collecting the necessary evidence (e.g., if drugs are suspected as the primary intoxicant instead of alcohol). Under these circumstances, an officer may request a blood test drawn at the Medical Center. (All blood test packets shall then be submitted into evidence for the Property Custodian.)
- c) The arrested person shall be given an opportunity to submit to a test requested by the officer. The arresting officer should advise the arrested suspect of the implied consent law and ask him if he will submit to the test, i.e., "Will you take the test?" The suspect is deemed to have given his consent (KRS 189A.103(1) to one (1) or more tests of his blood, breath, and urine, or combination thereof, for the purpose of determining alcohol concentration or presence of a substance which may impair one's driving ability, if arrested for any offense arising out of a violation of KRS 189A.010(1) or 189.520(1). If requested, the suspect shall be permitted to have a duly licensed physician of his own choosing administer a test (at his own expense) in addition to the one administered at the direction of the police officer (KRS 189A.103(7)).

- 7) Complete required forms:
 - a) The Uniform Citation, contact card, vehicle inventory report (if vehicle impounded), and electronic evidence entry.
 - b) A check of the subject's current driving status should also be routine.
- 8) Incarcerate the suspect.
- 9) Forward citation and all supporting documents through proper channels.

4.4.2.16 CITATIONS (KACP)

- 1) KRS 431.450 provides that all police officers in the Commonwealth shall use the uniform citation for all violations of the traffic laws and for all felonies, misdemeanors and violations. Under KRS 431.015(4), if an arrest is made, and a citation issued, for the same offense, the word "arrested" is to be placed on the citation in the place provided for the date of court appearance. The local court system accepts the uniform citation as a post-arrest complaint (RCr 3.02(2)).
- 2) Some of the offenses listed in KRS 431.452 require the defendant to appear in court; that is, the defendant cannot prepay the fine and thus get out of having to appear in court.
- 3) But other offenses listed in KRS 431.452 allow prepayment; that is, the defendant, before his trial date, may pay, to the circuit clerk, the minimum fine for the offense plus court costs. This is considered the same as a guilty plea, and the defendant does not have to appear in court. When an officer cites for a pre-payable offense, he is to mark "PAYABLE" on the uniform citation and provide the defendant the standard instruction sheet. However, even if an offense is listed as pre-payable, the citing officer may ignore this and require a court appearance if:
 - a) The commission of the offense created a substantial harm or threat of harm to lives or property; or
 - b) The commission of the offense was, due to the nature of the circumstances, particularly aggravated or flagrant; or
 - c) The defendant was known by the officer to have been previously convicted of the same offense.
- 4) If a citing officer wishes to require a court appearance for an offense listed as pre-payable, he is to mark the citation in such manner as to require a court appearance on the appropriate date (KRS 431.452). An officer may cite a person to appear in court (no arrest made) for any traffic offense (except DUI) committed in his presence.
- 5) At the time a motorist is charged with a traffic offense, the charging officer provides information relative to the specific charge, to include:
 - a) Court appearance schedule;
 - b) Whether court appearance by the motorist is mandatory;
 - c) Whether the motorist may be allowed to prepay a fine (by mail or in person); and
 - d) The address of the court and the clerk's office.

4.4.2.17 CITATION CONTROL (KACP)

- 1) The citation in Kentucky forms the basis for prosecution and ultimate adjudication of traffic offenses, felonies, misdemeanors, and violations; thus it is essential that specific procedures be followed from the point that citation books are received by the Department through ultimate adjudication and disposition of each individual citation.
- 2) The provisions codified in KRS 431.450 and 431.455 are designed to set up a system of accountability to the public of uniform citations. It is quite clearly the intention of those statutes that all citations are to be dealt with uniformly and that they are not to be "wrongfully destroyed, tampered with, or otherwise compromised in any manner." (KRS 431.450(3)) The statutory scheme of accountability is set out in detail in KRS 431.450:
 - a) The Department of state police in consultation with the transportation cabinet shall design, print, and distribute to all law enforcement agencies in the Commonwealth a uniform citation.
 - b) The citation shall:
 - Be approved by the Supreme Court;
 - Consist of an original document and five (5) copies;
 - Be serially numbered in such a manner that the year of issue and the individual citation number may be readily ascertained; and
 - Contain such other information as may be required by the Supreme Court.
- 3) The circuit court clerk shall maintain a system of accountability for all citations issued in accordance with rules and regulations issued by the Supreme Court to assure that citations are not wrongfully destroyed, tampered with, or otherwise compromised in any manner.
- 4) The Kentucky Circuit Clerks Manual sets out in detail the system adopted by the Kentucky Supreme Court to ensure the integrity of the process. Kentucky Circuit Clerks Manual, chapter 1005, the System of Accountability states:

"Each day each law enforcement agency serving your county will send you a transmittal list of all citations issued or voided by its officers. This list will be your record of citations filed in your office. KRS 431.455(2) makes it mandatory for all peace officers to properly account for all citations issued to them pursuant to KRS 431.450 and the regulation thereunder. The Circuit Clerks Manual is equivalent to rules and regulations of the Supreme Court. Therefore, failure of a peace officer to comply with the provision on accountability in the Circuit Clerks Manual could result in his being charged with a Class B Misdemeanor."
- 5) The citation control measures for electronic citations utilized with the Mobile Data Computers are monitored and set by the KYOPS program maintained by the Kentucky State Police.
- 6) In compliance with the law and Circuit Clerk system, the Police Department performs the following for non-electronic citations:
 - a) Upon receipt from the State, the citation boxes are stored by the Department according to their numerical order. Uniform citation books of 25 citations each are issued to officers according to the following procedures:
 - The receiving officer signs for each book issued to him.
 - When each citation log is full, it is retained for record by the Professional Standards Captain.
 - b) Each citation issued or voided (or lost or stolen) is logged on a transmittal list (memorandum) for the court and is turned in to the Department's records section along with the court's copies of the citation.

- When an officer voids a citation, write VOID as is currently being done and as in the past sign the citation in a legible signature. As a Clerk's transmittal slip is always required when a citation is completed and / or voided continue this practice and add this to the process – simply highlight with a highlighter the voided citation entries only on the regular transmittal slip to make it easier for a Sergeant / Supervisor to notice it as well as Records personnel to catch it on the document when they receive it.
 - The Sergeants are to also sign the void citation to show that they viewed it and forwarded it. In addition, they are to sign beside the voided citation entry(s) line on the transmittal slip.
 - What will occur in records after the sergeants have reviewed it is that records will enter the citation in a special voided citation computer entry where the citation number can be checked for sequence number omissions in the computer as well as by the voiding officer's name. (This will allow cross checking with the original citation booklet check-out log.) And finally the paper copy of the citation will be filed sequentially by number along with the other citations as is being currently done.
- c) Record of issued citations is entered into the Department's computer system and one copy is filed. The court's copies are then transferred to the court along with the transmittal list.
- d) A disposition copy is eventually sent back to the Department by the court.

4.4.2.18 REQUESTS FOR RE-EXAMINATION OF DRIVER'S LICENSE

Routine enforcement, collision reporting, and investigation activities frequently lead to the discovery of drivers who have suspected incompetence, physical or mental disability, disease, or other conditions that might prevent the person from exercising reasonable and ordinary care over a motor vehicle.

Officers are advised that the Division of Driver Licensing may initiate a review of an individual's driving ability for medical reasons after receiving from law enforcement information within the context of the following regulations:

- 1) KAR 13:010, Section 4(1) states: "Driver has indicated that he blacked out, lost consciousness, or suffered a seizure prior to a reportable motor vehicle accident."
- 2) KAR 13:010, Section 4(4) states: "Driver has been reported by a law enforcement officer after being observed driving or behaving in an erratic or dangerous manner which indicates a possibility of physical or mental infirmity."

Officers detecting a person who appears to be incompetent, physically or mentally disabled, or suffers from disease or other conditions that prevent him from exercising reasonable and ordinary care over a motor vehicle, will complete the following:

- 1) Notify Supervision and complete an Affidavit for Recertification.
- 2) It shall be the responsibility of Supervision to notarize all affidavits.
- 3) Affidavits shall be mailed to the Division of Driver Licensing.

4.4.2.19 ENFORCEMENT OF PARKING REGULATIONS

Street parking is restricted in various areas to ensure fair access to parking. Officers are expected to enforce parking regulations with reasonableness and impartiality.

The Chief of Police or his designee is responsible for: interaction with the City Central, and assuring that the Department's parking control efforts are consistent with community traffic needs.

The parking regulation responsibilities of sworn personnel and police cadets (Code of Ordinances 22-6) include: enforcement of parking regulations and alerting command officers of parking related problems.

(Remainder of page reserved.)

4.4.5 TRAFFIC COLLISIONS

4.4.5.1 TRAFFIC COLLISION MANAGEMENT

There are a number of parallel, and sometimes competing objectives of traffic collision management. This Department seeks to:

- 1) Systematically obtain data about collision vehicles, roadways, drivers, pedestrians and results (including perishable or readily obliterated data at collision scene);
- 2) Facilitate basic medical and other emergency services to safeguard the lives and well-being of persons in, or in the vicinity of the collision;
- 3) Protect the property of persons involved in or in the vicinity of the collision;
- 4) Determine whether there is probable cause to believe that a vehicular or traffic offense has been committed that caused or contributed to the collision, and if so to determine the appropriate enforcement action to be taken and to obtain evidence to support a prosecution;
- 5) Restore the safe and orderly movement of vehicular and pedestrian traffic at the collision scene as soon as practical;
- 6) Create and maintain an accurate and adequately comprehensive base of collision related information to support analysis, planning and evaluation of traffic law enforcement and other traffic safety programs; and
- 7) Engage in special temporary programs to obtain additional data about collision vehicles, roadways, drivers, pedestrians, results and related factors, as may be required for special research studies of the highway transportation system.

It is the policy of this Department for members to carry out traffic collision management duties, as necessary and appropriate, consistent with the nature, and the severity and other pertinent characteristics of each collision.

(Remainder of page reserved.)

4.4.6 TRAFFIC COLLISION INVESTIGATION

4.4.6.1 COLLISIONS REPORTED / INVESTIGATED (KACP)

Without denying the potential importance of any collision to traffic safety and traffic law enforcement, and to the individuals directly involved, it is nevertheless true that the majority of collisions require limited traffic collision management services. Typically this extends to the reporting of certain basic information only. For more severe collisions or those involving certain special circumstances, investigative and possibly emergency services are required. For purposes of this and related directives, the following definitions are adopted:

Traffic Collision Investigation	Collection of factual information identifying and describing people, roads, and vehicles involved; describing the results of the collision in terms of danger to vehicles and roadside objects, injuries to people, marks and residue on the road, and final positions of vehicles and bodies; interpretation of these facts in terms of behavior of road users involved; and, sometimes, an attempt to specify the peculiar combination of factors required to produce that particular collision.
Traffic Collision Reporting	Basic data collection and utilization of the Kentucky <u>Uniform Police Traffic Collision Report</u> Form KSP-74 (revised 01/2000) to identify and classify a traffic collision and the persons, vehicles, time/location, and planned movements involved, and possible contributing factors such as traffic law violations.

Central Communications will direct one or more officers, as appropriate, to respond to the scene of all traffic collisions which occur within the Bowling Green Police Department's service area of responsibility. This may include situations involving disturbance between principals, major traffic congestion resulting from a collision, and damage to vehicles which may require towing. Officers will investigate traffic collisions which involve damage to public vehicles or property, hit and run situations, driver impairment due to alcohol or drugs, and hazardous material incidents. Bowling Green police officers will conduct on-scene investigation of all serious injury or **fatal** traffic collisions **except** those involving Bowling Green City-owned vehicles (including POLICE VEHICLES).

Traffic collisions involving a City-owned vehicle, including a Department police vehicle, which do not result in serious physical injury or death will be investigated by the assigned district officer. Those involving Police Department vehicles will be closely scrutinized by the on-duty patrol supervisor. If possible, the supervisor should be present at the scene of the collision. A police cruiser collision may potentially produce a liability complaint. Therefore, copies of all traffic collisions involving police vehicles should be forwarded to the City's Benefits/Risk Manager.

4.4.6.2 FOLLOW-UP COLLISION INVESTIGATION

- 1) The Department performs follow-up traffic collision investigation services in support of on-going, or anticipated, criminal prosecution. The Department does not perform such services in support of civil litigation, since the public has access to ample private resources/agencies for that purpose.

- 2) An Investigative Case File shall be opened on all fatality collisions which are investigated by Bowling Green police officers. The file will contain the following:
 - a) A photo copy of completed Form KSP-74, revised 01/2000,
 - b) Any collected "off-scene" data,
 - c) Recorded and written statements from witnesses, and
 - d) Copies of collision reconstruction reports, when appropriate.

Form KSP-74 will be filed with Records through normal channels.
- 3) The on-duty field supervisor shall be responsible for requesting a Traffic Collision Reconstructionist, when necessary. (See 4.6.5.1(5)).
- 4) Bowling Green police officers will conduct on-scene investigation of all serious injury or fatal traffic collisions except those involving Bowling Green City owned vehicles (including POLICE VEHICLES). The Kentucky State Police (KSP) will conduct traffic investigations involving the above mentioned situations.
- 5) Officers assigned as a Traffic Collision Reconstructionist will maintain an on call schedule with Communications. It is the responsibility of the Collision Reconstructionist Team Leader to prepare, maintain and notify the chain of command in regards to the on call schedule.
- 6) In the absence or inability to contact a Bowling Green Police Traffic Collision Reconstructionist the on-duty supervisor will contact KSP and request their assistance if available.
- 7) It is the responsibility of the Commander that oversees the accident reconstruction team to review the collision investigation with the reconstructionist within a two week period.
- 8) Pertinent traffic related data which may be relevant to identify specific engineering problems should be related to the City's Traffic Engineer on an as-needed basis.

4.4.6.3 TAKING ENFORCEMENT ACTION FOR VIOLATION RESULTING IN TRAFFIC COLLISIONS

- 1) The Department remains fully committed to enforcing the law, including all vehicular traffic-related statutes and ordinances. Special requirements arise when officers detect certain violations not committed in their presence, such as vehicular and traffic violations uncovered during the course of collision investigation and reporting.
- 2) Officers are expected to take action whenever their traffic collision investigation or reporting activities produce probable cause to believe that a violation of law or ordinance has occurred.
- 3) Officer's specific enforcement action arising from traffic collision investigation or reporting, e.g., physical arrest, citation, warning, etc., will be consistent with the nature of the alleged violation and with all of this Department's written directives concerning traffic law enforcement.
- 4) In taking any enforcement action, the officers must establish all elements of the violation. Elements that the officer has not personally witnessed must be established through investigation. The investigation may include but not be limited to:

- a) Statements or admissions made by the alleged violator to the officer,
- b) Statements of witnesses,
- c) Collision scene measurements, and
- d) Physical evidence.

4.4.6.4 RESPONDING TO AND STABILIZING TRAFFIC COLLISION SCENES

- 1) The following general procedures apply to the dispatch of officers to scenes of traffic collisions which have been reported to the Department:
 - a) When directed to respond to a traffic collision, the member will be informed, to the extent of available information, of the exact location, the severity of the collision, whether traffic is blocked, and other responding units (including ambulance, etc.).
 - b) Officers directed to respond to a collision scene should consider existing traffic flow and congestion problem together with their knowledge of conditions which normally exist in the vicinity, and choose the best possible approach route. Officers should drive safely to the scene, consistent with the need for prompt response.
 - c) While en route to the scene, officers should be alert for vehicles which indicate an arrival at the scene.
- 2) As soon as possible upon encountering an unreported traffic collision, officers will notify communications of the collision location, probable severity, and any other pertinent circumstances.
- 3) The following general procedures apply to approach and arrival at traffic collision scenes:
 - a) While approaching traffic collision scenes officers should be alert for, and avoid destroying evidence such as tire marks, etc.
 - b) During the approach to the scene, officers should be alert for specific conditions or factors which may have contributed to the collision.
 - c) Upon arrival at the scene, officers should park police vehicles in such a way as to provide maximum protection to but without endangering the public.
 - d) Officers should assess the scene to determine needs for assistance in protecting the scene and/or controlling traffic, and should summon appropriate assistance.
 - e) Officers also will assess the scene to determine if additional investigative skill is required.
- 4) The following general procedures apply to dealing with personal injuries:
 - a) In the event that injuries are present at the scene, officers shall check injured persons to identify those most seriously injured, and fatalities.
 - b) Officers shall administer appropriate emergency medical aid to injured persons. Officers will not attempt to administer medical aid or treatment beyond their level of skill or capabilities.
 - c) Officers shall summon appropriate medical assistance to the scene, and assist in getting persons seriously injured removed to medical facilities as soon as possible.
 - d) At collision scenes where there is personal injury or the imminent threat of injury, actions to deal with the injury/threat will take precedence over investigative or reporting activities.

- e) In the event professional ambulance service is not available and will not be available for an extended period, and in the officer's opinion the life of the injured person depends upon immediate professional medical aid, the injured person may be transported in a police vehicle.
 - f) Officers shall obtain approval of supervisory personnel before transporting injured persons in police vehicles.
 - g) When injured persons are to be transported in police vehicles, preliminary emergency medical aid should be administered at the scene. Additional police personnel should be summoned to the scene to assist in the emergency and in protecting the scene.
 - h) Officers transporting injured persons shall, to the best of their ability, ensure that the injured persons are properly attended to, and shall exercise due care and caution in driving.
- 5) The following general procedures apply to protecting the scene and clearing the roadway:
- a) Officers shall use the patrol vehicle's overhead lights and other appropriate warning devices, as necessary, to protect the scene and to alert approaching traffic. Scene protection and warning are especially important if victims of the collision, their vehicles or hazardous debris are in the roadway.
 - b) Failure to quickly remove vehicles involved in collisions can result in unnecessary congestion and can cause other collisions. In cases involving only property damage, unless there is some extenuating circumstance, drivers should be directed to remove their vehicles from the traffic lanes as soon as possible.
 - c) If the roadway is blocked by debris and/or vehicles only, and if there are no injuries requiring immediate attention, officers will clear the roadway as rapidly as possible.
 - d) To prevent congestion, and to permit emergency vehicles to move freely and safely, officers should direct vehicles at the scene to be parked safely off the roadway as soon as practicable. Officers should direct passersby (except witnesses) to leave the scene.
 - e) Officers will be alert to actual and potential dangers at collision scenes, including but not limited to fire hazards and other hazardous materials. Officers will initiate appropriate remedial/preventive actions, in conformance with applicable Departmental directives, when such potential dangers are noted.
 - f) Officers will conduct collision scene traffic direction and control activities, as necessary, to protect the scene, clear the roadway, promote the safe and efficient movement of traffic in the vicinity, and prevent additional collisions. Collision scene traffic direction and control activities carried out by officers will conform to all applicable Departmental directives.
- 6) The following general procedures apply to clearing the scene and terminating on-scene activities:
- a) Consistent with the need to deal appropriately with injuries and actual or potential hazards, and with the need to obtain and preserve evidence, officers will arrange for the prompt and safe removal from the scene of all involved vehicles and debris.
 - b) When vehicles are to be driven from the scene (collision-involved vehicles, emergency vehicles, or others), officers will assist the drivers, as necessary, in entering the traffic stream safely.
 - c) Once the scene has been cleared of vehicles, debris, etc., officers will turn off blue lights and remove all devices employed to protect the scene.

4.4.6.5 DETERMINING THE OFFICER IN CHARGE AT A COLLISION SCENE

- 1) When more than one officer or other responders are at the collision/emergency scene, appropriate protocol must be followed to determine who is in charge, and to ensure that all required tasks are carried out. Generally, police officers are in charge of collision investigation and traffic flow, and the first officer responding or assigned to the collision, is in charge of directing the police operations involved.
- 2) Officers are expected to take charge of collision scenes immediately upon arrival. Unless specifically directed to do so by a supervisor, officers shall not surrender charge of the scene to non-law enforcement personnel.
- 3) Officers should retain charge of the collision scene, when authorized emergency medical services personnel arrive, authority for the care of injured persons should be entrusted to them.
- 4) Officers of this Department are expected to cooperate with officers of other law enforcement agencies with overlapping or contiguous jurisdiction.
- 5) See also, § 1.1.2.3, command protocol (kacp), and § 3.2.1.4, concurrent jurisdiction (kacp).

4.4.6.6 COLLECTION OF AT-SCENE INFORMATION IN SUPPORT OF COLLISION INVESTIGATION OR REPORTING

- 1) For collisions requiring extensive follow-up, it may be appropriate to obtain the following types of information/evidence:
 - a) Photographs of the final positions of the vehicles; damage to vehicles; and results of the collision on the roadway such as tire marks, debris, and damage to objects.
 - b) Preliminary field examinations of specific vehicle components for failures or damage.
 - c) Preliminary matching of vehicle damage to the damage of other vehicles and other objects, and to marks on the roadway.
 - d) Skid tests.
 - e) Observations of visibility and view obstructions.
 - f) Trip plans of each driver or pedestrian involved.
 - g) Events, maneuvers, and anticipated actions just prior to collision.
 - h) Accurate descriptions and measurements of all vehicle damage, marks on roadway, final positions of vehicles, and debris.
 - i) Identification and preliminary statements from drivers and witnesses.
 - j) Any other information related to the collision that may be necessary to ensure the completeness of the investigation.
- 2) Collisions which require reporting but no extensive follow-up, require information which typically include:
 - a) Events, maneuvers, and anticipated actions just prior to collision.
 - b) Accurate descriptions of all vehicle damage, marks on roadway, final positions of vehicles, and debris.
 - c) Identification and preliminary statements from drivers and witnesses.

- d) Any other information related to the collision that may be necessary to ensure completeness.
- 3) Basic report information is collected and recorded on an E-Crash Report. The information is obtained in a fashion that permits tabulation according to standard classifications, to support planning and coordinated collision prevention programs both within the Department and in cooperation with other agencies.
 - 4) The major activities associated with the collection of information at traffic collision scenes typically include:
 - a) Interviewing principals and witnesses;
 - b) Interviewing principals and witnesses;
 - c) Examining/recording vehicle damage;
 - d) Examining/recording effects of collision on the roadway;
 - e) Taking measurements, as appropriate;
 - f) Taking photographs, as appropriate;
 - g) Collecting/preserving evidence; and
 - h) Exchanging information among principals.
 - 5) The following general procedures may apply to questioning drivers and witnesses:
 - a) Officers should question drivers and witnesses separately and individually concerning the traffic collision. Audio recording devices, if available, may be used during questioning. Officers should discourage drivers and witnesses from discussing the collision among themselves. When appropriate, at the conclusion of the interview, a basic summary of the collision may be given by the officer to involved parties.
 - b) If questioning is directed toward determining the driver's involvement as a violator, and he is in custody, he will be advised of constitutional rights as prescribed by the Miranda decision prior to questioning.
 - c) In minor traffic collisions which are reported, the questioning of drivers and witnesses is usually conducted at the scene. In collisions of a serious nature requiring an investigation, a brief account should be obtained at the scene, and subsequently a formal and comprehensive statement should be taken at a more suitable location, preferably Departmental facilities. Officers should question drivers and witnesses as soon as practical following the collision. However, the questioning may be delayed until the person has received medical attention, regained emotional stability, or attended to other urgent personal business.
 - d) When questioning drivers and witnesses, officers should be objective, and exhibit emotional stability, diplomacy and understanding. They will reflect a professional attitude and demeanor.
 - e) When questioning drivers, officers should be alert to any physical or emotional impairment (temporary or permanent) which may have affected the person's driving ability. This will include, in particular, being alert to evidence of alcohol and/or drug impairment.
 - f) Officers should question drivers relative to trip plan, emotional experience (e.g., aggravation with traffic during rush hour), point at which danger was first perceived, what driver was doing at that point, evasive action taken, and condition of vehicle prior to the collision.
 - g) When available, witnesses will be questioned concerning their exact location when they witnessed a particular collision, what they were doing at the time, what called their attention to the collision, and what they saw, heard or performed in response.

- 6) The following general procedures may apply to examining vehicle condition:
- a) The tires should be checked for proper inflation, tread, and any indication of blow out. Side walls should be checked for recent scraps, cuts, or marks which indicate breading or a sideward sliding action of the vehicle. Wheels should be checked for recent damage, marks, and dents.
 - b) The lights of the vehicle should be checked to determine if they were on or off during the collision, if they are functional, and the position of the switches.
 - c) The vehicle should be checked for proper visibility, including windshield and all windows, for evidence of any impairment to the driver. The glass should be checked immediately (short lived evidence) for obscurity due to fogging, snow, or frost. The glass should also be checked for old cracks, discoloration, and stickers which may have created view obstructions.
 - d) The interior of the vehicle should be checked for any loose materials that may have interfered with the driving ability of the driver.
 - e) Rear windows should be checked for their presence and condition.
 - f) The frame and body should be checked for any indication of alterations in the frame, suspension, and steering mechanism.
 - g) The mechanical controls should be checked and their condition noted relative to the position of the gear shift level, position of accessory switches, light switches, position of speedometer, proper operation of pedals, operation of horn, the presence and condition of seat belts, and the presence and condition of sun visors.
 - h) Officers who note faulty equipment that warrants a more thorough and in-depth examination will place an investigative hold on the vehicle as evidence and arrange for qualified personnel to examine the vehicle, particularly if defects are suspected in the braking and steering mechanisms of the vehicle.
 - if) A significant challenge to the investigator is to determine whether deficiencies noted in the vehicle existed prior to the collision, contributed to the collision, were a result of the collision, or merely a circumstance which was present but not a contributing factor.
 - j) Investigators should also check the damage obviously sustained in the collision of each vehicle. A thorough examination and evaluation of the damaged area may coincide with other evidence and statements as to how the collision occurred.
- 7) The following general procedures may apply to examining road and weather conditions:
- a) Officers should note all conditions of the road during the investigation at the scene for inclusion in the investigative report.
 - b) In examining the condition of the road, officers should be alert for any foreign substance on the surface, note the condition of the surface, note the marking for clarity or obscurity, note the grade and super-elevation, width of each lane, alignment, and the condition of the edge.
 - c) Officers should check the road for any obstructions which existed at the time of the collision, if possible.
 - d) Officers should check existing control devices to include speed limit signs, proper functioning of traffic signal lights, and the condition and placement of other control signs.
 - e) Officers will record any unusual weather conditions existing at the time of the collision to include rain, snow, fog, etc.
 - f) When it is necessary and appropriate to conduct skid tests, officers will exercise due caution in doing so.
- 8) The following general procedures may apply to the taking of photographs:

- a) Officers taking photographs at collision scenes will be thoroughly familiar with procedures set forth in § 4.6.5, collection and preservation of evidence.
 - b) Officers utilizing digital cameras are not required to include in their documentation the “type of film used, the lens setting, or date and time of photographs”, as these are recorded on the image by the camera. The type of camera and a brief description of each photograph to include the position from which each was taken would still apply.
 - c) Photographs should be taken of an overview of the collision scene with permanent fixed objects included to establish location.
 - d) Officers should take photographs from all angles.
 - e) When large distances are involved, sequence photographs should be taken.
 - f) Photographs should be taken of short-lived or temporary evidence (tire marks, skid mark shadow, spillage from the vehicle, etc.).
 - g) Photographs will include close-up shots of physical evidence including marks on the roadway, impact damage to vehicles, view obstructions, and traffic control signs and signals (from the viewpoint of drivers).
- 9) The following general procedures may apply to sketches and measurements:
- a) Officers preparing sketches for extensive follow-up investigative purposes will be thoroughly familiar with procedures set forth in § 4.6.5, collection and preservation of evidence.
 - b) Sketches are useful in assisting the investigator and explaining the collision, and enable the investigator to reveal facts, to locate again any given point at the scene, and to subsequently prepare an accurate scale drawing. When investigating collisions, officers should prepare such sketches as may be necessary and appropriate for these and other investigative purposes.
 - c) The sketch shall contain a legend including the case number, location, date and time of the collision, officers preparing the sketch, and compass points.
 - d) Officers should begin the sketch by preparing a map containing the physical characteristics of the scene, pertinent contributing factors (view obstructions, control devices) and fixed points to be used as a base from which measurements will be taken.
 - e) The sketch should contain the final position of the vehicles, position of persons not in the vehicle, damage to property other than vehicles, debris and skid and scuff marks.
 - f) Measurements should be taken by the triangulation and/or coordinate system, or Total Station, for locating each item in the sketch.
 - g) When necessary and appropriate for a particular investigation, the information of the sketch will be used to prepare a diagram to approximate scale.
 - h) The completed diagram shall include a legend stating the case number, location, date and time of the collision, name of the officer preparing the diagram, scale of the diagram, and the compass points.
 - i) All field notes and sketches should be maintained by officers for compliance with the best evidence rule.
- 10) The following general procedures may apply for exchanging information among principals:
- a) As necessary and appropriate, officers should explain to collision-involved drivers their individual responsibilities involved in reporting, and
 - b) Providing and obtaining pertinent information to/from each other.

4.4.6.7 COLLISION INVESTIGATION EQUIPMENT CARRIED IN PATROL VEHICLES

It is not possible to anticipate every type of apparatus or medical or other supply that conceivably could prove useful to officers responding to traffic collisions. However, experience shows that certain basic materials are sufficiently critical and/or frequently used in collision management duties to warrant their presence in every patrol vehicle.

Officers are expected to remain familiar with the collision investigation equipment, and are expected to maintain adequate proficiency in the use of that equipment and supplies.

4.4.6.8 REPORTING OR INVESTIGATING TRAFFIC COLLISIONS OCCURRING ON PRIVATE PROPERTY (KACP)

Officers will respond to all traffic collisions, but will not normally complete reports of collisions which occur on private property. The following procedures apply:

Officers will complete traffic collision reports on all collisions which occur on a public roadway AND those which occur on private property that involve the following circumstances:

- Injuries, and/or
- Violation(s) of law (e.g., DUI, No Valid Operator's License, No Insurance).

In the event a collision occurs on private property (e.g., parking lot), and does not involve injuries and/or a violation of law, the responding officer shall provide the vehicle operator(s) with a copy of the blank Kentucky Uniform Traffic Collision report. The report is self-explanatory.

4.4.6.9 DEALING WITH FIRE HAZARDS AND HAZARDOUS MATERIALS AT COLLISION SCENES (KACP)

- 1) An important responsibility of officers responding to any collision scene is to keep the situation from becoming worse. This responsibility may take on added importance and complexity when actual or potential fire hazard or hazardous material is present at the scene. Under such circumstances, officers may be called upon to perform certain special activities, and to coordinate their activities with those of personnel from various other agencies. Priorities for action are likely to be affected by the extent and nature of the hazards present.
- 2) The Department will continue to be cognizant of the responsibilities, practices, and procedures of other agencies that respond to and/or provide technical assistance relating to fire hazards and hazardous material incidents. Officers will be kept informed of these responsibilities, practices, and procedures to ensure the best possible coordination and delivery of services at traffic collision scenes involving such hazards. See also § 4.13.4.13, radioactive and hazardous materials (kacp).
- 3) The Department has allocated that a copy of the current issue of the U.S. Department of Transportation's Emergency Response Guidebook for hazardous material incidents to each patrol vehicle. The Department of Criminal Justice Training will continue to provide adequate training in the use of the Guidebook to each officer. Officers will participate in the training and will refer to and follow the Guidebook's recommendations for taking emergency and other actions appropriate to specific hazardous material incidents.

- 4) Officers will continue to be cognizant of the fact that any traffic collision involving a cargo vehicle potentially is a hazardous material incident, and will be cautious and observant for any evidence/indication of hazardous material before approaching cargo vehicles involved in collisions. You must first decide if the situation is safe for you. You cannot help a victim by becoming a victim yourself. Know your abilities. If you cannot get to a victim because of extreme hazards, such as fire or toxic fumes, call for help.
- 5) The following general procedures apply to handling fire hazards:
 - a) If fire is a potential, officers will take appropriate action to stabilize the conditions by providing adequate protection to the scene, isolating the immediate area, removing persons from the vicinity of the hazard (if possible), suppressing the hazard (if possible), and summoning technical resources from the fire department, when necessary.
 - b) Officers will attempt to eliminate the possibility of sparks or other ignition (e.g., don't smoke close to volatile fumes . . . turn off electrical equipment, etc.).
 - c) If a fire exists, officers should rescue persons in the vicinity (if possible), extinguish the fire (if possible), and summon firefighting assistance, when necessary.
 - d) Depending upon the extent of the fire, officers will evacuate the surrounding area, and maintain isolation of the area until the fire is suppressed.
 - e) Officers should carefully control the movement of vehicles within the vicinity of the fire or potential fire hazard, detouring traffic if necessary.
- 6) The following general procedures apply to handling hazardous materials:
 - a) Upon arrival at the scene of a traffic collision involving a cargo vehicle, officers will attempt to make a preliminary identification of the cargo on the basis of placards visible from a safe distance.
 - b) When there is any question whether spilled material at a collision scene may be hazardous, officers will avoid contacting the material and keep other persons from contacting the material, to the maximum possible extent.

4.4.6.10 CONTROL OF PROPERTY BELONGING TO COLLISION VICTIMS

Traffic collisions frequently generate extreme emotional states on the part of the persons involved. In turn, extreme emotions may breed distractions and rash judgments or actions that can easily cause valuables and other personal property to become lost, stolen or damaged. Along with other duties, officers responding to collision scenes have a responsibility to help safeguard victim's personal belongings. This responsibility is heightened when the victim is dead or incapacitated by injury.

When officers are required to handle victim's personal property, it should be done, when possible, in the presence of witnesses. Such witnesses should be identified in reports or notes.

(Remainder of page reserved.)

4.4.7 TRAFFIC DIRECTION AND CONTROL

4.4.7.1 IDENTIFICATION OF TRAFFIC DIRECTION AND CONTROL REQUIREMENTS AND ALLOCATION OF RESOURCES (KACP)

Traffic direction and control include all functions, procedures, apparatus, markings, etc., designed to promote and ensure the safe and efficient movement of vehicles and pedestrians.

Many requirements for traffic direction and control are predictable. Conditions and circumstances at a given location may be such that the kinds of services needed, and the times at which they are required, can be identified with a high degree of precision.

The following general procedures apply for identification of traffic direction and control requirements and allocation of resources:

- 1) The Department may recommend through City Central special surveys or traffic studies to be conducted by the State Highway Department, as needed, when traffic collision or enforcement data suggest unsafe conditions exist at certain locations.
- 2) Special studies may be recommended when traffic collision or enforcement data or other information suggests that parking control problems exist at certain locations and times, unsafe conditions may exist at certain school locations, or other traffic-generated problems may exist.
- 3) To the maximum extent possible, the Department assigns non-sworn personnel to carry out manual point traffic control not expected to require enforcement authority (e.g., at school crossings and during the Christmas parade). Non-sworn Departmental personnel used for manual point traffic control are trained by the officer in charge of school crossing guards in manual traffic direction knowledge and skills.
- 4) When carrying out their scheduled manual traffic direction and control duties, non-sworn personnel will utilize the personal protective equipment (reflective vest, sign) as prescribed by the Department. The Department will continue to prescribe distinctly different uniforms for sworn and non-sworn personnel.
- 5) The Department will continue to provide non-sworn personnel to serve as adult school crossing guards. While serving in this capacity, their sole function is to expedite the movement of children to and from school by creating safe gaps in vehicular traffic, and directing children to cross through these gaps. The adult school crossing guards will not direct vehicular traffic in the usual regulatory sense.

4.4.7.2 IMPLEMENTING MANUAL TRAFFIC DIRECTION AND CONTROL (KACP)

Some circumstances warranting manual traffic direction and control include: malfunctioning of the signal; facilitating movement at traffic collisions or other emergencies; and providing a thoroughfare for motorcades. Some circumstances may be scheduled; some may not, but the main objective of the person carrying out manual traffic direction and control is to maintain/restore the safe and efficient movement of vehicular and pedestrian traffic. In doing so, the person is responsible for:

- 1) Regulating traffic flow,
- 2) Controlling turning movements,
- 3) Coordinating vehicle movements with the flow at adjacent intersections,
- 4) Detouring traffic (as necessary),

- 5) Controlling pedestrian movements,
- 6) Arranging for removal of traffic obstructions,
- 7) Facilitating emergency vehicle movements, and
- 8) Rendering aid and assistance to motorists and pedestrians.

Sworn and non-sworn personnel will at all times give due consideration to their own safety while carrying out manual traffic direction and control. Personnel will employ uniform procedures (signals, gestures, etc.) to enhance driver and pedestrian recognition and response to their direction.

The following general procedures apply for clothing worn during traffic direction and control:

- 1) The Department provides high visibility outerwear to personnel in the event they are assigned to perform manual traffic direction and control functions. Personnel will wear such high visibility outerwear, in addition to the full prescribed uniform, whenever conducting scheduled manual traffic direction and control.
- 2) Persons conducting unscheduled manual traffic direction and control in response to unforeseen contingencies will wear high visibility outerwear, provided that it is available to them, and provided that conditions make it practical to don the high visibility outerwear before initiating manual traffic direction and control.

4.4.7.3 USE OF TEMPORARY TRAFFIC CONTROL DEVICES

Temporary traffic control devices include movable barriers, portable signs, and other apparatus intended for temporary deployment to assist the safe and efficient movement and control of vehicular and pedestrian traffic.

Temporary traffic control devices may be deployed in support of traffic direction and control activities only with specific prior approval of supervisory or command personnel.

As soon as practical following termination of the need for the temporary traffic control device, the supervisor or commander authorizing deployment of the device will see to its removal/deactivation.

Portable or part-time stop signs should not be used as temporary traffic control devices, except in an emergency.

4.4.7.4 PROVIDING TRAFFIC DIRECTION AND CONTROL INCIDENTAL TO SPECIAL EVENTS

"Special events" are those at which a large volume of vehicular and/or pedestrian traffic is anticipated and, hostile crowds are not anticipated. Special events may include parades, sporting events, highway construction and maintenance activities, picketing, etc.

This Department provides only that degree of traffic direction and control service in support of special events as is absolutely necessary.

The primary task of Departmental personnel conducting traffic direction and control in support of a special event is to assist motorists and/or pedestrians in the vicinity of the event.

The following general procedures apply:

- 1) Upon learning of the special event, an officer will be assigned to participate in planning for the event, if necessary.
- 2) The time, location, and anticipated attendance shall be determined.
- 3) If the event is a parade, the route should be coordinated with other public service agencies.
- 4) Personnel are assigned to key intersections for control.
- 5) Adequate emergency services access will be provided to the scene of the event, including fire and ambulance services.
- 6) The Department will provide for adequate crowd control. If the event is a parade, appropriate barriers may be used along the parade route with personnel stationed at intervals as needed.
- 7) The Department will ensure adequate publicity for any changes or alterations in street utilization, parking availability, public transportation services, and the location of the event or parade route.
- 8) When needed, provisions will be made for identifying those persons working directly with the event to assist them. This includes promoters of the event, vendors, and press personnel.
- 9) When needed, provision will be made for scheduling adequate breaks for the Departmental personnel providing those services.

4.4.7.5 CONDUCTING TRAFFIC DIRECTION AND CONTROL AT FIRE SCENES AND COLLISION SCENES

The Department will continue to maintain its close working relationship with the Fire Department and emergency organizations serving the community, and will continue to cooperate in developing and implementing plans and procedures for providing traffic direction and control for support.

The fundamental task of this Department's personnel engaged in traffic direction and control services at fire scenes will be to maintain access to and egress from the scene by fire and other emergency vehicles and providing for and enforcing KRS 189.930.

Officers conducting traffic direction and control at collision scenes should adhere to principles and procedures set forth in § 4.4.6.4, item 5) and § 4.4.7.2 .

4.4.7.6 CONDUCTING TRAFFIC DIRECTION AND CONTROL DURING PERIODS OF ADVERSE ROAD AND WEATHER CONDITIONS

Adverse road and weather conditions may include, but are not necessarily limited to: accidental hazards, such as debris that has fallen onto the roadway from another vehicle, downed power lines, etc.; or acts of nature, such as fog, ice on road, etc.

The Department will continue to maintain its close working relationship with those other agencies that share responsibility for coping with adverse road and weather conditions affecting traffic safety, and will continue to cooperate with them in developing and carrying out mutual assistance policies, procedures, and programs to serve the public as effectively as possible when such adverse conditions exist.

Department personnel will provide traffic direction and control services and scene protection services in the vicinity of adverse road and weather conditions, as appropriate.

4.4.7.7 ESCORT SERVICES (KACP)

- 1) The following general procedures apply to escorts:
 - a) The Department routinely performs Funeral escorts.
 - b) Officers should not initiate other escorts without approval from a supervisor.
 - c) Normally, requests for escorts shall not be granted to any person for the purpose of expediting his journey.
 - d) Civilian vehicles and emergency vehicles should not be escorted by officers during medical emergencies. Two emergency vehicles traveling together more than doubles the hazard to traffic. (A possible exception may be to escort, with supervisory approval, an emergency vehicle from the city limits to a hospital when the driver of the emergency vehicle is not familiar with the location of the hospital.)
 - e) Officers shall not escort civilian vehicles in medical emergencies. The driver of the civilian vehicle should be directed to proceed to the emergency medical facility at normal speed in compliance with all traffic regulations. If an escort is necessary, the patient should be transferred to an ambulance.
- 2) Funeral escort procedures shall be as follows:
 - a) If the funeral procession is to begin within the corporate limits and end outside, officers may escort the funeral to the corporate limits.
 - b) If the procession is to begin within the corporate limits and end within the corporate limits, officers may escort to final destination. The following escort provisions apply to those processions culminating at a cemetery within the corporate limits:
 - Upon arrival at the cemetery entrance, block off non-procession street traffic and allow the procession to begin entering,
 - Get out of the cruiser and stand at attention (with hat on) as the hearse and family car passes, and
 - Stand at parade rest while the remainder of the funeral passes.
 - If in the event a flag is displayed across the coffin, salute the flag.
 - After the procession has made complete entrance to the cemetery, remove the police vehicle and allow full street traffic flow.
- 3) Legitimate requests for scheduled police escorts services include, but are not necessarily limited to:
 - a) Parades/motorcades (parades require a permit, City Code 22-5.4),
 - b) Other traffic of public officials and dignitaries, and
 - c) Oversized vehicles.
- 4) When the Department elects to honor a request for scheduled escort service, the following elements will be established in advance: (1) the trip route and (2) the maximum speed to be maintained along each segment of the route.
- 5) Point traffic control will be established, as appropriate, at locations along the scheduled route.
- 6) Tactical control of the escort will be assigned to a specific commander, supervisor, or officer, in accordance with the complexity of the escort services being provided. The tactical controller will set the pace of the escort in accordance with prevailing conditions. Under no circumstances shall escorts exceed the pre-specified maximum speed for any segment of the route.

- 7) The use of police vehicle emergency equipment during the escort will be specified in advance, by appropriate supervisory or command personnel.

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4.4.8 ANCILLARY SERVICES

4.4.8.1 TRAFFIC ANCILLARY SERVICES (KACP)

Often, because there are no other public or private agencies available, the public relies upon the police for assistance and advice in routine and emergency situations. The Department responds to calls for service and renders such aid or advice as is necessitated or indicated by the situation.

4.4.8.2 PUBLIC SUPPORT FOR TRAFFIC SAFETY PROGRAMS

The police, charged with the prevention of traffic collisions, are not the sole factor in this field, since engineering and education each play important roles. Even optimum traffic law enforcement cannot, by itself, accomplish the desired objective of eliminating traffic collisions.

The Department recognizes the urgent need for affirmative and effective public support of traffic collision prevention programs and activities. The Department's Highway Safety Unit develops and promotes traffic safety programs, and seeks the full cooperation and support of all forms of news media to increase the public's awareness and support. Members of the Department will cooperate and support such safety programs.

4.4.9 TRAFFIC ANCILLARY PROCEDURES

DEFINITIONS

Courtesy Tow	The act of removing a vehicle from a public roadway for the purpose of un-obstructing the flow of traffic by an officer or by the owner's request as part of a motorist assist.
Impound	The act of seizing a vehicle and holding it in custody.
Inspection	An examination of the exterior and interior of the vehicle for damaged or missing parts (Including tires, radio and accessories, batteries and any other easily removable item(s).
Inventory	An examination of all areas of the vehicle in which personal property may be reasonably found, including but not limited to the passenger compartment, trunk, console, glove box and any containers found within.

4.4.9.1 MOTORIST SERVICES

The following general procedures apply to motorist services:

- 1) Because of the overall danger to a stranded motorist and the danger to other motorists his vehicle may cause, the Department will offer reasonable assistance. This will apply at all hours of the day, but particularly during the night hours, when hazards are increased.
- 2) Officers shall be constantly alert for highway users who appear to need assistance. Whenever possible, consistent with other duties, officers shall stop and offer their services to highway users who appear to be in need of assistance.

- 3) Officers shall not use their patrol cars to push or pull any vehicle for the purpose of starting it.
- 4) Officers will not assist motorists in jump-starting cars.
- 5) Officers may, at their discretion, transport stranded motorists to the nearest convenient location where assistance may be obtained. Officers should, however, be certain that assistance is available.
- 6) Officers shall freely and cheerfully provide information and directions upon request, and should become familiar with the streets and highways in their area, and the various services, facilities and tourist attractions available not only within the jurisdiction but also in those places within a reasonable distance to which many persons can be expected to travel.

4.4.9.2 REMOVAL / TOWING OF VEHICLES (KACP)

- 1) Law enforcement agencies have the authority and the responsibility to ensure the safe and efficient flow of vehicular traffic on our streets and highways. This sometimes requires that vehicles be removed/towed to a place of safety.
- 2) Generally, police should not impound a vehicle (without probable cause to search for evidence) unless it is necessary under the circumstances. As was pointed out by Wagner it becomes necessary if: (1) the vehicle, if not removed constitutes a danger and (2) the owner/operator cannot reasonably arrange for removal. A vehicle constitutes a danger if it is parked on the traveled portion of the roadway, is otherwise parked illegally, etc.
- 3) Generally, the owner/operator should be offered the chance to get the vehicle removed. If he cannot arrange to get this done, the officer has the duty to eliminate the danger by arranging to have it towed. If the vehicle does not constitute a danger, and it is not going to be impounded for any reason (e.g., to be searched for evidence based on probable cause), the removal of the vehicle is the responsibility of the owner. If he will not or cannot arrange for removal, the officer should lock the vehicle and leave it parked. If the owner/operator requests a courtesy tow they are liable for any costs incurred.
- 4) Impoundment of a vehicle by police is reasonable so long as it is done in accordance with standard police policy and it is not done for the purpose of searching for evidence of a crime (which may be done only if there is probable cause to believe the vehicle is, or contains, evidence of a crime).
- 5) Pertinent cases are: Estep v. Com., 633 S.W.2d 213 (1984); Helm v. Com., 813 S.W.2d 816 (1991) -- footnote 2; Holbrook c. Knoop, 847 S.W.2d 52, 55 (1993); and Clark v. com., 868 S.W.2d 101 (1994) --footnote 2. (Kentucky Supreme Court cases state or imply that Wagner v. Com., 581 S.W.2d 352 (1979), was totally overruled by Estep. However, the some police procedures provided by Wagner are still sound and are included below.)
- 6) Impoundment of a vehicle is "the act of seizing a vehicle and holding it in custody." Impoundment of a vehicle by police is reasonable so long as it is done in accordance with standard police policy and it is not done for the purpose of searching for evidence of a crime (which may be done only if there is probable cause to believe the vehicle is, or contains, evidence of a crime). See Colorado v. Bertine, S.Ct. 738 (1987). Circumstances for impoundment may be as follows:
 - a) When a report has been made that the vehicle was stolen or taken without the owner's consent;
 - b) When the vehicle is part of a criminal investigation and/or a search may be pending.

- c) When the vehicle is an instrument of a crime (eg. Collision investigation or drug trafficking investigation.)
 - d) When a forfeiture of the vehicle will be sought in connection to a criminal investigation, the value of the vehicle, as estimated by the Officer, to be \$10,000 or greater. (See also 4.4.9.3).
- 7) Courtesy towing is the act of removing a vehicle from a public roadway by an officer or by the owner's request for the purpose of un-obstructing the flow of traffic. Circumstances for courtesy towing the vehicle may be as follows:
- a) Where the vehicle creates a hazardous condition on the roadway and the owner/operator is unable or unwilling to move the vehicle.
 - b) When a vehicle is left unattended (abandoned) upon a City street for three consecutive days (KRS 189.751) or upon a State highway for 3 consecutive days (KRS 189.753):
 - c) When removal is necessary if the vehicle impedes the response of Public Safety officials.
 - d) When removal is necessary if the vehicle is impeding a public special event where no parking signs have been posted by City officials.
 - e) When the vehicle is not a hazard but the operator requests a tow.

4.4.9.2.1 General Procedures for Courtesy Towing of Vehicles

- 1) In the event the decision has been made to courtesy tow a vehicle, the following procedures shall be followed:
 - a) The direct communication of police requests for courtesy towing services to specific wrecker services shall be conducted by Communications.
 - b) Unless a specific wrecker service is requested by the vehicle's owner or permissive user for a courtesy tow, the service specified by Communications shall be the service used.
 - c) In the event of an emergency which may present time restrictions, the officer in charge may request the closest wrecker service available.
 - d) A record of the Tow Service used for a courtesy tow shall be recorded in the CAD notes of the incident by a telecommunicator. The vehicle's make, model, color, license number and state of issuance, and, if known, the vehicle identification number must be provided by the requesting officer.
 - e) Arrested drivers of vehicles which have been courtesy towed shall receive notification (in the post arrest complaint section of the citation) of the courtesy tow and the vehicle's location.
- 2) For physically arrested persons the following general procedures apply:
 - a) A vehicle may be released to a responsible person designated by the driver;
 - b) The vehicle may be secured and left at the scene, or
 - c) The vehicle may be courtesy towed.
- 3) For vehicles not hazardedly but unlawfully parked on the streets the following general procedures apply:
 - a) Although parked in violation, vehicles will be ticketed, but not towed.
 - b) Vehicles, otherwise legally parked, which are left upon a city street or state highway under circumstances indicating abandonment, may be courtesy towed. (A vehicle left upon a city street for three consecutive

days shall be presumed to be abandoned (KRS 189.751). A vehicle left upon the right-of-way of a state highway for three consecutive days shall be presumed an abandoned vehicle (KRS 189.753).)

- c) If a vehicle appears to be abandoned, an attempt should be made to locate and notify the owner of the vehicle.
 - d) If the owner cannot be located, a warning notice will be left with the vehicle, an Incident Number created and a description given to Communications for record in CAD. If the vehicle remains, it may be courtesy towed according to b) above.
- 4) Except for fire lane violations and handicapped parking violations (when appropriately marked) on property open to the public, vehicles parked on private property will not be courtesy towed or impounded.
 - 5) Vehicles courtesy towed are removed by the wrecker service to its lot. A CAD record shall be maintained of all vehicles towed at the direction of the Department.

4.4.9.2.2 General Procedures for Impounding of Vehicles

In the event the decision has been made to impound a vehicle, the following procedures shall be followed:

- 1) The direct communication of police requests for impound services to specific wrecker services shall be conducted by Communications.
- 2) A record of the Tow Service used for an impound shall be recorded in the CAD notes of the incident by a telecommunicator. The vehicle's make, model, color, license number and state of issuance, and, if known, the vehicle identification number must be provided by the requesting officer.
- 3) When a vehicle is impounded, the officer will complete the Vehicle Inventory Report. (Refer to 4.4.9.4) and will create an electronic evidence entry for the vehicle and the keys (if available). The electronic evidence entry shall provide the description of the vehicle, the location and time the vehicle was removed, the reason for such removal, and the location where the vehicle and keys (if available) are being stored.
- 4) Vehicles impounded pending the execution of a search warrant and/or processing shall not be inventoried until the service of the search warrant/processing is complete.
- 5) For recovered stolen vehicles the following general procedures apply:
 - a) Notify the police agency reporting the vehicle stolen.
 - b) If the stolen vehicle is not to be held for evidentiary purposes or other reasons:
 - 1) Where practical and reasonable, contact the owner, and have him come to the scene and claim his car.
 - 2) If the owner is unable to respond immediately, the car should be impounded, transported to the designated police storage facility and an electronic evidence entry completed. Unless exigent circumstances exist, the vehicle will be parked in the lot of the storage facility.
- 6) For vehicle held on request of other authorities the following general procedures apply:
 - a) Contact the requesting authority; if they can respond immediately, release the vehicle to them.
 - b) If requesting authority cannot respond immediately, impound the vehicle, have it transported to the designated police storage facility, and complete an electronic evidence entry. Unless exigent circumstances exist or the agency requests inside storage, the vehicle will be parked in the lot of the storage facility.

4.4.9.3 General Procedures for Disposing and Releasing of Impounded Vehicles.

- 1) It will be the Logistic Division Administrative Captain's role and responsibility to monitor the status of vehicles impounded by officers and maintained by the Evidence Unit.
- 2) The Administrative Captain will estimate the value of vehicles impounded for forfeiture by utilizing the Kelly Blue Book "Wholesale Value" and will determine if there any lien holders. Forfeiture protocols will be followed for vehicles with a net value of \$10,000 or greater.
- 3) The Administrative Captain regulates the release of any impounded vehicle to the registered owner if it is found:
 - a) The Net Value (the value of the vehicle minus any withstanding lien amounts) of the vehicle is less than \$10,000; or
 - b) Any other articulable reason not to move forward with forfeiture.

Vehicles no longer required to be held by BGPD will be released in accordance to the evidence disposition policy and procedures

4.4.9.3 EVIDENTIARY SEARCH OF AN IMPOUNDED VEHICLE

An impounded vehicle may be searched for evidence of a crime:

- 1) With a search warrant (A search with a warrant is always best. Probable cause is required.);
- 2) Without a warrant, but with consent (Probable cause is not required. But the officer should be very careful that the consent is valid. Document it.); and
- 3) Without a warrant or consent -- probable cause search of a vehicle (The U.S. Supreme Court, in U.S. v. Ross, 102 SCt. (1982), held that police may search a vehicle, without a search warrant or consent, if they (1) find the vehicle in a public place and (2) have probable cause to believe the vehicle is, or contains, evidence of a crime.

(The Ross holding apparently applies to impounded vehicles. The search of a vehicle on probable cause is usually conducted at the place where the vehicle is found, but the police may consider impounding the vehicle before searching if it would be dangerous to search the vehicle at the scene or the vehicle could not be adequately searched at the scene. Also, if police, while inventorying an impounded vehicle, develop probable cause to believe the vehicle contains evidence of a crime, they may then conduct a search for evidence.)

Officers dealing with impounded vehicles should have the plain view doctrine in mind. What officers see in plain view may provide them with the probable cause needed to search the vehicle for evidence.

4.4.9.4 INSPECTION AND INVENTORYING AN IMPOUNDED VEHICLE

An inventory of a vehicle is the act of inspecting and documenting a vehicle's interior and exterior. The inventory will list the items discovered and the condition of the vehicle, as well as taking safeguard of any items of value.

When an officer has impounded a vehicle, there are several reasons the vehicle should be inventoried.

- 1) To protect the property in the vehicle;
- 2) To protect the police in case there is a disagreement as to what property should be in the vehicle, or
- 3) To protect the police from dangerous items that may be in the vehicle.

If an inventory goes beyond items in plain view, it is a search and is required by the Fourth Amendment to be reasonable. An inventory is not a search for evidence, it is an administrative search and probable cause is not required. The U.S. Supreme Court in South Dakota v. Opperman, 996 S. Ct 3092 (1976), held an inventory is reasonable as long as it is done in accordance with standard police policy. Neither a warrant nor consent of the owner/operator is required.

Any officer having a vehicle impounded will utilize the Vehicle Inventory Report as the guide for conducting the inventory process. The inventory includes an examination of all areas of the vehicle in which personal property may reasonably be found, including but not limited to the passenger compartment, trunk, console, glove box, and any containers found therein. The inspection will document any damage to the vehicle or missing standard items including but not limited to mirrors, spare tires, batteries and other components located under the hood of the vehicle.

- 1) Locked, sealed or closed containers such as suitcases, packages, or boxes will be opened when the contents cannot be determined from an examination of the container's exterior. However, locked or sealed items will not be forcibly opened in order to inventory the contents if doing so will cause damage to the container. The vehicle's trunk and/or glove compartments will not be forcibly opened in order to inventory the contents of these areas.
- 2) An inventory should be conducted at the location where the vehicle is impounded unless safety or practicality prohibits. In cases where an inventory is not immediately conducted, the officer will notify dispatch and the inventory may be conducted at the designated police storage facility.
- 3) Any firearms, jewelry, money, and/or drugs located in the vehicle must be packaged individually and stored separately in Evidence storage in accordance with BGPLD Policy 1.8.3.1 (4).

Exceptions:

- 1) Officers shall not conduct an inventory of the vehicle if the entire vehicle, personal items, or contents are considered evidence and/or a search warrant is pending.
- 2) Vehicles impounded as evidence or recovered as stolen from another agency will not be subject to an inventory.

(Remainder of page reserved.)

4.4.9.5 SYSTEM FOR CALLING WRECKERS AND AMBULANCES

- 1) The highway user encountering mechanical or other difficulties necessitating assistance or towing generally must rely upon the officer to obtain needed services. Consequently, the Department has developed a system to direct calls to several businesses on a specified rotational basis in an equitable manner that satisfies the needs of the public, the providers of such services, and the Department.
- 2) Whenever a highway user requires a wrecker or roadside service or repair, the officer shall first request that the person desiring such service state the name of the organization he wishes to provide that service. If the person states no preference, the officer shall request that communications dispatch the appropriate type of service that, at the time of the call is first on the rotation list.
- 3) Officers who request any such services on their own authority shall not request an organization not on the rotations list, nor direct that a specific establishment be called out of order unless he knows that the particular service required is only available through the organization which he specifies.
- 4) Regarding services rendered, officers shall report to their immediate supervisors the name of any service agency or individual who either renders poor service or is incapable of providing quality service because of inadequate equipment or personnel.
- 5) The commander of the communications division shall be responsible for developing and implementing the rotary system for obtaining needed services. The Commander / manager shall work with traffic and patrol and periodically review the system to ensure that it is functioning properly.
- 6) In the event medical attention is needed or requested, the officer will summon medical assistance by notifying communications and requesting an ambulance.

4.4.9.6 REPORTING HAZARDOUS CONDITIONS (KACP)

Roadway and roadside hazards are contributing factors in many traffic collisions. Hazardous highway and/or environmental conditions may include:

- 1) Defects in the roadway itself (holes, ruts),
- 2) Lack of, or defects in, highway safety features (e.g., center and side striping, reflectors, etc.)
- 3) Lack of, improper, damaged, destroyed or visually obstructed traffic control and information signs,
- 4) Lack of, improperly located, or malfunctioning mechanical traffic control devices,
- 5) Lack of or defective roadway lighting systems,
- 6) Natural or man-caused obstructions,
- 7) Debris in the roadway,
- 8) Ice or heavy snow accumulations on roadway surfaces,
- 9) Water leaks in streets,
- 10) Vehicles parked or abandoned on or near the roadway, and
- 11) All roadside hazards that a vehicle leaving the road surface may impact with resulting in unnecessary damage to persons or property.

Upon discovery of a hazardous highway or environmental condition, officers shall request that the appropriate agency be contacted to have the hazard corrected.

The following general procedures apply to reporting hazardous conditions:

- 1) When a hazard is identified and in the officer's opinion such hazard requires immediate correction, he will immediately inform the communications unit of the situation and identify assistance or special equipment required. The officer will protect bystanders and the scene, and direct traffic or take any other action deemed necessary to correct the situation.
- 2) When a hazard is detected that represents a potential collision situation, but the threat of such is not imminent, the officers shall request that the appropriate agency be contacted by dispatch to have the hazard corrected.

4.4.10 TRAFFIC ENGINEERING

4.4.10.1 TRAFFIC ENGINEERING

Although traffic engineering is not solely, or even directly, a law enforcement function, police agencies have a unique opportunity and responsibility to contribute to traffic engineering. The compilation and analysis of traffic law enforcement and traffic collision management data, as well as information obtained in providing basic traffic services to the public, provides an excellent base for identifying traffic engineering problems.

Elimination of traffic engineering problems also is very much in the best interest of law enforcement, and of the community at large; for with improvements in traffic engineering comes reduction in traffic collisions, and often reduction in traffic law violations.

4.4.10.2 RESPONSIBILITIES AND TRAINING

Traffic engineering is the responsibility of the City's Department of Public Works and the State Bureau of Highways. However, this Department fully recognizes its unique opportunity and responsibility to contribute to improving traffic engineering in the community. To this end, the Department will continue to work in concert with other authorities by:

- 1) Collecting and compiling traffic-related data which may be relevant to identifying specific engineering problems and solutions;
- 2) Conducting speed studies;
- 3) Analyzing collision and enforcement data to discern trends and relationships which may be symptomatic of engineering problems;
- 4) Preparing special reports, and making recommendations concerning efficient use of traffic control devices, new or revised ordinances, or other engineering solutions/improvements; and
- 5) Participate actively in the community's transportation system management planning.

(Remainder of page reserved.)

4.4.10.3 TOWING FEE GUIDELINES

- 1) Basic towing fees apply to tows for all standard vehicles including: standard passenger vehicles, passenger and utility vans, pickup trucks and sport and utility vehicles requiring one towing vehicle for removal.
- 2) Vehicles larger than described above – still requiring only one towing vehicle for removal – that are smaller than a semi-tractor and/or semi-trailer, will be towed at a fair market rate – not to exceed twice the standard tow fee.
- 3) Towing of a semi-tractor and/or semi-trailer will be towed at a fair market rate.

4.4.10.4 SERVICE REQUIREMENTS

Collision debris/fluid clean up and removal is expected to be part of **any** tow at no additional charge.

Additional fees for debris/fluid clean up and removal will **not** be permitted. All towing vehicles must be equipped with “oil dry” material for distribution on oil or other fluid spills as needed at collision scenes.

Wreckers will respond only when requested by a sworn police officer or a Department telecommunications operator. This applies to police impounds and vehicle accidents. No drive by towing will be permitted. Calls for service, when specially requested by a vehicle owner, will not take the wrecker service out of rotation.

4.4.10.5 EXTRAORDINARY CIRCUMSTANCES/ SPECIALTIES

Any extraordinary towing circumstances or specialty not covered in the above language will be completed at fair market rate (i.e. up righting an overturned semi-tractor/trailer, removing a vehicle from a deep ravine, multiple towing vehicles required for removal, etc.).

Overtaken standard vehicles on or near the roadway, not requiring additional towing vehicles or specialty equipment to up right and remove, will not be considered extraordinary circumstances and will be considered part of a standard tow and basic fee.

4.4.10.6 RESPONSE TIME REQUIREMENTS

All wrecker services are required to be to the specified tow location within **20 minutes** or less under normal circumstances. Any wrecker service offered a tow that cannot be at the scene within **20 minutes** or less will not be utilized and will be removed to the bottom of the list in the rotation. We have determined that a **20-minute** response time, in most situations, is realistic. In considering response time this department will take into consideration weather, road and traffic conditions. In no way does this give any wrecker the authority to exceed the posted speed limits or disregard any traffic control devices.

4.4.10.7 COMPLIANCE

Any wrecker service failing to comply with any of the requirements stated herein, or failing to act in good faith with the BGPD or the customer, will be removed from the BGPD Towing List at the discretion of the BGPD. Copies of invoices for services rendered at the request of the BGPD must be provided to the BGPD for review.

End of Chapter 4.4

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CHAPTER 4.5

RESERVED

4.5 CHAPTER 4.5 - RESERVED

End of Chapter 4.5

CHAPTER 4.6

INVESTIGATIVE OPERATIONS

4.6 CHAPTER 4.6 - INVESTIGATIVE OPERATIONS

This chapter sets forth the Department's criminal investigative function as performed by both uniformed officers and officers assigned to specialized investigative components. The policy recognizes the differences between the investigative job responsibilities of patrol personnel and officers assigned to the Criminal Investigations Division and the Drug and Alcohol Unit. Policies in this chapter are related to topical areas addressed in:

- § 1.8, chapter 1.8 - property management,
- § 4.3, chapter 4.3 - patrol operations,
- § 4.7, chapter 4.7 - criminal investigations
- § 4.8, chapter 4.8 - organized crime and vice control
- § 4.9, chapter 4.9 - juvenile operations

4.6.1 DEFINITION, GOAL AND POLICY

4.6.1.1 DEFINITION

**Investigative
Operations**

The Departments investigative operations are appropriate police investigations having to do with the Department's response to calls for service, perceived on-view need, and activities which present a threat to the community.

4.6.1.2 GOALS

The Department's preliminary investigations seek to:

- 1) Verify that an offense has actually occurred, and identify the victim, the place of the crime, and when the crime occurred;
- 2) Identify solvability factors (or leads);
- 3) Communicate the circumstances of the crime, and identify completed investigative tasks and those yet to be done.

The Department's follow-up investigations seek to:

- 1) Check to see that the preliminary investigation was thoroughly done;
- 2) Continue investigation of those leads which have surfaced;
- 3) Work to link the crime with others of a similar type; and
- 4) If an arrest is made, prepare the case for prosecution.

4.6.1.3 POLICY

It is the policy of the Bowling Green Police Department to respond to complaints or requests for services, on-view circumstances requiring police services, and activities which present a threat to the community.

It is the policy of the Bowling Green Police Department that in the event awareness of need is manifested, appropriate police investigations shall be initiated, pursued, and if possible concluded, and that such investigations be conducted according to Departmental regulation and administered through proper chain of command.

4.6.2 DEPARTMENT INVESTIGATIONS OPERATIONS

4.6.2.1 DERIVATION OF INVESTIGATIVE OPERATIONS

The need for investigative operations may come to the attention of officers directly or indirectly (e.g., self-initiated activity, preliminary patrol action and reports, or as the result of intelligence activities).

4.6.2.2 GENERAL INVESTIGATIVE RESPONSIBILITIES

All officers of the Bowling Green Police Department are responsible for the appropriate investigation of police matters which come to their attention.

Police investigations begin when (1) an officer first arrives at a crime scene, (2) an officer or the Tele-serve services makes first contact with a complainant, or (3) they become aware that police services are needed.

As a general rule, patrol officers and/or personnel assigned to Tele-serve are responsible for the preliminary investigation of all dispatched calls for service. Patrol officers are expected to pursue and follow-up preliminary investigation leads to the extent that available division resources permit. The Department's plain-clothes investigators work primarily as support for the Patrol Division. Their principle concern is follow-up of selected cases already begun by uniformed beat officers

4.6.2.3 SPECIFIC INVESTIGATIVE RESPONSIBILITIES

For Patrol Operations specific investigative responsibilities, see §§ 4.3 and 4.4 .

For Criminal Investigations Operations specific investigative responsibilities, see §§ 4.7 and 4.9 .

For Organized Crime and Vice Control specific investigative responsibilities, see § 4.8 .

4.6.2.4 SPECIAL INVESTIGATIONS

- 1) Personnel Investigations
 - a) For personnel investigations, see § 4.10.2, internal affairs.
 - b) For selection-process background investigations, see § 4.7.8.9.
- 2) Special Investigations Authority
 - a) The Chief of Police may initiate or cause to be initiated any lawful investigation he may deem necessary or appropriate.

4.6.3 TRAINING

All newly hired police personnel are provided instruction in crime and accident scene processing while attending recruit training at the DOCJT academy.

As a part of the Department's Academy and Field Training programs, all newly hired police personnel receive, at a minimum, familiarization training in the following subjects (see § 2.3, chapter 2.3 - training):

- 1) Potentialities and limitations of the examination of physical evidence;
- 2) Written directives concerning the role and function of the investigator, the patrol officer, and Crime Scene Processors;
- 3) Collection methods and procedures regarding fingerprints, footprints, blood, and fibers and fabrics, weapons, hairs, paint, glass, tool marks, and the requirements for collection of materials from a known source for comparison purposes;
- 4) Preservation methods for various forms of evidence;
- 5) Maintenance of the chain of evidence, marking, custody, and records;
- 6) The crime or collision scene sketch;
- 7) Crime or collision scene photography; and
- 8) Crime or collision scene records.

Specialized training is provided to all persons responsible for crime scene processing to develop the following skills:

- 1) Recovery of latent fingerprints and palm prints;
- 2) Recovery of foot, tool, and tire impressions;
- 3) Photographing crime or accident scenes;
- 4) Preparing crime or accident scene sketches; and
- 5) Collecting, preserving, and transmitting physical evidence, including biological materials.

The Department provides crime scene refresher training for Crime Scene Processor personnel as a component of the in-service training program.

(Remainder of page reserved.)

4.6.4 GENERAL PROVISIONS

4.6.4.1 INTERVENTION

Officers shall not interfere with cases which are being investigated by other officers of this Department or other government agencies unless:

- 1) Ordered to intervene by a superior officer, or
- 2) The intervening officer believes beyond a reasonable doubt that a manifest injustice would result from failure to take IMMEDIATE action.

4.6.4.2 COMMAND PROTOCOL

Preliminary and follow-up investigations may involve personnel assigned to different divisions. As a general rule, coordination may be maintained through adherence to command protocol. (See § 1.1.2.3, command protocol (kacp).)

For coordination of efforts during warrant-service and crime-scene search and seizure operations, see § 4.7.8 below, investigative procedures (and court presentation).

For coordination of efforts during surveillance, undercover, decoy, and raid operations, § 4.14.5.

4.6.4.3 SERIOUS CRIMES

- 1) The first officer on the scene is in charge of the scene until relieved by a superior. He is in charge of the investigation until transfer of responsibility is appropriate. The overall coordination of the activity surrounding the investigation of serious crimes is the responsibility of the Field Supervisor or his designee, unless he is formally relieved by a higher ranking officer.
- 2) After notification of Supervision and completion of first preliminary investigative procedures (e.g., making provision for appropriate medical aid for injured and/or apprehension of suspect if still at the scene), officers shall protect the scene for follow-up.
- 3) No one will be allowed into the scene of a Death Investigation except Crime Scene Processors, the Commonwealth Attorney or his designee, the Coroner or his designee, or other persons deemed necessary and appropriate by the investigating officer in charge of the investigation. When practical, both the Coroner (or his designee) and the investigative officer(s) should enter the scene together to coordinate investigative efforts as defined in KRS 72.405. (The Coroner or his representative and the Sheriff are the only persons automatically authorized access to a homicide scene. If a definite possibility of destruction of evidence exists by their entering and either or both are about to do so, they should be advised of that possibility and it should be made a part of the report.)
- 4) A criminal investigator (on duty or on call) shall be notified on any suspicious death. The Coroner shall be notified by appropriate personnel when any death has occurred. In

general the request for a coroner should be made by emergency medical personnel as part of their response protocol. However, in the event of a death in which it is clear to a reasonable person that the condition of the body cannot support life (i.e., decomposing, decapitation, etc.), it is acceptable for a supervisor to make the request. In the event of a homicide, the Commonwealth Attorney shall also be notified.

- 5) In the event of a death related to abuse or neglect officers are required to report any known or suspected domestic violence and abuse, adult/child abuse, neglect or exploitation immediately [within 48 hours for domestic violence] to the Cabinet for Human Resources, Department for Human Resources. This shall be done whether or not an arrest has been made. (See § 4.3.38, domestic violence.)
- 6) When the victim of an accident, homicide, suicide, or otherwise unexplained death is found to have been under eighteen years of age, the following should immediately be notified:
 - a) The Coroner's office,
 - b) The Department for Social Services,
 - c) The Police Department's on call Criminal Investigator,
 - d) The Chief of Police, and
 - e) The Police Department's Victim Advocate.

(Remainder of page reserved.)

4.6.5 COLLECTION AND PRESERVATION OF EVIDENCE

4.6.5.1 ORGANIZATION AND ADMINISTRATION (KACP)

- 1) Coordination is essential to ensure that the prosecutor and the judges of the court are apprised of information concerning the ability of the Department in developing information for prosecution. The Major in charge of Patrol and the Captain in charge of crime scene processing should take the initiative and attempt to meet at least annually with the prosecutors.
- 2) Response to some calls for service may require prompt collection of physical evidence and submission to a laboratory without delay. In many cases the implementation or continuation of the investigative process must wait for the completion of certain aspects of the work of Crime Scene Processors. For these cases, the Department maintains 24-hour crime scene processing capabilities through regular scheduling. Every District officer is trained in basic crime scene processing techniques. In addition, a team of Advanced Processors are available to respond to more complex crime scenes as determined by supervision.
- 3) In the event photographs are NOT taken or when physical evidence is NOT recovered from the scene of a serious crime against person or property (e.g., a homicide, rape, arson, robbery, or major assault), the crime scene processor assigned SHALL include within his report THE REASONS WHY.
- 4) Requests for Advanced Crime Scene Processors shall be according to the following provisions:
 - a) The on-scene officer, shall be responsible for requesting an Advanced Crime Scene Processor via their supervisor according to the following criteria:
 - All violent crimes against persons to include homicide and suspicious deaths,
 - When requested by the case Criminal Investigator, or
 - Less serious crimes and/or trend crimes at the discretion of the supervisor.
 - b) Availability of Crime Scene Processors:
 - On-duty Crime Scene Processors assigned to shifts.
 - Back-up processors from off-duty shifts may be contacted by phone.
- 5) The on-duty supervisor shall be responsible for requesting a Traffic Collision Reconstructionist and Advanced Crime Scene Processor, when necessary.

The following type of traffic collisions may be investigated by a Traffic Collision Reconstructionist:

- a) All collisions involving a fatality or a serious physical injury, as defined by KRS 500.080, including:
 - Collisions involving a motor vehicle and a train,
 - Collisions involving a commercial vehicle,
 - Collisions involving a bus, or
 - Collisions where the primary cause may be a road defect or a vehicle manufacturing defect;

- b) Collisions which result in the spillage or leakage of hazardous materials;
 - c) Collisions likely to result in felony criminal prosecutions;
 - d) Collisions which may require limited participation by the Reconstructionist (e.g., speed calculations or examination of vehicle parts for manufacturing defects.).
- 6) Both Advanced Crime Scene Processor and Traffic Collision Reconstructionist may be called out to assist in the same incident depending upon circumstances. (e.g., Collision involving a vehicle used as a weapon during the commission of a crime.).

4.6.5.2 PROCESSING EVIDENCE AT THE SCENE AND AT-SCENE EVIDENCE RECORD

4.6.5.2.1 First Officer on the Scene of Any Major Incident

The first officer on the scene of any major incident has the primary responsibility of guarding and protecting the scene for processing.

4.6.5.2.2 Crime Scene Processors' Responsibilities

- 1) Gathering preliminary information:
 - a) From the first responding officer,
 - b) Concerning victims,
 - c) Concerning suspects, and/or
 - d) From witnesses.
- 2) A preliminary survey of the crime scene:
 - a) Establishing administrative control for crime scene processing, i.e., only Crime Scene Processors and/or Investigators are allowed in the crime scene area,
 - b) Determining actual crime scene perimeter and search area,
 - c) Developing a general theory of the crime,
 - d) Identifying and protecting transient evidence, and
 - e) Preparing a narrative description of the scene.
- 3) Evidence collection:
 - a) Latent fingerprints
 - b) Blood and biological evidence
 - c) Trace evidence
 - d) Footwear and tire impressions
 - e) Tool marks
 - f) Clothing marks
 - g) Bite mark impressions
 - h) Miscellaneous firearm evidence
 - i) Miscellaneous material evidence
- 4) Crime scene documentation:
 - a) A narrative description and log of events and an evidence recovery log (§§ 4.6.5.2.5 below and 4.6.5.2.10 below);
 - b) Photographs and photo log (§ 4.6.5.2.9 below); and
 - c) Crime scene sketch (§ 4.6.5.2.8 below).
- 5) Final survey of crime scene
- 6) Release of the crime scene or turning the crime scene over to investigating officers

- 7) Logging of evidence into the evidential property system

4.6.5.2.3 General Guidelines for Packaging Collected Material

General guidelines for packaging of collected material are contained within the Kentucky State Police Forensic Laboratory Physical Evidence Collection Guide and the BGPD Evidence Packaging and Handling Procedures.

4.6.5.2.4 Marking of Collected Material

Marking of collected material should be as follows:

- 1) The collector should provide his initials, date of discovery, and case number with each item of evidence.
- 2) When using envelopes or other paper products for containers of collected evidence, the collector should seal the package with tape and then place his initials and the date over the sealed area.
- 3) All sexual assault evidence collection kits shall be sent to the lab for analysis. (See 4.6.5.4).

4.6.5.2.5 Inventory of Collected Material

The collector should provide an inventory of collected material containing the following at a minimum:

- 1) A description of the item including make, model number, and serial number, if any;
- 2) Its source (from whom, i.e., who gave it to the officer or the owner of the property, if known.); and
- 3) The name of the person collecting the item or items.

4.6.5.2.6 Marking of Material

Marking of material to be submitted to the lab for comparison / examination should be as follows:

- 1) Each loose item is a separate exhibit and needs a separate exhibit number.
- 2) If possible, substances should be obtained from a known source for comparison with collected evidence. Comparison tests are particularly important where fractures have occurred, such as in the case of glass, wood, paint, or metal.
- 3) When submitting a known source of evidence for comparison purposes, it should be marked with a "K" followed by an exhibit number.
- 4) Unknown or questioned items of evidence should be marked with a "Q" followed by an exhibit number.

4.6.5.2.7 Timing and Conditions for Submitting Evidence to a Forensic Laboratory

Timing and conditions for submitting evidence to a forensic laboratory should be as follows:

- 1) Evidence submitted for comparison/examination should be submitted as soon as possible.
- 2) Perishable evidence such as fresh blood, bloodstained objects, other physiological stains and tissue, and biological materials should be submitted as soon as possible. State DUI Blood Kits should be logged into evidence and submitted to the lab by the Property Custodian. (State DUI Blood Kits contain a blood preservative.)
- 3) In the event the lab will not accept evidence without items from a known source for comparison purposes, collected evidence from the scene may be held in the Department's storage pending collection of comparison items.
- 4) The Property Custodian shall record any delay in submission of evidence to the laboratory and the reason(s) for the delay.

4.6.5.2.8 Significant Incident Scene Sketches

Significant incident scene sketches will include, at a minimum:

- 1) Case number;
- 2) Date and time of the incident;
- 3) Location (address or appropriate designation and description of the area, i.e., relation of the crime scene to other building or geographical features);
- 4) Indicated north-reference;
- 5) Location and description of relatively immobile objects such as furniture, to be used as reference points, i.e., location of significant features of the scene, including any victim;
- 6) Location of all seized evidence with identifications of its collector and time of collection;
- 7) Location of all processed evidence (e.g., fingerprints);
- 8) Dimensions of the area perimeter;
- 9) Date and time of preparation; and
- 10) The name and call number(s) of officer(s) preparing the sketch.

4.6.5.2.9 Significant Incident Scenes Photography Procedures

Significant incident scenes should be photographed in the following manner:

- 1) The following photo data will be recorded by the assigned photographer at a minimum:
 - a) The type camera used,
 - b) The type film or digital storage used,
 - c) The lens setting (if possible),
 - d) The date and time of photographs, and
 - e) A brief description of each photograph.
- 2) When measuring devices or markers are added to the scene the following two (2) photos must be taken:
 - a) One as the scene was found, and
 - b) One with the markers added.

4.6.5.2.10 Record of Events at the Scene

Case number, An accurate record of events that transpire at the scene, in connection with the investigation is required at the time of trial. The preparation of a report by the person who processes a crime or accident scene is, therefore, necessary. For crime scenes that do not require an Advanced Crime Scene Processor, the processing and evidence collection activity should be documented on the KYIBRS Report via the KYOPS system. Scenes that require processing by ACSP personnel should be documented on the Advanced Crime Scene Processor's Report and would not be included on the KYIBRS report.

Both types of crime scene documentation should include the actions taken to collect, preserve, and process evidence at the scene of the crime.

4.6.5.2.11 Selecting and Packaging Evidential Items to be Tested by a Lab

The case investigator is responsible for selecting evidential items to be tested by a lab. The Collecting Officer is responsible for packaging and submitting requests to the laboratory for examinations. Laboratory-examination requests may be made through the Property Custodian.

4.6.5.2.12 Department Requests for Lab Examinations

Department requests for lab examinations are as follows:

- 1) Requests are submitted on the KSP Request Form or according to the FBI Request Outline.
- 2) A transmittal letter or written request as a part of the evidence transmittal form is used to request a written report of laboratory findings.
- 3) Transfer of property is through U.S. Certified Mail with return receipt specified.
- 4) Records of transfer are placed within the Laboratory Request File as follows:
 - a) A copy of the original Lab Request Form or completed FBI Outline;
 - b) A copy of the mailing certificate number;
 - c) The return receipt when mailed back; and
 - d) Record of the date property is returned.
- 5) Laboratory Request File should also contain the following:
 - a) The name of the officer last having custody of the item;
 - b) Date and time of submission of mailing and method used for transmission (see items 2 and 3, above);
 - c) Date and time of receipt at the laboratory (see item 3, above); and
 - d) The name and signature of the person in the laboratory receiving the evidence.

4.6.5.2.13 Custody Transfer of Physical Evidence

Whenever the custody of physical evidence is transferred, the following information should be recorded:

- 1) The date and time of transfer,
- 2) The name of receiver, and
- 3) The reason for transfer.

4.6.5.2.14 Procedures for Processing Recovered Stolen Vehicles

- 1) In the event of the recovery of a stolen vehicle, the reporting agency, owner, and any other appropriate person(s) shall be notified.
- 2) Recovered stolen autos should be promptly processed for items of evidentiary value and the chain of evidence maintained according to Departmental standards.
- 3) If possible, process the vehicle at the scene.
- 4) Whenever a vehicle is to be towed, a cursory examination of the vehicle and the immediate surrounding area should be completed in the field in the event that any evidence is dislodged or disturbed.
- 5) In the event a vehicle has been exposed to cold or wet weather, or very humid or shower conditions and warm weather, it should be stored inside and allowed to air-dry before processing. While being stored prior to processing, the vehicle should not be tampered with.
- 6) After processing by a Crime Scene Processor, release of the vehicle is at the discretion of the officer in charge of the investigation and/or prosecutor. Release is according to Departmental Evidence Disposition Policy (1.8.3.4).
- 7) Records are maintained according to Departmental impound regulations and any appropriate investigative file or evidentiary record of processing.

4.6.5.3 ENTERING EVIDENCE IN DEPARTMENTAL INVENTORY

- 1) All property taken into custody by the Department must have a report number.
- 2) All evidential property taken into custody by the Department will be submitted to the Property Unit in the following manner:
 - a) All Property must have an electronic evidence entry created and placed into the evidence intake room.
 - b) Property will be logged into the intake room except those items that are:
 - Too large or numerous,
 - Explosive, or
 - Combustible.
- 3) Special custodial procedures are applicable for the following evidentiary items:
 - a) Open alcoholic beverages are to be emptied before being logged into evidence.
 - b) Coolers are not to be submitted as evidence concerning illegal possession charges. Submit only the alcoholic beverages related to the charges.
 - c) All motor vehicles including mopeds or motorcycles taken into custody as evidence must be IMPOUNDED and stored in accordance with Departmental vehicles impound procedures.
 - d) No commercial explosives or explodable items will be stored in the property room or police building. Explosives or explodable items may be stored at the direction of the ATF.

- e) When necessary evidential property may be kept separate from normal custody procedures by the Drug and Alcohol unit.
 - f) Vehicle Inventory Reports will be electronically submitted to the Evidence Custodian Staff via email. A file will be maintained of the reports for evidence release purposes and a copy will be attached to the evidence entry and RMS report (when applicable).
- 4) Any collected material placed in the Department's Evidence/Property Container will be secured in the following manner:
- a) After placing the property into the container, seal with tape. Do not staple.
 - b) Complete tracking entry in computer property file and attach computer generated label to package. When unable to use computer entry system, fill out a Property and Evidence Record Card and tape it to the package.
 - c) Log the item(s) in according to above procedures.
- 5) All evidential items which are too large to be placed into an Evidence/Property container will be tagged by attaching the computer generated label or Property & Evidence Record Card.
- 6) All collected material/evidential items shall be submitted to the Property and Evidence Unit prior to the end of the shift in which material/item was collected. Mobile video recordings and body worn camera recordings should be submitted via the guidelines pertaining to that type of evidence. (See 4.4.2.8).

4.6.5.4 SEXUAL ASSAULT KITS

Entering DNA (deoxyribonucleic acid) evidence from sexual assault evidence kits increases the likelihood of prosecution. The importance of DNA evidence in sexual assault cases cannot be overstated. Not only does DNA evidence carry weight in court, but it may prevent future sexual assaults from occurring. Even if the perpetrator is not prosecuted, their DNA may be added to the national database, making it easier to connect the perpetrator to a future crime or a past crime.

The policy of the Bowling Green Police Department will be that when notification of an alleged sexual assault is received from a collecting facility, generally a hospital, clinic or medical provider that the procedures and timelines outlined in the policy below be utilized.

4.6.5.4.1 Definition

Sexual Assault Evidence Kit (SAEK) - a container that includes a checklist, materials, and instructions, along with envelopes and containers to package any specimens collected during the exam. The contents of the kit may include:

- a) Bags and paper sheets for evidence collection
- b) Comb
- c) Documentation forms
- d) Envelopes
- e) Instructions
- f) Materials for blood samples
- g) Swabs

4.6.5.4.2 Procedures

Once DNA is collected, there is a protocol for how the evidence is handled and used in an investigation. The evidence will be provided to law enforcement who will send it to the crime lab. The lab will analyze the material and develop DNA profiles that are unique to a specific person. The lab works with law enforcement officials to compare these profiles to the DNA of potential suspects. If the perpetrator is unknown, they may compare the DNA profile against a large database run by the FBI called CODIS, the Combined DNA Index System. This way, law enforcement can identify suspects that the victim doesn't know or isn't familiar with.

- a) When the Bowling Green Police Department receives notification that a sexual assault examination has been conducted by a collecting facility/medical provider performed under KRS 216B.400 and a sexual assault evidence kit has been completed and is ready for pick up a member of the BGPD shall within five (5) days of notification respond to the facility and take custody of it. The Chief shall designate the officer or Division responsible for the collection of these kits.
- b) The Chief of Police or their designee shall ensure that all evidence retrieved from a collecting facility be transmitted to the Department of Kentucky State Police forensic laboratory within thirty (30) days of its receipt by this department.
- c) The BGPD shall handle the evidence sexual assault evidence kit in compliance with best practices associated with crime scene evidence collection:
- d) In cases where no criminal report has yet been generated, the receiving officer will generate a department case number.
- e) The receiving officer will prepare an evidence form and maintain a proper chain of custody by documenting the date, time and name of the person who turned over the sexual assault evidence kit to him.
- f) On arrival at the department the receiving officer shall ensure the sexual assault evidence kit is turned into the property/evidence custodian or placed in a department authorized temporary storage facility. The facility is designed to preserve the evidentiary value of the sexual assault evidence kit while it awaits transfer to the Kentucky State Police forensic laboratory.
- g) The decision to report the crime rests completely with the victim. It is not required for the victim to file a criminal complaint. Having a sexual assault forensic exam ensures that the forensic evidence will be safely preserved while the victim decides how to proceed. Regardless of the victim's decision, the BGPD shall collect the sexual assault evidence kit and comply with stated procedures of this policy.
- h) In cases where a victim receives treatment at a collecting facility in this jurisdiction but it is determined the sexual assault occurred outside the jurisdiction of this department officers shall:
 - Respond to the collecting facility to receive the evidence.
 - Ensure that evidence will be collected and maintained in accordance with the BGPD's property and evidence storage policy, as stated above.
 - Ensure that the BGPD will transmit the evidence to a department with jurisdiction of the sexual assault within ten (10) days of its receipt by this department.

4.6.5.5 Suspect Standard:

- a) During the course of investigation, a suspect sample (DNA), may be obtained by this department.

- b) A suspect standard, if available, shall be transmitted to the Kentucky State Police forensic laboratory with the sexual assault evidence kit received from a collecting facility.
- c) If the suspect standard is not available at the time of the transmission of the sexual assault evidence kit, it shall be transmitted to the Kentucky State Police forensic laboratory by the obtaining agency as quickly as practical once it is collected.

4.6.5.6 Victim Notification

- a) The BGPD will work collaboratively with the Kentucky State Police forensic laboratory and the prosecutorial authority regarding victim notification on the progress of testing and whether the testing resulted in a match to other DNA samples.
- b) The BGPD will work collaboratively with the Kentucky State Police forensic laboratory and the prosecutorial authority regarding victim notification if any of the evidence is going to be destroyed.
- c) The investigator(s) assigned to a sexual assault investigation is not required to immediately disclose to the victim the identity of any person to whom the evidence matched. The BGPD may delay notice until a suspect is apprehended or the Commonwealth's Attorney consents to the notification.

4.6.5.7 Kentucky State Police forensic laboratory

- a) Kentucky State Police forensic laboratory will analyze and classify all sexual assault evidence kits it receives. In cases where a suspect has been identified, the Kentucky State Police forensic laboratory may give priority to analysis and classification of sexual assault evidence kits where the reference standard for comparison is provided with the kit.
- b) Kentucky State Police forensic laboratory testing times: Except as provided in subsection Section 3. KRS 17.175 (3)(e) by July 1, 2018, the average completion rate for this analysis and classification shall not exceed ninety (90) days, and by July 1, 2020, the average completion rate for this analysis and classification shall not exceed sixty (60) days.
- c) Officers of the BGPD shall use the above testing completion turnaround times to guide them when making requests for testing results.

4.6.5.8 Property and Evidence Function:

- a) It shall be the responsibility of the property/evidence custodian to ensure the sexual assault kit received from a collection facility is maintained in such a manner as to preserve the integrity of the evidence. The property/evidence custodian shall forward all sexual assault kits to the Kentucky State Police forensic laboratory in accordance with this policy.

4.5.6.8.1 Auditing

- It is the policy of the BGPD that during department auditing procedures of the property and evidence room the auditor shall examine all sexual assault kits held by the BGPD to ensure compliance with this policy and Kentucky State law. Any discrepancies or violations of this policy shall immediately be reported to the Chief of Police in writing.

4.6.5.9 Disposal

- a) No item of evidence collected by BGPLD shall be disposed of except as provided by KRS 524.140. Destruction of evidence in violation of this statute could result in conviction of a Class D Felony. Prior to any decision to dispose of evidence, the property/evidence custodian shall consult with the Commonwealth Attorney's office to ensure compliance with KRS 524.140.

Notes on Hospital Standards:

KRS 216B.400 sets forth the standards for hospitals, or, "sexual assault examination facilities" KRS 216B.015.

KRS 216B.400 (4) -The Secretary of the Justice Cabinet, in conjunction with SART AC, shall develop a statewide "medical forensic protocol"
Also, this section states that physicians and SANE nurses shall provide both basic medical care related to the incident, as well as a sexual assault examination upon request of an officer or a prosecutor (with the victim's consent) or upon the request of the victim.

KRS 216B.400 (5), (6) - The facility shall inform the victim of available services for treatment of sexually transmitted infections, pregnancy (not to include abortion counselling or referral) and any other medical or psychiatric problems; the facility shall also inform the victim about crisis intervention and mental health services provided by regional rape crisis centers.

KRS 216B.400 (7) - A minor may consent to this exam without a parent or guardian.

KRS 216B.400 (8), (9) – The crime victim's compensation board shall pay for the exams and the victim is not to be charged.

KRS 216B.400 (10) – A victim shall not be denied an examination due to refusing to report the assault to law enforcement.

If a victim chooses to report, the facility shall notify law enforcement within 24 hours.

If a victim chooses not to report, samples shall be stored, released and destroyed where appropriate in accordance with KAR to be promulgated by the Justice Cabinet and SART AC as mandated by KRS 403.707

All samples shall be stored for at least one year from the date of collection.

Notwithstanding KRS 524.140, samples collected during exams where the victim chose not to report within one year may be destroyed as set forth in the KAR required by KRS 403.707

(Remainder of page reserved.)

End of Chapter 4.6

CHAPTER 4.7

CRIMINAL INVESTIGATIONS

4.7 CHAPTER 4.7 - CRIMINAL INVESTIGATIONS

This chapter sets forth the Department's criminal investigative function as performed by officers assigned to the Criminal Investigations Division. The policies primarily focus upon administrative and operational aspects, identifying those common elements of every investigation rather than the investigative function in each crime category. Related policies recognize differences between the investigative job responsibilities of patrol personnel and officers assigned to the Criminal Investigations Division, Drug and Alcohol Unit (see § 4.8.2.), and Juvenile Operations Unit (see § 4.9).

4.7.1 DEFINITION, GOAL AND POLICY

4.7.1.1 DEFINITION

Criminal Investigations

Criminal investigations focus upon criminal activities which present a threat to the community - activities which include homicides, assaults, sex offenses, robbery, burglary, white collar crime, fraud, theft, and fugitive-related offenses.

4.7.1.2 GOALS

The Department's criminal investigations seek to perform two tasks:

- 1) Self-initiated preliminary investigations which:
 - a) Verifies that an offense has actually occurred, and identifies the victim, the place of the crime, and when the crime occurred;
 - b) Identifies solvability factors (or leads);
 - c) Communicates the circumstances of the crime, and identifies completed investigative tasks and those yet to be done; and
- 2) Follow-up investigations which:
 - a) Checks to see that the preliminary investigation was thoroughly done;
 - b) Continues investigation of those leads which have surfaced;
 - c) Works to link the crime with others of a similar type; and
 - d) If an arrest is made, prepares the case for prosecution. (There are cases where an arrest is made and assigned to patrol personnel for preparation for prosecution.)

4.7.1.3 POLICY

It shall be the policy of the Bowling Green Police Department that in the event awareness of need is manifested, criminal investigations shall be initiated, pursued, and if possible successfully concluded.

4.7.2 DEPARTMENT CRIMINAL INVESTIGATIONS OPERATIONS

4.7.2.1 GENERAL RESPONSIBILITY

The Department's plain-clothes investigators work primarily as support for the Patrol Division. Their principle concern is follow-up of selected cases already begun by uniformed district officers, although some cases may be self-generated.

4.7.2.2 FUNCTIONS OF CRIMINAL INVESTIGATIONS DIVISION

Criminal investigations involve:

- 1) Investigation of serious criminal activities, felonies, and some misdemeanor incidents.
- 2) Interviews with victims and witnesses.
- 3) Arrests of suspects.
- 4) Interviews with suspects.
- 5) Determining exact circumstances of offenses.
- 6) Some photography work.
- 7) Case preparation and court presentation.
- 8) Maintenance of investigative files.
- 9) Maintenance of liaison with courts and prosecutors.
- 10) Maintenance of liaison with intelligence organizations.
- 11) Special assignments approved or initiated by supervision.
- 12) Background investigations.
- 13) Any other investigation the Chief of Police may deem necessary and appropriate.

4.7.3 PERSONNEL CREDENTIALS

The Chief of Police may assign personnel to work within the Criminal Investigations Division. Temporary assignment may serve as a training experience. Exposure to the Division may serve to:

- 1) Strengthen the investigative process,
- 2) Enhance career development,
- 3) Improve crime investigation reporting, and
- 4) Improve and provide more complete preliminary investigations made by patrol officers.

(Remainder of page reserved.)

4.7.4 ADMINISTRATION OF CRIMINAL INVESTIGATIONS DIVISION

4.7.4.1 CHAIN OF COMMAND

Chain of command:

- 1) Chief of Police.
- 2) Deputy Chief, Field Operations.
- 3) Assistant Chief, Criminal Investigations Division.
- 4) Captain, Criminal Investigations Division.
- 5) Sergeant, Criminal Investigation.
- 6) Officers.
- 7) Civilian Personnel.

4.7.4.2 RESPONSIBILITIES (KACP)

The administrative responsibilities of the Criminal Investigation Division include:

- 1) The maintenance of 24-hour investigative capability through on-duty and on call scheduling (see § 4.7.11, criminal investigations division scheduling);
- 2) Investigative personnel performance evaluations (see § 2.7.2.2);
- 3) Personnel investigations as assigned;
- 4) Public information as assigned (see § 4.10.4, public information);
- 5) Liaison with courts and prosecutors;
- 6) Liaison with other Police Departments and governmental agencies, and other divisions within the Police Department to include but not limited to:
 - a) The maintenance of working relationships with other police agencies (e.g., the release of mug shots or case file information to other departments on authorization), and/or
 - b) The maintenance of regular meetings with Traffic and Patrol personnel for the dissemination of authorized investigative and intelligence information;
- 7) Case management and direct case assignment and status control of criminal cases, and referral to other Units (see § 4.7.5);
- 8) Case status control (see § 4.7.6);
- 9) Case file maintenance (see § 4.7.7);
- 10) Background investigations (see § 4.7.8.8);
- 11) Selection-process background investigations (see § 4.7.8.9);
- 12) Fiscal management (see § 4.7.10);
- 13) Intelligence (see §§ 4.7.9 and 4.10.1); and/or
- 14) Monthly Case Status Report (see § 4.7.6)
- 15) Any other administrative responsibility the Chief of Police or the Commander of the Division of Investigations may deem necessary and appropriate.
- 16) Identify trend crimes.

(Remainder of page reserved.)

4.7.5 CASE MANAGEMENT

4.7.5.1 CASE ASSIGNMENT

- 1) Criminal investigations may be divided into two broad categories: (1) crimes against property, and (2) crimes against persons. Individual case assignment may be made with regard to crime categories; case merits (e.g., degree-of-seriousness and solvability criteria, see paragraph 5) below); and individual investigator training, ability, and expertise. Necessary investigative skills may differ somewhat from one case to another requiring supervisory perspicacity when making case assignment.
- 2) Judgment for case assignment may also rest upon such factors as: the distribution of personnel; their current work assignment; the number of tasks handled; the time required to handle tasks; projected availability of personnel; and the availability of other resources.
- 3) The criteria used to assign cases for follow-up is based on documented experiences of the Department and other agencies. The presence of solvability factors increases the probability of solving particular crimes. For crimes such as stolen vehicles, larcenies, and most burglaries, if none of the solvability factors noted in paragraph 5) below can be found a particular case is usually not assigned and the victim is notified by letter.
- 4) In some cases, duplication of effort may be avoided by assigning cases of similar nature to the same investigator. The decision may rest upon an analysis of the following criteria (see also § 1.5, chapter 1.5 - crime analysis).
 - a) Similar victims.
 - b) Similar objects taken.
 - c) Similar M.O.
 - d) Close geographic area.
 - e) Close time span.
 - f) Known offender.
- 5) Case assignment is the responsibility of a Criminal Investigations Division Supervisor. Assigned cases shall have an investigator, principal investigator, or case coordinator designated as accountable for the conduct of the investigation. The Criminal Investigations Division Supervisor will depend upon that stated in paragraphs 1-4 above, and consideration of the following criteria for determining if a police report will be followed up by an investigator:
 - a) Solvability factors
 - Witness to crime.
 - Suspect named.
 - Suspect known.
 - Suspect described.
 - Suspect identifiable.
 - Suspect previously seen.
 - Vehicle identified.
 - Significant M.O.
 - Traceable property.
 - Limited opportunity.
 - Significant evidence.

- Short time lapse.
- b) Degree-of-seriousness factors
- The following serious criminal activity, felonies and some misdemeanors: homicides, suspicious deaths, armed robberies, sex offenses.
 - All cases where at-large perpetrators intentionally, wantonly, or recklessly have caused physical injury or serious physical injury to another person, and in which there exists a real potential for additional offenses.
 - Cases which are judged Priority I by Management or Supervision because of public opinion or which could result in unfavorable negative reflection upon the Department.
- 6) If through preliminary investigation one or more of the above solvability factors are found, a follow-up investigation may be conducted. If one or more of the above degree-of-seriousness factors is found, a follow-up investigation is assigned whether or not solvability factors appear.
- 7) All police reports that are not assigned are kept on file. If, at a later date, information becomes known which may aid in solution, investigators may be assigned.

4.7.5.2 CASE ADMINISTRATIVE DESIGNATION

To assist in case management and control the following designations shall describe investigative status of cases investigated by the Criminal Investigation Division:

- 1) Open, or
- 2) Closed.

Criminal Case status designation is the responsibility of a Patrol Supervisor and/or a reviewing Criminal Investigations Division Supervisor.

(See 4.3.17.2).

4.7.5.3 OPEN CASES

The designation "Open" describes all cases which are actively being investigated by an assigned officer. Upon assignment, an open case is also designated a Priority Rating ranging from 1 to 7. A description of the "Open" Priority Ratings follows.

Priority 1..... Cases that are crimes against persons, including, but not limited to, Murder, Rape, Kidnapping, Assault 1st or Robbery.

Priority 2..... Cases in which an arrest has been made, a felony crime against persons or property.

Priority 3..... Cases which are felony crimes against persons with a high solvability potential.

Priority 4..... Cases which are felony property crimes with a high degree of solvability

Priority 5..... Cases which are felony property crimes with some solvability factors.

Cases may be assigned back to patrol personnel based on the discretion and recommendation of CID supervision.

4.7.5.4 CLOSED CASES

The designation "Closed" describes cases in which police investigative efforts have been satisfactorily concluded. Closed, describes the following types of cases:

- 1) Cases in which arrests or indictments have resulted,
- 2) Cases proven to be unfounded,
- 3) Cases not prosecuted,
- 4) Cases in which the officer/investigator has exhausted all leads.

Closed cases will be classified as :

Priority 7.....Cases where there are no viable leads (except Homicides), are proven unfounded, where prosecution is declined by the prosecutor or cases in which police investigative efforts have been satisfactorily concluded.

Closed Misdemeanor or Felony Cases can be reopened and/or reassigned for follow-up at any time by a Criminal Investigations Division Supervisor (or higher rank in the CID Chain of Command) if the case will be investigated by a Detective assigned to CID.

(Remainder of page reserved.)

4.7.6 CASE STATUS CONTROL

4.7.6.1 CASE STATUS

The Criminal Investigations Division Supervisor will record the following information with each assignment made: (1) investigator(s) or officer assigned, (2) date of assignment, and (3) case number. Managing assignment follow-up is facilitated by requiring feedback from investigators. After assignment, case status ("Open, Closed") is determined through analysis of both information received initially and information obtained during the course of the various investigations. Case status may be determined further by continued consideration of those factors affecting case assignment, especially application of solvability and degree-of-seriousness factors. Cases may be closed due to the absence of further leads or solvability factors; unavailability of investigative resources; and/or degree of seriousness.

4.7.6.2 CASE STATUS CONTROL

An attempt to contact the victim will be made by a member of CID within two working days of the receipt of assignment. A Monthly Case Status Report is submitted to the Commander of the Division of Investigations by the Criminal Investigations Supervisor. The report sets forth the disposition of all cases coming to the attention of the Criminal Investigations Division during the reporting period.

All Felony cases assigned to a Detective or Patrol Officer will be reviewed by a Criminal Investigations Division Supervisor, as part of a comprehensive case review, with each Detective or officer at least monthly.

Follow-up Investigative reports are retained within the case file. Supplemental Reports updating or closing cases are filed within Central Records, with copies included in the case file. (It is the responsibility of the Criminal Investigations Division Supervisor to determine the case status of all cases assigned to a detective in the Criminal Investigations Division.

All Homicide investigations will remain open, and assigned to an investigator, until all suspects have been prosecuted or all persons, including suspects, known to have been involved in the investigation are deceased. All other cases statuses will be determined at the discretion of supervision.

4.7.7 CASE FILE MAINTENANCE

4.7.7.1 CASE FILING

- 1) Case files are set up by the assigned investigator on each felony investigated; the making of a file record concerning other matters may depend upon the judgment of investigators, Supervision, and/or the merits of individual cases. Case files are maintained within a standard manila file jacket designated by case number.

- 2) Files on open cases are kept by their assigned investigator as long as each case remains open and Closed case records are stored and maintained by the Records Unit. All closed major case files (e.g., homicides, rapes, armed robberies or cases involving extensive and/or time-consuming investigations) are maintained indefinitely. All other closed files are maintained by Records for according to the statutory records retention schedule at which time at the discretion of the Records Unit Manager, they are microfilmed or electronically stored and the originals destroyed.
- 3) Requests by attorneys seeking information contained in case files shall be referred to proper prosecuting attorney's office (e.g., office of the Commonwealth Attorney). Subpoenas should be honored by going through Division Supervision.

4.7.7.2 FILE CONTENTS

- 1) The following items may be placed within case files or evidence locker when applicable and/or appropriate:
 - a) An evidence checklist
 - b) A copy of the preliminary investigative report (the originals are maintained in Central Records),
 - c) Investigator's case notes,
 - d) Supplement reports,
 - e) Arrest register,
 - f) A list of physical evidence collected,
 - g) Major case investigation form,
 - h) Statements from witnesses, complainants, victims, and suspects,
 - i) Waiver of rights forms,
 - j) Lab reports,
 - k) Checks,
 - l) Handwriting samples,
 - m) Mug shots,
 - n) Photo line-up (copy)
 - o) NCIC priors,
 - p) Victim information for KRS Chapter 421, and
 - q) Any other pertinent information which might be placed on file.
- 2) All documents collected/prepared during the investigation are attached to the right inside cover with a two-prong fastener. The case number should be written on the back of each photograph or document placed within files. The evidence checklist, item a) above, is attached to the inside cover of each file.
- 3) Investigator's case notes, item c) above, are used by investigators to document their activities. Each case file shall have a follow-up investigative Investigator's case notes showing date and time of contact and written summary of each contact, date and time of contacts, and written contact summaries. A summary should be written in a manner which will allow readers unfamiliar with its case history to understand the described events. Guidelines for Investigator contacts are as follows (see also Case Status Control):
 - a) Case investigators should contact Victim / complainant and/or witness anytime a reclassification of case status occurs.
 - b) Case investigators should attempt to make first contact with victim/complainant and/or witness within two (2) working days of being assigned.

- c) To further expedite progress, investigators shall follow-up contacts when necessary. After indictment, victim/complainant and/or witness contact will be referred to the appropriate prosecutor's office.
- 4) Major case forms, item g) above, are used by investigators in felony investigations of the most serious nature that may require a coordinated effort of extensive manpower and resources as part of a major case investigation.
- 5) Recorded statements are documented on tape or digital media supplied by the Criminal Investigations Unit. In the event of indictment, a true copy of the original is given to the appropriate prosecutor's office. The original is maintained in evidence until trial. A record of the original's custody is maintained within the case file. All audio or video recordings are logged in as evidence.

(Remainder of page reserved.)

4.7.8 INVESTIGATIVE PROCEDURES (AND COURT PRESENTATION)

4.7.8.1 GENERAL

For preliminary and follow-up investigative provisions, see §§ 4.3.17 and 4.3.18

For field-interview investigative provisions, see §§ 4.3.19 and 4.3.20.

For evidence collection, preservation and handling provisions, see § 4.6.5.

For video and audio tape and still photo provisions, see § 4.10.4.7, item 9).

4.7.8.2 SPECIFIC PROCEDURES

The following are specific steps followed in conducting follow-up investigations:

- 1) Reviewing and analyzing all previous reports prepared in the preliminary phase including:
 - a) Incident number,
 - b) Original reports in central records,
 - c) Evidence records,
 - d) Related computer messages sent or received, or
 - e) Towing records.
- 2) Reviewing Departmental records including:
 - a) Past related incident numbers,
 - b) Past reports on file,
 - c) Local arrest records, or
 - d) Crime analysis records.
- 3) Seeking additional information by:
 - a) Interview of officer(s) completing preliminary investigation,
 - b) Interview of victim/complainant/witnesses,
 - c) Interview of informants (for informant usage see §§ 4.8.5.2 and 4.8.5.3), or
 - d) Personally viewing the scene.
- 4) Review of physical evidence and/or lab tests including consideration of:
 - a) Fingerprint examinations,
 - b) Ballistics tests,
 - c) Coroner/medical examiner's report,
 - d) Polygraph examinations,
 - e) Plaster casts,
 - f) Tool marks,
 - g) Photographs,
 - h) DNA evaluation of evidence,
 - i) Document examinations,
 - j) Laboratory examinations of blood, semen, other stains, fibers, poisons, alcohol, narcotics, paint, and other trace evidence, or
 - k) Any other available technical evaluation necessary and appropriate.
- 5) Identifying and apprehending suspects through:

- a) Application of the above items 1 through 4, and
 - b) Application of those principles having to do with arrest as stated in Kentucky Criminal Law Manual under "Arrest," and §§ 4.3.21 and 4.3.23 of this manual.
- 6) Checking suspects' criminal histories through:
 - a) Local files,
 - b) State and federal files, or
 - c) Computer criminal history data.
 - 7) Determining involvement of suspects in other crimes by:
 - a) Criminal history data,
 - b) Crime analysis data,
 - c) Intelligence data,
 - d) Interview of victim/complainant/witness, and/or
 - e) Interview/interrogation of suspects.
 - 8) Arranging for the appropriate dissemination of information as stated in:
 - a) § 4.7.4.2 above and § 4.10.4.7, dissemination of public information (KACP);
 - b) § 1.5.6, dissemination of analyzed information; and
 - c) § 4.10.1.8, record maintenance, storage and dissemination.
 - 9) Collecting physical evidence as stated in § 4.6.5, collection and preservation of evidence.
 - 10) Planning, organizing, and conducting searches as stated in § 4.7.8.6 below.
 - 11) Conducting additional interviews and interrogations as stated in §§ 4.7.8.4 below and 4.7.8.5 below.
 - 12) Preparing cases for presentation as stated in § 4.7.7, case file maintenance, and providing prosecutors and/or Grand Jury with the following case file documentation:
 - a) All reports;
 - b) All statements of witnesses, complainants, victims, and suspects;
 - c) A listing of all witnesses, complainants, and victims complete with addresses and phone numbers;
 - d) All records and material having to do with physical evidence; and
 - e) The chronological order of case development and progression.

4.7.8.3 COURT PRESENTATION

Court presentation may be facilitated by assisting in the prosecution through proper case management, providing prosecutors with that listed in item 12) above, and:

- 1) Helping develop lines of questioning if needed,
- 2) Appearing with prosecutors during prosecution if needed, and
- 3) Court testimony.

4.7.8.4 INTERVIEWS (KLC)

- 1) The interview technique in follow-up investigations is used to obtain information from witnesses, complainants, and victims. An interview is an attempt to ascertain the truth by (1) securing complete information, (2) distinguishing fact from fantasy, and (3) assisting in the maintenance of order to the incident being investigated. Interviews may be necessary in order to obtain additional information.
- 2) Interviews may be documented by recorded (video/audio) and/or written statement. A fully-documented interview should be the interviewed person's detailed statement, described in a flowing manner. Interviews should contain the following:
 - a) One's affirmation that a written statement is his (not the investigator's), that it is true, and that it is freely given to the investigator (name);
 - b) One's name, address, age, name of employer, and appropriate telephone numbers; (discretion of the interviewing investigatory)
 - c) Date, time, and place of statement;
 - d) One's correction of any grammatical error(s) in a written statement by his own mark; and
 - e) One's signature (if written).
- 3) Eye Witness Identification. When the perpetrator's identity is unknown to a victim or witness, prior to appearing in court, a victim or witness will view an individual or photograph for the purpose of excluding or verifying the subject as the person involved in an incident or crime. This identification can be done in the following three ways:
 - a) Photo Array:
 1. Include a minimum of 5 filler photos per identification procedure.
 2. The photographs must include persons who are similar in appearance (facial hair, glasses, age etc.) The array should be based on descriptions provided by any eye-witness(es).
 3. If multiple photos of the offender are available, select a photo that most resembles the suspect description at the time of the incident. Complete uniformity is not required. Avoid using fillers so close that a person might find it difficult to distinguish the suspect from the fillers. (US v. Arrington).
 4. Consider creating a consistent appearance between the suspect and fillers with respect to unique/unusual features (scars, birthmarks, tattoos). The backgrounds of the photographs must be the same.
 5. Ensure no writings or information concerning previous arrests is visible to the witness. In addition, ensure the photos do not suggest the subjects are criminals. Mug shots may be used, but portions of photo that would indicate that photo is mug-shot should be cropped or hidden from the witness.
 6. Double-blind presentation: The officer who conducts the photo-array should be someone who is not aware of which photo in the array is that

of the suspect. The witness should be told the officer conducting the photo-array does not know who the suspect is. The investigating officer should leave the room while the array is being shown by the administrator.

7. The Bowling Green Police Department photo line-up instructions should be read to each witness before the line-up is presented.
8. Photo line-ups should be conducted in a sequential photo pack which has each photograph on an individual page. The photographs should be enlarged to fit the page, be shown one at a time, and have a set time frame between each photograph (20 to 30 seconds). When the witness signals for the next photograph, the officer should move the first photograph so that it is out of sight and ask the witness whether he/she recognizes the next photograph. The procedure should be repeated until the witness has viewed each photograph. If the witness identifies a subject before all the photographs have been viewed, the officer should remind the witness that he/she is required to show the rest of the photographs. The presentation/order of presentation must be documented. The witness who selects a photo as the suspect should sign and date the photo they have selected with a full signature and initial and date the other photos presented to them.

*NOTE: Photo Line-ups should contain photos that are of the same type and have a consistent appearance. Any alterations made to the photos should be made in a manner not readily apparent to the viewer. Due to the technical aspects of conducting a photo line-up, the procedure should only be done with the involvement of a member of the Criminal Investigations Division.

- b) Show Up:
 1. Obtain an initial description of the offender and document prior to the show-up procedure.
 2. The show-up should be conducted ideally within a reasonable amount of time and within a reasonable geographical proximity from the witness's last sighting of the offender.
 3. When practical, officers should transport the witness to the location as it is the least intrusive method on the suspect and reduces the possibility of contaminating the crime scene. Officers must not do or say anything that might convey to the witnesses that they have evidence of the suspect's guilt. Officers should turn down their radios so that the witness they are transporting does not pick up information about the stop of the suspect.
 4. Separate witnesses and ensure they do not discuss the details of the case or the process of the show-up with other witnesses.
 5. Caution the witness the person he/she is viewing may or may not be the offender. Feedback to the eyewitness by the administrator is prohibited during this process. If a positive identification is made, a statement regarding the level of confidence will be obtained from the eyewitness.
 6. Consider photographing the suspect (recreate the environment, clothing

and appearance at the time of the stop). Technology allows the use of smart phones, smart pads, in-car cameras and digital cameras as options for displaying stopped suspects.

7. To the extent an officer may safely do so, the officer should take steps to minimize the suggestiveness of the identification by having the subject stand outside a police vehicle and without handcuffs on or without handcuffs visible.

*NOTE: Show-ups are inherently suggestive and should be treated as an investigative step towards probable cause or an opportunity to rule out a possible suspect. A show-up alone may not be a stopping point in the pursuit of probable cause for arrest.

Generally show-ups should be used only when circumstances deem them absolutely necessary and no time exists for other less suggestive options. For example, to confirm that a person detained is not the suspect.

- c) Physical Line-up:

The Bowling Green Police Department does not conduct physical line-ups.

- d) Single Photo Verification:

This process shall only be used where the witness is thoroughly familiar with the suspect and the officer is merely attempting to ensure that the witness and the officer are both referring to the same person. It is not uncommon for the victim or witness to know the suspect(s). In these cases the single photo verification of the suspect should be considered accurate, valid, and used to support probable cause when possible.

4.7.8.5 INTERROGATIONS

- 1) The interrogation technique in follow-up investigations is used to obtain information from suspects. An interrogation is an attempt to ascertain the truth by (1) securing complete information, (2) distinguishing fact from fantasy, and (3) assisting in the maintenance or order to the incident being investigated. Interrogations or attempted interrogations occurring at Police Department headquarters shall be conducted in an interview room and documented by recorded video/audio except when circumstances make this impossible.
- 2) The decision of whether to interrogate should in part be made with due consideration for the interrogated person's following conditions:
 - a) His present mental state,
 - b) His age, education, and maturity,
 - c) His language abilities (e.g., Does he speak English?), and
 - d) His present condition of inebriation or sobriety.
- 3) An individual about to be interrogated who is in custody or feels that he is in custody or being deprived of his freedom of movement and action must be advised in a clear and unequivocal manner of his constitutional rights. (Juveniles in custody must be informed

of their rights and afforded the protections required thereunder (KRS 610.200)). Investigators must advise the following:

DEFENDANT'S RIGHTS

1. You have the right to remain silent;
2. Anything you say can and will be used against you in court;
3. You have the right to an attorney before making any statements and may have your attorney with you during questioning;
4. If you cannot afford an attorney and desire one, the court will appoint one for you;
5. You may stop the questioning at any time by refusing to answer further or by requesting to consult with your attorney."

WAIVER

To secure a waiver, the following questions should be asked and an affirmative answer secured for each.

1. Do you understand each of these rights I have explained to you?
2. With these rights in mind, do you wish to talk to us now?

- 4) After admonishment of rights, the investigator should ask the individual about to be interrogated the following questions: "Do you understand each of these rights? With those rights in mind, do you wish to talk to us now?"
- 5) Record of one's understanding of rights, 4) above, is generally documented by his signature upon a rights form provided by the investigating officer if the individual is in custody or not free to leave. Record is maintained within the case file unless the understanding is clearly evident on the videotape.
- 6) Interrogations or attempted interrogations occurring at Police Department headquarters shall be documented by recorded video/audio whenever possible. A written statement may be obtained to supplement the recording if desired. A fully-documented interrogation should be the interrogated person's detailed statement, described in a flowing manner. Interrogations should contain the items listed in § 4.7.8.5, item 2). Original written interrogations and recorded interrogations are maintained in the same manner as described in § 4.7.8.5, item 2).
- 7) If a suspect about to be interrogated indicates to the investigative officer that he wishes not to answer questions, he will not be questioned. If he indicates that he wishes to consult with an attorney, he will be allowed to do so. If after his interrogation has begun he indicates that he wishes to stop answering questions and/or wishes to consult with an attorney, he will be allowed to do so. If he has elected to not answer questions or to stop answering questions, and later changes his mind and chooses to answer questions, he will be allowed to do so. Arrestees who wish not to be interrogated shall be processed and lodged as soon as possible. Arraignment shall be according to Pre-trial Services regulations.
- 8) There are, however, certain circumstances under which admonishment of rights by an officer is not necessary:
 - a) When a person spontaneously volunteers information without having been asked;
 - b) During general questioning of witnesses, complainants, or victims; or
 - c) When a questioned person has not been taken into custody or otherwise restrained from exercising his full freedom of movement and action.
- 9) However, any indication that a person was tricked, threatened, or cajoled by officers into a waiver of his rights will establish that the waiver was not voluntary. Any circumstance of deception, promise, suggestion of benefits, or other coercion for the purpose of obtaining statements will invalidate that which results.
- 10) An investigator shall be responsible for the care and control of any suspect or prisoner in his custody. Certain circumstances are especially applicable:

- a) When an investigator initiates an arrest himself;
 - b) When another officer requests an investigator's assistance in follow-up interrogation or processing of a suspect in his custody (Responsibility will remain with the officer unless relinquished to the investigator.); or
 - c) When an investigator removes a prisoner from the county holding facility for follow-up investigative purposes.
- 11) For application of the polygraph for detection of deception in criminal investigations; conditions under which it may be used; and persons authorized to use the polygraph, their qualification and certification, see:
- a) KRS Chapter 329; and
 - b) Commonwealth of Kentucky Detection of Deception Examiners, Chapter 329, Rules and Regulations.
- 12) For procedures to be followed in conducting field interviews, see §§ 4.3.19 and 4.3.20.

4.7.8.6 SEARCHES AND SEIZURES

- 1) Search and seizure procedures shall be in accordance with procedures set forth in the "Search and Seizure" section of the Kentucky Criminal Law Manual, applicable case law, Federal and State law, and local prosecutor and court procedure. However, additional comments relative to the Criminal Investigations Division investigative procedures should be made.
- 2) During many investigations it becomes necessary for officers to plan, organize, and conduct searches and to seize property. Kentucky Law defines search and seizure in the following manner:
 - a) Search "An examination of a man's premises, person, or property with the purpose of discovering contraband (such as stolen property), or other evidence of guilt, to be used in a criminal prosecution. A search involves a prying into hidden places, trying to discover something concealed." Kentucky Criminal Law Manual)"
 - b) Seizure "A seizure occurs when the officer takes the person or property of another into custody. For example, a person who has been arrested has been 'Seized.' An officer who finds a deadly weapon concealed on a suspect, then arrests him and takes possession of the weapon, has 'seized' the weapon." (Kentucky Criminal Law Manual) A seizure in short is when an officer takes person or property into custody.
- 3) The Criminal Investigations Division may particularly become involved in follow-up investigations which require (1) determining need, (2) planning, and (3) execution of searches. The following guidelines should apply in warrant-service and crime-scene search and seizure situations:
 - a) Adherence to applicable procedures already noted within the Kentucky Criminal Law Manual should be maintained.
 - b) A police search is an investigative tool. The apparent need for a search may result from: the commission of a crime; the culmination of investigative efforts necessitating the preservation and collection of certain physical evidence which without the search is beyond reach of investigators; and/or the arrest of certain individuals within a confined area.

- c) Officers seeking to conduct searches may determine and arrange for legalities through consultation with prosecutors, determine and consider its need and impact on prosecution, make judgment whether to use it or not, and plan it. (Unless the investigator is thoroughly familiar with the preparation of search warrants, he should obtain assistance from the office of the County or Commonwealth Attorney.)
- d) Any coordinated tactical entry search resulting from an investigation being conducted by the Criminal Investigation Division receives its authority from a Deputy Chief (or higher in rank). Additionally, an Assistant Chief (or higher in rank) must be present at the scene of any coordinated tactical entry involving members of the Bowling Green Police Department. Other searches may receive their authority from a Supervisor or higher rank.
- e) If a search is to be conducted in another jurisdiction, coordination must be facilitated with that jurisdiction's authorities and the investigators conducting the search must be accompanied by officers of that jurisdiction.
- f) The coordinating officer is responsible and has authority for planning, organizing, and conducting the search. He directs the search, assigns duties, and assumes responsibility for the effectiveness of the search. Planning should include provisions for actual conducting the search, according to the physical layout of the prospective area. Planning should be made for: (1) the direction of personnel available, (2) the selection of the desired search method, (3) the preservation and collection of evidence during the search, and (4) directing post-search responsibilities.
- g) Consideration for the following personnel may be made:
 - Assistant
 - Photographer
 - Crime Scene Processors
 - Sketcher
 - Master Note Taker
 - Measurer
 - Section Leader (in large search scenes)
- h) Consideration for search methods such as the following types, may be made:
 - Strip Method
 - Spiral Method
 - Zone Method
 - Wheel Method
- i) Consideration for post-search responsibilities should include: paperwork, including reports and a search-scene sketch.
- j) All activities associated with the search including persons or property seized should be well documented (see § 4.3.21,; § 4.3.23, arrest procedures; and § 4.6.5, collection and preservation of evidence).
- k) Many techniques used in planning, organizing, and conducting raids may be applied to searches as well. (See 4.15.5.4). Searches must be legal, thorough, and complete, and properly recorded.

4.7.8.7 INFORMANT, SURVEILLANCE, UNDERCOVER, DECOY OPERATIONS AND RAID GUIDELINES

During criminal investigations it may become necessary for officers to employ surveillance or raid operations or informant usage as sources of information. The following sources and guidelines are applicable:

- 1) For Informant usage, see §§ 4.8.5.2 and 4.8.5.3. Informant usage and security and confidentiality shall be administered in the same manner within Criminal Investigations as that specified for Organized Crime and Vice Control except the code number for Criminal Investigations Division shall be: the initials CID, the last two digits of the calendar year, a dash, and the sequential number of informant use in that year, e.g., CID88-1.
- 2) For surveillance, undercover, & decoy operations and police raids, see § 4.14.5.

4.7.8.8 BACKGROUND INVESTIGATIONS

- 1) During criminal investigations it may become necessary for officers to explore background and/or criminal histories. Background investigations may be necessary during the following types of investigations:
 - a) White collar crime,
 - b) Organized crime and vice activities,
 - c) Some business activities, or
 - d) Investigation of any criminal case or offense,
 - e) Police Department applicants.
- 2) As with every investigative element a determination of need must be assessed before its employment. The purpose of a background criminal investigation is to:
 - a) Locate criminal history backgrounds of persons,
 - b) Substantiate and corroborate information already available, and/or
 - c) To link the subject of a background investigation to other persons that are known to engage or have engaged in illicit activities.
- 3) The following are sources available for background investigations:
 - a) Court sources (If one can determine and show proper need, information such as individual medical or financial records may be obtained through court order or execution of a search warrant.)
 - b) Federal sources
 - FBI (NCIC's Intra-state Identification Index, fingerprints)
 - Military
 - U.S. Postal Service
 - Immigration Service
 - DEA
 - State Department (passports)
 - Treasury (Customs, IRS, ATF)
 - c) State sources
 - State criminal history central repository
 - Driver's license
 - Vehicle registration
 - KSP
 - Department of Corrections
 - Cabinet for Human Resources
 - d) County sources
 - Sheriff's Department
 - Marriage records
 - Birth/death records

- Health department
 - Real estate records
 - Welfare programs
 - Local court's records
- e) Private sources
- Medical records
 - Past employees
 - Education background
 - Credit checks
 - Business contacts (banks, stores, etc.)
- 4) As noted above, criminal histories may be obtained from the FBI through NCIC's Intra-state Identifications Index and the State's criminal history central repository. Criminal histories may be obtained on individuals from these sources only for the following two types of investigations:
- a) A background investigation having to do with a criminal justice system application (e.g., investigation into the background of one who has applied to become a Department employee), or
- b) A background investigation having to do with an on-going police criminal investigation.
- 5) All information obtained through background investigations shall be considered confidential. Discussion of such information shall be on a need to know basis (e.g., with prosecutors). Investigators may copy information from the original printout for their files. However, any information obtained shall be controlled and maintained by investigators through proper files, proper distribution, and periodic purging at the discretion of Criminal Investigation Supervisor and/or the Commander of the Division of Investigations. Distribution of Criminal History information is controlled by state law.

4.7.8.9 SELECTION-PROCESS BACKGROUND INVESTIGATIONS

- 1) Background investigations of each police candidate and Departmental employee are conducted prior to appointment to probationary status.
- 2) Selection-process background investigations shall consist of completing the Background Investigations Booklet.
- 3) Selection-process use of polygraph shall be according to the following procedures:
- a) The administration of examinations and the evaluation of results are conducted by personnel trained in these procedures.
- b) Polygraph examination results shall not be the single determinant of employment status. Polygraph examinations shall be used only as an investigative aid. An admission during pretest, test, or posttest interviews, together with other information, may be sufficient to support decisions relevant to employment status.
- 4) Selection-process background information obtained by investigators is forwarded to the City Human Resources Director who maintains hard copies for a period of two years.
- 5) All information obtained through background investigations shall be considered confidential. Discussion of such information shall be on a need to know basis. Any information obtained shall be controlled and maintained by the City's Human Resources Director.

(Remainder of page reserved.)

4.7.9 INTELLIGENCE INFORMATION

The Criminal Investigations Division shall keep intelligence information received from Departmental investigations, other agency functions, other law enforcement agencies, regional intelligence organizations, informants, anonymous tips, or other sources pertaining to:

- 1) Groups that are violence-oriented or inclined toward activity that unlawfully disrupts the community and its citizens;
- 2) Criminal activity which statistically may be significant to crime analysis; and
- 3) Information pertaining to known active criminals within the Bowling Green area.

Such information is gathered only for purpose of law enforcement, i.e., intelligence information is restricted to that information having to do with criminal conduct and relates to activities that present a threat to the public. Intelligence information should be thought of as an organizational resource and not an individual resource.

The Division Supervisor has the responsibility for the security of intelligence information, and may make release at his discretion and according to procedures set forth in § 4.10.1.8. Due to its sensitive and sometimes unsubstantiated nature, care shall be taken not to release information except to persons on a need-to-know basis. Released information shall be documented according to whom and for what reason. Copies of all release-documentation shall be forwarded to Administrative Services.

4.7.10 FISCAL MANAGEMENT

The Department's budget is developed according to the various programs which make up the budget as a whole. The Criminal Investigations Assistant Chief is responsible for assisting the Bureau Commander in (1) the preparation of the Division's annual budget request document, and (2) the management of agency-owned property (see § 1.8).

4.7.11 CRIMINAL INVESTIGATIONS DIVISION SCHEDULING

4.7.11.1 POLICY

It shall be the policy of the Bowling Green Police Department to maintain 24-hour investigative capabilities through regularly scheduled duty and on call hours for assigned investigators.

End of Chapter 4.7

CHAPTER 4.8

ORGANIZED CRIME AND VICE CONTROL

4.8 CHAPTER 4.8 - ORGANIZED CRIME AND VICE CONTROL

This chapter sets forth the Department's organized crime and vice control measures. Related policies differentiate between organized crime and vice control operations and other criminal investigations and juvenile operations (see §§ 4.7 and 4.9).

4.8.1 DEFINITION, GOAL AND POLICY

4.8.1.1 DEFINITION

See Engaging in Organized Crime (KRS 506.120).

4.8.1.2 GOAL AND POLICY

The Department is committed toward the suppression or elimination of organized crime and vice. Success may be dependent upon a realistic evaluation of investigative expectations and upon crime problems as they exist.

4.8.2 DEPARTMENT ORGANIZED CRIME AND VICE CONTROL OPERATIONS

4.8.2.1 GENERAL RESPONSIBILITY

It is the responsibility of every officer of the Bowling Green Police Department to support suppression of organized crime and vice activities. The patrol force has the primary responsibility for enforcing vice laws when, during the performance of their regular duties, they observe violations. When needed, the Department may assign personnel for drug investigations as a component of the Criminal Investigations Division with the responsibility of most follow-up investigations involving organized crime and vice activities. The oversight and coordination of Drug Investigation efforts is the responsibility of the Commander of the Criminal Investigations Division.

4.8.2.2 FUNCTIONS OF DRUG INVESTIGATIONS

The primary function of Drug Investigations includes the following:

- 1) Vice activity, i.e.,:
 - a) Illegal sale and distribution of liquor and tobacco;
 - b) Illegal sale and distribution of controlled substances;
 - c) Illegal gambling operations;
 - d) Illegal prostitution and pornography; and
- 2) Any organized crime activity as specified in KRS 506.120.

4.8.3 DRUG INVESTIGATIONS

4.8.3.1 ASSIGNMENT TO DRUG INVESTIGATIONS

Any officer may be assigned to work within the Drug Unit. Assignment should be considered temporary, but may last for an extended time. Personnel assigned may be required to attend relevant and appropriate training in addition to normal in-service.

4.8.3.2 DRUG TESTING OF MEMBERS

- 1) It is a policy of the Department's Drug Investigations component that:
 - a) Current members shall submit to such testing as directed by the Investigations Commander or the Chief of Police; and
 - b) That the testing process shall consist of the following two-step procedure:
 - c) Initial Screening; and/or
 - d) Confirmation Test.
- 2) Reasons for testing are as follows:
 - a) Members are exposed to opportunities for drug abuse more often than officers assigned to the Department's other units.
 - b) The Department has a legal responsibility and management obligation to ensure a safe work environment, as well as paramount interest in protecting the public by ensuring that its employees have the physical stamina and emotional stability to perform their assigned duties.
 - c) Liability could be found against the Department and the employee if the Department fails to address and ensure that employees can perform their duties without endangering themselves or the public.
 - d) Illegal possession and/or use of controlled substances is a crime. In addition, there is sufficient evidence to conclude that use of illegal drugs, drug dependence, and drug abuse seriously impair an employee's performance and general physical and mental health.

(Remainder of page reserved.)

4.8.4 ADMINISTRATION OF DRUG INVESTIGATIONS

4.8.4.1 CHAIN OF COMMAND

The chain of command is:

- 1) Deputy Chief in charge of the Bureau of Field Operations.
- 2) Assistant Chief in charge of Criminal Investigations.
- 3) CID Captain
- 4) Officer(s) assigned.

4.8.4.2 RESPONSIBILITIES

The administrative responsibilities of personnel assigned to drug investigations include:

- 1) Liaison with courts and prosecutors.
- 2) Liaison with the Warren County Drug Task Force, other Police Departments and governmental agencies, and other elements of the Police Department to include but not limited to:
 - a) The maintenance of working relationships with other law enforcement agencies (e.g., sharing of information and/or working as a part of a task force), and/or
 - b) The maintenance of a working relationship with other elements of the Police Department including dissemination of investigative and intelligence information when appropriate.
- 3) Case management (see § 4.7.5).
- 4) Surveillance and undercover equipment management (see § 4.8.8, special equipment).
- 5) Intelligence (see § 4.7.9, intelligence information and § 4.10.1, intelligence operations).

4.8.4.3 DISPOSITION OF MONEY / PROPERTY PURSUANT TO FORFEITURE ORDERS

Court Orders directing the forfeiture of money (or other property) should be handled as follows:

- 1) Upon receipt of a court order directing the forfeiture of money (or other property), whole or in part, the Property / Evidence Clerk must immediately make a copy of the court order and forward the copy of the forfeiture order to the Drug Investigations Assistant Chief assigned to the Criminal Investigations Unit.
- 2) The Investigations Assistant Chief will attach a BGPD Chain of Custody Report printed from the electronic property/evidence management system to the copy of the Court order. BGPD Chain of Custody Report will be completed as necessary throughout the order compliance process.
- 3) The Investigations Assistant Chief will obtain any money (or property) forfeited pursuant to the court order from the Property / Evidence Clerk.
- 4) The Accounts Payable Office Associate will complete a Purchase Order Request Form for each forfeiture order to be awarded to any person or organization outside the City of Bowling Green. A check will be issued by the city to comply with the forfeiture order.
- 5) All property forfeited pursuant to the court order will be collected and disposed of according to the court order.

- 6) The Investigations Assistant Chief will maintain an independent file containing all forfeitures for each fiscal year. The Investigations Assistant Chief will file the completed BGD Chain of Custody Report upon completion of compliance. A copy of all completed forms and court orders should be added to the related investigative case file.

(Remainder of page reserved.)

4.8.5 INVESTIGATIVE PROCEDURES

4.8.5.1 GENERAL

Procedures are facilitated in the same general manner as that specified in §§ 4.3, 4.6 and 4.7, i.e., :

- 1) Specific investigative steps employed by the Criminal Investigations Division,
- 2) Interviews,
- 3) Interrogations,
- 4) Searches and seizures, and
- 5) Surveillance, undercover, decoy and raid operations, listed in § 4.14.5, surveillance, undercover and decoy operations, and police raids.

4.8.5.2 INFORMANT USAGE (KACP)

The following are precautions to be taken with informants which are conducive to informant control:

- 1) A potential informant should be documented as to identity and the usability of said informant. Usability would be consideration of character, believability, past record, and past use by authorities. The requesting officer should present the request and all documentation to an on-duty supervisor for approval
- 2) Informants may be used in an operation either as eyes and ears for the police; a way of introduction to suspects, primary or secondary witnesses; or the actual purchaser of contraband.
- 3) Informants may be paid for their services at the discretion of the supervision and according to confidential fund policy (see § 4.8.7.2). An informant's motivation, however, should be carefully evaluated in determining the extent upon which the information will be relied.
- 4) Informants may not be authorized to violate Federal, State, or Local law, or violate the constitutional rights of any individual. (It is recognized, however, that informants when involved with police investigations may become incidental possessors of contraband prior to its delivery to officers and should, therefore, not be prosecuted for such.)
- 5) Informants must rely on the court system for any provision of leniency. (It is recognized that officers use informants who may be providing information in exchange for leniency from the court system.)
- 6) Officers may not promise leniency from the Court since any such leniency can only be provided by the Court.
- 7) Officers should make provision for the witnessing of transactions with informants of the opposite sex and with informants whose sexual preferences may make an investigation more susceptible to compromise through alleged improprieties.
- 8) For special precautions to be taken with juvenile informants see § 4.9.

4.8.5.3 INFORMANT SECURITY AND CONFIDENTIALITY

The names of confidential informants must be securely maintained. Therefore, informants SHALL be secure in the knowledge that their covert contribution WILL NOT be revealed except

when required by the judicial process. When dealing with informants their confidentiality may be facilitated in the following ways:

- 1) Adherence to provisions set forth in KY Rules of Evidence 508 for controlled-substances cases.
- 2) Strict adherence to provisions set forth for the proper use and maintenance of an Informant Master File,
- 3) Strict adherence to the "Need to Know" principle.
- 4) The maintenance of a genuine and conscientious respect for informant's safety and security.

(Remainder of page reserved.)

4.8.6 AGENCY COOPERATION AND TASK FORCE PARTICIPATION

4.8.6.1 POLICY

This Department recognizes that the control and suppression of organized crime and vice activities may be better accomplished with a concerted and coordinated effort by agencies working toward the same goal, and that this concept is a strong alternative to a single agency's effort. Therefore, it is the policy of the Bowling Green Police Department to cooperate with other law enforcement agencies to include the actual physical assistance of officers as the need arises and manpower permits.

4.8.6.2 PARTICIPATION

Task force participation may be implemented at the direction of the Chief of Police. The decision to participate should be based upon the following:

- 1) Determination of relative need and purpose (The Task Force should be of benefit to all agencies involved and to the communities served.),
- 2) Identification of available resources,
- 3) Definition of authority and responsibility, and if established,
- 4) Determining effectiveness and need for continuation.

4.8.6.3 AGENCY COORDINATOR

In the event a multi-agency task force is organized, the Chief of Police shall designate one officer of his choosing to be the officer responsible for overseeing this Department's participation. The Coordinator's responsibilities include:

- 1) Coordinating the Department's participation within the Task Force;
- 2) Sharing task force information with appropriate Departmental functions or components (e.g., intelligence, patrol, and investigative functions);
- 3) Preparing and managing the cases within the Department's jurisdiction (or documenting companion cases if with another agency);
- 4) Supplying the Task Force with all relevant and appropriate information, materials, personnel, and other items approved for use by the Chief of Police; and
- 5) Keeping appropriate time records of all officers of the Department in accordance with Departmental and City standards.

(Remainder of page reserved.)

4.8.7 CONFIDENTIAL FUND

4.8.7.1 POLICY

The Department's budget includes a confidential fund to be available for the purchase of information, contraband, or other evidence. It may also be used to pay informants, expenses for surveillance activities, to purchase equipment, and pay for incidental damages incurred during the course of an investigation.

4.8.7.2 FUND CONTROL

Accounting for disbursement of funds from the fund is the responsibility of the Investigations Division Sergeant. Expenditures shall be handled according to the following procedures:

- 1) The relative value of information or possible physical evidence obtainable must be calculated.
- 2) When obtaining money from the fund officers shall sign a receipt. Returned money shall also be recorded and signed.
- 3) All documentation of confidential fund use shall include:
 - a) Amount and purpose of payment,
 - b) The officer's name,
 - c) The informant's name (if any),
 - d) Information or material purchased,
 - e) Subsequent law enforcement action (if any),
 - f) Date, and
 - g) Case number.
- 4) Funds in excess of \$1,000 for the purchase of contraband and \$250 for informant payments shall be approved by the Chief of Police or his designee prior to being dispensed.
- 5) Expenditures will be audited monthly by the Assistant Chief of Professional Standards and a CID supervisor. The findings will be submitted to the Chief of Police with a copy to the Deputy Chief of Field Operations. Final review is by the City's Internal Auditor.

(Remainder of page reserved.)

4.8.8 SPECIAL EQUIPMENT

4.8.8.1 POLICY

The Assistant Chief of Investigations shall have responsibility of overseeing the Department's surveillance and undercover equipment.

4.8.8.2 PROCEDURES

- 1) Verbal approval for the use of said equipment can be given by an on-duty supervisor is acceptable with written documentation of use to the supervisor of the drugs and vice function. The Division Supervisor will review the need and dispense accordingly. The Chief of Police shall have final authority if the need is in dispute. The equipment shall be used only for law enforcement purposes and shall not be used in such way as to violate any Federal, State, or local law or violate individual civil or constitutional rights. The user has the responsibility for proper and lawful usage.
- 2) The division supervisor will have the responsibility for ensuring the equipment's proper working condition, and familiarizing users with its proper use. The check-out process will include the date and signature of the user. The checking in process will include an inspection by division supervisor to ensure continued proper working condition. In the event of loss, theft, or damage an incident report shall be filed detailing the circumstances.
- 3) Surveillance and undercover equipment is available to any ranking member of the Department.

End of Chapter 4.8

CHAPTER 4.9

JUVENILE OPERATIONS

4.9 CHAPTER 4.9 - JUVENILE OPERATIONS

This chapter sets forth the Department's Juvenile Operations. The policy goes beyond merely enforcing the law with respect to juvenile offenders; it expresses the Department's firm commitment to developing programs designed to prevent juvenile delinquency. Related policies set forth the Department's criminal investigations function (see § 4.7) and organized crime and vice control measures (see § 4.8).

4.9.1 DEFINITION, GOAL AND POLICY

4.9.1.1 DEFINITION

Juvenile Operations

Departmental juvenile operations have to do with: children (individuals under the age of eighteen) who have committed acts, which if committed by an adult would be considered a crime (i.e., delinquents); children who have committed acts, which if committed by an adult would not be a crime (i.e., status offenders); missing children, and children under protective custody; and adults (individuals over the age of eighteen) who have abused children or who have contributed to, or are involved in, delinquency problems.

4.9.1.2 GOALS

Departmental juvenile operations seek to:

- 1) Exert efforts toward discovery of conditions conducive to delinquent behavior and design and implement programs intended to prevent and control such behavior;
- 2) Work closely with other agencies to remove or control environmental conditions conducive to creating juvenile problems;
- 3) Advise and assist agencies and organizations concerned with juvenile problems when the Department is not directly involved;
- 4) Use preventative patrol techniques in areas where there is potential for juvenile problems;
- 5) Conduct thorough investigations into delinquency problems that lead to the commission of juvenile offenses;
- 6) Detect and apprehend juvenile offenders as prescribed by existing laws and procedures;
- 7) Follow-up as needed in the referral of the offender, obtaining the necessary legal process, and obtaining the disposition of each action involving a juvenile offender;
- 8) Intervene into situations when children are at-risk of being physically or sexually abused; and
- 9) Retain prescribed juvenile records as indicated by the courts and required law.

4.9.1.3 POLICY

The Bowling Green Police Department is committed to the development and perpetuation of programs designed to prevent and control juvenile delinquency.

It is the policy of the Bowling Green Police Department to pursue juvenile operations consistent with its goals.

4.9.2 RESPONSIBILITIES FOR JUVENILE OPERATIONS (KACP)

4.9.2.1 GENERAL RESPONSIBILITY

The responsibility for participating in or supporting the Department's juvenile operations function is shared by all agency components and personnel. Responsibilities include:

- 1) Understanding and adhering to statutory and Departmental juvenile procedures to include:
 - a) KRS 600-645 and particularly 610.200, 610.220, 610.265, 610.270, 620.040, 630.030, and 630.040;
 - b) Departmental juvenile procedures within § 4.9.5, operations and § 4.9.6, other elements of the juvenile justice system (kacp).
- 2) Displaying a positive image when dealing with juveniles.

4.9.2.2 RESPONSIBILITIES OF THE CRIMINAL INVESTIGATIONS DIVISION

The Department's Criminal Investigations Division is responsible for:

- 1) Designing and implementing programs intended to prevent and control delinquent and criminal behavior by youths (e.g., Juvenile Monitoring Program),
- 2) Follow-up investigations:
 - a) Of child abuse cases, to include referrals from the Division of Permanency and Protection (as agreed upon by both agencies 03 Nov 99),
 - b) Of status offense cases,
 - c) Of missing children cases,
 - d) Of some cases in which a child is suspected of committing a felony or misdemeanor,
 - e) Of some ABC cases involving children, and
- 3) Coordinating or preparing court cases in which a juvenile offender is involved:
 - a) Follow-up investigations (above),
 - b) Assisting other Departmental Units when children have been charged with a felony or misdemeanor, or when children have been taken into protective custody,
- 4) Assisting Juvenile Court:

(Remainder of page reserved.)

4.9.3 CASE MANAGEMENT

4.9.3.1 CASE FILING (KACP)

- 1) Juvenile records are kept within the Department's Central Records Unit. The records supervisor is responsible for maintaining juvenile records according to procedures set forth below.
- 2) Case files are set up by the assigned investigator on each case investigated. Case files are maintained within a standard manila file jacket designated by case number, date of incident, and other pertinent data.
- 3) All files maintained by the Department's Records Unit shall be kept in the following manner:
 - a) Juvenile case files, including identification records, shall be kept separate from adult files and shall not be open to the scrutiny of the public consistent with KRS 610.320 and 610.340.
 - b) Photographs, fingerprints, or other forms of identification pertaining to juveniles shall not be shown, displayed, or copied for dissemination without authorization from supervision.
 - c) Court-ordered expungement of juvenile records shall be consistent with KRS 610.330:
"Any child who has been adjudicated as coming within the purview of KRS Chapters 630 [Status Offenders], 635 [Public Offenders], or 645 [Mental Health Act], but not KRS 620 or 640 may petition the court for the expungement of his juvenile court record;" and the Court may "... order sealed all records in the petitioner's case in the custody of the court and any such records in the custody of any other agency or official, including police records, ..."
- 4) Absent any court expungement order, juvenile records of persons reaching adult age (18 years) shall be expunged from the Department's computer file but kept in paper form until age 23, and then expunged.
- 5) Access to juvenile records shall be on a need-to-know basis.

4.9.3.2 FILE CONTENTS

Files may generally contain the same as that listed in § 4.7.7, case file maintenance. See also §§ 4.7.5, case management and 4.7.6, case status control.

(Remainder of page reserved.)

4.9.4 INVESTIGATIVE PROCEDURES (KACP)

- 1) Investigative procedures are generally the same as that specified in § 4.7.8 above and § 4.9.5 below.
- 2) The following procedures apply to informant usage:
 - a) No member of the Bowling Green Police Department may actively recruit, use, or otherwise encourage a juvenile to become a police informant;
 - b) The directive does not prevent a juvenile from volunteering information to a member of the Department;
 - c) The directive does not prevent a juvenile from being interviewed or interrogated as part of an investigation.
- 3) The following criteria shall justify the taking of fingerprints, photographs, handwriting, or other forms of identification (e.g., hair, blood, urine, nails, breath, or stomach contents) pertaining to Juveniles:
 - a) A particular child is suspected of committing a particular public offense,
 - b) The forms of identification are specifically directed and narrowly related to the particular investigation, and
 - c) The retention of any such material is strictly controlled in accordance with Departmental evidentiary policy (see 405.06) and KRS 610.300.

4.9.5 OPERATIONS

4.9.5.1 TAKING INTO CUSTODY (KACP)

- 1) Departmental juvenile custody procedures shall be consistent with the Unified Juvenile Code (KRS Chapters 600-645), provisions of Kentucky Criminal Law Manual Chapter VIII, and chapter 4.3 - patrol operations. The following procedural references particularly apply to police officers who may be involved in taking a child into custody:
 - a) KRS 610.190 through 610.240, KRS 610.270, and § 4.3.21, and 4.3.23, arrest procedures;
 - b) KRS 630.030 through 630.040 (custody for a status offense);
 - c) KRS 620.030 through 620.050 (protective custody).
- 2) If in the event a child is taken into custody for a public offense, officers shall do so consistent with KRS 610.200. In the event a child is to be detained at the police station, officers shall do so consistent with KRS 610.220. If the child is to be detained longer than the period authorized in KRS 610.220, officer shall do so consistent with KRS 610.265.
- 3) Officers shall not take a juvenile into custody for an alleged offense unless necessary. Officers should cite and release whenever possible. However, the following factors should be considered when determining whether or not to take custody, in all cases EXCEPT felony offenses, offenses involving weapons, or other offenses where a juvenile may be a danger to himself or others:
 - a) The seriousness of the offense;

- b) The offender's past involvement in delinquent acts;
 - c) Whether the act is violent; and/or
 - d) Whether the youth is under the influence of alcohol or other drugs.
- 4) Based on the above criteria, if a child is taken into custody, officers may:
- a) Release to parent or guardian, or
 - b) Contact the CDW and request detention (See AOC JW-39 for criteria governing pre-adjudicative detention.).
- 5) If a public offense is of the nature which will not allow custody or "arrest" (e.g., a misdemeanor not committed in the officer's presence) or OTHERWISE does not necessitate custody, officers called to investigate shall gather all appropriate information and submit a field interview (Contact Card) card or, if necessary, a report. It should be noted by officers that if a child is taken into custody by police at any time during an investigation of a public offense, unless the nature of the offense or other circumstances are such as to indicate the necessity of keeping the child in secure custody, officers are obligated to release according the provisions of KRS 610.200.
- 6) Custodial interrogation of juveniles should be conducted by officers in the following manner:
- a) Officers shall notify parent or guardian the following factors:
 - The facts of investigation,
 - Procedures of the juvenile justice system to include:
Court Designated Worker, and
Juvenile Court;
 - b) Each interrogation shall be conducted by no more than two police officers and each period of interrogation shall not exceed two hours in duration;
 - c) Officers shall immediately inform a juvenile of his constitutional rights (KRS 610.200(1)); and
 - d) Officers shall explain Department and juvenile justice system procedures prior to the juvenile being interrogated.
 - e) The Bowling Green Police Department does not authorize the use of any room as a "detainment room" for the purpose or securing a juvenile without direct supervision.
- 7) A "'Status Offense' is any action brought in the interest of a child who is accused of committing acts, which if committed by an adult would not be a crime [e.g., a runaway]. Such behavior shall not be termed criminal or delinquent; and such children shall not be considered delinquent. Status offenses do not include violations of state or local ordinances which may apply to children such as a violation of curfew or possession of alcoholic beverages." Officers taking into custody status offenders shall do so consistent with KRS 630.030 through 630.040. Officers will note that the factors listed in paragraph D, above, do not apply to status offenses (see KRS 630.030 for circumstances under which a child may be taken into custody by police officers for status offenses).
- 8) Officers will also note that the Police do not have the authority to take a child into custody for merely being out of control of a parent or guardian.
- 9) If in the event a child is taken into protective custody, officers shall do so consistent with KRS 620.040 and contact Department of Social Services.
- 10) Pursuant to KRS 216B.190 and KRS 405.075 Officers will accept and immediately arrange for any newborn infants left at BGPD headquarters to be taken to the nearest hospital emergency room. The parent of the infant shall have the right to remain

Anonymous and not be pursued and shall not be considered to have abandoned or endangered the infant.

However, appropriate action should be taken if indicators of child physical abuse or neglect are present.

4.9.5.2 PROGRAMS INTENDED TO PREVENT AND CONTROL DELINQUENT BEHAVIOR (KACP)

- 1) Diversion may involve the Department or community resources. The following alternatives are available to the Department:
 - a) A warning with no further action,
 - b) A referral to other agencies with no police follow-up,
 - c) An informal agreement between the officer and parents or guardian,
 - d) No pursuit of charges at request of victim,
 - e) Child placed on parent-monitored restriction,
 - f) Child enrolled in the Juvenile Monitoring Program, and/or
 - g) Other alternatives approved by supervision.
- 2) The Juvenile Monitoring Program is a cooperative effort between Juvenile Court, Cabinet for Human Resources, Day Treatment Center, and the Department. The program is designed to prevent and control juvenile delinquency after custody by ensuring youth compliance to restrictions. Restrictions fall within the following categories:
 - a) Total Yard Restrictions or Home Detention, i.e., the child is not permitted to leave his house with anyone except to attend school;
 - b) Yard Restrictions, i.e., the child is permitted to leave his house with a parent, guardian, or other designated person;
 - c) Curfews, i.e., the child is given a certain time to be at his home; and/or
 - d) Specific Restrictions, i.e., restrictions placed upon the child according to individual circumstance which might include, but not limited to: staying away from certain places or not associating with certain individuals.
- 3) Officers make unannounced home visits and unscheduled phone calls in order to ensure restriction compliance. If a child is found to be in violation of a particular restriction, notification is made to the official in charge and appropriate action is taken.

4.9.5.3 YOUTH CUSTODY FOLLOW-UP PROCESSING

Officers dealing with juvenile offenders shall use the least coercive among reasonable alternatives, consistent with preserving public safety, order, and individual liberty. After custody the following dispositions are available:

- 1) Outright release with no further action (see § 4.9.5.2 item 2);
- 2) Referral to juvenile court, or
- 3) Physical custody of the child and release if possible to parent or guardian (If release is impossible, refer to the Court Designated Worker.).

4.9.5.4 FOLLOW-UP INVESTIGATIONS

The Criminal Investigative Division performs follow-up on child abuse, status offenses and missing children cases.

4.9.5.5 COURT CASE PREPARATION AND COORDINATION

Each case will be evaluated upon its own merits. Diversion may be one alternative. The following cases, however, should be referred to Juvenile Court:

- 1) Felony offenders,
- 2) Juveniles charged with weapon offenses,
- 3) Juveniles currently on a diversion program for previous offenses,
- 4) Juveniles with pending cases,
- 5) Habitual runaways as defined in KRS 600.020, and
- 6) Cases involving a court order.

4.9.6 OTHER ELEMENTS OF THE JUVENILE JUSTICE SYSTEM (KACP)

Review and comment concerning Departmental juvenile operations policies is solicited from other elements in the juvenile justice system through (1) the Departmental-sponsored Community Resource Group and (2) other area social service agencies. The Community Resource Group includes the following member agencies:

- 1) Cabinet for Human Resources, Children Protective Services.
- 2) Cabinet for Human Resources, Juvenile Services Unit.
- 3) Court Designated Workers.
- 4) Day Treatment Center.
- 5) Family Resource Centers.
- 6) BGPD Victim Advocacy Unit.

4.9.7 INTELLIGENCE INFORMATION

The Criminal Investigations Division shall keep intelligence information pertaining to child pornography.

The Division Supervisor has the responsibility for the security of information, and may make releases at his discretion and according to procedures set forth in § 4.10.4, public information. Due to the sensitive and sometimes unsubstantiated nature, care shall be taken not to release information except to persons on a need-to-know basis. Released information shall be documented according to whom and for what reason. Such information is gathered only for purpose of law enforcement, i.e., intelligence information is restricted to that information having to do with criminal conduct and relates to activities that present a threat to the public. Intelligence information should be thought of as an organizational resource and not an individual resource.

(Remainder of page reserved.)

4.9.8 MISSING JUVENILES

4.9.8.1 GENERAL INVESTIGATIVE GUIDELINES

4.9.8.1.1 After Responding to the Call

- 1) Try to verify that the child is actually missing, especially if a small child: search yard, closets, etc. & consider the age of the child.
- 2) Verify the child's custody status. If parents are divorced or were never married, has custody been established in a court of law? Verify through court papers.
- 3) Consider the following:
 - a) Is the missing youth 10 years old or younger?
 - b) Is the missing youth believed to be out of the zone of safety for his or her age and developmental stage?
 - c) Is the missing youth mentally incapacitated?
 - d) Is the missing youth drug dependent, including prescribed medication and/or illegal substances, and the dependency life-threatening?
 - e) Was the missing youth absent from home for an extended period of time before being reported to police?
 - f) Is the missing youth believed to be in the company of adults and/or juveniles who could endanger his or her welfare?
 - g) Is the child's absence inconsistent with his or her established patterns of behavior and the deviation not readily explained?
 - h) Are there other circumstances involved in the disappearance that would cause a reasonable person to conclude that the child should be considered "at-risk?"
- 4) Interview parents/siblings/guardian:
 - a) Determine who was the last person to see the child.
 - b) Circumstances of disappearance, last place seen along with date and time
 - c) Vehicles involved
 - d) Other children
 - e) Possible adults involved
- 5) Child with special needs:
 - a) Health problems
 - b) Physical handicap
 - c) Mental disorders/mental state
- 6) Interview any witness/friends
- 7) Have parents contact family & friends
- 8) Advise parents to contact the center for Missing and Exploited Children (1-800-THE-LOST) and give them the information on the missing child.
- 9) If a parental abduction: (In addition to the above)

- a) Examine court records.
 - b) Interview family and friends of suspect parent that may indicate the location where the child may have been taken.
 - c) Coordinate with custodial parent and prosecutor the issuance of a warrant for the suspect parent.
 - d) Add entry of warrant information to NCIC file on missing child.
 - e) Contact FBI for assistance and a possible warrant for Unlawful Flight to Avoid Prosecution if the facts support issuance.
 - f) The investigating officer shall determine if the missing person fits the mandatory criteria for an AMBER Alert. (See 4.9.8.1.2)
- 10) If a kidnapping: (in addition to the above)
- a) Notify supervision.
 - b) Secure the crime scene.
 - c) Collect any evidence.
 - d) Contact the FBI.
 - e)
- 11) Advise parents to notify the Department if the child returns.

4.9.8.1.2 AMBER Alert Procedure

- 1) If a juvenile has been abducted or all available evidence strongly indicates that a juvenile has been abducted based on the investigation conducted as mentioned in 4.9.8.1.1;
- 2) and, that public notification is the most appropriate method of recovering the child in a safe and efficient manner;
- 3) and, the following criteria has been considered:
 - There are indications the child is in danger of serious bodily harm or death.
 - There is sufficient descriptive information about the child, the abductor, and/or the suspect's vehicle. It is imperative that activation of the AMBER Alert through the Emergency Alert System (EAS) is utilized only in instances meeting these criteria so as to not diminish the importance of and public attention given to the AMBER Alert through overuse,
- 4) A request for activation of the Alert system should be made with the Kentucky State Police, Post 3. The KSP will forward the request to their headquarters in Frankfort, KY for determination of request approval or denial.

4.9.8.2 KRS REQUIREMENTS AND DEPARTMENT PROCEDURES

- 1) After responding to the call:
 - a) The responding officer will complete the Kentucky Missing Persons Report.
 - b) The responding officer will notify the Kentucky State Police, Warren County Sheriff's Office, and the Western Kentucky University Police.
 - c) The responding officer will have report entered into NCIC/LINK systems by the Communications Center.
- 2) Within 24 hours the Criminal Investigative Division will send a copy of the Kentucky Missing Persons Report to the Kentucky Missing Child Information Center (KRS 17.460(1)). The Department will share any information on juveniles required by KRS

Chapter 17 with prosecutors, detention facilities, courts, and the Department for Social Services.

- 3) The Communications Center will delete the necessary information from LINK/NCIC once a missing child has been located.

End of Chapter 4.9

CHAPTER 4.10

OPERATIONS SUPPORT

4.10 CHAPTER 4.10 - OPERATIONS SUPPORT

This chapter sets forth the Department's law enforcement support operations. The policies recognize the importance of developing useful police intelligence; responding to complaints and allegations of misconduct; evaluating Departmental operations; and soliciting public involvement in the development of policies and procedures. Related policies recognize the limits of authority, define what constitutes reasonable and unreasonable use of force (§ 3.1.6), and directs attention to the accountability component of the Department's disciplinary system (§ 2.10).

4.10.1 INTELLIGENCE OPERATIONS

4.10.1.1 DEFINITION

Police Intelligence

For purposes of definition, police intelligence is an awareness of community conditions, potential problems, and criminal activity.

4.10.1.2 GOAL

Police intelligence should seek to accomplish two goals:

- 1) It should provide the Chief of Police with useful intelligence in a timely manner, and
- 2) It should form a foundation upon which he can implement effective action programs.

4.10.1.3 POLICY

It is the policy of the Bowling Green Police Department to appropriately procure, maintain, and utilize police intelligence.

4.10.1.4 DEPARTMENTAL INTELLIGENCE OPERATIONS

- 1) Departmental intelligence management, personnel, and records is divided into two operations: (1) organized crime and vice intelligence, and (2) criminal and civil disorder intelligence. Because of the type of activity and nature of information within the system, each operation has its own reporting and record system, independent of the centralized records system.
- 2) Each operation has the responsibility of securing collected intelligence information.
- 3) The Criminal Investigations Division shall be responsible for the appropriate dissemination of intelligence information to:

- a) The Chief:Useful intelligence, delivered in a timely manner, should assist the Chief in the development of effective action programs.
- b) The crime analysis function:.....Information may correspond with or assist in the development of identifiable trends or patterns.
- c) Other elements:Other elements include but are not limited to: Department Units, participants at intelligence meetings, or the ROCIC, etc. See also §§ 4.10.1.8, 4.10.1.10, 4.10.1.11. As a general rule, intelligence information is distributed only to criminal justice agencies and on a need-to-know basis.

4.10.1.5 INTELLIGENCE EFFORT: PROCEDURES FOR LEGALITY AND INTEGRITY

- 1) Certain procedures for ensuring the legality and integrity include methods ensuring the anonymity of informants. Informants should be secure in the knowledge that their covert contribution will not be revealed. Procedures for this purpose are set forth in §§ 4.7, 4.8 and 4.9.
- 2) Intelligence information collected and maintained by the Criminal Investigative Division is limited to conduct defined in KRS 500.080, i.e., a felony, misdemeanor, "offense," or violation, AND/OR which relates to activities which present a threat to the community, e.g., organized crime and vice, criminal activity which present identifiable trends or patterns, and civil disorders.
- 3) Criminal Investigations Division intelligence files shall contain information pertaining to:
 - a) Groups that are violence-oriented or inclined toward activity that unlawfully disrupts the community and its citizens;
 - b) Criminal activity which statistically may be significant to crime analysis; and
 - c) Information pertaining to known active criminals within the Bowling Green area.
- 4) The Criminal Investigations Division intelligence files shall contain information pertaining to:
 - a) Organized criminal predatory groups (organized crime and vice), and/or
 - b) Unlawful activity having to do with trafficking in controlled substances or intoxicating liquor.
- 5) The Criminal Investigations Division through the Regional organization Crime Informational Center (ROCIC) have access to information having to do with the following:
 - a) Organized crime,
 - b) Career criminals,
 - c) Mobile career criminals,
 - d) Unsolved felony case information, and
 - e) Conspiracy and fraud information.
- 6) The Department's crime analysis function analyzes and disseminates information according to procedures set forth in § 1.5.

4.10.1.6 UTILIZATION OF INTELLIGENCE PERSONNEL, EQUIPMENT AND TECHNIQUES

- 1) The above Units shall collect, evaluate, and deliver intelligence information to appropriate enforcement elements.
- 2) Direct enforcement action by any officer involved in an intelligence-developing operation should be undertaken only when absolutely necessary in order to protect his identity.
- 3) For utilization of specialized equipment, see § 4.8.8.
- 4) For utilization of intelligence techniques, see the following references:
 - § 4.8.5.2, informant usage (kacp),
 - § 4.8.5.3, informant security and confidentiality,
 - § 4.9.7, intelligence information,
 - § 4.8.6, agency cooperation and task force participation, and
 - § 4.14, chapter 4.14 - special police operations
- 5) For utilization of confidential fund, see § 4.8.7.

4.10.1.7 TYPES OF QUALITY OF INFORMATION INCLUDED IN THE SYSTEM

Activities undertaken in the intelligence effort should avoid indiscriminate collection of information. The following types of information may be included:

- 1) Accurate and necessary information obtained through techniques such as informant usage, surveillance operations, task force participation, raids, and crime analysis; and through such sources as Departmental investigations, other agency functions, other law enforcement agencies, or regional intelligence organizations.
- 2) Unsubstantiated material considered of investigative importance concerning suspects, or other intelligence that would not be admissible in a court, e.g., information pertaining to suspects and/or known active criminals within the Bowling Green area, to include: names, aliases, and descriptions (photo); addresses; family members and addresses; associates (aliases and addresses); car descriptors and license numbers; known hangouts and entertainment; and past criminal records and modus operandi.

NOTE: Unsubstantiated material should be restricted exclusively to officers needing such information for the lawful achievement of goals and should not be disseminated nor compromised.

Information which is demonstratively inaccurate and unnecessary shall not be collected or disseminated.

4.10.1.8 RECORD MAINTENANCE, STORAGE AND DISSEMINATION

Intelligence records maintenance, storage, and dissemination include the following provisions:

- 1) Intelligence records are kept separate from Central Records.

- 2) Intelligence information is collated and analyzed in a secure environment which includes a computer system which protects against unauthorized attempts to access, modify, remove, or destroy stored information.
- 3) Intelligence information is disseminated to individuals and criminal justice agencies on a need-to-know basis.

Responsibility and authority for the security and control of intelligence records is vested in the Criminal Investigations Division. "Security and control" includes the three (3) items in § 4.10.1.8 above. Final authority rests with the Chief of Police.

4.10.1.9 PURGING THE RECORDS OF OUT-OF-DATE INFORMATION

Intelligence records' analysis should seek to characterize the forces which create organized crime and vice, general criminal activity, and civil disorder; accurately portray their activities; and, if possible, make appropriate predictions. Those forces and their activities continually change; therefore, to achieve intelligence goals, records should be purged and updated. Purging of out-of-date information from active files is accomplished in the following manner:

- 1) Immediate deletion of any information which, after collection, is demonstrated to be inaccurate and unnecessary.
- 2) Upon notification, deletion of information pertaining to deceased persons.
- 3) Deletion of information pertaining to persons, activities, locations, and other data demonstrated no longer applicable or criminally active.
- 4) Deletion of any information demonstrated to be no longer necessary for active intelligence files.
- 5) Annual inspection of files.

4.10.1.10 INTELLIGENCE LIAISON

The BGPD Intelligence Liaison exists to enhance coordination and communication among local, state and federal law enforcement agencies to:

Identify, target, and remove criminal conspiracies and activities spanning multijurisdictional, multistate, and sometimes international boundaries.

Facilitate rapid exchange and sharing of information among agencies pertaining to known suspected criminals or criminal activity.

The BGPD is a member of the Regional Information Sharing System (RISS) via the Regional Organized Crime Information Center (ROCIC), the United States Attorney's Anti-Terrorism Advisory Council, Law Enforcement Online (LEO) and participates in multistate information-sharing via Internet-based communications.

The BGPD shall follow the guidelines set forth for law enforcement agencies in 28 Code of Federal Regulations (CFR) Part 23 as it pertains to submission and entry of criminal intelligence information, security, inquiry, dissemination, and review-and-purge processes.

4.10.1.11 INTELLIGENCE INFORMATION EXCHANGE WITHIN THE DEPARTMENT

- 1) Intelligence information shall be considered an organizational resource, not an individual resource.
- 2) Intelligence Component information is shared with Departmental personnel:
 - a) When developed or collected information has been demonstrated accurate and necessary to achieve lawful police goals;
 - b) When analyzed information presents a trend or pattern having clear implications for assisting field operations; and
 - c) When personnel safety and efficiency may be enhanced through its disclosure.

4.10.1.12 EVALUATION OF INTELLIGENCE OPERATIONS

Intelligence operations may be evaluated by examining whether or not the Chief is provided with useful intelligence in a timely manner and whether .

(Remainder of page reserved.)

4.10.2 INTERNAL AFFAIRS

4.10.2.1 DEFINITION

Internal Affairs	Internal affairs may be defined as a specialized component of internal control for appropriate response to allegations of unlawful conduct (misfeasance), allegations of misconduct (malfeasance), alleged failure to perform a legal requirement or official duty (nonfeasance), and complaints impacting on the agency's response to community needs.
Formal Complaints	For the purpose of this policy formal complaints are defined as only citizen signed complaints to be maintained and purged by the Chief's Office in accordance with the record retention schedule. The Employee Conduct Forms are used by first line supervisors.

4.10.2.2 GOAL OF INTERNAL AFFAIRS

The goal of internal affairs is to ensure that the integrity of the agency is maintained through an internal system where objectivity, fairness, and justice are assured by intensive, impartial investigation and review.

4.10.2.3 POLICY

It is the policy of the Bowling Green Police Department to appropriately investigate all complaints, including anonymous complaints, against the Department or its employees, and to determine the charge's substance or to exonerate.

4.10.2.4 DEPARTMENT INTERNAL AFFAIRS OPERATIONS

Internal affairs investigations are initiated upon receipt of an allegation of employee wrongdoing. All Department members are required to cooperate with the investigation of personnel misconduct. The Chief of Police administers and coordinates the Department's internal investigation function.

4.10.2.5 FUNCTIONS OF INTERNAL AFFAIRS

- 1) The responsibilities of the Department's internal affairs function include, but are not limited to:
 - a) Administration and coordination of all personnel complaint investigations;
 - b) Independent investigation of complaints or preliminary investigation and case assignment to an investigator;
 - c) Expedient completion of all investigations; and

- d) The maintenance and control of all internal investigations files.
- 2) The categories of complaints that require investigation by the internal affairs function are, but not limited to:
- a) Allegations of corruption,
 - b) Allegations of brutality,
 - c) Use of force,
 - d) Breach of civil rights, and/or
 - e) Criminal misconduct.
- 3) The internal affairs function of the Bowling Green Police Department is the responsibility of the Chief of Police; individual case investigations may be appointed by him on an as-needed basis.
- 4) Those charged with the responsibility of internal investigations have the authority to conduct investigations of the following situations and circumstances or conditions:
- a) Any allegation or complaint of misconduct made by a citizen or other person against the Department or any of its members;
 - b) Any alleged or suspected breach of integrity or case of moral turpitude from whatever source it may be reported or developed;
 - c) Any situation where an officer has been killed or injured by the willful or deliberate act of another person;
 - d) Any situation in which a citizen has been injured or killed by an officer, whether on duty or not;
 - e) Any situation involving the discharge of firearms by an officer (see §§ 3.1.8.4); and/or
 - f) Any other complaint which might impact the Department's response to community needs.
- 5) When instructed to do so by the Chief of Police, internal investigative responsibilities may include:
- a) Assisting in any disciplinary case;
 - b) Assisting any member of the Department by investigating cases of personal harassment, threats, false accusations, or contrived situations which may be harmful to him (Internal affairs is a fact-finding body, equally as interested in establishing innocence as guilt.); and/or
 - c) Fully advising citizen complainants of the decisions and actions resulting from investigations.

4.10.2.6 COMPLAINT PROCESSING

- 1) Complaints are derived from two sources: the public (citizens) and/or the Department. The Department disseminates information to the public on procedures to be followed in registering complaints against the agency or its employees by making available written procedures in the lobby of the police department and City Hall. The locations of these written procedures are posted on the city's website. Complaint reports are documented in the following manner.
- a) A citizen may choose to complain through the Department or through the City Clerk's office by the completion of:

- Department Formal Citizen Complaint Form by the complainant;
- Bowling Green Police Department Incident Report form and supplement by a supervisor or Department member, if necessary;
- Additional written citizen statements, if necessary;
- Any additional Departmental documentation, if necessary;
- An affidavit at the City Clerk's office by the complainant; or
- An employee conduct form.

For Departmental-complaint investigations:

- Bowling Green Police Department Incident Report form and supplement, if necessary;
 - Standard to/from/report form;
 - Additional written statements, if necessary; and/or
 - Any additional Departmental documentation.
- 2) It is the responsibility of the Supervisor who receives a complaint to:
- a) Provide a complaint-citizen opportunity to provisions specified by the Department Formal Citizen Complaint Form;
 - b) Document all complaints as specified in item 1) above;
 - c) Attempt to resolve complaint by explanation of Department policy and procedure, document complaint/actions, forward to appropriate supervisor.
 - d) Forward all Formal Citizen Complaint Forms and documentation to Chief; and
 - e) Forward all Employee Conduct Form information to appropriate supervisor.
- 3) Based upon the information gained, allegations of employee misconduct may be pursued by the Department either administratively and/or criminally. An administrative investigation may be conducted, as specified herein and in § 2.10, by immediate supervision, the Chief, or by both. A Criminal Investigation is conducted, as specified herein and in § 2.10, by the Chief.
- 4) Examples of personnel investigations that may be pursued administratively include, but are not limited to:
- a) Slow response;
 - b) Certain failures to take proper police action not resulting in serious property damage or bodily harm; or
 - c) Rudeness displayed by a Department employee.
- 5) When employees are notified that they have become the subject of an internal affairs investigation resulting from a complainant (as specified above or any § 4.10.2.5, functions of internal affairs); the Department issues the employee a written statement of the allegations and the employee's rights and responsibilities relative to the investigation (see § 2.10, chapter 2.10 - disciplinary procedures; KRS 15.520, KRS 95.450; and the City's Administrative Personnel Policy and Procedures Manual, Chapter VII.
- 6) When a complaint against the Department or its employees has been received by the Chief he provides written verification to the complainant(s) and, after investigation, written notification concerning the status of the complaint.
- 7) Any employee that is served a forty-eight (48) hour notice should be notified of the results of the internal investigation afterwards.

4.10.2.7 OPERATIONAL PROCEDURES

- 1) The investigation of complaints of employee misconduct of a minor nature may be conducted by the employee's immediate supervisor. The type of complaints investigated by line supervisors include, but are not limited to:
 - a) Alleged employee rudeness,
 - b) Tardiness, or
 - c) Insubordination.
- 2) The investigation of complaints that require investigation by the internal affairs function (the Chief or his designee) include:
 - a) Allegations of corruption,
 - b) Allegations of brutality,
 - c) Use of force (by an employee against an employee),
 - d) Breach of civil rights, or
 - e) Criminal misconduct.
- 3) All complaints shall be forwarded to the Chief of Police via procedures set forth in § 4.10.2.6.
- 4) The Chief of Police or Supervision, at their discretion, may temporarily remove from duty any employee pending disposition of an internal investigation. Such removal is not disciplinary in nature and should not reflect upon the member's innocence or guilt. The member's payroll status is not affected by such action.
- 5) Cases subject to investigation by the internal affairs function are expected to be completed within 30 days unless extenuating circumstances necessitate extension. Investigators assigned by the Chief to internal affairs investigations are expected to file status reports every seven days. For cases involving alleged criminal conduct, liaison with the City Attorney's office and/or the Commonwealth Attorney's office is maintained.
- 6) For each allegation of misconduct a conclusion of fact is determined according to the following:

SUSTAINED	The allegation is proven. Appropriate disciplinary action has been taken.
NOT SUSTAINED	Cannot prove or disprove allegation. There is insufficient proof to confirm or refute the allegation.
EXONERATED	Incident occurred but action was within established policy and procedure.
UNFOUNDED	No factual basis to the complaint. Either the allegation is demonstrably false or there is no credible evidence to support it.
POLICY FAILURE.....	The allegation is true, although the action of the officer was not inconsistent with Department policy.
CLOSED EXCEPTIONALLY	For example, an officer resigns, the complainant leaves town, officer or complainant becomes deceased, or complainant withdraws allegation.
EXEMPLARY	Officer's conduct is commendable.
- 7) A violation of policy may also be determined to be unintentional or due to insufficient or improper training. Both situations require immediate attention directed toward training.
- 8) A record is maintained of all Formal Citizen Complaints against the Department or its employees. Records relating to internal affairs investigations are administrative in nature

and may not be released without express approval of the Chief of Police or upon written consent of the individual member. The disclosure, however, of internal discipline statistics does not violate the confidential nature of the process; such disclosure is often valuable because it tends to dispel allegations of disciplinary secrecy voiced by some community elements. The Department publishes summaries of its annual report, based on the records of internal affairs investigations, for dissemination to the public and to Department employees. Access to the files will be limited and approved by the Chief of Police or his designee and is in compliance with open records laws.

- 9) Records relating to internal affairs are maintained according to the following procedures:
 - a) All records of internal investigations are permanently filed by the office of the Chief of Police.
 - b) Documentation of any disciplinary action taken is included in the internal investigation file prior to its being closed.
 - c) Documentation of any disciplinary action taken is included in the employee's official personnel file. (No record of an allegation may appear in a member's official personnel file unless it has been sustained.)
- 10) Upon order of the Chief, employees shall submit to certain investigative procedures, provided such procedures are specifically directed and narrowly related to a particular internal investigation being conducted by the Department. The following provisions may be employed:
 - a) Employees may be subject to polygraph examinations upon order of the Chief except the examination shall be conducted by a duly qualified representative of an outside law enforcement agency.
 - b) Employees may be subject to medical or laboratory examinations except that any analysis to be conducted on any type of test shall be conducted by persons outside the Department.
 - c) Employees may be required to be photographed, to participate in a line-up, and/or to submit a financial disclosure statement when actions are material to the investigation.
- 11) For disciplinary action, see § 2.10, chapter 2.10 - disciplinary procedures.

(Remainder of page reserved.)

4.10.3 INSPECTIONAL SERVICES

4.10.3.1 DEFINITION

Inspectional Services	Inspectional services may be defined as internal control processes for evaluating the quality of the Department's operations, ensuring that the Department's goals are being pursued, identifying the needs for additional resources, and assuring that control is maintained throughout the Department.
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4.10.3.2 GOAL OF INSPECTIONAL SERVICES

The goal of inspectional services is operational efficiency and effectiveness.

4.10.3.3 OBJECTIVES

The objectives of inspectional services are:

- 1) Compliance with Department policy and procedures, local, state, and federal law.
- 2) Department resources, including personnel and equipment are adequate to meet the needs of the community and are utilized to the maximum extent practicable.
- 3) Department material and equipment remain serviceable.
- 4) Department training is appropriate, timely, and effective.
- 5) Department morale is sustained.
- 6) Department records and reports are accurate and up-to-date.
- 7) Department facilities are adequate and maintained in a good state of repair.
- 8) Criminal investigation procedures are effective and productive.
- 9) Command and control is maintained throughout the Department.

4.10.3.4 POLICY

It is the policy of the Bowling Green Police Department to conduct staff and line inspections at regular intervals.

4.10.3.5 DEPARTMENT INSPECTIONAL SERVICES

- 1) Department inspectional services may be divided into two categories: (1) line or authoritative inspections, and (2) staff inspections. The first is the product of direct command and supervision, the second, the result of administrative in-depth examination of functions and components of the Department. Both have the same goal, but differ in process.

- 2) Inspections carried on by supervisors of Departmental elements and materials for which they are responsible are line or authoritative inspections (e.g., the Sergeant's inspection of his men at roll call or his review of subordinate's reports). Line inspections, therefore, are the responsibility of the supervisory and command structure of the Department. Line inspections are a management tool designed and carried on to assure accountability of command by examination of delegated authority.
- 3) Staff inspections are an administrative tool conducted outside the normal lines of authority and responsibility. Those involved in the staff inspection process are neither responsible to the supervisors of units being inspected nor responsible for performance of the units and their personnel. Staff inspections are conducted under the authority of the Chief and are in-depth examinations of functions and components of the Department. Departmental staff inspections are the responsibility of the Professional Standards Assistant Chief.
- 4) Inspections are carried on for the purpose of providing answer to questions of importance to the Chief. Both line and staff inspections generate findings, conclusions, recommendations, and reports for consideration by the Chief and other managers or supervisors and provide information that may affect the Department's planning efforts and content of training programs.

4.10.3.6 LINE INSPECTIONS

- 1) Line inspections are performed by the supervisory and command personnel of the units and divisions to be reviewed. Line inspections involve the inspection of all:
 - a) Personnel,
 - b) Vehicles,
 - c) Equipment, and
 - d) Facilities.
- 2) Unless circumstances dictate otherwise, a formal uniform and personal appearance inspection will take place for patrol personnel at least once each week. Weapons will be inspected during the first uniform and personal appearance inspection each month. Casual inspection or the cursory checking of personnel uniform and appearance is performed daily. Inspections include (§ 2.5.10):
 - a) Uniforms, for proper fit, cleanliness, condition, and general appearance;
 - b) Personal equipment and accessories, for proper adjustment and good repair; and
 - c) Hair styles and facial hair, for conformity with Departmental regulations.
- 3) Deficiencies in personal appearance and dress should be corrected via authority of Supervision or, if necessary, through Department disciplinary policies.
- 4) For inspections of Departmental vehicles and equipment, see § 4.3.11.
- 5) Command personnel and Supervisors are expected to check on activities assigned to personnel.
 - a) Improper actions regarding assigned activities should be corrected via authority of Supervision.
 - b) Disobedience of a direct order or actions not condoned by the Department should be reported to the Deputy Chief of the Bureau of Field Operations in accordance with Department disciplinary procedures.

- 6) Periodic inspection of personal lockers may be conducted by Supervision. Personnel are reminded that the personal lockers are Department property. At a minimum, this inspection will be conducted annually as part of the staff inspection of the operations division. Any inspection which reveals deficiencies not correctable at the inspection-level shall be reported in writing to higher supervision.
- 7) Emergency Power Supply – a person assigned from the Logistics Division will test the Emergency Power Supply (generator) weekly under full load and document the testing on a log for that purpose.
- 8) Documented inspections should be reported via established To/From/Subject form (see § 1.2.2.6.3).

4.10.3.7 STAFF INSPECTIONS

Staff inspections are performed every two years by the Professional Standards Assistant Chief, by authority of the Chief of Police. Written notice is sent 30 days in advance to the officer in charge of the unit or division to be inspected. The following areas are reviewed:

- 1) Facilities, property, equipment, personnel
- 2) Administrative and operational activities, including:
 - a) Department policy and procedures,
 - b) All staff functions,
 - c) Records, reports, material, and equipment, and
 - d) Completion of all applicable accreditation standards.

All staff inspections should be documented and reported via established To/From/Subject form (see § 1.2.2.6.3).

4.10.3.8 RESULTS AND FOLLOW-UP

At a minimum, written documentation shall indicate that the inspections were performed and:

- 1) When,
- 2) Who or what was inspected,
- 3) Any deficiencies noted, and
- 4) Corrective action taken and/or recommended.

Those responsible should respond via to/from report form to the inspector within 30 days the following:

- 1) Corrections made or corrections not made, and
- 2) Reasons for item 1, if needed.

(Remainder of page reserved.)

4.10.4 PUBLIC INFORMATION

4.10.4.1 DEFINITION

Public Information

Public information: Information, facts and knowledge provided or learned as a result of reporting or an investigation, available to be disseminated to the public.

4.10.4.2 GOALS OF POLICE PUBLIC INFORMATION (KACP 20.1)

It is the goal of the Bowling Green Police Department to communicate to the public how the Department functions, the police role, how the community can work in partnership with the police, and, access information about the occurrence of crime. In doing so, it maintains the public's trust, cooperation and support. The release of information is handled in manner so as to respect the public's right to know and protect ongoing police investigations so that a potential criminal prosecution is not jeopardized.

4.10.4.3 POLICY

It is the policy of the Bowling Green Police Department to provide open, timely and uninhibited access to public information except where restricted by law.

4.10.4.4 PUBLIC INFORMATION OPERATIONS

Public information operations are established to improve the Department's response to matters of public interest. It functions to provide more direct access to the Department and police-related information to inform and educate the public. The position of Public Information Officer (PIO) exists to provide a chief spokesperson for the Department on a consistent basis. The PIO reports directly to the Chief of Police and coordinates response to media inquiries, provides information about crime incidents, the Department, its functions, policies and procedures, programs, services, and related events.

4.10.4.5 PUBLIC INFORMATION OFFICE (KACP 20.1)

It is the Public Information Officer's responsibility to:

- 1) Maintain contact with local media and provide information in accordance with law and Departmental policy through conducting news conferences, interviews, preparing press releases, processing media identification cards, etc.
- 2) Maintain a close working relationship with heads of various Department operational units, (e.g., Patrol Division, Criminal Investigative Division, etc.)
- 3) Edit web page content – social media.

- 4) Work closely with the Chief of Police and others to promote the image of the Department.

4.10.4.6 POLICE / PRESS RELATIONS (KACP 20.3)

Use of the media is a valuable resource to help keep the public informed. As a result, it is essential that the Department maintain a working relationship with the media to promote communication. The Police Department will venture to maintain a cooperative climate of respect and mutual trust with the media. Reporting of information will be done with truthfulness, accuracy, and impartially.

Media representatives who are directly employed by agencies of print, television and radio may be issued a Bowling Green Police Department media credential (Media Identification Card.)

- 1) The Bowling Green Police Media Identification Cards are intended for reporters and photographers/videographers covering news and grant the bearer access to places the general public is not permitted. The Bowling Green Police Department must ensure that those seeking the Media Identification Card are doing so for legitimate newsgathering purposes. The Bowling Green Police Department will take measures to stop anyone who might attempt to use the Bowling Green Police Media Identification Card to commit illegal, unsafe or harmful acts.
- 2) Members of the media are by no means required to obtain a Bowling Green Police Media Identification Card to perform their job in Bowling Green. The Media Identification Card is only for media representatives who choose to enter a secure or restricted location when authorized to do so.
- 3) Editors and/or News Directors should distribute the Bowling Green Police Media Identification Card Application and Guidelines to all potential applicants. An applicant should complete the form by providing all the required information and obtaining a signature from an Editor or News Director. Incomplete applications will not be processed. Requests for Bowling Green Police Media Identification Cards should be submitted to the Bowling Green Police Department, Attn: Public Information Officer, 911 Kentucky Street, Bowling Green, KY 42101.
- 4) By submitting an application, the employer is stating that the applicant is a reporter, editor, writer, photographer, broadcaster or videographer who covers news for your agency and has read the Bowling Green Police Department Media Identification Card Guidelines. The supervising person signing the application is also responsible for retrieving and returning the Media Identification Card upon the employee's termination or resignation to the Bowling Green Police Public Information Officer.
- 5) A criminal background check is required for all applicants. An applicant will be denied a Bowling Green Police Media Identification Card if he or she has an active arrest warrant issued by any jurisdiction, is a convicted felon, or registered sex offender.
- 6) The Public Information Officer will notify the applicant (not his or her employer) if the Media Identification Card is denied. Any applicant who is denied can appeal the decision directly to the Chief of Police within 30 days of the denial. The appeal must be in writing and state reasons for the appeal.
- 7) Under no circumstances will the Bowling Green Police Media Identification Card be mailed. Upon completion, the applicant will be notified via telephone and given an appointment Monday through Friday during the hours of 8:30 a.m. and 4:00 p.m. The applicant must come to the Bowling Green Police Headquarters for a mandatory official digital photograph for their Media Identification Card.

- 8) The Media Identification Card applicant agrees to assume all risks incident to use of the privileges conferred by the Card, to comply promptly with any reasonable direction by a Bowling Green Police Officer, while using such Media Identification Card, and to conduct one's self in such a manner as not to interfere with, hinder, or obstruct any authorized person engaged in preserving the peace, maintaining order, or protecting life and property.
- 9) The Bowling Green Police Media Identification Card must be worn fully exposed at all times when the bearer wishes to enter any part of the Bowling Green Police Department Headquarters (other than the main public lobby and Community Room) or any other restricted area.
- 10) The bearer will immediately report the loss or theft of the Media Identification Card to their agency and the Bowling Green Police Department. He/she must file a police report and notify the Public Information Officer.
- 11) Anyone who unlawfully makes, reproduces uses or possesses an official Bowling Green Police Media Identification Card is subject to punishment by fine and/or imprisonment under the Kentucky Revised Statutes.
- 12) Bowling Green Police Media Identification Cards are valid for a period of up to one year. Renewal notices will be sent 30 days in advance of expiration.
- 13) The Bowling Green Police Media Identification Cards are provided at no charge to the media representative and remain property of the City of Bowling Green.
- 14) A Bowling Green Police Media Identification Card may be revoked if the individual constitutes a security risk to the Bowling Green Police Department or if they fail to comply with the Bowling Green Police Media Identification Card Guidelines.
- 15) The Bowling Green Police Department will not honor press credentials from other law enforcement agencies unless pre-approved.

In the event additions, deletions, or other changes in policies and procedures affecting the news media are deemed appropriate, a reasonable effort will be made to inform media representatives of such planned changes. All requests for procedure or policy changes (including requests from the media) should be directed to the Chief of Police via the Public Information Officer.

4.10.4.7 DISSEMINATION OF PUBLIC INFORMATION (KACP)

- 1) All news releases, records, and reports produced and maintained by the Bowling Green Police Department are subject to the provisions of City Ordinance 2-20.03, KRS 61.870 through 61.884, and corresponding Federal regulations. Records for which access is permitted shall be made equally available to all credentialed media agencies.
- 2) To allow easy access to activities handled by the Police Department, the following records are made available to the media through a public information officer: (1) arrest log, (2) accident reports, (3) investigative reports, and (4) adult arrest citations. Reports containing juvenile suspect names, juvenile violent crime victim names and information which if disclosed could jeopardize a criminal investigation or prosecution, will be redacted.
- 3) Generally, any additional information request should be referred to the Department's Public Information Officer.

- 4) In the event someone other than a Public Information Officer releases information to the media, that person should notify the Department's Public Information Officer.
- 5) The following information may generally be released concerning arrests or criminal incidents:
 - a) The nature, location, and time of the crime;
 - b) The victim's name;
 - c) An arrestee's name;
 - d) Weapon or type of force used;
 - e) Injuries sustained by victims or suspect;
 - f) The circumstances immediately surrounding the arrest, including the time and place of the arrest, resistance, pursuit, and possession and use of weapons;
 - g) Events occurring in the judicial process which are not privileged information;
 - h) The substance or text of charges brought against the suspect; and
 - i) The identity of the investigating and arresting officers or agencies, and the length of the investigation.
- 6) Requests for information at the scene of an incident, crime, or collision shall be referred to the ranking officer in charge of the investigation. The ranking officer may, at his discretion answer requested questions or refer the press media to a Public Information Officer.
- 7) Formal written press releases are issued as necessitated by newsworthy events which occur. Additional questions concerning the press release shall be directed to the Public Information Officer.
- 8) In the event media representatives wish to interview police personnel arrangements should be facilitated through the Public Information Officer.
- 9) Video and audio tapes and still photos are regularly taken into custody by the Department for investigative purposes, but may remain the property of the owner and, in some cases, are governed by copyright. Therefore, in the event a video tape or audio tape is taken into possession by a member of the Bowling Green Police Department for investigative purposes, written permission from the owner may be required prior to its release by the Department to the media for public display.
- 10) For release of other Departmental information or records, see § 1.9.

4.10.4.8 INFORMATION NOT DISSEMINATED (KACP)

The release of certain types of information may create dangers of prejudice without serving a significant law enforcement or public interest function. Therefore, all concerned should be aware of the dangers of prejudice in making certain pretrial disclosures and avoid releasing the following types of information:

- 1) Statements as to the character or reputation of an accused person or prospective witness;
- 2) Admissions, confessions, or the contents of a statement or alibi attributable to an accused person;
- 3) The performance or results of tests or the refusal of the accused to take a test (Breathalyzer test results are recorded on citations which are open records.);
- 4) Statements concerning the credibility or anticipated testimony of prospective witnesses;

- 5) The possibility of a plea of guilty to the offense charged or to a lesser offense, or other disposition; or
- 6) Opinions concerning evidence or argument in the case, whether or not it is anticipated that such evidence or argument will be used at trial.
- 7) When receiving questions from and / or hosting a media news conference in reference to a criminal incident and / or traffic crash, police personnel will refrain from giving a patient's condition. Depending on the case, traffic crash, etc., there is nothing improper in stating something visually obvious to public bystanders, such as there was a known or apparent injury to an arm, leg, chest wound, etc. However refrain from answering questions such as the seriousness of the injury. That is information that is private and that can only come from the treating physician with the permission of the patient and / or the patient's family should the patient be unable to give or withhold permission.
- 8) The identity of any deceased person unless:
 - a) Identity has been confirmed,
 - b) The officer responsible has notified the Coroner or his representative and informed him of the situational context and any information which should be specifically withheld for investigative purposes (The Coroner will authorize the release of information concerning the deceased.), and
 - c) Next of kin has been notified by the officers or by the Coroner;
- 9) Information concerning internal affairs or matters of Departmental policy (Information concerning internal affairs may be released according to appropriate case law and KRS 15.520; policy inquiries should be referred to the Chief);
- 10) Names and addresses of juveniles taken into custody or who may be a complainant in a criminal proceeding, without permission from the court as prescribed by law; and
- 11) Information received from other law enforcement agencies without their concurrence to its release.
- 12) In the case of an officer involved shooting, the Chief of Police or his designee is the only person authorized to release any information.

(Remainder of page reserved.)

4.10.5 COMMUNITY RELATIONS

4.10.5.1 DEFINITION

Police-community Relations

Police-community relations is the variety of ways in which it may be emphasized that the police are an important part of, not apart from, the community served.

4.10.5.2 GOALS

Police-community relations seeks to:

- 1) Maintain an ongoing awareness of community needs;
- 2) Identify sources of conflict between the police and the community and to coordinate efforts to resolve them;
- 3) Improve community relations and develop cooperation between the police and the community toward problem solving;
- 4) Develop police-citizen partnership in the cause of crime prevention; and
- 5) Help make the principle of equal protection of the law meaningful for the total society and emphasize that law enforcement is a general community responsibility.

4.10.5.3 POLICY

It is the policy of the Bowling Green Police Department to establish close ties with and respond to the needs of the community.

The Bowling Green Police Department is committed to correcting actions, practices, and attitudes that may contribute to community tensions and grievances.

4.10.5.4 POLICE-COMMUNITY RELATIONS OPERATIONS

Police-community relations operations within the Department seeks to assist the Department in developing a harmonious relationship with the community and to coordinate the activities of the entire Department toward the goals above. Community relations functions are shared by all members of the Department and each member is responsible for promoting good community relations, but the planning and coordination of community relations program activities is the responsibility of the Logistics Division.

4.10.5.5 IMPORTANCE OF POLICE-COMMUNITY RELATIONS

The members of the Bowling Green Police Department recognize that support of the community is essential for effective police work. Since the police officer is continuously visible in the community setting, the public is able to examine the conduct of individual officers and thus develop attitudes and perceptions toward the entire Department. Therefore, it is important for each member of the Department to understand his actions as a police officer must always be as a representative of the Department, not as an individual.

The police officer's general responsibility to preserve the peace and enforce the law carries with it the authority to arrest and to use force, even deadly force. Police officers carry out their duties and responsibilities with discretionary power; thus, it is necessary that this power be subject to review and examination to ensure it is used properly and according to proper procedure.

The members of the Police Department have a sworn obligation to respect and defend the rights of all citizens guaranteed in the Constitution, and to ensure equal treatment for all members of the community regardless of race, color, creed, national origin, or sex. Any police action that results in discrimination or in denial of equal protection under the law to any citizen can have far reaching consequences. Any such action or unjustified use of force, real or perceived, can lead to negative attitudes toward the Department and possible disorder in the community.

4.10.5.5.1 Ride Along Program

The Ride Along Program allows citizens to observe police officers while in the performance of their duties. This program serves as an education process, a recruitment tool and community relations tool for the police department.

- 1) The minimum age for a ride along shall be eighteen. Pathfinders are exempt. Other exceptions may apply on a case-by-case basis.
- 2) The shift supervisor may override an approved ride along if they so deem appropriate.
- 3) Immediate family members will not be permitted to ride along with sworn personnel while on-duty without the approval of a Deputy Chief or Chief of Police.
- 4) The maximum allowable ride along time is four (4) hours. Some exceptions may apply with Deputy Chief or Chief approval.
- 5) A repeat ride along may be approved on a quarterly basis.
- 6) No probationary officer will be allowed a ride along except with a Chaplain.
- 7) The program will be coordinated and overseen by the Special Operations Captain.

In order to provide a quality program to participants, the following should serve as, but not be limited to, the governing guidelines:

- 1) A ride along application/waiver form shall be filed each time prior to the request.
- 2) The application review will include a record check and NCIC inquiry. An applicant who has a felony record or a misdemeanor record that involves moral turpitude or dishonesty may be excluded from participation in this program.
- 3) The form shall be approved by the Deputy Chief of Field Operations or Support Services or designee.
- 4) The form will be forwarded to the Special Operations Captain for review.
- 5) The Special Operations Captain will make assignment based on availability.

Prior to making assignment the following areas should be taking into consideration:

- 1) Has an officer recently been a Police Training Officer?
- 2) Is there a special event that may interfere with a ride along?
- 3) How recent has the officer had a ride along participant?

Expectations of the Participant:

- 1) Participants shall play no active role in the police function. They must only act as an observer unless otherwise directed by their host-officer.
- 2) Participants shall not be allowed to operate any police equipment unless directed to do so by a police officer in an extreme emergency.
- 3) Participants shall not be allowed to carry any firearm or other weapon, even when otherwise authorized by law, while participating in the ride-along program.
- 4) Participants should be dressed in comfortable, casual but conservative clothing during the ride-along. (ie. Pants and shirt/jacket for men, Pants and blouse/jacket for women). Participants who are inappropriately dressed, as determined by the supervising officer, shall not be allowed to participate in the program on the assigned date.
- 5) Participants shall not enter any person's residence while participating in the ride-along (including known domestic disturbance situations, service of search warrants, etc) without expressed permission given by the homeowner/resident.

4.10.5.6 CITIZEN SURVEY

An annual survey on citizen attitudes and opinions is conducted by the City of Bowling Green in order to assess:

- 1) Overall agency performance;
- 2) Overall competence of agency employees;
- 3) Officer attitude and behavior toward citizens;
- 4) Concern over safety and security within the agency's service area as a whole;
- 5) Concern over safety and security within the beat where respondent lives; and
- 6) Recommendations and suggestions for improvements.

Survey method may be via telephone, mail, internet and/or as a part of individual program presentation evaluation.

(Remainder of page reserved.)

4.10.6 CADETS

This section sets forth the Department's cadet function as performed by assigned part time police cadets. Policies relate to telephone reporting and assigning of level five calls for service, on-line and in-lobby report taking, parking enforcement, speed trailer deployment, school crossing details, and various other assigned duties.

4.10.6.1 CADET OPERATIONS

The Cadet Unit provides a means of diverting certain non-emergency calls for service from the district officer to unsworn police cadets for completion. These calls include level five and certain level four incidents (changed to level five) that do not require the presence of a sworn officer at the scene. Cadets may handle these calls either by phone or by appointment; whichever provides more convenience to the complainant or victim. This system of handling lower priority calls for service provides more patrol coverage for the citizens by permitting district officers to respond to higher priority and emergency calls in a timelier manner. In the event a caller demands to speak with a sworn officer, a Cadet will notify Communications, who will then assign the call to the appropriate officer.

4.10.6.2 CADET EMPLOYMENT REQUIREMENTS AND BENEFITS

Cadets are to be at least 18 years of age. The applicant must be a High School Graduate or have obtained an Equivalency Diploma. Cadets are required to work 20 hours per week as scheduled by the cadet supervisor. The applicant must possess an acceptable background and successfully complete an oral interview to be considered for employment.

Applicants that successfully complete the process and are hired by the Bowling Green Police Department receive the following:

- Base salary for the Cadet position as determined by the city pay scale.
- Paid holidays off.
- Four hours vacation per month.
- Four hours sick leave per month.
- Issued uniforms for the position.

4.10.6.3 CHAIN OF COMMAND

Cadets are part-time employees of the Bowling Green Police Department. Police departments are paramilitary organizations and must operate via a strict chain of command. The chain of command for the cadets is as follows:

Chief of Police.
Lieutenant Colonel of Support Services.
Major of Logistics.
Special Operations Captain.
Cadet.

The Logistics Major is in overall command of the Cadet Unit. The Special Operations Captain directly supervises the Cadets. In the event the unit supervisor is unavailable, the Cadets report to the appropriate on duty patrol supervisor.

4.10.6.4 CADET ASSIGNMENT AND DUTIES

Cadets are scheduled for 20 duty hours per week. The Cadet Unit's hours are determined by supervision based upon peak times for calls for service. For Cadets attending college classes, class schedules are taken into consideration, however cadets are required to make every effort to coordinate their schedules in order to provide maximum Cadet coverage.

Cadets may be assigned to report to any of the Bowling Green Police Department's duty locations based upon the needs of the Department. Cadets may also be reassigned from Cadet duties, at the discretion of the supervisor, to perform other duties as needed. With the exception of retrieving evidentiary documentation (i.e., video surveillance tapes) and found property, Cadets are not assigned to duties that require them to contact a complainant or victim in the field away from their duty location. Other Cadet duties consist of, but are not limited to, parking enforcement, speed trailer deployment, pawn ticket details, and filling in for school crossing guards.

Cadets may operate city vehicles, with supervisory approval, in the performance of their duties. This would include parking enforcement, speed trailer deployment, pawn ticket pickup, school crossings, or other various administrative details. Cadets will not operate marked police cruisers unless directed otherwise by a field supervisor. In the event a cadet is needed to drive a marked police cruiser, a sworn officer shall supervise the cadet at all times. Cadets are strictly prohibited from operating marked cruisers while on normal patrol with an officer.

Cadets will keep their work areas clean and presentable. Cadets are to follow the Cadet training guidelines and policy manual while on duty unless otherwise directed by a supervisor.

4.10.6.5 CADET PERSONNEL GUIDELINES

Cadets are to adhere to the following guidelines in regards to reporting for duty, sick leave, vacation leave, appearance, confidential information, and chain of command. These guidelines may be updated as needed.

- 1) Reporting for Duty Cadets shall report for duty at the time and location specified by supervision. Cadets need to be prepared for duty upon arrival at the duty location. Cadets shall notify communications when they arrive for duty, when they are not available for calls, and when their shift ends. Cadets will monitor the CAD screen for pending cadet calls. Cadets will review their e-mail and the daily briefing as soon as practical when reporting for duty.

- 2) Sick Leave..... Cadets who call in sick need to do so at least two hours prior to their shift, unless an emergency arises. Cadets should contact the on duty patrol supervisor in the event their immediate supervisor is not available. In the event a supervisor is not available, Cadets should notify communications and ask to have the on duty patrol supervisor contact them as soon as possible.

Cadets should always speak directly to either their supervisor or the on duty patrol supervisor when calling in sick.

- 3) Vacation Leave.....Cadets requesting vacation leave must complete a leave request in TimeClock. Leave requests are typically handled on a first come first serve basis, however, leave scheduling is the responsibility of Supervision.
- 4) Appearance.....Cadets shall wear the designated Bowling Green Police Department Cadet uniform when on duty. In the event that a Cadet has not received his/her uniform, the cadet shall report for duty dressed in a businesslike manner with the Bowling Green Police Department identification tag displayed in plain view. Cadets shall maintain a neat, well-groomed appearance. See Bowling Green Police Department Policy and Procedure Manual, Personal Appearance.
- 5) Confidential InformationUpon being hired, Cadets are required to sign an employee confidentiality statement. Cadets will come in contact with information of a confidential nature on a daily basis. All information on the daily briefing sheet is confidential and shall not be in plain view of the public. Cadets shall not discuss any confidential information with anyone except authorized personnel who have a need to know about the information. If contacted by the media, the Cadet shall notify the appropriate supervisor. (See § 4.10.4 above, public information.)
- 6) Chain of Command See § 4.10.6.3 above

4.10.6.6 PROTOCOL FOR ASSIGNING CALL TO THE CADET UNIT

All calls assigned to the Cadets are to be routed to Communications and placed on the CAD screen unless otherwise approved by the on duty patrol supervisor. These incidents are normally level five in nature but selected level four incidents may be handled through cadets with supervisory approval. Patrol officers, investigators, and supervisors from other units will not direct complainants or victims to a cadet without approval from the on duty patrol supervisor.

- 1) In Person ReportsWhen a complainant or victim arrives at the duty location for assistance that requires a Cadet, communications shall be notified immediately either by the receptionist or cadet on duty. Communications will enter the call on CAD and the next available Cadet will assist the complainant/victim. Cadets will make every effort to assist walk in complainants prior to telephone reports.
- 2) Cadet Initiated Reports.....When cadets need to complete a follow-up investigation or file a supplement report, they shall notify communications and have a CAD incident created before initiating the assignment. Cadets will not initiate a follow-up if a complainant or victim is waiting for services. Cadets will create report numbers for on-line reports.
- 3) Tele-reporting (See § 1.9.2.3 above)

CHAPTER 4.11

RESERVED

4.11 CHAPTER 4.11 - RESERVED

End of Chapter 4.11

CHAPTER 4.12

CRIME PREVENTION

4.12 CHAPTER 4.12 - CRIME PREVENTION

This chapter sets forth the Department's organizational and administrative elements of crime prevention and the operational considerations brought to bear in establishing and maintaining crime prevention programs.

4.12.1 DEFINITION, GOAL AND POLICY

4.12.1.1 DEFINITION

Crime Prevention	Crime Prevention is the anticipation, recognition and appraisal of a crime risk and the initiation of some action to remove or reduce it.
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4.12.1.2 GOAL

The crime prevention goal of the Police Department is to eliminate opportunities for criminals to commit crimes. Police crime prevention efforts seek to act as a deterring force that reduces the vulnerability of intended targets and reduces other opportunities of committing crime. This may be accomplished by:

- 1) Encouraging members of the total community to take an active part in programs designed to reduce crime,
- 2) Providing information to the public regarding methods of avoiding victimization,
- 3) Preventive patrol programs designed to reduce the opportunity to commit crime,
- 4) Conducting building surveys to reduce vulnerability to attack,
- 5) Advocating crime prevention through environmental design,
- 6) Formation and facilitating neighborhood watch groups, and
- 7) Facilitate and coordinate citizen police academy classes.

4.12.1.3 POLICY

The Bowling Green Police Department is committed to the development and perpetuation of community crime prevention programs.

(Remainder of page reserved.)

4.12.2 DEPARTMENT CRIME PREVENTION OPERATIONS

4.12.2.1 CRIME PREVENTION COMPONENT

Recognizing that preventing criminal activity may serve the public interest as much as apprehending offenders, the Department offers, through its Special Operations Division, services designed to increase community awareness and involvement.

The division targets programs by crime type and geographic area on the basis of crime analysis and programs to address community perceptions or misperceptions of crime.

All other Department personnel are expected to assist as appropriate in the success of the crime prevention programs by providing expertise, etc., as requested.

4.12.2.2 OPERATIONS

The Special Operations Division offers the following services for the community and the Police Department:

- 1) Commercial Security Surveys.
- 2) Home Safety/Security Surveys.
- 3) Burglary victim contacts for possible surveys.
- 4) Neighborhood Watch.
- 5) Crime Analysis.
- 6) Miscellaneous Educational Programs.
 - a) Armed Robbery Programs.
 - b) Shoplifting Programs.
 - c) Rape Prevention & Self Protection Programs.
 - d) Child Safety (Danger/Stranger) & Adult Safety Programs.
 - e) General drug programs.
 - f) Retail Security & Theft Prevention.
 - g) DUI Program.
 - h) School Bus Safety (video based presentation for children).
 - i) Firearms Safety (video based presentation for children).

End of Chapter 4.12

CHAPTER 4.13

OPERATIONS FOR UNUSUAL OCCURRENCES

4.13 CHAPTER 4.13 - OPERATIONS FOR UNUSUAL OCCURRENCES

"Unusual occurrences" connote situations, generally of an emergency nature, that result from disaster -- both natural and man-made -- and civil disturbances. Each situation is different, therefore, response to a specific situation must be accomplished within administrative and operational measures the Department has developed and prepared. This chapter sets forth the emergency administrative and operational measures developed for the Department to handle unusual occurrences.

4.13.1 DEFINITIONS, GOALS AND OBJECTIVES

4.13.1.1 DEFINITIONS

Unusual Occurrences	Situations of an emergency nature, that result from disasters -- both natural and man-made -- and civil disturbances. 1) Disasters may include: floods, earthquakes, explosions, or tornadoes. 2) Civil disturbances may include riots, disorders, or labor disputes.
High-risk Incident	Any incident in which there is a greater than "norm" chance for injury or death to all those involved (particularly first-responders).

4.13.1.2 GOALS

The Department's goals when dealing with unusual occurrences are to:

- 1) Prevent and control conduct recognized as threatening to life and property,
- 2) Aid individuals who are in danger of physical harm,
- 3) Protect constitutional guarantees,
- 4) Facilitate the movement of people and vehicles, and
- 5) Create and maintain a feeling of security in the community.

4.13.1.3 OBJECTIVES

When responding to natural and man-made disasters, the Police Department seeks to:

- 1) Contain the disaster area;
- 2) Ascertain the degree of seriousness and report (especially if acting as the first responder);
- 3) Set up or assist in setting up and maintaining a command post, if needed;
- 4) Render any assistance possible; and
- 5) Provide traffic control and security.

When responding to civil disturbances, the Police Department seeks to:

- 1) Contain the disturbance area; Ascertain the degree of seriousness and report;
- 2) Set up or assist in setting up and maintaining a command post, if needed; and
- 3) Restore order.

4.13.2 ADMINISTRATION

4.13.2.1 AUTHORITY

The City/County Emergency Operations Plans (EOP), containing provisions which if activated will necessitate agreed-upon emergency operations performed by this Department, are based upon various Presidential and Gubernatorial executive orders; KRS 39A.090 -- 39A.110; and Warren County Resolution 78-15, adopted August 11, 1978. EOP operations primarily describe response to natural and man-made disasters (e.g., tornadoes, hazardous spills, etc.) of sufficient magnitude which require implementation by the Mayor or the County Judge Executive.

However, this chapter sets forth the general administrative and operational measures of this Department for responding to ANY unusual occurrence requiring police services whether the situation requires activation of EOP procedures by the County Judge Executive/Mayor or not.

4.13.2.2 RESPONSIBILITY FOR PLANNING / ANNUAL REVIEW / MAINTENANCE OF LIAISON (KACP)

The Commander of Field Operations is responsible for planning for response to unusual occurrences. Responsibilities include:

- 1) Advising the Chief on:
 - a) Natural and man-made disasters, and
 - b) Civil disorders;
- 2) Acting as an expeditor of resources during an emergency situation;
- 3) Annually reviewing and updating unusual occurrence plans, if necessary; and
- 4) Maintaining liaison with civil defense authorities.

4.13.2.3 ENABLING LEGISLATION

In the event of occurrence or threatened or impending occurrence of any of the situations or events contemplated by KRS 39A.090 or 39A.100 the governor may exercise the emergency powers stated in KRS Chapter 39.

In addition, KRS 39A.100 authorizes local governments to make orders, rules, or regulations as may be necessary for disaster and emergency response, and that they shall have the full force and effect of the law, when filed in the office of the clerk, provided that they are not inconsistent with any orders, rules, or regulations promulgated by the governor or by any state agency exercising a power delegated to it by him.

4.13.2.4 EQUIPMENT (KACP)

The City/County EOP manual contains an Emergency Response Inventory List (ERIL) containing personnel, equipment, vehicles, and other pertinent information having to do with resources for dealing with disasters. The Department may have access to this equipment through Central Communications in the event of a disaster in which EOP procedures are activated.

Departmental equipment for use in the event of any unusual occurrence is limited primarily to patrol cars and issued equipment.

Patrol vehicles and equipment are inspected for readiness according to procedures set forth in § 4.3.11.

(Remainder of page reserved.)

4.13.3 EMERGENCY MOBILIZATION PLAN (KACP)

4.13.3.1 ALERT STAGES AND COMMUNICATIONS

- 1) Mobilization seeks to provide adequate numbers of personnel and equipment in order to deal with a particular event. Simply calling the next scheduled shift in early may suffice under some, but not all, circumstances. Therefore, any mobilization of personnel should be to a point which allows immediate objectives to be attained.
- 2) The Department utilizes the following alert stages:
 - a) Emergency Alert
 - An emergency alert is not a mobilization. It is an alert in response to a serious occurrence which may be currently controlled by on-duty personnel who may or possibly may not be able to continue to do so. An Emergency Alert may be declared by the ranking officer on duty.
 - In the event an emergency alert is declared, the ranking officer shall contact or have Central Communications contact the Commander of Field Operations.
 - b) Partial Mobilization
 - This second stage is in response to a serious occurrence which on-duty personnel cannot control.
 - In this event the ranking officer on duty shall (1) call in the next scheduled shift and/or call in units assigned home fleet cars and (2) contact or have Central Communications contact the Commander of Field Operations.
 - c) Complete Mobilization
 - This third stage is in response to a very serious occurrence which may threaten jurisdiction safety and stability for an indefinite period of time and may require the Department to extensively alter operations.
 - The Chief, his designee, or the officer who may be in charge of the Department as specified by command order of precedence may advance the Department to a complete mobilization.
- 3) Call out of personnel during any alert or mobilization should be done through the Department's computerized emergency notification system.
- 4) Transportations assignments are facilitated through the Department's fleet plan.
- 5) In the event of a broad impacting public emergency such as a tornado, hail storm, earthquake, chemical spill, etc., all off-duty officers, after ensuring their families are safe, should:
 - a) Immediately contact dispatch by telephone or radio to see if he needs to respond to assist in the emergency. If contact is made with dispatch officers should respond according to instructions given by dispatch.
 - b) If the officer cannot make contact with dispatch by telephone or other means the officer should immediately respond in call-out gear to Police Headquarters to await further instructions.

- c) If Police Headquarters is not accessible, all officers should respond to the secondary location of 2341 Nashville Road, WKU South Campus, Economic Development Institute. If the building is locked, wait in the lot for further instructions.
- d) If the WKU South Campus – Economic Development Institute is not accessible, then each officer should respond to the nearest Fire Station to await further instructions.

Note

In an emergency, officers should not wait for contact to be initiated by the police department because communications may be limited or non-existent. It is the officer's responsibility to initiate contact as soon as practicably possible and proceed according to the above listed guidelines.

4.13.3.2 MOBILIZATION

In the event of an unusual occurrence, information vital for decision making will be relayed to Central Communications by first responders. In the event the decision is made to mobilize the Department, Central Communications will be assigned by Command to assist.

In the event of any alert stage the following management control measures and key personnel designations shall take place:

- 1) In the event of an emergency alert, the ranking officer shall remain in overall control of police operations unless relieved by higher authority. He shall:
 - a) Monitor developments to determine if a partial mobilization should or should not take place;
 - b) Make any immediate adjustments necessary relative to shift routine or working conditions, communications, answering of calls, etc.;
 - c) Make any decision relative to the use of officers trained in special weapons if necessary (§§ 3.1.7 and 4.14.3); and
 - d) Direct the notification of higher authority in the event of possible need for activation of EOP.
- 2) In the event of a partial mobilization:
 - a) The ranking officer shall remain in overall control of police operations unless relieved by higher authority. He shall:
 - Monitor developments to determine if a further mobilization should be recommended to the Field Operations Commander,
 - Make arrangements for the assignment of additional personnel as they check in, and
 - Make any immediate operational adjustments.
 - b) If deemed necessary and appropriate, the Commander of Field Operations may assume overall operational command and control and delegate on-site operations to the scheduled on-duty ranking officer. If he chooses to take control, he shall notify the on-duty ranking officer and Central Communications. He shall also monitor the situation to determine if further mobilization should be ordered.
 - c) Unless directed otherwise, called-up officers will report to the primary mobilization assembly area within one (1) hour in utility uniforms and assigned vehicles.

- 3) In the event of complete mobilization:
- a) The Chief of Police or his designee shall exercise command and control of all Departmental resources. The Commander of Field Operations or his designee shall assume operational control of police operations unless relieved by the Chief. The scheduled on-duty ranking officer shall be in charge of on-site operations.
 - b) The situation shall be monitored to determine if additional personnel and equipment is needed.
 - c) In the event the Department is unable to cope, additional assistance may be requested according to procedures. (See § 4.13.4.5 and 4.13.4.6). In this event, it is the position of this Department that the Chief of Police shall exercise command and control over ALL civil law enforcement resources committed.

Unless otherwise directed, the primary mobilization assembly area for mobilized officers shall be the Bowling Green Police Department. Alternate and secondary areas shall be determined by the tactical situation. Preliminary personnel assignment and cruiser distribution should be made at the primary site. Transportation from assembly areas shall be by police cruiser or van.

Annual practice rehearsals for police mobilization may be arranged and directed by the Commander of Field Operations.

(Remainder of page reserved.)

4.13.4 NATURAL AND MAN-MADE DISASTERS (KACP)

4.13.4.1 COMMUNICATIONS

The Bowling Green Warren County Emergency Operations Plan (EOP) specifies that the Bowling Green Police Department shall be the County's Emergency Communications Center (ECC) in the event of an unusual occurrence which requires described emergency operations. See Bowling Green Warren County EOP Manual, ANNEX A and B.

In such an event the Department's communicative resources will respond according to the following responsibilities and procedures:

- 1) Warnings, i.e., Central Communications is charged with the dissemination of information to government officials and ultimately to the public a prediction or occurrence of natural, man-made technological, conventional or nuclear war incidents which could result in loss of life, hardship, suffering or extensive property damage (Page C-1, ANNEX C, Bowling Green Warren County EOP);
- 2) Basic communication duties during emergency operations including duties involving:
 - a) Law Enforcement (EOP, ANNEX J),
 - b) Public Works,
 - c) Ambulance,
 - d) Fire,
 - e) Point to Point,
 - f) DES, and
 - g) Coroner; and/or
- 3) Any other appropriate duty specified in the Bowling Green Warren County Emergency Operations Plan.

4.13.4.2 INITIAL RESPONSE/DIRECTION/CONTROL/FIELD COMMAND POSTS/AVAILABILITY FOR COMMAND (ORDER OF PRECEDENCE)

- 1) For "First responders" to a disaster (or especially any high-risk incident) the first minutes are crucial. Whether the situation will be resolved efficiently, in the minimum amount of time, or whether officers and citizens will be exposed to excessive danger, may largely be determined by the actions of the first responder.
- 2) It doesn't matter the type of incident; initial responders to high-risk police situation, toxic chemical spills, etc., all help set the tone for the problem. A chaotic beginning will only contribute to more chaos.
- 3) Since the officer responding to an incident is constantly thinking of many different things, and since stress levels tend to be very high, the following acronym has been developed to help remember the basic steps necessary to stabilize a high-risk situation:

C.O.N.T.R.O.L.

C..... Contain the incident
O Observe what is taking place or has taken place
N..... Notify dispatch of what is transpiring or has transpired
T Tell other responders the safest route to the scene

- R..... Report any changes in the status of the incident
 - O Organize outer perimeters
 - L Locate citizens, witness, etc., within the perimeter and determine if evacuation is necessary
- 4) Once the incident has been contained and is under C.O.N.T.R.O.L., it is then necessary to establish a Command Post within the outer containment perimeter. This CP's first task is to slow down the response of additional units.
 - 5) It doesn't really matter who sets up the C.P. initially, as long as one is set up and someone takes charge. However, until relieved by higher authority, the ranking officer on the scene of any unusual occurrence is responsible for the following actions as may be appropriate:
 - a) The selection of a preliminary command post site,
 - b) The summoning of emergency medical treatment,
 - c) The summoning of fire units,
 - d) The notification of the Commander of Field Operations,
 - e) The coordination and deployment of responding units, and
 - f) The initiation and coordination of evacuation measures.
 - 6) The person who initially sets up the command post may eventually be relieved by higher authority. The Officer in Charge (OIC.) whoever he is, will ultimately be responsible for the handling of the situation. (See also § 4.13.3.2 above, item 1))
 - 7) This "Administrative CP" is where the major decisions are made. Anything that is not defined as a "major decision" should be handled elsewhere. Delegating both authority and decision-making discretion is one of the hardest jobs facing the OIC.
 - 8) The officer in immediate command of the police operations associated with a disaster should be the highest ranking officer according to command protocol in control at the scene. In the event of a disaster, the Chief of Police and the Commander of Field Operations shall be notified by Central Communications. The order of precedence for command authority in the event of the absence of the Chief, shall be: (1) the Commander of Field Operations or, in his absence, (2) The ranking officer according to rank and seniority and according to command protocol (§ 1.1.2.3). (See also § 4.13.3.2 above, item 1))
 - 9) In the event of emergency operations of sufficient magnitude, the City/County EOP system will coordinate operations and overall direction and control shall operate from an activated Emergency Operations Center (EOC). The County Judge/Executive, Mayor or DES Coordinator will authorize opening and staffing of the EOC. The EOC may be opened and staffed due to the threat of a disaster or an actual disaster. The County Judge is responsible for emergency operations in the unincorporated areas of the County. The Mayor is responsible for emergency operations within the City Limits. See Bowling Green Warren County Emergency Operations Plan, ANNEX A.

4.13.4.3 CASUALTY INFORMATION

In any disaster, casualty information should be handled according to the following:

- 1) Initial information: If medical assistance or hospitalization is required, relay through Central Communications all known relevant information, e.g., number of victims or estimate, condition of victims, type of incident (e.g., radiological or chemical) and associated dangers, etc.

- 2) Media inquiries and News Releases:
 - a) Media inquiries must be referred to:
 - The Department's Public Information Officers,
 - The County or DES Coordinator at the scene, or the EOP's designated press release person.
 - b) Press Releases will be made by the above individuals or otherwise authorized by them.
- 3) Death Notifications: Death notifications are coordinated through the Coroner's office.

4.13.4.4 COMMUNITY RELATIONS / PUBLIC INFORMATION, MEDIA BRIEFINGS / RUMOR CONTROL

- 1) In addition to its other goals and objectives, if a disaster strikes, the Police Department shall seek to create and maintain a feeling of security in the community and maintain an ongoing awareness of any other community need. Those needs which may not be directly fulfilled by the Department will be referred to other agencies according to the following criteria:
 - a) The nature of the problem,
 - b) The type of help or remedy required, and
 - c) The identification of the agency best suited to provide remedy.
- 2) All media briefings shall be coordinated with other responding agencies and according to the following:
 - a) If an Emergency Operations Center (EOC) has been activated according to the City/County Emergency Operations Plan (EOP), a Public Information Coordinator will be designated to assist the County Judge/Executive and Mayor in preparing and coordinating the release of all emergency information to the public and other levels of the government. Periodic briefing sessions will be held for the news media and others who must be kept aware of the problems during a disaster or emergency (City/County EOP, ANNEX-A).
 - b) If an EOC has not been activated, news releases may be coordinated through the Police Department. The Department's Public Information Office will coordinate according to procedures set forth in § 4.10.4, public information.
- 3) In the event of a disaster, various rumors may surface that cause serious problems for those responsible for maintaining control. Officers are advised of the dangers of inadvertently perpetuating false rumors. Officers should not comment or guess about procedural matters having to do with the safety and relief of the public, but should refer inquires to proper coordinating officials or public news broadcasts. Rumors may best be controlled by informative and timely use of news bulletins.

4.13.4.5 LAW ENFORCEMENT AGENCY SUPPORT AND OTHER SUPPORT

- 1) In the event of a disaster necessitating other law enforcement agency support to the Bowling Green Police Department, agency roles must be determined in the beginning. In all events of concurrent jurisdiction, it is the policy of the Bowling Green Police

Department that Departmental members either assume a primary role or a secondary role.

- 2) However, in disaster situations, as events are stabilized and the various agency operations continue, the role of the police itself usually becomes secondary involving security and traffic control rather than directly working toward resolving the situation. In the event other law enforcement support is requested by the Bowling Green Police, the BGD will be in charge. In the event another police agency makes itself available or inserts its services into a disaster situation within the city limits, the officer in charge of Bowling Green police will seek out the officer in charge of the other agency and determine what agency is in charge and the responsibilities of both. (If a disaster occurs on WKU Campus the Campus Police will be in charge.)
- 3) The Department will request other law enforcement agency support only when unable to cope with a particular disaster situation. Upon authorization by the Chief of Police or his representative, the following mutual aid agencies may be contacted and asked for assistance:
 - a) Kentucky State Police
 - b) Western Kentucky University Police
 - c) Warren County Sheriff's Department
- 4) In addition to law enforcement agencies, there are other agencies that can assist in unusual occurrences which may be notified as needed (list not conclusive):
 - a) Public Works section at Service Center
 - b) B.G. Municipal Utilities/Warren Rural Electric
 - c) B.G. Water/Sewer
 - d) State Highway Department
 - e) DES

4.13.4.6 MILITARY SUPPORT (MARTIAL LAW)

- 1) The Kentucky National Guard (KYNG) will support emergency operations necessitated by a natural or man-made disaster in the State of Kentucky when so ordered by the Governor, provided they have not been federalized or are otherwise not available (KRS 38.030).
- 2) Requests may be made according to the following procedures specified in the City/County EOP:
 - a) "The Chief Executives [Mayor] or DES Coordinator will contact the KY DES Area Coordinator to request state assistance.
 - b) If the Area Coordinator cannot be reached, the KY DES Duty Officer is on staff twenty-four hours a day to relay requests for assistance and to coordinate state response.
 - c) The KY DES Duty Officer has available all the necessary resources to contact state, federal and private agency personnel and coordinate their response."
- 3) Use of federal or reserve troops requires additional authorizations as stated in the City/County EOP, ANNEX G. The ANNEX also provides additional instructions having to do with planning and utilization of military forces.

- 4) The Department will seek military support only when unable to cope with a particular disaster situation.

4.13.4.7 PUBLIC FACILITY SECURITY

In the event of a disaster, essential public facilities and supplies must be made available for relief services.

The City/County EOP specifies that in the event an Emergency Operations Center (EOC) is activated, its Law Enforcement Coordinator (the Chief of Police for this Department) is responsible for maintaining law and order through traffic and crowd control, preventing crimes against people and property, law enforcement support for lodging and shelter managers and to all hosting facilities and activities, and security for vital facilities and supplies.

4.13.4.8 TRAFFIC CONTROL

In the event of a disaster, the immediate area must be cleared of traffic and avenues for approach and exit provided for emergency vehicles. Thus, a problem for the police is one of immediate traffic direction and control.

Immediate traffic control of the area is facilitated by forming a perimeter, moving traffic out, and denying entrance to unauthorized vehicles. This should be accomplished quickly and as orderly as possible remembering that initial responders help set the tone of the problem. (See also § 4.4.)

4.13.4.9 EQUIPMENT REQUIREMENTS

The equipment requirements for response to a disaster may largely depend upon the type of disaster and the extent of damage suffered. Officers may find themselves in the position of requesting certain equipment or describing a situation requiring expertise and equipment beyond the scope of law enforcement. The City/County EOP manual contains an Emergency Resource Inventory List (ERIL) containing personnel, equipment, vehicles, and other pertinent information having to do with resources for dealing with disasters.

In the event of a disaster, requests for emergency equipment, etc., may be made through Central Communications.

4.13.4.10 TRANSPORTATION

Before, during, and after a disaster, there may be a need for transportation to move and protect life and property and a need to warehouse private and public goods. Transportation needs for immediate protection of life and property may be facilitated through resources in the City/County EOP Emergency Resource Inventory List (ERIL), ANNEX H.

In the event of emergency operations of sufficient magnitude (e.g., one requiring the warehousing of private and public goods), the City/County EOP system will coordinate transportation

operations and overall direction and control shall operate from an activated Emergency Operations Center by an appointed Transportation Coordinator.

4.13.4.11 DE-ESCALATION PROCEDURES / POST-OCCURRENCE DUTIES

- 1) Response to any disaster or emergency situation, no matter how large or small, should proceed through three basic phases:
 - a) Initial response and implementation of C.O.N.T.R.O.L. measures,
 - b) A period of stabilization as various agencies seek to deal with the situation, and
 - c) De-escalation as the problem is overcome.
- 2) After C.O.N.T.R.O.L. measures are implemented by first responders and Supervision, and the period of stabilization begins, police duties usually become secondary (security and traffic control) to the more primary responsibilities of working directly toward resolving the situation. When the situation begins to be resolved the police may begin scaling back its security and traffic operations. All operational cut-backs shall be coordinated by the officer in charge with the other agencies and higher authorities involved.
- 3) The following post-occurrence duties should be directed by Supervision:
 - a) Continued observation of the disaster area to determine if renewed police operations may be necessary;
 - b) Evaluation of all police operations to determine:
 - If planning for response to natural or man-made disasters has been adequate,
 - If initial response was adequate and correctly performed,
 - If coordination with other agencies and Departments was adequately performed, and
 - Did the Police Department attain its overall goals and objectives for response to natural and man-made disasters; and
 - c) Determine any recommendations for change in the event of a similar disaster.

4.13.4.12 AFTER ACTION REPORTS

- 1) The collection, evaluation, and dissemination of factual reports is of primary importance to enable government officials at all levels to form a base for decision making.
- 2) At the completion of any unusual occurrence or special event the officer commanding the scene shall:
 - a) Coordinate the completion of the Department's initial Service Request and any other official report necessary, and
 - b) Within 24 hours of the conclusion of the incident, prepare a written report directed to the Commander of Field Operations and the Chief of Police. The report will contain, but will not be limited to, the following:
 - Cause of the initial incident;
 - Police response;
 - Manpower and equipment allocations;
 - Functions of patrol and commanding officers;

- Civilian and law enforcement casualties, if any;
 - Coordination with mutual aid and support agencies, if any;
 - Communications;
 - Property damage;
 - Emergency legislation utilized; and
 - Post-action duties.
- 3) In the event of the activation of an Emergency Operations Center (EOC), the Law Enforcement Coordinator (the Chief of Police for this Department) is required by the City/County EOP to make a report to the EOC (City/County EOP, ANNEX U). This report may be made by phone. The DES Coordinator will use this information to compile the Initial Disaster Damage Assessment Report. After the disaster is over, the Chief will participate in evaluation of operations with the DES Coordinator and other authorities, using the Department's initial incident report (above) and any other report he may deem necessary and appropriate.

4.13.4.13 RADIOACTIVE AND HAZARDOUS MATERIALS (KACP)

The following paragraphs describe response to one type of man-made disaster: hazardous materials accidents.

A hazardous material is any element, compound, or combination thereof, which is flammable, corrosive, detonable, toxic, radioactive, an oxidizer, an etiological agent, or is highly reactive and which, because of handling, storing, processing, and packaging may have detrimental effects upon operating and emergency personnel, the public, equipment, and/or the environment.

Numerous hazardous materials are transported throughout the state every day. While many of these are in common use, accidents or spills present a serious threat to the health and safety of the general public, especially the officer who happens to be first on the scene.

Many collisions and other emergencies will involve more than one agency and require a cooperative emergency response. It is of major importance for all officers to be aware of the proper action to take during hazardous material emergencies.

The Department maintains liaison with Disaster Emergency Services (DES) through procedures set forth in the county Emergency Operating Plans Manual (EOP). The plans contain hazardous materials response (City/County EOP, ANNEX Q). The safety of our officers and the general public is of paramount importance.

The following GENERAL procedures apply to the control and removal of hazardous materials:

4.13.4.13.1 Radioactive Materials

- 1) In the event of a radiological incident, complete information concerning the incident will be forwarded to headquarters by the quickest means available. This information shall include:
 - a) Type of incident (railway, highway),
 - b) Basic description (explosion, fire, etc.),
 - c) Exact location, and
 - d) All information, if possible, contained on the Interstate Commerce Commission (ICC) label or labels.

- 2) The communications division shall, upon being notified of any incident, notify the following immediately by telephone:
 - a) The County Radiological Officer (RO), and/or the County EOP Coordinator,
 - b) The Chief of Police or his designee, and
 - c) The City Manager.
- 3) The radiation and product Safety Branch (henceforth referred to as "Radiation Control") of the Kentucky Cabinet for Human Resources shall provide technical assistance to the County RO. As assigned in KRS 211.B42, Radiation Control is responsible for:
 - a) The quantification of the radiation hazard, if any;
 - b) The assessment of the impact on public health and safety from the hazard;
 - c) The possible resulting decision to evacuate areas (other than the immediate hazard area secured by the initial response personnel); and
 - d) Ensuring decontamination equipment and personnel are secured by appropriate sources, as well as certifying that all contamination is contained.
- 4) In incidents involving radioactive materials spillage or leakage, local police, fire, rescue, and emergency medical personnel (as assigned) will take the following emergency actions at scene of incident, pending the arrival of radiological emergency personnel from Radiation Control:
 - a) Apply C.O.N.T.R.O.L. and remember that the first priority for any officer at a high-risk situation **MUST** be self-protection.
 - b) Rescue injured or trapped persons and remove them from the area, if radiation levels permit; otherwise additional personnel may be exposed.
 - c) Limit first aid to those actions necessary to save life or minimize immediate injury.
 - d) Try to hold all people who have been involved in the incident within the incident area until the radiation monitoring team from Radiation Control arrives. They must be checked with a radiation survey instrument for radioactive contamination before being allowed to leave the scene.
 - e) When it is necessary to send an individual to a hospital or other medical facility **BEFORE** a radiological emergency team or a physician knowledgeable in radiological health arrives, inform ambulance and other Transporting vehicles personnel who will be in contact with the individual of The possibility of radioactive contamination. Also, inform the receiving hospital or medical facility that the individual may be contaminated with radioactive material.
 - f) Be sure no one except emergency service personnel are admitted into the area, and advise all persons not to handle or remove any part of the debris from the incident.
 - g) Keep upwind, and avoid smoke, fumes, and dust.
 - h) **DO NOT** eat, drink, or smoke in the incident area, or use food or drinking water that may have been in contact with radioactive material.
 - if) **DO NOT** handle, use, or remove from the incident area any material, equipment, or other items suspected of being radioactively contaminated unless released by the radiation monitoring team.
 - j) Obtain names and addresses of all persons involved; restrict access to the incident area and prevent unnecessary handling of incident debris; and, if necessary, initiate evacuation of areas subject to contamination.
 - k) When a transportation incident involves radioactive material, **DO NOT** move vehicles, shipping containers, or wreckage, except to rescue people. Detour pedestrian and vehicular traffic, if necessary.
 - l) **DO NOT** give out information releases concerning radiation levels. This is the responsibility of Radiation Control.
- 5) The Radiation Control team upon arrival at the scene will coordinate activities with the official in charge and assume control of the technical operations.

- 6) When a nuclear weapon is involved in an accident, the DES mission is to assist the U.S. Department of Defense (DOD) in the neutralization of the weapon and clean up of the site.

4.13.4.13.2 Hazardous Materials or Chemical Accidents

- 1) Apply C.O.N.T.R.O.L and remember that the first priority for any officer at a high-risk situation MUST be self-protection.
- 2) First, and most important, is the identification of shipments considered hazardous. This is usually accomplished directly or indirectly by descriptive data in shipping documents, on containers, package labels, and vehicle placards. If this information is not readily obtainable due to an incapacitated driver, destruction of a bill of lading or other shipping papers, immediately contact the Chemical Transportation Emergency Center (CHEMTRAC) 800/424-9300. CHEMTRAC provides technical expertise in handling hazardous material emergencies. Basic information needed for CHEMTRAC:
 - a) Name of caller and call back number,
 - b) Location of problem,
 - c) Shipper or manufacturer,
 - d) Container type,
 - e) Rail car or truck number,
 - f) Carrier name,
 - g) Consignee, and
 - h) Local conditions.
- 3) In the event of a chemical accident or incident complete information concerning the incident will be forwarded to headquarters by the quickest means available. This information shall include:
 - a) Type of incident (railway, highway),
 - b) Basic description (explosion, fire, etc.),
 - c) Exact location, and
 - d) All information, if possible, contained on the Interstate Commerce Commission (ICC) label or labels.
- 4) Communications will notify the Kentucky State Police, Office of the State Fire Marshal or the Division of Disaster and Emergency Services. Local government will, if the situation warrants, activate the local Emergency Operations Center, coordinate initial on-scene operations, initiate local emergency broadcasts, as necessary, and request outside assistance, as necessary according to established procedures (City/County EOP ANNEX Q-2).
- 5) Restrict the area of the incident and if possible, rescue injured or trapped persons and remove them from the incident area.
- 6) If necessary, evacuate the immediate area. Officers are advised that some chemicals produce a gas which is highly toxic. (An evacuation of the full area is usually initiated by joint decision of officials at the command post as stated in EOP procedures in ANNEX Q-2.)
- 7) Allow no one in the immediate area of the incident except "Emergency Service" personnel and keep them upwind to avoid smoke, fumes, and dust.
- 8) If hospitalization of personnel is required, inform ambulance and hospital personnel of the chemical contamination, if known.
- 9) Reroute traffic as required.
- 10) All news media inquiries must be referred according to procedures set forth in § 4.13.4.4 Above, community relations / public information, media briefings / rumor control.

(Remainder of page reserved.)

4.13.5 CIVIL DISTURBANCES (KACP)

4.13.5.1 COMMUNICATIONS

In the event of a civil disturbance the Department's basic communication duties involve the following responsibilities and procedures:

- 1) Duties involving:
 - a) Law Enforcement;
 - b) Ambulance, if needed;
 - c) Fire, if needed; and
 - d) Any other appropriate resource for response;
- 2) Duties described in §§ 4.3 and 4.4, especially § 4.3.4, procedures for response to calls (kacp);
- 3) General liaison with other agencies; and
- 4) Appropriate duties described in the dispatcher's manual.

4.13.5.2 BASIC PROCEDURES

- 1) In the event of incidents involving serious civil disorder, the Shift Commander or Supervisor will notify the Commander of Field Operations. He will determine other notifications and initiate mobilization plans if necessary.
- 2) The Shift Commander or Supervisor will make provisions for the requisition of extra equipment to be distributed and, if warranted, making contact with the City's attorney for legal considerations and notify the Regional Jail that mass arrests are possible. For legal considerations regarding arrest of adults and juveniles, officers are referred to the section entitled "Arrest" within the Kentucky Criminal Law Manual for requirements for legal arrests within the Commonwealth of Kentucky.
- 3) The basic provisions for handling Natural and Man-made Disasters (§ 4.13.4) also apply to police response to Civil Disturbances. These include the following:
 - a) Initial Response, Direction, Control, Command Posts, and Availability for Command;
 - b) Casualty Information;
 - c) Community Relations/Public Information (media briefings)/Rumor Control;
 - d) Law Enforcement Agency Support and Other Support;
 - e) Military Support;
 - f) Public Facility Security;
 - g) Traffic Control;
 - h) After Action Reports;
 - i) Equipment Requirements;
 - j) De-escalation Procedures;
 - k) Post Occurrence Duties; and
 - l) Transportation.

4.13.5.3 MASS ARRESTS

If mass arrests are probable, the District Court Judges and the Warren County Attorney's office should be notified. The on-scene commander shall designate an officer to be the liaison between the Department, the Regional Jail, and the prosecutor office and court.

The following procedures for mass arrests will be followed:

- 1) Command Post will establish a forward booking and detention area. A designated area may be used as a temporary detention facility for prisoners awaiting transport to the jail after processing.
- 2) Command Post will ensure this area is adequately secured and staffed.
- 3) Transportation needs for immediate protection of life and property may be facilitated through resources in the City/County EOP Emergency Resource Inventory List (ERIL), ANNEX H.
- 4) Command Post will designate an arrest team. These designated officers will escort prisoners to the booking area, be properly identified with the prisoners, and return for more arrests. This procedure will simplify identification for prosecution purposes and will eliminate confusion.
- 5) In the event a prisoner is injured, he will be taken to the EMS forward triage area or EMS Command Post for treatment by EMS personnel.
- 6) Command Post will designate an officer at the Jail to ensure that arrest slips are properly completed. Food, water, and sanitation will be provided by the Jail. Defense counsel visits are arranged through the jail.
- 7) Each prisoner should be photographed with the arresting officer via audio/ video.
- 8) Photographs should be taken of each prisoner regardless of age.
- 9) Evidence should be secured and transported to the Evidence Locker as soon as possible.
- 10) Juvenile prisoners will be handled in the same fashion except they should be separated from adult prisoners. One officer should be assigned to handle juveniles and make provisions for contacting their parents in order to reduce the number of juveniles in custody.

4.13.5.4 SUPPORT

When the need for additional manpower is apparent, the Department's mobilization plans may be activated. In the event a Partial Mobilization is ordered by the ranking officer on duty, he should (1) contact or have Central Communications contact the Commander of Field Operations and (2) order the next scheduled shift to be called in for assistance. A Complete Mobilization requires the calling up of all sworn members and needed support personnel. Unless directed otherwise, called-up officers will report to the primary mobilization assembly area (the BGPD shift change area) within one (1) hour in BDU style Class B uniforms.

The Department will request other law enforcement agency support only when unable to cope with a particular situation. Upon authorization by the Chief of Police or his representative, the following mutual aid agencies may be contacted and asked for assistance:

- 1) Kentucky State Police.
- 2) Western Kentucky University Police.
- 3) Warren County Sheriff's Office.

Heavy equipment, or unusual equipment may be obtained by contacting Public Works, State Highway Department, or DES.

Emergency large-scale transportation needs may be arranged through City/County EOP procedures. The EOP's Emergency Resource Inventory List (ERIL) shows City/County school busses and WKU passenger and panel vans available.

4.13.5.5 POST OCCURRENCE DUTIES AND REPORTS

During de-escalation, the Commander of Field Operations should assess manpower and equipment requirements for continued security of the area until such time as a return to normal operation is possible.

When return to normal operations has occurred, a written report of the incident will be made according to procedures in this chapter as prescribed in § 4.13.4.11.

The Chief of Police or his designee will determine when the Department will return to normal operations.

End of Chapter 4.13

CHAPTER 4.14

SPECIAL POLICE OPERATIONS

4.14 CHAPTER 4.14 - SPECIAL POLICE OPERATIONS

This chapter sets forth Departmental operations which result from certain kinds of emergencies or unexpected or unusually high workloads that would be difficult for normal operations to handle. Policies relate to hostage negotiation; undercover surveillance/stakeouts, decoys and raids; bomb disposal; coverage of special events; VIP protection; and coverage of disaster.

4.14.1 DEFINITIONS, GOALS AND OBJECTIVES

4.14.1.1 DEFINITIONS

Periodically, law enforcement officials are confronted with situations which require operations outside the normal routine of law enforcement. Special police operations may include hostage negotiations, undercover surveillance/stakeouts, decoy operations, police raids, bomb disposal, coverage of special events, VIP protection, coverage of disasters, or riot control.

The following definitions apply for the department's Special Police Operations policy:

Barricaded Suspect	An individual who resists arrest by using (or threatening the use of) firearms, other weapons, explosives, etc. Generally the barricaded person is behind cover. As used in these procedures, the barricaded subject may include mental subjects as well as terrorists or criminal suspects. The subject may or may not have taken a hostage or made threats.
CRT	Acronym for Critical Response Team. A team having special marksmanship training, and equipped with special weapons, climbing gear, and other specialized equipment useful for dealing with barricaded suspects.
Decoy Operation	An officer simulating a crime victim, with surveillance maintained by officers in a position to make arrests.
High-risk Incident	Any incident in which there is a greater than "norm" chance for injury or death to all those involved.
Inner Perimeter	The sterile zone around a barricaded suspect or hostage taker in which all movement is controlled by law enforcement.
Outer Perimeter	The area containing the command post, hostage negotiations, and staging area. The area controlled by law enforcement between the inner perimeter and outside areas.
Police Raid	A planned sudden invasion by law enforcement officers of a place or premises, to effect the apprehension of persons known or suspected to be wanted or engaged in illegal activity and/or to search for and secure contraband or evidence. (Not a CRT operation.)
Special Event	Special Event means any activity which occurs upon private or outdoor public property that will affect the ordinary use of public property, public streets, rights-of-way or sidewalks. This includes, but is not limited to, fairs, festivals, foot runs, bicycle runs and block parties. Private social gatherings which will make no use of city streets other than for lawful parking are not included.
Surveillance	Surveillance is the process of keeping under observation a person, a place, or other object for the purpose of obtaining information concerning the activities, identities, and contacts of the people and things that are under surveillance.

Undercover Operation	A form of investigation in which the investigator assumes a different and unofficial identity in order to obtain information. It may be classed as a method of surveillance.
UAS	An Unmanned Aircraft System (UAS) is an aircraft system designed to travel through the air without a pilot on board and includes the necessary equipment, network, and certified personnel to conduct controlled flights.
VIP	A "Very Important Person" in need of special security.

4.14.1.2 GOALS AND OBJECTIVES

The goals for Special Police Operations are the same as those for Unusual Occurrences. Performance objectives for Special Police Operations are dependent upon specific problems as they arise and the development of tactical solutions.

(Remainder of page reserved.)

4.14.2 SPECIAL POLICE OPERATIONS SITUATIONS

4.14.2.1 GENERAL PROCEDURES FOR SPECIAL OPERATIONS

- 1) The allocation of Department personnel for VIP protection detail or special event detail shall be under the direction of the Commander of Field Operations. (The Drug Supervisor is responsible for overseeing the Department's surveillance and undercover equipment (§ 4.8.8.1)).
- 2) Prior to assigning personnel to any special event the Commander of Field Operations, or his designee, should prepare a written plan of operations outlining such items as the following:
 - a) Type of event,
 - b) Command personnel,
 - c) Individual assignments,
 - d) Anticipated crowd size,
 - e) Crime or other anticipated problems,
 - f) Radio channels to be used, and
 - g) Participation (if any) by outside agencies.
- 3) It is important that the efforts and resources of the Department be coordinated. For this purpose, any officer or supervisor in charge of a special detail will appraise other operational components of appropriate matters concerning the detail. Coordination may take the form of (1) distribution of operational plans to all supervisors and Shift Captains, or (2) the briefing of the Shift Captains and shift supervisors of any special details which may take place during a given tour of duty.
- 4) Until relieved by higher authority, the ranking officer on the scene of any special operation is responsible for the following actions as may be appropriate:
 - a) The selection of a preliminary command post site,
 - b) The summoning of emergency medical treatment,
 - c) The summoning of fire units,
 - d) The notification of the Commander of Field Operations,
 - e) The coordination and deployment of responding units, and
 - f) The initiation and coordination of evacuation measures, if necessary.
- 5) At the conclusion of any special event, natural or man-made disaster, or civil disorder, etc., the officer commanding the scene shall:
 - a) Coordinate the completion of the Department's initial incident record and any other official report necessary, and
 - b) Within a reasonable time after the conclusion of the incident, prepare a written report directed to the Commander of Field Operations and the Chief of Police describing the following:
 - Estimates of crowd size,
 - Traffic and crowd control measures,
 - Unusual crime problems encountered,
 - Any outside assistance provided,
 - Equipment used, and
 - Recommendations for future events.

4.14.2.2 VIP PROTECTION

The Commander of Field Operations, or his designee, is the coordinator of any security detail involving the protection of VIP's. Responsibility includes coordinating internal operations with security personnel (U.S. Secret Service, FBI, etc.) which may accompany a VIP.

VIP protection should include the following:

- 1) The selection of travel routes and alternates,
- 2) The deployment and equipping of assigned Department personnel,
- 3) The advance inspection of sites and facilities anticipated to be used,
- 4) The designation of routes to a medical facility and the security of the facility,
- 5) Determination of communication channels,
- 6) Methods of designating identification (e.g., lapel pins),
- 7) The communication of all plans to all involved, and
- 8) Intelligence gathering.

(Remainder of page reserved.)

4.14.3 HOSTAGE SITUATIONS AND BARRICADED SUBJECTS

4.14.3.1 INITIAL RESPONSE

- 1) For the first responders to any high-risk incident the first minutes are crucial. Whether the situation will be resolved efficiently or whether officers and citizens will be exposed to excessive danger, may largely be determined by the actions of the first responder.
- 2) The first priority for any officer at a high-risk situation must be self-protection. When an officer first becomes aware that a high-risk threat exists, seeking COVER (i.e., something that will stop a bullet) is the proper first response. Once in a position of good cover, the first-responders should seek to establish an INNER PERIMETER.
- 3) Until relieved by Supervision or higher authority, the officer in charge shall be the original officer on the scene.
- 4) The officer in charge, whoever he is, has the authority and responsibility when appropriate to:
 - a) Select a preliminary command post,
 - b) Summon emergency medical treatment for any injured persons,
 - c) Summon fire department personnel and other public resources,
 - d) Notify Command Staff,
 - e) Coordinate the deployment of responding units, and
 - f) Initiate and coordinate evacuation measures.
- 5) The officer in charge should IMMEDIATELY:
 - a) Summon supervisory personnel,
 - b) Initiate C.O.N.T.R.O.L., i.e.,:
Contain..... the incident (Inner Perimeter),
Observe what is taking place or has taken place,
Notify Supervision and dispatch of what is transpiring or has transpired,
Tell other responders the safest route to the scene,
Report any changes in the status of the incident,
Organize an outer perimeter,
Locate citizens, witness, injured victims, and bystanders within the situation area.
- 6) The decision to evacuate citizens within a crisis area should be made on a case by case basis.

4.14.3.2 CONTAINMENT

- 1) Once a problem can be prevented from going mobile, steps can be taken to end it.
- 2) Initial containment of a building can be effected by as few as two officers. By positioning themselves at opposite corners, all four sides can be watched, and there is no threat of a crossfire. Avoid inner perimeter positions which put officers on all four sides of a building.

These positions create numerous crossfires, and are no more effective. Once the inner perimeter is established, no one enters the area, and all persons exiting the incident should be treated as HOSTILE until proven otherwise. The inner perimeter should be maintained until the incident is resolved, and the scene secured and processed as a "crime scene."

4.14.3.3 COMMAND

- 1) Once an incident scene has been contained and is under C.O.N.T.R.O.L., it is then necessary to establish an Incident Command Post where overall direction and control should be maintained. The Incident Commander should also have present an Assistant Incident Commander and a Note-Taker within the Command Post.

The Hostage Negotiators may establish a base of operations separate from the Incident Command Post if approved by the Incident Commander. However, clear lines of communication between the Command Post and Negotiators must be maintained.

The Critical Response Team Commander should be present in the Incident Command Post. The CRT Commander should maintain contact with the Negotiators. The Incident Commander should ensure that a coordinated effort between negotiations, tactical elements, and supporting personnel is made.

- 2) Anything that is not defined as a "major decision" should be delegated by the officer in charge (OIC). Basically, after containment the OIC should limit his involvement to the following five major decisions:
 - a) How to best prevent the situation from going mobile,
 - b) How to best utilize negotiator options such as supporting a force option, creating a window of opportunity, or the best way to use the intelligence gathered,
 - c) Should a deliberate tactical option be implemented,
 - d) Overall use of Departmental manpower, and
 - e) Departmental policy decisions.
- 3) The on-scene supervisor has several responsibilities. Primary, of course, is the carrying out of the policy decision received from the Incident CP. Additionally, however, he/she must maintain the deployment of officers, and must be a funnel of intelligence, status-reports, etc., to the Administrative CP. Communication with other agencies and requests for ambulance, rescue, fire, or surveillance equipment must be coordinated through the Incident CP.

4.14.3.4 RESOLVING THE SITUATION

- 1) Upon arrival at the scene the first responsibility of command personnel is to make sure bystanders and injured are evacuated. The situation should then be assessed and the Commander of Field Operations and the Chief of Police notified. After the Incident CP is established, provisions should be made for the media. (A media staging area should be established outside the outer perimeter and a public information officer assigned. The Media may be allowed within the outer perimeter only by permission and according to Departmental policy (§ 4.10.4)).

- 2) If appropriate, contact should be initiated with the perpetrator(s) with intent to negotiate the desired outcome of the situation. Trained hostage negotiation personnel should be used for negotiations if circumstances allow.
- 3) Chemical agents may be authorized if negotiation has failed to achieve the solution of the incident, but only after approval from the Chief of Police or designee.

4.14.3.5 STRATEGIC CONSIDERATIONS

- 1) Generally, the more time in which the hostages and the suspects have to interact, the more likely the situation will be resolved peacefully.
- 2) Deadlines made by the suspects and threats of violence to the hostages, although not to be ignored, should not be viewed as rigid. Such demands and deadlines are often open to negotiation following the passage of time.
- 3) However, once the inner perimeter has been formed and containment has been achieved, if the suspect(s) seriously harms or kills a hostage, the Emergency Rescue Plan should be implemented upon the command of the CRT Commander.
- 4) When considering options, command personnel are reminded that Hostage Negotiation is employed for peaceful resolution, if possible, and for stalling when force is considered. If force is considered, negotiations should continue until it is applied.
- 5) Due to the loss of control inherent whenever suspects are allowed to move via motor vehicle, the decision to supply them a vehicle and permission to move beyond the established inner perimeter is strongly discouraged. The decision to supply a motor vehicle should be made by the Incident Commander or higher authority only. The decision to supply a motor vehicle should be part of a planned rescue to take place as soon as the suspect(s) and hostages exit the building or residence and the opportunity arises. Should the decision be made to allow the suspect(s) to reach the vehicle, certain provisions should be arranged:
 - a) Careful consideration should be given to the selection of the vehicle. The vehicle should be advantageous for a rescue. A sedan type vehicle is the best type option and should have the windows down and headrests removed.
 - b) The ability to immediately disable the vehicle should be present to ensure that the suspect(s) cannot leave the inner perimeter.
- 6) Certain items are not negotiable:
 - a) No weapons, drugs, or alcoholic beverages may be provided.
 - b) Police personnel may not be exchanged for hostages (NO hostages may be exchanged at all).
 - c) No person (including police, emergency medical, or media personnel) may enter the area controlled by the suspects without the approval of the commanding officer on the scene.
 - d) Persons claiming to be related to the suspect or the hostage should not be admitted through the outer perimeter without police escort. Such persons should be brought to the command post and may not be allowed to enter the inner perimeter without the approval of the commanding officer on the scene.
 - e) Once containment has been achieved, suspects may not leave the area of the inner perimeter without the approval of the commanding officer.

- f) No promises of clemency or reduced criminal charges may be made without the approval of the commanding officer.
 - g) No promises involving the release of other prisoners may be made.
- 7) Certain items are negotiable:
- a) All physical comforts (including water, heat, electricity, food, cigarettes, etc.) are valuable negotiating items and should be used by the police negotiator as deemed appropriate.
 - b) Contact with the media may be negotiated following the approval of the commanding officer.
 - c) Contact with family members or other persons requested by the suspects may be negotiated following the approval of the commanding officer.

(Remainder of page reserved.)

4.14.4 BOMBS, BOMBINGS AND SIMILAR SITUATIONS

4.14.4.1 OPERATIONS AND TACTICAL

- 1) Any officer responding to a report of a bomb should proceed with the utmost caution. Officers are reminded that there should be no radio traffic in the immediate vicinity of any reported bomb as radio-sensitive triggers are not uncommon in legitimate devices.
- 2) If practical, the immediate area of the reported device should be evacuated. In the case of public buildings, schools, or any other area in which there is a danger of injury, evacuation efforts should be conducted under the direction of command personnel and coordinated with appropriate officials or management. In the event of a bomb threat, command should advise the victim:
 - a) That it is the Department's recommendation to evacuate, but final decision should be left with the threat victim, and
 - b) That if it is necessary to evacuate, officers will assist and that the Police Department will be in charge.
- 3) If a search is to be made, command should advise the victim:
 - a) Of the need for his personnel to be used in the search due to their knowledge of surroundings and the police lack of it, and
 - b) That officers may be used exclusively in the search only as a last resort.
- 4) Any parcel, package, or device which an investigating officer even suspects may be a bomb should be left alone and command personnel summoned to the scene. In the interim, the officer should initiate efforts to evacuate the immediate area. **DO NOT TOUCH ANY SUSPICIOUS DEVICE.**
- 5) In the event a suspect item or an item of military ordinance is found, military personnel or the ATF should be contacted.
- 6) Any investigation into one of the following shall be reported via appropriate form to the FBI:
 - a) Actual or attempted explosive bombing,
 - b) Actual or attempted incendiary bombing,
 - c) Hoax device, or
 - d) Recovery of one of the above devices.
- 7) In the event of an explosion, initial responders should await the arrival of Fire Department personnel before entering any damaged structure. Command should:
 - a) Coordinate with the Fire Department,
 - b) Direct that the immediate area to be sealed or contained,
 - c) Direct that the ATF be notified, and
 - d) Cause the Commander of Field Operations and the Chief of Police to be contacted.

- 8) Until the danger of further explosion or fire and until all evidence collection efforts have been completed, access to the scene should be restricted to essential personnel. Media access should be prohibited during this time.

4.14.5 SURVEILLANCE, UNDERCOVER AND DECOY OPERATIONS, AND POLICE RAIDS

4.14.5.1 SURVEILLANCE OPERATIONS

- 1) Surveillance is the process of keeping under observation a person, a place, or other object for the purpose of obtaining information concerning the activities, identities, and contacts of the people and things that are under surveillance. Surveillance may be moving or fixed. The fixed, or stationary surveillance, is usually referred to as a "stake-out." "Close surveillance" is a technique that involves constant coverage of an individual or object, e.g., a "tail," and "loose surveillance" is generally considered to be more of a spot check, or occasional surveillance.
- 2) The purpose for initiating and maintaining a surveillance is usually to:
 - a) Obtain sufficient evidence to make a physical arrest, or to secure an arrest or search warrant;
 - b) Locate and apprehend suspects or wanted persons;
 - c) Locate the residence, hangouts, or other places that the subjects of the surveillance and his contacts frequent;
 - d) Identify the relationships between known and suspected criminals;
 - e) Prevent-or attempt to prevent-the commission of crimes;
 - f) Check out informants and the reliability of their information;
 - g) Prepare for a raid of a gambling or vice establishment;
 - h) Determine the best way to accomplish an arrest, or to rescue a person being held as a hostage;
 - i) Locate missing persons or runaways, adult and juvenile;
 - j) Obtain background information for an interview or interrogation;
 - k) Locate hiding places, fences, unethical businessmen, relay points for criminal transactions, or headquarters for various criminal or espionage activities; and/or
 - l) Protect persons, places, or objects.
- 3) Surveillance operations may be divided into three phases: (1) determining need, (2) planning operations, and (3) carrying them out. A surveillance operation is an investigative tool used within an extensive follow-up investigation. The apparent need for surveillance operations may be the result of crime analysis activities, i.e., analyzing crimes and victims, and identifying and analyzing probable offenders and their habits, associates, vehicles, methods of operation, etc., (see § 1.5, chapter 1.5 - crime analysis).
- 4) Officers seeking to conduct an extensive operation of this type must obtain supervisory authorization.
- 5) Any proposed surveillance operation resulting from an investigation conducted by the Drug and Alcohol Unit shall receive its authority from the Unit Supervisor. Other surveillance operations may receive authority from a Captain or higher-ranking officer.

- 6) A Sergeant or above shall be the Coordinator and Supervisor of any surveillance operation, with the exception of Detectives assigned to the Drug Task Force, and shall be in charge of all investigative matters before, during, and after the operation.
- 7) Planning surveillance operations entail the following determinations:
 - a) Determining legal ramifications. The exact legal position of any extensive physical/electronic surveillance /joint operation, its impact upon a resulting prosecution, or relative standing in the event of discovery must be determined and decisions reached prior to any authorization.
 - b) Determining operational procedures for observation, arrests, and "tails." Planning for observation of suspects during actual surveillance operations is influenced by whether a particular operation is stationary, mobile, a combination of both, and/or involves employment of electronic devices. Each operation must, therefore, be planned according to its own particulars. One should first determine the best possible mode of observation, i.e., fixed, a "tail," or other; provide for equipment and manpower; advise appropriate individuals who need to know of the operation, e.g., patrol and traffic; and if possible make arrests only when planned and ready.
- 8) Planning surveillance operations entail the following considerations:
 - a) Establishing means of communication. Appropriate radio equipment, frequency, and procedures should be established; telephone service provided, if necessary; and appropriate individuals who need to know advised.
 - b) Supplying officers with expense funds. If possible, expenses should be anticipated and provided through regular budgetary process or through confidential fund. Incidental expenses may be reimbursed through budgetary process.
 - c) Selecting equipment or vehicles. Selection of equipment or vehicles should be made according to need, and availability. If needed equipment is not available; rent, lease, or purchase may be afforded according to City and Departmental budgetary process.
 - d) Familiarizing surveillance officers with the neighborhood or target area. The officers involved in a surveillance operation should become familiar with all possible physical aspects of the immediate surroundings and target area of the surveillance.
 - e) Providing relief. For an effective surveillance operation, more than one officer should be used. Ideally, two or more surveillants should be provided for each foot, auto, or fixed surveillance. Alternate sequences and relative locations may have to be changed. Planned relief, therefore, for involved officers must be provided through open-end scheduling.
- 9) Prior to starting a surveillance, all possible information concerning the subject of the surveillance must be obtained. One should get to know the subject(s), his habits, his acquaintances, and his immediate surroundings (target area). The following guidelines may assist:
 - a) Consult crime analysis;
 - b) Check files and records;
 - c) If possible obtain a picture of the subject(s);
 - d) Get to know street names, relative locations; and
 - e) Identify persons who may render assistance.

- 10) Planning may determine success, but execution must also be effectively accomplished. The following are basic guidelines for the execution of a surveillance:
 - a) Operate in a business-like manner.
 - b) Be natural and avoid melodrama.
 - c) Do not use phony disguises.
 - d) Be on the alert for a subject "testing for a tail."
 - e) Be adequately prepared for surveillance, particularly a fixed post where you may have to stay for some time.
 - f) Prepare a "cover" reason for being in the area while on a surveillance.
 - g) Keep sufficient money and supplies on hand.
 - h) Avoid direct eye to eye contact with the subject.
 - i) Prepare for adequate communications with other officers and with headquarters.
- 11) Surveillance operations should be carried out only after need is determined, planning accomplished, and authorization has been obtained.

4.14.5.2 UNDERCOVER OPERATIONS

- 1) Undercover work is a form of investigation in which the investigator assumes a different and unofficial identity in order to obtain information. It may be classed as a method of surveillance. In its most effective form the investigator wins the confidence of the subject and induces him to reveal the desired information. The investigator by adopting an identity compatible with the surroundings in which he will work places himself in a position where he will be able to observe and gain the confidence of the subject.
- 2) The general objective of an undercover investigation is the obtaining of information. Usually the information is desired for the purpose of evidence; however, information may be sought simply to lay the groundwork for a separate and major investigative step. An undercover investigation may be desirable for obtaining information, checking security, or checking informants; it may be the only means of obtaining detailed information concerning a subversive group or organization; or it may be preliminary to carrying out a raid and search.
- 3) The undercover assignment is probably the most sensitive type of investigative work. The ideal undercover agent is a combination of an actor and good investigator. The selection of an operator, therefore, should be made with care and consideration for his background, temperament, and intellect.
- 4) Undercover operators may be police officers serving in covert roles or non-police citizens who, for money, serve as informants. The non-police informant requires close supervision. (For informant usage and use of confidential fund, see § 4.8.)
- 5) Non-DTF enforcement action of this type requires a written plan approved by a shift commander or higher. The implementation of the plan should be supervised and coordinated by a patrol or investigative supervisor. When necessary technical assistance should be sought from a member of the Drug Task Force. The supervisor in charge of an undercover operation shall be responsible for:
 - a) Operational planning,
 - b) Determining legal ramifications,
 - c) Determining who needs to know of the operation,
 - d) Arranging for close supervision of operatives, and
 - e) Arranging for complete documentation of the operation.

- 6) Identification of target subject and suspects may be facilitated through:
 - a) Official Department complaints/reports and/or crime analysis (for Crime Analysis, see § 1.5);
 - b) Anonymous complaints of vice, organized crime, or narcotics activities;
 - c) On-view or self-initiated observations, or verbal information; and/or
 - d) Allegations of criminal activity from informants and official federal, state, and local resources.

- 7) Preparing for an undercover operation should involve research and planning for the following:
 - a) Determining the legal ramifications.
 - b) Studying and analyzing suspects or subject. The investigator should, as a first step in the preparation, draw up a checklist of the details of the subject's character and history:
 - Full name, aliases, and nicknames.
 - Past and present addresses (residential & business).
 - Description.
 - Family, relatives, and associates.
 - Character and temperament.
 - Vices and hobbies.
 - Education, occupation, and specialty.
 - c) Analyzing the organization. If the operator is to penetrate an organization he should develop knowledge on the following points:
 - History and background of the organization.
 - Bibliography of officials.
 - Identity and background of members and former members.
 - Method of identification employed by members.
 - Files, records, nature, location, and accessibility.
 - Schedule of meeting places.
 - d) Analyzing the neighborhood or target area where officers will work.
 - e) Supplying officers/operators with false identity and necessary credentials.
 - f) Supplying officers/operators with expense funds. (See § 4.14.5.1, item 8))
 - g) Supplying officers/operators with equipment. (See § 4.14.5.1, item 8))
 - h) Establishing means for routine and emergency communication.
 - i) Providing backup security for officers/operators.
 - j) Supplying guidelines for arrest. If an investigator/operator is arrested by the police he will act in accordance with his orders. If he has not received orders regarding the disclosure of his identity in case of arrest by other law enforcement officers, he must act according to his judgment.
 - k) Provide for close supervision. Due to the nature of an undercover operation, a measure of independent judgment must be afforded the operator. He should, however, have a clear view of the objective of the mission and the overall strategy that must be employed in its accomplishment.

- 8) A fictitious background and history for the new character of the operator should be prepared, including the names, addresses, and descriptions of the assumed places of education, employment, associates, neighborhoods, trades, and travels.

- 9) Making contact with the subject or subjects is normally the first hurdle for the undercover investigator. As a general rule, the undercover operator should create a situation where the subject or subjects become interested in and approach him, thinking he is what he purports to be. However, an officer shall not incite or participate in the commission of a

crime. Any undercover officer must, therefore, take care not to get involved as an accessory to a crime. He may pretend to fall in with plans, but should never make any suggestions or promises, or render any real assistance with regard to the perpetration of crime. He should not be guilty of planting the criminal idea into the mind of the subject.

- 10) When making his departure, the undercover operator should not just "vanish." A plausible reason for departure should be invented. Discharge from employment, family illness, and fear of the police are among the many reasons that can be offered.

4.14.5.3 DECOY OPERATIONS

- 1) A decoy operation is an investigative technique which supplies what appears to be an opportunity to commit a crime. The general objective of a decoy operation is to lure a criminal into revealing and/or compromising himself so that he may be arrested. A decoy operation may be particularly applicable, for example, to the investigation and capture of a unidentified criminal whose criminal activities have presented a pattern.
- 2) The need for a decoy operation may be ascertained through examination of official Department complaints/reports and analysis of victims, crimes, and crime locations. Analysis may reveal trends or patterns that may justify a decoy operation and that have clear implications for assisting the operation. (See § 1.5chapter 1.5 - crime analysis.)
- 3) Enforcement action of this type should generally be coordinated and supervised according to provisions set forth in § 4.14.5, surveillance, undercover and decoy operations, and police raids. However, decoy operations shall not be conducted unless an investigative supervisor or a ranking member of the Department is present to provide close supervision. Any decoy operation which is a part of an investigation of organized crime or vice activities shall be coordinated and supervised by the Drug and Alcohol Unit.
- 4) The officer in charge of a decoy operation shall be responsible for:
 - a) Operational planning,
 - b) Determining legal ramifications,
 - c) Briefing the on-duty patrol commander prior to initiating any decoy operation,
 - d) Close supervision while the operation is taking place, and
 - e) Documenting the operation whether or not arrests are made.
- 5) His plan shall include provisions for:
 - a) Disguising officers to resemble victims.
 - b) Determining the number of backup officers for security and protection. Adequate police personnel must be available for the safety of undercover or decoy personnel.
 - c) Determining methods of identification (Ensures that each operative can be identified, e.g., designated articles or color of clothing, etc.),
 - d) Developing operational procedures for:
 - Communication,
 - Observation, and
 - Arrests.

(Remainder of page reserved.)

4.14.5.4 COORDINATED POLICE ENTRY

There are only three lawful methods upon which officers may enter a place or premises: Consent, Exigent Circumstances, and Coordinated Tactical Entry with an Arrest and/or Search Warrant.

- 1) Consensual Entry – Officers may enter a place or premises based on the consent of a person who appears to have authority over the premises. The consent must meet the following provisions:
 - a) The consent must be given voluntary, without intimidation or without exchange for anything (ie reduction of charges, etc.), as well as knowingly and intelligently given.
 - b) The consent need not be in writing but written documentation will assist the officers in proving the consent was voluntary. Body Worn Camera footage will aid in this documentation.
 - c) Officers may not enter a place or premises in an instance where a co-occupant having equal authority to the space is present and objecting to the entry.
 - d) The scope of a consensual entry/search rests with the consenting party who controls both how long the entry and search may last as well as what locations within the place or premises may be searched.
 - e) Officers should not rely on the consent of a juvenile under the age of 15 years.
- 2) Exigent Entry – An officer may enter a place or premises based on probable cause and/or emergency circumstances when any of the following circumstances exist:
 - a) When officers are in hot pursuit of a fleeing suspect.
 - b) Imminent destruction of evidence.
 - c) When there is a need to prevent a suspect's escape.
 - d) Where there is a risk of danger to police or others inside or outside the place or premises.
 - e) Where there is an objectively reasonable basis for believing an occupant is seriously injured or imminently threatened with such an injury.

Once the exigency has subsided, officers should secure the scene and obtain a search warrant. The fact an area is a crime scene does not create automatic exigency. There is no crime scene exemption for a warrant requirement.

- 3) Coordinated Tactical Entry – A coordinated tactical entry is a planned, announced entrance by uniformed officers of a place or premises, to effect the apprehension of persons known or suspected to be wanted or engaged in illegal activity and/or to search for and secure contraband or evidence. Due to the serious nature of executing entries into a place or premises, the decision to conduct a coordinated tactical entry must be thoroughly vetted, and after the evaluation of potential risk to all involved parties, the execution of the warrant service is deemed necessary.
 - a) Any proposed coordinated tactical entry resulting from an investigation conducted by the Bowling Green Police Department will receive its authority from a Deputy Chief (or designee). Additionally, an Assistant Chief (or higher in rank) must be present at the scene of any coordinated tactical entry involving members of the Bowling Green Police Department.
 - b) A written Operation's Plan must be completed for all coordinated tactical entries utilizing the Bowling Green Police Department's Operations Plan template. This written plan will identify the specific mission and execution plan, the intelligence obtained, the description of the targeted suspect(s) and/or evidence and probable location, and the specific tasks assigned to each member of the responding team. The Deputy Chief (or designee) will approve the Operation's Plan prior to conducting the coordinated tactical entry.

- c) Planning Coordinated Tactical Entries should entail consideration for the following items:
- 1) Time: Choose the most advantageous time for the police and the least advantageous time for the target subject(s).
 - 2) Manpower: Determine the manpower need by considering the number of suspects, nature of the crime, type of building and number of exits, and the nature of the neighborhood.
 - 3) Special Equipment: Necessary equipment is dictated by each situational circumstances.
 - 4) Medical Assistance: Necessary medical assistance is dictated by the situational circumstance. Consideration may be made to have medical assistance on stand-by or notified.
 - 5) Data: Prior to execution of the warrant, all available data bases (ie. PVA, TLO, utilities, etc) should be checked to ensure the place or premises matches the suspect named in the investigation. When possible, the lead investigating officer will accompany the team to the doorway to ensure the correct place or premises is entered.
- d) Knock and Announce – Prior to considering a forced entry into a place or premises, officers must knock at the portal of entry and announce their identity and purpose. If the following circumstances exist, the officer must seek judicial approval for a “no-knock warrant” by outlining the factors existing in the affidavit:
- 1) The officer’s purpose is already known to the occupant.
 - 2) When the personal safety of the officer or others would be jeopardized by the announcement.
 - 3) When the delay caused by the announcement may enable the suspect to escape.
 - 4) When a prisoner has escaped and retreated to his home.
 - 5) When the announcement may cause evidence to be destroyed.
- e) Upon completion of the coordinated tactical entry, the Assistant Chief on scene shall complete an after action review. He shall review, evaluate and render his findings of the entire incident including any after action reviews completed by the Commander of the Critical Response Team. His evaluation and recommendation(s) shall be submitted via memorandum through his chain of command to the Chief of Police.
- f) Upon completion of the coordinated tactical entry and service of the warrant(s), all damaged property shall be documented and photographed. Attempts shall be made to re-secure the entryway(s) compromised by the tactical entry if there is no one on scene to release the property.

(Remainder of page reserved.)

4.14.5.5 UNMANNED AIRCRAFT SYSTEM OPERATIONS

An Unmanned Aircraft System (UAS) is an aircraft system that is designed to travel through the air without a pilot on board and includes the necessary equipment, network, and certified personnel to conduct controlled flights.

An Unmanned Aircraft System's (UASs) ability to reach inaccessible or dangerous locations has an advantage over manned helicopters because they reduce the risk to human life. UAS have the potential to aid in search and rescue missions by covering more ground and keeping police officers safe by providing an eye in the sky in dangerous situations. The UAS will be used to enhance public safety and in assisting law enforcement search and rescue operations, enhance and support tactical operations, and document crime and collision scenes.

The certified UAS personnel will ensure operations of the UAS cause no greater intrusion on privacy interests than is necessary to carry out the mission in accordance with the law.

The authorized missions for the UAS include the following:

- Video/photographs for investigative support (Crime Scene, SWAT, etc.)
- Search and Rescue
- Barricaded persons / Hostage situations / Active Shooters
- Traffic collisions
- Disaster Response (Floods, Tornado Damage, etc.)
- All other requested uses must be approved by the Chief or their designee prior to deploying the UAS.

If UAS is going to be used over a residential property for an investigation, a warrant shall be obtained, unless the UAS Commander can articulate probable cause that exigent circumstances exist.

4.14.5.5.1 Procedures

The Pilot in Command (PIC) is the individual responsible for the overall flight operations of a specific mission. The Manipulator of Controls (MOC) is a person other than the PIC who is controlling the flight of an UAS under the supervision of the remote PIC. The Visual Observer (VO) is the person acting as a flight crew member who assists the UAS remote PIC and the person manipulating the controls to see and avoid other air traffic or objects aloft or on the ground. The (VO) monitors the flight characteristics of the aircraft while in communication with the PIC to assist the PIC in avoiding obstacles and low flying air traffic.

The (PIC), (MOC), and (VO), along with the supervisors will ensure operations of the UAS cause no greater intrusion on privacy interests than is necessary to carry out the mission in accordance with the law.

To accomplish this primary goal this agency will:

- 1) Make a reasonable effort when the UAS is being flown to minimize inadvertent recording of uninvolved persons.
- 2) Maintain video and still images in strict compliance with agency policies and procedures and Commonwealth of Kentucky Records Retention Act.

- 3) Not conduct random surveillance activities with the UAS. The use of the UAS will be tightly regulated by the Chief or designee.
- 4) Operate strictly within the law (KRS Chapter 500) and FAA regulations. The agency will balance all operations with the need to accomplish the mission while maintaining public privacy.
- 5) All UAS unit personnel performing flight operations must be licensed Remote Pilots with the FAA.

4.14.5.5.2 Personnel

The Chief shall be or will designate a command level officer to be the UAS Unit Commander. The commander shall report directly to the Chief or Designee. The UAS Commander shall be responsible for the overall direction and performance of the UAS Unit.

1. UAS Commander Administrative Responsibilities:
 - a. Selection of UAS personnel.
 - b. Maintain all training, flight and maintenance records for each PIC and VO as well as individual airframes.
 - c. Maintain compliance with FAA regulations.
 - d. Call for committee meetings when necessary to maintain up to date policies and procedures.
 - e. Evaluate airframes based on mission needs.
 - f. Proficiency on all UAS operated by the unit.
 - g. Prepare a written "After Action - Mission Report" and brief the Chief or their designee.
2. Pilot in Command (PIC) Flight Responsibilities:
 - a. Primary duty is the safe and effective operation of UAS in accordance with the manufacturers' approved flight manual, FAA regulations and agency policy and procedures. PICs must remain knowledgeable of all FAA regulations, UAS manufacturer's flight manuals, bulletins and Agency policy and procedures.
 - b. The PIC must establish an effective communication plan with the VO and MOC prior to flight. The plan should specify if any communication assisting devices, such as hand-held radio, will be utilized.
 - c. May be temporarily removed from flight status at any time by the UAS Commander, Chief's Designee or the Chief for reasons including performance, proficiency, physical condition, etc.
3. Visual Observer (VO) Flight Responsibilities:
 - a. Must have sufficient training to communicate clearly to the PIC any turning instructions required to stay clear of conflicting traffic.
 - b. The use of a (VO) supplements the situational awareness for the PIC and MOC. The VO must be able to effectively communicate the following:
 - The UAS location, attitude, altitude, and direction of flight;
 - The position of other aircraft or hazards in the airspace; and
 - The determination that the UAS does not endanger the life or property of another.

4. Manipulator of Controls (MOC) Flight Responsibilities:
Control the flight of the UAS in a safe manner in compliance of all applicable FAA rules and regulations while under the supervision of the PIC. The MOC must maintain the ability to see the UAS at all times during flight.

4.14.5.5.3 Outside Jurisdiction - Request for Support - Mutual Aid

Requests for support from other government agencies within, or outside the jurisdiction of this agency, will be forwarded to the UAS Commander who after consideration will either deny the request outright, because the request is clearly outside the policy of the agency, or forward the request to the Chief or the Designee for approval for use of the UAS. Proper policy and procedure, as well as FAA regulations shall be followed when accepting mutual aid support requests for the UAS, to include requests inside controlled air space.

4.14.5.5.4 Safety

If any member observes, or has knowledge of, an unsafe or dangerous act committed by another member, the UAS Commander is to be notified immediately so that corrective action may be taken.

In regard to safety, the PIC of the UAS unit is responsible for the following:

- 1) Ensuring all flight operations personnel understand applicable regulatory requirements, standards and organizational safety policies and procedures.
- 2) Observe and control safety systems by monitoring all operations.
- 3) Review standards and the practices of agency personnel as they impact operational safety.
- 4) Communicate all reported safety related problems and the corrective action taken, including any in-flight problems (or learned experiences)
- 5) Reading and understanding all pertinent safety information and emergency safety bulletins.

Although the PIC is responsible for the overall safety of the UAS operation, it is also emphasized that safety is a responsibility of ALL members of the UAS unit.

4.14.5.5.5 Training

The key to continued safe operations is maintaining a professional level of competency by establishing minimum qualifications for selecting and training members. In conjunction with fulfilling all FAA requirements for PICNO duties, the new member will also become familiar with the agency's UAS operations and related equipment. Before a member can fly as a PIC, they must complete at least 8 hours of flight training with the UAS instructors to show proficiency of the flight training exercises and the airframe. This must be accomplished to show their ability and knowledge of the UAS in compliance with the manufacturer's manual and instructions.

4.14.5.5.6 Call out Procedures / Use of the UAS

When feasible a supervisor will screen all initial requests to use a UAS from patrol or investigation units. All reasonable requests will be forwarded to the UAS Commander for consideration. In the absence of the supervisor the dispatcher will forward the request to the UAS Commander.

UAS Commander will screen the request using the following factors:

- 1) Is the proposed use of UAS within the capabilities of the UAS equipment and personnel to perform?
- 2) Does the proposed use of the UAS fall within the FAA and department policies and regulations for UAS usage?
- 3) Can the UAS be deployed safely given current weather conditions?
- 4) Does the UAS deployment require a warrant and has one been requested/approved?
- 5) Are sufficient trained and qualified personnel available to safely operate the UAS?
- 6) If the Chief or the designee accepts the support request, the UAS Commander will contact a PIC and VO who will be provided all available mission information.

The PIC is responsible for transporting the UAS and all required equipment to the scene.

- 1) Upon arriving at the requested location, the PIC will contact the on scene Incident Commander and will check in and receive a briefing on the mission requested. The PIC will make an on scene determination of the ability of the UAS to perform the requested mission safely and within department and FAA policies and procedures.
- 2) If the PIC determines that the use of the UAS would violate department policy or directives, the PIC will inform the Incident Commander of the potential conflict along with recommendations for modifying the requested mission to conform to the department policies and procedures. As this is a change from the original approved mission the PIC will contact the UAS Commander for direction on how to proceed.
- 3) The PIC will have sole discretion for overall mission safety, identifying potential violations of FAA rules, and risks of potential damage to the UAS or its associated equipment. If the PIC makes this determination that any of these issues are present, the PIC will inform the Incident Commander of the reasons for refusing to operate the UAS and contact the UAS Commander immediately. The UAS will not be flown in this circumstance and the authority of the PIC is absolute.

The UAS shall not be used for the purpose of surveillance that is not in the furtherance of a legitimate law enforcement activity.

If several separate requests for UAS support are received simultaneously, they shall be prioritized. In general terms, requests for UAS support are prioritized as:

- 1) Life Safety
- 2) Evidence / Documentation

4.14.5.5.7 Minimum Personnel Requirements

The minimum personnel required on ALL missions will be a PIC and VO. Under no circumstances will a PIC attempt to complete a deployment alone. A VO shall be used during all training missions.

4.14.5.5.8 Pre-Flight/Post-F light Actions

The PIC is responsible for a thorough preflight inspection of the UAS. Before and after each deployment (whether an incident or training), the PIC shall conduct a thorough inspection of the UAS in accordance with the instructions contained in the manufactures user's manual. It has been recognized that the use of a checklist is a significant method to combat UAS accidents. A pre-flight

and post-flight checklist will be conducted in accordance with the manufacturer's instruction and will be utilized prior to each flight. Any physical equipment issues that cannot be resolved on-site, or which have an impact on safety of the mission, will delay the deployment. These issues will be resolved and documented before flight.

4.14.5.5.9 Weather

Before each deployment the PIC will ensure that he/she gathers enough information to make themselves familiar with the weather situation existing throughout the area of deployment. The PIC shall utilize FAA approved weather resources to obtain the latest and most current weather conditions.

- 1) The operator shall ensure that the flight will occur within FAA VFR (Visual Flight Rules) weather requirements.
- 2) Inspection and weather conditions will be documented prior to flight within the "Flight Inspection Checklist".

4.14.5 .5.10 Planning

The PICNO shall familiarize themselves with all available information concerning the deployment including, but not limited to, the weather conditions, hazards, description of the incident, deployment goals, etc.

- 1) The PIC will identify a safe location for take-off and emergency landing.
- 2) The PIC will ensure they are aware of their surroundings in the event an emergency landing is necessary. This plan includes the ability to recover the UAS.
- 3) The PIC will check for temporary flight restrictions, "notice to airmen" data, and other checklist requirements.

4.14.5.5.11 Documentation

- 1) After each flight, the PIC will document the UAS operations.
- 2) After each deployment, all video obtained by the UAS Operation will be submitted to evidence in accordance with Agency policy and Commonwealth of Kentucky Records Retention Act.

4.14.5.5.12 Maintenance

Although there are few parts on the UAS that need servicing, it is necessary that the manufacturer's maintenance schedule is followed and properly documented. Any issues that arise during maintenance that cannot be resolved by routine methods shall be forwarded to the manufacturer for further technical support. Maintenance and service records associated with the UAS shall be maintained by the UAV Commander. The PIC and/or Commander of the Unit shall maintain manufacturer's software updates and/or operating requirements.

(Remainder of page reserved.)

4.14.6 AIRPORT EMERGENCY PLAN

4.14.6.1 PURPOSE

The following plan was adopted by the Bowling Green/Warren County Airport Board in 1981 (Updated November 12, 1996) pursuant to FAA A/C 150/5200-12 and 17.

The agreement establishes procedures for notification of fire and rescue crews in the event of aircraft emergency or fire on or in the vicinity of the Bowling Green-Warren County Regional Airport. (Although the plan applies only to the confines of the airport, the Airport Manager shall assist the Fire Department, or any other agency, if requested for any off-airport incident.)

4.14.6.2 NOTIFICATION

Emergency equipment shall be alerted when any one of the following personnel decides it should be dispatched to a potential or actual emergency:

- 1) The pilot/operator of an aircraft, or his representative,
- 2) A representative of the Airport Management, or
- 3) A representative of Corporate Flight Management.

4.14.6.3 RESPONSIBILITIES

The listed agencies and/or individuals have the following responsibilities during an emergency:

Agencies and/or Individuals	Responsibilities
The pilot/operator of the aircraft, or his representative, a representative of the Airport Management, or a representative or Corporate Flight Management	Notification of the Incident.
The Ranking Fire Department Officer	Complete charge of all operations <u>on</u> the airport until release.
The Bowling Green Police Department	Airport Security.
The Airport Manager	Maintaining operational requirements of the airport and public relations.

The Fire Department shall confine the fire, secure the scene, and supervise the removal of any injured, who shall be removed from wreckage to such location as will be safe from additional fire or explosion. Deceased persons need not, and should not, be removed from the scene by rescue personnel. Removal of bodies falls under the direction of the Coroner and Medical Examiner. Notification of the Coroner shall be a Fire Department responsibility.

The ranking Fire Department Officer shall release the scene to the Airport Manager at his discretion. The Airport Manager shall assist the Fire Department as requested, but shall remain subordinate at the accident scene to the Fire Department until such time as it is released to him.

The Airport Manager shall then take such action as is necessary to secure the scene from disturbance and notify all required agencies. When time permits, he shall conduct the media to the scene or designate a representative to do so. (Prior to this, all media will be restricted to gather inside the Terminal Building where they will be provided with updated information.)

4.14.6.4 PROCEDURES

- 1) The electric gate will be opened by the Fixed Base Operator or access using the gate card supplied to the Airport Fire Department.
- 2) In the event of an emergency aircraft incident, airport personnel will alert the following agencies as required:
 - a) Immediately notify the Bowling Green Fire Department, ambulance service, Bowling Green Police, etc.;
 - b) Notify the Airport Manager, or Airport Board Chairman, if not present; and
 - c) The Airport Manager will use discretionary judgment in the closing of runways and the airport to aircraft operations and notification to FAA and NTSB personnel.
- 3) The following persons are authorized to immediately enter the airport confines in the event of an emergency:
 - a) Any member of the Bowling Green Fire Department;
 - b) The Bowling Green Police Department's Chief of Police, his designee, or the ranking police officer on duty;
 - c) Authorized FAA Personnel, or designee,
 - d) The Airport Manager, Airport Board Representative; or
 - e) Any other person requested by the Fire Department.
- 4) The first responding police officer shall control traffic at the airport electric gate listed above. At the discretion of the police Supervisor, the next responding police vehicle may be stationed at the entrance to the airport on U.S. 231 (Scottsville Road).
- 5) Only the Fire Department and ambulance vehicles will be permitted through the gate until the Fire Department secures the scene. Police vehicles (of any agency) shall NOT enter the fenced confines of the airport unless specifically requested by the Fire Department and/or the Airport Manager.
- 6) Since uncontrolled walking or driving upon an airport is recognized by the FAA to be extremely dangerous, no one other than those properly authorized shall be permitted to visit the accident site without escort.
- 7) All vehicles when possible must monitor Airport Unicom Frequency 123.0 when driving on the airport and maintain a visual watch for any aircraft.
- 8) Post-emergency operations on the airport involve the following agencies and/or individuals:

- a) The airport Manager - Complete charge of operations after Fire Department release.
- b) The Bowling Green Police Department - Airport Security until released.
- c) State Police - airport security and to fill out appropriate state accident report.
- d) EPA personnel, if applicable.

(Remainder of page reserved.)

4.14.7 CORRECTIONAL FACILITY EMERGENCY (KACP)

4.14.7.1 PROCEDURES

In the event the Police Department is requested to respond to an emergency situation at the Warren County Regional Jail or Justice Center, the following general procedures should apply depending upon the situation:

- 1) The Department mobilization plan, if applicable (§ 4.13.3, emergency mobilization plan (kacp)).
- 2) The Department's policy involving law enforcement situations of concurrent jurisdiction (§ 3.2.1, jurisdiction and mutual aid).

Generally, the place of assembly should be the Police Department headquarters, unless otherwise directed by supervision.

End of Chapter 4.14

CHAPTER 4.15

CRITICAL RESPONSE TEAM (CRT) OPERATIONS

4.15 CHAPTER 4.15 CRITICAL RESPONSE TEAM (CRT) OPERATIONS

This chapter sets forth the administrative and operational measures for the operation of the Critical Response Team (CRT).

4.15.1 DEFINITION, GOAL AND OBJECTIVES

4.15.1.1 DEFINITIONS

Barricade Situations	The standoff created by an armed or potentially armed suspect in any location, whether fortified or not, who is refusing to comply with police demands to surrender..
Breaching Tools / Ammunition	Items such as rams, pry bars, bolt cutters, sledge hammers, hydraulic and electronic devices, and special frangible shotgun rounds.
Dignitary Protection	The security of special persons, such as VIPs, witnesses, or suspects, based on threat or potential threat to the well-being of those persons.
Flash/Noise Diversionary Device	Provides a diversion for entry of team members into hazardous areas by utilizing a bright flash of light with a loud noise.
High-risk Apprehension	The arrest or apprehension of an armed or potentially armed suspect where the likelihood of armed resistance is high.
High-risk Warrant Service	The service of search or arrest warrants where there is a known high risk of violence or resistance to arrest.
Hostage Situations	The holding of a person(s) against their will by an armed or potentially armed suspect.
Inner Perimeter	The sterile zone around a barricaded suspect or hostage taker in which all movement is controlled by law enforcement.
Kinetic Energy Projectiles	Less lethal projectiles such as the flexible bean bag round or rubber baton round. Projectiles could be expelled by the use of launcher or thrown by hand, depending on the type of munition.
Less Than Lethal Weapons	Weapons (40 mm or 12 gauge) which propel a round or device that is not normally lethal. Provides an alternate use of force option when appropriate.
Outer Perimeter	The area containing the command posts, hostage negotiations and staging area. The area controlled by law enforcement between the inner perimeter and outside areas.
Primary Entry Weapons	A short barreled weapon providing the team member with maneuverability, reliability, stopping power and the ability to sustain fire.

Sniper Rifles	These weapons give the member the ability to place highly accurate rounds where needed. The weapon's powerful scopes are used to gather intelligence.
Sniper Situations	The firing upon citizens and/or police by an armed suspect, whether stationary or mobile.
Special Assignments	Any assignment approved by the Chief of Police, based upon a high level of threat.
Tactical Team Commander	The officer in charge of the CRT that is primarily responsible for the tactical resolution of critical incidents in which the CRT responds.
Team Leader	The officer that has the primary responsibility of the action component team during a critical incident in which the CRT responds.
Team Member	Any officer assigned to the CRT. These members may be cross-trained to perform various job tasks or may have specialized training to perform a special function.

4.15.1.2 GOAL

The goal of the Critical Response Team is to support the Bowling Green Police Department and other requesting agencies with proper approval with a tactical response to critical incidents.

4.15.1.3 OBJECTIVES

The Critical Response Team may respond to the following critical incidents:

- 1) Hostage situations
- 2) Barricade situations
- 3) Sniper situations
- 4) High-risk apprehension
- 5) High-risk warrant service
- 6) Dignitary protection
- 7) Special assignments

When responding to critical incidents the Critical Response Team seeks to:

- 1) Ensure that a perimeter (inner and outer) has been established to contain the threat.
- 2) Gather intelligence and report to the Incident Commander.
- 3) Establish negotiations if possible and applicable.
- 4) Take decisive action if necessary to protect lives.

4.15.1.4 COMPOSITION AND STRUCTURE

The Critical Response Team is comprised of sworn officers from the Bowling Green Police Department. These officers have met the established criteria for selection to the team. The leadership and membership elements are discussed below.

4.15.1.4.1 Tactical Team Commander

The CRT is under the immediate control of a Tactical Team Commander. The Tactical Team Commander has the primary responsibility for the tactical resolution of a critical incident. The Tactical Team Commander coordinates the duties of all CRT members including the action component team(s), tactical marksmen and negotiators.

4.15.1.4.2 Team Leader

The Team Leader has the responsibility of the on-scene coordination of the action component team. The Team Leader will usually make entry with the action component team if an emergency entry is warranted.

4.15.1.4.3 Team Member

Team members are cross-trained and can perform any of the needed duties as the situation dictates. These special duties may include delivering chemical munitions, less lethal munitions, or breaching the structure.

Individual team members that have been trained to perform the duties of snipers will generally be utilized in that position. Their primary duties include gathering intelligence and providing cover to team members.

4.15.1.5 COMMAND AND ACTIVATION

Each critical incident scene is under the overall command and control of a Critical Incident Commander or his designee from the agency having operational control over the critical incident. The Incident Commander, in coordination with the CRT Commander is responsible for the decision-making and the resolution of the incident. All CRT members become subordinate to the CRT Commander in charge of the critical incident until notified the activation is terminated. No other person will attempt to direct, supervise or control any element or member of the CRT unless a ranking officer of the agency having operational command takes command of the team.

The CRT activation will follow these steps:

- 1) The on-duty supervisor will determine the need for the CRT.
- 2) If needed, the on-duty supervisor will notify the appropriate Shift Commander or his designee and request activation of the CRT.
- 3) The Shift Commander will re-assess the situation and make a determination of the need to activate the CRT.
- 4) If the Shift Commander decides that CRT activation is appropriate then he will notify the Patrol Operations Commander.
- 5) If the CRT threat matrix point totals 31 points or higher, the Patrol Operations Commander is authorized to conduct a pre-activation of the CRT Team's Commander and Team Leaders. This pre-activation is strictly utilized for pre-planning and consultation of the incident.
- 6) The Field Operations Commander will make the final determination for requesting activation of the full CRT and then will brief the Field Operations Bureau Commander, who will brief the Chief of Police.
- 7) Any Division within the Department may request the assistance of the CRT for emergency or non-emergency incidents by following proper chain of command.
- 8) The guidelines provided for coordinated tactical entries also apply to CRT activations. (See 4.15.5.4).

4.15.1.6 UNAVAILABILITY OF MEMBERS

In the event that a team member will be unavailable for call-outs (vacation, sick, etc.) that team member is responsible for contacting the Team Commander to notify them of their unavailability. In the event a team member is on medication, has consumed alcoholic beverages or consumed any substance that affects their ability to perform their duties, it will be their responsibility to advise the Team Commander of such prior to responding to a critical incident.

4.15.1.7 SELECTION, STANDARDS OF PERFORMANCE AND TRAINING

4.15.1.7.1 Selection

All prospective members for the CRT will be selected through a two-part process.

Part 1 Pre-qualification

During the regularly scheduled, bi-annual qualification session for current CRT members, officers interested in applying for CRT selection must pass the physical fitness and firearms qualification standards as set forth in the CRT Standard Operating Guidelines. Officers who pass the pre-qualification standards are eligible to apply for CRT selection upon formal announcement by the Chief of Police.

The officers who pass the pre-qualification standards will remain on an eligibility list until the next bi-annual qualification is held. The Chief of Police can authorize a pre-qualification testing process independently of the team bi-annual qualification if needed.

Part 2 Eligibility

Refer to the Special Assignment eligibility requirements and selection process outlining the specific requirements for application.

4.15.1.7.2 Guidelines for Selection of Tactical Team Leader(s)

- 1) Minimum of two (2) years' experience as a supervisor (preferred).
- 2) Minimal Sick Leave.
- 3) Minimal or no Disciplinary History.
- 4) Previous tactical experience as a member of the Critical Response Team.
- 5) Able to make competent decisions based on knowledge or experience.
- 6) Excellent work history and past performances demonstrating capabilities of work related leadership and strong leadership in a crisis.
- 7) Able to make intelligent decisions under stress and pressure and apply complex skills.
- 8) Mental toughness with flexibility that can adapt to disappointment or frustration when necessary.
- 9) Able to understand, direct, manage and administer training, tactics, weapons, equipment and the assets and liabilities of the Critical Response Team and the unit's officers.
- 10) Be physically fit, maintain physical fitness, and meet all CRT criteria and qualifications.
- 11) Documented history of integrity.
- 12) Willingness to go through a competitive selection process.

4.15.1.7.3 Standards of Performance

Once accepted and assigned to the CRT, all team members regardless of rank and position, must maintain acceptable standards of performance as delineated in the CRT Standard Operating Guidelines.

All team members will qualify twice per year on all firearms and fitness qualifications. Failure to meet the minimum acceptable standards, will result in the member being placed in a temporary, non-deployable status. If a member fails to qualify on a fitness test or firearms course, they will be allowed to try to qualify one additional time only on that same date. Failure to meet the minimum standard within a thirty day period will result in the team member being removed from the team with the approval of the Chief.

Consistently being placed in a temporary, non-deployable status could result in immediate removal of the member.

A team member may voluntarily request to withdraw from the team at any time for any reason, but the final decision and subsequent departure timeline rests with the Chief.

A team member may be removed from the team at the discretion of the Chief.

4.15.1.7.4 Training

The CRT will conduct team training as follows:

- 1) A minimum of 16 hours of training per month.
- 2) Each team member will attend one training class per year contingent upon budgetary approval.
- 3) All training will be performance oriented and be related to the mission of the team.
- 4) While some team members may demonstrate a higher level of proficiency in certain areas, all team members will be cross-trained on the various special weapons and tactics.
- 5) All training will be approved.
- 6) All training will be documented and training records will be maintained by the Training Unit.

4.15.1.8 EQUIPMENT

All members of the CRT will be outfitted with at least the following equipment.

- 1) Ballistic helmet.
- 2) Safety glasses and goggles.
- 3) Hearing protection.
- 4) Threat level IIIA ballistic entry vest with (2) threat level III or IV inserts, and attachable modules, OR load bearing vest with attachable modules.
- 5) Nylon duty belt and accessories for tactical equipment.
- 6) Special weapons as authorized.
- 7) Duty ammunition.
- 8) Radio and tactical headset.
- 9) BDU uniforms with approved:
 - a) CRT patches on both sleeves.
 - b) Agency badge on left breast.
 - c) Name tab on right breast.
- 10) Approved Footwear.

- 11) Raingear.
- 12) Cold weather gear.
- 13) Gas mask.
- 14) Various safety equipment.

All equipment assigned to and utilized by the Critical Response Team must be requested via the chain of command and approved by the Chief of Police.

Team members are responsible for the care and maintenance of the equipment they are issued. Failure to properly maintain the equipment in full mission readiness will be grounds for removal from the team.

4.15.1.8.1 Special Equipment

Special equipment may be utilized by members of the CRT. The special equipment will consist of, but is not limited to:

- 1) Primary entry weapons.
- 2) Sniper rifles.
- 3) Less than lethal weapons / ammunition.
- 4) Flash / noise diversionary devices.
- 5) Breaching tools / ammunition.
- 6) Ballistic shields.

Only the team members that are properly trained with each piece of equipment will be allowed to use that piece of equipment.

4.15.1.9 DOCUMENTATION

The CRT will utilize a written planning process for all operations that are proactive or anticipatory in nature, e.g., coordinated tactical entry. The format will include the following:

- 1) Situation.
- 2) Mission.
- 3) Execution.
- 4) Support and logistics.
- 5) Command and control.

At the completion of all CRT operations and training events the Critical Response Team Commander will conduct an after-action review. The CRT Commander will report the findings of the after-action review from all CRT Operations to the Patrol Operations Commander. The Patrol Operations Commander will submit an overall after-action review of the incident to the Chief of Police via the chain of command.

A Risk Assessment Matrix for Warrant Service form is presented on the following page.

(Remainder of page reserved.)

4.15.1.10 RISK ASSESSMENT MATRIX FOR WARRANT SERVICE

Risk assessment is based on facts and circumstances stated in the affidavit for the warrant, the criminal history, review of the known suspect, target location, details learned during the target scout and any definitive information learned during the investigation.

To conduct the risk assessment: gather the source documents together, read the factors in column 1 and place a checkmark in column 2 for the factors that apply. Write the numerical score for each of the checked factors in column 4, "Score." Compare the total score to the table on the bottom of the page to determine unit of service.

Factors	<input checked="" type="checkbox"/>	Points	Score
Target location is fortified, includes surveillance equipment, and the suspect is considered armed and dangerous.		30	
Suspect(s) have used firearms in the commission of crimes.		20	
Suspect(s) known to be armed.		20	
Suspect(s) has a history of carrying a weapon.		20	
Search warrant is for suspect(s) of aggravated felony(ies).		15	
Execution of search warrant requires specialty breaching (ballistic, bar-pull, etc.)		15	
Search warrant is for known gang member(s).		10	
Arrest warrant is for aggravated felony(ies).		10	
Suspect(s) have history of aggravated crimes.		10	
Suspect(s) have history of crimes against the police.		10	
Suspect(s) are trafficking in drugs.		10	
Search warrant is for crimes against person(s), felony.		8	
Search warrant is for crimes against person(s), misdemeanor.		5	
Search warrant is for suspect(s) involved in narcotic violations.		5	
Suspect(s) have pending shelf-time to serve (on probation).		5	
Suspect(s) have history of crimes against persons.		5	
Firearms are known to be present at the target location.		5	
Suspect(s) have history of narcotic violations.		3	
Search warrant is for evidence of narcotic violations.		3	
Search warrant requires use of breaching tools (ram).		2	
Suspect has made statements indicating resistance.		2	
Suspect has property crime history only.		1	
Search warrant is for evidence of property crime only.		0	
Arrest warrant is for property crimes only.		0	

Total score:

Score	Unit of Service and Notification Criteria
01-19 points	Service of warrant may be handled by the duty supervisor in command.
20-30 points	Consultation with the CRT Team Commander or representative is required. Warrant service requires authorization of the Chief of Police or his designee.
31+ points	Warrant service turned over to the CRT Team. Warrant service requires authorization of the Chief of Police or his designee.

End of Chapter 4.15

CHAPTER 4.16

MOBILE DATA COMPUTERS

4.16 MOBILE DATA COMPUTERS

4.16.1 OVERVIEW

The purpose of this policy is to establish procedures for the proper use of the mobile data computers (MDC) that have the capability to access the Kentucky LINK/NCIC network. The agency is utilizing the statewide 800 MHz wireless data infrastructure to communicate from the officer vehicle. This will allow for the mobile submission of various reports as well as access to information on the LINK network. The agency is utilizing the Bio-Key Mobile Cop software as the user interface on the MDC. The agency will also make use of the state's shared mobile message switch which is located in Frankfort and is administered by the Kentucky State Police.

This policy describes the security requirements that dictate the use of the LINK network as well as the use of the shared mobile message switch.

This policy is in addition to any City of Bowling Green / Information Technology (IT) Department Policy pertaining to the use of any city owned computer. Any City / IT Department policies or guidelines relating to the approved and authorized use of any city owned computer or related equipment will supersede any section of this policy found to be in conflict with City / IT policy.

4.16.1.1 SYSTEM STRUCTURE

Bowling Green Police Department uses the following internal systems:

- Network that is used to maintain case reports, criminal complaints, and personnel data. This small system is built on Access data tables. It was written internally and is not linked to any other networks.
- Enroute Computer Aided Dispatch (CAD) system. This system does not interface to the internal case network.
- LINK terminal which is located in the dispatch center.
- LINK/Hit printer located in the dispatch center.

4.16.1.2 PHYSICAL SECURITY

4.16.1.2.1 Computer Facility Security

The dispatch center is located in the Police Headquarters. It is a separate, internal room that has two access doors. Each door has access limited by electronic lock.

Firewall software protects all systems by limiting access from outside sources such as the Internet and dial-up. The firewall resides on its own server which does not contain any general files or print service capability to the users.

The firewall is backed up on a regular schedule.

4.16.1.2.2 Mobile Data Computer Security

- 1) The MDC equipment coordinator will document the assignment of all MDC computers in a departmental form that includes, but not limited to, the Officer's Name, Badge Number, Electronic Serial Number of the MDC assigned to each officer, the City Property Control Number assigned to the MDC and the date the MDC was assigned. Each officer signs a property form to acknowledge receipt of the MDC. It is his/her responsibility to keep the MDC either in his/her possession or a safe place at all times.
- 2) The officer's cruiser is considered a safe location for the MDC. If the officer is not in the cruiser or in close proximity then the vehicle must be locked when the MDC is inside. An officer must lock the vehicle upon exiting if he/she is going to be out of sight of the cruiser. When the vehicle is left unoccupied, the officer will ensure that the MDC is logged out of the Mobile software and the screen is lowered so no one can view the screen.
- 3) If the officer's vehicle is turned in for repair, it is the officer's responsibility to remove the MDC from the vehicle prior to leaving the car.
- 4) If the MDC is located in the officer's house then it will be secured in a safe place. It is the officer's responsibility to be aware that the MDC is a target of theft and needs to be kept secure at all times.
- 5) Damage to the MDC shall be reported immediately to the MDC coordinator. The officer will not attempt to repair the MDC himself. The MDC Coordinator will send the MDC to an approved repair facility.
- 6) All changes to the MDC software will be coordinated and performed by the MDC Coordinator.
- 7) Officers who go on military or other special duty will return their MDCs to the MDC Coordinator. The officer will ensure that he receives a proper receipt for the equipment when he relieves custody.
- 8) The MDC Coordinator shall load each MDC with virus protection software and keep this software up to date on a monthly basis.

4.16.1.2.3 Handheld Device Security (If applicable to agency)

- 1) All MDC security precautions listed in previous paragraph apply to the handheld devices.
- 2) The PocketCop time out for inactivity on the unit will be set to 5 minutes or less.
- 3) The officer will be attentive to ensure safe possession of the handheld unit at all times due to the increased vulnerability of the LINK/NCIC access by unauthorized persons.

- 4) The officer will immediately notify his supervisor and the KSP help desk if the handheld unit is misplaced. The help desk will disable the PocketCop account so no one else can access LINK/NCIC.

4.16.1.3 USER RESPONSIBILITIES

- 1) All responsibilities apply both to the MDC and the handheld device.
- 2) The officer will use the MDC for official business only. No files will be downloaded or copied from diskettes or e-mail that are not approved for use by the network administrator. Most viruses are introduced into a computer system by files that are loaded by users.
- 3) Diskettes or CDs that are created with data from the MDC will be handled with the same security requirements as the MDC itself. This is intended to protect any LINK/NCIC or criminal data that may be copied to a portable medium.
- 4) The MDC shall not be attached to any outside networks such as one at home or at the so-called Internet Cafes, as this makes it vulnerable to access by unauthorized personnel and to virus attacks. The officer may utilize his/her MDC on the department network in the office or via designated hot spots. This network is properly secured and has safe access to e-mail and the Internet.
- 5) Problems with using the MDC or any of the software packages will be reported immediately to the MDC Coordinator or to the Help Desk.
- 6) Users will not alter the settings or configuration on the MDC except for desktop background or screen saver. The timing of the screen saver shall not be changed from the default of ten (10) minutes.
- 7) The officer will not activate the modem or mobile software without the vehicle running. The modem will drain the car battery if the vehicle is not idling. The charge guard unit should shut down the modem if the battery begins to drain but it is a good habit to start the vehicle prior to running the mobile software.
- 8) Generally, the officer should not use the MDC while the vehicle is in motion as it is a distraction from driving. Officers are permitted to use the MDC, while the vehicle is in motion, to run a vehicle registration plate only – and when doing so, should exercise extreme caution. All other uses of the MDC, while the vehicle is in motion, are prohibited.
- 9) Playing games of any kind on the MDC is prohibited.
- 10) The officer will not allow anyone else to use his/her MDC while it is logged into Mobile Cop. If another authorized user needs to use the MDC, then the user will log into the Mobile Cop system with his/her own username and password.
- 11) The officer will access the LINK/NCIC inquiry screen in accordance with rules and procedures set forth by U.S. Department of Justice CJIS Security Policy.
- 12) Each officer is responsible for knowing and abiding by the policies in this document.
- 13) The officer may use the Mobile Cop software to communicate via e-mail, instant message, or conference room with any other officer who utilizes the shared mobile message switch. This includes troopers and officers from agencies across the state.

- 14) All communications on the Mobile Cop shall be professional.
- 15) While all communications are secure within the network, the officer should not have any expectation of privacy. All written communications are logged on the mobile message switch and may be accessed under the proper conditions. Do not write anything in the mobile system that would be embarrassing to you or this agency.

4.16.1.3.1 Usernames and Passwords

Each officer is responsible for setting and maintaining his/her own passwords. The MDC Coordinator will issue a username and password for the MDC unit. Upon initially logging onto the MDC, the user shall change the default password to a secure one of his/her own choosing.

The username for the Mobile Cop software is different from the agency network username. The Mobile Cop username is generated by the KSP Mobile Data Manager. It is designed to be unique for all of the users and agencies that participate in the shared mobile switch. The KSP MDM will also assign a default password. Upon initially logging into Mobile Cop, the user will use the "Password" instruction in the command line to bring up the screen with which to change the password. The user may set this password to be the same as his network password as long as that password follows the designated guidelines.

If an officer forgets his password then the password must be reset. Contact the agency MDC Coordinator to reset the MDC log in password. Contact the KSP Helpdesk to reset the Mobile Cop password.

Passwords and usernames structure requirements will comply with City of Bowling Green / IT guidelines unless otherwise mandated by KYOPS, LINK, or NCIC.

4.16.1.4 TRAINING

All officers must be LINK certified prior to using the MDC for access to the LINK network. The training consists of an 8 hour orientation course. Recertification will occur according to LINK requirements.

4.16.1.5 NETWORK ADMINISTRATION

The following personnel are responsible for various aspects of the Mobile Data system.

Chief of Police..... Responsible for establishing and enforcing policies and procedures for all Police Officer personnel.

Terminal Agency Coordinator
(TAC)..... Ensures that all requirements associated with the LINK terminal are followed. Ensure that all proper paperwork is completed and filed in accordance with auditing requirements.

Mobile Coordinator..... Responsible for all aspects of the MDC program which include but are not limited to: the ordering of MDCs and peripherals, set up of equipment, acquisition of and maintenance of software packages, security rules, training of officers, assistance with use of software, and overall program coordination. The Mobile Coordinator will work with the KSP Mobile Data Manager to set up new accounts and deal with all issues related to the use of the shared mobile message switch and the IPMobileNet wireless system. Also responsible for ensuring that the user accounts for separated officers are closed as soon as the officer leaves.

(Remainder of page reserved.)

4.16.1.6 COMPLIANCE ACKNOWLEDGEMENT FOR COMMUNICATIONS AND INFORMATION POLICY

BOWLING GREEN POLICE
911 Kentucky Street
Bowling Green, Kentucky 42101

By signing below, I acknowledge that I have read and understand the requirements set forth in this document. I agree to comply with the policy and understand that any violation could result in disciplinary action.

I further understand that I am responsible for complying with all state and federal laws pertaining to unlawful use of information received by access to the Kentucky LINK / NCIC system and that I could face criminal or civil penalties for a violation of same.

User Signature

Date

User Name, printed

Badge Number

Retain document in agency files to be made available for CJIS audits.

End of Chapter 4.16

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