

Northglenn Police Department

Northglenn PD Policy Manual

LAW ENFORCEMENT CODE OF ETHICS

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

I will keep my private life unsullied as an example to all; maintain courageous calm in the face of danger, scorn or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed both in my personal and official life, I will be exemplary in obeying the law and the regulations of my department.

Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

I will never act officiously or permit personal feelings, prejudices, 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.

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 all I hold sacred to my chosen profession... law enforcement.

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VALUE, VISION, AND MISSION STATEMENT

Vision Statement

The Northglenn Police Department commits to providing exceptional police services that promote a safe and peaceful community.

Mission Statement

The members of the Northglenn Police Department are a dedicated team committed to protect life and property, reduce crime, and promote peaceful neighborhoods. We achieve this through strong community partnerships, collaborative problem-solving and ethical enforcement of the law.

Value Statement

The Four C's are the cornerstone of our core values

Character ~ Courage ~ Commitment ~ Competence

POLICY STATEMENT

The purpose of all policies and procedures is to promote an effective, efficient and safe work environment. In doing so, they create a sense of purpose and fairness in management procedures, establish predictable performance, promote good order and discipline, provide direction to members, and help establish and maintain public trust.

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Chapter 1 - Law Enforcement Role and Authority

Law Enforcement Authority

100.1 PURPOSE AND SCOPE

Law enforcement officers are granted the authority to perform their function based on established legal authority. The Northglenn Police Department does not tolerate abuse of law enforcement authority. The primary purpose of this policy is to provide officers with a clear understanding of the origin of the authority granted to Peace Officers.

100.2 PEACE OFFICER AUTHORITY

Certified employees of the Northglenn Police Department shall be considered peace officers pursuant to [CRS 16-2.5-101], [CRS 16-2.5-102] and [CRS 16-2.5-105].

100.2.1 ARREST AUTHORITY WITHIN THE JURISDICTION OF THE NORTHGLENN POLICE DEPARTMENT

Pursuant to [CRS 16-3-102], officers have the authority to arrest a person within the jurisdiction of the Northglenn Police Department for the following:

- The officer has a warrant commanding that such person be arrested
- A crime has been or is being committed by such person in the officer's presence
- The officer has probable cause to believe that an offense was committed and has probable cause to believe that the offense was committed by the person to be arrested.

100.2.2 ARREST AUTHORITY OUTSIDE THE JURISDICTION OF THE NORTHGLENN POLICE DEPARTMENT

Officers have the authority to arrest a person outside the jurisdiction of the Northglenn Police Department for the following:

- A felony or misdemeanor has been or is being committed in the officer's presence in another jurisdiction within the state of Colorado. The local law enforcement agency having jurisdiction shall be immediately notified of the arrest and any person arrested shall be released to the custody of the local law enforcement agency. [CRS 16-3-110 (2)]
- The officer is in fresh pursuit of a person for which there is probable cause to arrest. [CRS 16-3-106]

100.3 INTERSTATE PEACE OFFICER POWERS

Peace officer powers may be extended within other states pursuant to [CRS 29-1-206(1)] as applicable under interstate compacts and memorandums of understanding in compliance with the laws of each state.

Any peace officer of another state who enters this state in fresh pursuit and continues within this state in fresh pursuit has the same authority to arrest and hold such person in custody as a peace officer of this state. [CRS 16-3-104]

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Law Enforcement Authority

100.4 CONSTITUTIONAL REQUIREMENTS

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

Chief Executive Officer

101.1 PURPOSE AND SCOPE

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

101.1.1 CHIEF EXECUTIVE OFFICER REQUIREMENTS

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

101.1.2 CHIEF EXECUTIVE OFFICER REQUIREMENTS

The responsibility of the office of the Chief of Police is to determine the purpose of each of the divisions, and their respective sections. To establish standards of service offered to the public and exercise control and discretion over these operations:

- Members of the department shall recognize the powers and authority of the Chief of Police.
- The Chief of Police shall have the discretion to determine when conditions exist to suspend any and all chapters of this manual.
- The Chief of Police shall appoint an acting Chief of Police during periods of extended absences. A command staff officer shall normally serve as the acting Chief of Police unless specified otherwise.
- The police department comprises divisions with respective sections equipped and committed to specific functions. A command officer who shall be answerable to the Chief of Police shall supervise each division.
- A department organizational chart shall be published annually depicting the current departmental structure. Any significant change to the organizational structure shall be cause to publish a revised organizational chart.

101.1.3 EMPLOYEE ADVISORY COMMITTEE

- (a) Purpose: The purpose of this policy is to establish the Employee Advisory Committee, whose mission is "advise the chief" on matters of interest and committee work as assigned.
- (b) Policy: The Department recognizes all its members have a wide range of expertise and are encouraged to participate with management in planning, researching and reviewing departmental areas of concern. The Employee Advisory Committee shall function as a separate panel but remains subordinate to the Command Staff and the

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Chief Executive Officer

Chief of Police. The Employee Advisory Committee shall meet no less than once each calendar year.

- (c) References: None
- (d) Definitions: None
- (e) Procedures: The Employee Advisory Committee shall be comprised of no less than (5) five regular members representing commissioned and non-commissioned employees. Additional members may be appointed to the Employee Advisory Committee for certain specified tasks. The committee members shall be appointed by the Chief of Police on a Personnel Order to serve for a period of one calendar year commencing on June 1st of each year. A Coordinator of the Employee Advisory Committee shall be chosen from among the Command Staff by the Chief of Police. There shall be one regular member and one alternate from each of the following groups of employees:
 - Sergeants
 - Records or Civilian Staff
 - Investigations
 - Patrol

Oath of Office

102.1 PURPOSE AND SCOPE

Officers are sworn to uphold the Constitution of the United States, the Constitution of the State of Colorado, and to enforce federal, state and local laws. The purpose of this policy is to ensure that oaths, when appropriate, are administered to department employees.

102.2 OATH

Prior to assuming the duties of a peace officer, all certified employees shall be required to affirm the oath of office expressing commitment and intent to respect constitutional rights in discharging the duties of a law enforcement officer. [Colorado Constitution, Article XII, Section 8: Oath of Civil Officers]

The oath of office shall read as follows:

I, (*employee name*), do solemnly swear, by the ever-living God, that I will support the Constitution of the United States, the Constitution of the State of Colorado, the Charter and Ordinances of the City of Northglenn, and I will, with courage, integrity and professionalism, faithfully perform the duties of the office of Police Officer in the City of Northglenn, upon which I am about to enter.

Chapter 2 - Organization and Administration

Policy Manual

200.1 PURPOSE AND SCOPE

The manual of the Northglenn Police Department is hereby established and shall be referred to as the Policy Manual or the manual. The manual is a statement of the current policies, procedures, rules and guidelines of Northglenn Police Department. All employees are subject to the provisions contained throughout this manual as well as any additional guidance on conduct disseminated by the department or the employee's supervisor.

All prior and existing manuals, orders and regulations that are in conflict with this manual are rescinded. All portions of existing manuals, procedures, orders and other regulations that have not been included herein and are not in conflict with this manual shall remain in effect.

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

200.1.1 DISCLAIMER

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

200.2 DEFINITIONS

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

Adult: Any person 18 years of age or older.

CCR: Code of Colorado Regulations

CDPS: Colorado Department of Public Safety

CFR: Code of Federal Regulations

City: City of Northglenn

CRS: Colorado Revised Statutes

CSP: Colorado State Patrol

Department: Northglenn Police Department

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DMV: Colorado Department of Revenue Division of Motor Vehicles

Employee/Member/Personnel: Any person employed by the Northglenn Police Department.

Juvenile: Any person under the age of 18 years.

Manual: Northglenn Police Department Policy Manual

May: Indicates a permissive, discretionary or conditional action.

Non-Sworn: Employees and volunteers who are not certified law enforcement officers.

On-duty: The status during the period when employees are, or are reasonably expected to be, actually engaged in the performance of their assigned duties.

Order: A written or verbal directive or instruction issued by a superior or an employee appointed by a superior as an acting supervisor.

Peace Officer: An employee who is certified by POST pursuant to C.R.S. 16-2.5-101.

Rank: Title of the classification held by an officer.

Shall or Will: Indicates a mandatory action.

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

Staff: The Chief of Police and Division Commanders

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

The term "supervisor" may also include any employee given responsibility for the direction of the work of others without regard to a formal job title, rank or compensation.

Sworn: Employees who are certified law enforcement officers.

USC: United States Code

200.3 AUTHORITY

The Chief of Police shall be considered the ultimate authority for the content and adoption of the provisions of this manual and shall ensure compliance with all applicable federal, state and local laws.

The Chief of Police shall cause the entire manual to be reviewed and updated as necessary to ensure the manual conforms to the actual operation of the Department and complies with all applicable federal, state and local laws.

The Chief of Police shall have the discretion to determine when conditions exist to suspend any and all chapters and sections of this manual.

200.4 POLICY MANUAL ISSUANCE AND ACCEPTANCE

As a condition of employment, all employees are required to read and obtain necessary clarification of the provisions found in this manual. All employees are required to acknowledge they have been provided access to the Manual and understand they are responsible to read and become familiar with its contents.

The Policy Manual will be maintained by the Office of Professional Standards through the use of the web based “Lexipol” portal. An electronic version of the most recently updated Manual will be made available to all employees in the “PD-Supervisors” and “PD-Everyone” network locations.

200.5 REVISIONS OF THE POLICY MANUAL

The Office of Professional Standards will ensure that employees are notified of updates to the Manual. Upon notification of the release of a policy update, employees shall acknowledge that they have received and reviewed the update. Employees shall seek clarification as needed from an appropriate supervisor for any updates that they do not fully understand.

Employees suggesting revisions of the contents of the Policy Manual shall forward their written suggestions through their chain-of-command to the Administrative Commander, who will consider the recommendations and present them to the Chief of Police and Command Staff as appropriate.

No changes shall be made to this manual without authorization from the Chief of Police or an authorized designee.

Organizational Structure and Responsibility

201.1 PURPOSE AND SCOPE

The organizational structure of the Northglenn Police Department is designed to create an efficient means to accomplish its mission and goals, and to provide for the best possible service to the public. The purpose of this policy is to establish and communicate the organizational structure of the Northglenn Police Department.

201.2 OFFICE OF THE CHIEF OF POLICE

The Chief of Police is responsible for administering and managing the Northglenn Police Department, which includes establishing standards of service provided to the public.

The Northglenn Police Department consists of four divisions:

- Administration
- Investigations
- Patrol
- Support

It is the responsibility of the Chief of Police to assign a commander to each division, and determine the purpose of each division and their respective sections.

201.2.1 ADMINISTRATIVE DIVISION

The primary responsibility of the Administration Division Commander is to provide general management, direction, and control of the department's budget and policy manual. The Administration Division Commander manages the Professional Standards Unit and the School Resource Officer Program.

201.2.2 INVESTIGATIONS DIVISION

The primary responsibility of the Investigations Division Commander is to provide general management, direction, and control of criminal investigations. The Investigations Division Commander manages Property and Evidence.

201.2.3 PATROL DIVISION

The primary responsibility of the Patrol Division Commander is to provide general management, direction, and control of operations related to uniformed patrol. The Patrol Division Commander manages the Animal Control Unit.

201.2.4 SUPPORT DIVISION

The primary responsibility of the Support Division Commander is to provide general management, direction, and control of department training. The Support Division Commander manages the Community Relations, Police Records, Traffic, and Training Units.

Organizational Structure and Responsibility

201.2.5 ORGANIZATIONAL CHART

The Chief of Police or the authorized designee is responsible for developing and updating, at least annually, a chart showing the organizational components and functions. The chart may be attached to the Policy Manual for distribution and should be posted permanently in at least one location in the Department that is accessible to all personnel. [See attachment: Organizational Chart.pdf](#)

201.3 COMMAND PROTOCOL

201.3.1 CHAIN OF COMMAND

Whether ascending or descending the chain of command, ranks shall not be by-passed on official matters. All employees of the Northglenn Police Department shall be granted the appropriate authority to effectively execute their office and shall be held accountable for the proper exercise of their authority. Each employee shall be accountable to only one supervisor at any given time. Supervisors shall be held accountable for the proper exercise of their authority to their subordinates while remaining responsible for the performance of the employees under their immediate supervision.

The chain of command in descending order is as follows:

1. Chief of Police
2. Commander
3. Sergeant/Records Supervisor
4. Police Officer/Non-Sworn Personnel

A non-sworn employee shall not supervise a sworn employee except in situations regarding purely administrative or clerical matters.

201.3.2 SUCCESSION AND ASSUMPTION OF COMMAND AND ACTING CAPACITIES

The Chief of Police exercises command over all personnel in the Department. During planned absences the Chief of Police will designate a Division Commander to act in the place of the Chief of Police. A command staff officer will normally serve as the acting Chief of Police unless specified otherwise.

When it becomes necessary for an employee to assume command in an acting capacity, the determination as to who will assume that capacity shall be made by a supervisor.

A non-sworn employee shall not assume the capacity of a sworn employee. However, on purely administrative or clerical matters, a non-sworn employee may supervise a sworn employee. On operational matters, a sworn employee may exercise staff supervision over a non-sworn employee.

An employee in an acting capacity shall be vested with operational authority only during the term assigned. They shall not interfere with, countermand or modify any order previously issued by the supervisor for whom they act. They shall not have the authority to modify assignments, schedules,

Organizational Structure and Responsibility

days off or approval of general leave without first having sought and obtained the approval of a supervisor within his division.

Except when designated by the Chief of Police, the order of command authority in the absence or unavailability of the Chief of Police is as follows:

1. Division Commander in Order of Seniority
2. Senior Sergeant on Duty

201.3.3 UNITY OF COMMAND

The principles of unity of command ensure efficient supervision and control within the Department. Generally, each employee shall be accountable to one supervisor at any time for a given assignment or responsibility. However, this does not alleviate the supervisor's responsibility to intervene in a situation that they witness, nor does it alleviate the respect an employee should display towards a supervisor other than their immediate supervisor. Any supervisor may temporarily direct any subordinate if an operational necessity exists.

201.3.4 ORDERS

Orders from a supervisor to a subordinate shall be in clear, understandable language and issued in pursuit of departmental business. Employees shall respond to and make a good faith and reasonable effort to comply with lawful orders of superior officers and other proper authority including any order relayed from a superior by an employee of the same or lesser rank.

201.3.5 UNLAWFUL AND CONFLICTING ORDERS

No employee is required to obey any order that outwardly appears to be in direct conflict with any federal or state law, or local ordinance. If the legality of an order is in doubt, the affected employee shall ask the issuing supervisor to clarify the order or confer with a higher authority. Responsibility for refusal to obey rests with the employee, who shall subsequently be required to justify the refusal.

Unless it would jeopardize the safety of any individual, employees presented with an order that is in conflict with a previous order, department policy or other directive, shall respectfully inform the issuing supervisor of the conflict. The issuing supervisor is responsible for either resolving the conflict or clarifying that the order is intended to countermand the previous order or directive, in which case the employee is obliged to comply. Employees who are compelled to follow a conflicting order, after having given the issuing supervisor the opportunity to correct the conflict, are not held accountable for disobedience of the order or directive that was initially issued.

The employee countermanding the original order shall notify the person issuing the original order, indicating the action taken and the reason.

201.4 AUTHORITY AND RESPONSIBILITIES

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

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Organizational Structure and Responsibility

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

Administrative Communications

202.1 PURPOSE AND SCOPE

The purpose of this policy is to establish and communicate the guidelines for the issuance of Administrative communications.

202.2 PERSONNEL ORDERS

Personnel Orders should be used to document and announce all promotions, transfers or any other changes in status. Personnel Orders may be issued by the Chief of Police or the authorized designee.

202.3 CORRESPONDENCE

All official external written correspondence shall use Department letterhead. All correspondence and use of Department letterhead requires the approval of the Chief of Police. All Department letterhead shall bear the signature element of the Chief of Police. Official communication signed on the Chief's behalf shall include the name, rank and title of the individual actually signing the document.

Department letterhead may not be used for personal purposes.

Internal correspondence should use appropriate Memorandum or Action Memorandum formats. Memorandums are designed primarily to inform and secondarily to direct. However, directions cannot deviate from or conflict with established policies and procedures. Their use includes but is not limited to the following:

- Disseminate information or instructions, which do not warrant a formal order.
- Explain or clarify existing orders.
- Inform department employees of actions and policies of other agencies.

Memoranda regarding this type of information may also be issued through use of email.

An Action Memorandum may be used in the event that an employee is requesting approval or an immediate response. This memoranda shall include signature blocks for the requesting employee's chain-of-command. These may be from line employee to employee, supervisor to employee or any combination of employees.

202.4 SURVEYS

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

Emergency Management Plan

203.1 PURPOSE AND SCOPE

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

203.2 ACTIVATING THE EMERGENCY OPERATIONS PLAN

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

203.2.1 RECALL OF PERSONNEL

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

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

203.3 LOCATION OF THE EMERGENCY OPERATIONS PLAN

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

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

203.4 UPDATING THE PLAN

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

203.5 PLAN REVIEW

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

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Emergency Management Plan

203.6 PLAN TRAINING

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

Training

204.1 PURPOSE AND SCOPE

It is the policy of this department to administer a training program that will meet the standards of federal, state, local and POST training requirements. It is a priority of this department to provide continuing education and training for the professional growth and progressive development of its personnel. By doing so, the Department will ensure its personnel possess the knowledge and skills necessary to provide a professional level of service that meets the needs of the public.

204.1.1 PRE-APPOINTMENT TRAINING

This department requires all candidates for employment as officers to complete an approved Colorado basic academy pursuant to CRS § 24-31-305 before performing duties of a certified peace officer, as defined by CRS § 16-2.5-102. Officers may alternatively obtain a provisional certificate prior to appointment or otherwise meet the training and certification standards within the parameters, extensions and exceptions set by POST (CRS § 24-31-308 and CRS § 30-10-501.6 (1)).

204.2 PHILOSOPHY

The Department seeks to provide ongoing training and encourages all personnel to participate in advanced training and formal education on a continual basis. Training is provided within the confines of funding, requirements of a given assignment, staffing levels and legal mandates. Whenever reasonably possible, the Department will use courses certified by the Colorado POST Board or other regulatory or nationally recognized entities.

204.3 OBJECTIVES

The objectives of the training program are to:

- (a) Enhance the level of law enforcement service to the public.
- (b) Increase the technical expertise and overall effectiveness of Department personnel.
- (c) Provide for continued professional development of Department personnel.
- (d) Assist in compliance with statutory requirements.

204.4 TRAINING PLAN

It is the responsibility of the Training Sergeant to develop, review, update and maintain a training plan and to ensure that mandated basic, in-service and department-required training is completed by all employees. The plan shall include a systematic and detailed method for recording and logging of all training for all personnel. While updates and revisions may be made to any portion of the training plan at any time it is deemed necessary, the Training Sergeant shall review the entire training plan on an annual basis. The plan will include information on curriculum, training material, training facilities, course and student scheduling. The plan will address the state-required, minimum-mandated training of certified officers or hiring of civilian employees.

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Training

Training listed may be provided in basic training programs. The Training Sergeant is responsible for ensuring members of the Department have been trained as required.

204.4.1 MANDATED TRAINING

- (a) Federally mandated training:
 - 1. National Incident Management System (NIMS) training (once depending upon position and rank).
- (b) State-mandated training:
 - 1. DNA evidence collection (CRS § 24-31-311) (once).
 - 2. Racial profiling (CRS § 24-31-309) (once).
 - 3. Basic CPR/First aid.
 - 4. Annual completion of any additional training required by POST.
- (c) Department-mandated training:
 - 1. Emergency Operations Plan (supervisors every two years).
 - 2. CPR/First aid refresher (every two years).
 - 3. Pursuit driving (all certified employees yearly).
 - 4. Firearms training (all certified employees three times a year).
 - 5. Defensive tactics (all certified employees yearly).
 - 6. Use of force policies (all certified employees review yearly).
 - 7. Search, seizure and arrest (all certified employees yearly).
 - 8. Use of body armor (all certified employees every two years).
 - 9. Ethics (all certified employees every three years).

204.5 TRAINING NEEDS ASSESSMENT

The Training Unit will conduct an annual training needs assessment and complete a report of the training needs assessment, including recommendations from the Training Committee. The training needs assessment report will be provided to the Chief of Police and staff and the Training Review Board. Upon review and approval by the Chief of Police, the needs assessment will form the basis for the training plan for the following fiscal year.

204.6 TRAINING COMMITTEE

The Administrative Commander may establish a Training Committee, which will serve to assist with identifying training needs for the Department.

The Training Committee shall be comprised of at least three members, with the senior ranking member of the committee acting as the chairperson. Members should be selected based on their

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abilities at post-incident evaluation and at assessing related training needs. The Administrative Commander may remove or replace members of the committee at his/her discretion.

The Training Committee should review certain incidents to determine whether training would likely improve future outcomes or reduce or prevent the recurrence of the undesirable issues related to the incident. Specific incidents the Training Review Board may review include, but are not limited to:

- (a) Any incident involving the death or serious injury of an employee.
- (b) Incidents involving a high risk of death, serious injury or civil liability.
- (c) Incidents identified by a supervisor as appropriate to review to identify possible training needs.

The Training Committee should convene on a regular basis as determined by the Chief of Police or the authorized designee to review the identified incidents. The committee shall determine by consensus whether a training need exists and then submit written recommendations of its findings to the Training Sergeant. The recommendation should not identify specific facts of any incidents, such as identities of employees involved or the date, time and location of the incident, but should focus on the type of training being recommended.

The Training Sergeant will consider the recommendations of the committee and determine what training should be addressed, taking into consideration the mission of the Department and available resources.

204.7 TRAINING PROCEDURES

- (a) All employees assigned to attend training shall attend as scheduled unless previously excused by their immediate supervisor. Excused absences from mandatory training should be limited to the following:
 - 1. Court appearances.
 - 2. First choice vacation.
 - 3. Illness.
 - 4. Physical limitations preventing the employee's participation.
 - 5. Emergency situations.
- (b) When an employee is unable to attend mandatory training, that employee shall:
 - 1. Notify his/her supervisor as soon as possible but no later than one hour prior to the start of training.
 - 2. Document his/her absence in an email to his/her supervisor.
 - 3. Make arrangements through his/her supervisor and the Training Sergeant to attend the required training on an alternate date.

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204.8 DAILY TRAINING BULLETINS

The Lexipol Daily Training Bulletins (DTBs) are contained in a web-accessed system that provides training on the Northglenn Police Department Policy Manual and other important topics. Generally, one training bulletin is available for each day of the month. However, the number of DTBs may be adjusted by the Training Sergeant.

Personnel assigned to participate in DTBs shall only use login credentials assigned to them by the Training Sergeant. Personnel should not share their password with others and should frequently change their password to protect the security of the system. After each session, employees should log off the system to prevent unauthorized access. The content of the DTBs is copyrighted material and shall not be shared with others outside of the Department.

Employees who are assigned to participate in the DTB program should complete each DTB at the beginning of their shift or as otherwise directed by their supervisor. Employees should not allow uncompleted DTBs to build up over time. Personnel may be required to complete DTBs missed during extended absences (e.g., vacation, medical leave) upon returning to duty. Although the DTB system can be accessed from any Internet active computer, employees shall only take DTBs as part of their on-duty assignment, unless directed otherwise by a supervisor.

Supervisors will be responsible for monitoring the progress of personnel under their command to ensure compliance with this policy.

204.9 TRAINING RECORDS

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

204.10 FIELD TRAINING PROGRAM

The Field Training Sergeant and the Training Sergeant shall establish a field training program for recruit police officers that is of sufficient duration to provide for the adequate orientation and training of the new peace officer in the lawful operations of the Department. The program shall establish procedures for the selection, appointment and training of Field Training Officers (FTO) and supervisors, the daily evaluation of recruits participating in the program and the rotation of FTO personnel to provide for the objective evaluation of recruit performance.

Electronic Mail

205.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the proper use and application of the electronic mail (e-mail) system provided by the Department. E-mail is a communication tool available to employees to enhance efficiency in the performance of job duties. It is to be used in accordance with generally accepted business practices and current law. Each USER shall use the e-mail account in an appropriate manner. Limited, occasional or incidental use of the e-mail account for personal, non-business use is permitted. E-mail Administrators shall not access, read, print or review the email accounts of any USER without the authorization from Human Resources or the City Manager except in the course of problem resolution to maintain system integrity.

205.2 E-MAIL RIGHT OF PRIVACY

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

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

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

205.3 PROHIBITED USE OF E-MAIL

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

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

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

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205.4 MANAGEMENT OF E-MAIL

Because the end user e-mail system is not designed for, nor does it support, long-term retention and archiving of messages, e-mail that an employee desires to save or that requires retention because it has significant administrative, fiscal, legal or historical value should be printed and/or stored in another database designed for long-term storage and retrieval. Users of email are solely responsible for the management of their mailboxes.

205.5 E-MAIL RECORD MANAGEMENT

E-mail may, depending upon the individual content, be a record under the Colorado Open Records Act and must be managed in accordance with the organization's adopted records retention, archiving and destruction policy in compliance with state law (CRS § 24-72-201 to 24-72-309).

Chapter 3 - General Operations

Standards of Conduct

300.1 PURPOSE AND SCOPE

The purpose of this policy is to establish and communicate the standards of conduct expected of employees regarding behavior and work productivity.

The continued employment of every employee of the Northglenn Police Department shall be based on conduct that reasonably conforms to the standards found within this policy. Failure by any employee to conform to the standards set forth in this policy, whether on- or off-duty, may be cause for corrective action.

An employee's off-duty conduct shall be governed by this policy to the extent that it is related to acts that may materially affect the employee's ability to perform official duties, that may indicate a lack of fitness for duty, or that brings or may bring discredit or harm to the professional image or reputation of the department, its employees, the City or the law enforcement profession.

This policy applies to all employees of the Northglenn Police Department. Employees who do not understand a standard's meaning or intent are responsible for contacting a supervisor for clarification. It will not be an acceptable defense to claim ignorance about a standard once it has been made known to department employees. Employees will bear the burden of establishing that they made a reasonable effort to know all policies and standards of conduct if they expect to claim a lack of knowledge as a mitigating factor in addressing any corrective action taken against them.

This policy contains many examples to assist employees with understanding and following the department's standards of conduct. The standards contained in this policy are not intended to be an exhaustive list of prohibitions and requirements, but they do identify and address many of the important matters concerning employee conduct. It is imperative employees take the time to study this policy in order to grasp the conceptual, explicit, intended, and literal meaning of the department's standards of conduct, and interpret them uniformly.

300.2 DEFINITIONS

Corrective Action: Any action taken to address, change or prevent an employee's unacceptable conduct or performance.

Ordinary Common Sense: That level of knowledge that a common person with average capabilities and life experiences possesses.

Progressive Discipline: The process of imposing increasingly severe discipline to address, change or prevent an employee's unacceptable conduct or performance.

Substantial Evidence: Any evidence presented during an administrative review or Internal Affairs investigation that would lead a reasonable person to believe that the allegation is true.

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300.3 AIDING OTHER LAW ENFORCEMENT OFFICERS

Employees shall, during work hours, come to the aid of another employee when a legitimate request or need is made known or should have been known.

Business Necessity

The nature of law enforcement work frequently requires the assistance and support of other employees. Knowing support will be rendered in a time of need promotes and maintains morale and a sense of well-being among all employees, and advances our mission, goals, and objectives.

Nonexclusive List of Non-Violations

- Avoiding response to a request for assistance when already committed to a higher work priority. *(Responding to emergencies or ensuring an employee's safety always has the highest work priority.)*
- Being ill or injured to such an extent that assistance would be impossible or impractical.
- Not assisting another when others who are more capable of providing the assistance required are available and respond properly. *(Employees are responsible for the consequences of failing to assist another should their judgment in these situations be found in error.)*
- Not responding to a call for assistance if response would create an unreasonable safety hazard for which the employee has not been adequately trained. *(Employees are considered to be adequately trained when others in their job categories perform successfully with or without training.)*
- Not responding to situations in which a request for assistance is not made and it is reasonable to believe assistance is not necessary.
- Refusing to assist another in what would amount to a violation of law.

Nonexclusive List of Violations

- Establishing a pattern of being habitually unavailable to assist others.
- Failing to self-initiate an immediate and appropriate response in an emergency situation or waiting to be directed to do so by a supervisor.
- Habitually letting others take the lead in difficult, injurious, dangerous or potentially dangerous situations.
- Offering assistance, and then malingering by waiting around to be directed what to do while others did the work.

Enforcement Guidelines

Corrective action, including progressive discipline up to and including termination.

Standards of Conduct

300.4 ALCOHOL USE AND RELATED CONDUCT

Employees shall not possess or consume alcoholic beverages during working hours. No employee shall consume alcoholic beverages in proximate time to their reporting time for duty or report to duty with evidence of having consumed an alcoholic beverage.

Business Necessity

Law enforcement depends on the employee's ability to evaluate situations and make judgments that often affect public confidence and safety, therefore it is critical that judgments be as unimpaired as practicable. The effects of alcoholic beverages interfere with this decision-making ability.

Nonexclusive List of Non-Violations

- Consumption during non-work hours while not wearing identifiable uniform or equipment.
- Lawful possession because of duty necessity.
- Non-uniformed assignments where alcoholic consumption is necessary to facilitate a job duty.
- Social events when no reasonable expectations of assuming business duties exist, and the purpose is to establish work contacts or promote public relations such as social events or gatherings.

Nonexclusive List of Violations

- Any consumption while on- or off-duty while in an identifiable uniform or partial uniform.
- Consuming alcohol during assignments or authorized social events.
- Consuming alcohol while off-duty and on work standby and, if called out, not being able to report to duty without violating this standard.
- Reporting to or remaining on duty with the smell of an alcoholic beverage on one's breath or emitting erratic behavior that would indicate the employee was under the influence of an alcoholic beverage. This includes behavior that reflects previous consumption that may interfere with the employee's abilities.

Enforcement Guidelines

Corrective action, including progressive discipline up to and including termination.

In situations which the employee claims to be an alcoholic, a case-by-case investigation will be conducted to determine if substantial evidence exists to support the claim. Provided the employee's actions did not create or cause severe safety risks or damages to our public's trust, and provided the employee is an otherwise productive employee without other disciplinary problems, the employee may qualify for remedial corrective action.

Standards of Conduct

300.5 COMMITTING OR CONDONING ILLEGAL OR FORBIDDEN HARASSMENT

Illegal or forbidden harassment of another based on age, disability, ethnicity, gender, national origin, race, religion, or sexual orientation is prohibited as a basis for conduct, behavior or decisions affecting another employee's or potential employee's terms or conditions of employment. Employees shall not use age, disability, ethnicity, gender, national origin, race, religion, or sexual orientation in their actions, behaviors, conducts, gestures, or words that could reasonably be construed or perceived by another employee or potential employee as hostile, offensive or intimidating.

Business Necessity

It is management's right and responsibility to prohibit employee behavior that has the potential to cause employer liability, or disruption in the work force or to subject the organization, or others, to civil liability for violations of an employee's civil rights. Harassment in any form is a serious violation of another's civil rights. Courts hold employers and employees highly accountable and liable for conduct in this area.

Nonexclusive List of Non-Violations

- Language (not slang) in reports or other communications that provides standard descriptions of others such as witnesses, suspects, and victims.
- The telling of stories or jokes that do not have an illegal basis such as age, disability, ethnicity, gender, national origin, race, religion, or sexual orientation.

Nonexclusive List of Violations

- A supervisor denying or granting an employee with whom they currently have or have had a personal relationship an atypical amount of preferential job assignments or work conditions.
- An employee observing or condoning, through actions or inactions, prohibited harassment by failing to properly report it to designated management authorities. This is particularly serious if a supervisor is found in violation.
- Continually asking an employee for dates once that employee has expressed no interest in starting or continuing a personal relationship.
- Failing to or inability to demonstrate positive efforts to get along with an employee of different age, disability, ethnicity, gender, national origin, race, religion, or sexual orientation; or refusing to work with such persons because of these reasons.
- Making slurs or jokes based on age, disability, ethnicity, gender, national origin, race, religion, or sexual orientation to or about employees.
- Posting derogatory graffiti, cartoons, or script on bulletin boards, chalkboards, walls, locker rooms, or in vehicles or failing to remove or arrange for the removal of such prohibited graffiti, cartoons, script or illustrations.
- Threatening or intimidating a subordinate employee on- or off-duty at any time for any purpose.

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Enforcement Guidelines

Corrective action, including progressive discipline up to and including termination.

300.6 COMMITTING UNSAFE ACTS OR ENDANGERING SELF OR OTHERS

Employees shall not unlawfully commit acts or behave in such a manner that has the potential for endangering or injuring themselves, property or another person.

Business Necessity

Due to the level of public trust and the nature of the equipment and environments involved, safe behavior in law enforcement is paramount. Unsafe behavior or unsafe use and handling of equipment significantly increase the risk of injuries and exposure of the department and the City to potential liability.

Nonexclusive List of Non-Violations

- Assigning an employee to a task for which they have received reasonable training or assigning equipment to use that is considered adequate under a reasonable standards rule is not a violation of this standard.

Nonexclusive List of Violations

- Allowing untrained or inexperienced employees or civilians to use equipment that has the potential of being damaged or injuring any person.
- Continuing an activity once conditions create an unreasonable safety hazard.
- Exhibiting behaviors regulated or prohibited by specific guidelines, policies, procedures and practices that are designed to prohibit unnecessary risk to all persons' safety.
- Failing or refusing to wear a seat belt properly or any other protective or safety equipment.
- Failing to drive defensively resulting in a chargeable motor vehicle accident, or nearly causing a motor vehicle accident or resulting in a chargeable complaint.
- Failing to keep aware of and attending to events and circumstances ongoing during work hours that have reasonable expectation of causing a safety concern for others or self.
- Failing to provide information or withholding information that creates a personal hazard.
- Failing to report damaged or broken equipment that has the probability of creating a safety hazard.
- Horseplay or pranks that create injury or the probability of injury.
- Leaving security doors open, ajar, or defeating the locking mechanism.
- Leaving unsecured or improperly stored equipment, causing a potential safety hazard.

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- Mishandling of equipment which results in or creates a potential safety or health risk.
- Placing another employee or person at risk to being injured or subject to an unnecessary safety or health hazard.
- Tampering with equipment making it unsafe.
- Unauthorized or unnecessary divulging of information that creates a safety risk for another.
- Unauthorized possession or handling of dangerous or explosive devices
- Using equipment for purposes not specifically designed.

Enforcement Guidelines

Corrective action, including progressive discipline up to and including termination.

300.7 COMPETENT PERFORMANCE

Employees shall perform competently all assigned or assumed job responsibilities, duties and tasks.

Business Necessity

In law enforcement where much of the work effort involves citizens' liberties, physical safety, and expenditures of public resources, incompetent performance cannot be tolerated. When incompetent performance is discovered, its source must be dealt with effectively and efficiently. When this potential occurs, we run the risk of incurring severe criticism, the loss of public trust, and exposure to potential liability.

Employees are hired to achieve results, and if an employee brings about an acceptable performance result, they have displayed the ability to apply their combination of knowledge, skill, and abilities within the context of the situation. Knowledge, skill, and abilities are useless to the organization if the employee is unable to apply them in a productive manner.

Nonexclusive List of Non-Violations

- An employee who asks questions and is not able to perform a task competently because they have not had the training or experience available to the typical successful performer who performs similar tasks is not violating this standard.
- An employee whose performance drops for a short period of time because of personal problems provided the employee recovers in a reasonable period of time.

Nonexclusive List of Violations

Performance failures that are caused by the employee's lack of willingness to perform properly are acts of insubordination.

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- A supervisor fails to correct a subordinate's infraction when such infraction is first made known or when the supervisor could have been reasonably expected to be aware of the problem.
- Accepting or reporting information related to duties as true or factual without taking reasonable steps to verify the correctness and accuracy of the information.
- An employee has to be repeatedly told how to do the routine tasks of the job.
- Consistently displaying the inability to comprehend or understand supervisory instructions, explanations, or directions for work performance through normal communication channels.
- Consistently failing to enter accurate report data on reports or into information storage files.
- Consistently failing to pass regular qualifying exams or tests within the established time periods.
- Consistently failing to produce a fair share of the work unit's productivity. Fair share is defined as that level of productivity for any unit of measure that is within 20% of any other employee's productive output for the work unit.
- Consistently failing to respond to calls in a normal and timely manner.
- Failing to conduct a performance evaluation according to procedure.
- Failing to control temper or composure or overreacting to another's verbal comments or physical gestures.
- Failing to satisfy performance standards on any assigned or assumed duty or task after receiving comparable training and experience as the typical member.
- Habitually making the same types of mistakes and being defensive about accepting constructive criticism.
- Repeated failure to complete reports when necessary information is available after receiving notice to correct.
- Taking frustrations out on others or failing to prevent such frustrations that lead to injury or damage to persons or property.

Enforcement Guidelines

Corrective action, including progressive discipline up to and including termination.

300.8 CONFLICTS OF INTEREST

Employees shall not create conflicts of interest or potential conflicts of interest with the duties and obligations of their positions.

Business Necessity

Law enforcement requires that employees do not compromise the authority, integrity, trust or confidence inherent in their positions.

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Police employees have easy and often uncensored and unquestioned access to people, information, resources and positions of trust not easily available to the general citizen. This “freedom of office” must be governed and controlled if the public trust is to be preserved. Failure to do so will severely restrict our ability to provide services in an effective and efficient manner.

Nonexclusive List of Non-Violations

Refusal to follow management’s request to discontinue a conflict of interest situation is not a violation of this standard; these incidents are acts of insubordination.

- Authorized off-duty employment that does not have a reasonable potential of interfering with work schedules, performance of job tasks, or our mission, goals and objectives.
- Freedom of speech and associated issues provided the exercise of such rights does not substantially interfere with our ability to provide our services to the community in an efficient, effective and safe manner.
- Local emergency calls regarding illness or injury to family members or calls for similar reasons are permitted provided the employee’s use does not show a pattern of abuse or interfere with work functions.
- Making an occasional local area call on business telephones for essential personal business during lunch or “break” periods, provided the employee’s use does not show a pattern of abuse or interfere with another employee’s work efforts.
- Responding to an unexpected emergency, while on duty, of a personal nature that requires immediate action (e.g., sudden illness or injury to a family member, plumbing leak at home) if the supervisor verifies and approves the necessity and another employee’s safety is not an issue.
- The right to associate with any person whose reputation, criminal history, moral character, or vested interest is not in conflict with our goals, objectives, ethics, or mission.
- The right to join any group or association that does not have as its political doctrine the unlawful overthrow of the United States government or does not advocate unlawful criminal or civil actions against any individual or social group.
- The right to vote in public elections, primaries, referendums, levees and the like.

Nonexclusive List of Violations

- Accepting gratuities from any business or person, especially when the giver has a personal service to gain from providing the gratuities or where there is the potential for gaining a personal service.
- Accepting money or favors from prisoners or persons in conflict with the law.
- Engaging in an illegal work slow-down, sit-down, or strike.
- Engaging in behavior that has the effect of creating discord or lack of cooperation between employees.

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- Failing to perform a duty because of personal interests.
- “Fixing” or attempting to have “fixed” a traffic citation or warrant that otherwise is in compliance with policies or enforcement priorities.
- Giving out unauthorized information to any person.
- Having a substantial interest in a business that conducts business with this department.
- Incurring financial liability or obligations for the department without job authority or written permission to do so.
- Incurring financial obligations between a supervisor and a subordinate if the subordinate attempts to use such circumstances to gain special favors.
- Owning a business in whole or part that provides a service or product that conflicts with or jeopardizes our mission, goals or objectives.
- Performing a secondary job or private work while on duty such as making business contacts, conducting follow-ups on outside work, delivering correspondence, selling, or using computer equipment for personal use.
- Posting, removing or altering notices on any bulletin board or document distributed to the employees without permission of management.
- Producing substandard performance while holding a secondary job thus giving substantial evidence that the secondary job is a conflict of interest in part or in whole.
- Providing a secondary employer or members of a secondary employer with special governmental services or treatment.
- Purchasing from or for a prisoner or giving or accepting gifts from or for a prisoner.
- Recommending the private or professional services of an attorney, bondsman, tow truck driver, hospital, doctor, architect, engineer, contractor, builder, and the like to a citizen, victim or prisoner.
- Releasing or providing access to administrative or public information or documents or records without complying with established administrative procedures or laws governing the proper release or controlled release of such information.
- Selling games of chance without managerial approval.
- Soliciting for any cause or distributing literature during working time or in working areas.
- Soliciting for any purpose on public premises without proper authorization.
- Soliciting or accepting rewards for performance of service.
- Supervisors through their actions or inactions encourage employees not to fully comply with management’s legitimate and lawful directives.

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- Using equipment or property for personal profit.
- Using information gained from professional duties for personal gain.
- Using membership as a means to gain entrance into places of amusement, for free meals, drinks, or other gratuities.
- Working for an individual or establishment that has a reputation for violence, crime, vice, illegal drug trafficking, etc.

Enforcement Guidelines

Corrective action, including progressive discipline up to and including termination.

300.9 COOPERATION WITH EMPLOYEES AND OTHER OFFICIALS

Employees are required to seek affirmatively ways to cooperate and work with other employees, other public officials, and members of any organization with whom their needs to be a good working relationship in order to achieve our mission, goals or objectives.

Business Necessity

The need to work in a cooperative manner with employees of other agencies or public officials is self-evident. In today's society, the effective, efficient and safe delivery of public services requires a coordinated effort of all employees and public service agencies.

Nonexclusive List of Non-Violations

- Employees are not required to compromise professional integrity to gain the cooperation of another individual or organization.
- Directing requests through the established chain of command when their approvals are necessary.

Nonexclusive List of Violations

- Failing to seek affirmative ways to establish a friendly working relationship or share work-related information with another employee, division, section work unit or other agency and its members when it is found that such failure resulted in ineffective, inefficient, or unsafe performance of any employee's duties and responsibilities, or another agency's duties and responsibilities.
- Refusing to turn over a case, investigation or incident to another employee or authority that has greater or more appropriate jurisdiction.
- Threatening, intimidating, coercing or interfering with the work performance of another or another agency.

Enforcement Guidelines

Corrective action, including progressive discipline up to and including termination.

Standards of Conduct

300.10 COURTEOUS AND RESPECTFUL BEHAVIOR TOWARD POSITIONS OF AUTHORITY

Employees shall display courtesy and respect in actions, deeds, gestures, and words toward personnel holding higher levels of authority.

Business Necessity

The purpose of supervisory positions is to ensure that the mission, goals, and directives are carried out in an efficient, effective, and safe manner as well as to provide accountability for the performance of the work unit.

Management requires subordinates to display respect and courtesy to higher positions because it provides a sense of order as well as serves as a tangible indication that subordinates are willing to subordinate personal priorities, goals, and objectives to the organization's needs.

Displaying respect and courtesy to a supervisor is a reasonable assessment of the employee's capabilities to set aside personal feelings and priorities when dealing with citizens.

Nonexclusive List of Non-violations

- Contacting a federal, state, or local civil rights commission to report a legitimate violation of civil rights without first going through management personnel.
- Going over a supervisor's head when the supervisor is the problem or part of the problem, particularly in cases of harassment, provided the employee follows established procedures to bring a problem to the attention of other management personnel.
- Merely asking questions concerning a supervisor's directions are not a violation; however, consistently challenging legitimate directions does display disrespect for authority.

Nonexclusive List of Violations

- After being instructed to do so, not addressing a superior-ranked employee by their title, particularly while in public.
- Displaying negative attitude in the form of verbal tone, which would be considered offensive or disrespectful.
- Failing to follow the designated chain of command to achieve work goals, objectives, mission, or otherwise resolve individual work-related differences (*Does not apply when the person in the employee's chain-of-command is violating the employee's employment rights*).
- Failing to keep a supervisor in authority informed of pertinent information that affects or has the probability of affecting the effectiveness, efficiency or safety of the work unit.
- Threatening or intimidating a superior-positioned employee on- or off-duty at any time for any purpose.

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- Using abusive language or gestures at, toward, or about a superior-ranked employee. This is particularly serious if committed in the presence of other employees or made known to other employees or members of the public.

Enforcement Guidelines

Corrective action, including progressive discipline up to and including termination.

300.11 DISCRIMINATING OR ESTABLISHING PATTERNS OF DISCRIMINATION

Discriminating through performance of jobs, tasks and in delivery of services or establishing a pattern of adverse impact in the delivery of services when such discrimination is based on a person's age, disability, ethnicity, gender, national origin, race, religion, or sexual orientation.

Business Necessity

Law enforcement officers must strive to maintain neutrality in the performance of tasks and delivery of services to all persons regardless of their personal characteristics, life styles, social status or work conditions. Discrimination in services or treatment creates a serious threat to the well being of all and unnecessarily exposes our department to potential liability.

Nonexclusive List of Non-Violations

- Concentrating enforcement efforts or conducting selective enforcement programs for specific violations of codes or ordinances.
- Denying service to any person who has not qualified for the service such as failing to follow prescribed procedures for obtaining the service or failing to pay the required fees for a service charge and the like.
- Lawfully conducting a detention interview with a person closely fitting the physical characteristics of a suspect.

Nonexclusive List of Violations

- Disproportionally enforcing codes and laws against specific demographic groups or individuals.
- Failing to service selected neighborhoods in proportion to their demonstrated needs.

Enforcement Guidelines

Corrective action, including progressive discipline up to and including termination. Seriously damaging public trust and confidence will result in termination.

300.12 DISHONESTY OR UNTRUTHFULNESS

Employees shall not lie, give misleading information or half-truths, or falsify written or verbal communications in official reports or in their statements or actions with supervisors, another person, or organization when it is reasonable to expect that such information may be relied upon because of the employee's position or affiliation with this department.

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Business Necessity

Law enforcement is based on public trust and confidence. Performance standards in this area are much higher for public employees than the ordinary citizen. History has shown that having lost trust in one's public employees, the public is quick to react, often resulting in reductions in operating budgets, establishment of external review boards, replacement of officials, and in some cases abolishment of the department.

Nonexclusive List of Non-Violations

- Filing information that proves to be wrong when the employee can provide substantial evidence that they had no intent to be in error.
- Minor omissions or errors on reports or cases that have no significant impact on outcome and when the employee has not been working with or has not worked with such reports or cases for a long period of time.
- Using legitimate interrogation or investigation techniques to solicit information from a criminal suspect.

Nonexclusive List of Violations

- Conducting a performance evaluation in a manner that does not comply with the policies governing performance evaluations or does not comply with the spirit or intent of the evaluation process.
- Covering up or purposefully failing to report violations of directives.
- Failing to conduct a professional investigation and, because of it, allowing an innocent person to be prosecuted.
- Falsifying an activity report, attendance record, certification record, general leave report, job application, public document, and the like.
- Falsifying any report in part or whole, or failing to provide a complete and accurate report or account when it is evident to a reasonable and prudent person that a complete report would lead to a different conclusion.
- Giving or receiving money, services or other valuable considerations in exchange for special treatment.
- Giving untruthful or misleading statements or partial truths during a legal proceeding, internal investigation, or administrative proceeding.
- Improperly influencing or interfering with another's appointment, promotion, merit, assignments, working conditions and the like.
- Making untruthful or misleading statements or partial truths about any employee, supervisor, command staff or their operations.
- Providing citizens with misleading or false information to avoid performance of duties or delivery of an expected service.
- Requesting others to change or withdraw a report or notice without proper cause, or causing the delay of any official communications.

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Termination.

300.13 EXERCISING COMMON SENSE AND AFFIRMATIVELY PROMOTING THE ORGANIZATION'S VALUES

Employees shall exercise ordinary common sense and strive to find ways in every contact to promote the organization's values as expressed in its code of ethics, mission statement, standards of conduct, and other lawful directives and legitimate expectations.

Business Necessity

Employees shall accept full responsibility for their attitudes and the results of their conduct on- or off-duty. Attitudes and conduct that may not be considered wrong in private employment could be wrong in the public sector because of the need to gain and maintain the public's trust.

Historically, citizens are quick to criticize public servants and expect them to exercise common sense and judgment in their actions. Those who wish to hold the honor of a public position and enjoy the privileges of public trust have a responsibility to conduct themselves on- or off-duty in a manner that does not bring the department's public image or trust into question.

Nonexclusive Listing of Non-Violations

- Conduct during off-duty hours when the employee is not identified as an employee.
- Conduct during off-duty hours when the employee does not bring disrepute on our public image.
- Off-duty conduct or behavior (non-criminal in nature) that has no impact or probable impact on effective, efficient or safe operations. On-duty conduct or work behavior that is questioned by a citizen and through a fact finding effort or formal investigation can be honestly explained and justified by the demands of the situation existing at the time.

Nonexclusive List of Violations

- Consistent complaining from an employee's neighbors regarding the employee's violations of law.
- Controversial conduct displayed on- or off-duty that brings public criticism and causes management or supervisory personnel to formally investigate or respond to the criticism.
- Failing to properly identify oneself, such as giving a name, identification number, or badge number, to any person legitimately requesting it.
- Failing to treat members of the public with courtesy and respect.
- Failing to wear a designated uniform or present a neat, tasteful appearance and to be suitably attired and groomed during working hours or when representing our organization.

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- False or malicious criticisms of operations when such action damages the public's trust without providing substantial evidence that such action were of public concern.
- Loud or crude language made to or about another employee or a member of the public.
- Smoking or chewing smokeless tobacco while meeting the general public, while in nonsmoking areas, public buildings, operating or riding in public vehicles.

Enforcement Guidelines

Corrective action, including progressive discipline up to and including termination.

300.14 GIVING A FULL DAY'S WORK FOR A FULL DAY'S PAY

Employees shall give a full day's work for a full day's pay and not establish patterns of nonproductive work time.

Business Necessity

Although police work is typically reactive, a large portion of non-responsive work time can be spent performing self-initiated work. It is during self-initiated work periods that the preventive and deterrent nature of protective services is achieved and provides the greatest opportunities to effectively and efficiently deliver services.

The concept of a full day's work for a full day's pay does not mean employees are expected to have identical levels of work from one day to the next. However, work patterns do exist; and an analysis of data on a monthly, quarterly, semiannual, or annual period provides a descriptive picture of the amount and type of work that can be reasonably expected from employees who are truly giving a full effort.

Nonexclusive List of Non-Violations

- Employees given compensated time for the interruption of time off for such things as testifying in court or coming to work early are not violating this standard.
- Low or short-term productivity when atypical work conditions or situations exist; for example, a "bad" day or possibly a "down" week, in some cases, even a "low month."
- Short-term situations, not exceeding 30–45 days, where the employee has undergone a traumatic personal event, such as death in the family, divorce, severe injury on the job or involvement in taking a life.

Nonexclusive List of Violations

- An analysis of an employee's work record shows an established pattern of work productivity or non-productivity that is consistently associated with specific periods of time.
- Coding out of a restaurant from a routine break and failing to immediately resume normal duties.

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- Consistently taking a longer than normal time on a task or job assignment, which results in others having to handle the extra work load. This is substantial evidence that the employee is intentionally taking longer to complete a task in order to avoid carrying their fair share of the work load.
- Employee consistently fails to self-initiate designed priority work during time not committed to demand tasks, such as dispatched calls or supervisory requests for work.
- Non-productivity work period grouped around pay days; the last day of the work week; the first day back from weekly time off; days proceeding, following or in between holidays.
- Parking or hiding in out-of-the-way locations when not on declared surveillance.
- Productivity patterns that are grouped around the first hours of work, and the rest of the shift shows significant declines in work output.
- Spending an atypical amount of time in the station, leaving field work for others to do.

Enforcement Guidelines

Corrective action, including progressive discipline up to and including termination.

300.15 INSUBORDINATION

Employees shall comply with lawful verbal and written directives, duties, policies, practices, procedures, and rules from any supervisor or person in a position of authority absent a reasonable and bona fide justification.

Business Necessity

Employment is a mutual exchange of interests and benefits between management and its employees. In exchange for the privilege of employment and paid compensation, management has the right to expect employees to willfully perform the duties and tasks of their positions or any other task lawfully assigned, and obey operational directives and the orders of the organization's supervisors. When disagreements between management and employees occur, management has the right to expect employees to follow the accepted labor principle of "obey now and grieve later."

Insubordination and insubordinate behavior are very serious offenses. If insubordination is allowed to go unchecked, management loses control and authority over its work force.

Nonexclusive List of Non-Violations

- Leaving an assigned area in situations where duty requires it and a reasonable effort to contact the supervisor has failed.
- Refusing to obey unlawful directives. *(A mere belief that a directive is unlawful will not protect an employee's job if such belief is deemed unreasonable, unsubstantiated or unfounded in a subsequent hearing.)*

Nonexclusive List of Violations

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- Being absent without leave (AWOL) for a scheduled reporting time or from an assigned duty.
- Deliberately defying management's legitimate exercise of its rights.
- Inciting employees to react negatively to a lawful management directive, or criticizing management decisions creating a substantial risk of disrupting the work of another or affecting another's morale.
- Leaving an assignment or assigned duty area without permission of the supervisor in charge.
- Refusing to accept, directly or constructively, management's lawful directives or decisions.
- Refusing to cooperate fully in a complaint or administrative investigation.
- Refusing to follow the requirements for the use of light duty or general leave.
- Refusing to perform assigned work duties or tasks for the position being held.
- Refusing to report to a place of duty at the designated time and location.
- Refusing to sign a required document.
- Refusing to submit to a lawful examination of body fluids or a chemical test when lawfully directed to do so.
- Refusing to subordinate personal preferences to a supervisor's lawful directives or work instructions.
- Refusing to turn in a report as specifically directed to do so by a directive or the verbal request of a supervisor.
- Refusing to work reasonable amounts of overtime or refusing to work overtime in an emergency situation.
- Repeatedly being unable to be contacted for call-out when given standby notice.
- "Working to Rule" or using the tactic of habitually asking for specific clarification of rules or directives that have the effect of slowing down work or frustrating supervisors or other members of the work unit.

Enforcement Guidelines

Progressive discipline, beginning with a letter of reprimand, up to termination.

300.16 KNOWING, OBSERVING AND OBEYING ALL DIRECTIVES, EXPECTATIONS

Employees shall make affirmative and consistent efforts to observe and comply with the lawful directives and expectations such as work rules, policies, procedures, practices, and traditions, which are established for the effective, efficient, and safe operations.

The term "affirmative effort" means to self-initiate acceptable ways to comply with a lawful directive. The employee is expected to actively seek and find proper ways to comply with a directive and not dwell on reasons why the directive should not or cannot be performed.

Standards of Conduct

Business Necessity

Directives are management's fundamental tools to achieve work efficiency, effectiveness and safety in day-to-day operations and decision making. The purpose of directives is not to boss employees around, but to instruct them in their jobs to ensure that their duties and responsibilities are properly achieved.

Nonexclusive List of Non-Violations

- There are no exemptions.

Nonexclusive List of Violations

- Consistently failing to know information in operational manuals, files, and directives. Being the employee who consistently gives the excuse, "I did not know it or see it," when no such problem exists for other employees.
- Habitually challenging policies, procedures, or practices without providing objective and documented facts in written form to support justification for such challenges.

Enforcement Guidelines

Corrective action, including progressive discipline up to and including termination.

300.17 MAINTAINING AN ACCEPTABLE ATTENDANCE AND AVAILABILITY FOR WORK

Employees shall not establish patterns of absenteeism, or be unnecessarily absent or unavailable for work. Establishing a pattern of absenteeism is a violation regardless of whether any part of the absenteeism within the pattern has been approved by management.

Business Necessity

Law enforcement requires a team effort, and each employee plays an important role as a team member. A basic tenant of the employee–employer relationship is that employees will come to work regularly and predictably and attend to work while on duty. The nature of police work requires a cadre of workers capable and ready to handle any established or expected service demanded by the public. Police employees have specialized training and cannot be easily replaced by other persons. Unless employees are regularly available for duty, work cannot go on safely, effectively or efficiently.

All absenteeism affects the effective, efficient, and safe operations of the department. Excessive absenteeism causes unnecessary increases in official operating expenses. Employees who are excessively unavailable for work, regardless of cause, require others to carry an extra load and ties up job opportunities and positions for more qualified personnel.

When an employee establishes patterns of absenteeism, management interprets this as substantial evidence of abuse and violation of this standard.

Nonexclusive List of Non-Violations

- Absenteeism due to annual pre-planned vacation time.

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- Absenteeism due to approved bereavement leave.
- Absenteeism due to approved leave provided for in the Family Medical Leave Act.
- Absenteeism due to attendance at periodic training or special details that are prearranged, recognized, and approved by the department.
- Absenteeism due to general leave used by employees who have a serious (life-threatening) illness or injury to self or immediate member of the family shall not be calculated into any pattern as long as such illness or injury is properly documented, the nature of the injury or illness is certified by an approved licensed physician and such use is approved by management. *(All such approvals are subject to audit.)*
- Absenteeism due to observance of scheduled days off.
- Absenteeism due to required military commitment time as permitted by law.
- Absenteeism due to restricted or light duty work because of job-related injuries provided the associated time off does not establish an attachment pattern with regularly scheduled time off.
- Absenteeism due to time off for jury duty.
- Absenteeism due to time off for approved disability leave (e.g., serious injuries in the line of duty, pregnancy).

Nonexclusive List of Violations

- All unauthorized or non-approved absences.
- Consistently scheduling personal appointments coinciding with scheduled duty time without displaying substantial written evidence that other times could not have been more appropriately arranged.
- Consistently scheduling time off of less than three days that are attached to scheduled days off or other scheduled absenteeism.
- Excessive absenteeism regardless of cause, whether approved or not approved. Excessive absenteeism is substantial evidence that the employee is not qualified for the job. Excessive is defined as the work unit's average plus 20%.
- Failing to attend a scheduled training course or being absent for any period of time from a scheduled training course without direct approval from a supervisor.
- Tardiness.
- Time lost because of reporting to duty unfit or not ready for duty. This includes physical, psychological, and medical fitness, and the failure to bring necessary equipment or wear necessary or appropriate uniforms or dress.
- Time lost doing re-work because such work was not completed properly the first time.

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- Time lost sleeping, loafing or watching television during restricted times on the job.
- Time spent by supervisors having to correct improperly completed subordinates' work after having given them notice to correct.
- Time spent conducting personal business on work time.
- Time spent correcting deficient work after receiving notice to improve.
- Time spent on an unassigned task without an immediate supervisor's permission.
- Time spent on extended lunch or work break after receiving notice to correct.
- Unavailable more so than the typical employee for the assignment of overtime.

Enforcement Guidelines

Corrective action, including progressive discipline up to and including termination.

300.18 MENTAL, PHYSICAL, AND PSYCHOLOGICAL READINESS TO PERFORM DUTIES AND TASKS

Employees while working, shall remain drug free, and mentally, physically, and psychologically ready to assume and perform all assigned or assumed duties, essential functions, responsibilities, and tasks competently.

Business Necessity

Effective, efficient and safe public service depends on employees being ready to perform competently. A decline in public trust and threats to employee safety can occur in a public organization if management has to wait for performance to fail before testing and monitoring for readiness. It is reasonable and logical to assume that employees who are medically, physically and psychologically ready to perform their jobs will be better and safer performers than those who are not as prepared.

Employees who lack the medical, physical, and psychological, capabilities to assume the duties and responsibilities expected of their jobs create a public safety hazard for themselves as well as others who depend on them to perform effectively, efficiently and safely.

Nonexclusive List of Non-Violations

- Occasionally failing to perform at "peak" performance, especially after a recent shift change, is expected. However, the employee never relinquishes the responsibility for "adequate" performance regardless of conditions.

Nonexclusive List of Violations

- Behaving in a manner that would lead a reasonable and prudent person to suspect that the employee's mental ability, attitude or demeanor were atypical. This includes hostile or offensive behavior, profuse anger beyond normal agitation, or compulsive or repetitive behavior.

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- Excessively using unscheduled general leave or time off taken due to illness or injury is direct evidence of un-readiness to assume the duties, tasks and performances of the job.
- Failing to perform an assigned task and an investigation into the matter reveals a lack of physical or mental readiness. This is substantial evidence of a violation of this standard.
- Sleeping on duty.

Enforcement Guidelines

Corrective action, including progressive discipline up to and including termination.

300.19 OBSERVANCE OF LAWS

Employees shall obey all constitutional, criminal, and civil laws imposed on them as employees and as citizens of this country and state.

Business Necessity

Service and protection of the public, impartial administration and carrying out of duties, observing and obeying the laws, and providing equal service to all are covenants public employees have with citizens. Employees are bound to honor their obligations in these areas if they wish to remain in public service. Employees who lose or destroy public faith and respect weaken our ability to achieve our mission, goals and objectives.

Nonexclusive List of Non-Violations

- There are no exemptions.

Nonexclusive List of Violations

- Committing an unlawful search, seizure, or detention of another person or person's property.
- Committing non-exempted infractions of traffic codes.
- Inflicting mental or physical punishment or mistreatment upon a prisoner, or person in custody or detention, or member of the public.
- Unlawfully copying or distributing computer software, publications or other documents or copyright materials.
- Unprivileged publication of a false statement that harms the reputation of another employee or any person in general.

Enforcement Guidelines

Corrective action, including progressive discipline up to and including termination. If substantial evidence exists to establish that the employee acted with malice, intent, or blatant disregard for another's civil rights, discipline will result in termination.

Standards of Conduct

300.20 SUPERVISORS SHALL DISPLAY RESPECT TOWARD SUBORDINATE PERSONNEL

Supervisors shall treat subordinates with the same courtesy and respect that is required of subordinates to display toward supervisors. Criticisms of an employee or an employee's performances will be made directly to the subordinate and, when practicable, in a private setting.

Business Necessity

Employees who are treated with respect, concern and courtesy are typically better performers and have higher morale. Supervisors who respect subordinates and limit criticisms to unsatisfactory work performance obtain higher levels of employee cooperation than those who direct their criticisms at the employee's personally.

Supervisors are management's representatives, therefore they will be held to a higher standard in this area, and are expected to set a positive example for others to follow.

Nonexclusive List of Non-Violations

- An atypical reaction to a subordinate during the excitement stage of an emergency; or, when an employee's unprofessional conduct or behavior provokes disrespectful behavior from a supervisor.
- Humor of a non-offensive or illegal nature to relieve tension or stress.
- Performing supervisory duties with respect to reprimands, counseling, etc., as long as it conforms to good personnel relations practices.

Nonexclusive List of Violations

- Admonishing a subordinate without full knowledge of the situation or circumstances of the situation or problem.
- Criticizing the employee and not the employee's performance or performance results.
- Discussing a private conversation with another individual who has no legitimate need to know about the conversation.
- Failing to take advantage of opportunities to speak with an employee about performance problems.
- Gossiping, or condoning gossip by others, about an employee to other employees or supervisors.
- Having a problem with a subordinate and not coming to the employee to deal with it directly, using another person to convey dissatisfaction with the subordinate's performance.
- Threatening or intimidating a subordinate employee on- or off-duty at any time for any purpose.
- Using group meetings to criticize other employees.

Enforcement Guidelines

Standards of Conduct

Corrective action, including progressive discipline up to and including termination.

300.21 USE AND CARE OF PROPERTY AND EQUIPMENT

Employees are accountable for the proper use and care of any property or equipment assigned to them, used by them, or under their direct or constructive care.

Constructive care means caring for equipment not being used or equipment found unattended or unsupervised. All employees are accountable for assuming the care for such equipment and are required to take action affirmatively to return it to its place of proper storage.

Property means tangible and intangible ownership of goods, rights, or privileges conveyed. Equipment is the tool by which we are able to accomplish our objectives and represents a capital investment of public resources.

Business Necessity

Management has the specific right and inherent interest in assuring the public that its equipment will be cared for and used in an effective, efficient and safe manner. Part of this responsibility includes designating what equipment will be used, how it will be used, who shall and shall not use such equipment or property, and how it shall be cared for while entrusted to an employee.

Nonexclusive List of Non-Violations

- Any equipment damaged as a result of properly performing an authorized function is not a violation of this standard.
- Unique uses of equipment in an emergency situation to save a life or prevent the potential of serious life-threatening injury are not a violation of this standard.

Nonexclusive List of Violations

- Display of negative attitudes over the radio or otherwise transmitting unprofessional communications.
- Failing to perform routine and regular maintenance on assigned equipment.
- Failing to report damaged or dysfunctional equipment.
- Leaving a vehicle running and unsecured.
- Misuse of radios by transmitting slang or other non-official communications.
- Private use of equipment without the approval of appropriate supervisory personnel.
- Purposefully damaging equipment.
- Purposefully disabling or damaging equipment or equipment used by another.
- Testing or using equipment in an unauthorized manner that results in damage.
- Through inattention or other acts of negligence, causing equipment to be damaged.
- Use of another person's equipment without gaining the other's prior approval.

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- Using official identification or credentials to gain admission or privileges into any public or private gathering, event or establishment for non-approved reasons.
- Using special or restricted equipment without gaining proper supervisory authorization.

Enforcement Guidelines

Corrective action, including progressive discipline up to and including termination.

300.22 USE OR UNLAWFUL SALE OR POSSESSION OF ILLEGAL OR UNAUTHORIZED DRUGS

Employees shall not unlawfully possess, sell, consume, use or assist another in the use of any illegal or unauthorized drugs or medications on- or off-duty, or consume any unauthorized drug or medication in proximate time to their reporting time for duty, or shall they report to duty with evidence of having consumed such drugs or medication.

Business Necessity

Law enforcement officers who use illegal drugs or use authorized drugs improperly can subject this department to severe public criticism and damage its public image. By its very nature, law enforcement depends on the employee's ability to evaluate critical situations and make judgments that affect life and safety. It is critical that judgments be as unimpaired as practicable and free from the adverse effects of any drugs.

Nonexclusive List of Non-Violations

- Prescription medicine permitted for use by an approved physician and made known to and approved by management authority which is used in the manner in which it was prescribed.

Nonexclusive List of Violations

- Continuing to take taking of a prescribed drug once the medical reason is no longer valid.
- Involvement, either directly or indirectly, in the illegal possession, sale or distribution of any illegal drug, substance of abuse or related paraphernalia.
- Not being able to account for, through proper documentation, for any drugs or substance handled by the member.
- Possession of illegal drug or substances of abuse or using a substance in an abusive manner.
- Reporting to duty or remaining on duty while displaying erratic behavior or actions that would lead a reasonable and prudent supervisor to believe the employee was under the influence of drugs or medication.
- Use or possession of any unauthorized drugs or medication while on duty.

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Corrective action, including progressive discipline up to and including termination.

Personnel Complaints

301.1 PURPOSE AND SCOPE

The purpose of this policy is to establish and communicate the guidelines for the reporting, investigation and disposition of complaints regarding employee conduct and performance.

The Northglenn Police Department takes seriously all complaints regarding employee conduct and performance, whether on- or off-duty. All complaints of misconduct will be accepted and addressed in accordance with this policy and applicable federal, state and local law, municipal and county rules. The Northglenn Police Department will ensure that the community can report misconduct without concern for reprisal or retaliation.

This policy shall not apply to any counseling, informal verbal admonishment, instruction, questioning or other routine or unplanned contact of an employee in the normal course of duty, by a supervisor or any other employee, nor shall this policy apply to a criminal investigation.

301.2 DEFINITIONS

Administrative Review: An Administrative Review is conducted when an employee is involved in an incident that is investigated by an outside agency or independent investigative group. Administrative Reviews are conducted following the same procedures outlined for an Internal Affairs Investigation to determine if department policies or rules were violated, if the relevant policy was effective and clearly understandable, and if department supervision and training is adequate.

Complainant: A person claiming to be the victim or witness of misconduct by an employee.

Conduct or Performance Inquiry: An inquiry regarding an employee's conduct or performance that, if true, would not violate department policy or federal, state or local law, policy or rule. Such inquiries generally include clarification regarding policy, procedures or the response to specific incidents by the Department, and may be handled informally by a supervisor and shall not be considered a personnel complaint.

Corrective Action: Any action taken to address, change or prevent an employee's unacceptable conduct or performance.

Exonerated: An investigation disclosed that the alleged incident did occur but the employee's conduct was lawful, proper, reasonable, and within department policies and rules.

Exonerated Based on Policy Failure: An investigation disclosed that the alleged incident did occur, but that policies and procedures did not adequately address the employee's conduct.

Informal Intervention: When a supervisor makes suggestions, conducts training, or makes corrections concerning an employee's unacceptable conduct or performance. Informal intervention does not require formal documentation.

Internal Affairs Investigation (IA): An investigation conducted when an employee is accused of committing a crime, exercising judgment which is so egregious or irrational that the employee's

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suitability for continued employment is questioned, or a single or repeated violation of department policy which if proven calls for termination.

Non-Permanent Discipline: Any discipline not rising to the level of permanent discipline as defined in this policy. Non-Permanent discipline may be imposed from any level of an employee's chain-of-command.

Not Sustained: An investigation did not disclose substantial evidence to prove or disprove the allegation.

Not Sustained Based on Policy Failure: An investigation did not disclose substantial evidence to prove or disprove the allegation, but did disclose that policies and procedures did not adequately address the employee's conduct.

Permanent Discipline: Discipline that may only be imposed by the Chief of Police and remains a permanent part of an employee's personnel file. Permanent discipline includes letters of reprimand, suspensions, demotions and terminations.

Personnel Complaint: A complaint from any source alleging unacceptable conduct or performance that, if true, would constitute a violation of department policy or of federal, state or local law, policy or rule. Personnel complaints may be generated internally or by the public.

Personnel Quality Report (PQR): A report used to document employee commendations, or complaints regarding an employee's unacceptable conduct or performance.

Progressive Discipline: The process of imposing increasingly severe discipline to address, change or prevent an employee's unacceptable conduct or performance.

Substantial Evidence: Any evidence presented during an administrative review or internal affairs investigation that would lead a reasonable person to believe that the allegation is true.

Supervisor's Investigation of Misconduct: An investigation conducted when an employee is accused of conduct that does not meet the criteria for an Internal Affairs investigation.

Sustained: An investigation disclosed that the alleged incident did occur and that the employee's conduct was unlawful, improper, unreasonable, or in violation of department policies or rules.

Sustained Misconduct Not Based on the Complaint: An investigation did not disclose substantial evidence to prove or disprove the initial allegation, but conduct not alleged in the original complaint was discovered and determined to be unlawful, improper, unreasonable, or in violation of department policies or rules.

Unfounded: An investigation disclosed that the allegation was either false or not factual.

Written Intervention: The first step in the progressive discipline process.

Personnel Complaints

301.3 ACCEPTANCE OF COMPLAINTS

Complaints may be accepted by any department employee. Any employee contacted regarding an allegation of misconduct shall accept the complaint and immediately direct it to the appropriate supervisor.

Supervisors shall initiate a personnel complaint based upon observed misconduct or receipt from any source alleging misconduct that, if true, would constitute a violation of department policy or of federal, state or local law, policy or rule. A supervisor shall also take reasonable steps to prevent aggravation of the situation.

Written complaints are preferred, but a complaint may be made verbally, either in person or via telephone, or by email. Such complaints shall be immediately directed to a supervisor. If a supervisor is not available, the employee receiving the complaint shall obtain the complainant's contact information. Upon contact with the complainant, the supervisor shall document the complaint on a PQR.

Although not required, complainants should be encouraged to file complaints in person so that proper identification, signatures, photographs and physical evidence may be obtained as necessary.

Anonymous and third-party complaints should be accepted and investigated to the extent that sufficient information is provided.

Tort claims and lawsuits may generate a personnel complaint.

301.4 DISPOSITION OF PERSONNEL COMPLAINTS

Each personnel complaint shall be classified with one of the following dispositions as defined in this policy:

- Exonerated
- Exonerated Based on Policy Failure
- Not Sustained
- Not Sustained Based on Policy Failure
- Sustained
- Unfounded

If an investigation discloses misconduct or improper job performance that was not alleged in the original complaint, the personnel complaint shall be classified with the following:

- Sustained Misconduct Not Based on the Complaint

301.5 SUPERVISOR'S INVESTIGATION

In general, the primary responsibility for investigating a personnel complaint not rising to the level of an Internal Affairs investigation rests with the employee's immediate supervisor. The Chief of

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Police or an authorized designee shall direct another supervisor to investigate any complaint in which the alleged misconduct involves the employee's immediate supervisor.

301.5.1 INITIAL SUPERVISOR'S RESPONSIBILITIES

Upon initiating or receiving a personnel complaint, a supervisor shall:

- Document the complaint on a PQR *(In circumstances where the confidentiality of a complainant is at issue or the integrity of the investigation could be jeopardized by reducing the complaint to written form, a supervisor shall verbally report the matter to the employee's Division Commander or the Chief of Police)*
- Make a reasonable effort to obtain names, addresses and telephone numbers of witnesses
- Ensure photographs are taken of alleged injuries and accessible uninjured areas
- When appropriate, ensure immediate medical attention is provided
- Submit the PQR to the employee's direct supervisor via the chain-of-command
- Notify the appropriate Division Commander of complaints involving allegations of a serious nature or that involve ethnic, racial, sexual or other forms of prohibited harassment or discrimination

301.5.2 SUPERVISOR'S INVESTIGATION GUIDELINES - INVESTIGATOR

Recognizing that factors such as the complexity of the allegations and witness availability will affect each case, every effort should be made to complete each Supervisor's Investigation and impose any corrective action within a reasonable amount of time following receipt of the allegation.

Upon receiving a personnel complaint and initiating a Supervisor's Investigation, the employee's supervisor or the assigned investigator shall adhere to the following guidelines:

- Notify accused employee of the allegations as soon as practicable *(If the nature of the allegation dictates that confidentiality is necessary to maintain the integrity of the investigation, the accused employee need not be notified of the pending investigation until the employee is interviewed or formally charged)*
- Contact the complainant as soon as practicable
- Interviews of the accused employee should generally be conducted during reasonable work hours of the employee
- The decision to conduct an off-duty interview should be based on the seriousness of the alleged misconduct and the necessary timeliness of the investigation *(If the employee is off-duty, the employee shall be compensated)*
- Interviews at the accused officer's home should only be conducted with prior permission from the accused officer
- Inform the complainant of the investigator's name and the associated case number if available
- Interviews of the complainant should generally be conducted during reasonable hours

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- Information garnered during the investigation and the investigator's findings shall be noted on a Supervisor's Investigation and Findings form
- Supervisor's Investigations should be completed within thirty days of the date the department becomes aware of the allegation
- Supervisor's Investigations resulting in corrective action in the form of non-permanent discipline, shall be forwarded to the accused employee's Division Commander for review and comments
- Supervisor's Investigations in which the accused employee's supervisor recommends corrective action in the form of permanent discipline shall be forwarded to the Chief of Police via the chain-of-command of the involved employee

301.5.3 SUPERVISOR'S INVESTIGATION GUIDELINES - DIVISION COMMANDER

Upon receipt of a Supervisor's Investigation in which the supervisor is recommending corrective action in the form of permanent discipline, the Division Commander shall adhere to the following guidelines:

- Review and make a recommendation as the type of corrective action to be taken
- Forward the entire investigation through Professional Standards, including all recommendations from the chain-of-command, to the Chief of Police
- If not satisfied with the investigation, return it to the investigator for further investigation

301.5.4 SUPERVISOR'S INVESTIGATION GUIDELINES - CHIEF OF POLICE

Upon receipt of a Supervisor's Investigation in which the accused employee's chain-of-command is recommending corrective action in the form of permanent discipline, the Chief of Police shall adhere to the following guidelines:

- Review all materials related to the investigation and recommendations for corrective action
- If not satisfied with the investigation, return it to the Division Commander for further investigation
- Once satisfied that no further investigation is required, make a decision as to the level of corrective action, if any, to be imposed (*The Chief of Police may modify the classification and any recommendation for corrective action*)
- If the intended corrective action is in the form of non-permanent discipline, return the investigation to the Division Commander for imposition of corrective action
- If the intended corrective action is in the form of permanent discipline, provide written notice to the accused employee through Professional Standards

301.5.5 SUPERVISOR'S INVESTIGATION GUIDELINES – PROFESSIONAL STANDARDS

Upon receipt of a Supervisor's Investigation in which the Chief of Police intends to impose corrective action in the form permanent discipline, the Professional Standards' unit shall:

- (a) Notify the accused employee in writing of the Chief of Police's intended corrective action

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- (b) Provide the accused employee access to all materials and information considered by the Chief of Police in determining the intended corrective action
- (c) Schedule a Pre-Disciplinary Meeting consisting of the Chief of Police, the accused employee, and the Director of Management Services or an authorized representative, not less than three days after notifying the accused employee of the Chief of Police's intended corrective action
- (d) Ensure all necessary documentation is completed prior to the Pre-Disciplinary Meeting

301.6 INTERNAL AFFAIRS INVESTIGATION

The initiation of an Internal Affairs Investigation is at the discretion of the Chief of Police.

In general, the primary responsibility for conducting an Internal Affairs investigation rest with Professional Standards. Internal Affairs investigations in which the accused employee holds the rank of sergeant or below should be investigated by the Professional Standards' Sergeant. Internal Affairs investigations in which the accused employee holds a rank higher than sergeant should be investigated by the Administrative Commander. The Chief of Police or an authorized designee may direct another supervisor to investigate any complaint.

301.6.1 INTERNAL AFFAIRS INVESTIGATION GUIDELINES – INVESTIGATOR

Upon initiation of an Internal Affairs Investigation, the investigator shall adhere to the following guidelines:

- Notify accused employee of the allegations as soon as practicable *(If the nature of the allegation dictates that confidentiality is necessary to maintain the integrity of the investigation, the accused employee need not be notified of the pending investigation until the employee is interviewed or formally charged)*
- Contact the complainant as soon as practicable
- Interviews of the accused employee should generally be conducted during reasonable work hours of the employee
- The decision to conduct an off-duty interview should be based on the seriousness of the alleged misconduct and the necessary timeliness of the investigation *(If the employee is off-duty, the employee shall be compensated)*
- Interviews at the accused officer's home should only be conducted with prior permission from the accused officer
- Inform the complainant of the investigator's name and the associated IA number
- Interviews of the complainant should generally be conducted during reasonable hours
- Internal Affairs investigations should be completed within sixty days of the date the department becomes aware of the allegation
- All interviews shall be audibly recorded
- Upon completion of the investigation, all information shall be submitted to the Chief of Police for review and findings

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301.6.2 INTERNAL AFFAIRS INVESTIGATION GUIDELINES – CHIEF OF POLICE

Upon receipt of the investigator's final report, the Chief of Police shall adhere to the following guidelines:

- Review all materials related to the investigation
- If not satisfied with the investigation, return it to the investigator for further investigation
- Once satisfied that no further investigation is required, make a decision as to the disposition of each potential Standard of Conduct violation
- After issuance of findings and disposition, forward the investigation and findings through Professional Standards to the accused employee's chain-of-command for recommendations for corrective action
- Review recommendations and make decision as to the level of corrective action, if any, to be imposed
- If the intended corrective action is in the form of non-permanent discipline, return the investigation to the Division Commander for imposition of corrective action
- If the intended corrective action is in the form of permanent discipline, provide written notice outlining the intended discipline to the accused employee through Professional Standards

301.6.3 INTERNAL AFFAIRS INVESTIGATION GUIDELINES – EMPLOYEE'S SUPERVISOR

Upon receipt of an Internal Affairs Investigation in which the Chief of Police sustained one or more violations of the Standards of Conduct, the accused employee's immediate supervisor shall adhere to the following guidelines:

- Review all materials related to the investigation and make a recommendation as to the level of corrective action
- Forward recommendation to Division Commander

301.6.4 INTERNAL AFFAIRS INVESTIGATION GUIDELINES – DIVISION COMMANDER

Upon receipt of an Internal Affairs Investigation in which the Chief of Police sustained one or more violations of the Standards of Conduct, the Division Commander shall adhere to the following guidelines:

- Review all materials related to the investigation and make a recommendation as to the level of corrective action
- Forward through Professional Standards all recommendations from the chain-of-command to the Chief of Police

301.6.5 INTERNAL AFFAIRS INVESTIGATION GUIDELINES – PROFESSIONAL STANDARDS

Upon receipt of an Internal Affairs Investigation in which the Chief of Police intends to impose corrective action in the form of permanent discipline, the Professional Standards' unit shall:

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- (a) Notify the accused employee in writing of the Chief of Police's intended corrective action
- (b) Provide the accused employee access to all materials and information considered by the Chief of Police in determining the intended corrective action
- (c) Schedule a Pre-Disciplinary Meeting consisting of the Chief of Police, the accused employee, and the Director of Management Services or an authorized representative, not less than three days after notifying the accused employee of the intended corrective action
- (d) Ensure all necessary documentation is completed prior to the Pre-Disciplinary Meeting

301.7 PRE-DISCIPLINARY MEETING

The pre-disciplinary meeting is intended to provide the accused employee with an opportunity to present a written or oral response to the Chief of Police after reviewing the supporting materials and prior to the imposition of any discipline. The employee shall consider the following:

- The response is not intended to be an adversarial or formal hearing
- The response is not designed to accommodate the presentation of testimony or witnesses
- The employee may offer any additional information or mitigating factors for the Chief of Police to consider
- In the event that the Chief of Police elects to cause further investigation to be conducted, the employee shall be provided with the results prior to the imposition of any discipline
- The employee may thereafter have the opportunity to further respond orally or in writing to the Chief of Police on the limited issues of information raised in any subsequent materials

301.8 POST-DISCIPLINE APPEAL RIGHTS

Non-probationary employees have the right to appeal any form of progressive discipline.

301.8.1 APPEAL OF DISCIPLINE - NON-PERMANENT

Imposed Non-Permanent Discipline may be appealed to the Chief of Police. The appeal must adhere to the following guidelines:

- Appeals must be submitted in writing to the Chief of Police within five working days of imposition of the discipline
- Appeals must include a statement from the employee as to whether cause or severity of discipline or both are being appealed
- Appeals must include all information upon which the employee relies in appealing the imposed discipline

Upon receipt the Chief of Police shall review all of the information surrounding the incident and subsequent discipline. The Chief of Police shall issue a final written decision in the matter within ten

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working days of the date of receipt. The final written decision shall constitute the final administrative remedy available.

301.8.2 APPEAL OF DISCIPLINE – PERMANENT DISCIPLINE

Imposed Permanent Discipline in the form a suspension less than or equal to five working days may be appealed to the department head or “Decision-Maker”. The Chief of Police is the “Decision-Maker” within the police department. The appeal must adhere to the following guidelines:

- Appeal must be submitted in writing to the Chief of Police within five working days of imposition of the discipline
- Appeal must include a statement from the employee as to whether cause or severity of discipline or both are being appealed
- Appeal must include all information upon which the employee relies in appealing the imposed discipline

Imposed Permanent Discipline in the form of a suspension greater than five working days, demotion, or termination of employment may be appealed to the City Manager or the City Manager's designee for a full evidentiary hearing. The appeal must adhere to the following guidelines:

- Appeal must be submitted in writing to Human Resources within five working days of imposition of the discipline
- Appeal must include a statement from the employee as to whether cause or severity of discipline or both are being appealed
- Appeal must include all information upon which the employee relies in appealing the imposed discipline

The conduct of an evidentiary hearing shall be in accordance with the law, and shall provide the employee with appropriate due process. The City Manager or the City Manager's designee shall issue a final written decision in the matter within ten working days of the date the hearing is conducted. The final written decision shall constitute the final administrative remedy available. The employee may thereafter appeal the final written decision to a court of competent jurisdiction pursuant to Rule 106 of the Colorado Rules of Civil Procedure. [Employee Guidelines, City of Northglenn, 2013]

301.9 COMPLETION OF INTERNAL AFFAIRS INVESTIGATIONS

Every investigator or supervisor assigned to investigate a personnel complaint shall proceed with due diligence. Recognizing that factors such as witness availability and the complexity of allegations will affect each case, every effort should be made to complete each investigation and impose any disciplinary action within a reasonable period following receipt.

Internal Affairs Investigations should be completed within sixty days of the date the department becomes aware of the allegation. Should the investigator require additional time, a written request should be made to the Chief of Police requesting an extension. A request for extension should generally be made thirty days before the original due date, and include the reason for the request

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and the completion date requested. Such a request must be approved by the Chief of Police or an authorized designee in writing and a copy provided to the accused employee. The Chief of Police may approve an extension of up to one-hundred-eighty days.

Within thirty days of the final review by the Chief of Police, written notice of the findings should be sent to the complainant. This notice shall indicate the findings but will not disclose the level of discipline, if any, that was imposed. The complainant should also be provided with a copy of the original complaint.

301.10 PROBATIONARY EMPLOYEES AND OTHER EMPLOYEES

Probationary employees are not entitled to any of the rights outlined in this policy, and may receive permanent discipline, including termination of employment, without adherence to any of the procedures set forth in this policy.

Probationary employee's released for misconduct should be afforded a Liberty Interest Hearing. A Liberty Interest Hearing is designed for the sole purpose of clearing the accused employee's name, and shall be limited to a single appearance before the Chief of Police or an authorized designee.

301.11 ADMINISTRATIVE LEAVE

When a complaint of misconduct is serious in nature, or when circumstances indicate that allowing the accused employee to continue to work would adversely affect the department's mission, or expose the Department, the accused employee, other employees, or the public to potential liability or an unreasonable safety risk, the Chief of Police or an authorized designee may temporarily assign the accused employee to administrative leave pending completion and disposition of the investigation, and imposition of any corrective action.

If an employee is placed on administrative leave by an authorized designee of the Chief of Police, it shall be the responsibility of the designee to promptly notify the Chief of Police and the employee's direct supervisor.

301.11.1 CONDITIONS OF ADMINISTRATIVE LEAVE

An employee placed on administrative leave based on a complaint of misconduct shall adhere to the following conditions:

- The employee shall refrain from taking any action as a Department employee or in an official capacity
- The employee shall continue to comply with all policies, rules and lawful orders
- The employee shall continue to receive regular pay and benefits pending the imposition of any corrective action
- The employee shall comply as required with any court orders or subpoenas
- The employee shall not wear a uniform
- The employee may be temporarily reassigned to other duties

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- The employee may be required to remain available for contact at all times
- The employee may be required by the Chief of Police or an authorized designee to relinquish any Department issued equipment, including any access cards, badges, identifications, or any assigned Department weapons

301.12 ADMINISTRATIVE SEARCHES

All department areas such as assigned lockers, storage spaces and other areas, including desks, offices and vehicles, may be searched as part of an administrative investigation upon a reasonable suspicion of misconduct. Such areas may also be searched any time by a supervisor for non-investigative purposes, such as obtaining a needed report, radio or other document or equipment.

All searches conducted in conjunction with an administrative investigation shall be conducted by a supervisor in the presence of an uninvolved witness.

An employee may be administratively ordered to submit to a blood, breath or urine test for alcohol and drugs under any of the following circumstances:

- When the employee is found to be exhibiting objective symptoms of intoxication or drug influence while on-duty
- When the employee is involved in an injury accident or fatal accident while on-duty
- When the employee is involved in an injury accident or fatal accident while operating any City-owned vehicle, whether on- or off-duty
- When the employee, whether on- or off-duty, is involved in a shooting or law enforcement related death

The use of compelled testing results shall be restricted to the administrative investigation.

Any employee may be compelled to disclose personal financial information pursuant to proper legal process if such information tends to indicate a conflict of interest with official duties, if the employee is assigned to or being considered for a special assignment, or to determine if the employee is engaged in unlawful activity.

301.13 RESIGNATIONS/RETIREMENTS PRIOR TO DISCIPLINE

In the event that an employee tenders a written resignation or notice of retirement prior to the imposition of discipline, it shall be noted in the file. The tender of a resignation or retirement by itself shall not serve as grounds for the termination of any pending investigation or discipline.

301.14 WITHDRAWN COMPLAINTS

Investigations in which the complainant withdraws their complaint or refuses to cooperate with the investigation may be closed and assigned an appropriate disposition.

If the nature of the allegations can be sufficiently determined without the assistance of the complainant, then the investigation shall proceed and be completed as normal and assigned an appropriate disposition.

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301.15 CONFIDENTIALITY AND RETENTION OF PERSONNEL FILES

All investigations of personnel complaints shall be considered confidential and protected employee files. The contents of such files shall not be revealed to anyone other than the involved employee or authorized personnel except pursuant to lawful process.

In the event that an accused employee, or the representative of such employee, knowingly makes false representations regarding any internal investigation and such false representations are communicated to any media source, the Department may disclose sufficient information regarding the investigation as to refute such false representations.

All records of investigations shall be securely maintained for no less than the minimum years required by the state records retention schedule and for any additional period required by the organization's records retention schedule.

301.16 REMOVAL OF A COMPLAINT

Upon request, an employee may review any administrative file that does not relate to a current investigation.

After two years, employees may request to have removed any complaints that resulted in the imposition of non-permanent discipline. Requests must be sent for approval to the Chief of Police on an action memorandum form.

After two years, employees may also request the removal of permanent discipline in the form of a Letter of Reprimand. This type of request must be sent for approval to the Director of Management Services through the Chief of Police. The Chief of Police and the Director of Management Services must approve the request.

301.17 ALLEGATIONS OF CRIMINAL CONDUCT

The Chief of Police shall be notified as soon as practicable when an employee is formally accused of criminal conduct. In the event of serious criminal allegations, the Chief of Police may request that a criminal investigation by an outside law enforcement or prosecutorial agency be conducted.

The Chief of Police may order an administrative investigation into the allegations for which the officer was arrested.

An employee accused of criminal conduct shall be provided with all rights and privileges afforded to a civilian under the state and federal constitutions. The employee may not be administratively ordered to provide any information to a criminal investigator and no information or evidence administratively compelled from an employee may be provided to a criminal investigator. To help ensure no information derived from an administrative investigation is provided to a criminal investigator, the administrative investigation should be suspended until completion of the criminal investigation.

Only limited information concerning the arrest or detention of an employee may be released prior to a conviction.

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An accused employee may be placed on administrative leave with pay, but no disciplinary action shall be taken against the accused employee based solely on an arrest or crime report.

Removal from Line-Duty Assignment

302.1 PURPOSE AND SCOPE

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

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

302.2 POLICY

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

302.3 REMOVAL FROM LINE DUTY ASSIGNMENT

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

Use of Force

303.1 PURPOSE AND SCOPE

Officers are involved in many situations during which the use of force may become necessary in order to perform their duties. The decision to use force is of critical importance and in some situations must be made quickly and under difficult and unpredictable circumstances. The primary purpose of this policy is to establish and communicate guidelines for making decisions regarding the reasonable use of force and force options.

303.2 DEFINITIONS

Choke hold - means a method by which a person holds another person by putting his or her arm around the other person's neck with sufficient pressure to make breathing difficult or impossible and includes, but is not limited to, any pressure to the throat or windpipe, which may prevent or hinder breathing or reduce intake of air. This technique is **NOT AUTHORIZED by Northglenn Police Department**.

Electro-Muscular Disruption System (EMD or TASER): A Conducted Energy Weapon employing electro muscular disruption technology to cause pain or the temporary incapacitation of a subject in order to gain compliance. The TASER is the only Electro-Muscular Disruption System authorized for use by the Northglenn Police Department.

Excessive Force: Force which is not reasonable and appropriate.

Force: The intentional application of physical techniques or tactics, chemical agents or weapons to another person.

Hard Control, Closed Hand and Kick Tactics Techniques: Techniques, including closed or open fist strikes, kicks, stuns or takedowns, used to gain compliance when other techniques are ineffective or the subject becomes more aggressive.

Impact Weapons: A weapon such as an ASP, baton, flashlight, or any other object used to exert physical force upon a subject in order to gain compliance.

Less-Lethal Force: Force which a reasonable officer would consider not likely to cause death.

Lethal or Deadly Force: Force which a reasonable officer would consider likely to cause death.

Objectively Reasonable: The standard against which any use of force is judged.

Officer Presence: Officer Presence exists in every situation in which an officer is summoned and responds in-person, and may reflect the officer's demeanor, attitude and the legal right to be there.

Oleoresin Capsicum (OC): A naturally occurring mixture of oil and resin of the pepper used to cause pain or the temporary incapacitation of a subject in order to gain compliance.

Non-Verbal Dialogue: A show of authority through non-verbal means. Non-verbal communication may include assuming an empty hand defensive position or the display of a defensive weapon.

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Pain Compliance Tool or Technique: A tool or technique used to cause pain or the temporary incapacitation of a subject in order to gain compliance.

Reportable Use of Force: Force above “empty hand control”, or the display of a firearm, Munitions Launcher (40mm) or TASER, to gain compliance from a subject.

Situational Force Model: A force model that outlines and illustrates appropriate force options based on the type of resistance encountered to assist officers in selecting the appropriate force option for the situation.

Soft Control and Compliance Techniques: Techniques, including blocking, control or escort holds, empty hand control, or pressure compliance holds, used to gain compliance when verbal commands are ineffective or the subject resists in a defensive manner.

Spark-Test: An internal diagnostics of a TASER conducted upon activation of the high voltage circuitry.

Vascular Neck Restraint / Lateral Vascular Neck Restraint - involves applying pressure to the sides of the neck with the forearm and biceps simultaneously. Control is gained by vascular body compression which restricts blood flow to the brain, rendering the subject unconscious. **This technique is NOT AUTHORIZED by Northglenn Police Department.**

Verbal Dialogue: A show of authority through verbal communication in which the subject is informed of what is required and given a chance to comply.

303.3 USE OF FORCE GUIDELINES

Officers shall use only that force which is “objectively reasonable” to defend themselves or others, effect an arrest or detention, prevent escape, or overcome resistance.

The reasonableness of a particular use of force shall be judged without regard to an officer’s underlying intent or motivation, and after considering the following factors:

- The facts and circumstances confronting the officer at the time the force was applied
- The fact officers are often forced to make split-second decisions with limited information and in circumstances that are rapidly evolving, tense and unpredictable
- The perspective of a reasonable officer on the scene

Force of any type shall not be used to elicit statements, psychologically torment or punish another person, or display one’s authority.

303.3.1 REASONABLENESS OF FORCE FACTORS

Although generally dictated by the amount of resistance offered by a subject, a number of factors should be taken into consideration when determining whether to use force and which level of force to apply. These factors include, but are not limited to:

- Whether the subject is actively resisting arrest or attempting to evade arrest by flight
- Whether the subject poses an immediate threat to the safety of the officers or others

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- Severity of the crime at issue
- The subject's age, size, strength, skill level relative to the officer(s) involved
- The number of officers involved
- The number of subjects involved
- The effects of drugs or alcohol
- The subject's mental state or capacity
- Injuries sustained by the officers involved or subject
- Any other exigent circumstances

These factors should also be considered when evaluating whether an officer used force that was objectively reasonable.

303.3.2 USE OF FORCE TO EFFECT AN ARREST

Officers are justified in using reasonable and appropriate physical force upon another person when and to the extent that they reasonably believe it necessary to:

- To defend themselves or others from what they reasonably believe to be the use, or imminent use, of physical force while effecting or attempting to effect the arrest of a suspect or while preventing or attempting to prevent the escape of a suspect
- To effect a lawful arrest or prevent the escape from custody of an arrested person

303.3.3 SITUATIONAL FORCE MODEL

The Northglenn Police Department adheres to a force model that outlines and illustrates appropriate force options based on the type of resistance encountered to assist officers in selecting the appropriate force option for the situation. [See attachment: Situational Force Model 20170316](#)

303.4 EXCESSIVE FORCE

Any force used that is not reasonable and appropriate shall be deemed excessive.

303.4.1 DUTY TO INTERVENE

An officer who is present and witnesses another officer using force that is clearly beyond that which is objectively reasonable under the circumstances shall, when in a position to do so, intervene to prevent the use of excessive force.

303.4.2 DUTY TO REPORT

A peace officer who witnesses another peace officer use physical force which exceeds the degree of physical force permitted pursuant [CRS 18-1-707] shall promptly report such use of force to a supervisor. Subsequent written notification shall be within 10 days of the occurrence and include the date, time and place of the occurrence, the identity, if known, and description of the participants, and a description of the events and the force used. [CRS 18-8-802(1)(a)] and [CRS 18-8-802(1)(b)]

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303.5 MEDICAL CONSIDERATION

Prior to booking or release, medical assistance shall be obtained for any subject who exhibits signs of physical distress, who has visible injury, expresses a complaint of injury or continuing pain, or who was rendered unconscious. Any subject exhibiting signs of physical distress after an encounter should be continuously monitored until assessed by medical.

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

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

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

303.6 ON-DUTY SUPERVISOR NOTIFICATION

Officers shall immediately notify the on-duty supervisor following a use of force resulting in any of the following circumstances:

- Any use of force involving a restraint device other than handcuffs, shackles or belly chains
- Any use of force involving a TASER or other control device
- The force caused a visible injury
- The force would lead a reasonable officer to conclude that the individual may have experienced more than momentary discomfort
- The subject of the force complained of injury or continuing pain
- The subject of the force indicates intent to pursue litigation
- The subject of the force was rendered unconscious
- The subject was struck or kicked

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- The subject alleges any of the aforementioned circumstances has occurred

For any use of force not resulting in one of the aforementioned circumstances, officers shall notify the on-duty supervisor as soon as practicable.

The on-duty supervisor should, when practicable, respond to the scene of any use of force.

303.6.1 ON-DUTY SUPERVISOR RESPONSIBILITY

When a supervisor responds to an incident involving a use of force, the supervisor should take the following actions:

- Obtain the basic facts from the involved officers
- Ensure that any injured parties receive the appropriate medical attention
- Ensure that photographs are taken of any areas involving visible injury or complaint of pain, as well as overall photographs of uninjured areas
- Identify any witnesses not already included in related reports
- Review and approve all related reports
- Evaluate the circumstances surrounding the incident and initiate an administrative investigation if there is a question of policy non-compliance or if for any reason further investigation may be appropriate.

In the event that a supervisor is unable to respond to the scene of an incident involving a reported use of force, the supervisor is expected to complete as many of the aforementioned actions as possible.

303.7 SHIFT SERGEANT RESPONSIBILITY

The Shift Sergeant shall review each use of force to ensure compliance with department policy and address any training issues.

303.8 USE OF LESS-LETHAL FORCE GUIDELINES

The Northglenn Police Department is committed to reducing the potential for violent confrontations. When used properly, Less-Lethal Force options are less likely to result in serious physical injury or death and can be used to de-escalate a potentially deadly situation.

Officers may use Less-Lethal Force in accordance with this policy and department training when a subject is violent or physically resisting, or when a subject has demonstrated, by words or action, an intention to be violent or to physically resist, and reasonably appears to present the potential to harm officers, themselves or others.

Only officers who have successfully completed department approved training on the application of a specific Less-Lethal Force option described in this policy are authorized to carry and use said option.

A verbal warning should precede the use of any Less-Lethal Force option unless it would endanger the safety of officers or when it is not practicable due to the circumstances. The purpose of the

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warning is to provide the subject with a reasonable opportunity to voluntarily comply and to provide other officers and individuals with a warning that a Less-Lethal Force option may be deployed.

Officers should not deploy a Less-Lethal Force option without the cover of an adjacent Lethal Force option.

303.8.1 LESS-LETHAL FORCE ON DANGEROUS ANIMALS

Officers may deploy any Less-Lethal Force option against a potentially dangerous animal if the animal reasonably appears to pose an imminent threat to human safety and alternative methods were ineffective, would likely be ineffective, or are not reasonably available.

303.8.2 REQUIRED CARRY

When in uniform and performing duties during which they could reasonably be expected to take enforcement action, officers shall carry at least two Less-Lethal Force options, one of which shall be a TASER.

Officers who work in an administrative or support capacity and could not reasonably be expected to take enforcement action are exempt from carrying a Less-Lethal Force option.

When working a plain-clothes operation, officers may, with the approval of the operational supervisor, carry one or more Less-Lethal Force option. Officers carrying a Less-Lethal Force option during a plain-clothes operation shall do so in a concealed manner.

303.9 ELECTRO-MUSCULAR DISRUPTION SYSTEM (EMD OR TASER)

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

303.9.1 TARGETING CONSIDERATIONS

The preferred target locations are the abdominal area and back. Officers shall make a reasonable effort to ensure the probes strike the preferred target areas, avoiding the head, neck, chest and groin. If, due to the dynamics of a situation or officer safety concerns, one or more probes strikes the head, neck, chest or groin, officers should monitor the subject's condition until the subject is examined by medical personnel.

Officers should never intentionally point the aiming laser at the subject's eyes as it may permanently impair the subject's vision.

303.9.2 SPECIAL CONSIDERATIONS

Unless the totality of the circumstances indicates that other available force options reasonably appear ineffective or would present a higher risk to the officer, the subject or others, and the officer reasonably believes that the need to control the subject outweighs the risk of using the device, the use of the TASER should be avoided when one or more of the following circumstances apply to the subject:

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- Elderly
- Handcuffed or otherwise restrained
- Known to be pregnant
- In a position or activity that may result in collateral injury, such as at height or operating a vehicle
- In close proximity to any known combustible vapor or flammable material, including alcohol-based OC
- Obviously a juvenile under the age of 10
- Obviously has low body mass
- Recently sprayed with a flammable chemical agent

The use of the TASER in drive-stun mode should generally be limited to supplementing the probe-mode to complete the circuit, or as a distraction technique to gain separation with the subject, thereby giving the officer time and distance to consider other force options or actions.

303.9.3 MULTIPLE DEPLOYMENTS

Officers should deploy the TASER for one standard cycle and then reevaluate the situation before applying subsequent cycles. Applying additional cycles against a single subject should be avoided unless the officer reasonably believes that the need to control the subject outweighs the potential increased risk posed by additional cycles.

If the TASER appears to be ineffective in gaining control of a subject, the officer should consider the following factors prior to applying additional cycles of the TASER:

- Whether the probes are making proper contact
- Whether the subject has the ability to comply
- Whether the subject was given a reasonable opportunity to comply
- Whether verbal commands, or other force options or tactics may be more effective

Multiple officers should not intentionally apply cycles simultaneously from more than one TASER against the same subject.

303.9.4 MEDICAL TREATMENT

Any subject struck by probes or receiving the electric discharge of a TASER should be medically assessed prior to booking.

Officers should immediately attempt to ascertain from the subject whether preexisting medical conditions, such as a history of heart problems, which would warrant summoning medical personnel to the scene.

Officers may safely remove probes that strike a preferred target area once the subject is in custody. Officers shall request medical personnel to medically assess the subject and remove probes from the following sensitive areas of the body:

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- Face
- Female breast
- Groin
- Head
- Neck

In addition, subjects for which one or more of the following circumstances apply shall be examined by medical personnel as soon as practicable:

- Exhibits signs of distress
- Exposure to multiple cycles
- Exposure to a cycle of more than 15 seconds
- Pregnant
- Reasonably appears to be in need of medical attention
- Requests medical treatment
- Severe impairment due to alcohol or controlled substances

A subject's refusal of medical attention should be witnessed by another officer or medical personnel and shall be fully documented in related reports.

Officers transporting the subject shall notify the person providing medical care or receiving custody that the subject received a TASER deployment.

303.9.5 ACTIONS FOLLOWING DEPLOYMENT

Officers shall take the following actions after any TASER deployment:

- Photograph probe penetration sites
- Collect as many AFIDs as reasonably possible, minimum of five
- Booked into evidence the confetti tags, expended cartridge, probes and wire
- Ensure the cartridge serial number is noted in the evidence module
- Ensure the evidence is marked "Biohazard" if the probes penetrated the subject's skin

Officers must notify the Administrative Commander of the TASER deployment to arrange for the downloading of the deployment information. Unless a malfunction is reasonably suspected, the TASER device used in the deployment may remain in service until the information is downloaded. In situation that a malfunction is suspected, the TASER shall be immediately removed from service.

303.9.6 SUPERVISOR RESPONSIBILITIES

The on-duty supervisor should, when practicable, respond to incidents during which there was a TASER deployment or when they reasonably believe a TASER deployment is likely.

Use of Force

303.9.7 TASER ISSUANCE AND METHOD OF CARRY

Officers shall only use the TASER device and cartridges issued by the Department, and said TASER and cartridges shall not be altered or modified in any way.

When carried in uniform, officers shall carry the TASER in a Department approved belt holster on their duty-belt on the side opposite their duty-weapon, in a Department approved drop-down holster on the non-duty-weapon side leg, or in a Department approved holster on their load bearing vest.

Officers shall not leave their TASER unsecured for any length of time.

Officers are not authorized to take Department issued TASERs home. Officers shall secure their TASER in their personal locker when not on-duty.

303.9.8 TESTING

Only properly functioning and charged TASERs shall be carried. Officers shall inspect and spark-test their TASER prior to each shift.

Officers are responsible for keeping their assigned TASER, battery, and cartridges clean and inspected. Any damage or improper functioning shall immediately be reported to a supervisor.

303.9.9 RECERTIFICATION

Officers assigned a TASER shall recertify annually.

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

303.10 IMPACT WEAPON GUIDELINES

Officers may use an impact weapon when the need to immediately control a suspect outweighs the risk of causing serious injury.

Officers may only use Department approved impact weapons.

Flashlights should not be considered as an offensive or defensive weapon, and shall only be used as an impact weapon as a last resort.

303.10.1 TARGETING CONSIDERATIONS

The head, heart, kidneys, neck, spine, throat, and groin should not be intentionally targeted except when the officer reasonably believes the use of lethal force is justified.

303.10.2 IMPACT WEAPONS ISSUANCE AND METHOD OF CARRY

Officers shall only use impact weapons issued by the Department, and said weapon shall not be altered or modified in any way.

When carried in uniform, officers shall carry their impact weapons in a Department approved belt holster, in a Department approved drop-down holster on the non-duty-weapon side leg, or in a Department approved holster on their load bearing vest.

Use of Force

303.11 OLEORESIN CAPSICUM (OC)

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

OC spray should not be used against individuals or groups who merely fail to disperse or do not reasonably appear to present a risk to the safety of officers or the public.

303.11.1 MEDICAL TREATMENT

Any subject sprayed with OC shall be examined by medical personnel as soon as practicable.

303.11.2 ACTIONS FOLLOWING DEPLOYMENT

In addition to medical treatment, officers shall take the following actions after successfully deploying OC:

- Decontaminate subject as soon as practical
- Continuously monitor subject for indications of medical problems

Subjects shall not be left alone while in police custody, or hobbled and placed face down after being sprayed with OC.

303.11.3 OC ISSUANCE AND METHOD OF CARRY

Officers shall only use the OC issued by the Department, and said OC shall not be altered or modified in any way.

When carried in uniform, officers shall carry their OC in a Department approved belt holster, in a Department approved drop-down holster on the non-duty-weapon side leg, in a Department approved holster on their load bearing vest, or secured with a Department approved pocket clip.

303.11.4 POST-APPLICATION NOTICE

Officers who deploy OC into any building, residence, vehicle or other enclosed area, should ensure that the owners or available occupants are provided with notice of the possible presence of residue that could cause irritation or injury if the area is not properly cleaned and decontaminated. Such notice should include an advisement that the owner is responsible for any costs associated with the clean-up and decontamination of the affected area. Officers shall document the content of the notification, the method in which the notification was conveyed, and to whom the notification was made in the related reports.

303.12 MUNITIONS LAUNCHER (40MM)

Officers may use the 40mm when the need to immediately control a suspect outweighs the risk of causing serious injury.

Officers shall only use Department approved munitions.

Use of Force

303.12.1 TARGETING CONSIDERATIONS

The head, neck, and groin should not be intentionally targeted except when the officer reasonably believes the use of lethal force is justified.

303.12.2 DEPLOYMENT CONSIDERATIONS

Officers should consider the following factors prior to deploying the 40mm:

- Angle and Distance to subject
- Subject's location
- Subject's proximity to others

Type and thickness of subject's clothing

303.12.3 RECERTIFICATION

All officers shall recertify annually.

303.13 USE OF LETHAL FORCE OPTIONS GUIDELINES

While a firearm is considered the primary Lethal Force option, nothing in this policy precludes an officer from using a Less-Lethal Force option in a Lethal Force manner so long as Lethal Force is justified.

Officers are justified in using Lethal Force upon another person in the following circumstances:

- To defend themselves or others from what they reasonably believe is the imminent threat of death or serious bodily injury
- To stop a fleeing subject when the officer has probable cause to believe that the subject has committed, or intends to commit, a crime involving the infliction or threatened infliction of death or serious bodily injury, and the officer reasonably believes that there is an imminent risk of death or serious bodily injury to any other person if the subject is not immediately apprehended

Imminent does not mean immediate or instantaneous. An imminent danger may exist even if the subject is not at that very moment pointing a weapon at someone. For example, an imminent danger may exist if an officer reasonably believes any of the following:

- The subject has a weapon or is attempting to access one and it is reasonable to believe the subject intends to use it against the officer or another person
- The subject is capable of causing serious bodily injury or death without a weapon and it is reasonable to believe the subject intends to do so

A verbal warning should precede the use of Lethal Force when practicable.

Only officers who have successfully completed department approved training on the application of a specific Lethal Force option described in this policy or Policy 304 – Firearms are authorized to carry and use said option.

Use of Force

303.13.1 SHOOTING AT OR FROM MOVING VEHICLES

Shots fired at or from a moving vehicle are rarely effective. Officers should utilize tactically safe methods when in contact with vehicles and should move out of the path of an approaching vehicle instead of discharging their firearm at the vehicle or any of its occupants.

Shooting at or from moving vehicles will only be used in extreme circumstances. An officer should only discharge a firearm at a moving vehicle or its occupants when the officer reasonably believes there are no other reasonable means available to avert the imminent threat of serious bodily injury or death from the use of the vehicle, or if lethal force other than the vehicle is directed at others or the officer(s).

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

303.14 FIXED OR FOLDING BLADE KNIVES

The use of a knife is generally considered an application of lethal force and shall be used as a tool of last resort in any situation during which an officer, during performance of their normal assigned duties, no longer has access to their Duty-Handgun or their Duty-Handgun is no longer functioning.

Officers may carry a fixed or folding blade knife with a maximum blade length of four and one half inches (4 1/2).

Officers may carry utility tools such as a Leatherman's Tool.

303.14.1 PUNCH KNIFE (PUSH KNIFE)

The use of a Punch Knife is generally considered an application of lethal force and shall be used as a tool of last resort in any situation during which an officer, during performance of their normal assigned duties, no longer has access to their Duty-Handgun or their Duty-Handgun is no longer functioning.

Only officers who have successfully completed department approved training in their use, are authorized to carry and deploy a Punch Knife.

303.14.2 PUNCH KNIVES ISSUANCE AND METHOD OF CARRY

Officers shall carry only Department approved Punch Knives, and said knife shall not be altered or modified in any way.

The following Punch Knives are authorized for on-duty carry:

- Benchmade - CBK
- Cold Steel - Urban Edge
- Gerber – Ghoststrike Punch Knife

Officers who carry a Punch Knife shall carry the knife on the outside or front of their non-duty-weapon side boot. The knife shall be carried in a concealed manner, covered by the officer's pant. The knife should be securely fastened to the boot using a bootlace or cord, and should be easily accessed with the non-duty-weapon side hand.

Use of Force

303.14.3 RECERTIFICATION

Officers choosing to carry a Punch Knife on-duty, shall recertify bi-annually.

303.15 LETHAL-FORCE ON DANGEROUS ANIMALS

Officers may deploy any Lethal Force option against a potentially dangerous animal if the animal reasonably appears to pose an imminent threat to human safety and Less-Lethal Force options were ineffective, would likely be ineffective, or are not reasonably available.

303.16 REPORTING REQUIREMENTS

Prior to the end of the shift in which the application of force occurred, the on-duty supervisor shall document the use of force on a "Use of Force Report" in accordance with SOP-303. [See attachment: SOP 303 - Use of Force Reporting 20200528.pdf](#)

303.16.1 DOCUMENTATION OF UNINTENTIONAL DEPLOYMENT OF LETHAL OR LESS-LETHAL FORCE OPTION

Officers shall immediately notify the on-duty supervisor of any unintentional deployment of a Lethal or Less-Lethal Force option. The Supervisor shall document the circumstances on a PQR in accordance with Policy 301 – Personnel Complaints.

Firearms

304.1 PURPOSE AND SCOPE

The purpose of this policy is to establish and communicate guidelines and procedures for the acquisition, use and qualification of firearms carried on- or off-duty under the authority granted by [CRS 16-2.5-101 (2)].

304.2 DEFINITIONS

Backup Handgun: A handgun carried by officers during performance of their normal assigned duties, but is considered a weapon of last resort in any situation during which an officer no longer has access to their Duty-Handgun or their Duty-Handgun is no longer functioning.

Duty Handgun: The primary handgun carried by officers during performance of their normal assigned duties.

Duty Rifle: The primary rifle carried by officers during performance of their normal assigned duties.

Duty Weapon: The primary handgun or rifle carried by officers during performance of their normal assigned duties.

Firearms Qualification: The process during which an officer demonstrates the ability to properly handle and operate a firearm under a variety of conditions while achieving or surpassing a specified minimum score on the department's current qualification course.

Off-Duty Handgun: A handgun carried by officers while not on duty.

Officers: All sworn personnel.

304.3 AUTHORIZATION TO CARRY FIREARMS

Only peace officers certified by the Colorado Peace Officer Standards and Training (POST) board and authorized by the Chief of Police shall have the privilege to carry firearms at all times, concealed or otherwise. This privilege is subject to the written firearms policy created by the agency employing the peace officer. [CRS 16-2.5-101 (2)]

Non-Sworn employees who possess a valid Concealed Weapon Permit, shall not carry a firearm on duty without prior written approval from the Chief of Police.

304.4 AUTHORIZED FIREARMS AND EQUIPMENT

Only approved handguns and rifles shall be authorized for use as Duty Weapons. Duty Weapons shall be thoroughly inspected by the Range Master or the authorized designee prior to use.

304.4.1 DUTY HANDGUNS

Officers shall carry a Glock Model 17 or 19 as their Duty Handgun.

Officers assigned to the North Metro Task Force (NMTF) may carry a Glock Model 26 or 43 as their Duty Handgun.

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Officers carrying a previously authorized handgun other than a Glock Model 17 or 19 as their Duty Handgun prior to issuances of this policy, may continue to carry said weapon as their Duty Handgun. Officers choosing to change their Duty Handgun from a previously authorized handgun, must change to a Glock Model 17 or 19.

Officers, regardless of their normal assignment or duties, shall carry their Duty Handgun equipped with a weapon mounted light and three fully loaded magazines when wearing a Class A or B uniform.

Only standard logos and markings from the manufacturer, or a department approved logo are allowed on Duty Handguns.

304.4.2 DUTY RIFLES

Any rifle used as a Duty Rifle shall meet the following criteria:

- AR-15
- Direct Impingement
- Semi-automatic
- Caliber .223/5.56
- Minimum barrel length of 16"
- Minimum barrel twist of 1/10
- Fixed or sliding style collapsible stock
- Rail system capable of securing iron sights and weapon mounted light
- Iron sights
- Weapon mounted light
- Sling system
- Black in color, this includes the pistol grip, rail system, sights and stock
- Minimum magazine capacity of at least 20 rounds (2)
- Maximum magazine capacity of 30 rounds (2)
- Properly fit in patrol vehicle rifle rack

Any rifle used as a Duty Rifle shall be factory built from one of the following manufacturers:

- Bushmaster
- Colt
- Daniel Defense
- Sig Sauer
- Smith & Wesson M&P

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Officers carrying a previously authorized Duty Rifle not in compliance with the criteria found within this policy may, with approval from the Range Master, continue to carry said weapon as their Duty Rifle. Officers choosing to change their Duty Rifle from a previously authorized rifle, must change to a rifle meeting the criteria set forth in this policy.

Officers issued an AR-15 in conjunction with their assignment to the Northglenn/Thornton Special Weapons and Tactics team (SWAT), may carry said weapon as their Duty Rifle so long as the weapon can be properly secured in a patrol vehicle rifle rack. For situations in which the weapon cannot be properly secured in the rifle racks, officers may carry the weapon on duty in a case stored during duty hours in the truck of their assigned patrol vehicle. Officers choosing to carry their SWAT issued weapon in the trunk of their patrol vehicle, are still required to carry an approved Duty Rifle in the rifle rack of their patrol vehicle.

Only standard logos and markings from the manufacturer, or a department approved logo are allowed on Duty Rifles.

304.4.3 DUTY RIFLE OPTICS

Duty Rifles may be equipped with an optical sight in addition to iron sights. Any optical sight attached to a Duty Rifle shall meet the following criteria:

- Fixed magnification no greater than 4

Any Optical Sight or scope attached to a Duty Rifle shall be factory built from one of the following manufacturers:

- Aimpoint
- Burris
- Leupold
- Trijicon
- Tru-Glow
- Vortex

The placement of any optical sight must allow for immediate and unrestricted use of the required iron sights.

304.4.4 WEAPON MOUNTED LIGHTS

A Weapon Mounted Light is a tool that officers may use during situations in which a legitimate and necessary reason to display their firearm exist. A Weapon Mounted Light shall not be used as a primary light source for low-risk police activities or to simply see into low-light environments. The use of a Weapon Mounted Light attached to a firearm may be considered a use of force. Officers shall consider the "Objectively Reasonableness" standard as it relates to use of force when deploying a Weapon Mounted Light attached to a firearm.

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304.4.5 BACKUP HANDGUNS

Officers choosing to carry a Backup Handgun shall carry a Glock Model 26, 42 or 43, or a Ruger LCP caliber .380 or 9mm.

Officers carrying a previously authorized handgun other than a Glock Model 26, 42 or 43, or a Ruger LCP as their Backup Handgun prior to issuances of this policy, may continue to carry said weapon as their Backup Handgun. Officers choosing to change their Backup Handgun from a previously authorized handgun, must change to a Glock Model 26, 42 or 43, or a Ruger LCP caliber .380 or 9mm.

Officers choosing to carry a Backup Handgun shall carry said weapon in a concealed manner and as to prevent unintentional discharge or loss of physical control. Officers shall carry a minimum of one fully loaded magazine.

Only standard logos and markings from the manufacturer, or a department approved logo are allowed on Backup Handguns.

304.4.6 OFF-DUTY HANDGUNS

Officers who are off-duty and choose to carry a firearm under the provisions set forth under [CRS 16-2.5-101 (2)] shall adhere to the following guidelines:

- Off-Duty Handguns shall be semi-automatic of a caliber .380, 9mm, .40 or .45, or a revolver of a caliber .38 Special or .357 Magnum
- Off-Duty Handguns shall be carried in a concealed manner and so as to prevent unintentional discharge or loss of physical control
- Officers shall carry their badge and department identification card
- Only standard logos and markings from the manufacturer, or a department approved logo are allowed on Off-Duty Handguns

Employees who are off duty and possess a valid concealed weapon permit may carry a concealed firearm to the extent permitted by law.

Employees who are off duty and choose to open carry a firearm, may do so to the extent permitted by law.

304.4.7 AMMUNITION

The criteria for ammunition used in Duty Handguns, Duty Rifles, and Backup Handguns is the sole discretion of the Chief of Police or the authorized designee. Officers shall carry only ammunition approved by the Chief of Police or the authorized designee for use in Duty Handguns, Duty Rifles, and Backup Handguns. The department shall provide all ammunition for Duty Handguns, Duty Rifles, and Backup Handguns.

Officers who are off-duty and choose to carry a firearm under the provisions set forth under [CRS 16-2.5-101 (2)] shall carry only ammunition approved by the Chief of Police or the authorized designee. Officers must provide at their own expense all ammunition used in their Off-Duty Handgun.

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Employees who are off duty and possess a valid concealed weapon permit or choose to open carry, may use any ammunition to the extent permitted by law.

304.5 FIREARMS SAFETY

Maintaining the highest level of safety when handling firearms is of the utmost importance. Officers shall consider the following when handling a firearm:

- Except in extreme emergent situations, officers shall secure all firearms in a lockbox prior to entering the holding facility
- Officers shall clean firearms only in department-designated areas
- Officers shall ensure all firearms are unloaded prior to storage in the Armory or Ready Issue Room
- Officers shall not leave any firearm unsecured
- Officers shall not unnecessarily display or handle any firearm
- Officers shall not store any firearm on department premises unless the place of storage is locked
- When at the range, officers are governed by the rules and regulations pertaining to the use of the range
- When at the range, officers shall obey all orders issued by the Range Master or the authorized designee

304.5.1 FIREARM STORAGE AT HOME

Officers shall ensure that all firearms and ammunition are secured while in their homes, vehicles or any other area under their control in a manner that will keep the firearm inaccessible to children and irresponsible adults.

304.5.2 ALCOHOL AND DRUGS

Officers who are on-duty, or who are off-duty and choose to carry a firearm under the provisions set forth under [CRS 16-2.5-101 (2)] shall not carry a firearm after consuming any amount of alcohol, or after taking any drug that would tend to adversely affect the officer's senses or judgment to the slightest degree.

Employees who are off duty and possess a valid concealed weapon permit or choose to open carry, may carry a firearm to the extent permitted by law.

304.6 CARRYING FIREARMS OUT OF STATE

Officers wishing to carry a firearm out of the State of Colorado, shall adhere to Title 18 United States Code (USC), Section 926B, Carrying of Concealed Firearms by Qualified Law Enforcement Officers.

Firearms

304.7 FLYING WHILE ARMED

The Transportation Security Administration (TSA) has established rules governing law enforcement officers flying armed on commercial aircraft. Officers wishing to fly while armed shall adhere to Title 49 Code of Federal Regulations (CFR), Section 1544.219, Carriage of Accessible Weapons.

304.8 FIREARMS MAINTENANCE, MODIFICATIONS AND REPAIRS

Firearms used in a duty or backup capacity shall be maintained in a clean, serviceable condition. The Range Master or the authorized designee shall inspect all Duty and Backup firearms annually to ensure safe and proper functioning.

Modifications to any duty or backup firearm must be approved and carried out by the Range Master or the authorized designee.

Repairs to any duty or backup firearm must be approved and carried out by the Range Master or the authorized designee.

304.9 FIREARMS QUALIFICATION

The Range Master or the authorized designee shall ensure three firearms qualification ranges are run annually. All officers must qualify with their Duty Handgun and Rifle, and if carried, their Backup Handgun, twice annually on the department's qualification course. Additional qualification ranges may be run at the discretion of the Range Master.

Officers must achieve a score of 75% or greater with their Duty and Backup Handguns, and a score of 80% or greater with their Duty Rifle in order to be deemed qualified. Officers will be awarded a Qualification Badge based on the scores they achieve with their Duty Handgun. The criteria for Qualification Badges is as follows:

- No badge: 75% - 79.9%
- Marksman: 80% - 85.9%
- Sharpshooter: 86% - 89.9%
- Expert: 90% - 96.9%
- Distinguished Expert: 97% - 100%

Officers must meet the criteria set forth for the badge to be awarded at two of the three annual firearms qualification ranges. Officers failing to meet the criteria at two of the three firearms qualification ranges will be awarded the qualification badge corresponding with their lowest score. To achieve the badge of Distinguished Expert, officers must first meet the criteria at five qualification ranges, and then at two of the three annual firearms qualification ranges.

Officers will receive no more than two attempts per qualification range to qualify with their Duty Handgun and Rifle, and if carried, their Backup Handgun.

Officers who acquire a new firearm shall qualify with it at the next available qualification range.

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Firearm Qualification Course requirements will be determined by the Chief of Police or the authorized designee.

The qualification courses for Duty Handguns, Duty Rifles, Backup Handguns, and Off-Duty Handguns are as follows:

[SOP 304DH - Duty Handgun Qualification Course 20170222.pdf](#)

[SOP 304DR - Duty Rifle Qualification Course 20170222.pdf](#)

[SOP 304BOH - Backup and Off-Duty Handgun Qualification Course 20170222.pdf](#)

304.9.1 FAILURE TO QUALIFY

Officers who fail to qualify with their Duty Handgun or Rifle shall receive remedial training from the Range Master or the authorized designee within 30 days of said failure. Officers must submit through their chain-of-command to the Range Master a memorandum indicating their failure to qualify and requesting the remedial training. Officers shall receive two opportunities to qualify within the 30 days.

Officers who fail to qualify after receiving remedial training and the subsequent opportunities to qualify will be placed in position that does not require a firearm pending the outcome of an administrative review or fit-for-duty evaluation. The police department reserves the right to terminate an officer for cause if they are unable to qualify with their Duty Handgun.

Officers who fail to qualify with their Backup Handgun are prohibited from carrying the firearm until they achieve a qualifying score.

Officers who fail to qualify with their Off-Duty Handgun are prohibited from carrying the firearm under the provisions set forth under [CRS 16-2.5-101 (2)] until they achieve a qualifying score.

Employees who are off duty and possess a valid concealed weapon permit may carry a concealed firearm to the extent permitted by law.

Employees who are off duty and choose to open carry a firearm, may do so to the extent permitted by law.

304.10 RANGE MASTER RESPONSIBILITIES

The primary responsibility for the department's firearms training program falls to the Range Master. The Range Master the authorized designee is responsible for the following:

- Annual inspection of all duty and backup firearms
- Documentation of all firearms training and qualifications
- Ensuring officers are proficient in the care and cleaning of duty and backup firearms
- Inspection of any duty or backup firearm returning to service after repair
- Maintaining a roster of all officers who attend firearms training and qualifications

Handcuffing and Restraints

305.1 PURPOSE AND SCOPE

The primary purpose of this policy is to establish and communicate guidelines for the use of handcuffs and other restraints during detentions and arrests.

305.2 DEFINITIONS

Oleoresin Capsicum (OC): A naturally occurring mixture of oil and resin of the pepper used to cause pain or the temporary incapacitation of a subject in order to gain compliance.

Spit Hood (Spit Mask or Spit Sock): A temporary protective device designed to prevent the wearer from biting or transferring bodily fluids, such as mucous and saliva, to others.

305.3 USE OF RESTRAINT GUIDELINES

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

Only officers who have successfully completed department approved training on the use of restraint devices described in this policy are authorized to use said devices.

Although generally dictated by the behavior and demeanor of the arrested subject, a number of factors should be taken into consideration when balancing officer safety concerns and the decision to use any restraint. These factors include, but are not limited to:

- The circumstances surrounding the arrest
- The severity of the crime at issue
- The age and health of the subject
- Whether the subject is known to be pregnant
- Whether the subject has a hearing or speaking disability
- Whether the subject has any other apparent disability

305.3.1 DETAINEES

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

305.3.2 PREGNANT PERSONS

Persons who are known to be pregnant shall be restrained in the least restrictive manner required for effective officer safety.

Handcuffing and Restraints

Persons who are known to be pregnant shall not be restrained by the use of leg irons or waist chains, or with their hands behind their body.

No person who is in labor shall be handcuffed or restrained except in extraordinary circumstances and only when a supervisor makes an individualized determination that such restraints are necessary to prevent escape or injury.

305.3.3 JUVENILES

A juvenile under the age of 14 shall not be restrained unless said juvenile is suspected of a dangerous felony, or when the officer reasonable believes the juvenile may attempt one or more of the following:

- Damage Property
- Escape
- Injury to self
- Injury to others
- Resist

305.3.4 NOTIFICATIONS

When an officer transports a subject to the jail with the use of restraints other than handcuffs, the officer shall notify the jail staff upon arrival that restraints were used. In addition, the officer shall provide information regarding any circumstances that occurred prior to, or during transportation to the jail that the officer reasonably believes is a potential safety concern or medical risk to the subject such as extreme agitation, impaired respiration, or a prolonged struggle.

305.4 APPLICATION OF HANDCUFFS OR PLASTIC CUFFS

Although recommended for most arrest situations, handcuffing is discretionary, and officers should consider handcuffing any person they reasonably believe warrants that level of restraint. However, handcuffs, including temporary nylon or plastic cuffs, may be used only to restrain a person's hands to ensure officer safety. Officers should not conclude that in order to avoid risk, every person should be handcuffed, regardless of the circumstances.

In most situations, handcuffs should be applied with the hands behind the subject's back. In situations requiring the officer to apply handcuffs with the hands in front of a subject, a transport belt should be used.

When feasible, handcuffs should be double-locked to prevent tightening, which may cause undue discomfort or injury to the hands or wrists.

To prevent a subject from slipping their handcuffs, the safety harness from the WRAP may be used as a standalone restraint.

For situations in which one pair of handcuffs appears insufficient to restrain the individual or may cause unreasonable discomfort due to the subject's size, officers should consider using an additional set of handcuffs or multiple plastic cuffs.

Handcuffing and Restraints

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

305.5 APPLICATION OF SPIT HOODS

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

Officers should ensure the spit hood is fastened properly to allow for adequate ventilation and the normal breathing of restrained subject. Officers should provide assistance to the subject during any movement to another location due to the potential for impaired or distorted vision.

Officers shall not commingle subjects wearing spit hoods with other detainees.

Spit hoods should not be used on a subject who is bleeding profusely from the area around the mouth or nose, or if there are indications the subject has a medical condition, such as difficulty breathing or vomiting. In such cases, immediate medical care should be obtained.

If the subject vomits while wearing a spit hood, the hood should be immediately removed and discarded.

Subjects who have been sprayed with OC spray should be thoroughly decontaminated including hair, head and clothing prior to application of a spit hood.

Those who have been placed in a spit hood should be continually monitored and shall not be left unattended until the spit hood is removed.

Spit hoods shall be discarded after each use.

305.6 AUXILIARY RESTRAINTS

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

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

305.6.1 APPLICATION OF LEG RESTRAINTS

Leg restraint devices may be used on violent or potentially violent subjects during the course of arrest, detention, or transportation.

In determining whether to apply a leg restraint device, officers should consider the following factors:

- Whether the subject's assaultive or resistive behavior expose officers or others to potential injury
- Whether the subject's behavior exposes them to potential injury

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- Whether the subject's behavior is likely to cause property damage

In applying a leg restraint device, officers should adhere to the following guidelines:

- If practicable, notify a supervisor of the intent to apply a leg restraint device
- Absent a medical or other emergency, restraints should remain in place until the officer arrives at the jail or other facility, or the subject no longer reasonably appears to pose a threat
- During transport, the subject should be placed in a seated or upright position, secured with a seat belt, and shall not be placed face down for an extended period
- The restrained subject should be continually monitored by an officer while in a leg restraint device
- During transport by medical personnel, the restrained subject should be accompanied by an officer when requested
- The officer should notify medical personnel any unusual behaviors or other circumstances the officer reasonably believes would be potential safety or medical risks to the subject such as extreme agitation, impaired respiration, or a prolonged struggle
- The WRAP should only be applied once a subject is prone and the hands are cuffed behind the subject's back
- The WRAP should be applied with no less than 2 officers.
- To help prevent positional asphyxiation, once the subject's legs have been bound in the WRAP, the safety clip of the restraint may be attached to the chain of the handcuffs, insuring enough slack is left to allow the subject to sit in an upright position
- Once the subject is secure and no longer presents a threat, the hobble strap of the WRAP should be checked for fit to allow for proper blood flow

In all cases, a supervisor shall be notified as soon as practicable after the application of a leg restraint device.

Leg restraint devices shall only be used to bind and immobilize a subject's legs.

305.7 RESTRAINT USE DOCUMENTATION

If a subject is arrested, the use of restraints other than handcuffs shall be documented on a "Use of Force Report" in accordance with SOP-305 found within Policy 305 – Use of Force. In the related report, officers should include the following:

- Amount of time the suspect was restrained
- Any known or suspected drug use or other medical problems
- How the suspect was transported and the position of the suspect
- Observations of the suspect's behavior and any signs of physiological problems

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If a subject is detained and subsequently released without an arrest, the circumstances surrounding the decision to use handcuffs or other restraints during the detention shall be documented.

Officer-Involved Shooting

306.1 PURPOSE AND SCOPE

The purpose of this policy is to establish policy and procedures for the investigation of an incident in which a person is injured as the result of an officer-involved shooting. The intent of this policy is to ensure that such incidents be investigated in a fair and impartial manner.

306.2 INVESTIGATION RESPONSIBILITY

This department conforms to the Adams County Critical Incident Investigation Team for investigating officer-involved shootings.

306.3 TYPES OF INVESTIGATIONS

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

- (a) A criminal investigation of the incident by the agency having jurisdiction where the incident occurred. This department may, however, relinquish its criminal investigation to an outside agency with the approval of the Chief of Police or the authorized designee.
- (b) A criminal investigation of the incident by the agency having jurisdiction where the incident occurred. This department may request that the criminal investigation be conducted by an outside agency with the approval of the Chief of Police or a Division Commander.
- (c) A criminal investigation of the involved officer conducted by an outside agency.
- (d) A civil investigation to determine potential liability conducted by the involved officer's agency.
- (e) An administrative investigation conducted by the involved officer's agency to determine if there were any violations of Department policy.

306.4 JURISDICTION

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

306.4.1 NORTHGLENN POLICE DEPARTMENT OFFICER WITHIN THIS JURISDICTION

The Northglenn Police Department is responsible for the criminal investigation of the suspect's actions, the civil investigation and the administrative investigation. The criminal investigation of the officer-involved shooting will be conducted by an uninvolved outside law enforcement agency that has been asked to conduct the investigation.

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306.4.2 OUTSIDE AGENCY'S OFFICER WITHIN THIS JURISDICTION

The Northglenn Police Department is responsible for the criminal investigation of the suspect's actions. The criminal investigation of the officer-involved shooting will be conducted by this department or an uninvolved outside agency. The officer's employing agency will be responsible for any civil and/or administrative investigation.

306.4.3 NORTHGLENN POLICE DEPARTMENT OFFICER IN ANOTHER JURISDICTION

The agency where the incident occurred has criminal jurisdiction and is responsible for the criminal investigation of the incident. That agency may relinquish its criminal investigation of the suspect to another agency. The Northglenn Police Department will conduct timely civil and/or administrative investigations of its own personnel.

306.4.4 INVESTIGATION RESPONSIBILITY MATRIX

The following table identifies the possible scenarios and responsibilities for the investigation of officer-involved shootings.

	Criminal Investigation of suspect	Criminal Investigation of officer	Civil Investigation	Administrative Investigation
NPD Officer in this jurisdiction	NPD Investigators	NPD Investigators or uninvolved agency	NPD Civil Liability Team - Cirsa Lawyers	NPD Professional Standards Unit
Outside agency's officer in this jurisdiction	NPD Investigators	NPD Investigators or outside agency	Involved officer's agency	Involved officer's agency
NPD Officer in another jurisdiction	Agency where incident occurred	Decision made by agency where incident occurred	NPD Civil Liability Team- Cirsa Lawyers	NPD Professional Standards Unit

306.5 THE INVESTIGATION PROCESS

The following procedures are guidelines for use in the investigation of an officer-involved shooting.

306.5.1 DUTIES OF INITIAL OFFICER ARRIVING ON-SCENE

Upon arrival at the scene of an officer-involved shooting, the first uninvolved officer will be the officer in charge and assume the duties of a supervisor until relieved by the responding supervisor, and should:

- (a) Secure the scene, identify and eliminate hazards for all those involved.
- (b) Take all reasonable steps to obtain emergency medical attention for all apparently injured individuals.
- (c) Coordinate a perimeter or pursuit of suspects as appropriate.
- (d) Request additional resources, units or agencies as appropriate.
- (e) Brief the supervisor upon arrival.

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306.5.2 DUTIES OF INITIAL ON-SCENE SUPERVISOR

Upon arrival at the scene of an officer-involved shooting, the first uninvolved supervisor should continue and complete the duties as outlined above, plus:

- (a) Attempt to obtain a brief overview of the situation from any non-shooter officers. In the event that there are no non-shooter officers, the supervisor should attempt to obtain a brief voluntary overview from one shooter officer.
- (b) If necessary, the supervisor may administratively order any officer from this department to immediately provide the information necessary to secure the scene and pursue suspects. This would include such things as outstanding suspect information, number and direction of shots fired, parameters of the incident scene, identity of known witnesses and similar information.
- (c) Absent a voluntary statement from any officer, the initial on-scene supervisor should not attempt to order any officer to provide any information other than public safety information.
- (d) Provide all available information to the Shift Sergeant and Adams County Communications Center. If feasible, sensitive information should be communicated over secure networks.
- (e) Take command of and secure the incident scene with additional personnel until relieved by the Investigations unit Sergeant or other assigned personnel.
- (f) As soon as practicable, shooter officers should respond or be transported (separately, if feasible) to the station or away from the scene to a designated location free from the distractions of the investigative process for further direction.
 1. Each involved officer should be given an administrative order not to discuss the incident with other involved officers pending further direction from a supervisor.

306.5.3 SHIFT SERGEANT DUTIES

Upon learning of an officer-involved shooting, the Shift Sergeant shall be responsible for coordinating all aspects of the incident until relieved by the Chief of Police or a Division Commander.

306.5.4 NOTIFICATIONS

The following persons shall be notified as soon as practicable:

- Staff Duty On-Call Commander
- Chief of Police
- Support Division Commander
- On-Call Detective
- Adams County Critical Incident Team

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- Professional Standards Unit Sergeant
- Peer Support Personnel
- Coroner
- Public Information Officer
- Officer Representative (FOP, if requested)
- CIRSA Representative (Civil, as time allows)
- All outside inquiries about the incident shall be directed to the Shift Sergeant until relieved by Command Officer.

306.5.5 MEDIA RELATIONS

A single media release shall be prepared with input and concurrence from the supervisor and the agency representative responsible for each phase of the investigation. This release will be available to the Shift Sergeant, Staff Duty Commander and Public Information Officer in the event of inquiries from the media.

It is the policy of this department to not release the identities of involved officers absent their consent or as required by law. Moreover, no involved officer shall be subjected to contact from the media and no involved officer shall make any comments to the press unless authorized by the Chief of Police or a Division Commander.

Employees receiving inquiries regarding incidents occurring in other agency jurisdictions shall refrain from public comment and will direct those inquiries to the agency having jurisdiction and primary responsibility for the investigation.

306.5.6 INVOLVED OFFICERS

Once the involved officers have arrived at the station, the Shift Supervisor should admonish each officer that the incident shall not be discussed except with authorized personnel or representatives. The following shall be considered for the involved officer:

- (a) Any request for legal or union representation will be accommodated.
- (b) While discussions with licensed attorneys will be considered privileged as attorney-client communications, no involved officer shall be permitted to meet collectively or in a group with an attorney prior to providing a formal interview or report.
- (c) Discussions with Department representatives (e.g., FOP) will be privileged only as to the discussion of non-criminal information. However, no involved officer shall be permitted to meet collectively or in a group with a representative or attorney prior to providing a formal interview or report.
- (d) A psychologist or other psychotherapist shall be provided by the Department to each involved officer or any officer upon request.

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1. Interviews with a licensed psychotherapist will be considered privileged and will not be disclosed except to the extent that a report is required to determine whether the officer is fit for return to duty.
 2. If an interview or session with a licensed psychotherapist takes place prior to the involved officer providing a formal interview or report, the involved officer shall not be permitted to consult or meet collectively or in a group with a licensed psychotherapist prior to providing a formal interview or report.
- (e) Although the Department will honor the sensitivity of communications with peer counselors, there is no legal privilege to such. Peer counselors are cautioned not to discuss the facts of any incident with an involved or witness officer.

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

Investigators shall make reasonable accommodations to the officer's physical and emotional needs.

Each involved officer shall be given reasonable paid administrative leave following an officer-involved shooting, by the affected Division's Commander. It shall be the responsibility of the Shift Sergeant to make schedule adjustments to accommodate such leave.

306.6 SHOOTING INCIDENT CRIMINAL INVESTIGATION

306.6.1 INVESTIGATIVE PERSONNEL

Once notified of an officer-involved shooting, it shall be the responsibility of the Investigative Support Unit supervisor to assign appropriate personnel to handle the investigation of related crimes. Investigators will be assigned to work with those from an outside agency should the investigation be assumed by another agency, and may be assigned to separately handle the investigation of any related crimes that are not being investigated by the outside agency.

All related reports, except reports deemed confidential and/or administrative, will be forwarded to the designated supervisor for approval. Confidential reports shall be maintained exclusively by personnel who are authorized for such access. Administrative reports will be forwarded to the appropriate Division Commander.

306.6.2 CRIMINAL INVESTIGATION

This department may utilize an outside agency to conduct an independent criminal investigation into the circumstances of any officer-involved shooting involving injury or death.

If available, investigations personnel from this department may be assigned to partner with investigators from the outside agency to avoid duplicate efforts in related criminal investigations.

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Once public safety issues have been addressed, criminal investigators will be given the next opportunity to interview an involved officer in order to give the officer the opportunity to give a voluntary statement. The following shall be considered for the involved officer:

- (a) Supervisors and Professional Standards Unit personnel should not participate directly in any voluntary interview of the officer. This will not prohibit such personnel from monitoring interviews or indirectly providing areas for inquiry.
- (b) If requested, any involved officer will be afforded the opportunity to consult individually with a representative of his/her choosing or an attorney prior to speaking with criminal investigators. However, in order to maintain the integrity of each individual officer's statement, the involved officer shall not consult or meet with a representative or attorney collectively or in groups prior to being interviewed.
- (c) Any voluntary statement provided by the officer will be made available for inclusion in the administrative or other related investigations.
- (d) Absent consent from the involved officer or as required by law, no administratively coerced statement will be provided to any criminal investigators.

306.6.3 REPORTS BY INVOLVED OFFICERS

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

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

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

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

306.7 WITNESS IDENTIFICATION AND INTERVIEWS

Because potential witnesses to an officer-involved shooting or other major incident may be lost or the integrity of their statements compromised with the passage of time, a supervisor should take reasonable steps to promptly coordinate with criminal investigators to utilize available personnel for the following:

- (a) Identifying all persons present at the scene and in the immediate area.

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1. When feasible, a recorded statement should be obtained from persons who claim they did not witness the incident but were present at the time it occurred.
 2. Any potential witness who is unwilling or unable to remain available for a formal interview should not be detained absent reasonable suspicion to detain or probable cause to arrest. Without detaining the individual for the sole purpose of identification, an officer should attempt to identify the witness prior to his/her departure.
- (b) Witnesses who are willing to provide a formal interview should be asked to meet at a suitable location where criminal investigators may obtain a recorded statement. Such witnesses, if willing, may be transported by Department personnel.
1. A written, verbal or recorded statement of consent for transportation should be obtained prior to transporting a witness in a Department vehicle. When the witness is a minor, consent should be obtained from the parent or guardian, if available, prior to transportation. The form of consent given shall be documented in the transporting officers supplemental report.
- (c) Assigning available personnel to promptly contact the suspect's known family and associates to obtain any available and untainted background information about the suspect's activities and state of mind prior to the suspect's contact with officers.

306.8 ADMINISTRATIVE INVESTIGATION

In addition to all other investigations associated with an officer-involved shooting, this department will conduct an internal administrative investigation, pursuant to the Personnel Complaint Procedure Policy and the Administrative Investigation Procedure Policy, to determine conformance with Department policy. This investigation will be conducted under the supervision of the Professional Standards Unit and will be considered a confidential peace officer personnel file.

- (a) Any officer involved in a shooting may be administratively compelled to provide a blood sample for alcohol/drug screening. Absent consent from the officer, such compelled samples and the results of any such testing shall not be disclosed to any criminal investigative agency.
- (b) If any officer has voluntarily elected to provide a statement to criminal investigators, the assigned administrative investigator should review that statement before proceeding with any further interview of the involved officer.
 1. If a further interview of the officer is deemed necessary to determine policy compliance, care should be taken to limit the inquiry to new areas with minimal, if any, duplication of questions addressed in the voluntary statement. The involved officer shall be provided with a copy of his/her prior statement before proceeding with any subsequent interview.

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- (c) In the event that an involved officer has elected not to provide criminal investigators with a voluntary statement, the assigned administrative investigator shall conduct an administrative interview to determine all relevant information.
 - 1. Although this interview should not be unreasonably delayed, care should be taken to ensure that the officer's physical and psychological needs have been addressed before commencing the interview.
 - 2. If requested, the officer shall have the opportunity to select two uninvolved representatives, which may include legal representation, to be present during the interview. However, in order to maintain the integrity of each individual officer's statement, an involved officer shall not consult or meet with a representative or attorney collectively or in groups prior to being interviewed.
 - 3. Administrative interviews will be recorded by the investigator. The officer may also record the interview.
 - 4. The officer shall be informed of the nature of the investigation and shall be informed of all constitutional *Miranda* rights. Assuming there is no voluntary waiver, he/she will then be given his/her *Garrity* rights, and assuming there is no voluntary waiver, will then be given an administrative order to provide full and truthful answers to all questions.
 - 5. The administrative interview shall be considered part of the officer's administrative investigation file.
 - 6. The Professional Standards Unit shall compile all relevant information and reports necessary for the Department to determine compliance with applicable policies.
 - 7. The completed administrative investigation shall be submitted to the appropriate Division Commander, who will restrict the findings as to whether there was compliance with the Use of Force Policy.
 - 8. Any other indications of potential policy violations shall be determined in accordance with standard disciplinary procedures.
 - 9. The administrative investigation may request completion of a truth verification device examination, but only with the employee's consent. No notation or reference to a request or refusal to submit to such an examination may be made in any file or report.

306.9 CIVIL LIABILITY RESPONSE

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

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

306.10 AUDIO AND VIDEO RECORDINGS

Any officer involved in an incident may be permitted to review available Mobile Audio Video (MAV) or other video or audio recordings prior to providing a recorded statement or completing reports.

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

Any MAV and other known video or audio recordings of an incident should not be publicly released during an ongoing investigation without consulting the District Attorney or City Attorney's Office as appropriate.

Vehicle Pursuits

307.1 PURPOSE AND SCOPE

Vehicle pursuits expose citizens, officers and suspects to the risk of serious injury or death. Officers must not forget that the immediate apprehension of a suspect is generally not more important than the safety of the public and pursuing officers, and that the most important factors to the successful conclusion of a pursuit are proper self-discipline and sound professional judgment. Deciding whether to pursue a motor vehicle is a critical decision that must be made quickly, and under difficult and unpredictable circumstances. The primary purpose of this policy is to provide officers with guidance in balancing the safety of the public and themselves against law enforcement's duty to apprehend violators of the law.

307.1.1 PHILOSOPHY

Deciding whether to pursue a motor vehicle is a critical decision that must be made quickly and under difficult and unpredictable circumstances. It is recognized vehicle pursuits are not always predictable and decisions made pursuant to this policy will be evaluated according to the totality of the circumstances reasonably available at the time of the pursuit.

307.2 DEFINITIONS

Blocking or Vehicle Intercept: A coordinated maneuver where two or more patrol vehicles simultaneously intercept and/or block the movement of a suspect vehicle which is parked, stopped, or preparing to park or stop, the driver of which, may be unaware of the impending enforcement stop, with the goal of containment and preventing a pursuit. Blocking is not a moving or stationary roadblock.

Boxing-in: A tactic designed to stop a violator's vehicle, which is traveling at speeds greater than 5 MPH, by surrounding the violator's vehicle on four sides with law enforcement vehicles and then slowing all vehicles to a stop. Boxing-in is **NOT AUTHORIZED** by Northglenn Police Department.

Eluding/Fleeing: An active effort by the operator of a motor vehicle to attempt to avoid or escape capture by using high speed driving or other evasive tactics such as driving off a roadway, or making sudden or unexpected maneuvers, following an attempt by one or more law enforcement officers to initiate a traffic stop of the motor vehicle by use of emergency lights and sirens.

Investigatory Exception: According to state law, the investigatory exception applies to "...an authorized vehicle being operated as a police vehicle while in actual pursuit of a suspected violator of any provision of this title need not display or make use of audible or visual signals so long as such pursuit is being made to obtain verification of or evidence of the guilt of the suspected violator". [CRS 42-4-108 (3)]

Marked Patrol Vehicle or Motorcycle: An authorized emergency vehicle equipped with police markings, a siren, horn, and a red or blue emergency light, and is capable of displaying a flashing, oscillating or rotating red light visible from the front.

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Pinning: This technique employs the use of tactical vehicle contact. Police vehicles are positioned in physical contact with a stationary vehicle with the intent to restrict or prevent spacing that the suspect could use to escape. **PINNING IS A RESTRICTED TACTIC AND IS NOT AUTHORIZED FOR GENERAL PATROL OPERATIONS EXCEPT IN DIRECT CONJUNCTION AS PART OF TVI.** See all restrictions in section 307.4.3.

Primary Unit: *The lead pursuing marked patrol vehicle.*

Pursuit Intervention: *An attempt to terminate the ability of a suspect to start or continue to flee in a motor vehicle through tactical application of blocking or vehicle intercept, roadblock procedures, tire deflation devices, or TVI.*

Ramming: *The deliberate act of impacting a suspect's vehicle with another vehicle to functionally damage or otherwise force the suspect's vehicle to stop.*

Refusal to Stop: *An intentional refusal by a motor vehicle operator to pull over and stop, while still driving at a reasonable speed (e.g. at or below the established speed limit), following an attempt by one or more law enforcement officers to initiate a traffic stop of the motor vehicle by use of emergency lights and sirens.*

Roadblock: *A tactic designed to stop a suspect's vehicle by intentionally placing a vehicle or other immovable object in the path of the suspect's vehicle.*

Secondary Unit: *The second pursuing marked patrol vehicle.*

Tactical Vehicle Intervention (TVI): *A maneuver involving strategic vehicle to vehicle contact, which is intended to terminate a pursuit by causing the suspect's vehicle to spin out and come to a stop.*

Terminate: *To discontinue or stop pursuing a fleeing vehicle.*

Tire deflation Device or Stop Sticks: *A device that extends across the roadway and is designed to puncture the tires of a pursued vehicle or the prevention of a pursuit.*

Trail: *To follow the path of a pursuit while obeying all traffic laws and without activating emergency equipment, and at sufficient distance to clearly indicate an absence of participation in the pursuit.*

Unmarked Patrol Vehicle: *An authorized emergency vehicle equipped a siren, horn, and a red or blue emergency light, and is capable of displaying a flashing, oscillating or rotating red light visible from the front, but has no markings indicating it is a law enforcement vehicle.*

Vehicle Pursuit: *Any situation in which there is an active attempt by an officer operating an authorized emergency vehicle to apprehend the operator of a motor vehicle, who after being given audible or visual signals indicating the officer's intention of stopping the vehicle, fails to bring the vehicle to a stop as required by law.*

307.3 PURSUIT GUIDELINES

Operating an authorized emergency vehicle in a pursuit with emergency lights and siren does not relieve the operator of the duty to drive with due regard for the safety of all persons and does

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not protect the operator from the consequences of a reckless disregard for the safety of others [CRS 42-4-108(4)].

Officers who continue to pursue the operator of a motor vehicle, who after being given audible or visual signals indicating the officer's intention of stopping the vehicle, fails to bring the vehicle to a stop as required by law, shall make use of both audible and visual signals.

Officers attempting to catch up to a pursuit shall make use of both audible and visual signals.

Pursuits should only be conducted using a distinctively marked patrol vehicle equipped with emergency overhead lighting and audible siren.

If an unmarked vehicle becomes involved in a pursuit, they will relinquish primary or secondary roles to a marked patrol vehicle as soon as practicable.

Vehicles not equipped with a siren and horn, and a red or blue emergency light are prohibited from initiating or joining in any pursuit. Officers in such vehicles may provide support to pursuing units as long as the vehicle is operated in compliance with all traffic laws.

Patrol motorcycles are prohibited from initiating or joining in any pursuit. Officers on Patrol motorcycles may provide support to pursuing units as long as the motorcycle is operated in compliance with all traffic laws.

Pursuits should be limited to three vehicles. An officer or supervisor may request additional units to join a pursuit if it appears that the number of officers involved would be insufficient to safely arrest the suspect.

Officers may proceed past a red or stop signal or stop sign but only after slowing down as may be necessary for safe operation.

Officers shall not drive the wrong way on a roadway, highway or freeway during a pursuit.

Officers involved in a pursuit shall not attempt to pass other patrol vehicles unless they are requested to do so by another officer or supervisor, and a clear understanding of the maneuver process exists between the involved officers.

Officers not directly involved in the pursuit may proceed safely to controlled intersections ahead of the pursuit in an effort to warn cross traffic, and clear intersections of vehicular and pedestrian traffic.

Officers not directly involved in the pursuit but needed at the termination point shall respond in a non-emergency manner unless otherwise directed by the supervisor or emergent response is requested by an involved officer.

Officers transporting a prisoner are prohibited from initiating or engaging in any pursuit.

Any unit who has any ride-along participant in the vehicle, shall not engage in any pursuit until they have dropped their rider at a safe location. The rider shall not be dropped off at closed businesses, parking lots, or other areas where their safety and wellbeing cannot be guaranteed..

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In the event that the initiating unit from this agency relinquishes control of the pursuit to another unit or jurisdiction, the initiating unit may, with approval from the supervisor, trail the pursuit to the termination point in order to provide information and assistance for the arrest of the suspect.

Decisions made pursuant to this policy will be evaluated according to the totality of the circumstances reasonably available at the time of the pursuit.

307.3.1 WHEN TO INITIATE A VEHICLE PURSUIT

Officers may initiate a pursuit only after establishing reasonable suspicion that the operator of a motor vehicle, by an act other than the act of fleeing, has committed, attempted to commit, or is about to commit a felony crime against a person.

In addition to the above requirement, officers making the discretionary decision to initiate or continue a pursuit, shall consider the following factors individually and collectively:

- The balance between the known or reasonably suspected offense and the apparent need for immediate capture, and the risks to officers and innocent by-standers
- The level of threat the suspect represents to public safety
- The type of area
- The time of day
- The amount of vehicular and pedestrian traffic
- The road and weather conditions
- The pursuing officer's familiarity with the area
- If the identity of the suspect is known

307.3.2 WHEN TO TERMINATE A PURSUIT

The factors found in policy 307.3.1 regarding when to initiate a pursuit are expressly included herein and apply equally to the decision to terminate a pursuit. In addition, the following factors shall be considered when making the discretionary decision to terminate a pursuit:

- The identity of the suspect has been verified and there is minimal risk resulting from the suspect's escape
- The pursued vehicle's location is no longer definitely known
- The quality of radio communication between the pursuing units, dispatch and the supervisor
- The driving capabilities of the pursuing officers under the conditions of the pursuit
- The performance capabilities of the vehicles used in the pursuit in relation to the speed and other conditions of the pursuit
- The distance between pursuing officers and the pursued vehicle is so great that further pursuit would be futile or require the pursuit to continue for an unreasonable time or distance

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- The speed of the pursuit relative to all of these factors

Pursuits shall be immediately terminated for the following reasons:

- Supervisor's direction
- When reasonable suspicion no longer exists that the operator of a motor vehicle, by an act other than the act of fleeing, has committed, attempted to commit, or is about to commit a felony crime against a person.
- Pursuit speeds have become unreasonably unsafe for the surrounding conditions
- Pursuit speeds have exceeded the driving ability of the officer
- The identity of the offender is known and it appears that the risk to the public and pursuing officers outweighs the risk resulting from the suspect's escape
- The totality of the circumstances during the pursuit indicate that the risk to the public and pursuing officers outweighs the risk resulting from the suspect's escape
- The pursuing vehicle has an emergency equipment failure that causes the vehicle to no longer qualify for emergency operation use
- The pursuing vehicle sustains damage or has a mechanical failure that renders it unsafe to drive

307.3.3 PRIMARY UNIT RESPONSIBILITIES

The primary responsibility of the officer initiating a pursuit is the apprehension of the suspect while balancing the safety of the public and themselves against law enforcement's duty to apprehend the suspect.

The primary unit shall notify dispatch that a pursuit has been initiated and as soon as practicable, provide the following information if known:

- The reason for the pursuit
- The location and direction of travel
- The speed of the suspect's vehicle
- The description of the suspect's vehicle, including license number
- The number of occupants
- The road, traffic and weather conditions
- The identity or description of known occupants
- The identity of other agencies involved in the pursuit

Unless relieved by a supervisor the primary unit shall be responsible for broadcasting the progress of the pursuit until entry of a secondary unit into the pursuit.

Unless circumstances dictate otherwise, the primary unit shall relinquish the responsibility of broadcasting the progress of the pursuit to a secondary unit.

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Unless relieved by a supervisor, the primary officer should coordinate efforts to apprehend the suspect following the pursuit.

307.3.4 SECONDARY UNIT RESPONSIBILITIES

The secondary unit in a pursuit shall:

- Immediately notifying dispatch of their entry into the pursuit
- Broadcast the progress of the pursuit unless the situation dictates otherwise
- Remain at a safe distance behind the primary unit unless directed to assume the lead position or if the primary unit is unable to continue the pursuit
- Serve as backup to the primary unit once the suspect has been stopped

307.3.5 SUPERVISOR'S RESPONSIBILITIES

The supervisor shall ensure the pursuit is conducted within established department policies and guidelines. The supervisor shall terminate the pursuit if it does not conform to established department policies and guidelines. Upon becoming aware of a pursuit, the supervisor shall:

- Immediately notify involved officers and dispatch of supervisory presence and ascertain all reasonably available information to continuously assess the situation and risk associated with the pursuit
- Exercise control and management over the pursuit
- Ensure that no more than the required number of units are involved in the pursuit
- Ensure the notification and coordination with outside agencies if the pursuit either leaves or is likely to leave the department's jurisdiction
- Ensure all reports are completed prior to the end of shift
- Ensure the completion of a "Vehicle Pursuit Report" in accordance with SOP-307
- Prepare a post-pursuit critique and analysis of the pursuit for training purposes

The supervisor shall respond to the termination point of pursuits involving Northglenn officers .

307.4 PURSUIT INTERVENTION

Use of pursuit intervention tactics shall only be employed with approval from the supervisor.

Pursuit intervention tactics shall only be employed by officers trained in their use.

In deciding whether to use intervention tactics, officers and supervisors shall balance the risk of allowing the pursuit to continue with the potential hazards that arise from the use of an intervention tactic. With this in mind, the decision to use any intervention tactic should be reasonable in light of the totality of the circumstances apparent to the officer at the time of the decision. Pursuit Intervention tactics include:

- Roadblocks
- Tactical Vehicle Intervention (TVI)

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- Tire deflation Device or Stop Sticks

Officers shall consider the following factors and requirements prior to employing any intervention tactic:

- The suspect reasonably appears to pose a imminent serious threat to public safety if not apprehended
- The need to immediately stop the suspect vehicle or prevent it from leaving substantially outweighs the risk of injury or death to officers, members of the public, or the occupants of the suspect vehicle

The intentional placement of roadblocks in the direct path of a pursued vehicle shall be deployed only under extraordinary conditions when all other intervention techniques have failed or reasonably appear ineffective.

There are no restrictions as to when the TVI tactic may be used during a pursuit. In general, the use of this tactic should occur as soon as possible to bring a pursuit to a conclusion.

Prior to the deployment of a Tire deflation device, the officer shall notify pursuing units of the intent and location. Tire deflation devices shall not be deployed to stop vehicles with less than four wheels.

Ramming shall only be employed during situations in which other intervention techniques have failed or appear ineffective and there does not appear to be another reasonable alternative method. If there does not appear to be an imminent or immediately foreseeable serious threat to the public, the use of ramming is not authorized.

Officers shall not utilize firearms during an ongoing pursuit unless the conditions and circumstances meet the requirements authorizing the use of deadly force. Nothing in this section shall be construed to prohibit any officer from using a firearm to stop a suspect from using a vehicle as a deadly weapon.

307.4.1 BLOCKING OR VEHICLE INTERCEPT

Blocking or Vehicle Intercept should only be considered in cases involving suspects who have committed or attempted to commit felony crimes against person(s) within the previous 24 hours or impaired drivers who pose an extreme threat to public safety, and when officers reasonably believe that attempting a conventional enforcement stop will likely result in the driver attempting to flee in the vehicle. Because of the potential risks involved, this intervention tactic should only be employed by properly trained officers after giving consideration to the following:

- The need to immediately stop the suspect vehicle or prevent it from leaving substantially outweighs the risks of serious injury or death to occupants of the suspect vehicle, members of the public or officers.
- All other reasonable intervention techniques have failed or reasonably appear ineffective.
- Employing the blocking/vehicle intercept maneuver does not unreasonably increase the risk to officer safety.

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- The target vehicle is stopped or traveling at a low speed.
- At no time should civilian vehicles be used to deploy this technique.

307.4.2 BOXING-IN

Boxing-in is **not an authorized tactic** by the department.

307.4.3 PINNING

Pinning is a **restricted tactic and is not an authorized technique for general patrol operations**.

Officers may only use a Pinning tactic as follows:

- Officers who have received current training in TVI and Pinning techniques, may engage a Pinning tactic following the authorized use of a TVI, as outlined in this policy. Pinning is only authorized as a secondary action following an authorized TVI, and is not to be used as a primary or independent action. Any TVI or Pinning technique used must comply with this policy, and must be consistent with the training received by the officer on those techniques.
- The Northglenn/Thornton joint Special Weapons and Tactics (SWAT) team may incorporate Pinning as a planned tactical component of a special operation, where warranted. Any officer who engages in the use of Pinning must have received current training in its use. SWAT personnel may employ Pinning as a special operational tactic, only in pre-planned situations, unless the ranking on-scene tactical officer in charge of the operation determines that extraordinary measures are necessary.
- Officers/Detectives who are assigned to the North Metro Task Force (NMTF), may incorporate Pinning as a planned tactical component of a North Metro Task Force special operation, where warranted. Any Northglenn officer/detective who engages in the use of Pinning during at NMTF special operation must have received current training in its components and use at the task force. NMTF personnel may employ Pinning as a special operational tactic, only in pre-planned situations, unless the ranking on-scene supervisor in charge of the operation determines that extraordinary measures are necessary.

The incident report must thoroughly document any use of Pinning and the details surrounding the need for the use of this tactic, including who authorized its use.

307.4.4 RAMMING

Officers shall only use ramming during situations in which other intervention techniques have failed or appear ineffective and there does not appear to be another reasonable alternative method. Ramming is not authorized if there does not appear to be an imminent or immediately foreseeable serious threat to the public.

307.4.5 ROADBLOCK

The intentional placement of roadblocks in the direct path of a pursued vehicle shall occur only under extraordinary conditions, and when all other intervention techniques have failed, or reasonably appear ineffective.

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307.4.6 TACTICAL VEHICLE INTERVENTION (TVI)

TVI is currently a restricted tactic. Only those sworn members who have successfully completed an approved TVI course of instruction are authorized to employ TVI, and then only upon supervisor approval, and when the supervisor determines that extraordinary measures are necessary.

Once approved, there are no restrictions as to when the TVI tactic may be used during a pursuit, but considerations should be taken for location and bystanders. In general, once approved, the use of this tactic should occur as soon as possible to bring a pursuit to a conclusion.

Officers must be aware that under certain circumstances the use of a TVI may constitute deadly force (e.g., near a bridge, body of water, or steep embankment). Accordingly, Officers should only engage the use of a TVI that involves a high risk of great bodily harm or death when state law and department policy authorizes the use of deadly force.

The incident report must thoroughly document any use of the TVI, including the details surrounding the need for the use of this tactic, and who authorized its use.

Note: Pinning is a separate tactic that is restricted, as outlined in this policy.

307.4.7 TIRE DEFLATION DEVICES

Prior to the deployment of a Tire Deflation Device, the officer shall notify pursuing units of the intent and location. Tire deflation devices shall not be deployed to stop vehicles with less than four wheels.

307.4.8 USE OF FIREARMS

Officers shall not utilize firearms during an ongoing pursuit unless the conditions and circumstances meet the requirements authorizing the use of deadly force. Nothing in this section shall be construed to prohibit any officer from using a firearm to stop a suspect from using a vehicle as a deadly weapon.

307.5 INTERJURISDICTIONAL CONSIDERATIONS

Supervisors shall ensure that notification is provided to each outside jurisdiction into which the pursuit is reasonably expected to enter, regardless of whether such jurisdiction is expected to assist. When a pursuit enters another agency's jurisdiction, the primary officer or supervisor should take into consideration distance traveled, unfamiliarity with the area and other pertinent facts in determining whether to request the other agency to assume the pursuit.

307.5.1 ASSUMPTION OF PURSUIT BY ANOTHER AGENCY

Officers shall discontinue the pursuit when another agency has assumed the pursuit, unless the continued assistance is requested by the agency assuming the pursuit. Upon discontinuing the pursuit, the primary unit may, with approval from a supervisor, proceed to the termination point to assist with the investigation. The role and responsibilities of officers at the termination of a pursuit that was initiated by this department shall be coordinated with the agency assuming the pursuit.

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307.5.2 PURSUITS EXTENDING INTO THIS JURISDICTION

The agency that initiates a pursuit shall be responsible for conducting the pursuit. Units from this department shall not join a pursuit initiated by another agency unless specifically requested to do so by that agency. When a request is made for officers of the Northglenn Police Department to assist or take over a pursuit that has entered this jurisdiction, the supervisor shall ensure the pursuit conforms to department policy.

Assistance to a pursuing outside agency by officers of this department will terminate at the city limits provided that the pursuing officer has sufficient assistance from other sources. When a single unit from the initiating agency is in pursuit, a unit from this department may join the pursuit until sufficient units from the initiating agency join the pursuit.

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

307.6 REPORTING REQUIREMENTS

Prior to the end of the shift in which the pursuit occurred, officers shall document the pursuit on a "Vehicle Pursuit Report" in accordance with SOP-307. [See attachment: SOP 307 - Vehicle Pursuit Reporting 20190905.pdf](#)

Officer Response to Calls

308.1 PURPOSE AND SCOPE

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

308.2 RESPONSE TO CALLS

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

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

Officers responding to a call as an emergency response shall continuously operate emergency lighting equipment and shall sound the siren as reasonably necessary (CRS § 42-4-108(3) and CRS § 42-4-213). Except in situations noted in 316.5.1.

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

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

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

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

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- Any other situation authorized by a supervisor based on emergency need and based on reasonableness.

308.2.1 ROUTINE CALLS AND RESPONSE OF MULTIPLE OFFICERS

Calls of a routine nature will require the response of one patrol officer, unless additional units are requested by the initial officer or supervisory personnel.

The following situations will require a response by two or more officers:

- (a) Assault on an officer
- (b) Domestic disturbance in progress
- (c) On-scene arrest for a felony or violent misdemeanor
- (d) Resistance to arrest/ Fleeing suspect
- (e) Violent crime(s) in progress
- (f) Armed robbery alarm
- (g) Disturbances/Loud party

308.3 REQUESTING EMERGENCY ASSISTANCE

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

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

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

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

308.3.1 NUMBER OF UNITS PARTICIPATING

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

308.4 INITIATING EMERGENCY CALL RESPONSE

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

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

308.5 RESPONSIBILITIES OF THE RESPONDING OFFICER

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

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

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

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

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

308.5.1 EMERGENCY RESPONSE SPECIAL CONDITIONS

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

- (a) An officer is attempting to confirm his/her suspicion that a driver has violated the traffic code and there is no other reasonable suspicion or probable cause to stop the driver (CRS § 42-4-108(3)).

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- (b) An emergency response requires an element of stealth that would be defeated by the use of emergency lighting or siren. This response should use a siren and emergency lights until a stealth response without lights and siren is required, and the response should then continue accordingly.

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

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

308.6 SUPERVISORY RESPONSIBILITIES

- (a) Upon being notified that an emergency response has been initiated, the watch supervisor shall verify the following:
 - 1. The proper response has been initiated.
 - 2. No more than those units reasonably necessary under the circumstances are involved in the response.
 - 3. Affected outside jurisdictions are being notified as practicable.
- (b) The watch supervisor shall, whenever practicable, monitor the response until it has been stabilized or terminated, and assert control by directing units into or out of the response if necessary. If, in the supervisor's judgment, the circumstances require additional units to be assigned an emergency response, the supervisor may do so.
- (c) It is the supervisor's responsibility to terminate an emergency response that, in his/her judgment, is inappropriate due to the circumstances.
- (d) When making the decision to authorize an emergency response, the watch supervisor should consider the following:
 - 1. The type of call or crime involved
 - 2. The necessity of a timely response
 - 3. Traffic and roadway conditions
 - 4. The location of the responding units
- (e) The Watch Supervisor shall respond to the following incidents for the purpose of assuming control at the scene:
 - 1. Death of a suspicious nature
 - 2. Sexual assaults involving injuries
 - 3. Assaults involving serious bodily injury
 - 4. Armed robbery

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5. Bomb or bomb threat
6. Motor vehicle accident involving a police vehicle
7. Motor vehicle accident involving serious bodily injury or death
8. Incidents involving any injury to an officer
9. Use of force incidents
10. Termination point of a vehicular pursuit
11. Kidnappings
12. First or second degree arson
13. Any other major incident in which patrol officers may require supervisory assistance or the supervisor deems his presence may be required

308.7 FAILURE OF EMERGENCY EQUIPMENT

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

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

Domestic Violence

309.1 PURPOSE AND SCOPE

The purpose of this policy is to provide the guidelines necessary to deter, prevent and reduce domestic violence through vigorous enforcement and to address domestic violence as a serious crime against society. The policy specifically addresses the commitment of this department to take enforcement action when appropriate, to provide assistance to victims and to guide officers in the investigation of domestic violence.

309.1.1 DEFINITIONS

Definitions related to this policy include:

Court order - All forms of orders related to domestic violence, that have been issued by a court of this state or another, whether civil or criminal, regardless of whether service has been made.

309.2 POLICY

The Northglenn Police Department's response to incidents of domestic violence and violations of related court orders shall stress enforcement of the law to protect the victim and shall communicate the philosophy that domestic violence is criminal behavior. It is also the policy of this department to facilitate victims' and offenders' access to appropriate civil remedies and community resources whenever feasible.

309.3 OFFICER SAFETY

The investigation of domestic violence cases often places officers in emotionally charged and sometimes highly dangerous environments. No provision of this policy is intended to supersede the responsibility of all officers to exercise due caution and reasonable care in providing for the safety of any officers and parties involved.

309.4 INVESTIGATIONS

The following guidelines should be followed by officers when investigating domestic violence cases:

- (a) Calls of reported, threatened, imminent or ongoing domestic violence and the violation of any court order are of extreme importance and should be considered among the highest response priorities. This includes incomplete 9-1-1 calls.
- (b) When practicable, officers should obtain and document statements from the victim, the suspect and any witnesses, including children, in or around the household or location of occurrence.
- (c) Officers should list the full name and date of birth (and school if available) of each child who was present in the household at the time of the offense. The names of other children who may not have been in the house at that particular time should also be obtained for follow-up.

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- (d) When practicable and legally permitted, video or audio record all significant statements and observations.
- (e) All injuries should be photographed, regardless of severity, taking care to preserve the victim's personal privacy. Where practicable, photographs should be taken by a person of the same sex. Victims whose injuries are not visible at the time of the incident should be asked to contact the Investigative Support Unit in the event that the injuries later become visible.
- (f) Officers should request that the victim complete and sign an authorization for release of medical records related to the incident when applicable.
- (g) If the suspect is no longer at the scene, officers should make reasonable efforts to locate the suspect to further the investigation, provide the suspect with an opportunity to make a statement and make an arrest or seek an arrest warrant if appropriate.
- (h) Seize any firearms or other dangerous weapons in the home, if appropriate and legally permitted, for safekeeping or as evidence.
- (i) When completing an incident or arrest report for violation of a court order, officers should include specific information that establishes that the offender has been served, including the date the offender was served, the name of the agency that served the order and the provision of the order that the subject is alleged to have violated. When reasonably available, the arresting officer should attach a copy of the order to the incident or arrest report.
- (j) Officers should take appropriate enforcement action when there is probable cause to believe an offense has occurred. Factors that should not be used as sole justification for declining to take enforcement action include:
 - 1. Marital status of suspect and victim.
 - 2. Whether the suspect lives on the premises with the victim.
 - 3. Claims by the suspect that the victim provoked or perpetuated the violence.
 - 4. The potential financial or child custody consequences of arrest.
 - 5. The physical or emotional state of either party.
 - 6. Use of drugs or alcohol by either party.
 - 7. Denial that the abuse occurred where evidence indicates otherwise.
 - 8. A request by the victim not to arrest the suspect.
 - 9. Location of the incident (public/private).
 - 10. Speculation that the complainant may not follow through with the prosecution.
 - 11. The racial, cultural, social, professional position or sexual orientation of the victim or suspect.

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309.4.1 IF A SUSPECT IS ARRESTED

If a suspect is arrested, officers should:

- (a) Advise the victim that there is no guarantee the suspect will remain in custody.
- (b) Provide the victim's contact information to the jail staff to enable notification of the victim upon the suspect's release from jail.
- (c) Advise the victim whether any type of court order will be in effect when the suspect is released from jail.

309.4.2 IF NO ARREST IS MADE

If no arrest is made, the officer should:

- (a) Advise the parties of any options, including but not limited to:
 - 1. Voluntary separation of the parties.
 - 2. Appropriate resource referrals (e.g., counselors, friends, relatives, shelter homes, victim witness unit).
- (b) Document the resolution in a report.

309.5 VICTIM ASSISTANCE

Victims may be traumatized or confused. Officers should:

- (a) Recognize that a victim's behavior and actions may be affected.
- (b) Provide the victim with the department's domestic violence information handout, even if the incident may not rise to the level of a crime.
- (c) Alert the victim to any available victim advocates, shelters and community resources.
- (d) Stand by for a reasonable amount of time when an involved person requests law enforcement assistance while removing essential items of personal property.
- (e) Seek medical assistance as soon as practicable for the victim if he/she has sustained injury or complains of pain.
- (f) Ask the victim whether he/she has a safe place to stay. Assist in arranging to transport the victim to an alternate shelter if the victim expresses a concern for his/her safety or if the officer determines that a need exists.
- (g) Make reasonable efforts to ensure that children or dependent adults who are under the supervision of the suspect or victim are being properly cared for.
- (h) Seek or assist the victim in obtaining an emergency order if appropriate.

309.6 DISPATCH ASSISTANCE

All calls of domestic violence, including incomplete 9-1-1 calls, should be dispatched as soon as practicable.

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Dispatchers are not required to verify the validity of a court order before responding to a request for assistance. Officers should request that dispatchers check whether any of the involved persons are subject to the terms of a court order.

309.7 FOREIGN COURT ORDERS

Various types of orders may be issued in domestic violence cases. Any foreign court order properly issued by a court of another state, Indian tribe or territory shall be enforced by officers as if it were the order of a court in this state. An order should be considered properly issued when it reasonably appears that the issuing court has jurisdiction over the parties and reasonable notice and opportunity to respond was given to the party against whom the order was issued (18 USC § 2265). An otherwise valid out-of-state court order shall be enforced, regardless of whether the order has been properly registered with this state.

309.8 VERIFICATION OF COURT ORDERS

Determining the validity of a court order, particularly an order from another jurisdiction, can be challenging. Therefore, in determining whether there is probable cause to make an arrest for a violation of any court order, officers should carefully review the actual order when available, and, where appropriate and practicable:

- (a) Ask the subject of the order about his/her notice or receipt of the order, his/her knowledge of its terms and efforts to respond to the order.
- (b) Check available records or databases that may show the status or conditions of the order.
- (c) Contact the issuing court to verify the validity of the order.
- (d) Contact a law enforcement official from the jurisdiction where the order was issued to verify information.

Officers should document in an appropriate report their efforts to verify the validity of an order, regardless of whether an arrest is made. Officers should contact a supervisor for clarification when needed.

309.9 LEGAL MANDATES AND RELEVANT LAWS

Colorado law provides for the following:

309.9.1 STANDARDS FOR ARRESTS

Officers investigating a domestic violence report should consider the following:

- (a) If an officer has probable cause to believe an offender has committed an offense of domestic violence, an arrest shall be made (CRS § 18-6-803.6).
- (b) An officer is not required to arrest both parties involved in an alleged act of domestic violence when both claim to have been victims of such domestic violence (CRS § 18-6-803.6). If an officer receives complaints of domestic violence from two or more

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opposing persons, the officer shall evaluate each complaint separately to determine if a crime has been committed by one or more persons.

- (c) In determining whether a crime has been committed by one or more persons, the officer shall consider the following (CRS § 18-6-803.6):
 - 1. Any prior complaints of domestic violence.
 - 2. The relative severity of the injuries inflicted on each person.
 - 3. The likelihood of future injury to each person.
 - 4. The possibility that one of the persons acted in self-defense.
- (d) Unless impractical, if probable cause exists to believe an offender has violated a court order and that such offender had notice of the court order, an arrest shall be made (CRS § 18-6-803.5). If the circumstances make arrest impractical, the officer shall seek a warrant of arrest for the offender (CRS § 18-6-803.5).
- (e) If a restrained person is arrested for violating or attempting to violate any provision of a court order, the arresting officer shall make all reasonable efforts to contact the protected party to notify him/her of such arrest (CRS § 18-6-803.5).

309.9.2 REPORTS AND RECORDS

The Records Supervisor will maintain records on the number of domestic violence-related calls reported to the Northglenn Police Department and forward such records to the state as required (CRS § 18-6-803.9).

In the event that an individual is arrested by the Northglenn Police Department for violating a court order, the Records Supervisor shall forward to the issuing court a copy of the arrest report, a list of witnesses to the violation, and, if applicable, a list of any charges filed or requested against the restrained person. The Records Supervisor shall also ensure that a copy of the same information is provided to the protected party. The agency shall delete the address and telephone number of a witness from the list sent to the court upon request of such witness, and such address and telephone number shall not thereafter be made available to any person, except law enforcement officials and the prosecuting agency, without order of the court (CRS § 18-6-803.5).

If a restrained person is on bond in connection with a violation or attempted violation of a protection order in this or any other state and is subsequently arrested by the Northglenn Police Department for violating or attempting to violate a protection order, the Records Supervisor shall notify the prosecuting attorney so that a motion may be filed with the court that issued the prior bond for the revocation of the bond and for the issuance of a warrant, if appropriate (CRS § 18-6-803.5).

309.9.3 SERVICE OF COURT ORDERS

Officers responding to a domestic violence call who encounter a person named in a court order that has not been otherwise served shall serve the person with a copy of the order (CRS § 13-14-102).

Search and Seizure

310.1 PURPOSE AND SCOPE

Both the federal and state Constitutions provide every individual with the right to be free from unreasonable searches and seizures. This policy provides general guidelines for Northglenn Police Department personnel to consider when dealing with search and seizure issues.

310.2 POLICY

It is the policy of the Northglenn Police Department to respect the fundamental privacy rights of individuals. Members of this department will conduct searches in strict observance of the constitutional rights of persons being searched. All seizures by this department will comply with relevant federal and state law governing the seizure of persons and property.

In accordance with the Training Policy, the Department will provide relevant and current training to officers as guidance for the application of current law, local community standards and prosecutorial considerations regarding specific search and seizure situations, as appropriate.

310.3 SEARCHES

The U.S. Constitution generally provides that a valid warrant is required in order for a search to be valid. There are, however, several exceptions that permit a warrantless search.

Examples of law enforcement activities that are exceptions to the general warrant requirement include, but are not limited to, searches pursuant to the following:

- Valid consent
- Incident to a lawful arrest
- Legitimate community caretaking interests
- Vehicle searches under certain circumstances
- Exigent circumstances

Certain other activities are recognized by federal and state courts and by certain statutes as legitimate law enforcement activities that also do not require a warrant. Such activities may include seizure and examination of abandoned property, and observations of activities and property located on open public areas.

Case law regarding search and seizure is constantly changing and is subject to interpretation by the courts. Each member of this department is expected to act in each situation according to current training and his/her familiarity with clearly established rights as determined by case law.

Whenever practicable, officers are encouraged to contact a supervisor to resolve questions regarding search and seizure issues prior to electing a course of action.

Search and Seizure

310.4 SEARCH PROTOCOL

Although conditions will vary and officer safety and other exigencies must be considered in every search situation, the following guidelines should be followed whenever circumstances permit:

- (a) Members of this department will strive to conduct searches with dignity and courtesy.
- (b) Officers should explain to the person being searched the reason for the search and how the search will be conducted.
- (c) Searches should be carried out with due regard and respect for private property interests and in a manner that minimizes damage. Property should be left in a condition as close as reasonably possible to its pre-search condition.
- (d) In order to minimize the need for forcible entry, an attempt should be made to obtain keys, combinations or access codes when a search of locked property is anticipated.
- (e) When the person to be searched is of the opposite sex as the searching officer, a reasonable effort should be made to summon an officer of the same sex as the subject to conduct the search. When it is not practicable to summon an officer of the same sex as the subject, the following guidelines should be followed:
 1. Another officer or a supervisor should witness the search.
 2. The officer should not search areas of the body covered by tight-fitting clothing, sheer clothing or clothing that could not reasonably conceal a weapon.

310.5 DOCUMENTATION

Officers are responsible to document all searches and to ensure required reports include, at minimum, documentation of the following:

- Reason for the search
- Efforts used to minimize the intrusiveness of the search (e.g., asking for consent or keys)
- What, if any, injuries or damage occurred
- All steps taken to secure property
- The results of the search, including a description of any property or contraband seized
- If the person searched is the opposite sex, any efforts to summon an officer of the same sex as the person being searched and the identification of any witness officer

Supervisors shall review reports to ensure the reports are accurate, that actions are properly documented and that current legal requirements and Department policy have been met.

310.6 CONSENT SEARCHES-ORAL ADVISEMENT

CRS 16-3-310. Oral advisement and written consent prior to search of a vehicle or a person during a police contact. (1) (a) prior to conducting a consensual search of a person who is not under

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arrest, the person's effects, or a vehicle, a peace officer shall comply with paragraph (b) of this subsection (1). (B) A peace officer may conduct a consensual search only after articulating the following factors to, and subsequently receiving consent from, the person subject to the search or the person with the apparent or actual authority to provide permission to search the vehicle or effects.

The factors are: (I) The person is being asked to voluntarily consent to a search; and (II) the person has the right to refuse the request to search. (C) After providing the advisement required in paragraph (B) of this subsection (1), a peace officer may conduct the requested search only if the person subject to the search voluntarily provides verbal or written consent. Other evidence of knowing and voluntary consent may be acceptable if the person is unable to provide written or verbal consent. (2) A peace officer providing the advisement required pursuant to subsection (1) of this section need not provide a specific recitation of the advisement; substantial compliance with the substance of the factors is sufficient to comply with the requirement.

If a defendant moves to suppress any evidence obtained in the course of the search, the court shall consider the failure to comply with the requirements of this section as a factor in determining the voluntariness of the consent. (4) This section shall not apply to a search conducted pursuant to section 16-3-103, C.R.S., a valid search incident to or subsequent to a lawful arrest, or to a search for which there is a legal basis other than voluntary consent. This shall include, but not be limited to, a search in a correctional facility or on correctional facility property, a detention facility, county detention facility, custody facility, juvenile correctional facility or any mental health institute or mental health facility operated by or under a contract with the department of human services, a community corrections facility, or a jail or a search of a person subject to probation or parole by a community supervision or parole officer when the person has consented to search as a term and condition of any probation or parole.

Temporary Custody of Juveniles

311.1 PURPOSE AND SCOPE

This policy provides guidelines consistent with the Juvenile Justice and Delinquency Prevention Act for juveniles taken into temporary custody by members of the Northglenn Police Department. (42 USC § 5633).

311.1.1 DEFINITIONS

Definitions related to this policy include:

Juvenile non-offender - An abused, neglected, dependent or alien juvenile who may be legally held for his/her own safety or welfare. Juvenile non-offenders include a juvenile taken into protective custody for being intoxicated or incapacitated by alcohol and clearly dangerous to the health and safety of him/herself under CRS § 27-81-111, and any runaway taken into temporary custody under CRS § 19-3-401. This also includes any juvenile who may have initially been contacted for an offense that would not subject an adult to arrest (e.g., fine-only offense) but was taken into custody for his/her protection or for purposes of reuniting the juvenile with a parent, guardian or other responsible person.

Juvenile offender - A juvenile under 18 years of age who is alleged to have committed an offense that would subject an adult to arrest (a non-status offense) (CRS § 19-1-103(18); CRS § 19-1-103(68)). Juvenile offenders include juveniles taken into custody for possession of a handgun under CRS § 18-12-108.5 (28 CFR 31.303).

Non-secure custody - When a juvenile is held in the presence of an officer or other custody employee at all times and is not placed in a locked room, cell or behind any locked doors. Juveniles in non-secure custody may be handcuffed but not to a stationary or secure object. Personal supervision, through direct visual monitoring and audio two-way communication, is maintained. Monitoring through electronic devices, such as video, does not replace direct visual observation.

Secure custody - When a juvenile offender is held in a locked room, a set of rooms or a cell. Secure custody also includes being physically secured to a stationary object.

Examples of secure custody include:

- (a) A juvenile left alone in an unlocked room within the secure perimeter of the adult temporary holding area.
- (b) A juvenile handcuffed to a rail.
- (c) A juvenile placed in a room that contains doors with delayed egress devices that have a delay of more than 30 seconds.
- (d) A juvenile being processed in a secure booking area when an unsecure booking area is available.
- (e) A juvenile left alone in a secure booking area after being photographed and fingerprinted.

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- (f) A juvenile placed in a cell within the adult temporary holding area, whether or not the cell door is locked.

Sight and sound separation - Located or arranged to prevent physical, visual or auditory contact.

Status offender - A juvenile suspected of committing a criminal violation of the law that would not be a criminal violation but for the age of the offender. Examples may include running away, underage possession of tobacco, curfew violation or truancy. A juvenile in custody on a court order or warrant based upon a status offense is also a status offender.

311.2 POLICY

The Northglenn Police Department is committed to releasing juveniles from temporary custody as soon as reasonably practicable and keeping juveniles safe while they are in temporary custody at the Northglenn Police Department. Juveniles should be held in temporary custody only for as long as reasonably necessary for processing, transfer or release.

311.3 JUVENILES WHO SHOULD NOT BE HELD

Juveniles who exhibit any of the following conditions should not be held at the Northglenn Police Department:

- (a) Unconscious
- (b) Seriously injured
- (c) A known suicide risk or obviously severely emotionally disturbed
- (d) Significantly intoxicated
- (e) Extremely violent or continuously violent

Officers taking custody of a juvenile who exhibits any of the above conditions should take reasonable steps to provide medical attention or mental health assistance and notify a supervisor of the situation.

These juveniles should not be held at the Northglenn Police Department unless they have been evaluated by a qualified medical and/or mental health professional.

If the officer taking custody of the juvenile believes the juvenile may be a suicide risk, the juvenile shall be under continuous direct supervision until evaluation, release or a transfer is completed.

311.4 CUSTODY OF JUVENILES

Officers should take custody of a juvenile and temporarily hold the juvenile at the Northglenn Police Department when there is no other lawful and practicable alternative to temporary custody. Refer to the Child Abuse Policy for additional information regarding detaining a juvenile that is suspected of being a victim.

No juvenile should be held in temporary custody at the Northglenn Police Department without authorization of the arresting officer's supervisor or the Shift Sergeant.

Temporary Custody of Juveniles

Any juvenile taken into custody shall be released to the care of the juvenile's parent or other responsible adult or transferred to a juvenile custody facility or to other authority as soon as practicable and in no event shall a juvenile be held beyond six hours from the time of his/her entry into the Northglenn Police Department (42 USC § 5633).

311.4.1 CUSTODY OF JUVENILE NON-OFFENDERS

Non-offenders taken into protective custody in compliance with the Child Abuse Policy should generally not be held at the Northglenn Police Department. Custodial arrangements should be made for non-offenders as soon as reasonably possible. Juvenile non-offenders may not be held in secure detention (42 USC § 5633).

311.4.2 CUSTODY OF JUVENILE STATUS OFFENDERS

Status offenders should generally be released by citation or with a warning rather than taken into temporary custody. However, officers may take custody of a status offender if requested to do so by a parent or legal guardian in order to facilitate reunification (e.g., transported home or to the station to await a parent). Juvenile status offenders may not be held in secure custody (42 USC § 5633).

311.4.3 CUSTODY OF JUVENILE OFFENDERS

Juvenile offenders should be held in non-secure custody while at the Northglenn Police Department unless another form of custody is authorized by this policy or is necessary due to exigent circumstances.

311.4.4 REQUIREMENTS FOR CUSTODY OF JUVENILE OFFENDERS

A juvenile offender may be taken into temporary custody (CRS § 19-2-502):

- (a) When there are reasonable grounds to believe that he/she has committed a violation of a statute, ordinance or court order that would subject an adult to an arrest.
- (b) Pursuant to a lawful warrant issued by a court pursuant to CRS § 19-2-503.

A juvenile offender shall not be held longer than is reasonably necessary to obtain basic identification information and to contact the juvenile's parents, guardian or legal custodian (CRS § 19-2-507(4)).

The juvenile shall be released to the care of the juvenile's parents or other responsible adult unless a determination is made in accordance with CRS § 19-2-507(2) that the juvenile's immediate welfare or the protection of the community requires that the juvenile be detained (CRS § 19-2-502(3)).

If the juvenile is not released to the care of his/her parents or other responsible adult, the juvenile shall be taken directly to the court, a detention facility or a shelter designated by the court, without unnecessary delay (CRS § 19-2-507(4)).

Temporary Custody of Juveniles

As an alternative to taking a juvenile offender to a detention facility or shelter, an officer may, if authorized by policy of the court, serve a written promise to appear for juvenile proceedings upon the juvenile and the juvenile's parent, guardian or legal custodian (CRS § 19-2-507(5)).

When a juvenile is not released pending charges, the officer shall notify the screening team for the judicial district in which the juvenile was taken into custody (CRS § 19-2-507(1)).

311.5 ADVISEMENTS

The screening team for the judicial district generally notifies the juvenile's parent, guardian or legal custodian that, if the juvenile is placed in detention or a temporary holding facility, all parties have a right to a prompt hearing to determine whether the juvenile is to be further detained. The notification may be made to a person with whom the juvenile is residing if a parent, guardian or legal custodian cannot be located. If the screening team is unable to make the notification, officers may make it (CRS § 19-2-507).

311.6 JUVENILE CUSTODY LOGS

Any time a juvenile is held in custody at the Department, the detention shall be promptly and properly documented, including:

- (a) Identifying information about the juvenile being held.
- (b) Date and time of arrival and release from the Northglenn Police Department.
- (c) Shift Sergeant notification and approval to temporarily hold the juvenile.
- (d) Any charges for which the juvenile is being held and classification of the juvenile as a juvenile offender, status offender or non-offender.
- (e) Any changes in status.
- (f) Time of all welfare checks.
- (g) Any medical and other screening requested and completed.
- (h) Circumstances that justify any secure detention.
- (i) Any other information that may be required by other authorities, such as compliance inspectors or a local juvenile court authority.

311.7 NO-CONTACT REQUIREMENTS

Sight and sound separation shall be maintained between all juveniles and adults while in custody at the Department (42 USC § 5633). There should also be sight and sound separation between non-offenders and juvenile and status offenders.

In situations where brief or accidental contact may occur (e.g., during the brief time a juvenile is being fingerprinted and/or photographed in booking), a member of the Northglenn Police Department shall maintain a constant, immediate presence with the juvenile or the adult to

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minimize any contact. If inadvertent or accidental contact does occur, reasonable efforts shall be taken to end the contact.

311.8 TEMPORARY CUSTODY REQUIREMENTS

Members and supervisors assigned to monitor or process any juvenile at the Northglenn Police Department shall ensure the following:

- (a) The Shift Sergeant should be notified if it is anticipated that a juvenile may need to remain at the Northglenn Police Department more than four hours. This will enable the Shift Sergeant to ensure no juvenile is held at the Northglenn Police Department more than six hours.
- (b) Personal visual checks and significant incidents/activities shall be noted on the log.
- (c) There shall be no viewing devices, such as peep holes or mirrors, of which the juvenile is not aware. Therefore, an employee should inform a juvenile under his/her care that the juvenile will be monitored at all times, unless he/she is using the toilet. This does not apply to surreptitious and legally obtained recorded interrogations.
- (d) Juveniles shall have reasonable access to toilets and wash basins.
- (e) Food should be provided at normal mealtimes if the juvenile has or will remain in custody for a significant time.
- (f) Juveniles shall have reasonable access to a drinking fountain or water.
- (g) Juveniles shall have reasonable opportunities to stand and stretch, particularly if handcuffed or restrained in any way.
- (h) Juveniles should have privacy during family, guardian and/or lawyer visits.
- (i) Juveniles should be permitted to remain in their personal clothing unless the clothing is taken as evidence or is otherwise unsuitable or inadequate for continued wear while in custody.
- (j) Blankets should be provided as reasonably necessary.
- (k) Adequate shelter, heat, light and ventilation should be provided without compromising security or enabling escape.
- (l) Juveniles shall have adequate furnishings, including suitable chairs or benches.
- (m) Juveniles shall have the right to the same number of telephone calls as an adult in custody.
- (n) No discipline may be administered to any juvenile, nor may juveniles be subjected to corporal or unusual punishment, humiliation or mental abuse.

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311.9 USE OF RESTRAINT DEVICES

Juvenile offenders may be handcuffed in accordance with the Handcuffing and Restraints Policy. A juvenile offender may be handcuffed at the Northglenn Police Department when the juvenile presents a heightened risk. However, non-offenders and status offenders should not be handcuffed unless they are combative or threatening.

Other restraints shall only be used after less restrictive measures have failed and with the approval of the Shift Sergeant. Restraints shall only be used so long as it reasonably appears necessary for the juvenile's protection or the protection of others.

Juveniles in restraints shall be kept away from other unrestrained juveniles or monitored in such a way as to protect the juvenile from abuse.

311.10 PERSONAL PROPERTY

The officer taking custody of a juvenile offender or status offender at the Northglenn Police Department shall ensure a thorough search of the juvenile's property is made and all property is removed from the juvenile, especially those items that could compromise safety, such as pens, pencils and belts.

The personal property of a juvenile should be placed in a property bag. The property should be inventoried in the juvenile's presence and placed into the bag. The property should be kept in a monitored or secure location until the juvenile is released from the custody of the Northglenn Police Department.

311.11 SECURE CUSTODY

Only juvenile offenders 14 years of age or older may be placed in secure custody. Shift Sergeant approval is required before placing a juvenile offender in secure custody.

Secure custody should only be used for juvenile offenders when there is a reasonable belief that the juvenile is a serious risk of harm to him/herself or others.

Members of this department should not use secure custody for convenience when non-secure custody is, or later becomes, a reasonable option.

When practicable, handcuffing one hand of a juvenile offender to a fixed object while otherwise maintaining the juvenile in non-secure custody should be considered as the method of secure custody, rather than the use of a locked enclosure. An employee must be present at all times to ensure the juvenile's safety while secured to a stationary object.

Generally, juveniles should not be secured to a stationary object for more than 60 minutes. Supervisor approval is required to secure a juvenile to a stationary object for longer than 60 minutes and every 30 minutes thereafter. Supervisor approval should be documented.

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311.11.1 LOCKED ENCLOSURES

A thorough inspection of the area shall be conducted before placing a juvenile into the enclosure. A second inspection shall be conducted after removing the juvenile. Any damage noted to the room should be photographed and documented in the crime report.

The following requirements shall apply to a juvenile offender who is held inside a locked enclosure:

- (a) The juvenile shall constantly be monitored by an audio/video system during the entire detention.
- (b) Juveniles shall have constant auditory access to department members.
- (c) Initial placement into and removal from a locked enclosure shall be logged.
- (d) Random personal visual checks of the juvenile by a staff member, no less than every 30 minutes, should occur.
 - 1. All checks shall be logged.
 - 2. The check should involve questioning the juvenile as to his/her well-being (sleeping juveniles or apparently sleeping juveniles should be awakened).
 - 3. Requests or concerns of the juvenile should be logged.
- (e) Males and females shall not be placed in the same locked room.
- (f) Juvenile offenders should be separated according to severity of the crime (e.g., felony or misdemeanor).
- (g) Restrained juveniles shall not be mixed in a cell or room with unrestrained juveniles.

311.12 SUICIDE ATTEMPT, DEATH OR SERIOUS INJURY OF A JUVENILE

The Shift Sergeant will ensure procedures are in place to address the suicide attempt, death or serious injury of any juvenile held at the Northglenn Police Department. The procedures will address:

- (a) Immediate notification of the on-duty supervisor, Chief of Police and Investigative Support Unit supervisor.
- (b) Notification of the parent, guardian or person standing in loco parentis, of the juvenile.
- (c) Notification of the appropriate prosecutor.
- (d) Notification of the City Attorney.
- (e) Evidence preservation.

311.13 INTERVIEWING OR INTERROGATING JUVENILE SUSPECTS

No interview or interrogation of a juvenile should occur unless the juvenile has the apparent capacity to consent, and does consent to an interview or interrogation.

Temporary Custody of Juveniles

In any case where a juvenile is taken into temporary custody, officers should not attempt to interview or interrogate a juvenile offender or status offender unless one of the following occurs:

- (a) A public defender or other counsel representing the juvenile is present.
- (b) A parent, guardian, or legal or physical custodian of the juvenile is present and the juvenile and his/her parent, guardian, or legal or physical custodian are advised of the following:
 - 1. The juvenile's right to remain silent
 - 2. That any statements made may be used against him/her in a court of law
 - 3. The juvenile's right to the presence of an attorney during the interrogation
 - 4. The juvenile's right to have counsel appointed if he/she so requests at the time of the interrogation (CRS § 19-2-511)
- (c) The juvenile is emancipated.

311.14 RESTRICTION ON FINGERPRINTING

The following juvenile offenders may be fingerprinted (CRS § 19-2-503.5):

- (a) A juvenile offender held for committing any if the following:
 - 1. A felony
 - 2. A Class 1 misdemeanor
 - 3. A misdemeanor under CRS § 42-4-1301 (driving under the influence or while impaired)
 - 4. A crime that includes an act of domestic violence as defined in CRS § 18-6-800.3(1)
- (b) A juvenile who has not been fingerprinted prior to his/her first appearance before the court and has been ordered by the court to report for fingerprinting

Abuse of At-Risk Adults

312.1 PURPOSE AND SCOPE

The purpose of this policy is to provide members of this department with direction and understanding of their role in the prevention, detection and intervention in incidents of the abuse of an at-risk person. It is the policy of the Northglenn Police Department to treat reports involving at-risk adults as high priority criminal activity that is to be fully investigated regardless of the relationship between the victim and the suspect.

312.2 DEFINITIONS

Definitions related to this policy include (CRS § 26-3.1-101):

At-risk adult - An individual 18 years of age or older who is susceptible to mistreatment, self-neglect or exploitation because the individual is unable to perform or obtain services necessary for the individual's health, safety or welfare, or lacks sufficient understanding or capacity to make or communicate responsible decisions concerning the individual's person or affairs.

Exploitation - An act or omission that:

- Uses deception, harassment, intimidation or undue influence to permanently or temporarily deprive an at-risk adult of the use, benefit or possession of his/her money, assets or property.
- Employs the services of a third party without authority and for the profit or advantage of the person or another person to the detriment of the at-risk adult.
- Forces, compels, coerces or entices an at-risk adult to perform services for the profit or advantage of the person or another person against the will of the at-risk adult.
- Misuses the property of an at-risk adult in a manner that adversely affects the at-risk adult's ability to receive health care or health care benefits or to pay bills for basic needs or obligations.

Mistreatment - An act or omission that threatens the health, safety or welfare of an at-risk adult or exposes the adult to an imminent risk of death, serious bodily injury or bodily injury to the adult. Mistreatment includes, but is not limited to:

- (a) Abuse which occurs where there is infliction of physical pain or injury, unreasonable confinement or restraint or subjection to criminal non-consensual sexual conduct.
- (b) Caretaker neglect, such as inadequate food, clothing, shelter, psychological care, physical care, medical care or supervision for the at-risk adult.

Self-neglect - An act or failure to act, whereby an at-risk adult substantially endangers his/her health, safety, welfare or life by not seeking or obtaining services necessary to meet his/her essential human needs.

Abuse of At-Risk Adults

312.3 REPORTING REQUIREMENTS

An officer should make an immediate oral report to the department of social services under any of the following circumstances:

- (a) The officer observed mistreatment, self-neglect or exploitation of an at-risk adult.
- (b) The officer has reasonable cause to believe that an at-risk adult has been:
 - 1. Mistreated.
 - 2. Self-neglected.
 - 3. Exploited and is at imminent risk of mistreatment, self-neglect or exploitation.
- (c) Any such mistreatment, self-neglect or exploitation of an at-risk adult is reported to the officer.

If an officer receives a report that an at-risk adult has been mistreated, self-neglected or exploited, the officer shall prepare a written report as soon as reasonably practicable but no later than 48 hours (CRS § 26-3.1-102(1)(c)). The report shall be forwarded to the department of social services and the District Attorney's Office within 24 hours (CRS § 26-3.1-102(3)).

312.3.1 RECORDS SECTION RESPONSIBILITIES

The Records Section is responsible for (CRS § 26-3.1-102(3)):

- (a) Providing a copy of the at-risk adult abuse report to the local office of the Adult Protective Services Unit of the Colorado Department of Human Services and the domestic violence unit in the District Attorney's Office within 24 hours of the completion of the report. This requirement is applicable even if the initial call was received from a state agency.
- (b) Retaining the original at-risk adult abuse report with the initial case file.

312.4 OFFICER'S RESPONSE

All incidents involving actual or suspected abuse of an at-risk person shall be responded to immediately, fully investigated and appropriately documented.

312.4.1 INITIAL RESPONSE

Officers may be called upon to affect a forced entry as the first responder to the scene of a suspected at-risk adult abuse. Entry should be immediate when it appears reasonably necessary to protect life or property. When the need for an emergency entry is not evident, officers should seek supervisory approval. Officers must be prepared to provide emergency care pending the arrival of medical personnel, if medical personnel are not already present.

312.4.2 STABILIZE THE SITUATION

Officers must quickly assess the situation to ensure the immediate safety of all persons. Officers shall also consider the following:

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- (a) Attempt to identify the victim, suspect and witnesses as well as the roles and relationships of all parties. Parties should be interviewed separately when possible. Frequently, it is wrongfully assumed that elderly persons are incapable of accurately reporting the incident. Do not automatically discount the statement of an elderly or at-risk person.
- (b) Preserve the crime scene where evidence may be present. All persons should be removed from the scene until it has been photographed and processed. Any evidence, such as injuries that may change in appearance, should be photographed immediately.
- (c) Assess and define the nature of the problem. Officers should assess the available information to determine the type of abuse that may have taken place or the potential for abuse in the future that may be eliminated by law enforcement intervention.
- (d) Make on-scene arrests when appropriate. Immediate arrest of an abuser (especially when the abuser is a family member or caretaker) may leave the older or at-risk victim without necessary support and could result in institutionalization. The effect of an arrest on the victim should be considered and weighed against the assessed risk and the competent victim's desires. The present and future safety of the victim is of utmost importance.

312.4.3 SUPPORT PERSONNEL

The following persons should be considered if it appears an in-depth investigation is appropriate:

- Patrol supervisor
- Investigative personnel
- Evidence collection personnel
- County or State Protective Services Agency personnel
- Ombudsman if the abuse is in a long-term care facility (CRS § 26-11.5-101-112)
- Victim advocate

312.4.4 PROTECTIVE ORDERS AND EMERGENCY PROTECTIVE ORDERS

In any situation where an officer reasonably believes that a vulnerable person is in immediate and present danger of abuse based on an allegation of a recent incident of abuse or threat of abuse (other than financial abuse alone), the officer may contact the county court or Adult Protective Services and request a temporary restraining or protective order against the person alleged to have committed or threatened such abuse if that person is not in custody. If an offense is taken where it is clear there has been domestic violence against an elderly or at-risk adult, upon arrest of the suspect, the officer should seek an emergency court order.

Abuse of At-Risk Adults

312.5 AT-RISK ADULT ABUSE REPORTING

Every allegation of at-risk adult abuse shall be documented. When documenting at-risk adult abuse cases the following information should minimally be included in the report (CRS § 26-3.1-102(2)):

- (a) The name, address and approximate age of the at-risk adult
- (b) The name and address of the person responsible for his/her care, if there is one
- (c) The name and address, if available, of the person who is alleged to have abused, neglected or exploited the at-risk adult
- (d) The nature and extent of the alleged abuse, neglect or exploitation of the at-risk adult
- (e) Any evidence of previous injuries
- (f) The basis of the reporter's belief that the at-risk adult has been abused, neglected, exploited or isolated
- (g) Any other information that would assist in the investigation of the report

Reporting cases of older person or at-risk adult abuse is confidential and will only be released as per the Records Release and Security Policy, or as necessary for the coordination of a multi-agency investigation of a report or for the provision of protective services to an at-risk adult (CRS § 26-3.1-102(7)).

312.6 AT-RISK ADULT ABUSE IN A CARE FACILITY

Officers shall investigate all allegations relating to the abuse, neglect or exploitation of an at-risk adult in a care facility or under the care of a facility. Officers shall immediately notify the Adult Protective Services Unit of the Colorado Department of Human Services.

312.7 OBTAINING ARREST WARRANT

Officers should promptly seek a warrant for the arrest of any person for whom probable cause exists to believe the person is criminally responsible for the abuse, neglect or exploitation of an at-risk adult.

Discriminatory Harassment

313.1 PURPOSE AND SCOPE

This policy is intended to prevent department members from being subjected to discrimination or sexual harassment.

313.2 POLICY

The Northglenn Police Department is an equal opportunity employer and is committed to creating and maintaining a work environment that is free of all forms of discriminatory harassment, including sexual harassment and retaliation. The Department will not tolerate discrimination against employees in hiring, promotion, discharge, compensation, fringe benefits and other privileges of employment. The Department will take preventive and corrective action to address any behavior that violates this policy or the rights it is designed to protect.

The non-discrimination policies of the Department may be more comprehensive than state or federal law. Conduct that violates this policy may not violate state or federal law but still could subject a member to discipline.

313.3 DISCRIMINATION PROHIBITED

313.3.1 DISCRIMINATION

The Department prohibits all forms of discrimination, including any employment-related action by an employee that adversely affects an applicant or employee and is based on race, color, religion, sex, age, national origin or ancestry, genetic information, disability, military service, sexual orientation and other classifications protected by law.

Discriminatory harassment, including sexual harassment, is verbal or physical conduct that demeans or shows hostility or aversion toward an individual based upon that individual's protected class. It has the effect of interfering with an Individual's work performance or creating a hostile or abusive work environment.

Conduct that may, under certain circumstances, constitute discriminatory harassment, can include making derogatory comments, crude and offensive statements or remarks, making slurs or off-color jokes, stereotyping, engaging in threatening acts, making indecent gestures, pictures, cartoons, posters or material, making inappropriate physical contact, or using written material or department equipment and/or systems to transmit or receive offensive material, statements or pictures. Such conduct is contrary to department policy and to the department's commitment to a discrimination free work environment.

Retaliation is treating a person differently or engaging in reprisal or acts of intimidation against the person because he/she has engaged in protected activity, filed a charge of discrimination, participated in an investigation or opposed a discriminatory practice. Retaliation will not be tolerated.

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313.3.2 SEXUAL HARASSMENT

The Department prohibits all forms of discrimination and discriminatory harassment, including sexual harassment. It is unlawful to harass an applicant or an employee because of that person's sex.

Sexual harassment includes, but is not limited to, unwelcome sexual advances, requests for sexual favors or other verbal, visual or physical conduct of a sexual nature when:

- (a) Submission to such conduct is made either explicitly or implicitly a term or condition of employment, position or compensation.
- (b) Submission to, or rejection of, such conduct is used as the basis for any employment decisions affecting the member.
- (c) Such conduct has the purpose or effect of substantially interfering with a member's work performance or creating an intimidating, hostile or offensive work environment.

313.3.3 ADDITIONAL CONSIDERATIONS

Discrimination and discriminatory harassment do not include actions that are in accordance with established rules, principles or standards, including:

- (a) Acts or omission of acts based solely upon bona fide occupational qualifications under the Equal Employment Opportunity Commission (EEOC) and the Colorado Civil Rights Division.
- (b) Bona fide requests or demands by a supervisor that an employee improve his/her work quality or output, that the employee report to the job site on time, that the employee comply with City or department rules or regulations, or any other appropriate work-related communication between supervisor and employee.

313.4 RESPONSIBILITIES

This policy applies to all Department personnel. All employees shall follow the intent of these guidelines in a manner that reflects Department policy, professional law enforcement standards and the best interest of the Department and its mission.

It is the responsibility of each employee of the City to encourage a professional working environment free from harassing behavior through the following actions:

- (a) An employee who feels victimized by harassment shall inform the alleged harasser that such behavior is unwelcome and shall report instances of alleged misconduct to the supervisor, division head, department head or human resources for referral to the City's Equal Employment Opportunity Officer.
- (b) Employees shall refrain from participation in, or encouragement of, actions that could be perceived as harassment and shall report acts of harassment to a supervisor or human resources for referral to the City's Equal Employment Opportunity Officer.

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- (c) Employees shall encourage any employee who is being harassed to report the situation to a supervisor or human resources for referral to the City's Equal Employment Opportunity Officer.

Supervisors and managers receiving information regarding violations of this order shall determine if there is any basis for the allegation and shall proceed with resolution as stated within this policy.

- (a) Where a complaint or allegation of harassment has been presented, either verbally or in writing, taking the necessary action to limit the work contact of the employee involved pending further review of the matter.
- (b) Report all actual or potential sexual harassment situations received as a complaint or are rumored to exist, to human resources for referral to the City's Equal Employment Opportunity Officer.

313.4.1 SUPERVISOR RESPONSIBILITIES

Each supervisor and manager shall:

- (a) Ensure that the work environment is free from all types of unlawful discrimination, including sexual harassment.
- (b) Take prompt, appropriate action within their work units to avoid and minimize the incidence of any form of discrimination.
- (c) Train subordinates as to what constitutes discrimination and harassment.
- (d) Notify the Chief of Police in writing of the circumstances surrounding any reported allegations of discrimination/harassment no later than the next business day.
- (e) Any employee, including supervisors, who believes he or she to be victimized by harassment, or is aware of potential harassing behavior to which the City Manager is a party, shall report such instances of alleged misconduct to the City Attorney. In addition, if an employee of the Human Resources Division of the City or the City's Equal Employment Officer is made aware of such a complaint to which the City Manager is a party, said employees shall likewise report such instances to the City Attorney. Upon receipt of a complaint to which the City Manager is a party, the City Attorney shall report such alleged misconduct to the City Council in a manner the City Attorney deems appropriate, in order to seek direction on the appropriate action to be taken, including a mandatory investigative process by an outside agency.

Individual employees may be held personally liable for discriminatory acts, including sexual harassment.

313.4.2 SUPERVISOR'S ROLE

Because of differences in individual values, supervisors and managers may find it difficult to recognize that their behavior or the behavior of others is discriminatory, harassing or retaliatory. Supervisors and managers shall be aware of the following considerations:

Discriminatory Harassment

- (a) Behavior of supervisors and managers should represent the values of the Department and professional law enforcement standards.
- (b) False or mistaken accusations of discrimination, harassment or retaliation can have negative effects on the careers of innocent members.
- (c) Supervisors and managers must act promptly and responsibly in the resolution of such situations.
- (d) Supervisors and managers shall make a timely determination regarding the substance of any allegation based upon all available facts.

Nothing in this section shall be construed to prevent supervisors or managers from discharging supervisory or management responsibilities, such as determining duty assignments, evaluating or counseling employees or issuing discipline, in a manner that is consistent with established procedures.

313.4.3 RESPONSIBILITIES UPON RECEIPT OF COMPLAINT

Upon receipt or notification of a complaint filed with the Colorado Civil Rights Division, the Chief of Police or the authorized designee shall assign the complaint for action. The person assigned the complaint is responsible to ensure completion of the following (CRS § 24-34-301, et seq.):

- (a) After receiving the complaint, provide a written answer within the time required.
- (b) Upon request, supply and explain all relevant information, data or papers.
- (c) Respond to all telephone or mail inquiries from the Colorado Civil Rights Division.
- (d) When requested, attend all meetings, hearings or fact-finding conferences.

313.5 INVESTIGATION OF COMPLAINTS

Various methods of resolution exist. During the pendency of any such investigation, the supervisor of the involved members should take prompt and reasonable steps to mitigate or eliminate any continuing abusive or hostile work environment. It is the policy of the Department that all complaints of discrimination or harassment shall be fully documented, and promptly and thoroughly investigated. The participating or opposing member should be protected against retaliation, and the complaint and related investigation should be kept confidential to the extent possible.

313.5.1 SUPERVISORY RESOLUTION

Members who believe they are experiencing discrimination, harassment or retaliation should be encouraged to inform the individual that his/her behavior is unwelcome. However, if the member feels uncomfortable, threatened or has difficulty expressing his/her concern, or if this does not resolve the concern, assistance should be sought from a supervisor or manager who is a rank higher than the alleged transgressor.

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313.5.2 FORMAL INVESTIGATION

If the complaint cannot be satisfactorily resolved through the process described above, a formal investigation will be conducted.

The employee assigned to investigate the complaint will have full authority to investigate all aspects of the complaint. Investigative authority includes access to records and the cooperation of any members involved. No influence will be used to suppress any complaint and no member will be subject to retaliation or reprisal for filing a complaint, encouraging others to file a complaint or for offering testimony or evidence in any investigation.

Formal investigation of the complaint will be confidential to the extent possible and will include, but not be limited to, details of the specific incident, frequency and dates of occurrences and names of any witnesses. Reporting shall be in compliance with this policy. Witnesses will be advised regarding the prohibition against retaliation, and that a disciplinary process, up to and including termination, may result if retaliation occurs.

Members who believe they have been discriminated against, harassed or retaliated against because of their protected status are encouraged to follow the chain of command but may also file a complaint directly with the Chief of Police, Director of Management Services or the City Manager.

313.5.3 EQUAL OPPORTUNITY EMPLOYMENT COMPLAINTS

No provision of this policy shall be construed to prevent any employee from seeking legal redress outside the Department. Employees who believe that they have been harassed or discriminated against are entitled to bring complaints of employment discrimination to federal, state and/or local agencies responsible for investigating such allegations. Specific time limitations apply to the filing of such charges. Employees are advised that proceeding with complaints under the provisions of this policy does not in any way affect those filing requirements.

313.6 NOTIFICATION OF DISPOSITION

The complainant and/or victim will be notified in writing of the disposition of the investigation and actions taken to remedy the complaint.

313.7 DOCUMENTATION OF COMPLAINTS

All complaints or allegations shall be thoroughly documented on forms and in a manner designated by the Chief of Police. The outcome of all reports shall be:

- Approved by the Chief of Police or the authorized designee, Director of Management Services or the City Manager if more appropriate.
- Maintained for the period established in the department's records retention schedule.

313.8 TRAINING

All new employees shall be provided with a copy of this policy as part of their orientation. The policy shall be reviewed with each new employee. The employee shall certify by signing the prescribed

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form that he/she has been advised of this policy, is aware of and understands its contents and agrees to abide by its provisions during his/her term of employment.

All employees shall receive annual training on the requirements of this policy and shall certify by signing the prescribed form that they have reviewed the policy, understand its contents and agree that they will continue to abide by its provisions.

313.8.1 QUESTIONS REGARDING DISCRIMINATION OR SEXUAL HARASSMENT

Members with questions regarding discrimination or sexual harassment are encouraged to contact a supervisor, manager, the Division Commander, the Director of Management Services or the City Manager, or they may contact the Colorado Civil Rights Division.

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314.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the investigation of suspected child abuse. This policy also addresses when Northglenn Police Department members are required to notify the county department of social services of suspected child abuse.

314.1.1 DEFINITIONS

Definitions related to this policy include:

Child - Unless otherwise specified by a cited statute, a child is any person under the age of 18 years.

Child abuse - Any offense or attempted offense involving violence or neglect with a child victim when committed by a person responsible for the child's care or any other act that would mandate notification to a social service agency or law enforcement (CRS § 19-3-304; CRS § 19-1-103).

314.2 POLICY

The Northglenn Police Department will investigate all reported incidents of alleged criminal child abuse and ensure the county department of social services is notified as required by law.

314.3 MANDATORY NOTIFICATION

Members of the Northglenn Police Department shall notify the county department of social services when (CRS § 19-1-103; CRS § 19-3-308):

- (a) They receive a report of a known or suspected incident of interfamilial abuse or neglect.
- (b) They reasonably believe that the protection and safety of a child is at risk due to an act or omission on the part of persons responsible for the child's care.
- (c) They receive a report of third-party abuse or neglect in which the person allegedly responsible for such abuse or neglect is under age 10.

For purposes of notification, abuse and neglect is an act or omission that threatens the health or welfare of a child, including suspicious injuries, such as bruising, bleeding, burns; a sex offense; emotional abuse; failure to provide adequate food, clothing or care; exposure to a dangerous environment, etc. (CRS § 19-1-103).

Interfamilial abuse includes acts by a child's parent, stepparent, guardian, legal custodian or relative, by a spousal equivalent or by any other person who resides in the child's home or who is regularly in the child's home for the purpose of exercising authority over or care for the child (CRS § 19-1-103).

Officers shall take into account accepted child-rearing practices of the culture in which the child participates including, but not limited to, accepted work-related practices of agricultural communities in determining abuse. Abuse does not include a reasonable exercise of parental

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discipline or acts that are reasonably necessary to subdue a child who is being taken into custody by law enforcement officers (CRS § 19-1-103).

314.3.1 NOTIFICATION PROCEDURE

Notification should occur as follows (CRS § 19-3-308):

- (a) Notifications shall be made immediately to the county department of social services.
- (b) A written summary of the investigation or case report shall be forwarded without delay to the county department of social services upon completion of any investigation undertaken.
- (c) Notification, when possible, shall include (CRS § 19-3-307):
 - 1. The name, address, age, sex and race of the child.
 - 2. The nature and extent of the child's injuries, including any evidence of previous cases of known or suspected abuse or neglect of the child or the child's siblings.
 - 3. The names and addresses of the persons responsible for the suspected abuse or neglect, if known.
 - 4. The family composition.
 - 5. The source of the report and the name, address and occupation of the person making the report.
 - 6. Any action taken by the reporting source.
 - 7. Any other information that the person making the report believes may be helpful.

An investigating officer and his/her supervisor shall notify the school district superintendent when there is a reasonable belief that an incident of abuse or neglect has been committed by a person acting in his/her official capacity as an employee of the school district (CRS § 19-3-308).

314.4 QUALIFIED INVESTIGATORS

Qualified investigators should be available for child abuse investigations. These investigators should:

- (a) Conduct interviews in child appropriate interview facilities.
- (b) Be familiar with forensic interview techniques specific to child abuse investigations.
- (c) Present all cases of alleged child abuse to the prosecutor for review.
- (d) Coordinate with other enforcement agencies, social service agencies and school administrators as needed.
- (e) Provide referrals to therapy services, victim advocates, guardians and support for the child and family as appropriate.
- (f) Participate in or coordinate with multidisciplinary investigative teams as applicable.

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314.5 INVESTIGATIONS AND REPORTING

In all reported or suspected cases of child abuse, a report will be written. Officers shall write a report even if the allegations appear unfounded or unsubstantiated.

Investigations and reports related to suspected cases of child abuse should address, as applicable:

- (a) The overall basis for the contact. This should be done by the investigating officer in all circumstances where a suspected child abuse victim was contacted.
- (b) The exigent circumstances that existed if officers interviewed the child victim without the presence of a parent or guardian.
- (c) Any relevant statements the child may have made and to whom he/she made the statements.
- (d) If a child was taken into protective custody, the reasons, the name and title of the person making the decision, and why other alternatives were not appropriate.
- (e) Documentation of any visible injuries or any injuries identified by the child. This should include photographs of such injuries, if practicable.
- (f) Whether the child victim was transported for medical treatment or a medical examination.
- (g) Whether the victim identified a household member as the alleged perpetrator, and a list of the names of any other children who may reside in the residence.
- (h) Identification of any prior related reports or allegations of child abuse, including other jurisdictions, as reasonably known.
- (i) Previous addresses of the victim and suspect.
- (j) Other potential witnesses who have not yet been interviewed, such as relatives or others close to the victim's environment.
- (k) Unless unavailable, the county department of social services shall be the agency responsible for the coordination of all investigations of all reports of known or suspected incidents of interfamilial abuse or neglect (CRS § 19-3-308).
- (l) This agency shall have the responsibility for the coordination and investigation of all reports of third-party abuse or neglect alleged to have been committed by persons 10 years of age or older (CRS § 19-3-308).
- (m) When the investigation involves a suspect who was acting in his/her official capacity as an employee of a school district, the investigating officer shall coordinate such investigation with any concurrent abuse investigation being conducted by the department of education or the school district to the extent that such coordination is possible and deemed appropriate (CRS § 19-3-308).

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All cases of the unexplained death of a child should be investigated as thoroughly as if it had been a case of suspected child abuse (e.g., a sudden or unexplained death of an infant).

314.6 PROTECTIVE CUSTODY

Before taking any child into protective custody, the officer should make reasonable attempts to contact the county department of social services. Generally, removal of a child from his/her family, guardian or other responsible adult should be left to the child welfare authorities when they are present or have become involved in an investigation.

Generally, members of this department should remove a child from his/her parent or guardian without a court order only when no other effective alternative is reasonably available and immediate action reasonably appears necessary to protect the child. Prior to taking a child into protective custody, the officer should take reasonable steps to deliver the child to another qualified parent or legal guardian, unless it reasonably appears that the release would endanger the child or result in abduction. If this is not a reasonable option, the officer shall ensure that the child is delivered to the county department of social services.

Whenever practicable, the officer should inform a supervisor of the circumstances prior to taking a child into protective custody. If prior notification is not practicable, officers should contact a supervisor promptly after taking a child into protective custody.

Children may only be removed from a parent or guardian in the following situations (CRS § 19-3-401):

- (a) When a court order has been issued authorizing the removal of a child.
- (b) Without a court order when the child is seriously endangered in his/her surroundings or seriously endangers others and immediate removal appears to be necessary for the child's protection or the protection of others.
 - 1. A child shall be removed from his/her home and placed in protective custody if an emergency exists because the child is seriously endangered, as described above, the safety or well-being of the child is immediately at issue and there is no other reasonable way to protect the child without removing the child from his/her home.
- (c) Without a court order when an arrest warrant has been issued for the child's parent or guardian on the basis of an alleged violation of CRS § 18-3-304.
- (d) A seriously endangered newborn child (less than 72 hours old) may be detained in a hospital, without a warrant, by an officer upon the recommendation of the county department of social services, a physician, a registered nurse, a licensed practical nurse or a physician's assistant, while an order of the court pursuant to CRS § 19-3-405(1) is being pursued. The newborn child must be released if a court order is denied.

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314.6.1 COURT ORDERS

Unless already being addressed by the county department of social services, an officer should apply for a court order prior to taking a child into protective custody or as soon as practical thereafter when the officer (CRS § 19-3-405):

- (a) Believes that the circumstances or conditions of the child are such that continuing in his/her place of residence or in the care and custody of the person responsible for the child's care and custody would present a danger to that child's life or health in the reasonably foreseeable future, or
- (b) Believes that the child is able to remain safely in his/her place of residence or in the care and custody of the person responsible for the child's care and custody only if certain emergency protection orders are entered.

314.6.2 RELATED NOTIFICATIONS

If the county department of social services is unable to take custody of a child, officers taking a child into protective custody shall (CRS § 19-3-402):

- (a) Deliver the child, without unnecessary delay, directly to the court or to a place designated by the court.
- (b) At the earliest opportunity, notify the court that the child has been taken into protective custody.
- (c) Promptly file a brief written report with the court and any agency or person so designated by the court stating the facts that led to the child being taken into custody and the reason why the child was not released.

Whenever a child is taken into temporary protective custody, the child's parent, guardian or legal custodian shall be notified without unnecessary delay (CRS § 19-3-402(1)). The notification shall include information regarding the right to a hearing.

314.6.3 SAFE HAVEN ACT PROVISIONS

Any newborn infant (72 hours old or younger) who has been surrendered by a parent to an on-duty firefighter or hospital staff member under the safe haven provisions of CRS § 19-3-304.5 shall be taken into temporary protective custody by an officer pursuant to CRS § 19-3-401. A supervisor and the county department of social services should be notified without delay.

314.7 INTERVIEWS

314.7.1 PRELIMINARY INTERVIEWS

Absent extenuating circumstances or impracticality, officers should record the preliminary interview with suspected child abuse victims. Officers should avoid multiple interviews with a child victim and should attempt to gather only the information necessary to begin an investigation. When practicable, investigating officers should defer interviews until a person who is specially trained in such interviews is available. Generally, child victims should not be interviewed in the home or location where the alleged abuse occurred.

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314.7.2 DETAINING SUSPECTED CHILD ABUSE VICTIMS FOR AN INTERVIEW

An officer should not detain a child involuntarily who is suspected of being a victim of child abuse solely for the purpose of an interview or physical exam without the consent of a parent or guardian unless one of the following applies:

- (a) Exigent circumstances exist, such as:
 - 1. A reasonable belief that medical issues of the child need to be addressed immediately.
 - 2. A reasonable belief that the child is or will be in danger of harm if the interview or physical exam is not immediately completed.
 - 3. The alleged offender is the custodial parent or guardian and there is reason to believe the child may be in continued danger.
- (b) A court order or warrant has been issued.

314.8 MEDICAL EXAMINATIONS

If the child has been the victim of abuse that requires a medical examination, the investigating officer should obtain consent for such examination from the appropriate parent, guardian or agency having legal custody of the child. The officer should also arrange for the child's transportation to the appropriate medical facility.

In cases where the alleged offender is the custodial parent or guardian and is refusing consent for the medical examination, officers should notify a supervisor before proceeding. If exigent circumstances do not exist or if state law does not provide for officers to take the child for a medical examination, the notified supervisor should consider obtaining a court order for such an examination.

314.9 DRUG-ENDANGERED CHILDREN

A coordinated response by law enforcement and social services agencies is appropriate to meet the immediate and longer-term medical and safety needs of children exposed to the manufacturing, trafficking or use of narcotics.

314.9.1 SUPERVISOR RESPONSIBILITIES

The NMDTF Supervisor should:

- (a) Work with professionals from the appropriate agencies, including the county department of social services, other law enforcement agencies, medical service providers and local prosecutors to develop community specific procedures for responding to situations where there are children endangered by their exposure to methamphetamine labs or the manufacture and trafficking of other drugs.
- (b) Activate any available interagency response when an officer notifies the NMDTF Supervisor that the officer has responded to a drug lab or other narcotics crime scene where a child is present or where evidence indicates that a child lives there.

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- (c) Develop a report format or checklist for use when officers respond to drug labs or other narcotics crime scenes. The checklist will help officers document the environmental, medical, social and other conditions that may affect the child.

314.9.2 OFFICER RESPONSIBILITIES

Officers responding to a drug lab or other narcotics crime scene where a child is present or where there is evidence that a child lives should:

- (a) Document the environmental, medical, social and other conditions of the child using photography as appropriate and the checklist or form developed for this purpose.
- (b) Notify the NMDTF Supervisor so an interagency response can begin.

314.10 STATE MANDATES AND OTHER RELEVANT LAWS

Colorado requires or permits the following:

314.10.1 RELEASE OF REPORTS

Information related to incidents of child abuse or suspected child abuse shall be confidential and may only be disclosed pursuant to state law and the Records Release and Security Policy (CRS § 19-1-307).

314.10.2 CHILD FATALITY PREVENTION REVIEW TEAMS

Local review teams are entitled to access all investigative information of law enforcement agencies regarding the death of a child. This department shall cooperate fully with any such team and investigation (CRS § 25-20.5-404; CRS § 25-20.5-408(1)).

314.11 TRAINING

The Department should provide training on best practices in child abuse investigations to members tasked with investigating these cases. The training should include:

- (a) Participating in multidisciplinary investigations, as appropriate.
- (b) Conducting forensic interviews.
- (c) Availability of therapy services for children and families.
- (d) Availability of specialized forensic medical exams.
- (e) Cultural competence (including interpretive services) related to child abuse investigations.
- (f) Availability of victim advocate or guardian ad litem support.

Missing Person Reporting

315.1 PURPOSE AND SCOPE

This policy describes the procedure for acceptance, reporting, documenting and investigating missing persons. State law, as well as federal law under 42 USC 5779(a), specify certain requirements relating to missing persons (CRS § 16-2.7-101, et seq.).

315.1.1 DEFINITIONS

Definitions related to this policy include (CRS § 16-2.7-101 and CRS § 24-33.5-415.8):

DNA - Deoxyribonucleic acid

Missing person - A person whose whereabouts are unknown and whose safety or welfare is the subject of concern. Involuntary: A person of any age who is missing under circumstances indicating that the disappearance may not have been voluntary, i.e., abduction or kidnapping. Catastrophe Victim: A person of any age who is missing after a catastrophe. Other: A person over the age of 18 not meeting the criteria for entry in any other category who is missing and for whom there is a reasonable concern for his/her safety.

Missing person with developmental disabilities - A person with a verified developmental disability domiciled in Colorado, whose whereabouts are unknown and whose disappearance poses a credible threat to the safety and health of the person.

Juvenile: A person under the age of 21 who is missing and does not meet any of the criteria set forth above.

Missing senior citizen A person aged 60 or older with a verified developmental disability domiciled in Colorado, whose whereabouts are unknown and whose disappearance poses a credible threat to the safety and health of the person.

315.2 REPORT ACCEPTANCE

All personnel shall accept any report, including any telephone report, of a missing person, including runaways, without delay and shall give priority to the handling of these reports over the handling of reports relating to crimes involving property. A missing person report shall be accepted if (CRS § 16-2.7-102(2)):

- (a) The missing person resides within this department's jurisdiction and the last-known location is his/her residence or is unknown.
- (b) There is credible information indicating that the missing person was last believed to be within this department's jurisdiction.

Department personnel are not required to accept a missing person report if the person is the subject of a missing person report under investigation by another law enforcement agency within Colorado (CRS § 16-2.7-102(5)).

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If the location where a person has been missing or was last seen cannot be clearly and easily established, the local law enforcement agency having jurisdiction over the missing person's last known residence should take the report. In any instance where there is a disagreement over reporting responsibility that is not immediately resolved, it is the policy of this department to promptly take and investigate a missing person report.

Any investigation completed and information obtained in a case that is ultimately the responsibility of another jurisdiction shall be recorded in an incident report, including information regarding the determination of jurisdiction, and forwarded to the appropriate agency.

315.3 INITIAL RESPONSE AND INVESTIGATION

Patrol personnel should be assigned to handle the initial missing person report and conduct a preliminary investigation involving additional resources as necessary.

The handling officer shall immediately contact such persons and, using interpretive services as reasonably necessary, make inquiries concerning the missing person and make an assessment of reasonable steps to be taken to locate the person. Initial investigation should include:

- (a) Interviewing the persons who made the initial report, and if the person is a child, the child's parent or guardian.
- (b) Determining when, where and by whom the missing person was last seen.
- (c) Interviewing the individual who last had contact with the person.
- (d) Obtaining a detailed description of the missing person, abductor, vehicles, photographs and other pertinent information.

315.4 INVESTIGATIVE PROCEDURES AND DILIGENCE

If an initial investigation reveals that a person appears to be missing, further actions may be necessary. Determine from the information available whether a physical search is appropriate. If it appears that the situation is one of a person whose safety appears endangered or missing children, each of the following actions should be performed:

- (a) If a search is warranted, conduct a search of the home, building or other area/location where the incident took place including all surrounding areas. Obtain consent or a search warrant if necessary.
- (b) If a search is not warranted or does not locate the missing person, additional investigation may be required, including:
 - 1. A neighborhood/vehicle canvas.
 - 2. Identifying persons at the scene and conducting separate interviews.
 - 3. Documenting actions, telephone communications and other activities.
 - 4. Assigning an investigator or officers whose duties will include coordination of the investigation.

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5. Involvement of the media.

During missing person investigations, the handling investigator shall attempt to obtain the most recent photograph available of the missing person. The photograph will be entered into CCIC/NCIC as part of the missing person entry. These photographs may be used for public information bulletins without written authorization.

315.4.1 INVESTIGATIVE RESOURCES AND SUPPORT

Additional support, investigative and supervisory assistance should be requested as reasonably necessary. Personnel providing assistance should be properly briefed and updated on the investigation status.

The handling investigator is responsible for seeing that all appropriate law enforcement agencies in the state are promptly notified. If deemed appropriate, law enforcement agencies in adjacent states or jurisdictions should be provided with any information that may aid in the location and return of the missing or a person whose safety appears endangered. If necessary, use the AMBER™ Alert network and the Child Is Missing locator program, regional and federal law enforcement agencies.

When a missing child is under the age of ten years old, the Watch Supervisor shall be notified immediately. The Watch Supervisor shall, in turn, notify the Staff Duty Officer. Consideration should be given to utilizing the Colorado Amber Alert Program, A Child Is Missing locator system (if Amber Alert criteria cannot be met), and/or the Emergency Warning Telephone System. After entering the missing child's information into the National Crime Information Center's (NCIC) computer, consideration should also be given to launching the appropriate locator system. In the case of an abducted child (under the age of 17) and in immediate danger of serious bodily harm or death, the Watch Supervisor shall consider utilizing the Amber Alert Program (24-33.5-415.7 C.R.S.) to notify other agencies and the public. To activate this program, the Watch Supervisor should call the Colorado Bureau of Investigation at 1-877-542-7233 and ask for Amber Alert personnel. Circumstances of the abduction and a good description of the child, the abductor and any suspect vehicle will be necessary.

In the case of any bona fide missing person, especially if they are endangered or disabled, the Watch Supervisor should consider whether a telephonic reverse 911 neighborhood notification would assist in their safe and expeditious return. If deemed appropriate, the Watch Supervisor should call the ADCOM Supervisor and advise them that an activation of the Emergency Warning System is necessary. ADCOM will advise the Watch Supervisor on additional procedures for activation of the system to include determining the size of the call area and making the recorded message. Consideration should also be given to launching the Locator Program after the missing child has been entered into NCIC/CCIC. The Locator Program includes a template that may be used for the Amber Alert Program. A photograph should be given to Records personnel who will initiate this program. High quality color posters may be printed to be distributed at briefings, incident command posts, and to the public. Records personnel may also distribute these posters via e-mail. The Locator Program may also be utilized for missing adults.

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When A Child Is Missing (ACIM) locator system is activated, officers should call 1-888-875-2246. The following information should be provided to the call taker:

- (a) Identify Reporting Agency
- (b) Officer's Name and Contact number
- (c) Case Number
- (d) Name and Description of Missing Person(s). The following information should be provided to the call taker: Location Last Seen, Zip Code, County and Search Area
- (e) Time and Date Last Seen
- (f) Police Department Number for Citizens to Report Sightings
- (g) Answer All Technical Questions asked by the call taker

The Investigations Unit shall follow-up on all reports of runaways and missing persons. Runaway Reports that the detectives believe involve possible foul play shall be fully investigated and all leads shall be followed up until the child is found or proven to be gone of their own free will. When an officer has been advised a runaway has returned or been located, that officer shall complete a Supplemental Report. The officer shall have the CCIC/NCIC entry canceled from the computer, as well as any Amber Alert or Locater Record.

No juvenile runaway can be placed in a juvenile detention center without a specific court order. This order may be obtained by telephone. The officer shall contact Adams County Social Services Crisis Unit, and/or the LINK when the family and runaway are requesting additional assistance or the officer feels that intervention is needed for the family and runaway.

315.4.2 INVESTIGATION OF MISSING SENIOR CITIZENS AND MISSING PERSONS WITH DEVELOPMENTAL DISABILITIES

If it is determined that the missing person is a senior citizen or a person who is developmentally disabled, the handling officer shall immediately:

- (a) Obtain documentation regarding the person's mental condition (CRS § 24-33.5-415.8).
- (b) Ensure that identifying and descriptive information about the person and involved suspects and vehicles is immediately entered into the National Crime Information Center (NCIC) system (42 USC 5779(a)).
- (c) Ensure the information is broadcast regionally, statewide and nationally, or solicit the assistance of the Colorado Bureau of Investigation to make the broadcasts.
- (d) Consult with the Colorado Bureau of Investigation and request assistance as necessary.
- (e) Secure the crime scene and/or the last known position of the missing person and, if not already completed, attempt to identify and interview persons in the area at the time of the incident.

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- (f) Implement multijurisdictional coordination and mutual aid plans when necessary. Factors to consider include:
 - 1. Inadequate Department resources.
 - 2. The investigation crosses jurisdictional lines.
 - 3. Existence of pre-established task forces or investigative teams.
- (g) Notify the family of services provided by the Colorado Bureau of Investigation.
- (h) Obtain and protect uncontaminated missing person scent articles for possible use by search canines.
- (i) Activate protocols for working with the media including AMBER Alert and/or Silver Alert.

315.4.3 CRIME AND SCENE INVESTIGATION AND MANAGEMENT

If a crime scene is identified, it should be secured and a command post or operation base placed into operation a reasonable distance from the crime scene. Staff and assign the responsibilities for Command Post Supervisor, Public Information Officer, Search Coordinator, Investigative Coordinator, Communication Officer and Support Unit Coordinator. Provide two liaison officers (one at the command post and one at the home). The role of the liaison at the home will include facilitating support and advocacy for the family.

The investigation of the crime should consider various elements, including:

- (a) Establishing the ability to "trap and trace" all incoming calls. Consider setting up a separate telephone line or cellular telephone for Department use and follow up on all leads.
- (b) Compilation of a list of known sex offenders in the region.
- (c) In cases of infant abduction, investigate claims of home births made in the area.
- (d) In cases involving children, obtain child protective agency records for reports of child abuse.
- (e) Review of records for previous incidents related to the missing person and prior police activity in the area, including prowlers, indecent exposure, attempted abductions, etc.
- (f) Obtaining the missing person's medical and dental records, fingerprints and DNA when practical or within 30 days.
- (g) Creating a missing person profile with detailed information obtained from interviews of family and friends, and records describing the missing person's health, relationships, personality, problems, life experiences, plans, equipment.
- (h) Update the NCIC file, as necessary, with any additional information, regarding the missing person, suspect and vehicle.

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- (i) Interview of delivery personnel, employees of gas, water, electric and cable companies, taxi drivers, post office personnel, sanitation workers and others.
- (j) For persons under the age of 21, contacting the National Center for Missing and Exploited Children for photo dissemination and other case assistance.
- (k) Determination if outside help is needed and the merits of utilizing local, state and federal resources related to specialized investigative needs, including:
 - 1. Available search and rescue resources
 - 2. Investigative resources
 - 3. Interpretive services
 - 4. Telephone services, such as traps, traces and triangulation
 - 5. Media assistance from local and national sources
- (l) Use of secure electronic communication information, such as the missing person's cell phone number, e-mail address and social networking site information.
- (m) Appointing an officer who shall be responsible to communicate with the family/reporting party or their designee, and who will be the primary point of contact for the family/reporting party or the designee. Provide contact information and the family information packet (if available) to the family/reporting party or the designee.

315.5 REPORT HANDLING

Missing person reports require special handling and timely notifications. Information that is not immediately available and obtained at a later time shall be documented in a supplemental report as required.

Notification and entry into the state database of the Colorado Bureau of Investigation and the NCIC file shall be conducted as soon as reasonably possible by the handling investigator pursuant to state and federal laws:

- (a) If the missing person is under the age of 18, the entry should be completed as soon as possible but no later than 2 hours after obtaining the information (CRS § 24-33.5-415.1(3) and CRS § 16-2.7-103).
- (b) If the missing person is developmentally disabled and 21 years of age or older or a senior citizen, the entry should be completed once the verification of mental condition has been established (CRS § 24-33.5-415.8).

At any time a missing person report is made, the officer shall complete a dental and medical release form that will be provided to the reporting party. If the form is properly endorsed, the completed form shall be attached to the missing person report.

For cases involving missing children, the investigator shall comply with state and federal laws regarding the reporting and investigation of these cases. The investigator shall send a

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missing child report containing identifying and descriptive information to the Colorado Bureau of Investigation as soon as possible but no later than 24 hours after obtaining the information (CRS § 24-33.5-415.1(3) and CRS § 16-2.7-103).

315.5.1 TRANSMITTING REPORTS TO OTHER JURISDICTIONS

When the Northglenn Police Department takes a missing person report on a person who lives outside of this jurisdiction, the Records Section shall promptly notify and forward a copy of the report to the agencies having jurisdiction over the missing person's residence and where the missing person was last seen. If the missing person is under 18 or there is evidence that the person may be at risk, the reports must also be forwarded within 24 hours to the agency of the jurisdiction where the missing person was last seen.

315.5.2 ELECTRONIC NOTIFICATIONS

When a missing person is under the age of 21, Records Section personnel shall send electronic notification to the Department of Public Safety and the NCIC within two hours after accepting the report (42 USC § 5779(a) and 42 USC § 5780(3)). To assist the Department of Public Safety, the electronic notification must note if the case involves a person whose safety appears to be endangered.

315.6 MISSING MORE THAN 30 DAYS

In any case where a person remains missing more than 30 days from entry into the NCIC, the Department will prepare for release when contacted by the Colorado Bureau of Investigation the following information for entry into appropriate databases, unless it has been previously released:

- (a) DNA samples from family members and, if possible, from the missing person
- (b) Dental information and x-rays
- (c) Additional photographs and video that may aid the investigation or identification
- (d) Fingerprints
- (e) Other specific identifying information

If a person is still missing after 30 days, review the case file to determine whether any additional information received on the missing person indicates that the person's safety appears endangered. Update the record in NCIC to reflect the status change as soon as practicable.

315.6.1 MISSING MORE THAN 45 DAYS

If a person is still missing after 45 days, the handling investigator must check with the appropriate medical examiner and send to the U.S. Department of Justice (USDOJ) a photograph and dental records, and verify and update the record with any additional information as warranted. If dental records are unobtainable, this should be noted. This must be completed no later than 60 days after the report is filed.

Missing Person Reporting

315.6.2 PROLONGED MISSING

If a person is still missing after a prolonged period, generally exceeding 45 days, the handling investigator should review the case and consider whether the following recommended actions should be performed:

- (a) Develop a profile of the possible abductor.
- (b) Consider the use of a truth verification device for parents, spouse and other key individuals.
- (c) Reread all reports and transcripts of interviews, revisit the crime scene, review all photographs and videotapes, re-interview key individuals and re-examine all physical evidence collected.
- (d) Review all potential witness/suspect information obtained in the initial investigation and consider background checks on anyone of interest identified in the investigation.
- (e) Periodically check pertinent sources of information about the missing person for any activity, such as phone, bank, internet or credit card activity.
- (f) Develop a timeline and other visual exhibits.
- (g) Critique the results of the ongoing investigation with appropriate investigative resources.
- (h) Arrange for periodic media coverage.
- (i) Consider utilizing rewards and crime-stoppers programs.
- (j) Update NCIC Missing Person File information, as necessary.
- (k) Contact the National Center for Missing and Exploited Children for age progression assistance.
- (l) Maintain contact with the family and/or the reporting party or their designee, as appropriate.

315.7 MISSING PERSONS LOCATED

When a missing person is located, the appropriate actions related to the type of recovery are required:

- (a) When a missing person is located alive, the investigation may be concluded after completion of the following:
 - 1. Verification that the located person is the reported missing person.
 - 2. Notification of the Colorado Bureau of Investigation as soon as possible for a missing child, a missing senior citizen or a person with developmental disabilities.
 - 3. If appropriate, arranging for a comprehensive physical examination of the victim.

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4. Conducting a careful interview of the person, documenting the result of the interview and involving all appropriate agencies.
 5. In juvenile cases, notifying the family/reporting party that the missing person has been located. In adult cases, if the located adult permits the disclosure of his/her whereabouts and contact information, the family/reporting party may be informed of this information.
 6. Depending on the circumstances of the disappearance, considering the need for reunification assistance, intervention, counseling or other services for either the missing person or the family/reporting party.
 7. Canceling alerts (AMBER Alert or Silver Alert), removing the case from NCIC and other information systems and removing posters and other publications from circulation.
 8. Performing a constructive post-case critique, reassessing the procedures used and updating the Department policy and procedures as appropriate.
- (b) When a missing person is located and is deceased, additional investigation includes the following:
1. Securing the crime scene if this Department has jurisdiction.
 2. Contacting the coroner, medical examiner or forensic anthropologist to arrange for body recovery and examination.
 3. Collecting and preserving any evidence at the scene.
 4. Depending on the circumstances, considering the need for intervention, counseling or other services for the family/reporting party.
 5. Canceling alerts and removing the case from NCIC and other information systems, removing posters and other publications from circulation.
 6. Performing a constructive post-case critique, reassessing the procedures used and updating the Department policy and procedures as appropriate.

315.7.1 RECOVERED MISSING DATA ENTRY

When a missing person who was reported by another jurisdiction is located, the Department shall notify the original law enforcement agency having jurisdiction over the investigation and that agency shall cancel the entry from the NCIC computer.

When this department discovers that a missing person whose investigation is being handled by this Department has been found, the Records Section shall cancel the entry in the NCIC. If a missing person under the age of 21 is located, the detective must ensure that an electronic notification is sent within 24 hours to the USDOJ.

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315.7.2 DECEASED FOUND TO BE A MISSING PERSON

If a deceased person has been identified as a missing person, the Colorado Bureau of Investigation or this department shall attempt to locate family members and inform them of the death and the location of the deceased's remains. All efforts to locate and notify family members shall be recorded in appropriate reports and properly retained.

Public Alerts

316.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for alerting the public to important information and soliciting public aid when appropriate.

316.2 POLICY

Public alerts may be employed using the Emergency Alert System (EAS), local radio, television and press organizations and other groups to notify the public of incidents, or enlist the aid of the public, when the exchange of information may enhance the safety of the community. Various types of alerts may be available based upon each situation and the alert system's individual criteria.

316.3 RESPONSIBILITIES

316.3.1 EMPLOYEE RESPONSIBILITIES

Employees of the Northglenn Police Department should notify their supervisor, Shift Sergeant or Investigative Support Unit Supervisor as soon as practicable upon learning of a situation where public notification, a warning or enlisting the help of the media and public could assist in locating a missing person, apprehending a dangerous person or gathering information.

316.3.2 SUPERVISOR RESPONSIBILITIES

A supervisor apprised of the need for a public alert is responsible to make the appropriate notifications based upon the circumstances of each situation. The supervisor shall promptly notify the appropriate Staff Duty Officer, and the possibly the Public Information Officer when any public alert is generated.

The supervisor in charge of the investigation to which the alert relates is responsible for the following:

- (a) Updating alerts
- (b) Canceling alerts
- (c) Ensuring all appropriate reports are completed
- (d) Preparing an after-action evaluation of the investigation to be forwarded to the Division Commander

316.4 AMBER ALERTS

America's Missing: Broadcast Emergency Response (AMBER Alert™) is the recruitment of public assistance to locate an abducted child via a widespread media alert using the statewide Emergency Alert System (EAS). Utilizing local radio, television and press affiliates, the public will be notified of the circumstances of a child's abduction and how it can assist law enforcement in the child's recovery.

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The goal of the AMBER Alert program is the safe return of an abducted child by establishing an effective partnership between the community, the media and law enforcement (CRS § 24-33.5-415.7).

316.4.1 CRITERIA

An AMBER Alert may be activated by a law enforcement agency if (CRS § 24-33.5-415.7(2)):

- (a) The child is 17 years of age or younger.
- (b) The Department determines the child has been abducted.
- (c) There is a credible threat to the safety and health of the child.
- (d) The Department has sufficient descriptive information about the child or the person who is suspected of abducting the child, or other pertinent information, to believe a broadcast will assist in the recovery of the child.

316.4.2 PROCEDURE

In the event of a confirmed child abduction, the following procedures shall be followed:

- (a) The Public Information Officer, Shift Sergeant or Staff Duty Officer will prepare an initial press release that includes all available information that might aid in locating the child, such as:
 - 1. The child's identity, age and description.
 - 2. Photograph if available.
 - 3. The suspect's identity, age and description, if known.
 - 4. Pertinent vehicle description.
 - 5. Details regarding time of the abduction, location of incident, direction of travel, potential destinations, if known.
 - 6. Whether there is reason to believe the suspect has a relationship to the victim.
 - 7. Name and telephone number of the Public Information Officer or other authorized individual to handle the media.
 - 8. Telephone number of the Colorado Bureau of Investigation to call for further information.
 - 9. A telephone number for the public to call with leads or information.
- (b) The Public Information Officer, Shift Sergeant or Staff Duty Officer will notify the Colorado Bureau of Investigation. After the information is checked, an AMBER Alert will be issued and the Colorado statewide EAS will be activated.
- (c) Fax the press release to the local television and radio stations.

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- (d) The individual responsible for making notifications shall also consider the following resources as the circumstances dictate:
 - 1. Colorado State Patrol
 - 2. FBI local office
 - 3. Prompt entry of information into the U.S. Department Of Justice Missing Person System/National Crime Information Center (NCIC)
 - 4. National Center for Missing and Exploited Children (NCMEC) (800-843-5678)
 - 5. Department Internet sites, communications and resources
- (e) As additional information pertinent to the case becomes available, it shall be forwarded to the Colorado Bureau of Investigation.
- (f) The investigation unit supervisor investigating the abduction or other individual responsible for making notifications shall prepare and forward to the previously described locations additional information regarding the search and investigation.
- (g) Upon closure of the child abduction, because the child has been found, or the end of the notification period, the investigation unit supervisor shall immediately notify the Colorado Bureau of Investigation with pertinent information (CRS § 24-33.5-415.7(4)).
- (h) After 24 hours the investigation unit supervisor investigating the abduction or other individual responsible for making notifications shall assess the need to continue the AMBER Alert.

316.5 BLUE ALERTS

Blue Alerts are for those instances where a person has killed or inflicted a life-threatening injury upon a peace officer. The Blue Alert program is a coordinated effort among the Colorado Bureau of Investigation, local law enforcement agencies and the state's public and commercial television and radio broadcasters (CRS § 24-33.5-416.5; 8 CCR 1507-27).

316.5.1 CRITERIA

Supervisors may request a Blue Alert when a peace officer has been killed or has received a life-threatening injury and the suspect or suspects have fled the scene of the offense (CRS § 24-33.5-416.5).

316.5.2 PROCEDURE

A supervisor, after confirming that the criteria for a Blue Alert have been met, may notify the Colorado Bureau of Investigation and request a Blue Alert broadcast.

316.6 SENIOR CITIZEN/PERSON WITH DEVELOPMENTAL DISABILITIES ALERT

To aid in the identification and location of missing senior citizens and missing persons with developmental disabilities, the Colorado legislature created the Missing Senior Citizen and Missing Person with Developmental Disabilities Alert Program. This program is a coordinated

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effort among the Colorado Bureau of Investigation, local law enforcement agencies and the state's public and commercial television and radio broadcasters.

316.6.1 CRITERIA

These alerts apply to the following missing persons (CRS § 24-33.5-415.8):

- (a) "Missing person with developmental disabilities" means a person:
 - 1. Whose whereabouts is unknown.
 - 2. Who was a resident of Colorado at the time he/she was reported missing.
 - 3. Who has a verified developmental disability.
 - 4. Whose disappearance poses a credible threat to his/her health and safety, as determined by a local law enforcement agency.
- (b) "Missing senior citizen" means a person:
 - 1. Whose whereabouts is unknown.
 - 2. Who was a resident of Colorado at the time he/she was reported missing.
 - 3. Whose age at the time he/she was first reported missing was 60 years of age or older and who has a verified impaired mental condition.
 - 4. Whose disappearance poses a credible threat to his/her health and safety, as determined by a local law enforcement agency.

Confirmation, in the form of a signed statement from the family member, close friend, caregiver, doctor or medical facility that verifies the missing person is a senior citizen with an impaired mental condition or is a person with developmental disabilities, is required to meet the criteria for the alert (CRS § 24-33.5-415.8; 8 CCR 1507-26).

316.6.2 PROCEDURE

A supervisor, acting upon confirmation of a report of a missing senior citizen or a person with developmental disabilities, may notify the Colorado Bureau of Investigation and request a Missing Senior Citizen/Person with Developmental Disabilities Alert broadcast. Supervisors should ensure that all criteria for the alert are met prior to the request (8 CCR 1507-26).

Victim and Witness Assistance

317.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that crime victims and witnesses receive appropriate assistance, that they are provided with information from government and private resources, and that the agency meets all related legal mandates.

317.2 POLICY

The Northglenn Police Department is committed to providing guidance and assistance to the victims and witnesses of crime. The employees of the Northglenn Police Department will show compassion and understanding for victims and witnesses and will take reasonable efforts to provide the support and information identified in this policy.

317.3 CRIME VICTIM LIAISON

The Chief of Police may appoint a member of the Department, the Support Operations Commander or Records Section Supervisor to serve as the crime victim liaison. The crime victim liaison will be the point of contact for individuals requiring further assistance or information from the Northglenn Police Department regarding benefits from crime victim/witness resources. This person shall also be responsible for maintaining compliance with all legal mandates related to crime victims and/or witnesses.

317.3.1 SPECIFIC VICTIM LIAISON DUTIES

The victim liaison should:

- (a) Ensure that the Department affords victims and witnesses the rights described in CRS § 24-4.1-302.5.
- (b) Facilitate the return of property to victims (CRS § 24-4.1-303).
- (c) Ensure child victims and child witnesses are provided appropriate services commensurate with their age and needs (CRS § 24-4.1-304).
- (d) Be the liaison to the local Victim Witness Assistance Unit.
- (e) Forward copies of crime reports requested by personnel at the local victim centers. The Records Release and Security Policy in this manual regarding the release of reports shall be followed in all cases.

317.4 CRIME VICTIMS

Officers should provide all victims with the applicable victim information handouts, and/or facilitate the contact between the victim advocate and the victim/witness.

Officers should never guarantee a victim's safety from future harm but may make practical safety suggestions to victims who express fear of future harm or retaliation. Officers should never

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guarantee that a person qualifies as a victim for the purpose of compensation or restitution but may direct him/her to the proper written department material or available victim resources.

317.4.1 SPECIFIC REQUIREMENTS REGARDING VICTIMS

All reasonable attempts will be made to protect any victim or the victim's immediate family from harm, harassment, intimidation or retaliation arising from their cooperation in the reporting, investigation or prosecution of a crime. Additionally, members of this department should make reasonable efforts to minimize contact between the victim and the victim's immediate family and the defendant and the relatives of the defendant before, during and immediately after a judicial proceeding (CRS § 24-4.1-303(5)).

317.5 VICTIM INFORMATION

The Victim Services Supervisor shall ensure that victim information handouts are available and current. These should include as appropriate:

- (a) Shelters and other community resources for victims of domestic violence.
- (b) Community resources for victims of sexual assault.
- (c) Assurance that sexual assault victims will not incur out-of-pocket expenses for forensic medical exams (42 USC § 3796gg).
- (d) An advisement that a person who was arrested may be released on bond or some other form of release and that the victim should not rely upon an arrest as a guarantee of safety.
- (e) A clear explanation of relevant court orders and how they can be obtained.
- (f) Information regarding available compensation for qualifying victims of crime.
- (g) VINE® information (Victim Information and Notification Everyday), including the telephone number and whether this free service is available to allow victims to check on an offender's custody status and to register for automatic notification when a person is released from jail.
- (h) Resources available for victims of identity theft.
- (i) A place for the officer's name, badge number and any applicable case or incident number.
- (j) Information regarding available compensation for qualifying victims of crime (CRS § 24-4.1-101 et seq.).
 - 1. How to file a claim in their judicial district through the Victim Compensation Administrator or online at the Colorado Department of Public Safety Victim Compensation Program, http://dcj.state.co.us/ovp/comp_english.htm.
- (k) Information required pursuant to the Victim Rights Act (CRS § 24-4.1-301 et seq.).

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- (l) Information related to the Colorado Organization for Victim Assistance (COVA), <http://www.coloradocrimevictims.org/>.
- (m) Information regarding the ability of a victim of domestic violence to terminate a landlord-tenant agreement pursuant to CRS § 38-12-402.
- (n) An advisement that the victim may apply to have a substitute address designated for public records and confidential mail forwarding (CRS § 24-30-2102).

317.6 WITNESSES

Officers should never guarantee a witness' safety from future harm or that his/her identity will always remain confidential. Officers may make practical safety suggestions to witnesses who express fear of future harm or retaliation.

Officers should investigate allegations of witness intimidation and take enforcement action when lawful and reasonable.

317.6.1 SPECIFIC REQUIREMENTS REGARDING WITNESSES

Officers should provide all witnesses with the applicable witness information handouts (CRS § 24-4.1-302.5; CRS § 24-4.1-304).

- (a) Department personnel shall make a conscious effort to determine if there is a bona fide safety risk to a victim or witness. Applicable person's criteria: A victim or witness, an immediate family member of a victim or witness, or a person closely associated with a victim or witness, or a person residing in the same household when:
 - An actual threat to the safety of a victim or witness, their immediate family or close associate exists, and
 - Criminal charges have been or will be filed against a defendant, and
 - The victim or witness will be called to testify, is testifying, or has already testified, or in any official proceeding.
 - A violation of the following statutes is likely to be committed:
 - Intimidating a victim or witness (18-8-704 C.R.S.), or
 - Aggravated Intimidation of a victim or witness (18-8-705 C.R.S.)
 - Tampering with physical evidence (18-8-610 C.R.S.)
 - Tampering with a witness (18-8-707 C.R.S.), or
 - Retaliating against a witness (18-8-706 C.R.S.).
- (b) If the department employee believes such a bona fide safety risk exists, the employee shall immediately notify their supervisor who shall determine if any of the following criteria exist:
 - Threats have been made to the witness.

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- Attempts to do physical harm to the witness.
- Any other attempts to intimidate the witness.
- Unexplained suspicious activity relating to a witness.

The supervisor shall also ensure that the information is documented in an incident report. The supervisor shall provide notification to Records, the Staff Duty Officer if not during regular business, and the Chief of Police of the witness' "Protected Status" via a memorandum.

If threats, intimidation or physical harm related to the individual's victim or witness status is verified, the On-call/Duty Detective shall be notified. The On-call/Duty Detective shall begin an investigation and document the criminal activity on an official police report.

If the activity cannot be verified as related to the individual's witness status, the supervisor shall contact the reporting individual and advise them that no immediate witness protection action will be undertaken. The supervisor shall also advise the Chief of the incident via memorandum as soon as possible.

Criminal activity not related to victim or witness status shall be reported and investigated, as with any other criminal activity.

If the activity is verified as relating to the individual's status as a victim or as a witness, the Support Division Commander and Victim Services Unit supervisors shall jointly determine what, if any, immediate departmental support is justified and necessary (transportation, housing, supplies, or equipment) and shall be responsible for supervising the implementation of those measures.

If the reasonable and necessary support requires expenditure of City funds, the Chief, or in their absence, the Staff Duty Officer, shall be notified. If reimbursement is expected from the Colorado Witness Protection Fund, approval of the Witness Protection Board is required in advance (except in emergency situations).

Protective measures taken shall be documented and receipts shall be obtained for any purchased services or support.

Care should be taken to ensure that sufficient security measures are taken to prevent unauthorized individuals from following the receipt-trail back to the protected person and/or their location.

Copies of all receipts shall be turned in to the Support Division Commander, who shall record the expenses in the Witness Protection File. The Colorado Department of Public Safety may be requested to reimburse the department for witness protection costs in accordance with guidelines established for the Witness Protection Program by the Witness Protection Board and 24-33.5-106 C.R.S.

Department members shall not discuss witnesses or their locations with or around unauthorized persons.

Witness protection records shall be kept secured in a locked file in the Support Division Commanders office and shall be considered CONFIDENTIAL.

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Any requests for information (excluding those items of information considered "public records") concerning witnesses shall be forwarded to the investigating officer. All requests, formal or informal, internal or external, for information concerning "Protected Witnesses" shall be forwarded, in writing to the Support Division Commander, which includes subpoenas. The authenticity of the request shall be verified before any information is released.

317.6.2 VICTIM INFORMATION AND NOTIFICATION

When appropriate, officers should advise the victim of the availability of the Victim Information and Notification Everyday (VINE) program. VINE is a free, computer based telephone service that allows victims to check on an offender's custody status and register to receive automatic notification when an inmate is released from jail. The contact phone number for VINE and VINELink internet access information is printed on the resource guide for crime victims.

317.7 WITNESS INFORMATION

The Administration Supervisor shall ensure that witness information handouts are available and current. These should include information specifically related to witness rights and resources (CRS § 24-4.1-302.5; CRS § 24-4.1-304).

Bias-Motivated Crimes

318.1 PURPOSE AND SCOPE

The Northglenn Police Department recognizes and places a high priority on the rights of all individuals guaranteed under the Constitution and the laws of this state. When such rights are infringed upon by violence, threats or other harassment, this department will utilize all available resources to see that justice is served under the law. This policy has been developed to meet or exceed the provisions of the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act, and provides members of this department with guidelines for identifying and investigating incidents and crimes that may be motivated by hatred or other bias.

318.1.1 FEDERAL JURISDICTION

Federal law prohibits discrimination-based acts. The U.S. Department of Justice (DOJ) may obtain jurisdiction over crimes of violence where the perpetrator has selected the victim because of the person's actual or perceived race, color, religion, national origin, gender, sexual orientation, gender identity or disability (18 USC 245).

318.2 DEFINITIONS

Definitions related to this policy include:

Bias-motivated crime - A person commits a bias-motivated crime if, with the intent to intimidate or harass another person because of that person's actual or perceived race, color, religion, ancestry, national origin, physical or mental disability, or sexual orientation, he/she (CRS § 18-9-121(2)):

- (a) Knowingly causes bodily injury to another person.
- (b) By words or conduct, knowingly places another person in fear of imminent lawless action directed at that person or that person's property, and such words or conduct are likely to produce bodily injury to that person or damage to that person's property.
- (c) Knowingly causes damage to or destruction of the property of another person.

318.3 PREVENTING AND PREPARING FOR LIKELY BIAS-MOTIVATED CRIMES

While it is recognized that not all crime can be prevented, this department is committed to taking a proactive approach to preventing and preparing for likely bias-motivated crimes by among other things:

- (a) Making an affirmative effort to establish contact with persons and groups within the community who are likely targets of bias-motivated crimes to form, and cooperate with, prevention and response networks.
- (b) Providing victim assistance and follow-up as outlined below, including community follow-up.
- (c) Educating community and civic groups about bias-motivated crime laws.

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318.4 PROCEDURE FOR INVESTIGATING BIAS-MOTIVATED CRIMES

Whenever any member of this department receives a report of a suspected bias-motivated crime or other activity that reasonably appears to involve a potential bias-motivated crime, the following should occur:

- (a) Officers will be promptly assigned to contact the victim, witness or reporting party to investigate the matter further as circumstances may dictate.
- (b) A supervisor should be notified of the circumstances as soon as practicable.
- (c) Once "in progress" aspects of any such situation have been stabilized (e.g., treatment of victims or apprehension of present suspects), the assigned officers will take all reasonable steps to preserve available evidence that may tend to establish that a bias-motivated crime was involved.
- (d) The assigned officers will interview available witnesses, victims and others to determine what circumstances, if any, indicate that the situation may involve a bias-motivated crime. No victim of, or a witness to, a bias-motivated crime who is not otherwise charged with or convicted of a crime under state law may be detained for or turned over to federal authorities exclusively for any actual or suspected immigration violation.
- (e) Depending on the situation, the assigned officers or supervisor may request additional assistance from investigators or other resources to further the investigation.
- (f) The assigned officers will include all available evidence indicating the likelihood of a bias-motivated crime in the relevant reports. All related reports will be clearly marked as "Bias-Motivated Crimes" and, absent prior approval of a supervisor, will be completed and submitted by the assigned officers before the end of the shift.
- (g) The assigned officers should also make reasonable efforts to assist the victim by providing available information on local assistance programs and organizations as required by the Victim Assistance Policy.
- (h) The assigned officers and supervisor should take reasonable steps to ensure that any such situation does not escalate further and should provide information to the victim regarding legal aid, e.g., a possible Temporary Restraining Order through the courts or District Attorney or City Attorney.

318.5 INVESTIGATIVE SUPPORT UNIT RESPONSIBILITIES

If a case is assigned to the Investigative Support Unit, the assigned investigator will be responsible for following up on the reported bias-motivated crime by:

- (a) Coordinating further investigation with the District Attorney and other appropriate law enforcement agencies.
- (b) Maintaining contact with the victim and other involved individuals, as needed.

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- (c) Providing statistical data to the Records Section for tracking of suspected bias-motivated crimes as indicated or required by state law.

318.5.1 STATE BIAS-MOTIVATED CRIME REPORTING

This department shall report bias-motivated crime offenses in the form and manner and at regular intervals as prescribed by rules adopted by the Department of Public Safety. This shall be conducted by the Records Supervisor or assigned to the Investigative Support Unit.

318.5.2 FEDERAL BIAS-MOTIVATED CRIME REPORTING

The Records Supervisor should include bias crime data reporting within the National Incident Based Reporting System (NIBRS), Uniform Crime Report (UCR) and Summary Reporting System (SRS) reports pursuant to Records Section procedures and in compliance with (28 USC § 534(a)).

318.6 TRAINING

All officers of this department shall receive training on bias-motivated crime recognition and investigation and shall attend annual training which incorporates a bias-motivated crime training component.

Department Technology Use

319.1 PURPOSE AND SCOPE

This policy describes the use of Department computers, software and systems.

319.1.1 PRIVACY POLICY

Any employee utilizing any computer, electronic storage device or media, Internet service, telephone service, information conduit, system or other wireless service provided by or funded by the Department expressly acknowledges and agrees that the use of such service, whether for business or personal use, shall remove any expectation of privacy that the employee, sender and recipient of any communications utilizing such service might otherwise have, including as to the content of any such communications. The Department also expressly reserves the right to access and audit any and all communications, including content that is sent, received and/or stored through the use of such service.

319.2 DEFINITIONS

Definitions related to this policy include:

Computer system - Includes all computers (on-site and portable), hardware, software and resources owned, leased, rented or licensed by the Northglenn Police Department that are provided for use by Department employees.

Hardware - Includes, but is not limited to, computers, computer terminals, network equipment, modems or any other tangible computer device generally understood to comprise hardware.

Software - Includes, but is not limited to, all computer programs and applications, including shareware (software available for trial use). This does not include files created by the individual user.

Temporary file, permanent file or file - Includes any electronic document, information or data residing or located, in whole or in part, on the system, including but not limited to, spreadsheets, calendar entries, appointments, tasks, notes, letters, reports or messages.

319.3 SYSTEM INSPECTION OR REVIEW

There is no expectation of privacy regarding files contained in or on Department computers or systems. A Department supervisor or the authorized designee has the express authority to inspect or review the system, any and all temporary or permanent files and related electronic systems or devices and any contents thereof, whether such inspection or review is in the ordinary course of his/her supervisory duties or based on cause.

When requested by an employee's supervisor, or during the course of regular duties requiring such information, a member of the agency's information systems staff may extract, download or otherwise obtain any and all temporary or permanent files residing or located in or on the system.

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Reasons for inspection or review may include, but are not limited to, system malfunctions, problems or general system failure, a lawsuit against the agency involving the employee or related to the employee's duties, an alleged or suspected violation of any Department policy, request for disclosure of data, or a need to perform or provide an agency service.

319.4 AGENCY PROPERTY

All information, data, documents and other entries initiated on any of the agency's computers, whether downloaded or transferred from the original agency computer, shall remain the exclusive property of the Department and shall not be available for personal or non-department use without the express written authorization of an employee's supervisor.

319.5 UNAUTHORIZED DUPLICATION OF SOFTWARE

Employees shall not copy or duplicate any copyrighted and/or licensed software except for a single copy for backup purposes. To reduce the risk of an agency computer virus, employees are not permitted to install personal copies of any software onto the computers owned or operated by the Department. If an employee must copy data onto a disk and download it on a non-department computer, the employee shall scan the disk for viruses before loading the data on a Department computer system.

No employee shall knowingly make, acquire or use unauthorized copies of computer software that is not licensed to the Department while on Department premises or on a Department computer system. The Department and individuals can be subject to civil damages per title copied, along with criminal penalties including fines and imprisonment.

319.6 PROHIBITED AND INAPPROPRIATE USE

Access to Department technology resources, including Internet access provided by, or through, the Department, shall be for the purpose of carrying out business related activities. Limited, occasional or incidental use of the internet for personal, non-business use is permitted. Data stored on, or available through, Department systems shall only be accessed by authorized employees who are engaged in an active investigation, assisting in an active investigation or who otherwise have a legitimate law enforcement or Department business-related purpose to access such data. Any exceptions to this policy must be approved by a supervisor.

An Internet site containing information that is not appropriate or applicable to Department use and that shall not be intentionally accessed includes, but is not limited to, adult forums, pornography, chat rooms and similar or related websites. Certain exceptions may be permitted with the approval of a supervisor as a function of an assignment.

Downloaded information shall be limited to messages, mail and data files. No copyrighted and/or unlicensed software program files may be downloaded without authorization of the Information Technology (IT) Department or, when related to criminal investigations, the Chief of Police or the authorized designee.

Department Technology Use

Employees shall report any unauthorized access to the system or suspected intrusion from outside sources (including the Internet) to a supervisor.

319.7 INTRODUCTION OF SOFTWARE

Introduction of software by users should only occur as a part of the automated maintenance or update process of department- or City-approved or installed programs by the original manufacturer, producer or developer of the software. Any other introduction of software requires prior authorization by the IT Department.

319.8 PROTECTION OF DEPARTMENT SYSTEMS AND FILES

All employees have a duty to protect the system and related systems and devices from physical and environmental damage, and are responsible for the correct use, operation, care and maintenance of the system.

Employees shall ensure Department computers and access terminals are not viewable by persons who are not authorized users. Computers and terminals should be secured, users logged off and password protections enabled whenever the user is not present. Access passwords, logon information and other individual security data, protocols and procedures are confidential information and are not to be shared. Employees should not use another person's access passwords, logon information and other individual security data, protocols and procedures unless directed to do so by a supervisor. Password length, format, structure and content shall meet the prescribed standards required by the system or as directed by a supervisor and shall be changed at intervals as directed by a supervisor.

It is expressly prohibited for an employee to allow an unauthorized user to access the system at any time or for any reason.

319.9 CAD AND CCIS

Officers are responsible for the security of the CAD system. Officers shall not leave any computer unattended when they are logged into CAD. Officers shall not give their CAD password to any other person. CAD usernames and passwords shall only be used for Northglenn Police Department business, and when on duty for the Northglenn Police Department.

Members of the Police Department may have access to the CCIS computer system(s) upon issuance of an operator security number. Within six months of issue, operators must successfully pass a certification exam and are required to re-certify once every two years.

At all levels of access, all information retrieved from the CCIS system(s) can only be released to official criminal justice personnel. No person outside the criminal justice system may receive such information either verbally or in typewritten or hand written form.

The CCIS systems shall not be used to obtain information, criminal or otherwise, for personal use, gain, benefit or remuneration. Misuse or neglect of the system could result in criminal prosecution and/or suspension of authorization to operate a CCIC terminal. Every agency has a duty to report

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suspected violations or misuse of any of the information available through any of the systems in CCIC. These violations shall be reported to the State Control Terminal Agency (Colorado Bureau of Investigation).

Personnel utilizing the MDT(s) shall log off CCIS when the unit is not being used. To prevent regulated and confidential information from being viewed by arrestees, citizens and any "ride-alongs" the screen of the MDT(s) shall be closed or blocked from being viewed by unauthorized persons.

Personnel using the CCIS and MDT(s) are required to sign and date the CCIS directive with their name, OSN and date. By signing the users agreement, personnel are acknowledging they understand the terms and conditions of the directive.

Report Preparation

320.1 PURPOSE AND SCOPE

Report preparation is a major part of each employee's job. The purpose of reports is to document sufficient information to refresh the employee's memory and to provide sufficient information for follow-up investigation and successful prosecution. Report writing is the subject of substantial formal and on-the-job training.

320.1.1 REPORT PREPARATION

Employees should ensure that their reports are sufficiently detailed for their purpose and reasonably free of errors prior to submission. It is the responsibility of the assigned employee to complete and submit all reports taken during the shift before going on days off, unless permission to delay submission of the report has been approved by a supervisor. Generally, reports requiring prompt follow-up action on active leads or arrest reports where the suspect remains in custody shall be completed prior to the end of shift.

Handwritten reports must be prepared legibly. If the report is not prepared legibly, the submitting employee will be required by the reviewing supervisor to promptly make corrections and resubmit the report. Employees who dictate reports shall use appropriate grammar, as content is not the responsibility of the typist. Employees who generate reports on computers are subject to all requirements of this policy.

All reports shall accurately reflect the identity of the persons involved, witnesses, all pertinent information seen, heard or assimilated by any other sense and any actions taken. Employees shall not suppress, conceal or distort the facts of any reported incident, nor shall any employee make a false report orally or in writing. Generally, the reporting employee's opinions should not be included in reports unless specifically identified as such.

320.2 REQUIRED REPORTING

Written reports on department approved forms, are required in all of the following situations, unless otherwise approved by a supervisor.

320.2.1 CRIMINAL ACTIVITY REPORTING

When an employee responds to a call for service, a crime has been reported, or as a result of self-initiated activity the employee becomes aware of any activity where a crime has occurred, the employee is required to document the activity. The fact that a victim does not desire prosecution is not an exception to documentation. The following are examples of required documentation:

- (a) In every instance where a crime has been reported or observed, the documentation shall take the form of a written report.
- (b) In every instance where a misdemeanor crime has been reported and the victim desires a report, the documentation shall take the form of a written crime report. If the victim does not desire a report, the incident will be recorded on the Computer Aided Dispatch (CAD) event.

Report Preparation

- (c) In every case where any force is used against any person by police personnel.
- (d) All incidents involving reports of domestic violence.
- (e) All arrests.
- (f) All dog bites.
- (g) Any attended or unattended death not under the supervision of medical staff.
- (h) A suicide.
- (i) Any vehicle towed by an employee of this department.
- (j) Any report directed by a supervisor.

320.2.2 NON-CRIMINAL ACTIVITY

Incidents that shall be documented using the appropriate approved report include:

- (a) Anytime an officer points a firearm at any person.
- (b) Any use of physical force against any person by a member of this department (see the Use of Force Policy).
- (c) Any firearm discharge (see the Firearms and Qualification Policy) except during approved range training.
- (d) Anytime a person is reported missing (regardless of jurisdiction) (see the Missing Person Reporting Policy).
- (e) Any found property or found evidence.
- (f) Any traffic collisions above the minimum reporting level (see the Traffic Accident Response and Reporting Policy).
- (g) Suspicious incidents that may indicate a potential for crimes against children, or that a child's safety is in jeopardy.
- (h) All protective custody detentions.
- (i) Suspicious incidents that may place the public or others at risk.
- (j) Whenever the employee believes the circumstances should be documented or at the direction of a supervisor.

320.2.3 DEATH REPORTS

Death investigations require specific investigation methods depending on circumstances and should be handled in accordance with the Death Investigations Policy. An officer handling a death investigation should notify and apprise a supervisor of the circumstances surrounding the incident and a determination will be made on how to proceed. The following cases shall be appropriately investigated and documented using the approved report:

- (a) Sudden or accidental deaths

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- (b) Suicides
- (c) Homicide or suspected homicide
- (d) Unattended deaths (no physician or qualified hospice care during the period immediately preceding death)
- (e) Found dead bodies or body parts

320.2.4 INJURY OR DAMAGE BY CITY PERSONNEL

On-the-Job Injury and/or Supervisor's Investigations Reports shall be taken if an injury occurs that is a result of an act of a City employee. Reports also shall be taken when there is damage to City property or City equipment.

320.2.5 MISCELLANEOUS INJURIES

Any injury that is reported to this department shall require a report when:

- (a) The injury is a result of a drug overdose.
- (b) There is an attempted suicide.
- (c) The injury is major or serious, whereas death could result.
- (d) The circumstances surrounding the incident are suspicious in nature and it is desirable to record the event.

The above reporting requirements are not intended to be all-inclusive. A supervisor may direct an employee to document any incident he/she deems necessary.

320.3 GENERAL POLICY OF EXPEDITIOUS REPORTING

In general, all employees and supervisors shall act with promptness and efficiency in the preparation and processing of all reports. An incomplete report, unorganized reports or reports delayed without supervisory approval are not acceptable. Reports shall be processed according to established priorities or according to special priority necessary under exceptional circumstances.

320.3.1 GENERAL USE OF OTHER HANDWRITTEN FORMS

County, state and federal agency forms may be block printed as appropriate. In general, the form itself may make the requirement for typing apparent.

320.4 REPORT CORRECTIONS

Supervisors shall review reports for content and accuracy. If a correction is necessary, the reviewing supervisor should reject the report stating the reasons for rejection. The original report and the required corrections will be returned to the reporting employee electronically for correction as soon as practicable. It shall be the responsibility of the originating employee to ensure that any report returned for correction is processed in a timely manner.

Report Preparation

320.5 REPORT CHANGES OR ALTERATIONS

Reports that have been approved by a supervisor and submitted to the Records Section for filing and distribution shall not be modified or altered except by way of a supplemental report. Reviewed reports that have not yet been submitted to the Records Section may be corrected or modified by the authoring employee only with the knowledge and authorization of the reviewing supervisor.

320.6 ELECTRONIC SIGNATURES

The Northglenn Police Department has established an electronic signature procedure for use by employees of the Northglenn Police Department. The Patrol Division Commander shall be responsible for maintaining the electronic signature system and ensuring that each employee creates a unique, confidential password for his/her electronic signature.

- Employees may only use their electronic signature for official reports or other official communications.
- Each employee shall be responsible for the security and use of his/her electronic signature and shall promptly notify a supervisor if the electronic signature has or may have been compromised or misused.

News Media Relations

321.1 PURPOSE AND SCOPE

This policy provides guidelines for media releases and media access to scenes of disasters, criminal investigations, emergencies and other law enforcement activities.

321.2 RESPONSIBILITIES

The ultimate authority and responsibility for the release of information to the media shall remain with the Chief of Police. However, in situations not warranting immediate notice to the Chief of Police and in situations where the Chief of Police has given prior approval, Division Commanders, Shift Sergeants and the designated Public Information Officer may prepare and release information to the media in accordance with this policy and the applicable law.

321.2.1 MEDIA REQUEST

Any media request for information or access to a law enforcement situation shall be referred to the designated Department media representative, or if unavailable, to the first available supervisor. Prior to releasing any information to the media, employees shall consider the following:

- (a) At no time shall any employee of this department make any comment or release any official information to the media without prior approval from a supervisor or the designated Department media representative.
- (b) In situations involving multiple law enforcement agencies or other criminal justice agencies including, but not limited to, prosecutors and coroners, every reasonable effort should be made to coordinate media releases with the authorized representative of each involved agency prior to the release of any information by this department.
- (c) Under no circumstance should any member of this department make any comments to the media regarding any law enforcement incident not involving this department without prior approval of the Chief of Police.

321.3 MEDIA ACCESS

Authorized members of the media should be provided access to scenes of disasters, criminal investigations, emergencies and other law enforcement activities. Access by the media is subject to the following conditions:

- (a) The media representative shall produce valid press credentials that shall be prominently displayed at all times while in areas otherwise closed to the public.
- (b) Media representatives may be prevented from interfering with emergency operations and criminal investigations.
 - 1. Reasonable effort should be made to provide a safe staging area for the media that is near the incident and that will not interfere with emergency or criminal investigation operations. All information released to the media should

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be coordinated through the Public Information Officer or other designated spokesperson.

- (c) No member of this department shall be required to submit to media visits or interviews without the consent of the involved employee.
- (d) Media interviews with individuals who are in custody shall not be permitted unless in compliance with a jail facility policy. Exceptions are only permitted with the approval of the Chief of Police and the express written consent of the person in custody.

A tactical operation should be handled in the same manner as a crime scene, except the news media shall be permitted within the outer perimeter of the scene, subject to any restrictions as determined by the supervisor in charge. Department members shall not jeopardize a tactical operation in order to accommodate the news media. All comments to the media shall be coordinated through a supervisor or the Public Information Officer.

321.3.1 TEMPORARY FLIGHT RESTRICTIONS

Whenever the presence of media or other aircraft pose a threat to public or officer safety or significantly hamper incident operations, the field supervisor should consider requesting a Temporary Flight Restriction (TFR). All requests for a TFR should be routed through the Shift Sergeant. The TFR request should include specific information regarding the perimeter and altitude necessary for the incident. It should be requested through the appropriate control tower. If the control tower is not known, the Federal Aviation Administration (FAA) should be contacted (14 CFR § 91.137).

321.3.2 PROVIDING ADVANCE INFORMATION

To protect the safety and rights of officers and other persons, advance information about planned actions by law enforcement personnel, such as movement of persons in custody or the execution of an arrest or search warrant, should not be disclosed to the news media nor should media representatives be invited to be present at such actions except with the prior approval of the Chief of Police.

Any exceptions to the above should only be considered for the furtherance of legitimate law enforcement purposes. Prior to approving any exception, the Chief of Police will consider, at minimum, whether the release of information or presence of the media would unreasonably endanger any individual, prejudice the rights of any person or is otherwise prohibited by law.

321.4 SCOPE OF INFORMATION SUBJECT TO RELEASE

The Department will maintain a daily information log of significant law enforcement activities that shall be made available, upon request, to media representatives through the Professional Standards Sergeant, or Public Information Officer. This log will consist of data classified as public and should generally contain:

- (a) The date, time, location, case number, type of crime, extent of injury or loss and names of individuals (except confidential informants) involved in crimes occurring within this

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jurisdiction, unless the release of such information would endanger the safety of any individual or jeopardize the successful completion of any ongoing investigation.

- (b) The date, time, location, case number, name, birth date and charges for each person arrested by this department, unless the release of such information would endanger the safety of any individual or jeopardize the successful completion of any ongoing investigation.
- (c) The time and location of other significant law enforcement activities or requests for service with a brief summary of the incident subject to the restrictions of this policy and applicable law.

At no time shall identifying information pertaining to a juvenile arrestee be publicly released without prior approval of a competent court or as permitted by state law.

At no time shall identifying information pertaining to a juvenile victim be publicly released without prior approval of a competent court when access to the data would reveal the identity of a victim or alleged victim.

At no time shall identifying information pertaining to a juvenile witness be publicly released without prior approval of a competent court when this department has determined that the identity of a juvenile witness reasonably requires protection.

Information concerning incidents involving persons whose identities are classified as private or confidential under state law shall be restricted from disclosure. Further detail is available in the Release of Records Policy.

Identifying information concerning deceased individuals should only be released to the media when the decedent's identity has been verified, the decedent's family has been notified when feasible and the release is approved by a supervisor.

Any requests for copies of related reports or additional information not contained in this log shall be referred to the designated media representative, the custodian of records, or if unavailable, to the Shift Sergeant. Such requests will be processed in accordance with policy and state law.

321.4.1 STATE RESTRICTED INFORMATION

It shall be the responsibility of the authorized employee dealing with media requests to ensure that restricted information is not inappropriately released to the media by this department (See the Records Release and Security Policy and the Personnel Files Policy). When in doubt, authorized and available legal counsel should be obtained. Examples of such restricted information include, but are not limited to:

- (a) The identities of involved officers when the release hinders a law enforcement purpose or reveals the identity of an undercover law enforcement officer and as otherwise required by law .
- (b) Information that would tend to endanger the safety of any individual or jeopardize the successful completion of any ongoing investigation.

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- (c) Information pertaining to pending litigation involving this department.
- (d) Information obtained in confidence or that uniquely describes stolen, lost, confiscated or recovered property.
- (e) Any information that is otherwise privileged or restricted under state or federal law.

Court Appearance and Subpoenas

322.1 PURPOSE AND SCOPE

This policy has been established to provide for the acceptance of subpoenas and court notices and to ensure that employees appear in court when requested and present a professional appearance.

322.1.1 DEFINITIONS

Definitions related to this policy include:

On call - When an employee has appeared in court or is on-duty and has been told by a member of the court that the employee is free to leave the court or return to duty, subject to being available by telephone or pager. When an employee receives a subpoena or court notice of a type that allows him/her to not appear in court but to remain available by telephone or pager so that the employee may be directed to appear in court within a reasonable amount of time.

Mandatory appearance - Subpoenas and court notices require an employee's physical appearance in the specified court at the specified time unless advised by the notice or issuing attorney otherwise. Failure to appear either intentionally or by negligence may result in disciplinary action.

Notice to Appear - An informal notification to department employees requiring their appearance in Municipal Court.

Subpoena - A formal order of any court, which requires appearance and compliance at a specified place, date, and time. Subpoenas may be issued for formal court proceedings and also for other court-related actions, such as depositions.

Subpoena Duces Tecum - A subpoena which requires one to appear and produce materials for surrender to the court. Such materials may be specified or may be stated generally.

322.2 COURT SUBPOENAS

Employees who receive subpoenas or court notices related to their employment with this department are subject to the provisions of this policy. Employees should be aware that their compliance is mandatory on all cases for which they have been properly subpoenaed or properly notified. This policy applies to civil and criminal subpoenas and notices. Employees are expected to cooperate with the prosecution to ensure the successful conclusion of a case.

322.2.1 SERVICE OF SUBPOENA OR DELIVERY OF COURT NOTICES

Service of a subpoena or court notice requiring the appearance of any employee in connection with a matter arising out of the employee's course and scope of official duties may be accomplished only by personal service on the employee unless the employee has signed a written admission or waiver of personal service (CRCP Rule 45(c); CRCP Rule 17(e)).

322.2.2 VALID SUBPOENAS

No subpoena or court notice shall be accepted for an employee of this department unless it has been properly served.

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322.2.3 ACCEPTANCE OF SUBPOENA

- (a) The employee named in a subpoena, his/her immediate supervisor or Records Section Personnel shall be authorized to accept service of a subpoena.

322.2.4 REFUSAL OF SUBPOENA

Training, vacations and regularly scheduled days off are not valid reasons for refusing a subpoena or missing court. If, due to illness or injury, the named employee is unable to appear in court as directed by a previously served subpoena, the employee shall, as soon as reasonably possible, inform the Shift Sergeant, and the appropriate District Attorney's office of the expected absence. It shall then be the responsibility of the employee to notify the issuing authority of the employee's unavailability to appear by faxing the form signed by the Shift Sergeant.

When department personnel receive two or more conflicting court notices requiring an appearance on the same day and time, they are responsible for notifying the concerned agencies (District Attorney's Office, Prosecuting Attorney's Office, etc.) to resolve the conflict. This procedure will also apply to employees who have a required appearance with matters still pending in another court.

322.2.5 COURT STANDBY

To facilitate court on call agreements, employees are required to provide and maintain current address and telephone number information with the Department. Employees are required to notify the department administrative specialist within 24 hours of any change in residence address or home telephone number and to provide an accurate and reasonably reliable means or method for contact.

If an employee on call changes location during the day the employee shall notify the Victim Witness office how he/she can be reached by telephone. Employees are required to remain on standby each day the case is trailing. In a criminal case, the prosecutor handling the case is the only person authorized to excuse an employee from standby status.

322.2.6 OFF-DUTY RELATED SUBPOENAS

Employees receiving valid subpoenas for off-duty actions not related to their employment with the Northglenn Police Department shall comply with the requirements of the subpoena. Employees receiving these subpoenas are not compensated for their appearance. Arrangements for time off shall be coordinated through the immediate supervisor. Off-duty subpoenas must be served directly to the officer. Records staff will not accept off duty subpoenas.

322.2.7 FAILURE TO APPEAR

Any employee who fails to comply with the terms of any valid and properly served subpoena may be subject to discipline as well as court-imposed civil and/or criminal sanctions for contempt of court.

Whenever an employee has a valid reason for not appearing in court, or for being late to court, they shall notify the court as soon as possible. The notification is to be made as far in advance

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as possible prior to the date/time of the scheduled court appearance and is to give the reason for being unable to appear. If the employee will be late, the reason for being late and an estimated time of arrival will be given.

If a department employee has been suspended without pay and has received a subpoena to appear during the time of suspension, they will abide by the subpoena. No compensation or overtime will be credited to any employee appearing in court who is suspended without pay. Employees suspended with pay will abide by the subpoena and will be compensated for their appearance.

322.3 CIVIL SUBPOENAS NOT INVOLVING A GOVERNMENT PARTY

The Department will compensate employees who appear in their official capacity on civil matters arising out of the employee's official duties.

Except when acting as a witness for a government party, the Police Department will receive reimbursement for the employee's compensation through the civil attorney of record who called the employee as a witness. Any reimbursement received directly by the employee shall be promptly turned over to the Police Department.

322.3.1 PROCEDURE

To ensure that the employee is able to appear when required the employee is compensated for such appearance. To protect the Department's right to reimbursement employees shall follow the established procedures for the receipt of a civil subpoena.

322.3.2 CIVIL SUBPOENA ACCEPTANCE

Subpoenas shall not be accepted in a civil action to which the employee or the Department is not a party, without properly posted fees pursuant to applicable law (CRCP Rule 45).

322.4 OVERTIME APPEARANCES

If the employee appears on his/her off-duty time, he/she will be compensated a minimum of two hours or the length of the court appearance, whichever is longer.

Employees must have over eighty hours of work in the pay period for overtime to be paid.

322.5 COURTROOM PROTOCOL

Employees must be punctual when appearing in court and shall be prepared to proceed immediately with the case for which they are scheduled to appear.

322.5.1 PREPARATION FOR TESTIMONY

Before the date of testifying, the subpoenaed employee shall request a copy of relevant reports and become familiar with their content in order to be prepared for court.

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322.5.2 COURTROOM ATTIRE

Employees shall dress in uniform or business attire. Suitable business attire for men would consist of a coat, tie and dress pants. Suitable business attire for female employees would consist of a dress jacket, dress blouse and skirt or slacks.

322.6 COURTHOUSE DECORUM

Employees shall observe all rules of the court in which they are appearing, refrain from smoking or chewing gum in the courtroom and shall remain alert to changes in the assigned courtroom where their matter is to be heard.

Police Officers when on official business may be permitted to retain their handguns while in the Courthouse. Security measures may vary in different jurisdictions and officers shall comply with the applicable security protocol.

322.7 TESTIFYING AGAINST THE INTEREST OF THE STATE

Any member or employee who is subpoenaed to testify, who has agreed to testify or who anticipates testifying or providing information on behalf of or at the request of any party other than the State of Colorado, any county, city, other unit of government or any of its officers and employees in which any of those entities are parties, will notify his/her immediate supervisor without delay. The supervisor will then notify the Chief of Police and the appropriate prosecuting attorney as may be indicated by the case. The Chief of Police should determine if additional legal support is necessary.

This includes, but is not limited to, the following situations:

- (a) Providing testimony or information for the defense in any criminal trial or proceeding.
- (b) Providing testimony or information for the plaintiff in a civil proceeding against any county, city, other unit of government or any government official or its officers and employees, including, but not limited to, personnel and/or disciplinary matters.
- (c) Providing testimony or information on behalf of or at the request of any party other than any county, city, other unit of government or any government official or its officers and employees, including, but not limited to, personnel and/or disciplinary matters.

322.8 ACCEPTING SERVICE OF CIVIL SUMMONS AND COMPLAINTS

Whenever a department employee is named a defendant in a civil action, which has resulted from employment with the City, they shall deliver a complete copy of the suit to the Office of the Chief of Police as soon as possible.

Timeliness is important, as in most cases a reply must be filed with the court within twenty days after service of the suit on the defendant employee. Further, city ordinance provides that "the City shall not be responsible for providing a defense to a City employee where the City is not made a party defendant in the action and the City is not notified of the existence of said action in writing by the plaintiff or the employee within fifteen days after the commencement of the action."

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The Colorado and Federal Rules of Civil Procedure specify how civil summons and complaints are to be served on the city, the department and employees of the department. Generally, civil summons and complaints against the city or the department must be served on the City Clerk.

Should a process server attempt to serve a civil summons and complaint, or other civil process, that has stemmed from employment with the city on an employee who is not named as a party in the case, the employee shall decline to accept service and direct the process server to the City Clerk's office or to the named employee. Should the process server persist or should an employee accept delivery of certified mail, and discover that it contains a civil summons and complaint, or other civil process, they should immediately arrange for hand-delivery of the papers to the City Clerk's office.

All information contained in a civil process shall be considered confidential and will be disclosed only to authorize personnel. In addition, all material will be hand-carried rather than sent through the mail system.

Subpoenas directing the appearance or the production of personal documents of a department employee which are civil and personal in nature, and which are not directly or indirectly related to the performance of their official duties (i.e., divorce or custody, civil contract disputes) WILL NOT be accepted by any employee other than the employee who is named thereon. Service of these subpoenas will be made in the same manner as that used for the general public. At their discretion, department supervisors may facilitate the appearance of an employee at a given time and place, so they may accept such service.

322.9 CIVIL PROCESS AND CRIMINAL PROCESS

Civil process: Employees of the department shall only serve civil process as stipulated by State statute or Municipal ordinance. All other requests for civil process shall be referred to the Adams County Sheriff's Department, Civil Division.

Criminal process: Sworn employees of the department shall serve all valid items of criminal process, arrest warrants, search warrants or other items of criminal process in the City of Northglenn.

322.10 SUBPOENA DUCES TECUM

Upon receipt of a duces tecum a copy will be forwarded to the records supervisor. The records supervisor will assemble the appropriate info while requesting review by the City Attorney for review of the request. Copies are then certified and either the records supervisor or subpoenaed officer will take the packet to court.

Evidence requested needs to be through the evidence technician with ample time to have ready on date of trial for the officer.

Mutual Aid and Outside Agency Assistance

323.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to officers in the request of or answering the request for assistance from another law enforcement agency.

It is the policy of this department to provide assistance whenever reasonably possible. Assistance shall be consistent with the applicable laws and policies of this department when another law enforcement agency requests assistance with an arrest or detention of any person. This department may also request an outside agency to provide assistance (CRS § 29-5-104).

The department may, at the discretion of the Chief of Police, establish an agreement for reciprocal law enforcement with another agency, including those of neighboring states, provided those agreements meet statutory requirements pursuant to CRS § 29-1-206. An agreement may include:

- (a) Assisting other peace officers in the line of their duties and within the course of their employment.
- (b) Exchanging department peace officers with peace officers of another agency on a temporary basis.

323.2 ASSISTING OUTSIDE AGENCIES

Generally, calls for assistance from other agencies are received via radio transmission and are routed to the Shift Sergeant's office or an on-duty supervisor for approval. Any such response to assist an outside agency should be considered for authorization pursuant to law or an established mutual aid plan (see generally CRS § 33.5-713).

When an authorized employee of an outside agency requests the assistance of this department in taking a person into custody, available officers shall respond and assist in making a lawful arrest. If an officer receives a request in the field for assistance, that officer shall notify a supervisor. Arrestees may be temporarily detained by this department until arrangements for transportation are made by the outside agency. Only in exceptional circumstances will this department provide transportation of arrestees to another agency's facilities.

When such assistance is rendered, a case number will be issued to report action taken by Northglenn Police Department personnel.

323.3 REQUESTING ASSISTANCE FROM OUTSIDE AGENCIES

If assistance is needed from another agency, the employee requesting assistance shall first notify a supervisor of his/her intentions. The handling officer or supervisor should direct assisting personnel to where they are needed and to whom they should report when they arrive.

The requesting officer should secure radio frequencies for use by all involved agencies so that communication can be coordinated as needed. If necessary, reasonable effort should be taken to

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provide radio equipment capable of communicating on the assigned frequency to any personnel who do not have compatible radios.

A resource to consider for obtaining mutual aid assistance could include the Colorado State Emergency Resource Mobilization Plan (CSERMP) available from <https://mobilization.state.co.us/documents/CSERMP.pdf>.

323.4 HAZARDOUS MATERIAL EMERGENCIES MUTUAL AID

The Incident Commander, in cooperation with other agencies, is charged with making an immediate appraisal of the situation and its potential. Responders should:

- Establish scene management.
- Detect the presence of hazardous materials.
- Begin identification of hazardous materials.
- Begin evacuation or direct in-place sheltering.
- Consider personal protection/decontamination.
- Isolate the incident and identify zones of activity.
- Contain the incident without risking exposure.
- Perform firefighting, rescue, emergency medical and other critical life-saving response activities in accordance with the City Emergency Operations Plan.
- Contact the local Colorado state dispatch and request support if it occurs on any federal, state or county highway located outside of municipal city limits.
- Seek additional resources if the event exceeds, or is expected to exceed, the capability of local resources, including mutual aid and state or federal assistance. When requesting local, state or federal assistance, this department should clarify if it is requesting assistance only or complete scene management.

323.5 MANDATORY SHARING

Equipment and supplies purchased with federal funds or grants with contingent sharing requirements should be documented and updated as necessary by the Training Sergeant. The conditions relative to sharing, the training requirements connected to the use of the supplies and equipment, and those trained in the use of the supplies and equipment should be included in the documentation. Copies of the list should be provided to Adams County Communications Center and the Shift Sergeant to ensure proper use in compliance with agreements.

Registered Offender Information

324.1 PURPOSE AND SCOPE

This policy establishes guidelines by which the Northglenn Police Department will address issues associated with certain offenders who are residing in the jurisdiction and how the Department will disseminate information and respond to public inquiries for information about registered sex offenders.

324.2 POLICY

It is the policy of the Northglenn Police Department to identify and monitor registered offenders living within this jurisdiction and to take reasonable steps to address the risks those persons may pose.

324.3 REGISTRATION

The Investigative Support Unit Supervisor shall establish a process to reasonably accommodate registration of certain offenders. The process should rebut any allegation on the part of the offender that the registration process was too confusing, burdensome or difficult for compliance. If it is reasonable to do so, an investigator assigned to related investigations should conduct the registration in order to best evaluate any threat the person may pose to the community. Employees assigned to register offenders should receive appropriate training regarding the registration process.

Upon conclusion of the registration process, the investigator shall ensure that the registration information is provided to the Colorado Bureau of Investigation (CBI) (CRS § 16-22-109; CRS § 16-22-110; CRS § 16-13-903).

The refusal of a registrant to provide any of the required information or complete the process should initiate a criminal investigation for failure to register.

324.3.1 CONTENTS OF REGISTRATION

The registrant shall be required to complete the registration form provided by CBI.

Registration by a person who lacks a fixed residence shall be accepted unless it includes a location that would violate state law or local ordinance. The registrant shall be advised of any such violation and allowed five days to secure an alternate location (CRS 16-22-108).

324.4 MONITORING OF REGISTERED OFFENDERS

The Investigative Support Unit Supervisor should establish a system to periodically, and at least once annually, verify that a registrant remains in compliance with his/her registration requirements after the initial registration. This verification should include:

- (a) Efforts to confirm residence using an unobtrusive method, such as an Internet search or drive-by of the declared residence.
- (b) Review of information on the state website.

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- (c) Contact with a registrant's parole or probation officer.

Any discrepancies should be reported to the Investigative Support Unit Supervisor.

The Investigative Support Unit Supervisor should also establish a procedure to routinely disseminate information regarding registered offenders to Northglenn Police Department personnel, including timely updates regarding new or relocated registrants.

324.4.1 MANDATORY CONFIRMATION

Following a registrant's first registration with the Department, the residence verification referenced above shall occur as soon as possible after the registration and annually thereafter. Residence confirmation shall occur quarterly if the registrant is a sexually violent predator (CRS § 16-22-109).

324.5 DISSEMINATION OF PUBLIC INFORMATION

Employees will not unilaterally make a public notification advising the community of a particular registrant's presence in the community. Employees who identify a significant risk or other public safety issue associated with a registrant should promptly advise their supervisor. The supervisor should evaluate the request and forward the information to the Chief of Police or the authorized designee if warranted. A determination will be made by the Chief of Police or the authorized designee, with the assistance of legal counsel as necessary, whether such a public alert should be made.

Members of the public requesting information on registrants should be provided the CBI's Convicted Sex Offender [website](#) or the Northglenn Police Department's website.

The Records Supervisor shall release local registered offender information to residents in accordance with state law (CRS § 16-22-112; CRS § 24-72-201 et seq.) and in compliance with a Colorado Open Records Act request.

324.5.1 RELEASE NOTIFICATIONS

Sex registrant information that is released shall include the written statement: The Colorado sex offender registry includes only those persons who have been required by law to register and who are in compliance with the sex offender registration laws. Persons should not rely solely on the sex offender registry as a safeguard against perpetrators of sexual assault in their communities. The crime for which a person is convicted may not accurately reflect the level of risk. (CRS § 16-22-112(5)).

324.5.2 MANDATORY DISSEMINATION

The Department shall release local sex offender information to residents in accordance with Colorado law and the rules set forth by the CBI. Information released shall include, at a minimum, the name, address or addresses, and aliases of the registrant; the registrant's date of birth; a photograph of the registrant, if requested and readily available; and a history of the convictions of unlawful sexual behavior resulting in the offender being required to register pursuant to this article (CRS § 16-22-110; CRS § 16-22-112). Information concerning victims shall not be released.

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The Department will also make the mandated community notifications regarding sexually violent predators. These community notifications shall only occur under the circumstances and in the manner specified by the Colorado Department of Public Safety Sex Offender Management Board (CRS § 16-13-904; CRS § 16-13-905; CRS § 16-13-906).

324.5.3 DISCRETIONARY DISSEMINATION

The Department may also provide local sex offender information to any other person the Department determines warrants notification. If the Department elects not to release registrant information to a non-resident, the Department may submit a request from the non-resident to CBI (CRS § 16-22-112).

324.5.4 INFORMATION AVAILABLE VIA THE INTERNET

The Department may post the following registered offender information on its website only if the person is adjudicated or convicted of the offenses in CRS § 16-22-112:

- (a) Offender information, including the offender's name or aliases, photograph, sex, height, weight, name, address and offenses committed, as allowed by law
- (b) Educational information concerning protection from sex offenders that has been developed in conjunction with the Sex Offender Management Board and a sexual assault victims' advocacy group, or a link to educational information included on the CBI website
- (c) A link to the national sex offender website
- (d) A link to the Colorado sex offender website
- (e) A link to other law enforcement agencies

324.6 NOTIFICATION PRIOR TO RELEASE OR DISCHARGE

Notification of a registrant's release on parole will be made by the sentencing court, the probation department, community corrections, the county jail or the Department of Corrections (CRS § 16-22-106; CRS § 16-22-107).

Prior to registrants being discharged from the Department of Corrections, this department shall verify that (CRS § 16-22-107(4)(a)):

- (a) The address provided by the person is a residence.
- (b) The occupants or owners of the residence know of the person's history of unlawful sexual behavior.
- (c) The occupants or owners of the residence have agreed to allow the person to reside at the address.
- (d) If the registrant is being released on parole, the address complies with any conditions of the parole.

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If any of the information required for verification is not true, the Department shall notify the Department of Corrections that the person provided false information concerning the address at which he/she intends to reside (CRS § 16-22-107(4)(b)).

324.6.1 CONFIDENTIAL INFORMATION

The forms completed by persons required to register pursuant to Colorado law shall be confidential and shall not be open to inspection by the public or any person other than law enforcement personnel except as provided by law (CRS § 16-22-109(4)).

Mobile Fingerprint Scanner

325.1 PURPOSE AND SCOPE

Officers are involved in many types of situations during which identifying a subject in the field via fingerprints is preferable to transporting the subject to the police department. The decision to use a Mobile Fingerprinting Device (MFD) is at the discretion of the officer on scene. The primary purpose of this policy is to establish and communicate guidelines for making decisions regarding the use of an MFD.

325.2 DEFINITIONS

Consensual Contact: An officer's contact with a subject during which a reasonable person believes the contact is voluntary.

Detention: The temporary seizure of a subject based upon reasonable suspicion for investigative purposes.

Field Fingerprints: Fingerprints taken for identification purposes utilizing a Mobile Fingerprinting Device.

Reasonable Suspicion: An officer's reasonable belief based on articulable facts that a subject is committing, has committed or is about to commit a criminal act.

325.3 USE OF MOBILE FINGERPRINTING DEVICES

Mobile Fingerprinting Devices shall only be employed by officers trained in their use.

A MFD is authorized for use to obtain Field Fingerprints under the following circumstances:

- When a subject voluntarily consents
- When conducting a death investigation with a member of the Coroner's Office present and no other reasonable means exists for identifying the deceased
- When in contact with an At-Risk subject who is unable to provide positive identification and no other reasonable means exists for identifying the person
- When probable cause to arrest exists and it is reasonable to believe the prints will assist in the investigation
- When reasonable suspicion exists that a detained subject is providing false or fictitious identification
- When responding to a medical emergency in which the subject is unable to provide positive identification and no other reasonable means exists for identifying the person
- When specifically authorized by a valid search warrant
- When verifying a subject's identification as part of sex offender registration

Under no circumstance shall an officer use force to obtain Field Fingerprints.

Major Incident Notification

326.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to members of this department in determining when, how and to whom notification of major incidents should be made.

326.2 POLICY

The Northglenn Police Department recognizes that certain incidents should be brought to the attention of supervisors or other specified personnel of this department to facilitate the coordination of activities and ensure that inquiries from the media and the public may be properly addressed.

326.3 MINIMUM CRITERIA FOR NOTIFICATION

Most situations where the media show a strong interest are also of interest to the Chief of Police and the affected Division Commander. The following list of incident types is provided as a guide for notification and is not intended to be all-inclusive:

- Homicides
- Kidnapping
- Sexual Assault
- Bank Robbery
- Assault involving life threatening injuries
- 1st Degree Arson
- Missing children (Under the age of 10 years old for longer than 2 hours) or endangered missing adults
- Traffic collisions with fatalities or severe injuries
- Officer-involved shooting, whether on- or off-duty (See Officer Involved Shooting Policy for special notification)
- Significant injury or death to an employee, whether on- or off-duty
- Death of a prominent Northglenn official
- Criminal allegation against Department employee or prominent Northglenn official
- Aircraft, train, boat or other transportation crashes with major damage and/or injury or death
- In-custody deaths
- Crimes of unusual violence or circumstances that may include hostages, barricaded persons, home invasions, armed robbery or sexual assaults, or any other incident requiring a prolonged commitment of Department members or resources

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- CAD, radio, network, facility system or utility failures and incidents that may affect staffing or pose a threat to basic police services
- Any other incident which the watch supervisor deems necessary for direction or clarification, or which has or is likely to attract significant media attention

326.4 SHIFT SERGEANT RESPONSIBILITIES

The Shift Sergeant is responsible for making the appropriate notification. The Shift Sergeant shall make reasonable attempts to obtain as much information on the incident as possible before notification, and shall attempt to make the notification as soon as practicable. Notification should be made according to Northglenn Police Department protocol.

326.4.1 STAFF NOTIFICATION

In the event an incident occurs as identified in the Minimum Criteria for Notification above, the Chief of Police shall be notified along with the affected Division Commander and the Support Division Commander if that division is providing assistance.

326.4.2 DETECTIVE NOTIFICATION

If the incident requires that an officer or investigator respond from home, the on call detective will be notified by the shift supervisor or records department by using the on call schedule provided to records.

326.4.3 ACCIDENT INVESTIGATION TEAM SUPERVISOR NOTIFICATION

In the event of a traffic fatality or major injury, the accident investigation team sergeant shall be notified, who will then contact the appropriate accident investigation team members.

326.4.4 PUBLIC INFORMATION OFFICER

After members of the staff have been notified, the Public Information Officer shall be called if it appears the media may have a significant interest in the incident.

Death Investigation

327.1 PURPOSE AND SCOPE

The investigation of cases involving death include those ranging from natural causes to homicide. Some causes of death may not be readily apparent and some cases differ substantially from what they appear to be initially. The importance of a thorough death investigation cannot be emphasized enough.

Death investigations shall be conducted pursuant to CRS § 30-10-606.

327.2 INVESTIGATION CONSIDERATIONS

Death investigation cases require certain actions be taken. Emergency medical services shall be called in all suspected death cases unless the death is obvious, i.e. decapitation or decomposition. Officers are not authorized to pronounce death. A supervisor shall be notified in all death investigations.

327.2.1 CORONER REQUEST

The Coroner shall be called in all deaths involving any of the following circumstances (CRS § 30-10-606(1)):

- (a) From external violence, unexplained cause or under suspicious circumstances
- (b) Where no physician is in attendance or where, though in attendance, the physician is unable to certify the cause of death
- (c) From thermal, chemical or radiation injury
- (d) From criminal abortion, including any situation where such abortion may have been self-induced
- (e) From a disease which may be hazardous or contagious or which may constitute a threat to the health of the general public
- (f) While in the custody of law enforcement officials or while incarcerated in a public institution
- (g) When the death was sudden and happened to a person who was in good health
- (h) From an industrial accident

327.2.2 SEARCHING DEAD BODIES

The Coroner, or an assistant and authorized investigators are generally the only persons permitted to move, handle or search a body. Should exigent circumstances indicate to an officer that any other search of a known dead body is warranted prior to the arrival of the Coroner, the investigating officer shall first obtain verbal consent from the Coroner when practicable.

Whenever reasonably possible, a witness, preferably a relative to the deceased or a member of the household, should be requested to respond to the police department for possible further

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investigation, or remain nearby the scene and available to the officer pending the arrival of the Coroner. The witnesses information shall be included in the narrative of the death report.

327.2.3 DEATH NOTIFICATION

When reasonably practicable, and if not handled by the Coroner, notification to the next-of-kin of the deceased person shall be made, in person, by the officer assigned to the incident. If the next-of-kin lives in another jurisdiction, a law enforcement official from that jurisdiction shall be requested to make the personal notification. If the relatives live outside this county, the Coroner may be requested to make the notification. The Coroner needs to know if notification has been made. Assigned officers/deputies may need to talk to the next-of-kin, and should respond with a victim advocate or department chaplain.

If a deceased person has been identified as a missing person, this department shall attempt to locate family members and inform them of the death and location of the deceased missing person's remains. All efforts to locate and notify family members shall be recorded in appropriate reports and properly retained.

327.2.4 DEATH INVESTIGATION REPORTING

All incidents involving a death shall be documented on the appropriate form.

327.2.5 SUSPECTED HOMICIDE

If the initially assigned officer suspects that the death involves a homicide or other suspicious circumstances, the officer shall take steps to protect the scene. The Support Division shall be notified to determine the need for an investigator to respond to the scene for further immediate investigation.

If the on-scene supervisor, through consultation with the Watch Commander or Investigative Support Unit Sergeant, is unable to determine the manner of death, the investigation shall proceed as though it is a homicide.

The assigned investigator investigating a homicide or a death under suspicious circumstances may, with the approval of his/her supervisor, request the Coroner to conduct physical examinations and tests, and to provide a report.

327.2.6 EMPLOYMENT-RELATED DEATHS OR INJURIES

Any member of this agency who responds to and determines that a death, serious illness or serious injury has occurred as a result of an accident at or in connection with the victim's employment may ensure that the regional Occupational Safety and Health Administration (OSHA) office is notified by telephone or teletype with all pertinent information.

Identity Theft

328.1 PURPOSE AND SCOPE

Identity theft is a growing trend that frequently involves related crimes in multiple jurisdictions. This policy is intended to provide guidelines for the reporting and investigation of such crimes.

328.2 REPORTING

- (a) To maintain uniformity in reporting, officers shall initiate a report for victims residing within the jurisdiction of this department when the crime occurred. For incidents of identity theft occurring outside this jurisdiction, officers should observe the following:
 - 1. For any victim not residing within this jurisdiction, the officer may either take a courtesy report to be forwarded to the victim's residence agency or the victim should be encouraged to promptly report the identity theft to the law enforcement agency where he/she resides (CRS § 16-5-103(3)).
- (b) While the crime of identity theft should be reported to the law enforcement agency where the victim resides, officers of this department should investigate and report crimes occurring within this jurisdiction that have resulted from the original identity theft (e.g., the identity theft occurred elsewhere, but the fraud, usage of services or receipt of goods were acquired or occurred in this jurisdiction).
- (c) Officers should include all known incidents of fraudulent activity (e.g., credit card number applied for in victim's name when the victim has never made such an application).
- (d) Officers should also cross-reference all known reports made by the victim (e.g., U.S. Secret Service, credit reporting bureaus, U.S. Postal Service and Department of Motor Vehicles) with all known report numbers.
- (e) The reporting officer should inform victims of identity theft that an Order of Factual Innocence is available to help those who are wrongly linked to crimes (CRS § 16-5-103(1)(c)). A court may order identifying information contained in criminal justice records to show that the information is not accurate and does not reflect the perpetrator's identity because of identity theft. Information can be obtained by contacting the Department of Revenue.
- (f) Following supervisory review and Department processing, the initial report should be forwarded to the appropriate investigator for follow-up investigation, coordination with other agencies and prosecution as circumstances dictate.

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328.3 PREVENTIVE MEASURES

The victim should be advised to place a security freeze on his/her consumer report, as allowed by law. A victim may also access <http://www.colorado.gov/cs/Satellite/Revenue-MV/RMV/1206604920872> for further information.

328.4 INFORMATION

The victim should be encouraged to contact the Federal Trade Commission (FTC), which is responsible for receiving and processing complaints under the Identity Theft and Assumption Deterrence Act. The victim can contact the FTC online at <http://www.ftc.gov/bcp/menus/consumer/data/idt.shtm> or by telephone at 877-ID Theft (877-438-4338). Additional information may be found at the U.S. Department of Justice website, <http://www.usdoj.gov>, or the FBI at <http://denver.fbi.gov>.

Citizen Arrests

329.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance for handling citizen's arrests and detentions made pursuant to CRS § 16-3-201, CRS § 16-3-202(2) and CRS § 16-19-115.

329.2 ADVISING PRIVATE PERSONS OF THE ARREST PROCESS

Officers should use sound discretion in determining whether to advise an individual of the arrest process.

- (a) When advising any individual regarding the right to make a citizen's arrest, officers should refrain from encouraging or dissuading any individual from making such an arrest and should instead limit advice to the legal requirements for such an arrest, as listed below.
- (b) Private individuals should be discouraged from using force to effect a citizen's arrest. Absent immediate threat to their own safety or the safety of others, private individuals should be encouraged to refer matters to law enforcement officials for further investigation or arrest.

329.3 ARRESTS BY PRIVATE PERSONS

A private person may arrest another under the following circumstances (CRS § 16-3-201, CRS § 16-3-202(2) and CRS § 16-19-115):

- (a) For any crime that has been or is being committed or attempted in his/her presence.
- (b) When directed by any peace officer to assist a peace officer.
- (c) When there is reasonable information that the accused has been charged in the courts of a state with a crime punishable by death or imprisonment for a term exceeding one year
 - 1. The accused shall be taken before a judge without unnecessary delay and a complaint must be made against the accused under oath by the private person making the arrest.

329.4 OFFICER RESPONSIBILITIES

Any officer presented with a citizen who has made a citizen's arrest must determine whether there is probable cause to believe that such an arrest would be lawful.

- (a) Should an officer determine that there is no probable cause to believe that a private person's arrest is lawful, the officer should take no action to further detain or restrain the individual beyond that which reasonably appears necessary to investigate the matter, to determine the lawfulness of the arrest and protect the public safety.

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1. Any officer who determines that a private person's arrest appears to be unlawful should promptly release the arrested individual. The officer must include the basis of such a determination in a related report.
 2. Absent probable cause to support a private person's arrest or other lawful grounds to support an independent arrest by the officer, the officer should advise the parties that no arrest will be made and that the circumstances will be documented in a related report.
- (b) Whenever an officer determines that there is probable cause to believe that a private person's arrest is lawful, the officer may exercise any of the following options:
1. Take the individual into physical custody for booking.
 2. Release the individual upon a misdemeanor citation or pending formal charges.

Limited English Proficiency Services

330.1 PURPOSE AND SCOPE

Language barriers can sometimes inhibit or even prohibit individuals with limited English proficiency (LEP) from gaining meaningful access to, or an understanding of important rights, obligations and services. It is the policy of this department to take all reasonable steps to ensure timely and equal access to all individuals, regardless of national origin or primary language (Title VI of the Civil Rights Act of 1964, § 601, 42 USC § 2000 d).

330.1.1 DEFINITIONS

Definitions related to this policy include:

Limited English Proficient (LEP) - Designates individuals whose primary language is not English and who have a limited ability to read, write, speak or understand English. LEP individuals may be competent in certain types of communication (e.g., speaking or understanding), but still be LEP for other purposes (e.g., reading or writing). Similarly, LEP designations are context-specific; an individual may possess sufficient English language skills to function in one setting but these skills may be insufficient in other situations.

Person disabled in communication - A person who cannot fully understand legal proceedings or charges involving him/her because of difficulty in speaking or comprehending the English language.

Interpretation - The act of listening to a communication in one language (source language) and orally converting it to another language (target language) while retaining the same meaning.

Translation - The replacement of written text from one language (source language) into an equivalent written text (target language).

Bilingual - The ability to communicate in two languages proficiently. Bilingual includes a variety of skill levels. Some bilingual individuals may be fluent enough to engage in direct communication in a non-English language, but insufficiently fluent to interpret or translate from one language into another. A bilingual individual, depending on skill level, could be utilized to communicate fluently in a non-English language but not to interpret between two languages if he/she does not possess the necessary specialized skills. To be utilized to interpret or translate from one language into another, an individual must possess the skill, training and demonstrated competence. For purposes of this policy, employees, in order to be identified as bilingual, must initially and periodically demonstrate, through a procedure to be established by Human Resources, the level of skill and competence such that Human Resources is able to determine the purposes for which an employee's language skills may be used.

330.1.2 NORTHGLENN/THORNTON LANGUAGE LINE

Employees encountering LEP individuals through the course of their duty may use the Language Line to both assist in identifying the language and translating between the employee and the

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LEP. The Language Line telephone number is 1-800-523-1786, Client Code 136013, Thornton PD Personal Code 5980.

330.2 TYPES OF LEP ASSISTANCE AVAILABLE

This department will make every reasonable effort to provide meaningful and timely assistance to LEP individuals through a variety of services, where reasonably available. LEP individuals may elect to accept interpreter services offered by the Department at no cost or choose to provide their own interpreter services at their own expense. Department personnel should document in any related report whether the LEP individual elected to use interpreter services provided by the Department or some other source. Department-provided interpreter services may include, but are not limited to, the assistance methods described in this section.

330.2.1 BILINGUAL PERSONNEL

Personnel utilized for LEP services need not be certified as interpreters but must have demonstrated, through established Department procedures, a level of competence to ascertain whether his/her language skills are best suited to monolingual communication, interpretation, translation, or all or none of these functions.

All personnel used for communication with LEP individuals must demonstrate knowledge of the functions of an interpreter and the ethical issues involved when functioning as a language conduit. In addition, employees who serve as interpreters and/or translators must have demonstrated competence in both English and the non-English language. When bilingual personnel from this department are not available, personnel from other City departments who have the requisite training may be used.

330.2.2 WRITTEN FORMS AND GUIDELINES

This department will determine the most frequently used and critical forms and guidelines, and translate these documents into the languages most likely to be requested. The department will make these translated forms available to department personnel and other appropriate individuals.

330.2.3 AUDIO RECORDINGS

The Department may develop audio recordings of information that is either important to or frequently requested by LEP individuals for broadcast in a language most likely to be understood by them.

330.2.4 TELEPHONE INTERPRETER SERVICES

Human Resources will maintain a list of qualified interpreters, who upon approval of a supervisor, can be contacted to assist LEP individuals.

330.3 LEP CONTACT SITUATIONS AND REPORTING

Whenever any member of this department is required to complete a report or other documentation when interpretation or translation services are provided to any involved LEP individual, such services should be noted in the related report.

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330.3.1 FIELD ENFORCEMENT AND INVESTIGATIONS

Field enforcement will generally include such contacts as traffic stops, pedestrian stops, serving warrants and restraining orders, crowd/traffic control and other routine field contacts that may involve LEP individuals. The scope and nature of these activities and contacts will inevitably vary. Department personnel must assess each situation to determine the need and availability for translation services and utilize the methods outlined above to provide appropriate language assistance.

Although not every situation can be addressed in this policy, it is important that Department personnel are able to effectively communicate the reason for a contact, the need for information and the meaning or consequences of any enforcement action taken with an LEP individual. For example, it would be meaningless to request consent to search if the person requesting is unable to effectively communicate with an LEP individual.

330.3.2 INVESTIGATIVE INTERVIEWS

In any situation where the translation of an interview may contain information that might be used in a criminal trial, it is important to take certain steps to improve the chances of admissibility. This includes interviews conducted during an investigation with victims, witnesses and suspects. In such situations, audio recordings of the interviews should be made when reasonably possible. The identification and contact information for the interpreter (e.g., name, address) should be documented so the person can be subpoenaed for trial if necessary.

Any person selected as an interpreter and/or translator must have demonstrated competence in both English and the non-English language involved and knowledge of the functions of an interpreter that allow for correct and effective translation, and should not be a person with an interest in the case. The person providing interpretation or translation services may be required to establish the accuracy and trustworthiness of the interpretation or translation to the court.

330.3.3 CUSTODIAL INTERROGATIONS AND BOOKINGS

To protect the rights of LEP individuals during arrest and custodial interrogation, this department places a high priority on providing competent interpretation during such situations. It is further recognized that miscommunication during custodial interrogations may have a substantial impact on the evidence presented in any related criminal prosecution. As such, Department personnel providing interpretation services or translated forms in these situations will have demonstrated competence in interpretation/translation and make every reasonable effort to accurately interpret/translate all communications with LEP individuals.

To ensure that translations during criminal investigations are documented accurately and are admissible as evidence, audio recordings of interrogations, victim interviews and witness interviews should be used whenever reasonably possible.

Employees providing interpretation or translation services shall also be aware of the inherent communication impediments to gathering information from the LEP individual throughout the booking process or any other situation in which an LEP individual is under the control of Department personnel. Medical screening questions are commonly used to elicit information on

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an individual's medical needs, suicidal inclinations, presence of contagious diseases, potential illness, symptoms of withdrawal from certain medications or the need to segregate the arrestee from other prisoners. Therefore it is important for members of this department to make every reasonable effort to provide effective language services in these situations.

330.3.4 COMPLAINTS

The Department shall ensure access to LEP persons wishing to file a complaint regarding the discharge of Department duties. The Department may do so by providing interpretation assistance or translated forms to such individuals. When the Department responds to complaints filed by LEP individuals, the Department shall attempt to communicate its response in an accessible manner.

330.3.5 COMMUNITY OUTREACH

Community outreach programs and other such services offered by this department have become increasingly recognized as important to the ultimate success of more traditional law enforcement duties. This department will continue to work with community groups, local businesses and neighborhoods to provide equal access to programs and services to LEP individuals and groups.

330.4 TRAINING

In an effort to ensure that all employees in public contact positions or who have contact with those in custody are properly trained, the Department will provide periodic training to personnel about Department LEP policies and procedures, including how to access department-authorized, telephonic and in-person interpreters and other available resources. LEP training will be provided for new employees and refresher training will be provided at least once every two years thereafter.

330.5 INTERPRETERS AND TRANSLATORS

Department personnel who are called upon to interpret, translate or provide other language assistance, have been tested by an outside assessor chosen by Human Resources.

- (a) Assessment: The Northglenn Police Department personnel who are identified as bilingual and are willing to act as authorized interpreters, will have their language skills assessed by an outside assessor by Human Resources. Personnel found proficient in interpreting into and from the target language will be placed conditionally on the authorized interpreters list.

330.6 SUPPLEMENTAL MATERIALS PROVIDED TO DEPARTMENT EMPLOYEES

The following materials will be made available to employees to assist in providing access and service to LEP individuals:

- (a) A list of bilingual employees, languages spoken and contact and shift information
- (b) A list of department-certified interpretation services, bilingual interpreters, languages spoken and contact and availability information
- (c) The telephone number and access code of telephonic interpretation services

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- (d) Language identification cards
- (e) Translated *Miranda* warning cards and other frequently used documents
- (f) Audio recordings/warnings that are developed in non-English languages

Hearing Impaired/Disabled Communications

331.1 PURPOSE AND SCOPE

Individuals who suffer from deafness, hearing impairment, blindness, impaired vision, mental or other disabilities may encounter difficulties in gaining meaningful access to, or an understanding of important rights, obligations and services. In accordance with the Americans with Disabilities Act (42 USC § 12101, et seq.), it is the policy of this department to take all reasonable steps to accommodate such individuals in any law enforcement contact.

331.1.1 DEFINITIONS

Deaf or hard of hearing - A person who has a functional hearing loss of sufficient severity to prevent aural comprehension, even with the assistance of hearing aids. (CRS § 13-90-202(6)).

Qualified interpreter - An individual who has a valid certification of competency accepted by the Commission for the Deaf and Hard of Hearing, including oral interpreters, sign language interpreters and intermediary interpreters (CRS § 13-90-202(8)).

331.2 FACTORS TO CONSIDER

The nature of any law enforcement contact may vary substantially from one situation to the next. Employees of this department should consider all information reasonably available to them when determining how to communicate with an individual suffering from any disability. These factors may include, but are not limited to:

- (a) The extent to which a disability is obvious or otherwise made known to the involved employee. Impaired or disabled individuals may be reluctant to acknowledge their condition and may even feign a complete understanding of a communication, despite actual confusion.
- (b) The nature of the disability (e.g., total deafness or blindness versus impairment).
- (c) The nature of the law enforcement contact (e.g., emergency versus non-emergency, custodial versus consensual).
- (d) The availability of resources to aid in communications.

When considering these factors and other available information, the involved employee should carefully balance all factors in an effort to reasonably ensure meaningful access to critical services, while not imposing undue burdens on the Department or its officers.

331.2.1 INITIAL AND IMMEDIATE CONSIDERATIONS

Recognizing that various law enforcement encounters may be potentially volatile and/or emotionally charged, Department employees should be alert to the possibility of communication problems. They should exercise special care in the use of all gestures and verbal and written communications to minimize initial confusion or misunderstanding when dealing with any individual with known or suspected disabilities or communication impairments.

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331.3 TYPES OF ASSISTANCE AVAILABLE

Depending on the balance of the factors available for consideration at the time, this department will make every reasonable effort to provide meaningful and timely assistance to disabled individuals through a variety of services, where available. Disabled individuals may elect to accept such assistance at no cost, choose to provide their own communication services at their own expense, or any combination thereof. In any situation, the individual's choice of a communication method shall be given primary consideration and shall be honored unless the employee can adequately demonstrate that a more effective method of communication exists under the circumstances.

Officers should document the type of communication utilized in any related report and whether a disabled or impaired individual elected to use services provided by the Department or some other identified source. Department-provided services may include, but are not limited to, the following.

331.3.1 FIELD RESOURCES

Individual officers and employees are encouraged to utilize resources immediately available to them in any contact with a known or suspected disabled or impaired person. Examples of this would include such simple methods as:

- (a) Hand gestures or written communications exchanged between the employee and a deaf or hearing-impaired individual.
- (b) Facing an individual who uses lip reading, and speaking slowly and clearly.
- (c) Slowly and clearly speaking or reading simple terms to any visually or mentally impaired individual.

331.3.2 AUDIO RECORDINGS AND ENLARGED PRINT

From time to time, the Department may develop audio recordings of important information needed by blind or visually impaired individuals. In the absence of such audio recordings, employees may elect to read aloud a Department form or document, i.e., reading a citizen complaint form to a visually impaired individual or utilizing a photocopier to enlarge printed forms for a visually impaired individual.

331.3.3 FAMILY AND FRIENDS OF DISABLED OR IMPAIRED INDIVIDUAL

While family and friends of a disabled or impaired individual may frequently offer to assist with interpretation, employees should carefully consider the circumstances before relying on such individuals. For example, children should not be relied upon except in emergency or critical situations. Further, the nature of the contact and relationship between the disabled individual and the individual offering services must be carefully considered (e.g., victim/suspect).

331.4 CONTACT SITUATIONS AND REPORTING

While all contacts, services and individual rights are important, this department will carefully consider reasonably available information in an effort to prioritize services to disabled and impaired individuals so that such services and resources may be targeted where they are most needed because of the nature and importance of the particular law enforcement activity involved.

Hearing Impaired/Disabled Communications

Whenever any member of this department is otherwise required to complete a report or other documentation, and communication assistance is provided to any involved disabled or impaired individual, such services should be noted in the related report.

331.4.1 RECEIVING AND RESPONDING TO REQUESTS FOR ASSISTANCE

To provide disabled and impaired individuals with meaningful access to law enforcement services when they are victims of, or witnesses to, alleged criminal activity or other emergencies, this department has designated its 9-1-1 lines as its top priority for assistance with such services. Department personnel will make every reasonable effort to promptly accommodate disabled and impaired individuals utilizing 9-1-1 lines through any or all of the above resources.

While 9-1-1 calls shall receive top priority, it is also important that reasonable efforts be made to accommodate disabled and impaired individuals seeking more routine access to services and information from this department.

331.4.2 QUALIFIED INTERPRETER REQUIRED IN ARRESTS

An officer who arrests a person who, due to deafness or a physical speaking impairment, cannot readily understand or communicate in the English language or cannot understand the proceedings, shall inform his/her supervisor of the arrest and ensure a qualified interpreter as specified by law is available to the arrestee at public expense before an interrogation or the taking of a statement (CRS § 13-90-204(1)(d)).

The arresting officer shall immediately make arrangements to provide a qualified interpreter at the earliest possible time at the place of detention. The officer shall, with the assistance of the interpreter, explain to the person disabled in communication, all charges filed and all procedures relating to the person's detention and release. The interpreter shall assist with all other communications including those relating to needed medical attention.

331.4.3 CUSTODIAL INTERROGATIONS AND BOOKINGS

To ensure that the rights of all disabled and impaired individuals are protected during arrest and custodial interrogation, this department places a high priority on providing reasonable communication assistance during such situations. It is further recognized that miscommunication during custodial interrogations may have a substantial impact on the evidence presented in any related criminal prosecution. As such, Department personnel providing communication assistance in these situations will make every reasonable effort to accurately and effectively communicate with disabled or impaired individuals.

Employees providing such assistance shall also be aware of the inherent impediments to gathering information from disabled or impaired individuals throughout the booking process or any other situation in which a disabled or impaired individual is under the control of Department personnel. Medical screening questions are commonly used to elicit information regarding an individual's medical needs, suicidal inclinations, presence of contagious diseases, potential illness, symptoms of withdrawal from certain medications or the need to segregate the arrestee from other

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prisoners. It is important for this department to make every reasonable effort to provide effective communication assistance in these situations.

- (a) Individuals who require communication aids (e.g., hearing aids) should be permitted to retain such devices while in custody.
- (b) While it may present officer safety or other logistical problems to allow a physically disabled individual to retain devices, such as a wheelchair or crutches during a custodial situation, the removal of such items will require that other reasonable accommodations be made to assist such individuals with access to all necessary services.
- (c) Whenever a deaf or hearing-impaired individual is detained or arrested and placed in handcuffs, officers should consider, safety permitting, placing the handcuffs in front of the body to allow the individual to sign or write notes.

331.4.4 QUALIFIED INTERPRETER REQUIRED FOR VICTIMS AND WITNESSES

An officer shall make arrangements to provide a qualified interpreter to assist in an interview or questioning of a victim or witness who is deaf or hard of hearing and uses sign language for effective communication (CRS § 13-90-204(1)(f)).

331.4.5 FIELD ENFORCEMENT AND INVESTIGATIONS

Field enforcement will generally include such contacts as traffic stops, pedestrian stops, serving warrants and restraining orders, crowd/traffic control and other routine field contacts that may involve disabled or impaired individuals. The scope and nature of these activities and contacts will inevitably vary. The Department recognizes that it would be virtually impossible to provide immediate access to complete communication services to every officer in the field. Each officer and/or supervisor must assess each situation to determine the need for and availability of communication assistance to any and all involved disabled or impaired individuals.

Although not every situation can be addressed within this policy, it is important that employees are able to effectively communicate the reason for a contact, the need for information and the meaning or consequences of any enforcement action. For example, it would be meaningless to verbally request consent to search if the officer is unable to effectively communicate with a deaf individual.

331.4.6 COMMUNITY OUTREACH

Community outreach programs and other similar services offered by this department have become increasingly recognized as important to the ultimate success of more traditional law enforcement duties. As such, this department will continue to work with community groups, local businesses and neighborhoods to provide equal access to such programs and services to disabled individuals and groups.

331.5 TRAINING

To ensure that all employees in public contact positions, or who have contact with those in custody, are properly trained, this department will provide periodic training in the following areas:

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- (a) Employee awareness of related policies, procedures, forms and available resources.
- (b) Working effectively with in-person and telephone interpreters and related equipment.
- (c) Awareness and understanding of the importance of this policy to ensure its implementation. This training will be geared toward the training management staff, even if they may not interact regularly with disabled individuals.

DNA Samples

332.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the collection of DNA evidence from those individuals required to provide such samples under Colorado law.

The principal purpose of the DNA database is to assist a federal, state or local criminal justice agency in the investigation or prosecution of offenses in which biological evidence is recovered (CRS § 16-23-102).

332.1.1 DEFINITIONS

Definitions related to this policy include (CRS § 18-1-1101):

Disposed of - Means evidence is destroyed, thrown away or returned to the owner or his/her designee.

DNA - Means deoxyribonucleic acid.

DNA evidence - Means all evidence collected in a criminal investigation, which evidence may be reasonably believed to contain DNA that is relevant to a disputed issue in the investigation and prosecution of the case.

DNA profile - Means an identifier obtained as a result of a specific DNA analysis.

332.2 PERSONS SUBJECT TO DNA COLLECTION

While the courts may order DNA samples taken in a variety of circumstances, members of this department are only authorized to obtain DNA samples from those qualifying persons absent other lawful means (e.g. consent or a search warrant).

Those qualifying individuals whose DNA information is not currently on file with the state of Colorado Bureau of Investigation may be required to provide samples. Verification of DNA samples on file may be determined by a DNA collection flag on the individual's criminal history record or, during regular business hours, by calling the Colorado Bureau of Investigation. All DNA collection flags should be verified by contacting the Colorado Bureau of Investigation prior to the collection of the sample (CRS § 16-23-103(4)).

A second DNA sample may be ordered by the court to be collected from an individual in a criminal investigation if forensic DNA evidence is necessary.

332.2.1 FELONY OFFENSES

As part of the booking process, or later if impractical during booking, the Department shall collect a biological DNA sample on every adult arrested or charged with a felony on or after September 30, 2010 (CRS § 16-23-103(1) and CRS 16-23-103(3)).

DNA Samples

332.3 PROCEDURE

Upon a determination that any individual is qualified and required to provide DNA samples under Colorado law, the designated trained employee shall obtain DNA samples in accordance with the Northglenn Police Department's Property and Evidence and Booking Manual.

332.3.1 BLOOD SAMPLES

A blood sample shall be drawn in a medically acceptable manner by a licensed professional nurse, a licensed practical nurse, a paramedic, a qualified medical technician, a licensed physician or other person licensed by the state for this purpose.

332.3.2 BUCCAL SWABS

Buccal swab samples (taken from the inside of the mouth) may only be procured by employees who have successfully completed approved training in the collection of buccal swabs and with the use of approved buccal swab collectors. A thumbprint shall be placed on the collector along with other required identifying information, such as the DNA Buccal Swab Database Card.

332.3.3 FULL PALM PRINTS AND PHOTOGRAPHS

If the offender has not been fingerprinted and photographed, full palm print impressions shall be obtained on the prescribed forms and the offender shall be photographed. Both the fingerprints and the photographs shall be forwarded to the Colorado Bureau of Investigation (see generally CRS § 16-21-104).

332.3.4 USE OF FORCE TO OBTAIN SAMPLES

CRS 16-23-103(5) allows officers to use "reasonable force" to collect DNA samples. However, the Northglenn Police Department will not allow officers to use any force for DNA collection purposes. Officers shall exercise diligence in protecting the safety of the arrestee and officers by minimizing the potential for injury.

Non-Compliant Collection Procedures If an arrestee fails to comply with the law and will not allow the collection of a DNA sample, then officers shall:

- (a) document this in the case report and arrest report narrative
- (b) notify the on-duty supervisor and the jail staff once the arrestee is transported to Adams County Detention Facility (ACDF)
- (c) not use any force to gain compliance, and
- (d) not check the "DNA Collected" box in the ILEADS arrest module.

Non-compliant felony arrestees may have further criminal action taken against them by the court for their refusal to comply with the law.

332.4 PROCESSING DNA SAMPLES

All DNA samples and related materials shall be promptly forwarded to the Colorado Bureau of Investigation or accredited DNA laboratory using the Colorado Bureau of Investigation mailing tubes, labels and instructions for prompt analysis (CRS § 16-23-103(6), CRS § 16-23-104).

DNA Samples

332.4.1 SUFFICIENT SAMPLE

DNA evidence that is subject to preservation pursuant to CRS § 18-1-1103 shall be preserved in an amount and manner sufficient to develop a DNA profile, based on the best scientific practices at the time of collection, from the biological material contained in or included on the evidence (CRS § 18-1-1104(2)).

If DNA evidence is of such a size, bulk or physical character as to render retention impracticable, the property and evidence technician shall remove and preserve portions of the evidence likely to contain DNA related to the offense in a quantity sufficient, based on the best scientific practices at the time of collection, to permit future DNA testing.

The preserved DNA evidence shall, whenever possible, include a sample sufficient to allow for independent testing by the defendant. After preserving the necessary amount of the DNA evidence, the remainder of the evidence may be properly destroyed as allowed by law.

332.4.2 NOTICE OF A REJECTED SAMPLE

In the event the Colorado Bureau of Investigation notifies the Department that a DNA sample or print impression is not usable, the individual whose original sample or impression was provided is required to submit to collection of additional samples. The Department shall thereafter take all reasonable steps to collect additional samples from any such individual and promptly transmit these samples as required.

332.4.3 FOLLOW-UP NOTICE TO THE BUREAU OF INVESTIGATION

Within two years of submitting any DNA specimen, this department shall notify the Colorado Bureau of Investigation whether the individual remains a suspect in a criminal investigation. It shall be the responsibility of the Colorado Bureau of Investigation to thereafter purge samples of any individual who is no longer a suspect in any criminal investigation from the DNA database.

332.4.4 RECORDS, RETENTION AND PRESERVATION

The Department shall maintain a DNA record for the statutory period of a DNA specimen collection from an eligible individual from the date of collection.

- (a) DNA evidence collected in reference to a criminal investigation of a felony that does not result in or has not resulted in charges being filed shall be preserved for the length of the statute of limitations for the felony crime that was investigated (CRS § 18-1-1103(1)).
- (b) Except as provided in CRS § 18-1-1105, CRS § 18-1-1106 and CRS § 18-1-1107, the Department shall preserve the DNA evidence for the life of a defendant who is convicted, if the sample was collected in a criminal investigation that resulted in a conviction listed in CRS § 18-1-1102(1) and CRS § 18-1-1103(2).
- (c) A court may order the department to preserve existing biological evidence for DNA testing at the request of a defendant (CRS § 18-1-414(2)).

DNA Samples

332.5 RECORD SECURITY

It is unlawful for any person to knowingly misuse or disclose to an unauthorized entity a DNA sample collected or profile obtained for DNA database purposes.

332.6 LITIGATION

The Chief of Police or the authorized designee shall immediately notify the Colorado Bureau of Investigation's DNA Legal Unit in the event this department is named in a lawsuit involving the DNA Data Bank sample collection, sample use or any aspect of the state's DNA Data Bank Program.

332.7 EXPUNGEMENT OF DNA EVIDENCE

A person may qualify for expungement and destruction of DNA evidence. This department will destroy DNA evidence after written notice is received from the Colorado Bureau of Investigation (CRS § 16-23-105).

332.8 DISPOSITION OF DNA EVIDENCE

In cases described in CRS § 18-1-1102(1)(c) and CRS § 18-1-1102(1)(d), the department may seek to dispose of DNA evidence by providing notice to the District Attorney who prosecuted the charges (CRS § 18-1-1105(2)).

If the District Attorney determines that the DNA evidence should not be disposed of, the District Attorney will provide notice. Upon receipt of the notice, the department shall preserve the DNA evidence until such time that a court order is obtained to dispose of the DNA evidence (CRS § 18-1-1105(4)).

If the department does not receive notice from the District Attorney within a reasonable amount of time, the department may file a motion with the court that entered the conviction in the case, asking for a court order to dispose of the DNA evidence.

The department may not request permission to dispose of DNA evidence in cases described in CRS § 18-1-1102(1)(a) and CRS § 18-1-1102(1)(b) (CRS § 18-1-1105(1)).

332.8.1 DISPOSITION OF VICTIM DNA EVIDENCE

If DNA evidence is being held that is the property of the victim, the victim may request the District Attorney to review whether the DNA evidence may be returned. If the District Attorney determines the DNA evidence may be returned, the District Attorney may file a petition with the court for the return of the DNA evidence. Upon proper receipt, the department will release DNA evidence belonging to the victim (CRS § 18-1-1107).

332.9 TRAINING

All officers are required to complete DNA training, such as that provided by the Colorado Peace Officer Standards and Training (POST) online training module (CRS § 24-31-311).

Chaplains

333.1 PURPOSE AND SCOPE

The Northglenn Police Department Chaplain Program is established for the purposes of providing spiritual and emotional support to all members of the Department, their families and members of the public.

333.2 POLICY

It is the policy of this department that the Chaplain Program shall be a nondenominational, ecumenical ministry provided by volunteer clergy without financial compensation.

Child and Dependent Adult Safety Policy

334.1 PURPOSE AND SCOPE

The Northglenn Police Department recognizes that family members who are subjected to traumatic events, such as the arrest of a parent, guardian or caregiver, may experience lasting negative emotional effects.

After such an event, a child or dependent adult may not receive the appropriate care, which can lead to further emotional or physical trauma. This policy is intended to provide guidelines for officers to create a strong cooperative relationship with local, state and community-based social services. This is to take reasonable steps to minimize the impact to the child or dependent adult when it is necessary to take action involving a parent or guardian.

334.1.1 POLICY

It is the policy of this department to mitigate, to the extent reasonably possible, the stressful experience individuals may have when a parent or caregiver is arrested. The Northglenn Police Department will endeavor to create a strong cooperative relationship with local community-based social services to ensure an effective, collaborative response that addresses the needs of those affected.

334.2 PROCEDURES DURING AN ARREST

When encountering an arrest situation, officers should make reasonable attempts to determine if the arrestee is responsible for minor dependent children or dependent adults. In some cases this is obvious, such as when children or dependent adults are present. However, officers should inquire if the person has any other dependent minor children or adults who are without appropriate supervision. The following steps should be taken:

- (a) Inquire about and confirm the location of any children or dependent adults.
- (b) Look for evidence of children and dependent adults. Officers should be mindful that some arrestees may conceal the fact that they have dependents for fear the individual may be taken from them.
- (c) Inquire of witnesses, neighbors, friends and relatives of the arrestee as to whether the person is responsible for a dependent child or adult.

Whenever reasonably possible, officers should take reasonable steps to accomplish the arrest of a parent, guardian or caregiver out of the presence of his/her child or dependent adult. Removing children or dependent adults from the scene in advance of the arrest will generally ensure the best outcome for the individual.

Whenever it is safe to do so, officers should allow the parent or caregiver to assure children or dependent adults that they will be provided care. If this is not safe or if the demeanor of the parent or caregiver suggests this conversation would be nonproductive, the officer at the scene

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should explain the reason for the arrest in age-appropriate language and offer reassurance to the dependent child or adult that he/she will receive appropriate care.

334.2.1 AFTER AN ARREST

Whenever an arrest is made, and when it is safe to do so, the officer should take all reasonable steps to ensure the safety of the arrestee's disclosed or discovered minor children or dependent adults. Officers should weigh factors to decide how to handle the situation. Factors include, but are not limited to: the charges, level of cooperation, previous history of resisting arrest or assault on a peace officer. Officer safety is first, and the arrestee may be handcuffed while making arrangements, or make arrangements by phone from the NPD jail.

Officers should allow the arrestee reasonable time to arrange for care of minor children and dependent adults. Temporary placement with family or friends may be appropriate. However, any decision should give priority to a care solution that is in the best interest of the child or dependent adult. The following guidelines should be followed:

- (a) Allow the person reasonable time to arrange for the care of minor children and dependent adults with a responsible party, as appropriate.
 - 1. Unless there is evidence to the contrary (e.g., signs of abuse, drug use, unsafe environment), officers should respect the parent or caregiver's judgment regarding arrangements for care. It is generally best if the child or dependent adult remains with relatives or family friends that he/she knows and trusts. Consideration regarding familiarity with the surroundings, comfort, emotional state and safety should be paramount.
 - 2. Except when a court order exists limiting contact, the officer should attempt to locate and place dependent children or adults with a non-arrested parent or guardian.
- (b) Provide for the immediate supervision of minor children or a dependent adult until an appropriate caregiver arrives.
- (c) Notify the Department of Social and Human Services if appropriate.
- (d) Notify the field supervisor or Shift Sergeant of the disposition of minor children or dependent adults.

If children or dependent adults are at school or a known location outside the household at the time of arrest, the arresting officer should attempt to contact the school or other known location and inform the principal or appropriate responsible adult of the caregiver's arrest and of the arrangements being made for the care of the arrestee's dependents. The result of such actions should be included in the associated report.

334.2.2 DURING THE BOOKING PROCESS

During the booking process, the arrestee should be allowed to make additional free local telephone calls to relatives or other responsible individuals as is reasonably necessary to arrange for the

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care of any minor dependent child or adult. These telephone calls should be given as soon as practicable and are in addition to any other telephone calls allowed by law.

334.2.3 REPORTING

- (a) For all arrests where children are present or living in the household, the reporting employee will document the following information:
 - 1. Names
 - 2. Gender
 - 3. Age
 - 4. How, where and with whom or which agency the child was placed
- (b) For all arrests where dependent adults are present or living in the household, the reporting employee should document the following information about the dependent adult:
 - 1. Identity
 - 2. Whether he/she reasonably appears able to care for him/herself
 - 3. Disposition or placement information if he/she is unable to care for him/herself

334.2.4 SUPPORT AND COUNSELING REFERRAL

Should it be apparent that law enforcement action may have a delayed or lingering effect upon children or dependent adults, providing referral information for available support, counseling, victim advocate, a crisis line or similar services should be considered.

334.3 DEPENDENT WELFARE SERVICES

Whenever an arrestee is unwilling or incapable of arranging for the appropriate care of any dependent minor children or adults, the handling officer should consider taking the children or dependent adults into protective custody and placing them with the appropriate county welfare service or other department-approved social service.

Only when other reasonable options are exhausted should a child or dependent adult be transported to the police department, transported in a marked patrol car or taken into formal protective custody.

Under no circumstances should a child or dependent adult be left unattended or without appropriate care.

334.4 TRAINING

The Training Sergeant is responsible to ensure that all personnel of this department who may be involved in arrests affecting children or dependent adults participate, on a timely basis, in an approved course on effective safety when a parent or guardian is arrested.

Service Animals

335.1 PURPOSE AND SCOPE

Service animals play an important role in helping to overcome the limitations often faced by people with disabilities. The Northglenn Police Department recognizes this need and is committed to making reasonable modifications to its policies, practices and procedures in accordance with Title II of the Americans with Disabilities Act (ADA) to permit the use of service animals that are individually trained to assist a person with a disability.

335.2 SERVICE ANIMALS

The ADA defines a service animal as any dog or miniature horse that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual or other mental disability. The work or tasks performed by a service animal must be directly related to the owner's disability (28 CFR 35.104).

Service animals also include assistance dogs that are in the process of being trained and are accompanied by a trainer (CRS 24-34-803).

335.2.1 USE OF SERVICE ANIMALS

Some service animals may be readily identifiable. However, many do not have a distinctive symbol, harness or collar. Service animals are not pets and may be trained by an individual or organization to assist people with disabilities.

Service animals may be used in a number of ways to provide assistance, including:

- Guiding people who are blind or have low vision.
- Alerting people who are deaf or hard of hearing.
- Retrieving or picking up items, opening doors or flipping switches for people who have limited use of their hands, arms or legs.
- Pulling wheelchairs.
- Providing physical support and assisting with stability and balance.
- Doing work or performing tasks for persons with traumatic brain injury, intellectual disabilities or psychiatric disabilities, such as reminding a person with depression to take medication.
- Alerting a person with anxiety to the onset of panic attacks, providing tactile stimulation to calm a person with post-traumatic stress disorder, assisting people with schizophrenia to distinguish between hallucinations and reality, and helping people with traumatic brain injury to locate misplaced items, or follow daily routines.

Service Animals

335.3 MEMBER RESPONSIBILITIES

Service animals that are assisting individuals with disabilities are permitted in all public facilities and areas where the public is allowed. Department members are expected to treat individuals with service animals with the same courtesy and respect that the Northglenn Police Department affords to all members of the public.

If an animal exhibits vicious behavior, poses a direct threat to the health of others or unreasonably disrupts or interferes with normal business operations, an officer may direct the owner to remove the animal from the premises. Barking alone is not a threat nor does a direct threat exist if the person takes prompt, effective action to control the animal. Each incident must be considered individually. Past incidents alone are not cause for excluding a service animal. Removal of a service animal may not be used as a reason to refuse service to an individual with disabilities. Members of this department are expected to provide all services as are reasonably available to an individual with the disability.

If it is apparent or if an officer is aware the animal is a service animal, the owner should not be asked any questions as to the status of the animal. If it is unclear whether an animal meets the definition of a service animal, the officer should ask the individual only the following questions:

- Is the animal required because of a disability?
- What task or service has the animal been trained to perform?

If the individual explains that the animal is required because of a disability and has been trained to work or perform at least one task, the animal meets the definition of a service animal, and no further question as to the animal's status should be asked. The person should not be questioned about his/her disabilities nor should the person be asked to provide any license, certification or identification card for the service animal.

Service animals are not pets. Department members should not interfere with the important work performed by a service animal by talking to, petting or otherwise initiating contact with a service animal.

When handling calls of a complaint regarding a service animal, members of this department should remain neutral and should be prepared to explain the ADA requirements concerning service animals to the concerned parties. Businesses are required to allow service animals to accompany their owner in all areas that other customers or members of the public are allowed.

Absent a violation of law independent of the ADA, officers should take no enforcement action beyond keeping the peace. Individuals who believe they have been discriminated against as a result of a disability should be referred to the Civil Rights Division of the U.S. Department of Justice.

Community Policing

336.1 PURPOSE AND SCOPE

The purpose of this policy is to promote an understanding of the community policing philosophy.

336.1.1 COMMUNITY POLICING CONCEPT

Community policing requires a department-wide commitment from everyone; sworn and civilian employees. It challenges all personnel to find ways to express this philosophy in their jobs, by balancing the need to maintain an immediate and effective police response to individual crime incidents and emergencies with the goal of exploring new proactive initiatives aimed at solving problems before they occur or escalate.

The philosophy of community policing incorporates the following basic principles:

- (a) Change is the constant that drives the organizational culture and individual behavior to view the transition to community policing as an opportunity to improve the way police services are delivered.
- (b) Leadership means constantly emphasizing and reinforcing the community policing vision, its values, and mission within the organization at all levels.
- (c) The Vision is where community safety and quality of life are truly a shared responsibility of the community and the police department.
- (d) Problem solving involves an organization-wide commitment to go beyond traditional police responses to crime to address a multitude of problems that adversely affect quality of life.
- (e) Equity in the delivery of police service recognizes that all citizens will receive effective, respectful police service based on need, regardless of race, gender, ethnicity, religious belief, income, sexual preference, and other differences.
- (f) Trust reduces mutual suspicions of police and residents and it provides the foundation that allows the police and community to collaborate. It must be based on mutual understanding and respect.
- (g) Empowering line-level personnel is designed to encourage and support them in collaborative community building and problem solving, to assist the community in empowering itself.
- (h) Service expresses community-policing commitment to provide decentralized and personalized police service. Citizens must be viewed as "customers" by the police who can then learn, through empathic listening, which services are most needed and when.
- (i) Mutual Accountability creates balance in which the community holds the police accountable for their actions. At the same time, the police hold the community accountable for shouldering its share of the responsibility in promoting and maintaining public safety and the overall quality of life.

Community Policing

336.2 COMMUNITY RELATIONS

Community policing must be viewed as a philosophy and never as a program. However there are programs that support the philosophy of a community partnership. Those programs are supported by the efforts of the police department in order to educate our customers and to facilitate partnerships. The police department supports the following programs:

- (a) Community Watch/ Business Watch
- (b) Citizen's, Senior and Teen Academy
- (c) Crime Prevention/Crime Free Multi-Housing
- (d) Safe Street Halloween
- (e) Volunteer Programs/Park Rangers/Cadet Program
- (f) School Programs
- (g) Christmas Crusade for Kids
- (h) CPAAAN (Citizens Police Academy Alumni Association of Northglenn)
- (i) Kops Vs. Kids Basketball
- (j) Project Safe-Child (Gun lock distribution program)
- (k) Eddy Eagle Gun Safe Program
- (l) Fishing Not Drugs Program

Volunteer Program

337.1 PURPOSE AND SCOPE

It is the policy of this department to use qualified volunteers for specified tasks and duties in order to create efficiencies for the Department and improve services to the community. Volunteers are intended to supplement and support, rather than supplant, certified officers and civilian personnel. Volunteers can be an important part of any organization and have proven to be a valuable asset to law enforcement agencies. Volunteers help to increase department responsiveness, delivery of services and information input, and provide new program opportunities. In addition, volunteers bring new skills and expertise to the Department and prompt new enthusiasm.

337.1.1 DEFINITIONS

Definitions related to this policy include:

Volunteer - An individual who performs a service for the Department without promise, expectation or receipt of compensation for services rendered. This may include unpaid chaplains, unpaid officers, interns, persons providing administrative support and youth involved in a law enforcement Explorer Post, among others.

337.1.2 VOLUNTEER ELIGIBILITY

Requirements for participation as an Northglenn Police Department volunteer include:

- (a) At least 18 years of age for all positions other than Park Ranger.
- (b) At least 16 years of age for Park Ranger.
- (c) A valid driver's license if the position requires vehicle operation.
- (d) Liability insurance for any personally owned equipment, vehicles or horses utilized during volunteer work.
- (e) No conviction of a felony, any crime of a sexual nature, any crime related to assault, any crime related to moral turpitude or any crime related to impersonating a law enforcement officer.
- (f) No conviction of a misdemeanor crime within the past 10 years, excluding petty traffic offenses.
- (g) No condition of mental illness or chemical dependency that may adversely affect the person's ability to serve in the position.
- (h) Physical requirements reasonably appropriate to the assignment.
- (i) A personal background history and character suitable for a person representing the Department, as validated by a background investigation.

The Chief of Police may apply exceptions for eligibility based on organizational needs and the qualification of the individual.

Volunteer Program

337.2 VOLUNTEER MANAGEMENT

337.2.1 VOLUNTEER COORDINATOR

The function of the Volunteer Coordinator is to provide a central coordinating point for effective volunteer management within the Department, and to direct and assist staff and volunteer efforts to jointly provide more productive services. The Volunteer Coordinator or the authorized designee shall be responsible for the following:

- (a) Recruiting, selecting and training qualified volunteers for various positions
- (b) Maintaining records for each volunteer
- (c) Tracking and evaluating the contribution of volunteers
- (d) Maintaining the volunteer handbook and outlining expectations, policies and responsibilities for all volunteers
- (e) Maintaining a record of volunteer schedules and work hours
- (f) Completion and dissemination as appropriate of all necessary paperwork and information
- (g) Planning periodic recognition events
- (h) Administering discipline when warranted
- (i) Maintaining liaison with other community volunteer programs and assisting in community-wide efforts to recognize and promote volunteering

337.2.2 RECRUITMENT

Volunteers should be recruited on a continuous and ongoing basis in accordance with department policy on equal opportunity nondiscriminatory employment. A primary qualification for participation in the application process should be an interest in, and an ability to assist, the Department in serving the public.

Requests for volunteers should be submitted in writing by interested staff to the Volunteer Coordinator through the chain of command. A complete position description and a requested time frame should be included in the request. All parties should understand that the recruitment of volunteers is enhanced by creative and interesting assignments. The Volunteer Coordinator may withhold assignment of any volunteer until such time as the requesting unit is prepared to make effective use of volunteer resources.

337.2.3 SCREENING

All prospective volunteers should complete the Volunteer Application form. The Volunteer Coordinator or the authorized designee should conduct a face-to-face interview with the applicant.

A documented background investigation shall be completed on each volunteer applicant and shall include, but not necessarily be limited to, the following:

- (a) Traffic and criminal background check.

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- (b) Employment.
- (c) References.
- (d) Credit check.

A truth verification exam may be required of each applicant depending on the type of assignment.

A volunteer whose assignment requires the use of, access to or places him/her in the vicinity of criminal histories, investigative files or information portals shall require submission of prints and clearance through the Colorado Bureau of Investigation.

337.2.4 SELECTION AND PLACEMENT

Service as a volunteer shall begin with an official notice of acceptance or appointment to a volunteer position. Notice may only be given by an authorized representative of the Department, normally the Volunteer Coordinator. No volunteer should begin performance of any position until he/she has been officially accepted for that position and completed all necessary screening and documentation.

At the time of final acceptance, each volunteer should complete all necessary enrollment documentation and will receive a copy of the job description and agreement of service with the Department. All volunteers shall receive a copy of the volunteer handbook and shall be required to sign a volunteer agreement.

Volunteers should be placed only in assignments or programs that are consistent with their knowledge, skills, abilities that meet the needs of the Department.

Reserve Unit volunteers are generally assigned to augment regular staffing levels.

337.2.5 TRAINING

Volunteers will be provided with an orientation program to acquaint them with the department, personnel and policies and procedures that have a direct impact on their work assignment.

Volunteers should receive position-specific training to ensure they have adequate knowledge and skills to complete tasks required by the position and should receive periodic ongoing training as deemed appropriate by their supervisor or the Volunteer Coordinator.

Depending on the assignment, training may include the following:

- (a) Role of the volunteer.
- (b) Department policies.
- (c) Training specific to the procedure manual for the volunteer position.
- (d) Discrimination and harassment training.
- (e) CPR/first aid.
- (f) CERT/Citizens Emergency Response Training.
- (g) Search and rescue techniques.

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- (h) Scenario-based searching methods.
- (i) Evidence preservation.
- (j) Basic traffic direction and control.
- (k) Roadway incursion safety.
- (l) Self-defense techniques.
- (m) Vehicle operations, including specialized vehicles.
- (n) Speed Determination (Citizen Radar Program).

Training should reinforce to volunteers that they should not intentionally represent themselves as, or by omission infer, that they are certified officers or other full-time members of the Department. They shall always represent themselves as volunteers.

All volunteers shall comply with the rules of conduct and with all orders and directives, either oral or written, issued by the Department. Whenever a rule, regulation or guideline in this manual refers to a certified officer, it shall also apply to a volunteer, unless by its nature it is inapplicable.

337.2.6 FITNESS FOR DUTY

No volunteer shall report to work or be on-duty when his/her judgment or physical condition has been impaired by alcohol, medication, other substances, illness or injury.

Volunteers shall report to their supervisor any changes in status that may affect their ability to fulfill their duties. This includes, but is not limited to, the following:

- (a) Driver's license.
- (b) Medical condition that directly effects the volunteers ability to perform assigned duties.
- (c) Arrests.
- (d) Criminal investigations.
- (e) All law enforcement contacts.

All volunteers shall adhere to the guidelines set forth by this department regarding drug and alcohol use.

337.2.7 DRESS CODE

As representatives of the Department, volunteers are responsible for presenting a professional image to the community. Volunteers shall dress appropriately for the conditions and performance of their duties.

Volunteers shall conform to approved dress consistent with their duty assignment. Uniforms authorized for volunteers should be readily distinguishable from those worn by certified officers. No volunteer shall wear his/her uniform or identifiable parts of that uniform while off-duty.

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Volunteers shall be required to return any issued uniform or department property at the termination of service.

337.3 SUPERVISION OF VOLUNTEERS

Each volunteer who is accepted to a position with the Department must have a clearly identified supervisor who is responsible for direct management of that volunteer. This supervisor will be responsible for day-to-day management and guidance of the work of the volunteer and should be available to the volunteer for consultation and assistance.

A volunteer may be assigned as, and act as, a supervisor of other volunteers, provided the supervising volunteer is under the direct supervision of a paid staff member.

Functional supervision of volunteers is the responsibility of the supervisor in charge of the unit where the volunteer is assigned. Following are some considerations to keep in mind while supervising volunteers:

- (a) Take the time to introduce volunteers to employees on all levels.
- (b) Ensure volunteer possesses and wears department volunteer identification at all times.
- (c) Ensure volunteers have work space and the necessary office supplies.
- (d) Make sure the work is challenging. Do not hesitate to give them an assignment or task that will tap these valuable resources.

337.4 CONFIDENTIALITY

With appropriate security clearance, volunteers may have access to private and confidential information, such as criminal histories or investigative files. Unless otherwise directed by a supervisor, the duties of the position or department policy, all information shall be considered confidential. Only that information specifically identified and approved by authorized personnel shall be released. Confidential information shall be given only to persons who have a need and a right to know as determined by department policy and supervisory personnel.

Each volunteer will receive training in data practices and be required to sign a nondisclosure agreement before being given an assignment with the Department. Subsequent unauthorized disclosure of any private or confidential information, verbally, in writing or by any other means, by the volunteer is grounds for immediate dismissal and possible criminal prosecution.

Volunteers shall not address public gatherings, appear on radio or television, prepare any article for publication, act as correspondents to a newspaper or other periodical, release or divulge any information concerning the activities of the Department, or maintain that they represent the Department in such matters without permission from the proper department personnel.

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337.5 PROPERTY AND EQUIPMENT

Volunteers will be issued an identification card that must be worn and visible at all times while on-duty. Any fixed and portable equipment issued by the Department shall be for official and authorized use only. Any property or equipment issued to a volunteer shall remain the property of the Department and shall be returned at the termination of service.

337.5.1 VEHICLE USE

Volunteers assigned to duties such as transporting vehicles to/from city shops or other assignments that require the use of a vehicle must first complete the following:

- (a) A driving safety briefing
- (b) Verification that the volunteer possesses a valid driver's license
- (c) Verification that the volunteer carries current vehicle insurance

The Volunteer Coordinator should ensure that all volunteers receive safety briefing updates and license and insurance verification at least once a year.

When operating a Department vehicle, volunteers shall obey all rules of the road, including seat belt requirements.

Volunteers should not operate a marked patrol car unless there is a prominently placed sign indicating that it is out of service and is being operated for maintenance purposes only; that it is being operated during an approved skills course; that it is being used to transport equipment; that it is being used to provide supplementary assistance under the direction of an on-duty certified officer. Volunteers are not authorized to operate a Department vehicle for enforcement patrol operations or under emergency conditions (lights and siren).

337.5.2 RADIO AND MDC USAGE

Volunteers shall not use the MDT (Mobile Data Terminal) for any reason. Volunteers are prohibited from using the police radio except in an emergency situation.

337.6 DISCIPLINARY PROCEDURES/TERMINATION

A volunteer may be removed from the volunteer program at the discretion of the Chief of Police or the Volunteer Coordinator. Volunteers shall have no property interests in their continued appointment. However, if a volunteer is removed for alleged misconduct, the volunteer will be afforded an opportunity solely to clear his/her name through a liberty interest hearing. The hearing shall be limited to a single appearance before the Chief of Police or the authorized designee.

Volunteers may resign from volunteer service with this department at any time. It is requested that volunteers who intend to resign provide advance notice of their departure and a reason for their decision.

All property issued, including the volunteer identification badge shall be returned.

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337.6.1 EXIT INTERVIEWS

Exit interviews, where possible, should be conducted with volunteers who are leaving their positions. The interview should ascertain why the volunteer is leaving the position and solicit the volunteer's suggestions on improving the position. When appropriate, the interview should also include a discussion on the possibility of involvement in some other capacity with the Department.

337.7 EVALUATION

An evaluation of the overall volunteer program will be conducted on an annual basis by the Volunteer Coordinator. Regular evaluations should be conducted with volunteers to ensure the best use of human resources, to ensure personnel problems can be identified and dealt with promptly and fairly, and to ensure optimum job satisfaction on the part of volunteers.

337.8 EMERGENCY CALL-OUT FOR VOLUNTEER PERSONNEL

The Volunteer Coordinator shall develop a plan outlining an emergency call-out procedure for volunteer personnel.

Off-Duty Law Enforcement Actions

338.1 PURPOSE AND SCOPE

The decision to take law enforcement action when off-duty can place officers as well as the general public at great risk and must be done with careful consideration. The purpose of this policy is to establish and communicate guidelines for officers of the Northglenn Police Department with respect to taking law enforcement action while off-duty.

338.2 POLICY

Officers generally should not initiate law enforcement action while off-duty, particularly when witnessing minor crimes, such as suspected intoxicated drivers, reckless driving or minor property crimes. Such incidents should be immediately reported to the appropriate law enforcement agency.

When the safety of the public or the prevention of major property damage requires immediate action, officers should first consider monitoring and reporting the activity, and only take direct action as a last resort.

Officers are not expected to place themselves in unreasonable peril, and there is no legal requirement for off-duty officers to take law enforcement action. However, officers who become aware of a circumstance or incident that they reasonably believe poses an imminent threat of serious bodily injury, death, or significant property damage, may take reasonable action to minimize the threat.

Non-sworn personnel should not become involved in any law enforcement actions while off-duty except to notify the appropriate law enforcement agency and remain at the scene, if safe and practicable.

338.3 DECISION TO INTERVENE

Officers should consider waiting for on-duty uniformed officers to arrive while gathering as much information as possible, instead of immediately intervening. However, officers making the discretionary decision to intervene shall, in addition to the guidelines found in 339.2, consider the following factors individually and collectively:

- Inability to communicate with responding units
- Lack of equipment, such as less-lethal force and restraint options
- Potential for multiple or hidden suspects
- Potential for misidentification by other peace officers or members of the public
- Potential risk to the public in general
- Tactical disadvantage of being alone
- Unfamiliarity with the surroundings

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Off-Duty Law Enforcement Actions

338.3.1 INTERVENTION PROCEDURE

Officers making the discretionary decision to intervene should attempt to call the appropriate law enforcement agency (911) and request immediate assistance. Officers should identify themselves and provide the call-taker their description.

Whenever practicable, the officers shall repeatedly identify themselves as an officer with the Northglenn Police Department until acknowledged.

Officers shall display their badge when practicable.

Officers should cooperate fully with the appropriate law enforcement agency in providing statements or reports.

338.3.2 INCIDENTS OF PERSONAL INTEREST

Officers should remain neutral, and refrain from handling incidents of personal interest, including family or neighbor disputes. In such circumstances, officers should contact the appropriate law enforcement agency.

338.4 FIREARMS

Officers who are off-duty and choose to carry a firearm shall do so in accordance with Policy 304 – Firearms.

Chapter 4 - Patrol Operations

Patrol Function

400.1 PURPOSE AND SCOPE

The purpose of this policy is to define the functions of the patrol unit of the Department to ensure intraorganizational cooperation and information sharing.

400.1.1 FUNCTION

Officers will generally patrol in clearly marked vehicles. They will patrol assigned jurisdictional areas of Northglenn, identify community needs, provide support and assistance to the community, respond to calls for assistance, act as a deterrent to crime, enforce state and local laws and respond to emergencies 24 hours a day seven days a week.

Patrol will generally provide the following services within the limits of available resources:

- (a) Patrol that is directed at the prevention of criminal acts, traffic violations and collisions, the maintenance of public order and the discovery of hazardous situations or conditions.
- (b) Crime prevention activities, such as residential inspections, business inspections and community presentations.
- (c) Calls for service, both routine and emergency.
- (d) Investigation of both criminal and non-criminal acts.
- (e) The apprehension of criminal offenders.
- (f) Community Oriented Policing and problem-solving activities, such as citizen assists and individual citizen contacts of a positive nature.
- (g) The sharing of information between the patrol and other divisions within the Department, as well as other government agencies.
- (h) The application of resources to specific problems or situations within the community that may be improved or resolved by Community Oriented Policing and problem-solving strategies.
- (i) Traffic direction and control.
- (j) Response to disasters, civic unrest and natural emergencies.
- (k) Assist in the service of civil papers.

400.1.2 TERRORISM

The Office of Preparedness and Security (OPS) coordinates Colorado's response to terrorism (CRS § 24-33.5-1601(1)(g); CRS § 24-33.5-1606).

It is the goal of the Northglenn Police Department to make every reasonable effort to accurately and appropriately gather and report any information that may relate to either foreign or domestic

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terrorism. Officers should advise a supervisor as soon as practicable of any activity believed to be terrorism related and should document such incidents with a written report or Field Interview (FI).

The supervisor should ensure that all terrorism-related reports and FIs are forwarded to the Investigative Support Unit supervisor in a timely fashion.

The Investigative Support Unit supervisor should forward the information as soon as practicable to the OPS Colorado Information Analysis Center.

400.2 PATROL INFORMATION SHARING PROCEDURES

The following guidelines are intended to develop and maintain intraorganizational cooperation and information flow between the various divisions of the Northglenn Police Department.

400.2.1 CRIME ANALYSIS UNIT

The Operational Analysis and Community Impact Unit (information analysis) will be the central unit for information exchange. Criminal and traffic accident information and reports can be submitted to the Records Section for distribution to all divisions within the Department through daily and special bulletins (i.e. the PD Clipboard).

400.2.2 CRIME REPORTS

A crime report shall be completed by any patrol officer who receives criminal information. The report will be processed and forwarded to the Records Unit for retention. Upon processing the report may be returned to Patrol or forwarded to the Investigative Support Unit for follow-up investigation.

400.2.3 PATROL BRIEFINGS

Patrol supervisors, investigative sergeants and special unit sergeants are encouraged to share information as much as reasonably possible. All supervisors and/or officers will be provided an opportunity to share information through daily patrol briefings, as time permits.

400.2.4 INFORMATION CLIPBOARDS

Several information clipboards will be maintained in the briefing room and will be available for review by officers from all divisions within the department. These include, but are not limited to, the electronic patrol check clipboard, the wanted persons board, and any written directives.

400.2.5 BULLETIN BOARDS

A bulletin board will be kept in the Patrol Division Briefing Room ("Briefing Room") and in the Investigative Support Unit for display of suspect information, investigative reports and photographs. New General Orders will be made available for patrol supervisors and will be discussed at briefings and shift meetings. A copy of the General Order will be placed on the briefing room clipboard.

400.3 CROWDS, EVENTS AND GATHERINGS

Officers may encounter gatherings of people, including but not limited to, civil demonstrations, civic, social and business events, public displays, parades and sporting events. Officers should

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monitor such events as time permits in an effort to keep the peace and protect the safety and rights of those present. A patrol supervisor should be notified when it becomes reasonably foreseeable that such an event may require increased monitoring, contact or intervention.

Officers responding to an event or gathering that warrants law enforcement involvement should carefully balance the speech and association rights of those present with applicable public safety concerns before taking enforcement action. Officers are encouraged to contact organizers or responsible persons to seek voluntary compliance that may address relevant public safety/order concerns.

Officers should consider enforcement of applicable state and local laws when the activity blocks the entrance or egress of a facility or location and when voluntary compliance with the law is not achieved.

Racial- or Bias-Based Profiling

401.1 PURPOSE AND SCOPE

This policy provides guidance to department members and establishes appropriate controls to ensure that employees of the Northglenn Police Department do not engage in racial- or bias-based profiling or violate any related laws while serving the community.

401.1.1 DEFINITIONS

Definitions related to this policy include:

Racial- or bias-based profiling - An inappropriate reliance on factors such as race, ethnicity, national origin, religion, sex, sexual orientation, economic status, age, cultural group, disability or affiliation with any other similar identifiable group as a factor in deciding whether to take law enforcement action or to provide service.

401.2 POLICY

The Northglenn Police Department is committed to providing law enforcement services to the community with due regard for the racial, cultural or other differences of those served. It is the policy of this department to provide law enforcement services and to enforce the law equally, fairly and without discrimination toward any individual or group.

Race, ethnicity or nationality, religion, sex, sexual orientation, economic status, age, cultural group, disability or affiliation with any other similar identifiable group shall not be used as the basis for providing differing levels of law enforcement service or the enforcement of the law (CRS § 24-31-309).

401.3 RACIAL- OR BIAS-BASED PROFILING PROHIBITED

Racial- or bias-based profiling is strictly prohibited. However, nothing in this policy is intended to prohibit an officer from considering factors such as race or ethnicity in combination with other legitimate factors to establish reasonable suspicion or probable cause (e.g., suspect description is limited to a specific race or group).

401.4 MEMBER RESPONSIBILITY

Every member of this department shall perform his/her duties in a fair and objective manner and is responsible for promptly reporting any known instances of racial- or bias-based profiling to a supervisor.

Officers shall provide, without being asked, a business card to any person who was detained in a traffic stop and was not cited or arrested. The business card shall include identifying information including, but not limited to, the officer's name, badge number and a telephone number that may be used, if necessary, to report any comments, either positive or negative, regarding the traffic stop (CRS § 24-31-309(4)(a)).

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Racial- or Bias-Based Profiling

401.4.1 REASON FOR DETENTION

Officers detaining a person shall be prepared to articulate sufficient reasonable suspicion to justify a detention, independent of the individual's membership in a protected class.

To the extent that written documentation would otherwise be completed (e.g., arrest report, Field Interview (FI) card), the involved officer should include those facts giving rise to the officer's reasonable suspicion or probable cause for the detention, as applicable.

Nothing in this policy shall require any officer to document a contact that would not otherwise require reporting.

401.4.2 REPORTING TRAFFIC STOPS

Each time an officer makes a traffic stop, the officer shall report any information required in the Traffic Function and Responsibility Policy.

401.5 SUPERVISOR RESPONSIBILITY

The Department will maintain educational pamphlets for public distribution at the front desk regarding the complaint process. This policy shall be made available to the public for inspection during business hours (CRS § 24-31-309(6)).

The Northglenn Police Department will investigate all complaints of alleged racial- or bias-based profiling against its members as any other complaint is investigated. The identity of the reporting person and the report shall initially be kept confidential to the extent permitted by law, unless further processing is required (CRS § 24-31-309(4)(a)).

Supervisors shall monitor those individuals under their command for any behavior that may conflict with the purpose of this policy and shall handle any alleged or observed violation of this policy in accordance with the Personnel Complaints Policy.

- (a) Supervisors should discuss any issues with the involved officer and his/her supervisor in a timely manner.
- (b) Supervisors should periodically review, MDC data and any other available resource used to document contact between officers and the public to ensure compliance with this policy.
 - 1. Supervisors should document these periodic reviews.
 - 2. Recordings that capture a potential instance of racial- or bias-based profiling should be appropriately retained for administrative investigation purposes.
- (c) Supervisors shall initiate investigations of any actual or alleged violations of this policy.
- (d) Supervisors should ensure that no retaliatory action is taken against any member of this department who discloses information concerning racial- or bias-based profiling.

Racial- or Bias-Based Profiling

401.6 STATE REPORTING

The Department shall compile, on at least an annual basis, any information derived from complaints received due to the distribution of business cards, as provided in this policy that allege profiling. The information shall be made available to the public but shall not include the names of officers or the names of persons alleging profiling (CRS § 24 31 309(4)(c)).

401.7 ADMINISTRATION

Each year, the Patrol Division Commander shall review the efforts of the Department to prevent racial- or bias-based profiling and submit an overview, including public concerns and complaints, to the Chief of Police. This report should not contain any identifying information regarding any specific complaint, citizen or officers. It should be reviewed by the Chief of Police to identify any changes in training or operations that should be made to improve service.

Supervisors shall review the information compiled from complaints, as provided in this policy and the annual report, and discuss the results with those they are assigned to supervise.

401.8 TRAINING

Training on racial- or bias-based profiling and review of this policy should be conducted as directed by the Training Unit.

All certified members will attend regular training on the subject of racial- or bias-based profiling (CRS § 24-31-309). All newly employed officers shall receive a copy of this policy and initial training on the subject of racial- or bias-based profiling.

Roll Call Briefing

402.1 PURPOSE AND SCOPE

Roll Call Briefing is generally conducted at the beginning of the officer's assigned shift. Roll Call Briefing provides an opportunity for important exchange between employees and supervisors. A supervisor generally will conduct roll call briefing. However, officers may conduct roll call briefing for training purposes with supervisor approval.

Roll Call Briefing should accomplish, at a minimum, the following basic tasks:

- (a) 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.
- (b) Notifying officers of changes in schedules and assignments.
- (c) Notifying officers of new General Orders or changes in General Orders.
- (d) Reviewing recent incidents for training purposes.
- (e) Providing training on a variety of subjects.
- (f) Traffic Problems
- (g) Crime Problems
- (h) Problem Orientated Police Projects
- (i) Administrative Information
- (j) Miscellaneous Information

402.2 ROLL CALL BRIEFING AND ROLL CALL TRAINING

Roll Call Briefing and roll call training is generally conducted at the beginning or conclusion of the officer's assigned shift, yet it may occur at another period. Roll Call Briefing and roll call training should incorporate short training segments on a variety of subjects and may include:

- (a) Review and discussion of new or updated policies.
- (b) Presentation and discussion of the proper application of existing policy to routine daily activities.
- (c) Presentation and discussion of the proper application of existing policy to unusual activities.
- (d) Reviewing recent incidents for training purposes.

402.3 PREPARATION OF MATERIALS

The supervisor conducting roll call briefing and/or roll call training, or the officer if the supervisor is unable to participate in a group briefing or roll call training session, is responsible for collection

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and preparation of the materials necessary for a constructive briefing and/or roll call training. A supervisor may delegate this responsibility to a subordinate officer in his/her absence or for training purposes.

402.4 RETENTION OF ROLL CALL BRIEFING AND ROLL CALL TRAINING RECORDS

Roll Call Briefing and roll call training materials and a curriculum or summary shall be forwarded to the Training Sergeant for inclusion in training records, as appropriate.

Crime and Disaster Scene Integrity

403.1 PURPOSE AND SCOPE

The protection and integrity of a crime scene is of the utmost importance for the successful apprehension of criminals and successful prosecution. The integrity of a disaster scene is equally as critical for the protection of life and property and investigation by proper authorities.

403.2 CRIME SCENE RESPONSIBILITIES

The first officer at the scene of a crime or major incident is generally responsible for taking reasonable efforts to preserve the scene. Officers shall also consider officer safety and public safety, including reasonable efforts to render medical aid to any obviously injured parties. Once an officer has assumed or been assigned to maintain the integrity of the crime/disaster scene, the officer shall continue the assignment until relieved by a supervisor.

403.2.1 FIRST RESPONDER CONSIDERATIONS

The following list generally describes the functions which the first responder should reasonably attempt to take at a crime or disaster scene. This list is not intended to be all-inclusive, is not necessarily in order and may be altered according to the demands of each situation, the availability of resources, capacity of personnel and totality of each circumstance:

- (a) Ensure no suspects are still in the area.
- (b) Broadcast emergency information, including all requests for additional assistance.
- (c) Provide first aid to injured parties if it can be done safely.
- (d) Evacuate the location as required.
- (e) Identify hazards or dangerous conditions to responding personnel.
- (f) Secure the inner and outer perimeter if needed.
- (g) Protect items of apparent evidentiary value.
- (h) Identify potential witnesses.
- (i) Start a chronological log noting critical times and personnel allowed access.
- (j) Prevent unauthorized access of personnel, the media or the public.

403.2.2 EXECUTION OF HEALTH ORDERS

Any certified member of this department is authorized to execute and enforce all orders of the local health officer, which have been issued for the purpose of preventing the spread of any contagious, infectious or communicable disease.

403.3 SEARCHES AT CRIME OR DISASTER SCENES

Officers arriving at crime or disaster scenes are often faced with the immediate need to search for and render aid to victims and to determine if suspects are present and pose a threat. Once

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Crime and Disaster Scene Integrity

officers are satisfied that no additional suspects are present and/or there are no injured persons to be treated, those exigent circumstances will likely no longer exist. Officers should thereafter secure the scene and conduct no further search until proper authority for the search is obtained.

403.3.1 CONSENT

Officers should obtain consent to search from authorized individuals where possible. However, in the case of serious crimes or major investigations it may be prudent to obtain a search warrant. Consent may be sought even in cases where a search warrant has been granted.

Northglenn/Thornton Special Weapons and Tactics Team

404.1 PURPOSE AND SCOPE

The Northglenn/Thornton Special Weapons and Tactics Team, also known as SWAT, provides the department with a highly trained, specially equipped team to respond to incidents that require a higher degree of firepower, personal protective equipment, tactical capability, the skill of negotiation and manpower. The unit has been established to provide specialized support in handling critical field operations where intense negotiations and/or special tactical deployment methods beyond the capacity of field officers appears to be necessary. Generally, the SWAT Team is responsible for handling high risk activities that are generally beyond the capabilities of normal patrol operations. The team's response shall be centered on the concept of TIME, TALK and TACTICS. The team is one unified team where tactics and negotiation are used together towards successful situational outcomes.

404.1.1 OPERATIONAL AND ADMINISTRATIVE POLICY

The Policy Manual sections pertaining to the Northglenn/Thornton Special Weapons and Tactics Team are divided into Administrative and Operational Policy and Procedures. Since situations that necessitate the need for such a law enforcement response vary greatly from incident to incident, and because such events often demand on-scene evaluation, the Operational Policy outlined in this section serves as a guideline to Department personnel, allowing for appropriate on-scene decision-making as required. The Administrative Procedures, however, are more restrictive and few exceptions should be taken.

404.1.2 SWAT TEAM DEFINED

SWAT team - A designated unit of law enforcement officers, including a multijurisdictional team, that is specifically trained and equipped to work as a coordinated team to resolve critical incidents that are so hazardous, complex or unusual that they may exceed the capabilities of first responders or investigative units. This includes, but is not limited to, hostage taking, barricaded suspects, snipers, terrorist acts and other high-risk incidents. As a matter of department policy, such a unit may also be used to serve high-risk warrants, both search and arrest, where public and officer safety issues warrant the use of such a unit.

404.2 POLICY

It is the policy of this department to maintain a SWAT team and to provide the equipment, manpower and training necessary to maintain a SWAT team. The SWAT team should develop sufficient resources to perform three basic operational functions:

- (a) Command and control
- (b) Containment
- (c) Entry/apprehension/rescue

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Northglenn/Thornton Special Weapons and Tactics Team

It is understood that it is difficult to categorize specific capabilities for critical incidents. Training needs may vary based on the experience level of the team personnel, team administrators and potential incident commanders. Nothing in this policy shall prohibit individual teams from responding to a situation that exceeds their training levels due to the exigency of the circumstances. The preservation of innocent human life is paramount.

404.2.1 POLICY CONSIDERATIONS

A needs assessment should be conducted to determine the type and extent of SWAT missions and operations that are appropriate to this department. The assessment should consider the team's capabilities and limitations and should be reviewed annually by the SWAT commander or the authorized designee.

404.2.2 ORGANIZATIONAL PROCEDURES

This department shall develop a separate written set of organizational procedures that should address, at minimum, the following:

- (a) Locally identified specific missions the team is capable of performing
- (b) Team organization and function
- (c) Personnel selection and retention criteria
- (d) Training and required competencies
- (e) Procedures for activation and deployment
- (f) Command and control issues, including a clearly defined command structure
- (g) Multi-agency response
- (h) Extrajurisdictional response
- (i) Specialized functions and supporting resources

404.2.3 OPERATIONAL PROCEDURES

This department shall develop a separate written set of operational procedures, in accordance with its level of capability, using sound risk reduction practices. The operational procedures should be patterned after the National Tactical Officers Association's Suggested SWAT Best Practices. Because such procedures are specific to SWAT members and will outline tactical and officer safety issues, they are classified as confidential security data and are not included within this policy. The operational procedures should include, at minimum, the following elements:

- (a) Personnel responsible for developing an operational or tactical plan should be designated prior to, and/or during SWAT operations (time permitting).
 - 1. All SWAT team members should have an understanding of operational planning.
 - 2. SWAT team training should consider planning for both spontaneous and planned events.

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3. SWAT teams should incorporate medical emergency contingency planning as part of the SWAT operational plan.
- (b) Plans for mission briefings should be conducted prior to an operation, unless circumstances require immediate deployment.
 1. When reasonably possible, briefings should include the specialized units and supporting resources.
- (c) Protocols for a sustained operation should be developed. These may include relief, rotation of personnel and augmentation of resources.
- (d) A generic checklist to be worked through prior to initiating a tactical action should be developed. This will provide a means of conducting a threat assessment to determine the appropriate response and resources necessary, including the use of SWAT.
- (e) The appropriate role for a trained negotiator should be defined.
- (f) A standard method of determining whether a warrant should be regarded as high risk should be developed.
- (g) A method for deciding how best to serve a high-risk warrant should be developed, with all reasonably foreseeable alternatives being reviewed in accordance with risk/benefit criteria prior to selecting the method of response.
- (h) The elements of post-incident scene management should include:
 1. Documentation of the incident.
 2. Transition to investigations and/or other units.
 3. Debriefing after every deployment of the SWAT team.
 - (a) After-action team debriefing provides evaluation and analysis of critical incidents and affords the opportunity for individual and team assessments. It also helps to identify training needs and reinforces sound risk management practices.
 - (b) Debriefing should not be conducted until involved officers have had the opportunity to individually complete the necessary reports or provide formal statements.
 - (c) To maintain candor and a meaningful exchange, debriefing will generally not be recorded.
 - (d) When appropriate, debriefing should include specialized units and resources.
- (i) Sound risk management analysis should be included.
- (j) Standardization of equipment should be addressed.

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404.3 TRAINING NEEDS ASSESSMENT

The SWAT Team commander shall conduct an annual SWAT training needs assessment to ensure that training is conducted within team capabilities and department policy.

404.3.1 INITIAL TRAINING

SWAT team operators and SWAT supervisors/team leaders should not be deployed until successful completion of an approved basic SWAT course or its equivalent and affiliated mentoring program. Mentoring training manuals shall be completed and signed off on by both the mentor and the newly assigned SWAT operator prior to official deployment.

404.3.2 UPDATED TRAINING

Appropriate team training for the specialized SWAT functions and other supporting resources should be completed prior to full deployment of the team.

SWAT team operators and SWAT supervisors/team leaders should complete update or refresher training every month.

404.3.3 SUPERVISION AND MANAGEMENT TRAINING

Command and executive personnel are encouraged to attend training for managing the SWAT function at the organizational level. This is to ensure that personnel who provide active oversight at the scene of SWAT operations understand the purpose and capabilities of the team.

Command personnel who may assume incident command responsibilities should attend a SWAT or critical incident commander course or its equivalent. SWAT command personnel should attend a SWAT commander or tactical commander course or its equivalent that has been approved by the department.

404.3.4 SWAT ONGOING TRAINING

Training shall be coordinated by the SWAT commander. The SWAT commander or his designee may conduct monthly training exercises that include a review and critique of personnel and their performance in the exercise, in addition to specialized training. Training shall consist of the following:

- (a) Each SWAT member shall perform a physical fitness test once each year. A minimum qualifying score must be attained by each team member.
- (b) Any SWAT team member failing to attain the minimum physical fitness qualification score will be notified of the requirement to retest. Within 30 days of the previous physical fitness test date, the member required to qualify shall report to a team supervisor and complete the entire physical fitness test. Failure to qualify after a second attempt may result in dismissal from the team.
- (c) Those members who are on vacation, ill or are on limited duty status with a medical provider's note of approval on the test date shall be responsible for reporting to a team supervisor and taking the test within 30 days of their return to regular duty. Any member who fails to arrange for and perform the physical fitness test within the 30-

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day period shall be considered as having failed to attain a qualifying score for that test period.

- (d) Quarterly each SWAT team member shall perform the mandatory SWAT handgun qualification course. The qualification course shall consist of the SWAT basic drill for the handgun. Failure to qualify will require the officer to seek remedial training from a Rangemaster approved by the SWAT commander. Team members who fail to qualify will not be used in SWAT operations until qualified. Team members who fail to qualify must retest within 30 days. Failure to qualify within 30 days with or without remedial training may result in dismissal from the team.
- (e) Quarterly each SWAT team member shall perform a mandatory SWAT qualification course for any specialty weapon issued to or used by the officer during SWAT operations. Failure to qualify will require the officer to seek remedial training from a Rangemaster approved by the SWAT commander. Team members who fail to qualify on their specialty weapon may not utilize the specialty weapon on SWAT operations until qualified. Team members who fail to qualify must retest within 30 days. Failure to qualify with specialty weapons within 30 days may result in the team member being removed from the team or permanently disqualified from use of that particular specialty weapon.

404.3.5 TRAINING SAFETY

A minimum of one designated safety officer shall be identified before any type of tactical training occurs.

404.3.6 SCENARIO-BASED TRAINING

SWAT teams should participate in scenario-based training that simulates the tactical operational environment. Such training is an established method of improving performance during an actual deployment.

404.3.7 TRAINING DOCUMENTATION

Individual and team training shall be documented and records maintained by the SWAT team. Such documentation shall be maintained in each member's individual training file.

404.4 UNIFORMS, EQUIPMENT AND FIREARMS

- (a) The SWAT uniform is approved by the joint operation of the Northglenn/Thornton SWAT team and includes the following items:
 - 1. Headgear: Baseball style hat with SWAT logo embroidered on the front
 - 2. Shirt: Black/Grey T-shirt. Trousers: Black/Camouflage BDU style
 - 3. Footwear: Black leather tactical style boot
 - 4. Field Jacket: Black Tactical Weather jacket
 - 5. Police SWAT patches

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6. Equipment may be lightweight nylon style that conforms to the standards of the regular leather equipment
- (b) SWAT Duty Uniform:
 1. Delta (Low-Ride) Kevlar Helmet. CQB Fire-Retardant Raid Uniform/or Sniper Camouflaged Long-Sleeve Shirt and Trousers
 2. Police Badge patch is to be centered on the left side and no more than two inches above pocket
 3. SWAT label is to be centered directly on the left pocket (Police Badge patch is to be centered on the left side and no more than two inches above pocket)
 4. Last name label is to be centered on the right side (SWAT label is to be centered directly on the left pocket. Last name label is to be centered directly above the right pocket)
 5. Second Chance-Level IIIA Tactical Ballistic Vest with sleeve protectors- Required to be worn by all operators(Heavy Rifle Ceramic Plates are mandatory)
 6. CNU personnel shall wear Ballistic Vests on operations. Any operator can be exempt based on assignment with permission of the Team Commander
 7. SWAT Team Snipers may be issued a tactical vest. The team commander may exempt snipers from wearing ballistic armor on a case by case situation.
 8. Footwear: Black leather tactical style boot
 9. Duty Belt: Consist of a trouser belt, equipment belt, holster, ammunition case, handcuff case, chemical agent holder and flashlight. Optional accessories include belt-keepers and extra cuff case. Equipment may be lightweight nylon style that conforms to the standards of the regular leather equipment are to be no more than one-half inch below seam (Optional accessories include belt-keepers and extra cuff)

SWAT teams from this department should wear uniforms that clearly identify team members as law enforcement officers. It is recognized that certain tactical conditions may require covert movement. Attire may be selected appropriate to the specific mission and authorized by the team Commander.

404.4.1 EQUIPMENT

SWAT teams from this department should be adequately equipped to meet the specific mission identified by the Department.

404.4.2 FIREARMS

Weapons and equipment used by SWAT, the specialized units and the supporting resources should be department-issued or approved, including any modifications, additions or attachments.

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404.4.3 OPERATIONAL READINESS INSPECTION

Team Leaders will conduct operational readiness inspection of all unit equipment annually. The result of the inspection will be forwarded to the SWAT commander. The inspection will include personal equipment issued to members of the unit as well as special use equipment maintained for periodic or occasional use in the SWAT vehicle. Quarterly inspections of chemical and less lethal munitions will be conducted by team leaders or their designees.

404.5 MANAGEMENT/SUPERVISION OF NORTHGLENN/THORNTON SPECIAL WEAPONS AND TACTICS TEAM

The commander of the SWAT shall be selected by the Chief of Police upon recommendation of the staff.

404.5.1 PRIMARY UNIT MANAGER

The SWAT Team Commander shall report to the Chief of Police.

404.5.2 TEAM SUPERVISORS

SWAT team will be supervised by team leaders who have been appointed by the SWAT commander.

The team supervisors shall be approved by the Chief of Police upon specific recommendation by the staff and the SWAT commander.

The following represent supervisor responsibilities for the Northglenn/Thornton Special Weapons and Tactics Team:

- (a) The Crisis Negotiations Team (CNT) supervisor's primary responsibility is to supervise the operations of the team, to include deployment, training, first-line participation and other duties as directed by the SWAT commander.
- (b) The Entry, Crisis Action Team (CAT) team and Sniper Team supervisor's primary responsibility is to supervise the operations of the team, which will include deployment, training, first-line participation and other duties as directed by the SWAT commander.

404.6 CRISIS NEGOTIATION TEAM ADMINISTRATIVE PROCEDURES

The CNT has been established to provide skilled verbal communicators, who may be utilized to attempt to de-escalate and effect surrender in critical situations where suspects have taken hostages, barricaded themselves or have suicidal tendencies.

The following procedures serve as directives for the administrative operation of the CNT.

404.6.1 SELECTION OF PERSONNEL

Interested certified personnel, who are off probation, shall submit a request to their appropriate Division Commander through their chain of command. A copy will be forwarded to the SWAT commander. Qualified applicants will then be invited to a testing process. Interested personnel shall be evaluated by the following criteria:

- (a) Recognized competence and ability as evidenced by performance

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- (b) Demonstrated good judgment and an understanding of the critical role of a negotiator and the negotiation process
- (c) Effective communication skills to ensure success as a negotiator
- (d) Special skills, training or appropriate education as it pertains to the assignment
- (e) Commitment to the unit, realizing that the assignment may necessitate unusual working hours, conditions and training obligations
- (f) Standards of Physical Fitness and other team testing (for field operators)
- (g) Have a minimum of three years of police/patrol experience

The SWAT Commander shall submit a list of successful applicants to the Chief of Police and Staff for final selection.

404.6.2 TRAINING OF NEGOTIATORS

Those officers selected as members of the CNT should attend a department-approved basic negotiator's course prior to deployment in an actual crisis situation. Untrained officers may be used in a support or training capacity. Additional training will be coordinated by the team supervisor.

A minimum of one training day per quarter will be required to provide the opportunity for role playing and situational training to maintain proper skills. This will be coordinated by the team supervisor.

Continual evaluation of a team member's performance and efficiency as it relates to the positive operation of the team shall be conducted by the team supervisor. Performance and efficiency levels established by the team supervisor will be met and maintained by all team members. Any member of the CNT who performs or functions at a level less than satisfactory shall be subject to dismissal from the CNT.

404.7 SWAT TEAM ADMINISTRATIVE PROCEDURES

The SWAT team was established to provide a skilled and trained team that may be deployed during events requiring specialized tactics, in situations where suspects have taken hostages and/or barricaded themselves, as well as prolonged or predictable situations in which persons who are armed or suspected of being armed pose a danger to themselves or others.

The following procedures serve as directives for the administrative operation of the SWAT team.

404.7.1 SELECTION OF PERSONNEL

- (a) When a vacancy occurs on the team the Team Commander shall ensure that a posting listing specific qualifications and pertinent information for potential applicants is available. Applicants who meet the established criteria will be notified when they will take part in the selection process. Minimum requirements for eligibility shall be according to the following criteria:
 - 1. A regular, full-time, sworn police officer who volunteers for the assignment and has a minimum of three years of Police/Patrol experience

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2. Handgun qualification score of expert (93) or higher
 3. Excellent physical shape and ability to pass the tactical fitness testing
 4. Demonstrated ability to handle stress as measured by past performance in previous assignment(s)
 5. Demonstrated job proficiency as measured by the employee's previous two performance evaluations
 6. Compatible department duty assignment must be approved by the current Team members and the Chief of Police
 7. Shall be certified as being psychologically capable of handling a S.W.A.T. Team assignment.
- (b) Prior to the day of the assessment applicants will be given the following:
1. A copy of the Intergovernmental Agreement between the City of Northglenn and the City of Thornton establishing a team in 1996.
 2. A questionnaire to be filled out and returned on the day of the assessment.
 3. A schedule for the assessment containing all necessary information for the applicants.
- (c) On the day of the assessment applicants will meet at the scheduled location and take part in various events throughout the day that are designed to test their skill and aptitudes for becoming a successful member of the team.
- (d) Interested and eligible candidates shall make a request to their appropriate Division Commander, through the chain of command, a copy of which will be forwarded to the SWAT commander and other SWAT supervisors. Those qualifying applicants will then be invited to participate in the testing process. The order of the tests will be given at the discretion of the SWAT commander. The testing process will consist of an oral board, physical agility testing, team-integration exercises, a basic SWAT handgun, written examinations, and a team member evaluation.
- (e) Oral board: The oral board will consist of personnel selected by the SWAT commander. Applicants will be evaluated by the following criteria:
1. Recognized competence and ability as evidenced by performance
 2. Demonstrated good judgment and an understanding of the critical role of a SWAT team member
 3. Special skills, training or appropriate education as it pertains to the assignment
 4. Commitment to the unit, realizing that the additional assignment may necessitate unusual working hours, conditions and training obligations

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- (f) **Physical agility:** The physical agility test is designed to determine the physical capabilities of the applicant as they relate to performance of SWAT-related duties. It is the policy of the Northglenn/Thornton SWAT Team to recruit the most highly physically qualified applicants for team appointment. Candidates must pass with a minimum qualifying score of 480 total points and shall achieve a minimum passing score in each physical event to be considered to continue in the selection process. The physical events include the following events: 300 meter Sprint, Sit-Ups, Push-Ups, Chin-Ups/Pull-Ups, Bench Press, and a 1.5 Mile Run-see Physical Assessment Document for further.
- (g) **SWAT basic handgun:** Candidates will be invited to shoot the SWAT basic drill for the handgun. A minimum qualifying score of 400 out of a possible score of 500 must be attained to qualify.
- (h) **Team evaluation:** Current team members will evaluate each candidate on field tactical skills, teamwork, ability to work under stress, communication skills, judgment and any special skills that could benefit the team.
- (i) **A list of successful applicants shall be submitted to the staff by the SWAT. The list shall be forwarded to the Chief of Police for final selection. No eligibility list will be established.**

404.7.2 TEAM EVALUATION

Continual evaluation of a team member's performance and efficiency as it relates to the positive operation of the team shall be conducted by the SWAT commander. The performance and efficiency level, as established by the team supervisor, will be met and maintained by all SWAT team members. Any member of the SWAT team who performs or functions at a level less than satisfactory shall be subject to dismissal from the SWAT team.

404.8 OPERATIONAL GUIDELINES FOR NORTHGLENN/THORNTON SPECIAL WEAPONS AND TACTICS TEAM

The following procedures serve as guidelines for the operational deployment of the Northglenn/Thornton Special Weapons and Tactics Team. Generally, tactical team members and crisis negotiators will be activated together. It is recognized, however, that a tactical team may be used in a situation requiring limited use of negotiations staff, such as warrant service operations. This shall be at the discretion of the SWAT commander.

404.8.1 ON-SCENE DETERMINATION

The supervisor in charge at the scene of a particular event will assess whether the Northglenn/Thornton Special Weapons and Tactics Team should respond. Upon final determination by the Shift Supervisor, the SWAT commander will be notified.

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404.8.2 APPROPRIATE SITUATIONS FOR USE OF A NORTHGLENN/THORNTON SPECIAL WEAPONS AND TACTICS TEAM

The following are examples of incidents that may result in the activation of the Northglenn/Thornton Special Weapons and Tactics Team:

- (a) Barricaded suspects who refuse an order to surrender, generally, felonious or violent crimes against persons
- (b) Incidents where hostages have been taken
- (c) Arrests of persons reasonably believed to be violent or dangerous
- (d) Dignitary Protection assignments
- (e) Civil Unrest and Large Crowd Disturbances
- (f) High Risk Surveillance for wanted or dangerous persons
- (g) Any situation in which SWAT or deployment could enhance the ability to preserve life, maintain social order and ensure the protection of property

404.8.3 OUTSIDE AGENCY REQUESTS

Requests from outside agency crisis units must be approved by a Division Commander. In his absence or under exigent circumstances the shift supervisor may authorize the immediate deployment. Deployment of the Northglenn Police Department Northglenn/Thornton Special Weapons and Tactics Team in response to requests by other agencies must be authorized by a Division Commander.

404.8.4 MULTIJURISDICTIONAL SWAT OPERATIONS

The SWAT team, including specialized units and supporting resources, should develop protocols, agreements, memorandums of understanding, collective bargaining agreements or working relationships to support multijurisdictional or regional responses.

- (a) If it is anticipated that multijurisdictional SWAT operations will regularly be conducted, SWAT multi-agency and multidisciplinary joint training exercises are encouraged.
- (b) Members of the Northglenn Police Department SWAT team shall operate under the policies, procedures and command of the Northglenn Police Department when working in a multi-agency situation.

404.8.5 MOBILIZATION OF NORTHGLENN/THORNTON SPECIAL WEAPONS AND TACTICS TEAM

The on-scene supervisor shall make a request to a Command Staff officer for mobilization of the Northglenn/Thornton Special Weapons and Tactics Team to respond. The supervisor shall then notify appropriate on-duty Records personnel for text message dispatching of team members through cellular devices. A current mobilization list shall be maintained Records staff. Records personnel shall follow standardized procedures for dispatching the team.

Team members will provided the following information if available:

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- (a) The number of suspects, known weapons and resources
- (b) If the suspect is in control of hostages
- (c) If the suspect is barricaded
- (d) The type of crime involved
- (e) If the suspect has threatened or attempted suicide
- (f) The location and safe approach to the command post
- (g) The extent of any perimeter and the number of officers involved
- (h) Any other important facts critical to the immediate situation, and whether the suspect has refused an order to surrender

The Shift Supervisor will then notify the Patrol Division Commander as soon as practicable that the team has been deployed

404.8.6 FIELD UNIT RESPONSIBILITIES

While waiting for the Northglenn/Thornton Special Weapons and Tactics Team, field personnel should, if safe, practicable and if sufficient resources exist:

- (a) Establish an inner and outer perimeter.
- (b) Establish a command post outside of the inner perimeter.
- (c) Establish a patrol emergency/arrest response team prior to SWAT arrival. The team actions may include:
 - 1. Securing any subject or suspect who may surrender.
 - 2. Taking action to mitigate a lethal threat or behavior.
- (d) Evacuate any injured persons or citizens in the zone of danger.
- (e) Attempt to establish preliminary communications with the suspect. Once the SWAT has arrived, all negotiations should generally be halted to allow the SWAT team including negotiators time to set up.
- (f) Be prepared to brief the SWAT commander on the situation.
- (g) Plan for and stage anticipated resources.

404.8.7 ON-SCENE COMMAND RESPONSIBILITIES

Upon arrival of the Northglenn/Thornton Special Weapons and Tactics Team, the Incident Commander shall brief the SWAT commander and team supervisors. Upon review, it will be the Incident Commander's decision, with input from the SWAT commander, whether to deploy the Northglenn/Thornton Special Weapons and Tactics Team. Once the Incident Commander authorizes deployment, the SWAT commander will be responsible for the tactical portion of the operation. The Incident Commander shall continue supervision of the command post operation,

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outer perimeter security and support for the Northglenn/Thornton Special Weapons and Tactics Team. The Incident Commander and the SWAT commander or the authorized designee shall maintain communications at all times.

404.8.8 COMMUNICATION WITH NORTHGLENN/THORNTON SPECIAL WEAPONS AND TACTICS TEAM PERSONNEL

All persons who are non-Northglenn/Thornton Special Weapons and Tactics Team personnel should refrain from any non-emergency contact or from interference with any member of the unit during active negotiations. Operations require the utmost in concentration by involved personnel. No one should interrupt or communicate with SWAT personnel directly. All non-emergency communications shall be channeled through the CNT team leader or the authorized designee.

Ride-Alongs

405.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for a ride-along with employees of the Northglenn Police Department. This policy provides the requirements, approval process, hours of operation, and employee responsibilities for ride-alongs.

405.2 POLICY

Ride-along opportunities will be provided to members of the public, City of Northglenn employees, and members of the department to observe and experience, first-hand, various functions of the Northglenn Police Department. The term "ride-along" includes riding as a passenger with an officer on patrol or observing the work day of employees engaged in other functions within the Department, such as Property-Evidence.

405.3 ELIGIBILITY

A ride-along is available to City of Northglenn residents and business owners, those employed by the City, and persons who have applied for a position with the Department. Efforts will be made to accommodate all interested persons. However, any applicant may be disqualified without cause from participating.

Factors that may be considered in disqualifying an applicant include but are not limited to:

- Being under 16 years of age
- Prior criminal history indicating a felony arrest, or a misdemeanor arrest occurring within the past three years
- Pending criminal action
- Active arrest warrant
- Pending lawsuit against the Department or the City of Northglenn
- Denial by any supervisor

405.4 AVAILABILITY

Ride-alongs shall be scheduled in four-hour blocks any day of the week. The ride-along program will be unavailable to the general public between Memorial Day and Labor Day. Ride-along applicants will be allowed to participate no more than once every six months.

No more than one member of the public should participate in a ride-along during the same time period. No more than one ride-along participant should be allowed in any department vehicle at the same time.

Exceptions to the guidelines found in this section may be made given by the Chief of Police or an authorized designee.

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405.5 OFF-DUTY PARTICIPATION

Off-duty sworn department personnel will not be permitted to participate in a ride-along with on-duty employees of this department without the express consent of the Chief or an authorized designee, and are prohibited from participating in any law enforcement activity except under exigent circumstances, or as required by policy or state law. In the event a sworn employee of the department is required to participate in any law enforcement activity, they shall be deemed on-duty.

Off-duty sworn department personnel may carry a firearm concealed during their ride-along. The rider shall notify the officer with which they are riding that they are carrying a concealed firearm.

Peace officers and other personnel from other law enforcement agencies, and employees of the City of Northglenn will not be permitted to participate in a ride-along with on-duty employees of this department without the express consent of the Chief or an authorized designee.

Peace officers and other personnel from other law enforcement agencies, and employees of the City of Northglenn who are authorized to ride shall not:

1. Be considered on-duty.
2. Represent themselves as an employee of this department or any other law enforcement agency.
3. Carry a concealed weapon under the provisions of a civilian concealed carry permit.
4. Participate in any law enforcement activity except as emergency circumstances may require.

Peace officers issued a concealed carry permit by their law enforcement agency may carry a firearm concealed during their ride-along in accordance with their agency's policies and procedures. The rider shall notify the officer with which they are riding that they are carrying a concealed firearm.

405.6 CRIMINAL HISTORY CHECK

All ride-along applicants are subject to a criminal history check. The criminal history check shall include a local records check and a Colorado Crime Information Center (CCIS) and National Crime Information Center (NCIC) criminal history check prior to approval of the ride-along.

405.7 SUITABLE ATTIRE

Any person approved to participate in a ride-along is required to be suitably dressed in a collared shirt, blouse, or jacket; slacks; and shoes. Sandals, t-shirts, tank tops, shorts, and ripped or torn clothing are not permitted. The shift supervisor may refuse a ride-along to anyone who is not dressed appropriately.

Civilians who have a concealed carry weapons permit shall not be permitted to carry a firearm during their ride-along.

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Officers from other law enforcement agencies shall not be in uniform or wear any attire which identifies them as law enforcement.

All riders are required to wear a visitor's badge during the entirety of their ride-along.

405.8 REQUESTS TO PARTICIPATE

The applicant should complete and sign a waiver form no less than three days prior to the desired date of the ride-along. If the applicant is under 18 years of age, a parent or guardian must be present to complete the waiver. Information requested will include a valid state-issued identification card or driver's license number, date of birth, address, and telephone number.

The Administrative Specialist should conduct the criminal history check. The Administrative Specialist will schedule a date, based on availability, generally no less than three days after the date of application. If the request is denied, the Administrative Specialist will advise the applicant of the denial.

In the event the ride-along is set to occur in less than three days and the Administrative Specialist is unavailable, a member of the Records' staff may complete the criminal history check. If approved, a copy of the waiver will be forwarded to the Administrative Specialist.

Ride-along requests will be processed and archived by the Administrative Specialist.

405.9 EMPLOYEE RESPONSIBILITIES

The assigned employee shall consider the safety of the ride-along participant at all times. The employee shall maintain control over the participant and instruct the individual about the conditions that necessarily limit their participation. Instructions should include:

1. The participant will follow the directions of the Department's employee.
2. The participant will not become involved in any investigation, handling of evidence, discussions with victims or suspects, reading an individual's criminal history or other protected information, or handing any department equipment.
3. A participant's ride-along may be terminated at any time by the employee if the participant interferes with the performance of the employee's duties.
 - (a) If the ride-along is in progress, the employee may return the participant to the point at which the ride originated.
4. Participants may be allowed to continue a ride-along during the transportation and booking process, provided it does not jeopardize their safety.
5. Employees will not allow participants to be present in any location or situation that would jeopardize the participant's safety or cause undue stress or embarrassment to a victim or any other member of the public.
6. Participants who are not law enforcement officers shall not be permitted to accompany the employee into a private residence without the express consent of the resident or other authorized person.

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The employee shall advise dispatch that a ride-along participant is present in the vehicle before going into service. An officer with a ride-along participant shall use sound discretion when encountering a potentially dangerous situation. An officer with a ride-along participant other than a department cadet currently in the POST academy shall not become engaged in a vehicle pursuit.

Conduct by a person participating in a ride-along that results in termination of the ride, or is otherwise inappropriate, should be immediately reported to the on-duty supervisor. The employee should enter comments regarding the reasons for terminating the ride-along on the waiver.

Upon completion of the ride-along, the employee shall return the waiver form to the Administrative Specialist.

Hazardous Material Response

406.1 PURPOSE AND SCOPE

Hazardous materials present a potential harm to employees and others as a result of their exposure. To comply with applicable law, the following represents the policy of this department.

406.1.1 HAZARDOUS MATERIAL DEFINED

Hazardous material - A substance which by its nature, containment and reactivity, has the capability of inflicting harm to people, other living organisms, property or the environment during exposure. Hazardous materials are characterized as being toxic, corrosive, flammable, explosive, oxidizing, asphyxiating, pathogenic, allergenic, biohazardous, or radioactive and pose a threat to health when improperly managed.

406.2 HAZARDOUS MATERIAL RESPONSE

Employees may encounter situations involving suspected hazardous materials, such as at the scene of a traffic collision, chemical spill or fire. When employees come into contact with a suspected hazardous material, they should take certain steps to protect themselves and other persons.

The fire department is the agency trained and equipped to properly respond and mitigate most hazardous materials and biohazards.

Responders should not perform tasks or use equipment without proper training.

A responder entering the area may require decontamination before he/she is allowed to depart the scene and should be evaluated by appropriate technicians and medical professionals for signs of exposure.

The following steps should be considered at any scene involving suspected hazardous materials:

- (a) Make the initial assessment of a potential hazardous material from a safe distance.
- (b) Remain upwind, uphill and at a safe distance, maintaining awareness of weather and environmental conditions, until the material is identified and a process for handling has been determined.
- (c) Attempt to identify the type of hazardous material from a safe distance using optical aids (binoculars/spotting scopes) if they are available. Identification can be determined by:
 1. Placards and use of the Emergency Response Guidebook.
 2. Driver's statements or shipping documents from the person transporting the material.
 3. Information obtained from any involved person with knowledge regarding the hazardous material.

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4. Shape and type of transporting vehicle(s).
 5. Labels/Markings on containers.
 6. Different colored smoke out of the ordinary, (Green, Yellow, Orange, Red, etc.) from the suspected hazmat.
 7. Odors out of the ordinary.
- (d) Obtain information from any involved party who has knowledge regarding the hazardous material. Information should include:
1. The identity of the material.
 2. How to secure and contain the material.
 3. Any other information to protect the safety of those present, the community and the environment.
- (e) Notify the appropriate fire department. Provide weather conditions, wind direction, a suggested safe approach route and any other information pertinent to responder safety.
- (f) The officer or supervisor should create a unified command system with the North Metro Fire Rescue District supervisor on scene.
- (g) Collect injured parties in a specific location if it can be done safely and without contamination. Officers shall not attempt to rescue those persons in the hazard area.
- (h) Begin evacuation of the immediate and surrounding areas, dependent on the material. Voluntary evacuation should be considered. Depending on the material, mandatory evacuation may be necessary.
- (i) Make reasonable efforts to secure the scene to prevent access from unauthorized personnel.
- (j) Establish a decontamination area when needed.
- (k) If needed, contact the local Colorado State Patrol Dispatch to request assistance from the Colorado State Patrol Hazardous Materials Unit.
- (l) If needed, activate reverse 9-1-1 calling to the affected area.

406.3 REPORTING EXPOSURE

Department personnel who believe they have been exposed to a hazardous material shall immediately report the exposure to a supervisor. Each exposure shall be documented by the employee in an on the job injury report, which shall be forwarded via chain of command to the Division Commander as soon as practicable. Should the affected employee be unable to document the exposure for any reason, it shall be the responsibility of the notified supervisor to complete the memorandum.

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Hazardous Material Response

Injury or illness caused or believed to be caused from exposure to hazardous materials shall be reported the same as any other on-duty injury or illness, in addition to a crime report or incident report.

406.3.1 SUPERVISOR RESPONSIBILITIES

When a supervisor has been informed that an employee has been exposed to a hazardous material, he/she shall ensure that immediate medical treatment is obtained and appropriate action is taken to treat the exposure.

Hostages and Barricaded Persons

407.1 PURPOSE AND SCOPE

Hostage situations and barricaded persons present unique problems for agencies. The protection of the public and law enforcement personnel is of the utmost importance. Proper planning and training will tend to reduce the risks involved with these incidents.

407.1.1 DEFINITIONS

Definitions related to this policy include:

Hostage - A person held by one party in a conflict as security so that specified terms will be met by the opposing party.

Barricaded person - A person who takes a position of cover or concealment or maintains a position in a structure or vehicle and who resists capture by law enforcement personnel. A barricaded person may be armed or suspected of being armed.

407.2 BARRICADED PERSON NEGOTIATIONS

Promises of immunity or leniency and payment of ransom demands are rarely effective and will generally not be offered to barricaded persons. Trained crisis negotiators, however, will be permitted to exercise flexibility in each situation, consistent with their training and based upon the circumstances presented.

Personnel involved in barricaded/hostage situations are urged to exercise patience and extreme caution. The use of deadly force against any armed suspect will be governed by the Use of Force Policy with due regard for the safety of hostages.

407.3 FIRST RESPONDER RESPONSIBILITIES

Upon determining that a hostage/barricaded-person situation exists, the first responder shall immediately request that a supervisor respond and shall provide the supervisor with an overview of the situation. If a supervisor is unavailable, the first responder shall assume the duties of the supervisor.

Until the supervisor arrives, the first officer on the scene of an actual or potential hostage/barricade situation shall, if practicable and safe to do so:

- (a) Attempt to avoid confrontation in favor of controlling and containing the situation until the arrival of trained personnel and/or trained crisis negotiation personnel.
- (b) Evacuate and provide medical treatment to the injured if they can be reached.
- (c) Determine the immediate threat area.
- (d) Provide responding emergency personnel with a safe arrival route to the location.
- (e) Establish an inner and outer perimeter.
- (f) Establish a Command Post location.

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- (g) Evacuate bystanders, residents and businesses.
- (h) Notify on-duty tactical and crisis negotiation personnel.
- (i) Notify appropriate persons within and outside the agency, such as command officers, dog handlers or helicopter pilots.
- (j) Request ambulance, rescue, fire and surveillance equipment as needed.
- (k) Establish a primary reaction team prior to SWAT arrival. The team actions may include:
 - 1. Securing any subject or suspect who may surrender.
 - 2. Taking action to mitigate a deadly threat or behavior.
- (l) Coordinate pursuit/surveillance vehicles and control of travel routes.

407.3.1 ACTIVATION

Generally, the decision to activate the SWAT Team will be made by a Command Staff Officer or his designee. Hostage Rescue situations will call for an automatic SWAT deployment. Nothing in this policy is intended to dissuade the shift supervisor from activating the SWAT Team based on emergency situations. The on-duty Police Service Representative will be responsible for the following procedures when a SWAT activation occurs in the City of Northglenn:

- (a) Notifying SWAT Team Operators the nature of the call out
- (b) Advising all personnel notified of a safe route to the scene and the location of both the target location and Command Post Notifying the Command Staff Duty Officer on call if not already done by the Watch Supervisor
- (c) Notifying and summoning to the scene the on-call detective Notifying the Detective Sergeant of the incident
- (d) Notifying the on-call Public Relations Officer (PIO) and summoning him/her to the scene (all media requests will be referred directly to the PIO)
- (e) Maintaining the SWAT call out log and making personal notification via available phone numbers for officers who have not responded to the initial notification

407.4 SUPERVISOR RESPONSIBILITIES

- (a) Upon being notified that a hostage/barricaded-person situation exists, the supervisor shall immediately respond to the scene. Upon arrival, the supervisor shall:
 - 1. Rapidly evaluate and assess the situation, including being briefed by the initial responders.
 - 2. Assume the role of Incident Commander and retain this role until relieved.
 - 3. Assume and complete any outstanding first responder responsibilities and designate assistants as required.

Hostages and Barricaded Persons

4. Authorize news media access and news media policy.
- (b) The supervisor or Shift Sergeant should advise the SWAT supervisor with as much of the following information as is available at the time:
 1. The number of persons, known weapons and resources
 2. If the person is in control of hostages
 3. If the person is barricaded
 4. The type of crime involved
 5. If the person has threatened or attempted suicide
 6. The location of the Command Post and a safe approach path
 7. The extent of any perimeter and the number of officers involved
 8. Any other important facts critical to the immediate situation and whether the person has refused an order to surrender

407.5 ON-SCENE COMMAND RESPONSIBILITIES

Upon arrival of the Northglenn/Thornton Special Weapons and Tactics Team at the scene, the Incident Commander shall brief the SWAT Commander or his designee and team supervisors about the situation. Upon review, it will be the Incident Commander's decision, with input from the SWAT Commander, where and when resources shall be deployed into the field. Once the Incident Commander authorizes deployment, the SWAT Commander will be responsible for the tactical portion of the operation. The Incident Commander shall continue supervision of the Command Post operation, outer perimeter security and support for the Northglenn/Thornton Special Weapons and Tactics Team. The Incident Commander and the SWAT Commander or the authorized designee shall maintain communications at all times.

407.6 TELEPHONE COMMUNICATIONS

In an emergency where it is believed that an armed and barricaded suspect or a person holding a hostage is committing a crime, the supervisor may order a designated telephone company security official to cut or otherwise control telephone lines to prevent telephone communication by the armed suspect or the hostage holder with a person other than a peace officer or person authorized by law enforcement (CRS § 18-9-312).

407.6.1 REPORTING

Unless otherwise relieved by a supervisor, the initial officer at the scene is responsible for completion of reports or coordination of reports for the hostage/barricade incident.

Hostages and Barricaded Persons

407.6.2 HOSTAGE RESCUE OPERATIONS

The initial SWAT operators on scene should gather as much intelligence as possible from the officers on scene. Names and descriptions of hostages and the hostage taker are vital. It will also be important to gather information about what the motivation is behind the taking of hostages.

There are generally three types of hostage situation:

- (a) Criminal who has been caught in the act of a crime
- (b) Psychologically unstable person
- (c) Motivated by terrorism

As soon as possible an emergency reaction entry plan should be made and aired to all operators with each operator knowing his specific mission. As a general rule negotiations should be left to negotiators or trained personnel in Crisis Intervention Techniques, or other verbal tactics if possible.

Negotiations personnel shall maintain a centralized and unified command with the SWAT Command Post. Negotiators will be responsible for direct communications with any subjects involved in the incident and maintain an open line for the purpose of a peaceful resolution of the incident. Names and descriptions of hostage takers should be aired over the radio as soon as possible.

All other contingency planning must be carried out as soon as possible and aired to operators. Snipers on scene, unless ordered specifically not to engage the hostage takers will address the situation and use of deadly force if necessary operating under Colorado Revised Statute 18-1-707.

Requests for additional specialized equipment and additional tactical personnel should be considered and will be handled by personnel assigned to the Command Post. Consideration should be given to using an encrypted radio channel if available. Communications with other agencies will be done through the Command Post. Negotiations personnel shall update team operators of on-going negotiations with any subjects inside a target location or any other background information relative the success of the operation.

An evacuation of nearby structures, neighbors and onlookers may be necessary. The Team Commander will notify Team Leaders when this will take place. A written log of all evacuees including addresses and available phone numbers, including cell phone numbers, will be maintained by the Command Post. Any injured persons will be evacuated and treated immediately.

Hostage takers must not be allowed to "go mobile" in a vehicle with hostages. Operators who encounter or rescue hostages will immediately secure them, search them for weapons, and make contact with the team leader for direction on holding them in place or moving them to a safe staging location. Hostages will be given immediate medical care if necessary when safe to do so.

Response to Bomb Calls

408.1 PURPOSE AND SCOPE

These guidelines have been prepared to assist officers in their initial response to incidents involving explosives, explosive devices, suspected explosive devices, suspicious packages or explosion/bombing incidents. Under no circumstances should these guidelines be interpreted as compromising the safety of first responders or the public. When confronted with an incident involving explosives, safety shall always be the primary consideration.

408.2 FOUND EXPLOSIVES/SUSPECT DEVICES

When an officer responds to a call of a suspected explosive device, the following guidelines shall be followed:

- (a) The device should not be touched or transported to any other location.
- (b) No known or suspected explosive item should be considered safe regardless of its size or apparent packaging. The appropriate bomb squad or military explosive ordnance disposal team should be summoned for assistance.
- (c) A perimeter should be secured for a minimum of 300 feet around the location, or an otherwise safe distance depending on the surrounding physical environment and allowing for an entrance for support personnel.
- (d) As much initial information as possible should be relayed to the Shift Sergeant without touching the device, including:
 - 1. The stated threat.
 - 2. Exact comments.
 - 3. Time of discovery.
 - 4. Exact location of the device.
 - 5. Full description (e.g., size, shape, markings, construction).
- (e) Officers should consider not transmitting on any equipment that produces radio frequency energy within 300 feet.
- (f) Consideration should be given to the possibility of evacuation if a device is located within a building.
- (g) An additional perimeter should be secured around any suspected device.
- (h) Officers should consider the ingress/egress of additional support personnel, such as paramedics and fire department personnel.
- (i) A search of the area should be conducted for secondary devices or other objects that are either hazardous or foreign to the area.

Response to Bomb Calls

- (j) Explosive or military ordnance of any type should be handled only by bomb squad technicians.
- (k) When in doubt, call for assistance from the bomb squad.

408.3 EXPLOSION/BOMBING INCIDENTS

When an explosion has occurred, there are multiple considerations that may confront an officer. As in other catastrophic incidents, a rapid response will help to minimize such things as further injury to victims, contamination of the scene by gathering crowds, additional damage from resulting fires or unstable structures.

First responders need to be cognizant of the possibility of additional explosive devices placed to kill them when they respond. A rapid response to the area is preferable, however, going into the point of origin or where casualties are should be done cautiously.

Whether the explosion was the result of an accident or a criminal act, the following concerns may confront the officer:

- Injury to victims
- Existence of additional or secondary devices
- First aid
- Evacuation of victims

408.3.1 NOTIFICATIONS

When an explosion has occurred, the following people shall be notified as soon as practicable if their assistance is needed:

- (a) Fire department and/or state fire marshal
- (b) Bomb squad
- (c) Additional officers
- (d) Field supervisor
- (e) Shift Sergeant
- (f) Investigators
- (g) Forensic science services
- (h) Colorado Bureau of Investigation (CBI)
- (i) Bureau of Alcohol, Tobacco, Firearms and Explosives (BATF)

408.3.2 CROWD CONTROL

Scene access should be restricted to those with a legitimate public safety purpose.

Response to Bomb Calls

408.3.3 SCENE OF INCIDENT

As in any other crime scene, steps should immediately be taken to preserve the scene. The scene could extend over a wide area. Evidence may be imbedded in nearby structures or hanging in trees and bushes.

408.4 BOMB THREATS AT POLICE FACILITY

This procedure shall be followed should a bomb threat be received at a police facility and a search initiated for a destructive device.

408.4.1 BOMB THREATS RECEIVED BY TELEPHONE

The following questions shall be asked if a call of a bomb threat is received at a police facility:

- When is the bomb going to explode?
- When did you place the bomb?
- What would cause the bomb to explode?
- Where is the bomb?
- What kind of bomb is it?
- What does it look like?
- Why did you place the bomb?
- Where are you?
- Who are you? To avoid possible termination of the call, this should be asked after the preceding questions.

Attempt to keep the caller on the line as long as possible and obtain expanded answers to these prior questions. During this time, document the following:

- Time of the call
- Exact words of the person as accurately as possible
- Estimated age and gender of the caller
- Speech patterns and/or accents
- Background noises

If the threat is received at a police facility on a recorded line, steps should be taken to ensure that the recording is preserved in accordance with current Department evidence procedures.

408.4.2 RESPONSIBILITIES

As soon as a bomb threat has been received, the Shift Sergeant will be advised and fully informed of the details. The Shift Sergeant will then notify the staff duty officer if practical, and then direct and assign officers as required for coordinating a general building search or evacuation as deemed

Response to Bomb Calls

appropriate. The staff duty officer will be responsible for determining the best response plan for the incident.

408.5 BOMB THREATS AT PUBLIC OR PRIVATE FACILITY

This procedure shall be followed should a bomb threat occur at a private facility or another public facility and the Department is informed of the threat.

408.5.1 BOMB THREAT RESPONSE OPTIONS

The options available to the person in charge of the facility are generally:

- (a) No search and no evacuation.
- (b) Search without evacuation.
- (c) Evacuation without search.
- (d) Evacuation and search.

408.5.2 REQUEST FOR ASSISTANCE

Should the person in charge of the facility request assistance, the Shift Sergeant shall be notified and will make the decision whether the Department renders assistance and to what level. Should the information and circumstances indicate a reasonably apparent imminent threat to safety, a more active approach, including law enforcement control over the facility, may be considered.

408.5.3 EVACUATION OR SEARCH ASSISTANCE

Should the Shift Sergeant determine that the Department will assist or control a bomb threat incident, the Shift Sergeant will determine:

- (a) The level of assistance.
- (b) The plan for assistance.
- (c) Whether to evacuate and/or search.
- (d) The appropriate support necessary.

Considerations regarding the involvement of the facility staff in searching and evacuating is important. A search or evacuation can be difficult without a working familiarity of the facility. The person in charge of the facility should be made aware of the possibility of damage to the facility as a product of a search. The safety of all participants is the paramount concern, and direct searching by facility staff should be avoided if possible.

Consideration for additional support resources should include notification and response, or standby notice, for fire, medical and ambulance.

408.5.4 BOMB THREATS AT A FEDERAL BUILDING OR PROPERTY

A bomb threat incident at a federal building or property shall be reported to the Federal Protective Service (877-437-7411). The Federal Protective Service will provide a uniformed police response, which may include use of its Explosive Detector Dog Teams.

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408.5.5 RADIO TRANSMISSIONS AND OTHER RF SIGNALS

When investigating reports of possible bombs, officers should be aware that Radio Frequency (RF) signal may cause some electronic circuits attached to incendiary devices to detonate. Consideration to not using portable radio or other electronic communications devices within immediate proximity shall be considered with this specific incendiary device.

Mental Illness Commitments

409.1 PURPOSE AND SCOPE

This procedure describes an officer's duties when a person qualifies for emergency admission to mental health facilities.

409.2 AUTHORITY OF AN OFFICER

An officer who has probable cause to believe any person is likely to harm him/herself or others or is gravely disabled due to mental illness, may take the person into temporary custody and place him/her in a facility designated by the local mental health authority for evaluation and treatment (CRS § 27-65-105).

409.3 OFFICER CONSIDERATIONS AND RESPONSIBILITIES

Any officer responding to or handling a call involving a suspected mentally disabled individual or an involuntary mental illness commitment should consider utilizing the following as time and circumstances reasonably permit :

- (a) Any available information that might assist in determining the possible cause and nature of the mental illness, such as developmental disabilities, intoxication or chemical dependency.
- (b) Conflict resolution and de-escalation techniques.
- (c) Language that is appropriate for interacting with a mentally disabled persons.
- (d) If circumstances reasonably permit, alternatives to deadly force.
- (e) Any available community resources that can assist in dealing with a mentally disabled individual.
- (f) Inquiring about any advance directive document in which a person has specified his/her choice in advance about care and treatment should the person later become incapable of exercising choice.
- (g) Medical treatment and clearance should be obtained when warranted prior to transportation to the receiving mental health facility.

409.3.1 TRANSPORTATION

When transporting any individual in custody for a mental illness evaluation, and if reasonably practicable, the handling officer should have Adams County Communications Center notify the receiving facility of the estimated time of arrival, the level of cooperation of the patient and any special medical care needs of the individual that are reasonably known to the officer.

Officers may transport patients in the patrol unit and shall secure them in accordance with the handcuffing policy. Violent patients or those who are medically unstable may be restrained and transported by ambulance and ambulance personnel. An officer should accompany a violent

Mental Illness Commitments

patient when transported by ambulance. Transporting violent patients in a patrol unit equipped with a barrier or cage is generally safer with two officers in the vehicle.

The officer will escort the patient into the facility and place that person in a designated treatment room, as directed by a staff member. As soon as a security staff member becomes available, he/she should relieve the officer and physically remain in the treatment room with the patient.

409.3.2 RESTRAINTS

If the patient is violent or potentially violent, the officer will notify the staff. The staff member in charge will have discretion as to whether soft restraints will be used. If these restraints are desired, the officer will wait while they are being applied to help provide physical control of the patient, if needed.

409.3.3 WRITTEN DOCUMENTATION

The officer shall complete the emergency mental illness report and application (M-1 form) for involuntary mental health holds and provide it to the ambulance personnel. The officer will retain a copy of the M-1 form for inclusion in the case report, and will complete the C.I.T. form if certified.

The officer shall also provide a verbal summary to the ambulance personnel regarding the circumstances leading to the involuntary detention.

409.4 MENTALLY ILL PERSON CHARGED WITH A CRIME

Any person charged with a felony crime who also appears to be mentally ill should be transported to the authorized county jail facility for criminal confinement and treatment (CRS § 27-65-125). The shift supervisor should approve any release to the hospital on summons or pending charges.

If the person has injuries or some other medical condition, he/she may be taken directly to the hospital for initial medical treatment with the approval of a supervisor. After medical clearance is received, the person may be booked at the Northglenn jail, and then transported to the authorized county jail facility for criminal confinement and mental illness treatment.

409.5 SAFEKEEPING OF FIREARMS AND OTHER WEAPONS

Whenever a person has been detained or taken into custody for mental illness evaluation and is found to have in his/her possession or under his/her immediate control, any firearm or other deadly weapon, the firearm or other deadly weapon shall be confiscated by the handling officer. The firearm or other deadly weapon shall be booked into evidence for safekeeping until further processing and release.

If consent is not given to take any deadly weapons, officers are cautioned that a search warrant may be needed before entering a residence to search for any deadly weapons, unless lawful, warrantless entry has already been made (e.g., exigent circumstances, valid consent).

The handling officer shall further advise the person of the procedure for the return of any firearm or other lethal weapon that has been taken into custody.

Mental Illness Commitments

409.5.1 RETURN OF FIREARMS AND WEAPONS

- (a) Whenever the handling officer has cause to believe that the return of any weapon taken into custody might endanger the person or others, the officer shall detail those facts and circumstances in a report.
- (b) The report shall be forwarded to the Investigative Support Unit which shall be responsible for initiating a petition to the District Court through the City Attorney for a hearing to determine whether the weapon will be returned.
- (c) If no petition is initiated within the above period, the Department shall make the weapon available for return in accordance with subsection (d) below. If the person does not confirm a desire for a hearing within the prescribed 30 days, the Department may file a petition for an order of default.
- (d) Under no circumstances shall any firearm be returned to any individual unless and until such person presents valid identification and satisfactory evidence of ownership, or authorization by the owner is established.
- (e) A firearm may not be released until it has been verified that the person receiving the weapon, who may or may not be its owner, is not prohibited from receiving or possessing the weapon by 18 USC § 922 (d) or CRS § 18-12-108.
- (f) In no case in which a firearm or other deadly weapon is not retained as evidence shall the Department be required to retain such firearms or other deadly weapon longer than 180 days after notice has been provided to the owner that such firearm or other deadly weapon is available for return. At the expiration of such period, the firearm or other deadly weapon may be processed for disposal.

409.6 TRAINING

As part of advanced officer training programs, this agency will endeavor to send officers Crisis Intervention Teams (C.I.T.) training.

Citation/Summons and Release Policy

410.1 PURPOSE AND SCOPE

State law permits law enforcement agencies to use citation/summons release or a penalty assessment notice procedure in lieu of taking a person into custody and before a judge for traffic, misdemeanor or petty offenses, with certain exceptions.

410.2 STATUTORY REQUIREMENTS

This department authorizes citation releases for certain traffic, misdemeanor or petty offenses. Release by citation with a promise to appear can be accomplished by issuing a notice to appear from a citation book or an electronic device (CRS § 16-3-105 and CRS § 42-4-1707).

In addition, for a Class 2 petty offense and parking violations, an officer may give the offender a penalty assessment notice and release the offender upon its terms (CRS § 16-2-201). The penalty assessment notice is required to be a summons and complaint containing:

- (a) The identification of the alleged offender, or vehicle in the case of parking violations.
- (b) Specifications of the offense and applicable fine.
- (c) A requirement that the offender pay the fine or appear to answer the charge at a specified time and place.
- (d) Other details that are reasonably necessary to meet the requirements of law.

410.2.1 DISCRETION TO ARREST

While this department recognizes the statutory power of peace officers to make arrests throughout the state, officers are encouraged to use sound discretion in the enforcement of the law. On-duty arrests will not generally be made outside the jurisdiction of this department, except in cases of hot or fresh pursuit, while following up on crimes committed within the City, when acting under a joint powers agreement or mutual aid agreement, or while assisting another agency. On-duty officers who discover criminal activity outside the jurisdiction of the City should, when circumstances reasonably permit, consider contacting the agency having primary jurisdiction before attempting an arrest.

Officers are authorized to use verbal or written warnings in lieu of arrest or citation to resolve minor traffic and criminal violations when appropriate.

Off-duty officers observing criminal activity should generally take enforcement action only when it reasonably appears that imminent risk to life or substantial loss of property exists and the reasonable opportunity does not exist to contact the law enforcement agency with primary jurisdiction. In such situations, the involved officer shall clearly identify him/herself as a police officer, if practical.

410.3 DEPARTMENT PROCEDURE

The following procedure will be followed to comply with the law.

Citation/Summons and Release Policy

410.3.1 FIELD CITATIONS

Upon obtaining satisfactory identification and verifying that there are no outstanding warrants for the individual, officers may issue citations for misdemeanors whom the officer reasonably believes the offender will appear in court. Consideration should include FTA history, local address, and other ties to the community. The officer may also release subjects who were taken into custody on a private person's arrest whenever appropriate (CRS § 16-3-105 and CRS § 42-4-1707).

410.3.2 JAIL RELEASE

In certain cases the decision to release a person arrested for a felony offense after booking for further investigative reasons is appropriate. The officer who made the arrest is responsible for getting approval of the shift supervisor prior to releasing felony arrestees pending charges.

In certain cases, it may be impracticable to release a person arrested for misdemeanor offenses in the field. The person arrested may instead be released after booking at the jail.

Any person arrested for a misdemeanor offense can be released on his/her written promise to appear after the booking procedure is completed, unless the person is disqualified for other reasons listed below.

410.3.3 DISQUALIFYING CIRCUMSTANCES

A person arrested for a misdemeanor shall be released on a notice to appear unless one of the following situations is present:

- (a) There is a reasonable likelihood that the offense or offenses would continue or resume or that the safety of persons or property would be imminently endangered by the release of the person arrested.
- (b) There is reason to believe that the person would not appear at the time and place specified in the notice to appear. The basis for this determination shall be specifically stated (CRS § 16-3-105(1)(b)).
- (c) The person does not have adequate proof of identification to verify their identity to be issued a citation.
- (d) The crime involves domestic violence (CRS § 16-3-105(1.5)).
- (e) The crime involves violence or dangerous weapons/firearms.

410.3.4 PENALTY ASSESSMENTS

A decision to use the penalty assessment procedure shall be based upon circumstances which reasonably persuade the officer that the offender is likely or unlikely to comply with the terms of the penalty assessment notice (CRS § 16-2-201(1)).

410.4 JUVENILE CITATIONS

Completion of citations for juveniles is generally only appropriate for misdemeanor traffic violations and minor misdemeanor ordinance violations.

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Citation/Summons and Release Policy

All misdemeanor violations for juveniles shall be documented with a case number. Cases not closed by citation should be referred to the Investigative Support Unit, if necessary, for further investigation and diversion or forwarded to the prosecutor.

Diplomatic and Consular Contacts

411.1 PURPOSE AND SCOPE

The Vienna Convention on Consular Relations sets forth certain rights of foreign nationals from member countries when they are arrested, detained or imprisoned by law enforcement officials in this country. This policy provides direction to officers when considering a physical arrest or detention of a foreign national. All foreign service personnel shall be treated with respect and courtesy, regardless of the level of established immunity. As noted herein, the United States is a party to several bilateral agreements that obligate authorities to notify the consulate upon the person's detention, regardless of whether the detained person requests that his/her consulate be notified. The list of specific countries that the United States is obligated to notify can be found on the U.S. Department of State (DOS) website, <http://www.travel.state.gov>.

411.1.1 DEFINITIONS

Definitions related to this policy include:

Foreign national - Anyone who is not a citizen of the United States. A person with dual U.S. and foreign citizenship is not a foreign national.

Immunity- Refers to various protections and privileges extended to the employees of foreign governments who are present in the U.S. as official representatives of their home governments. These privileges are embodied in international law and are intended to ensure the efficient and effective performance of their official missions (i.e., embassies and consulates) in foreign countries. Proper respect for the immunity to which an individual is entitled is necessary to ensure that U.S. diplomatic relations are not jeopardized and to maintain reciprocal treatment of U.S. personnel abroad.

Although immunity may preclude U.S. courts from exercising jurisdiction, it is not intended to excuse unlawful activity. It is the policy of the DOS Office of Foreign Missions (OFM) that illegal acts by foreign service personnel should always be pursued through proper channels. The host country's right to protect its citizens supersedes immunity privileges. Peace officers may intervene to the extent necessary to prevent the endangerment of public safety or the commission of a serious crime, regardless of immunity claims.

411.2 ARREST OR DETENTION OF FOREIGN NATIONALS

Officers should take appropriate enforcement action for all violations observed, regardless of claims of diplomatic or consular immunity by violators. A person shall not, however, be subjected to in-custody arrest when diplomatic or consular immunity is claimed by the individual or suspected by the officer, and the officer has verified or reasonably suspects that the claim of immunity is valid.

411.3 LEVELS OF IMMUNITY

The specific degree of immunity afforded to foreign service personnel within the U.S. is directly related to their function and position in this country.

Diplomatic and Consular Contacts

411.3.1 DIPLOMATIC AGENTS

Diplomatic agents (e.g., ambassadors and United Nations representatives) are afforded the highest levels of immunity. They are exempt from arrest or detention and are immune from all criminal (and most civil) prosecution by the host state. The family members of diplomatic agents enjoy these same immunities.

411.3.2 CONSULAR OFFICERS

Consular officers are the ranking members of consular posts, who perform various formal functions on behalf of their own governments. Typical titles include consul general, consul and vice consul. These officials are immune from arrest or detention, except pursuant to a felony warrant. They are only immune from criminal and civil prosecution arising from official acts. Official acts immunity must be raised as an affirmative defense in the court of jurisdiction, and its validity determined by the court. Under this defense, the prohibited act itself must have been performed as an official function. It is not sufficient that the consular agent was on-duty or in an official capacity at the time of the violation. The family members of consular officers generally enjoy no immunity. However, any family member who has a higher level of immunity is issued an identification card by DOS enumerating any privileges or immunities on the back of the card. Examples are consular officers and family members from Russia or China.

411.3.3 HONORARY CONSULS

Honorary consuls are part-time employees of the country they represent and are either permanent residents of the U.S. or U.S. nationals (unlike career consular officers, who are foreign nationals on temporary assignment to the U.S.). Honorary consuls may be arrested and detained. Limited immunity for official acts may be available as a subsequent defense. Family members have no immunity.

411.4 IDENTIFICATION

All diplomatic and consular personnel who are entitled to immunity are registered and issued distinctive identification cards by the DOS Protocol Office. These cards are the best means of identifying Foreign Service personnel. They include a photograph, identifying information, and on the reverse side, a brief description of the bearer's immunity status. These identification cards are not always promptly issued by DOS. In addition to the DOS identification card, Foreign Service personnel should have a driver's license issued by the DOS Diplomatic Motor Vehicle Office (DMVO), which in most circumstances replaces the operator's license issued by the state (22 USC § 4301).

411.4.1 VEHICLE REGISTRATION

Vehicles that are owned by foreign missions or Foreign Service personnel and their dependents are registered with DOS OFM, and display distinctive red, white and blue license plates. Vehicles assigned to diplomatic or consular officers will generally have license plates labels with the words "diplomat" or "consul." Vehicles owned by honorary consuls are not issued OFM license plates but may have Colorado license plates with an "honorary consul" label. A driver's identity or immunity status should not be presumed from the type of license plates displayed on the vehicle. The status

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of an OFM license plate should be run via the National Law Enforcement Telecommunications System (NLETS), designating "U.S." as the state, if the officer has reason to question the legitimate possession of the license plate.

411.5 ENFORCEMENT PROCEDURES

The following procedures provide a guideline for handling enforcement of foreign nationals.

411.5.1 CITABLE OFFENSES

An enforcement document shall be issued at the scene for all violations warranting such action, regardless of the violator's immunity status. The issuance of a citation is not considered an arrest or detention under current DOS guidelines. Whenever the equivalent of a notice to appear is issued to an immunity claimant, the following additional procedures shall be followed by the issuing officer:

- (a) Identification documents are to be requested of the claimant.
- (b) The title and country represented by the claimant are to be recorded on the back of the officer's copy of the notice to appear for later reference. Do not include this information on the face of the notice to appear.
- (c) Verified diplomatic agents and consular officers, including the staff and family members from countries with which the U.S. has special agreements, are not required to sign the notice to appear.
- (d) Claimants other than verified diplomatic agents and consular officers shall be requested to sign the notice to appear.
- (e) All other claimants are subject to the provisions of policy and procedures outlined here.
- (f) The violator shall be provided with the appropriate copy of the notice to appear.

411.5.2 IN-CUSTODY ARRESTS

Diplomatic agents and consular officers are immune from arrest or detention unless they have no identification and the detention is to verify their diplomatic status. Proper identification of immunity claimants is imperative in potential in-custody situations. Claimants who are not entitled to immunity shall be placed in custody in accordance with the provisions outlined in this policy.

A subject who is placed under arrest and claims diplomatic or consular immunity shall not be physically restrained before verification of the claim, unless restraint is necessary for the protection of the officer or others. A supervisor shall be promptly notified and should respond to the scene when reasonably possible. Field verification of the claimant's identity is to be attempted as follows:

- (a) An identification card issued by the DOS Protocol Office is the only valid evidence of diplomatic or consular immunity. The following types of identification cards are issued: Diplomatic (blue bordered), Consular (red bordered) and Official (green bordered). The DOS identification cards are 3-3/4 inch by 1-1/2 inch and contain a photograph of the bearer.

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- (b) Newly arrived members of diplomatic or consular missions may not yet have official DOS identity documents. Verify immunity by telephone with the DOS any time an individual claims immunity and cannot present satisfactory identification, if the officer has reason to doubt the claim of immunity, or there is a possibility of physical arrest. Department personnel should use the following numbers in order of preference:

Office of Foreign Missions Chicago, IL (312) 353-5762 (0800-1645 CST)	
Office of Foreign Missions Diplomatic Motor Vehicle Office Washington D.C. (202) 895-3521 (Driver's License Verification) or (202) 895-3532 (Registration Verification) (202) 895-3533 FAX (0815-1700 EST)	Department of State Diplomatic Security Service Command Center Washington D.C. (202) 647-7277 (202) 647-1512 (Available 24 hours) (202) 647-0122 FAX

Members of diplomatic or consular missions also may have other forms of identification. These include identification cards issued by the Colorado Consular Corps, local law enforcement agencies, the foreign embassy or consulate, a driver's license issued by DOS, and DOS license indicia on the vehicle. All these items are only an indication that the bearer may have some form of immunity.

Subjects verified through the above procedures as being officials entitled to immunity (diplomatic agent, consular officers and consular staff and family members from countries with which the U.S. has special agreements) may not be arrested. The procedures below shall be followed. These procedures should also be used in the event immunity cannot be verified but another form of identification indicates that immunity is probable.

If the release of the violator will not create an additional hazard, adequate information to properly identify the violator shall be obtained before the official is released. A supervisor's approval for the release shall be obtained whenever reasonably possible. The necessary release documents and/or a Certificate of Release Form should only be issued under the proper conditions.

If the violator appears to have been driving while under the influence, field sobriety tests, including Preliminary Alcohol Screening (PAS) device tests and chemical tests should be offered and obtained whenever reasonably possible. However, these tests cannot be compelled. The subject

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shall not be permitted to drive. A supervisor's approval for release shall be obtained whenever reasonably possible and alternative transportation should be arranged.

All facts of the incident shall be documented in accordance with this policy in a Driving Under the Influence (DUI) Arrest - Investigation Report, and/or any other relevant report form. Notwithstanding the field release of the subject, prosecution is still appropriate and should be pursued if the violator is either stopped or issued a notice to appear for a violation while operating a motor vehicle. The officer shall either complete a notice to appear or a written report documenting the incident.

This department shall then contact DOS as soon as practicable to verify the violator's status and immunity. Within five working days of the stop, this department shall send to the Bureau of Diplomatic Security, OFM of the DOS, a copy of the notice to appear and any accident or other written report documenting the incident. The DOS will take appropriate sanctions against errant Foreign Service personnel, even where prosecution is not undertaken by the Department.

411.6 TRAFFIC COLLISIONS

The actual driver's license class (e.g., 1, 2, 3, or A, B, C, M) shall be entered in the narrative box on page two of the traffic report. If subsequent prosecution of the claimant is anticipated, the claimant's title, country and type of identification presented should be recorded for future reference. Issuance of a citation to, or arrest of, an immunity claimant at the accident scene should be handled in accordance with the procedures specified in this policy.

411.6.1 VEHICLES

Vehicles which are owned by subjects with full immunity may not be searched, stored or impounded without the owner's permission. Such permission may be assumed if the vehicle has been stolen. These vehicles may, however, be towed the necessary distance to remove them from obstructing traffic or creating any other hazard.

411.6.2 REPORTS

A photocopy of each Traffic Accident Report involving an identified diplomat and/or immunity claimant shall be forwarded to the office of the Chief of Police within 48 hours, regardless of whether the claim is verified. The words "Immunity Claim" shall be marked on the photocopy, together with a notation of the claimant's title, country and type of identification presented, if applicable. In addition to the report, a follow-up cover memorandum should be submitted if the violation was flagrant, if the claimant was uncooperative, or if there were any other unusual aspects of the enforcement contact that should be reported to DOS for further action. The Shift Sergeant/supervisor apprised of the incident/collision shall also send a copy of all documents and reports submitted by the investigating officer, along with any supervisor's notes, materials and/or logs, to the Chief of Police's office within 48 hours of the incident. The Chief of Police's office will check to ensure the notification of DOS and all necessary follow-up occurs.

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411.7 FOREIGN NATIONALS WHO DO NOT CLAIM IMMUNITY

These policies and procedures apply to foreign nationals who do not claim diplomatic or consular immunity.

Officers shall arrest foreign nationals only under the following circumstances:

- (a) There is a valid warrant issued for the person's arrest.
- (b) There is probable cause to believe that the foreign national has violated a federal criminal law, a state law or a local ordinance.
- (c) Officers shall not arrest foreign nationals solely for alleged undocumented entry into the U.S. unless the undocumented entry is committed in the officer's presence.

After a lawful detention or criminal arrest, officers may detain foreign nationals solely for alleged undocumented presence in the U.S. if the U.S. Immigration and Customs Enforcement (ICE) is contacted and can respond to take custody within a reasonable time. Officers shall not arrest foreign nationals for undocumented presence. Federal courts have consistently held that undocumented presence is not a crime but a federal civil violation only enforceable by federal officers.

- Officers shall not stop or detain persons solely for determining immigration status.
- International treaty obligations provide for notification of foreign governments when foreign nationals are arrested or otherwise detained in the U.S.
- Whenever an officer arrests and incarcerates a foreign national or detains a foreign national for investigation for over two hours, the officer shall promptly advise the individual that he/she is entitled to have his/her government notified of the arrest or detention. If the individual wants his/her government notified, the officer shall begin the notification process.

411.7.1 ARREST PROCEDURE

Whenever an officer physically arrests or detains an individual for criminal investigation and the officer reasonably believes the person to be a foreign national, the officer shall inquire to determine the person's citizenship.

If the individual indicates that he/she is other than a U.S. citizen, the officer shall advise the individual that he/she has a right to have the nearest appropriate embassy or consulate notified of the arrest/detention (Vienna Convention on Consular Relations, Art. 36, (1969)).

If the individual requests such notification, the officer shall contact Adams County Communications Center as soon as practicable and request the appropriate embassy/consulate be notified. Officers shall provide Adams County Communications Center with the following information concerning the individual:

- Country of citizenship
- Full name of the individual, including paternal and maternal surname, if used

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- Date of birth or age
- Current residence
- Time, date, place, location of incarceration/detention and the 24-hour telephone number of the place of detention, if the place of detention is different from the Department itself

If the individual claims citizenship of one of the countries for which notification of the consulate/embassy is mandatory, officers shall provide Adams County Communications Center with the information above as soon as practicable, regardless of whether the individual desires that the embassy/consulate be notified. This procedure is critical because of treaty obligations with the particular countries. The list of countries and jurisdictions that require notification can be found on the DOS website, <http://www.travel.state.gov>.

411.7.2 NOTIFICATION OF IMMIGRATION AND CUSTOMS ENFORCEMENT

An officer who has probable cause to believe that an arrestee is not legally present in the United States shall report such arrestee to ICE if the arrestee is not being held at a detention facility. If the arrestee is held at a detention facility, the arresting officer shall promptly notify the receiving officials when the arrestee is suspected of not being legally present in the United States (CRS § 29-29-103 (2)(a)(I)).

Officers are not required to make the above report to ICE when the person was arrested for domestic violence as defined by CRS § 18-6-800.3 (CRS § 29-29-103(2)(a)(II)).

411.7.3 DOCUMENTATION

Officers shall document on the face page and in the narrative of the appropriate arrest or investigation report the date and time Adams County Communications Center was notified of the foreign national's arrest/detention and his/her claimed nationality.

411.7.4 REPORTING

The Northglenn Police Department shall annually report to the legislative council of the general assembly on or before March 1 of each year the number of arrests reported to ICE (CRS § 29-29-103(b)).

Rapid And Immediate Deployment (RAID)

412.1 PURPOSE AND SCOPE

Violence in schools, workplaces and other locations by any individual or group of individuals presents a difficult situation for law enforcement. The purpose of this policy is to identify guidelines and factors that will assist officers in implementing rapid and immediate deployment (RAID) of Law Enforcement Resources.

412.2 POLICY

The policy of this department in dealing with a crisis situation shall be:

- (a) **CONTROL:** To obtain and maintain complete operative control of the incident.
- (b) **INTEL:** To explore every reasonably available source of intelligence regarding the circumstances, location and suspect in the incident.
- (c) **TACTICAL:** To attempt, by every means available, to attain any tactical advantage over the responsible individual.
- (d) **SURRENDER:** To attempt, whenever practicable, a negotiated surrender of the suspect and release of the hostages through the expertise of the members of this department and others.
- (e) **FORCE:** Nothing in this policy shall preclude the use of necessary force, deadly or otherwise, by members of this department in protecting themselves or others from death or injury.

412.3 PROCEDURE

When violent acts by the suspect(s) continue or lives are in imminent danger, a decision to advance on the suspect may be made by the officer(s) at the scene. This decision should include the following considerations:

- (a) It is highly recommended that any advance on a suspect(s) be made in teams of two or more officers. However, if an officer is alone, it is within his/her discretion whether to advance, (RAID).
- (b) The development and implementation of immediate and planned tactics and communicating the plan to others in the field, Adams County Communications Center and the supervisor.
- (c) The potential deployment of rifles, shotguns, shields, control devices and any other appropriate tools that will provide tactical advantage.

412.3.1 DECISION TO ADVANCE ON A SUSPECT

On-scene first responders shall make the decision whether to advance on the suspect. The multitude of variables in such a circumstance requires a rapid assessment of the situation and a

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decision as to the best tactics to implement and the timely action necessary to resolve the incident. The following factors individually and collectively should be considered in deciding whether to advance on a suspect:

- (a) The suspect's actions are or may be causing death or serious bodily injury.
- (b) The incident is not contained and there continues to be an immediate risk of death or serious injury to law enforcement and others.
- (c) The suspect is in a position of advantage (e.g. barricaded in a room or building) or is in a position of ambush.
- (d) The suspect is armed and has displayed or threatened violence.
- (e) A hostage situation exists.
- (f) The suspect refuses to submit to arrest.

Examples of circumstances and possible decisions may include the following:

- If there is a barricaded suspect with no hostages, the officer should wait for additional assistance, including possible SWAT response, unless the incident is resolved in a timely manner.
- If there is a barricaded suspect with hostages and no harm done to the hostages, the officer should wait for additional assistance or SWAT response.
- If a suspect is actively engaged in the infliction of serious bodily harm or other life-threatening activity that may result in death to hostages or innocent victims in the area, the officer should take immediate action, if reasonably possible, to stop the threat presented by the suspect, while calling for additional assistance.

Immigration Violations

413.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines to employees of the Northglenn Police Department in reporting, investigating and enforcing immigration laws. It is incumbent upon all employees of this department to make a personal commitment to equal enforcement of the law and equal service to the public. Confidence in this commitment will increase the effectiveness of the Department in protecting and serving the entire community and recognizing the dignity of all persons, regardless of their immigration status.

413.2 NORTHGLENN POLICE DEPARTMENT IMMIGRATION VIOLATION POLICY

The U.S. Immigration and Customs Enforcement (ICE) has primary jurisdiction for enforcement of the provisions of Title 8, United States Code (USC) dealing with illegal entry. When assisting ICE at its specific request, or when suspected criminal violations are discovered as a result of inquiry or investigation based on probable cause originating from activities other than the isolated violations of Title 8, USC §§ 1304, 1324, 1325 and 1326, this department may assist in the enforcement of federal immigration laws.

413.3 PROCEDURES FOR IMMIGRATION COMPLAINTS

Persons wishing to report immigration violations should be referred to the local office of ICE. The Employer Sanction Unit of ICE has primary jurisdiction for enforcement of Title 8, USC.

413.3.1 SWEEPS

The Northglenn Police Department does not independently conduct sweeps or other concentrated efforts to detain suspected undocumented illegal immigrants.

When enforcement efforts are increased in a particular area, equal consideration should be given to all suspected violations and not just those affecting a particular race, ethnicity, age, gender, sexual orientation, religion, socioeconomic status or other group.

The disposition of each contact (e.g., warning, citation or arrest), while discretionary in each case, should not be affected by such factors as race, ethnicity, age, gender, sexual orientation, religion or socioeconomic status.

413.3.2 ICE REQUEST FOR ASSISTANCE

Officers have a duty to cooperate with state and federal officials with regard to enforcement of state and federal laws regarding immigration (CRS § 29-29-103(b)).

If a specific request is made by ICE or any other federal agency, this department will provide available support services, such as traffic control or peacekeeping efforts, during the federal operation.

If an individual would have otherwise been released for an infraction or misdemeanor on a citation, the person should be taken to the station and given a reasonable opportunity to verify his/her

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true identity (e.g., telephone calls). If the person's identity is thereafter reasonably established, the original citation release should be completed without consideration of immigration status.

413.3.3 IDENTIFICATION

Whenever an individual is reasonably suspected of a criminal violation (e.g., infraction, misdemeanor or felony), the investigating officer should take reasonable steps to determine the individual's identity through valid identification or other reliable sources. If an individual would have otherwise been released for an infraction or misdemeanor on a citation, the person should be taken to the station and be given a reasonable opportunity to verify his/her true identity (e.g., telephone calls). If the person's identity is thereafter reasonably established, the original citation release should be completed without consideration of immigration status.

413.3.4 ARRESTS

If the officer intends to take enforcement action and the individual is unable to reasonably establish his/her true identity, the officer may take the person into custody on the suspected criminal violation if there is a substantial likelihood that the individual will not show up at a later date.

413.3.5 BOOKING

If there is a substantial likelihood that a person will not show up at a later date because he/she cannot reasonably establish his/her true identity, the individual may be booked into jail for the suspected criminal violation and held for bail.

413.3.6 DETENTION

A person detained exclusively for a traffic violation or misdemeanor should not be detained longer than necessary for the purpose of establishing his/her true identity.

413.3.7 NOTIFICATION OF IMMIGRATION AND CUSTOMS ENFORCEMENT

An officer who has probable cause to believe that an arrestee is not legally present in the United States shall report such arrestee to ICE if the arrestee is not being held at a detention facility. If the arrestee is held at a detention facility, the arresting officer shall promptly notify the receiving custody officials when the arrestee is suspected of not being legally present in the United States (CRS § 29-29-103(2)(a)(I)).

Officers are not required to make the above report to ICE when the person was arrested for domestic violence as defined by CRS § 18-6-800.3 (CRS § 29-29-103(b)).

413.4 CONSIDERATIONS PRIOR TO REPORTING TO ICE

The Northglenn Police Department is concerned for the safety of local citizens and thus detection of criminal behavior is of primary interest in dealing with any persons. The decision to arrest shall be based upon those factors which establish probable cause and not on arbitrary aspects. Race, ethnicity, age, gender, sexual orientation, religion and socioeconomic status alone are of no bearing on the decision to arrest.

All individuals, regardless of their immigration status, must feel secure that contacting law enforcement will not make them vulnerable to deportation. Members of this Department should not

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attempt to determine the immigration status of crime victims and witnesses or take enforcement action against them absent exigent circumstances or reasonable cause to believe that a crime victim or witness is involved in violating criminal laws. Generally, if an officer suspects that a victim or witness is an undocumented immigrant, the officer need not report the person to ICE unless circumstances indicate such reporting is reasonably necessary.

Nothing in this policy is intended to restrict officers from exchanging legitimate law enforcement information or otherwise abrogate the duty to cooperate with federal, state or local government entities (8 USC §1373, 8 USC § 1644, CRS § 29-29-103 (2)(a) and CRS § 29-29-103(b)).

413.4.1 U-VISA/T-VISA NON-IMMIGRANT STATUS

Under certain circumstances, federal law allows temporary immigration benefits to victims and witnesses of certain qualifying crimes (8 USC § 1101(a)(15)(U and T)). A declaration/certification for a U-Visa/T-Visa from the U.S. Citizenship and Immigration Services may be completed on the appropriate U.S. Department of Homeland Security (DHS) Form supplements (I-918 or I-914) by law enforcement and must include information on how the individual can assist in a criminal investigation or prosecution in order for a U-Visa/T-Visa to be issued.

Any request for assistance in applying for U-Visa/T-Visa status should be forwarded in a timely manner to the Investigative Support Unit supervisor assigned to supervise the handling of any related case. The Investigative Support Unit supervisor should do the following:

- (a) Consult with the assigned detective to determine the current status of any related case and whether further documentation is warranted.
- (b) Review the instructions for completing the declaration/certification if necessary. Instructions for completing Form I-918/I-914 may be found on the U.S. DHS website.
- (c) Contact the appropriate prosecutor assigned to the case, if applicable, to ensure the declaration/certification has not already been completed and whether a declaration/certification is warranted.
- (d) Address the request and complete the declaration/certification, if appropriate, in a timely manner.
- (e) Ensure that any decision to complete or not complete the form is documented in the case file and forwarded to the appropriate prosecutor. Include a copy of any completed certification in the case file.

413.4.2 DOCUMENTATION

All arrests shall be thoroughly documented. Officers who have probable cause to believe that an arrestee for a criminal offense is not legally in the United States shall report the information to the U.S. Immigration and Customs Enforcement Office (ICE) via the appropriate NCIC query. Officers shall report arrests of illegally present arrestees when the arrestee is actually taken into physical custody and charged with a municipal, state, or federal crime. Officers are not required to report arrestees triggered by day-to-day encounters or on routine traffic stops. The records supervisor

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shall make an annual report to Chief of Police, the Northglenn City Council and to the Legislative Council of the Colorado General Assembly about the number of reports that were made to ICE.

Emergency Utility Service

414.1 PURPOSE AND SCOPE

The City Public Works Department has personnel available to handle emergency calls 24 hours a day, seven days a week. Calls for service during non-business hours are frequently directed to the Police Department. Requests for such service received by this department should be handled in the following manner:

414.1.1 BROKEN WATER LINES

The City's responsibility ends at the water meter. Any break or malfunction in the water system from the water meter to the citizen's residence or business is the customer's responsibility. Public Works can only turn off the valve at the meter. The citizen can normally accomplish this.

If a break occurs on the City side of the meter, emergency personnel should be called as soon as practicable the on-duty Records Section personnel.

414.1.2 ELECTRICAL LINES

City Public Works does not maintain electrical lines to street light poles. When a power line poses a hazard, an officer should be dispatched to protect against personal injury or property damage that might be caused by power lines. The electric company or Public Works should be promptly notified, as appropriate.

414.1.3 RESERVOIRS, PUMPS AND WELLS

Public Works maintains the reservoirs and public water equipment, as well as several underpass and other street drainage pumps. In the event of flooding or equipment malfunctions, emergency personnel should be contacted as soon as possible.

414.1.4 EMERGENCY NUMBERS

A current list of emergency personnel who are to be called for municipal utility emergencies will be maintained by on-duty personnel at the city water treatment plant.

414.2 TRAFFIC SIGNAL MAINTENANCE

The City of Northglenn contracts with a private company to furnish maintenance for all traffic signals within the City, other than those maintained by the Colorado Department of Transportation (CDOT).

414.2.1 OFFICER'S RESPONSIBILITIES

Upon observing a damaged or malfunctioning signal, the officer will advise the on-duty Records Section personnel of the location and problem with the signal. The Records Section should make the necessary notification to the proper maintenance agency.

Field Training Officer Program

415.1 PURPOSE AND SCOPE

The Field Training Officer (FTO) Program is intended to provide a standardized program to facilitate the officer's transition from the academic setting to the actual performance of general law enforcement duties of the Northglenn Police Department.

It is the policy of this department to assign all new police officers to a structured FTO Program that is designed to prepare the new officer to perform in a patrol assignment and to acquire all of the skills needed to operate in a safe, productive and professional manner.

415.2 FIELD TRAINING OFFICER

The FTO is an experienced officer trained in the art of supervising, training and evaluating entry level and lateral police officers in the application of their previously acquired knowledge and skills.

415.2.1 SELECTION PROCESS

FTOs will be selected based on the following requirements:

- (a) Desire to be an FTO.
- (b) Minimum of three years of patrol experience with this department.
- (c) Demonstrated ability as a positive role model.
- (d) Participate and pass an internal written exam and oral interview selection process.
- (e) Recommendation by supervisor.
- (f) Must be in good standing within the Police Department and have a rating of Standard or above on last performance evaluation.
- (g) Possess a Colorado Peace Officer Standards and Training (POST) Basic Certificate.

415.2.2 TRAINING

An officer selected as an FTO shall successfully complete an FTO course approved by the Department prior to being assigned as an FTO.

415.3 FIELD TRAINING OFFICER PROGRAM SUPERVISOR

The FTO Program supervisor will be selected from the rank of sergeant or above by the Patrol Division Commander or the authorized designee and shall complete a Field Training Administrator's Course approved by the Department within one year of appointment to this position.

The responsibilities of the FTO Program supervisor includes the following:

- (a) Assign trainees to FTOs.
- (b) Conduct FTO meetings.

Field Training Officer Program

- (c) Maintain and ensure FTO/trainee performance evaluations are completed.
- (d) Maintain, update and issue the Field Training Manual to each trainee.
- (e) Monitor individual FTO performance.
- (f) Monitor the overall FTO Program.
- (g) Maintain liaison with academy staff on recruit performance during the academy.
- (h) The FTO program supervisor will review and approve the Daily Trainee Performance Evaluations submitted by the FTOs.
- (i) The FTO program supervisor will hold periodic meetings with all FTOs to ensure understanding and compliance with the requirements of the Field Training Program. At least annually, the FTO program supervisor will hold a process review meeting with all FTOs to discuss changes needed in the FTO Program. A summary of this meeting, with any recommendations or changes made, will be documented and forwarded to the Chief of Police thru the Patrol Division Commander for review and approval.

415.4 TRAINEE DEFINED

Trainee - Any entry level or lateral police officer newly appointed to the Northglenn Police Department, who has successfully completed a POST-approved basic academy and possesses a Colorado POST Basic Certificate within one year of commencing employment as a peace officer.

415.5 REQUIRED TRAINING

Entry level officers shall be required to successfully complete the Field Training Program.

The required training will take place on at least two different shifts and with at least two different FTOs if reasonably possible.

415.5.1 FIELD TRAINING MANUAL

Each new officer will be issued a Field Training Manual at the beginning of his/her Primary Training Phase. This manual is an outline of the subject matter and skills necessary to properly function as an officer with the Northglenn Police Department. The officer shall become knowledgeable of the subject matter as outlined. He/she shall also become proficient with those skills as set forth in the manual.

The Field Training Manual will specifically cover those policies, procedures, rules and regulations of the Northglenn Police Department.

415.6 EVALUATIONS

Evaluations are an important component of the training process and shall be completed as outlined below.

Field Training Officer Program

415.6.1 FIELD TRAINING OFFICER

- (a) FTOs shall complete and submit a written evaluation on the performance of their assigned trainee on a daily basis.
- (b) FTOs shall review the Daily Trainee Performance Evaluations with the trainee each day.
- (c) A detailed end-of-phase performance evaluation on the assigned trainee shall be completed by the FTO at the end of each phase of training.
- (d) FTOs shall be responsible for signing off on all completed topics contained in the Field Training Manual, noting the method of learning and evaluating the performance of the assigned trainee.

415.7 DOCUMENTATION

All documentation of the Field Training Program will be retained in the officer's training files and will consist of the following:

- (a) Daily Trainee Performance Evaluations (Electronically)
- (b) End of phase evaluations
- (c) A Certificate of Completion, certifying that the trainee has successfully completed the required number of hours of field training

Obtaining Air Support Assistance

416.1 PURPOSE AND SCOPE

The use of air support can be invaluable in certain situations. This policy specifies potential situations where the use of air support may be requested and the responsibilities for making a request.

416.2 REQUEST FOR AIR SUPPORT ASSISTANCE

If a supervisor or officer in charge of an incident determines that the use of air support would be beneficial, a request to obtain air support assistance may be made to the appropriate agency. There are significant costs associated with the use of air support, and only a member of the Command Staff, or his designee, may authorize the use of Air Support by another agency.

416.2.1 REQUEST FOR ASSISTANCE FROM ANOTHER AGENCY

After consideration and approval of the request for air support, the Shift Sergeant or the authorized designee will call the closest agency having air support available. The Shift Sergeant will apprise that agency of the specific details of the incident prompting the request.

416.2.2 CIRCUMSTANCES UNDER WHICH AID MAY BE REQUESTED

Law enforcement air support may be requested under any of the following conditions:

- (a) When the aircraft is activated under existing mutual aid agreements.
- (b) Whenever the safety of law enforcement personnel is in jeopardy and the presence of the aircraft may reduce such hazard.
- (c) When the use of aircraft will aid in the capture of a suspected fleeing felon whose continued freedom represents an ongoing threat to the community.
- (d) When an aircraft is needed to locate a person who is lost and whose continued absence constitutes a serious health or safety hazard.
- (e) Vehicle pursuits.
- (f) Pre-planned events or actions that require air support.
- (g) When a member of the Command Staff determines a reasonable need exists.

While it is recognized that the availability of air support will generally provide valuable assistance to ground personnel, the presence of air support will rarely replace the need for officers on the ground.

Detentions, Contacts and Photographing Detainees

417.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for conducting field interviews (FI) and pat-down searches, and the taking and retention of photographs of persons detained in the field but not arrested. Due to a variety of situations confronting the officer, the decision to FI or photograph a field detainee shall be left to the discretion of the involved officer based on the totality of the circumstances available at the time of the detention.

417.2 DEFINITIONS

Definitions related to this policy include:

Arrest - The seizing of a person and detaining them in custody where they are not free to leave.

Authorized Arrest - An arrest that meets the legal principles established by the United States Constitution, Colorado Revised Statutes, Case Law and Department Policy.

Detention - Occurs when an officer intentionally, through words, actions or physical force causes an individual to reasonably believe he/she is being required to restrict his/her movement. Detentions also occur when an officer actually restrains a person's freedom of movement. Temporary detention for investigative purposes of a person based upon reasonable suspicion the person has committed, is committing, or is about to commit a crime, under circumstances which do not amount to probable cause for arrest. (also known as a Terry stop)

Consensual encounter (contact) - When a reasonable individual would believe that his/her contact with an officer is voluntary and in which an officer does not create a detention through words, actions or other means.

Consensual search - A search performed by an officer following the voluntary consent of the person being searched, or the person having control of the place or item being searched.

Field Interview (FI) - The brief detainment of an individual, whether on foot or in a vehicle, based on reasonable suspicion for the purpose of determining the individual's identity and resolving the officer's suspicions.

Field photographs - Posed photographs taken of a person during a contact, detention or arrest in the field. Undercover surveillance photographs of an individual and recordings captured by the normal operation of a Mobile Video Recorder (MAV) system when persons are not posed for the purpose of photographing are not considered field photographs.

Pat-down search - This type of search is used by officers in the field to check an individual for weapons. It involves a thorough patting down of clothing to locate any weapons or dangerous items that could pose a danger to the officer, the detainee or others.

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Reasonable suspicion - Occurs when, under the totality of the circumstances, an officer has articulable facts that criminal activity has initiated and a particular person is connected with that possible criminal activity.

417.3 FIELD INTERVIEWS

Officers may stop individuals for the purpose of conducting an FI where reasonable suspicion is present. In justifying the stop, the officer should be able to point to specific facts which, when taken together with rational inferences, reasonably warrant the stop. Such facts include, but are not limited to:

- (a) The appearance or demeanor of an individual that suggests he/she is part of a criminal enterprise or is engaged in a criminal act.
- (b) The actions of the suspect that suggest he/she is engaged in a criminal activity.
- (c) Whether the hour of day or night is inappropriate for the suspect's presence in the area.
- (d) The suspect's presence in the particular area is suspicious.
- (e) The suspect is carrying a suspicious object.
- (f) The suspect's clothing bulges in a manner that suggests he/she is carrying a weapon.
- (g) The suspect is located in proximate time and place to an alleged crime.
- (h) The officer has knowledge of the suspect's prior criminal record or involvement in criminal activity.

417.3.1 INITIATING A FIELD INTERVIEW

Based on observance of suspicious circumstances or upon information from investigation, an officer may initiate the stop of a person when there is articulable, reasonable suspicion to do so. A person, however, should not be detained longer than is reasonably necessary to resolve the officer's suspicions.

Nothing in this policy is intended to discourage consensual contacts. Frequent and random casual contacts with consenting individuals is encouraged by the Northglenn Police Department to strengthen community involvement, community awareness and problem identification.

417.3.2 WITNESS IDENTIFICATION AND INTERVIEWS

Potential witnesses to an incident may be lost or the integrity of their statements can become compromised with the passage of time. Officers should, when warranted by the seriousness of the case, take reasonable steps to promptly coordinate with an on-scene supervisor and/or criminal investigator to utilize available personnel for the following:

- (a) Identifying all persons present at the scene and in the immediate area.
 - 1. When feasible, a recorded statement should be obtained from those persons who claim not to have witnessed the incident but who were present at the time it occurred.

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2. Any potential witness who is unwilling or unable to remain available for a formal interview should not be detained absent reasonable suspicion to detain or probable cause to arrest. Without detaining the individual for the sole purpose of identification, officers should attempt to identify the witness prior to his/her departure.
- (b) Witnesses who are willing to provide a formal interview should be asked to meet at a suitable location where criminal investigators may obtain a recorded statement. Such witnesses, if willing, may be transported by Department personnel.
1. A verbal statement of consent should be obtained prior to transporting a witness in a Department vehicle. If the witness is a minor, consent should be obtained from the parent or guardian, if available, prior to transport.

417.3.3 DURATION OF DETENTION

A subject may be detained to conduct an FI only for the period reasonably necessary to determine the individual's identity and resolve the officer's suspicions. The interview should not extend beyond the immediate vicinity of the place of detention unless the detainee is arrested.

417.4 CONSENSUAL SEARCHES

An officer may conduct a consensual search of a person who is not under arrest, and any effects of the person or a vehicle as follows (CRS § 16-3-310):

- (a) The person has apparent or actual authority to provide permission to search the vehicle or effects, if any.
- (b) The person is informed that he/she is being asked to voluntarily consent to a search.
- (c) The person is informed that he/she has the right to refuse the request to search.
- (d) The person voluntarily provides consent.

When asking for consent, officers should explain the scope of the search. Officers should stop a consent search if the person withdraws consent.

Officers should, whenever practicable, obtain written consent. If written consent is not possible, the officer should, when practicable record any verbal consent and preferably have a second officer present.

417.5 PAT-DOWN SEARCHES

A pat-down search of a detained subject may be conducted whenever an officer reasonably believes the person may possess an object that can be utilized as an offensive weapon or whenever the officer has a reasonable fear for his/her own safety or the safety of others. Circumstances that may establish justification for performing a pat-down search include, but are not limited to, the following (see also CRS § 16-3-103(2)):

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- (a) The type of crime suspected, particularly in crimes of violence where the use or threat of weapons is involved.
- (b) Where more than one suspect must be handled by a single officer.
- (c) The hour of the day and the location or area where the stop takes place.
- (d) Prior knowledge of the suspect's use of force and/or propensity to carry weapons.
- (e) The appearance and demeanor of the suspect.
- (f) Visual indications that suggest the suspect is carrying a firearm or other weapon.
- (g) The age and gender of the suspect.

When reasonably possible, pat-down searches should be performed by officers of the same gender as the suspect.

417.6 FIELD PHOTOGRAPHS

417.6.1 FIELD PHOTOGRAPHS TAKEN WITH CONSENT

Field photographs may be taken when the subject of the photograph knowingly and voluntarily gives consent.

417.6.2 FIELD PHOTOGRAPHS TAKEN WITHOUT CONSENT

Field photographs may be taken without consent only if they are taken during a detention that is based upon reasonable suspicion of criminal activity, and the photograph serves a legitimate law enforcement purpose related to the detention. The officer must be able to articulate facts that reasonably indicate that the subject was involved in or was about to become involved in criminal conduct.

If, prior to taking a photograph, the officer's reasonable suspicion of criminal activity has been dispelled, the detention must cease and the photograph should not be taken.

All field photographs and related reports shall be submitted to a supervisor and retained in compliance with this policy.

417.7 SUPERVISOR RESPONSIBILITIES

While it is recognized that field photographs often become valuable investigative tools, supervisors should monitor such practices in view of the above listed considerations. This is not to imply that supervisor approval is required before each photograph is taken. Access to, and use of, field photographs shall be strictly limited to law enforcement purposes.

417.8 DISPOSITION OF PHOTOGRAPHS

All detainee photographs must be adequately labeled and submitted to the Shift Sergeant with either an associated FI card or other memorandum explaining the nature of the contact. If an individual is photographed as a suspect in a particular crime, the digital photograph should be submitted as an evidence item in the related case, following standard evidence procedures.

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If a photograph is not associated with an investigation where a case number has been issued, the Shift Sergeant should review and forward the photograph to one of the following locations:

- (a) If the photograph and associated FI or memorandum is relevant to criminal gang enforcement, the Shift Sergeant will forward the photo and documents to the gang database. The Intelligence Officer will ensure the photograph and supporting documents are retained as prescribed in the Criminal Street Gangs Policy.
- (b) Photographs that do not qualify for retention in the criminal gang file or that are not evidence in an investigation with an assigned case number shall be forwarded to the Records Section Supervisor. These photographs will be purged as described in this policy.

When a photograph is taken in association with a particular case, the investigator may use such photograph in a photo lineup. Thereafter, the individual photograph should be retained as a part of the case file. All other photographs will be kept in compliance with the organization's records retention schedule.

When a photograph of a child is taken in association with a particular case, before filing a complaint regarding the offense, the photograph may only be used in the investigation of the original offense and may only be released to the court.

417.8.1 PURGING THE FIELD PHOTOGRAPH/FI CARD FILE

The Records Supervisor will be responsible for ensuring that photographs maintained by the Records Section that are more than one year old and no longer serve a law enforcement purpose shall be purged and disposed in compliance with the organization's records retention schedule. No record may be destroyed unless it is done in compliance with such a schedule or as ordered by a court or pursuant to other applicable statute. Photographs that continue to serve a law enforcement purpose may be retained longer than one year, provided that a notation of that fact is added to the file for each additional year they are retained. Access to the field photograph/FI file shall be strictly limited to law enforcement purposes and personnel.

A photograph need not be purged but may be retained as an updated photograph in a prior booking file if the person depicted in the photograph has been booked at the Northglenn Police Department and the booking file remains in the Records Section.

417.9 PHOTO REVIEW POLICY

Any person who has been the subject of a field photograph or an FI by this department during any contact other than an arrest may file a written request within 30 days of the contact, requesting a review of the status of the photograph or FI. The request shall be directed to the Chief of Police, who will ensure that the status of the photograph or FI is properly reviewed according to this policy as described below. Upon verbal request, the Department shall send a request form to the requesting party.

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417.9.1 REVIEW PROCESS

Upon receipt of such a written request, the Chief of Police or the authorized designee will permit the individual to appear in person. Any minor must be accompanied by a parent or legal guardian for a review of the status of the photograph/FI.

Such a meeting will generally be scheduled during regular business hours within 30 days of the receipt of the written request. An extension of the 30-day limit may be made either upon the mutual convenience of the parties or if, at the discretion of the Chief of Police, there appears to be an ongoing legitimate law enforcement interest which warrants a delay. If the delay could jeopardize an ongoing investigation, nothing in this policy shall require the Chief of Police to disclose the reason for the delay.

A meeting for the review of the status of any non-arrest photograph/FI is not intended to be a formal hearing, but simply an informal opportunity for the individual to meet with the Chief of Police or the authorized designee to discuss the matter.

After carefully considering the information available, the Chief of Police or the authorized designee will determine, generally within 30 days of the original meeting, whether the photograph/FI was obtained in accordance with existing law and Northglenn Police Department policy and, even if properly obtained, whether there is any ongoing legitimate law enforcement interest in retaining the photograph/FI.

If the Chief of Police or the authorized designee determines that the photograph/FI was obtained in accordance with existing law and Department policy and that there is an ongoing legitimate law enforcement interest in retaining the non-arrest photograph, the photograph/FI shall be retained according to this policy and applicable law.

If the Chief of Police or the authorized designee determines that the original legitimate law enforcement interest in retaining a non-arrest photograph/FI card no longer exists or that it was obtained in violation of existing law or Northglenn Police Department policy, the original photograph/FI card shall be purged and disposed in compliance with the organization's records retention schedule. All other associated reports or documents, however, will be retained according to Department policy and applicable law.

If the Chief of Police or the authorized designee determines that any involved Northglenn Police Department personnel violated existing law or Department policy, the Chief of Police or the authorized designee shall initiate a separate internal investigation that may result in additional training, discipline or other appropriate action for the involved employee.

The person photographed or who was the subject of an FI will be informed in writing within 30 days of the Chief of Police's determination whether the photograph/FI will be retained. This does not entitle any person to any discovery or access to any law enforcement records not otherwise authorized by law.

Criminal Street Gangs

418.1 PURPOSE AND SCOPE

It is the policy of this department to establish a procedure for identifying criminal street gangs, participants of criminal street gangs and patterns of criminal or delinquent activity (CRS § 24-33.5-415.3).

The intent of this policy is to establish a procedure that will be used to develop and maintain a file of information used for enhancing criminal prosecution of criminal street gang participants.

418.2 DEFINITIONS

Definitions related to this policy include:

OACI - Operational Analysis and Community Impact

Criminal street gang - Any ongoing organization, association or group of three or more persons, whether formal or informal:

- (a) Which has as one of its primary objectives or activities the commission of one or more predicate criminal acts, and
- (b) Whose members individually or collectively engage in or have engaged in a pattern of criminal gang activity (CRS § 18-23-101(1)).

Pattern of criminal gang activity - The commission, attempt, conspiracy or solicitation of two or more predicate criminal acts which are committed on separate occasions or by two or more persons (CRS § 18-23-101(2)).

418.3 IDENTIFICATION OF CRIMINAL STREET GANGS/PARTICIPANTS

Officers shall be authorized to collect information on individuals who are suspected of participating in a criminal street gang and groups that are suspected of being criminal street gangs.

- (a) A group of three or more individuals shall be designated a criminal street gang when:
 - 1. They have a common name or common identifying sign or symbol.
 - 2. There is evidence, substantiated by crime and informational reports, that a primary activity of the group is the commission of one or more criminal or delinquent acts.
 - 3. One or more members individually or collectively have engaged in a pattern of criminal gang activity.
 - 4. A designated representative of the District Attorney reviews the available evidence and concurs with a department finding that the group meets the criteria for being a criminal street gang.

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- (b) An individual shall be designated as a participant in a criminal street gang and be included in a gang file when at least two of the following elements have been verified by an officer and there is a reasonable basis for believing such affiliation has been established. Inclusion in the gang file shall be approved by a supervisor.
 - 1. An individual admits membership in a criminal street gang.
 - 2. A reliable informant or known gang member identifies an individual as a participant in a criminal street gang.
 - 3. An informant of previously untested reliability identifies an individual as a participant in a criminal street gang when that identification is corroborated by independent information.
 - 4. An individual resides in or frequents a particular criminal street gang's area and affects the gang's style of dress, color of dress, use of jewelry, tattoos, monikers or any other identifiable mannerism associated with that particular criminal street gang, and where the officer documents reasonable suspicion that the individual is involved in criminal street gang activity or enterprise.
 - 5. A person has been arrested in the company of identified criminal street gang members for offenses that are consistent with criminal street gang activity or criminal street gang-related crimes.
 - 6. An individual is identified as a gang member in a criminal street gang document or the individual is depicted in a criminal street gang member's photograph in such a manner as to clearly indicate membership in a criminal street gang.
- (c) An individual may be designated as a gang affiliate only when the individual is known to associate with active criminal street gang members and an officer has established that there is reasonable suspicion that the individual is involved in criminal activity or delinquent acts. An officer's belief must be premised upon reasoning and logic coupled with sound judgment based upon law enforcement experience.

418.4 CRIMINAL STREET GANG TEMPORARY FILE

The Operational Analysis and Community Impact (OACI) may maintain a temporary file of reports and field interviews (FIs) that is separate from any criminal gang intelligence database when an individual or group has been identified as a suspected street gang participant or a suspected street gang but does not meet the criteria necessary for entry into a criminal gang intelligence database.

Inclusion in a temporary file may be done only if there is a reasonable likelihood that, within one year of the contact, the individual or group will meet the criteria for entry into a criminal gang intelligence database approved by the Department. Reports and FIs will only be included in a temporary gang file with the written authorization of the OACI Administrator. A temporary file of street gang participants shall include the following:

- (a) Names, aliases, monikers, addresses and other relevant identifying information.

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- (b) Gang name.
- (c) Justification used to identify an individual as a criminal street gang participant.
- (d) Vehicles known to be used.
- (e) Cross references to other identified gangs or gang members.

418.4.1 REVIEW AND PURGING OF TEMPORARY CRIMINAL GANG FILE

Temporary files shall not be retained longer than one year. At the end of one year, temporary files must be purged if the information does not qualify for entry into a criminal gang intelligence database approved by the Department.

The OACI shall periodically review temporary files to verify that the information was properly obtained and meets the criteria for retention. Validation and purging of temporary criminal gang files is the responsibility of the OACI.

418.4.2 CRIMINAL GANG INTELLIGENCE DATABASES

While this policy does not establish a criminal gang intelligence database, the Chief of Police may approve one or more criminal gang intelligence databases for use. Any such database must be compliant with 28 CFR § 23.20 regulating criminal intelligence systems. Employees must obtain the requisite training before accessing any such database.

It is the OACI's responsibility to determine whether a report or FI contains information that would meet the criteria for entry into a criminal gang intelligence database approved by the Department. After giving written approval for entry of the record, the OACI should forward any such reports/FIs to the Records Section for appropriate entry into the database. The submitting officer should clearly mark the report/FI as gang intelligence information.

It is the responsibility of the Records Supervisor to retain reports and FIs in compliance with the procedures of the department-approved gang/intelligence file and 28 CFR § 23.20. The Records Supervisor may not purge these reports or FIs without the coordinated approval of the OACI.

Validation and purging of gang intelligence databases is the responsibility of the OACI.

418.4.3 INQUIRY BY PARENT OR GUARDIAN

When an inquiry is made by a parent or guardian as to whether a juvenile's name is in the street gang participant's file, such information shall be authorized by a Command Staff Officer or his designee. Generally this information may be disclosed, unless the release of such information can be clearly shown to jeopardize an ongoing criminal investigation.

Employees must strictly comply with the procedures governing the release of information from a criminal gang intelligence database approved by the Department.

418.4.4 RIGHT TO REQUEST REVIEW OF CRIMINAL INFORMATION

When the parent or guardian of a juvenile who is documented as a criminal gang member submits a written request challenging the accuracy of the information contained within that file, the Chief of Police or the authorized designee shall review the information in the file. If, after conducting a

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review of the information, it is determined that the information is not accurate, all records shall be purged and disposed in compliance with the organization's records retention schedule.

418.5 FIELD CONTACTS

Officers who contact individuals who are, or may be, participants in criminal street gang activity should complete an FI card and document the reasonable suspicion underlying the contact and the exact circumstances leading to the suspicion that the individual is a criminal street gang participant (e.g., subject states he/she is a member of XYZ gang, has XYZ tattoo on right hand near thumb, is wearing a ball cap with the gang name printed in blue or red ink).

Photographing known or suspected criminal street gang participants shall be done in accordance with the provisions of the Detentions and Photographing Detainees Policy.

418.6 DISSEMINATIONS OF THE FILE INFORMATION

Information from the temporary criminal gang participant files may only be furnished to Department personnel and other public law enforcement agencies on a need-to-know basis. This means information that may be of use in the prevention of gang-related criminal activity or information concerning the investigation of gang-related crimes shall only be released to members of this department and other law enforcement agencies.

The release of information from any department-approved gang intelligence file must comply with the rules established for that particular temporary file or database.

418.7 REPORTING CRITERIA AND ROUTING

Incidents that appear to be criminal gang related shall be documented on a report form and shall at minimum include:

- (a) A description of any document, statements, actions, dress or other information that would tend to support the officer's belief that the incident may be related to the activities of a criminal gang.
- (b) Whether any photographs were taken and a brief description of what they depict.
- (c) What physical evidence, if any, was observed, collected or booked.
- (d) A specific request that a copy of the report be routed to the OACI.

Any photographs taken or evidence collected shall be booked in accordance with current evidence booking procedures.

418.8 CRIMINAL GANG INVESTIGATIVE DATA SYSTEM

Officers may submit data on an individual at least 14 years of age to the criminal gang investigative data system maintained by the Colorado Bureau of Investigation if (CRS § 24-33.5-415.3(3) and CRS § 24-33.5-412(1)(i)):

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- (a) The individual has met at least three of the criteria or identifying characteristics of gang membership, and
- (b) The individual has been convicted of a gross misdemeanor or felony or has been adjudicated or has a stayed adjudication as a juvenile for an offense that would be a gross misdemeanor or felony if committed by an adult. Information entered into the criminal gang investigative data system will be purged after three years have elapsed from the date of entry, unless this department requests an earlier date.

Shift Sergeants

419.1 PURPOSE AND SCOPE

Each patrol shift must be directed by supervisors who are capable of making decisions and communicating in a manner consistent with Department policies, procedures, practices, functions and objectives. To accomplish this goal, a Sergeant heads each watch.

419.2 DESIGNATION AS ACTING SHIFT SERGEANT

When a Sergeant is unavailable for duty as Shift Sergeant, in most instances the most qualified officer shall be designated as acting Shift Sergeant. This policy does not preclude designating a less senior officer as an acting Shift Sergeant when operational needs require or training permits.

419.3 NOTIFICATION PROCEDURES

- (a) The Watch Supervisor shall notify the Investigations Supervisor or their designee of the following criminal investigations:
 - 1. Death of violent or suspicious nature.
 - 2. Felony sexual assaults needing immediate extensive follow-up.
 - 3. Aggravated assaults involving life-threatening injuries.
 - 4. Kidnappings Other felony crimes, which require extensive investigative interviews and/or obtaining, search or arrest warrants.
- (b) The Watch Supervisor shall promptly notify the District Attorney's office of any homicide or traffic fatality.
- (c) The Watch Supervisor shall personally notify the Staff-Duty officer of the following:
 - 1. Murder.
 - 2. Kidnapping.
 - 3. 1st Degree Sexual Assault.
 - 4. Bank Robbery.
 - 5. Assault (involving life threatening injuries).
 - 6. 1st Degree Arson.
 - 7. Traffic Fatality.
 - 8. Missing child under the age of 10 years old (longer than 2 hours).
 - 9. Person missing under unusual circumstances.
 - 10. Shooting incident involving a department member.

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11. Criminal allegation against a department member (when the Chief of Police cannot be reached).
12. On-duty injury to a department member that requires hospitalization (including being treated and released).
13. Unusual Occurrence or An event requiring commitment of department members or resources for a prolonged period (SWAT call out, barricaded suspect).
14. Arrest or Death of a City of Northglenn employee or elected official.
15. Any situation the Watch Supervisor deems necessary for direction or clarification.

The Watch Supervisor or their designee shall immediately notify the Coroner in all death investigations where no physician is in attendance. Police personnel responding to and conducting a death investigation shall work in a spirit of cooperation with employees of the Coroner's Office. The Coroner should be thoroughly briefed by the on scene investigator when they arrive on the scene. Generally, death notifications stemming from incidents within the city are the responsibility of the Coroner's office. An on-duty patrol officer and a Victim Advocate shall complete death notifications stemming from request by outside agencies in person.

Notification of next of kin of seriously injured or seriously ill persons, who reside in the city, shall be conducted in person, by an on-duty patrol officer and a Victim Advocate. Available assistance shall be offered to meet the needs of the notified party.

When situations arise that require assistance from Public Works, Public Utilities, or street/Highway department personnel, information regarding equipment needed and the nature of the problem should be provided.

419.4 SHIFT BRIEFING

The purpose of shift briefings is to provide officers and supervisors the opportunity for routine communication.

To ensure constant coverage is maintained and that officers are on and off duty at the appointed times, shift briefings should be no longer than 30 minutes in duration.

Shift briefings will be used to review the following:

- (a) Monthly Work Plans, which may include, but is not limited to the following:
- (b) Crime Problems
- (c) Traffic Problems
- (d) Warrant/Arrest Information
- (e) Related Crime Intelligence
- (f) Daily/Monthly Training

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- (g) Problem Orientated Police Projects
- (h) Administrative Information
- (i) Miscellaneous Information

Mobile Digital Computer Use

420.1 PURPOSE AND SCOPE

The Mobile Digital Computer (MDC) accesses confidential records from the State of Colorado, Bureau of Investigation and Division of Motor Vehicles databases. Employees using the MDC shall comply with all appropriate federal and state rules and regulations.

420.2 MDC USE

The MDC shall be used for official police communications only. Messages that are of a sexual, racist or offensive nature or are otherwise critical of any member of the Department are strictly forbidden. MDC use is also subject to the Department Technology Use Policy.

Messages may be reviewed by supervisors at any time without prior notification. Employees generating or transmitting messages not in compliance with this policy are subject to discipline.

All calls dispatched to patrol units should be communicated by voice or MDC, unless otherwise authorized by the Shift Sergeant. Priority calls for service shall be aired by voice; all other dispatched calls for service shall follow Adams County Communications policy and procedures.

420.2.1 USE WHILE DRIVING

Use of the MDC by the vehicle operator should generally be limited to times when the vehicle is stopped. When the vehicle is in motion, the operator should only attempt to read messages that are likely to contain information that is required for immediate enforcement, investigative or safety needs.

Short transmissions, such as a license plate check, are permitted if it reasonably appears that it can be done safely. In no case shall an operator attempt to send or review lengthy messages while the vehicle is in motion.

420.2.2 DOCUMENTATION OF ACTIVITY

MDC's and voice transmissions are used to record the officer's daily activity. To ensure the most accurate recording of these activities, the following are required:

- (a) All contacts or activity shall be documented at the time of the contact.
- (b) Whenever the activity or contact is initiated by voice, it shall be entered into the Computer Aided Dispatch (CAD) system by a dispatcher.
- (c) Whenever the activity or contact is not initiated by voice, the officer shall record it on the MDC.

420.2.3 STATUS CHANGES

All changes in status (e.g., arrival at scene, meal periods, in service) will be transmitted verbally over the police radio or through the MDC system.

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Officers responding to in-progress calls shall advise changes in status verbally over the radio to assist other officers responding to the same incident.

Other changes in status may be entered by depressing the appropriate keys on the MDC.

420.2.4 EMERGENCY ACTIVATION ON MDC

If the emergency button is depressed on the MDC, the dispatcher will call the officer and ask whether the officer needs assistance. If the officer answers that no additional assistance is required, all officers will resume normal activity. If there is no response or the officer answers in some other way, the dispatcher shall proceed as follows:

- (a) If the unit is not on a call, the dispatcher will send available officers to assist in locating the unit transmitting the emergency. Whenever a location is known, the dispatcher will immediately dispatch the nearest available unit as an emergency call response.
- (b) The dispatcher will notify the Shift Supervisor of the incident without delay.

Officers not responding to the emergency call shall refrain from transmitting on the radio until a no-further-assistance broadcast is made, unless they are also handling an emergency.

420.3 MDC CONSIDERATIONS

420.3.1 NON-FUNCTIONING MDC

Whenever reasonably possible, officers will not use units with malfunctioning MDCs. Whenever officers must drive a unit in which the MDC is not working, they shall notify Adams County Communications Center. It shall be responsibility of Adams County Communications Center to record all information that will then be transmitted verbally over the police radio.

Use of Audio/Video Recorders

421.1 PURPOSE AND SCOPE

This policy provides guidelines for the use of portable audio/video recording devices by members of this department while in the performance of their duties.

This policy does not apply to surreptitious interception of electronic communications for lawful authorized investigative purposes.

421.2 OFFICER RESPONSIBILITIES

Any officer assigned to a uniformed or non-uniformed positions may carry a portable recorder issued by the Department at any time the officer believes that such a device may be beneficial to the situation.

At the beginning of any recording, the officer shall dictate his/her name, badge number and the current date and time. At the conclusion of the recording, the officer shall record the ending date and time.

Each officer shall be responsible for maintaining his/her own recordings until the media is placed into evidence/safekeeping.

421.3 MEMBER RESPONSIBILITIES

Any member may carry an approved portable recorder at any time the member believes that such a device may be useful.

When using a recorder, the assigned member shall record his/her name, employee number and the current date and time at the beginning and the end of the recording.

421.4 ACTIVATION OF THE AUDIO RECORDER

Members should activate the recorder during all enforcement stops and field interrogation situations and any other time the member reasonably believes that a recording of an on-duty contact may be useful. Once started, recordings should continue without interruption until the contact ends, if feasible.

At no time is a member expected to jeopardize his/her safety in order to activate a recorder or change the recording media. However, the recorder should be activated in required situations as soon as practicable.

421.4.1 SURREPTITIOUS USE OF THE AUDIO RECORDER

Colorado law permits an individual to surreptitiously record any conversation in which one party to the conversation has given his/her permission (CRS § 18-9-303).

Members of the Department may surreptitiously record any conversation during the course of a criminal investigation in which the officer reasonably believes that such a recording will be beneficial to the investigation.

Use of Audio/Video Recorders

Members shall not surreptitiously record another department member without a court order or authorization of the Chief of Police.

421.5 PROHIBITED USE OF PORTABLE RECORDERS

Members are prohibited from using department-issued portable recorders and recording media for personal use and are prohibited from making personal copies of recordings created while on-duty or while acting in their official capacity.

Members are also prohibited from retaining recordings of activities or information obtained while on-duty, whether the recording was created with department-issued or personally owned recorders. Members shall not duplicate or distribute such recordings, except for authorized legitimate department business purposes. All such recordings shall be retained at the Department.

Members are prohibited from using personally owned recording devices while on-duty without the express consent of the Shift Sergeant. Any member who uses a personally owned recorder for department-related activities shall comply with the provisions of this policy, including retention and release requirements.

Recordings shall not be used by any member for the purpose of embarrassment or ridicule.

Any member who may have questions regarding the application of this policy is encouraged to seek clarification from supervisory personnel.

421.6 RETENTION OF RECORDINGS

Any time a member records any portion of a contact that the member reasonably believes constitutes evidence in a criminal case, the member shall record the related case number and download the file in accordance with the Computers and Digital Evidence Policy and document the existence of the recording in the related case report.

Any time a member reasonably believes a recorded contact may be beneficial in a non-criminal matter (e.g., a hostile contact), the member should promptly notify a supervisor of the existence of the recording.

Members should upload the file, in accordance with current procedure for storing digital files, at the end of their shift and any time the storage capacity is nearing its limit.

421.6.1 RETENTION REQUIREMENTS

All recordings shall be retained for a period consistent with the requirements of the organization's evidence retention schedule but in no event for a period less than 180 days.

421.7 RELEASE OF RECORDINGS

Recordings made using portable recording devices pursuant to this policy are evidence and may only be released for authorized legitimate department business purposes.

Use of Audio/Video Recorders

421.8 REVIEW OF RECORDED MEDIA FILES

When preparing written reports, members should review their recordings as a resource. However, members should not use the fact that a recording was made as a reason to write a less detailed report.

Supervisors are authorized to review relevant recordings any time they are investigating alleged misconduct, reports of meritorious conduct or whenever such recordings would be beneficial in reviewing the member's performance.

Recorded files may also be reviewed:

- (a) Upon approval by a supervisor, by any member of the Department who is participating in an official investigation, such as a personnel complaint, administrative investigation or criminal investigation.
- (b) Pursuant to lawful process or by court personnel who are otherwise authorized to review evidence in a related case.
- (c) By media personnel with permission of the Chief of Police or the authorized designee.
- (d) In compliance with a public records request, if permitted, and in accordance with the Records Release and Security Policy.

Medical Marijuana

422.1 PURPOSE AND SCOPE

The purpose of this policy is to provide members of the Northglenn Police Department with guidelines for handling and distinguishing between claims of medical marijuana use under the Colorado Medical Marijuana Code (CRS § 12-43.3-101, et seq.) and criminal narcotics violations.

422.2 ENFORCEMENT

Although federal law does not permit possession of marijuana for medical use, Colorado has created an affirmative defense for certain qualified individuals possessing small quantities of marijuana for medical use under strict conditions.

- (a) Colorado does not provide any exception for individuals driving under the influence of marijuana. All such cases should be handled with appropriate enforcement action (CRS § 42-4-1301, et seq.).
- (b) Possession, cultivation and sales of marijuana in quantities beyond that which might reasonably be construed for personal use should be handled as criminal cases, with appropriate enforcement action taken pursuant to CRS § 18-18-406:
 - 1. Unless a doctor has expressly documented a greater amount, no qualified patient or primary caregiver may possess more than 2 ounces of a usable form of marijuana per individual (Colo. Const. Art. 18, § 14(4)(a) and CRS § 12-43.3-901(4)(e)).
 - 2. A qualified patient or primary caregiver may also maintain no more than six mature plants per individual, with three or fewer being mature, flowering plants that are producing a usable form of marijuana.
- (c) In any case involving the possession or cultivation of marijuana, the handling officer should inquire whether the involved individual is claiming that the marijuana is for medicinal purposes.
 - 1. If no such claim is made, the officer should proceed with normal enforcement action.
 - 2. If a claim of medicinal use is made, the officer should proceed as outlined below.
- (d) A qualified patient or primary caregiver shall not (CRS § 25-1.5-106(12(b)):
 - 1. Use medical marijuana in a way that endangers the health and well-being of any person.
 - 2. Use medical marijuana in plain view or in a place open to the public.
 - 3. Undertake any task while under the influence of medical marijuana when doing so would constitute negligence or professional malpractice.

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4. Possess or use medical marijuana on school grounds or in a school bus.
5. Use medical marijuana while in a correctional facility or while incarcerated.
6. Use medical marijuana while in a vehicle, aircraft or motor boat.
7. Operate, navigate or be in physical control of any vehicle, aircraft or motor boat while under the influence of medical marijuana.
8. Use medical marijuana unless allowed pursuant to Colorado law.

422.3 MEDICINAL CLAIMS

In order to qualify for a medicinal marijuana defense, the individual making such a claim must affirmatively establish the following information. If the individual cannot or will not provide all of the required information, the officer should note such in any related report and proceed with appropriate enforcement action.

422.3.1 PATIENTS

An individual may establish his/her status as a qualified patient by presenting a current and valid registry identification card issued by the Colorado Department of Public Health and Environment (CDPHE) (CRS § 25-1.5-106(9)(a)). A medical marijuana program application and proof of submission shall be acceptable if the CDPHE has not made a determination within 35 days of the date the application was filed.

Valid registry identification cards are valid for one year and shall contain the following information:

- (a) A unique serial number.
- (b) The patient's name, address, date of birth and social security number.
- (c) The date of issuance and expiration.
- (d) The name and address of the patient's primary caregiver, if any.

An officer shall accept a properly issued registry identification card unless he/she reasonably believes the information on the card is false, that the card is being used fraudulently or that the card has been suspended because the patient no longer has a debilitating medical condition.

422.3.2 PRIMARY CAREGIVERS

A primary caregiver is not authorized to use, sell or possess marijuana for sale. A primary caregiver must (CRS § 25-1.5-106(2)(d.5)):

- (a) Be at least 18 years of age.
- (b) Have significant responsibility for managing the well-being of a patient who has a debilitating medical condition. By itself, the act of supplying a patient with medical marijuana does not constitute a significant responsibility.

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- (c) Provide upon inquiry the registration identification card number of each of his/her patients to a law enforcement agency, in accordance with CRS § 25-1.5-106(7)(d).
- (d) Maintain the patient-primary caregiver relationship in accordance with CRS § 25-1.5-106(8).

A primary caregiver must be approved by the CDPHE and possess a valid registry identification card whenever he/she is in possession of medical marijuana (CRS § 25-1.5-106(9)).

422.3.3 NOTIFICATION FOLLOWING ILLEGAL POSSESSION

Employees of this department shall notify the CDPHE as soon as reasonably practicable upon learning that a person issued a registry identification card has pleaded guilty or been determined by a court to have violated provisions of the Colorado Medical Marijuana amendment (Colo. Const. Art. 18, § 14(3)(g)).

422.4 RETURN OF MARIJUANA

Federal law provides that regardless of the prosecution status or disposition of any related criminal case, law enforcement will not be responsible for the return of any marijuana seized as evidence, except as may be required by a valid court order (21 USC § 885(d)). However, state law stipulates that any property of interest that is possessed, owned or used in connection with the medical use of marijuana or acts incidental to such use, shall not be harmed, neglected, injured or destroyed while in possession of the Northglenn Police Department, where such property has been seized in connection with the claimed medical use of marijuana (Colo. Const. Art. 18, § 14(2)(e)):

- (a) Any such property shall not be forfeited unless a sentence is imposed after a conviction of a criminal offense or entry of a plea of guilty to such offense.
- (b) Any marijuana and paraphernalia seized from a patient or primary caregiver that is entitled to claimed medical use shall be returned immediately upon determination of a District Attorney or his/her designee.

422.5 RELEASE OF INFORMATION

It should be noted pursuant to CRS 18-18-406.3 any person including, but not limited to, any officer employee, or agent of the department, or any officer, employee, or agent of any state or local law enforcement agency who release or makes public any confidential record or any confidential information contained in any such record that is provided to or by the marijuana registry of the department without the written authorization of the marijuana registry patient commits a class 1 misdemeanor.

Bicycle Patrol

423.1 PURPOSE AND SCOPE

The Northglenn Police Department has established Bicycle Patrol for the purpose of enhancing patrol efforts in the community. Bicycle patrol has been shown to be an effective way to increase officer visibility in congested areas. A bicycle's quiet operation can provide a tactical approach to crimes in progress. The purpose of this policy is to provide guidelines for the safe and effective operation of the patrol bicycle.

423.2 POLICY

Patrol bicycles may be used for regular patrol duty, traffic enforcement, parking control or special events. Its mobility and visibility in the community are hallmarks of its usefulness.

Bicycles may be deployed to any area at all hours of the day or night, according to Department needs and as staffing levels allow.

Requests for specific deployment of bicycle patrol officers shall be coordinated through the S.E.T. supervisor or the Shift Supervisor.

423.3 SELECTION OF PERSONNEL

Interested certified personnel, who are off probation, shall submit a training request form to their supervisor. Interested personnel shall be evaluated by the following criteria:

- (a) Recognized competence and ability as evidenced by performance.
- (b) Special skills or training as they pertain to the assignment.
- (c) Good physical condition.
- (d) Willingness to perform duties using the bicycle as a mode of transportation.

423.4 TRAINING

Participants in the program must complete an initial Department approved bicycle training course after acceptance into the program. The initial training shall minimally include the following:

- Bicycle patrol strategies
- Bicycle safety and accident prevention
- Operational tactics using bicycles

423.5 UNIFORMS AND EQUIPMENT

- (a) The following items make up the bicycle uniform. This uniform shall only be worn when an officer is assigned to ride a police bicycle as part of their assigned duty.

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1. Headgear: Officers who ride a police bicycle shall wear an approved bicycle helmet with a cover. The cover shall be reflective with the word "Police" on both sides. Animal control officer's helmet will not contain the word "Police."
2. Shirt: Two tone, short sleeve polo style with reflective lettering, "Police" on the back of the shirt. The appropriate cloth badge, cloth nametag and shoulder patches shall be sewn on in the designated areas. Animal control officer's helmet will not contain the word "Police."
3. Trousers: Bicycle style shorts or pants navy blue in color. Animal control officer's shorts shall not be black in color.
4. Footwear: Black leather athletic style shoes or clip-in style bicycle shoes. If clip-in, must be conservatively styled and approved.
5. Socks: White or black athletic style.
6. Duty Belt: Consists of a trouser belt, equipment belt, holster, ammunition case (can be carried horizontally), handcuff case, chemical agent holder and ASP holder and flashlight holder.

(b) Optional Equipment:

1. Optional accessories include belt-keepers and extra cuff case. Equipment shall be nylon style that conforms to the standards of the regular leather equipment.
2. Other optional equipment includes a jacket in colder weather. Insulated clothing is permitted when worn under the uniform shirt, radio head set and microphone

Officers will be responsible for obtaining the necessary forms, citation books and other needed equipment, and shall keep it available while on bike patrol.

423.6 CARE AND USE OF PATROL BICYCLES

Officers will be assigned a specially marked and equipped patrol bicycle and attached gear bag.

Bicycles utilized for uniformed bicycle patrol shall be primarily black or white with a "Police" decal affixed to each side of the crossbar or the bike's saddlebag or attached gear bag. Every such bicycle shall be equipped with front and rear reflectors which meet legal requirements.

Bicycles utilized for uniformed bicycle patrol shall be equipped with a rear rack for attached gear bags and/or saddle bags sufficient to carry the necessary equipment for handling routine patrol calls, including report writing and citations.

Bicycle officers shall conduct an inspection of the bicycle and equipment prior to use to ensure proper working order of the equipment. Officers are responsible for the routine care and maintenance of their assigned equipment (e.g., tire pressure, chain lubrication, overall cleaning).

If a needed repair is beyond the ability of the bicycle officer, a repair work order will be completed and forwarded to the SET supervisor for repair by an approved technician.

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Each bicycle will have scheduled maintenance twice yearly, to be performed by a repair shop/technician that is approved by the Department.

At the end of a bicycle assignment the bicycle shall be returned clean and ready for the next tour of duty.

Officers shall not modify the patrol bicycle, remove, modify or add components except with the express approval of the SET supervisor or in the event of an emergency.

Vehicle bicycle racks are available should the officer need to transport the patrol bicycle. Due to possible component damage, transportation of the patrol bicycle in a trunk is discouraged.

Bicycles shall be properly secured when not in the officer's immediate presence.

423.7 OFFICER RESPONSIBILITIES

Officers should operate the bicycle in compliance with Colorado law, unless their duties require otherwise. Officers may operate the bicycle without lighting equipment during hours of darkness only when it reasonably appears necessary for officer safety and tactical considerations. Officers must use caution and care when operating the bicycle without lighting equipment or in violation of routine rules of the road.

Foot Pursuit Policy

424.1 PURPOSE AND SCOPE

Foot pursuits are inherently dangerous and require common sense, sound tactics and heightened officer safety awareness. This policy sets forth guidelines to assist officers in making the decision to initiate or continue the pursuit of suspects on foot by balancing the objective of apprehending the suspect with the risk of potential injury to the officer, the public or the suspect.

424.1.1 POLICY

It is the policy of this department that when deciding to initiate or continue a foot pursuit officers must continuously balance the objective of apprehending the suspect with the risk and potential for injury to Department personnel, the public or the suspect.

Officers are expected to act reasonably, based on the totality of the circumstances. Absent exigent circumstances, the safety of Department personnel and the public should be the primary consideration when determining whether a foot pursuit should be initiated or continued. Officers must be mindful that immediate apprehension of a suspect is rarely more important than the safety of the public and Department personnel.

424.2 DECISION TO PURSUE

Officers may be justified in initiating a foot pursuit of any individual the officer reasonably believes is about to engage in, is engaging in or has engaged in criminal activity. However, this decision must be continuously reevaluated in light of the circumstances presented at the time.

Mere flight by a person who is not suspected of criminal activity shall not serve as the sole justification for engaging in an extended foot pursuit without the development of reasonable suspicion regarding the individual's involvement in criminal activity.

Deciding to initiate or continue a foot pursuit is a decision that an officer must make quickly and under unpredictable and dynamic circumstances. It is recognized that foot pursuits potentially place Department personnel and the public at significant risk. Therefore, no officer or supervisor shall be criticized or disciplined for deciding not to engage in a foot pursuit because of the perceived risk involved.

If circumstances reasonably permit, surveillance and containment are generally the safest tactics for apprehending fleeing persons. In deciding whether to initiate or continue a foot pursuit, an officer should continuously consider reasonable alternatives to pursuit based upon the circumstances and resources available, such as the following:

- (a) Containment of the area.
- (b) Canine search.
- (c) Saturation of the area with patrol personnel.
- (d) Air support.

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- (e) Apprehension at another time, when the identity of the suspect is known or there is information available that would likely allow for later apprehension, and the need to immediately apprehend the suspect does not reasonably appear to outweigh the risk of continuing the pursuit.

424.3 GUIDELINES FOR FOOT PURSUIT

Unless the officer reasonably believes that exigent circumstances exist (e.g. a serious threat to the safety of personnel or members of the public), officers should consider alternatives to engaging in or continuing a foot pursuit under the following conditions:

- (a) When directed by a supervisor to terminate the foot pursuit, such an order shall be considered mandatory.
- (b) The officer is acting alone, and cover officers have an extended ETA.
- (c) The officer is unsure of his/her location and direction of travel.
- (d) When pursuing multiple suspects and the pursuing officers do not reasonably believe that they would be able to control the suspect should a confrontation occur.
- (e) When the physical condition of the officers renders them incapable of controlling the suspect if apprehended.
- (f) When the officer loses radio contact with Adams County Communications Center or with backup officers.
- (g) When the suspect enters a building, structure, confined space or a wooded or otherwise isolated area and there are insufficient officers to provide backup and containment. The primary officer should consider discontinuing the pursuit and coordinating containment pending the arrival of sufficient officers.
- (h) The officer becomes aware of unanticipated or unforeseen circumstances that unreasonably increase the risk to officers or the public.
- (i) The officer reasonably believes that the danger to the pursuing officers or public outweighs the objective of immediate apprehension.
- (j) The officer loses possession of his/her firearm or other essential equipment.
- (k) The officer or a third party is injured during the pursuit that requires immediate assistance and there are no other emergency personnel available to render assistance.
- (l) The suspect's location is no longer definitely known.
- (m) The identity of the suspect is established, or other information exists, that will allow for the suspect's apprehension at a later time, and it reasonably appears that there is no immediate threat to Department personnel or the public if the suspect is not immediately apprehended.

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424.4 RESPONSIBILITIES IN FOOT PURSUITS

424.4.1 INITIATING OFFICER RESPONSIBILITIES

Unless relieved by another officer or a supervisor, the initiating officer shall be responsible for coordinating the progress of the pursuit.

Early communication of available information from the involved officers is essential so that adequate resources can be coordinated and deployed to bring a foot pursuit to a safe conclusion. Officers initiating a foot pursuit should broadcast the following information as soon as it becomes practicable and available:

- (a) Unit identifier.
- (b) Location and direction of travel.
- (c) Reason for the foot pursuit.
- (d) Number of suspects and description.
- (e) Whether the suspect is known or believed to be armed.

Officers should be mindful that radio transmissions made while running may be difficult to understand and may need to be repeated.

Absent extenuating circumstances, any officer unable to promptly and effectively broadcast this information should terminate the pursuit. If the foot pursuit is discontinued for any reason, immediate efforts for containment should be implemented and alternatives considered based upon the circumstances and available resources.

When a foot pursuit terminates, the officer will notify Adams County Communications Center of his/her location and the status of the pursuit termination (e.g., suspect in custody, lost sight of suspect), and will direct further actions as reasonably appear necessary.

424.4.2 ASSISTING OFFICER RESPONSIBILITIES

Whenever any officer announces that he/she is engaged in a foot pursuit, all other officers should minimize nonessential radio traffic to permit the involved officers maximum access to the radio frequency.

Any officer who is in a position to intercept a fleeing suspect or who can assist the primary officer with the apprehension of the suspect, shall act reasonably and in accordance with Department policy, based upon available information and his/her own observations.

424.4.3 SUPERVISOR RESPONSIBILITIES

Upon becoming aware of a foot pursuit, the supervisor should make every reasonable effort to ascertain sufficient information to direct responding resources and to take command, control and coordination of the foot pursuit. The supervisor should respond to the area whenever reasonably possible. The supervisor does not, however, need to be physically present to exercise control over the pursuit. The supervisor should continuously assess the situation in order to ensure the foot pursuit is conducted within established Department guidelines.

Foot Pursuit Policy

The supervisor should terminate the foot pursuit when the danger to pursuing officers or the public appears to unreasonably outweigh the objective of immediate apprehension of the suspect.

Upon apprehension of the suspect, the supervisor should promptly proceed to the termination point to direct the post-pursuit activity.

424.5 REPORTING

The initiating officer shall complete the appropriate crime/arrest reports documenting, at minimum:

- (a) The reason for initiating the foot pursuit.
- (b) The identity of involved personnel.
- (c) The course and approximate distance of the pursuit.
- (d) Whether a suspect was apprehended as well as the means and methods used.
 - 1. Any use of force shall be reported and documented in compliance with the Use of Force Policy.
- (e) Any injuries or property damage.

Assisting officers taking an active role in the apprehension of the suspect shall complete supplemental reports as necessary or as directed.

In any case in which a suspect is not apprehended and there is insufficient information to warrant further investigation, a supervisor may advise the initiating officer that he/she need not complete a supplemental report in conjunction with the report normally required to document the incident.

Automated License Plate Readers (ALPR)

425.1 PURPOSE AND SCOPE

Automated License Plate Reader (ALPR) technology, also known as License Plate Recognition, provides automated detection of license plates. The ALPR is used by the Northglenn Police Department to convert data associated with vehicle license plates for official law enforcement purposes, including identifying stolen or wanted vehicles, stolen license plates and missing persons. The ALPR may also be used to gather information related to active warrants, homeland security, electronic surveillance, suspect interdiction and stolen property recovery.

425.2 ADMINISTRATION OF ALPR DATA

All installation and maintenance of ALPR equipment, as well as ALPR data retention and access shall be managed by the Patrol Division Commander. The Patrol Division Commander will assign personnel under his/her command to administer the day-to-day operation of the ALPR equipment and data.

425.3 ALPR OPERATION

Use of an ALPR is restricted to the purposes outlined below. Department personnel shall not use, or allow others to use, the equipment or database records for any unauthorized purpose.

- (a) An ALPR shall only be used for official and legitimate law enforcement business.
- (b) An ALPR may be used in conjunction with any patrol operation or official department investigation. Reasonable suspicion or probable cause is not necessary before using an ALPR.
- (c) While an ALPR may be used to canvass license plates around any crime scene, particular consideration should be given to using ALPR-equipped cars to canvass areas around homicides, shootings and other major incidents. Partial license plates reported during major crimes should be entered into the ALPR system in an attempt to identify suspect vehicles.
- (d) No member of this department shall operate ALPR equipment or access ALPR data without first completing department-approved training.
- (e) If practicable, the officer should verify an ALPR response through the Colorado Bureau of Investigation before taking enforcement action that is based solely upon an ALPR alert.
- (f) No ALPR operator may access the Colorado Bureau of Investigation data unless authorized to do so.

425.4 ALPR DATA COLLECTION AND RETENTION

All data and images gathered by ALPR are for the official use of the Northglenn Police Department. Data may contain confidential information, so is therefore not open to public review. The ALPR

Automated License Plate Readers (ALPR)

information gathered and retained by this department may be used and shared with prosecutors or others only as permitted by law.

Collection and retention of ALPR data is subject to the following guidelines:

- (a) Files will be transferred from field units to servers in accordance with current Northglenn Police Department file storage procedures.
- (b) All ALPR data captured during a shift should be transferred to the server before the end of each shift. Once transferred, all ALPR data should be immediately purged from the mobile workstation.

All ALPR data downloaded to the server should be stored for 90 days. Thereafter, ALPR data should be purged unless it has become, or it is reasonable to believe it will become, evidence in a criminal or civil action or is subject to a lawful action to produce records. In those circumstances the applicable data should be downloaded from the server onto portable media and booked into evidence.

425.5 ACCOUNTABILITY AND SAFEGUARDS

All saved data will be closely safeguarded and protected by both procedural and technological means. The Northglenn Police Department will observe the following safeguards regarding access to and use of stored data:

- (a) All non-law enforcement requests for access to stored ALPR data shall be referred to the Records Supervisor and processed in accordance with applicable law.
- (b) All ALPR data downloaded to the mobile work station and server shall be accessible only through a login/password-protected system capable of documenting all access of information by name, date and time.
- (c) Persons approved to access ALPR data under these guidelines are permitted to access the data for legitimate law enforcement purposes only, such as when the data relate to a specific criminal investigation or department-related civil or administrative action.
- (d) Such ALPR data may be released to other authorized and verified law enforcement officials and agencies at any time for legitimate law enforcement purposes.
- (e) ALPR system audits should be conducted on a regular basis.

Homeless Persons

426.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that personnel understand the needs and rights of the homeless and to establish procedures to guide officers during all contacts with the homeless, whether consensual or for enforcement purposes. The Northglenn Police Department recognizes that members of the homeless community are often in need of special protection and services. The Northglenn Police Department will address these needs in balance with the overall mission of this department. Therefore, officers will consider the following policy when serving the homeless community.

426.1.1 POLICY

It is the policy of the Northglenn Police Department to provide law enforcement services to all members of the community while protecting the rights, dignity and private property of the homeless. Homelessness is not a crime and members of this department will not use homelessness solely as a basis for detention or law enforcement action.

426.2 FIELD CONTACTS

Officers are encouraged to contact the homeless for purposes of rendering aid, support and for community-oriented policing purposes. Nothing in this policy is meant to dissuade an officer from taking reasonable enforcement action when facts support a reasonable suspicion of criminal activity. However, when encountering a homeless person who has committed a nonviolent misdemeanor and continued freedom is not likely to result in a continuation of the offense or a breach of the peace, officers are encouraged to consider long-term solutions to problems that may relate to the homeless, such as shelter referrals, counseling and summons and release in lieu of physical arrest.

Officers should provide homeless persons with resource and assistance information whenever it is reasonably apparent such services may be appropriate.

426.2.1 OTHER CONSIDERATIONS

Homeless members of the community will receive the same level and quality of service provided to other members of our community. The fact that a victim or witness is homeless can, however, require special consideration for a successful investigation and prosecution. Officers should consider the following when handling investigations involving homeless victims, witnesses or suspects:

- (a) Document alternate contact information. This may include obtaining addresses and telephone numbers of relatives and friends.
- (b) Document places the homeless person may frequent.
- (c) Provide homeless victims with victim/witness resources when appropriate.

Homeless Persons

- (d) Obtain statements from all available witnesses in the event a homeless victim is unavailable for a court appearance.
- (e) Consider whether the person may be a dependent adult or elder and if so, proceed in accordance with the Vulnerable Adult Abuse Policy.
- (f) Arrange for transportation for investigation-related matters, such as medical exams and court appearances.
- (g) Consider whether a crime should be reported and submitted for prosecution even when a homeless victim indicates he/she does not desire prosecution.

426.3 PERSONAL PROPERTY

The personal property of homeless persons must not be treated differently than the property of other members of the public. Officers should use reasonable care when handling, collecting and retaining the personal property of homeless persons and should not destroy or discard the personal property of a homeless person.

When a homeless person is arrested or otherwise removed from a public place, officers should make reasonable accommodations to permit the person to lawfully secure his/her personal property. Otherwise, the arrestee's personal property should be collected for safekeeping. If the arrestee has more personal property than can reasonably be collected and transported by the officer, a supervisor should be consulted. The property should be photographed and measures should be taken to remove or secure the property. It will be the supervisor's responsibility to coordinate the removal and safekeeping of the property.

Officers should not conduct or assist in cleanup operations of belongings that reasonably appear to be the property of homeless persons without the prior authorization of a supervisor.

Officers who encounter unattended encampments, bedding or other personal property in public areas that reasonably appear to belong to a homeless person should not remove or destroy such property and should inform the supervisor if such property appears to involve a trespass, is blight to the community or is the subject of a complaint. It will be the responsibility of the officer to address the matter in a timely fashion.

426.4 MENTAL ILLNESSES AND MENTAL IMPAIRMENTS

Some homeless persons may suffer from a mental illness or a mental impairment. Officers shall not detain a homeless person for an emergency admission to a mental health facility unless facts and circumstances warrant such a detention.

When a mental illness hold is not warranted, the contacting officer should provide the homeless person with contact information for mental health assistance, as appropriate.

Chapter 5 - Traffic Operations

Traffic Function and Responsibility

500.1 PURPOSE AND SCOPE

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

500.2 TRAFFIC OFFICER DEPLOYMENT

Several factors are considered in the development of deployment schedules for officers of the Northglenn Police Department. Information provided by the crime analyst, NHTSA and the Colorado State Patrol (CSP) are a valuable resource for traffic accidents and therefore officer deployment. Some of the factors for analysis include:

- Location
- Time
- Day
- Violation factors

All officers assigned to patrol or traffic enforcement functions will emphasize enforcement of traffic laws and address accident-causing violations during those periods and at those locations where the incidence of collisions is increased. As a matter of routine, all officers will take directed enforcement action on request, and random enforcement action when appropriate, against violators. All officers shall maintain high visibility while working general enforcement, especially at high-accident incidence locations.

Other factors to be considered for deployment are citizen requests, construction zones, school zones or special events.

500.3 ENFORCEMENT

Enforcement actions are commensurate with applicable laws and take into account the degree and severity of the violation committed. This department does not establish ticket quotas; the supervisor is responsible for ensuring reasonable work standards. The number of arrests or citations issued by any officer shall not be used as the sole criterion for evaluating officer overall performance. The visibility and quality of an officer's work effort will be commensurate with the philosophy of this policy. Several methods are effective in the reduction of collisions (CRS § 42-4-101 and CRS § 42-4-104):

Traffic Function and Responsibility

500.3.1 WARNINGS AND STOPS WITHOUT CITATION OR ARREST

Warnings should be considered in minor traffic infractions and substituted for arrests or citations when circumstances warrant. Circumstances that do not result in a citation or arrest require providing a business card in compliance with the law, as outlined in the Racial/Bias Based Profiling Policy.

500.3.2 TRAFFIC CITATIONS

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

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

500.3.3 TRAFFIC CITATION COURT JURISDICTION

An officer who issues a traffic citation shall ensure that the place specified in the summons, complaint or penalty assessment notice is a county court within the county in which the offense is alleged to have been committed. (CRS § 42-4-1707(5)).

500.3.4 REFUSAL TO SIGN TRAFFIC CITATION

A person who refuses to sign a traffic citation, and thereby declines to make a written promise to appear in court, may immediately be taken before a magistrate (CRS § 42-4-1705(1)(e)). However, if a person's identity can be reasonably determined, a summons should be issued rather than making an arrest. Should a person's identity be undetermined, a supervisor should be requested to assist with resolution of the incident prior to resorting to an arrest.

500.3.5 PHYSICAL ARREST

Physical arrest can be made on a number of criminal traffic offenses. These physical arrest cases usually deal with, but are not limited to (CRS § 42-4-1705(1)):

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

Traffic Function and Responsibility

500.4 SUSPENDED OR REVOKED DRIVER'S LICENSE

If an officer contacts a traffic violator for driving on a suspended, revoked or restricted license and the violation is not an unclassified misdemeanor, the officer may, without a warrant, arrest the violator for a misdemeanor (CRS § 42-2-138).

500.5 HIGH-VISIBILITY VESTS

The Department has provided American National Standards Institute (ANSI) Class II high-visibility vests to reduce the danger to employees who may be exposed to hazards presented by passing traffic, construction vehicles and disaster recovery equipment (Federal Manual on Uniform Traffic Control Devices, 23 C.F.R. § 655.601).

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

500.5.1 REQUIRED USE

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

Vests maintained in the investigation units may be used anytime a plainclothes officer might benefit from being readily identified as an officer.

500.5.2 CARE AND STORAGE OF HIGH-VISIBILITY VESTS

High-visibility vests shall be maintained in the trunk of each patrol and investigation unit, in the side box of each police motorcycle and in the saddlebag or gear bag of each police bicycle. Each vest should be stored inside the resealable plastic bag provided to protect and maintain the vest in a serviceable condition. Before going into service, each employee shall ensure a serviceable high-visibility vest is properly stored.

Additional high-visibility vests will be maintained in the equipment room for replacement of damaged or unserviceable vests. The Training Sergeant should be promptly notified whenever the supply of vests in the equipment room needs replenishing.

Traffic Accident Response And Reporting

501.1 PURPOSE AND SCOPE

The public safety responsibilities of law enforcement include responding to traffic accidents, providing aid and assistance, documentation of the incident and identification of criminal activity. The Northglenn Police Department prepares traffic accident reports in compliance with CRS § 42-4-1606 and as a public service makes traffic accident information available to the public.

501.2 CALL RESPONSE

Officers should respond without delay when dispatched to a traffic accident. A traffic accident with injuries reported may include an emergency response if the officer reasonably believes such a response is appropriate.

501.2.1 RESPONSE CONSIDERATIONS

An officer responding to and upon arrival at an accident, should consider the following:

- (a) The most appropriate route to the incident
- (b) Proper placement of the emergency vehicle to provide protection for officers and the scene
- (c) Potential for involvement of hazardous materials
- (d) Additional support that may be necessary (e.g., traffic control, medical aid, HAZMAT, ambulance, tow vehicles and helicopter landing)
- (e) Providing first aid to any injured parties if it can be done safely, and obtaining medical assistance as necessary
- (f) Traffic control and protection of the scene
- (g) Clearance of the roadway

501.3 ACCIDENT INVESTIGATION

Patrol Officers shall investigate traffic accidents in accordance with CRS § 42-4-1606. In addition, officers shall follow the guidelines in the Investigating Officers Traffic Accident Reporting Manual for the completion of the state accident form.

Investigation of traffic collisions should include, at minimum, the following:

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

Traffic Accident Response And Reporting

501.4 TAKING ENFORCEMENT ACTION

After a thorough investigation in which physical evidence or independent witness statements indicate that a violation of Colorado law led to the accident, officers should issue a traffic citation or a misdemeanor citation to the offending driver. Officers may arrest a person when there is probable cause to believe that an offense was committed by the person to be arrested (CRS § 16-3-102).

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

501.5 TRAFFIC ACCIDENT REPORTING

Officers are responsible for investigating and completing accident reports on public roadways. Occasionally the shift supervisor may place Northglenn Police on accident alert. This decision is based on current manpower, calls for service pending and weather conditions. In the event the shift supervisor places Northglenn Police on accident alert, ADCOM will dispatch officers to investigate Injury Accidents, and Property Damage Accidents involving intoxicated drivers. Officers can investigate property damage accidents while on accident alert, and should use their best judgment on when to complete an accident report. At the conclusion of the event which prompted the accident alert, the supervisor will notify ADCOM of the change and normal operations will resume.

Officers are not required to complete an accident report for property damage accidents occurring on private property, unless a party to the accident - either a driver or property owner requests the officer to complete an accident report. Officers should complete an accident report for any injury or intoxicated driver accident which occurs on private property.

501.5.1 OFFICER RESPONSIBILITIES

Department members shall utilize forms approved by the Department of Revenue, Motor Vehicle Division (CRS § 42-4-1608) for the reporting of traffic accidents. All traffic accident reports taken by members of this department shall be forwarded to the Patrol Shift Supervisor for approval then forwarded to Records for data entry into the records management system. Officers may enter the accident report into the records management system, and forward to the Patrol Shift Supervisor for approval.

501.5.2 SPECIAL EVENTS AND TRAFFIC UNIT SERGEANT RESPONSIBILITIES

The Special Events and Traffic Unit Sergeant will be responsible for:

- (a) Reviewing the monthly and quarterly reports on traffic accident statistics compiled by the crime analyst, to be forwarded to the Patrol Division Commander or other persons as required.
- (b) Obtaining all updates in the Colorado Traffic Accident Reporting Manual, distribution of the manual and updates and ensuring conformity with this policy.

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501.5.3 MODIFICATIONS TO TRAFFIC ACCIDENT REPORTS

A change or modification of a written report that alters a material fact in the report may be made only by the person who prepared the report. A written supplemental report may be made by any authorized employee.

501.6 REPORTING SITUATIONS

501.6.1 TRAFFIC ACCIDENTS INVOLVING CITY VEHICLES

Traffic accident investigation reports shall be taken when a City-owned vehicle is involved in a traffic accident on a roadway or highway, wherein any damage or injury results. A general information report may be taken in lieu of a traffic accident report, at the direction of a supervisor, when the accident occurs on private property or does not involve another vehicle. Whenever there is damage to a City vehicle, a vehicle damage report shall be completed and forwarded to the appropriate Department Head and Risk Management.

Photographs of the accident scene and vehicle damage shall be taken by the traffic investigator or any supervisor.

501.6.2 INJURY OR FATALITY TRAFFIC ACCIDENTS WITH POLICE DEPARTMENT OFFICE EMPLOYEES

When an employee of this department, either on- or off-duty, is involved in a traffic accident within the jurisdiction of the Northglenn Police Department and it results in a serious injury or fatality, the Shift Sergeant should request an outside agency to complete an investigation and report.

In the event of a traffic accident involving an on-duty officer of this department with serious injury or fatality, the Shift Supervisor shall contact the Staff Duty for the day, provide information and request the NMAIT team to investigate. The North Metro Accident Investigation Team will be available for call-out when traffic accidents occur involving an officer while in the performance of their duties and the officer, or any other person is seriously or fatally injured. [Injury is defined by CRS 18-1-901 (3)(p)] The NMAIT team is available by request of the Chief of Police or their designee in the jurisdiction where the accident occurs and/or the originating agency.

The Staff Duty, or Shift Supervisor, will contact the Adams County Communications (ADCOM) Supervisor to provide the location of the accident, officer(s) and agency involved, the number of vehicles involved and number of injuries/death, if known. ADCOM will then notify the Team Coordinator or Co-Coordinators; they will be briefed with the information related to the accident. Whenever possible, the coordinator(s) will be supplied with a telephone number of the commander/supervisor at the accident scene.

The Northglenn Police Department will identify a Public Information Officer to consult with the Team Coordinator. The Public Information Officer will be responsible for all media contacts during the course of the investigation and will make all press releases, after consultation with the Team Coordinator, during the course of the investigation.

Traffic Accident Response And Reporting

The NMAIT will act under the direction of the Team Coordinator, or his/her designee, in consultation with the Chief of Police or Sheriff of the jurisdiction in which the accident occurred or originated.

The primary purpose of the NMAIT is to complete a factual determination regarding the accident and to present a report of the findings to the Chief of Police or Sheriff of the requesting jurisdiction and, if applicable, the Adams County District Attorney's Office.

For operational assignments only, when called out, members of the NMAIT are considered to be on temporary assignment to the team, until the investigation is completed. All other matters, including compensation, remain the responsibility of the team member's agency.

501.6.3 TRAFFIC COLLISIONS WITH OTHER CITY EMPLOYEES OR OFFICIALS

The Shift Sergeant may request assistance from the CSP or other outside agency for the investigation of any traffic accident involving any City official or employee where a serious injury or fatality has occurred.

501.6.4 TRAFFIC COLLISIONS INVOLVING INJURED ANIMALS

Department members should refer to the Animal Control Procedures Policy when a traffic accident involves disposition of an injured animal.

501.7 NOTIFICATION OF SPECIAL EVENTS AND TRAFFIC UNIT SERGEANT

If the investigation of a traffic accident is beyond the skills and abilities of the responding officer, the Shift Supervisor should consult with the Staff Duty Officer and determine if the Traffic Accident Investigation Team is needed. The Accident Team shall respond to: traffic accidents involving fatalities and traffic accidents with serious bodily injury involving felony criminal charges. The Shift Supervisor may request the Accident Team for: Police officer involved accidents which do not meet the criteria for the North Metro Accident Investigation Team (NMAIT), and any accident which the Shift Supervisor feels, requires the expertise of the Accident Investigation Team. The Traffic Accident Investigation Team shall be appointed by the Chief of Police and shall consist of a Sergeant/Team Leader, an assistant Team Leader and members determined by their training and expertise in accident investigation. It is the responsibility of the Team Leader to determine the number of members necessary to respond to each accident. The Team Leader or the shift supervisor shall approve all reports generated by the Accident Team during an investigation.

Vehicle Towing and Release Policy

502.1 PURPOSE AND SCOPE

This policy provides the procedures for towing a vehicle by, or at the direction of, the Northglenn Police Department and under the authority of CRS § 42-4-1803.

502.2 RESPONSIBILITIES

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

502.2.1 COMPLETION OF VEHICLE IMPOUND/STORAGE FORM

Department members requesting towing of a vehicle shall complete a vehicle impound/storage form that includes written authorization, pursuant to CRS § 42-4-1803(1)(b), for the tow truck operator to possess the vehicle and a description of property within the vehicle. A copy is to be given to the tow truck operator and the original is to be submitted to the Records Section as soon as practicable after the vehicle is stored.

Approved storage forms shall be promptly placed into the case file so that they are immediately available for release or for information, should inquiries be made.

502.2.2 REMOVAL OF A VEHICLE DISABLED IN A TRAFFIC ACCIDENT

When, at the owners/drivers request, a vehicle which has been involved in a traffic accident must be removed from the scene, the officer shall contact Adams County Communications Center to call the designated towing company with whom Northglenn has a towing contract. No impound form or inventory of the vehicle will be completed. The owner/driver of the vehicle is responsible for towing fees, as this is a private tow.

If the owner is incapacitated or for any reason it is necessary for the Department to assume responsibility for a vehicle involved in an accident, the officer shall request the dispatcher to call the designated towing company with whom Northglenn has a towing contract. The officer will then conduct an inventory and store the vehicle using a vehicle impound/storage form.

If the owner of the vehicle is unaware the vehicle has been towed, the Records Section shall be notified of the impound and will enter the vehicle into CCIC as impounded.

502.2.3 DISPATCHER'S RESPONSIBILITIES

Upon receiving a request for towing, the dispatcher shall promptly telephone the specified towing service. The officer shall be advised when the request has been made and the towing service has been dispatched.

502.2.4 RECORDS SECTION RESPONSIBILITY

Approved vehicle impound/storage forms shall be promptly processed so that they are immediately available for release or review should inquiries be made.

Police Records personnel should promptly enter pertinent data from a completed vehicle impound/storage form into CCIS to determine if the vehicle has been reported stolen (CRS § 42-4-1804).

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No later than 10 working days after a vehicle has been towed by this department, personnel shall report the towing and related information to the Department of Revenue, Motor Vehicle Division as required by CRS § 42-4-1804(1)(b).

Police Administration personnel shall make a good faith attempt to notify the owner and/or lien holder of impounded vehicles within 10 working days after receipt of a vehicle impound/storage form pursuant to (CRS § 1804(4)(a) and CRS § 1804(4)(b)). The notice shall inform the owner that he/she can request a hearing concerning the legality of the towing of the abandoned motor vehicle (CRS § 1804(4)(c)).

The Police Administration personnel shall use the notice forms available from the Department of Revenue, Motor Vehicle Division when sending required notices to the owners or lien holders of impounded vehicles (CRS § 1804(5)).

502.3 TOWING SERVICES

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

- (a) When it is necessary to safeguard a vehicle due to the inability of the owner or operator to take the required action.
- (b) When a vehicle is being held as evidence in connection with an investigation.
- (c) When it is otherwise necessary to store a motor vehicle. This would include situations involving the recovery of stolen or abandoned vehicles and the removal of vehicles obstructing traffic in violation of state or local regulations.

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

502.4 TOWING AT ARREST SCENES

Whenever a person in charge or in control of a vehicle is arrested, it is the policy of this department to provide reasonable safekeeping by towing the arrestee's vehicle subject to the exceptions described below. However, a vehicle shall be towed whenever it is needed for the furtherance of an investigation or prosecution of the case, or when the community caretaker doctrine would reasonably suggest that the vehicle should be towed. For example, a vehicle shall be towed if it would present a traffic hazard or if it would be in jeopardy of theft or damage if left at the scene in a high-crime area.

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

- Traffic-related warrant arrest
- Situations where the vehicle was not used to further the offense for which the occupant was arrested or is not subject to forfeiture proceedings

Vehicle Towing and Release Policy

- Whenever the vehicle otherwise does not need to be stored and the owner requests that it be left at the scene

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

502.5 VEHICLE INVENTORY

All property in a stored or impounded vehicle shall be inventoried and listed on the vehicle storage form. This includes the trunk and any compartments or containers, even if they are closed and/or locked. Members conducting inventory searches should be as thorough and accurate as practicable in preparing an itemized inventory. These inventory procedures are for the purpose of protecting an owner's property while the owner is in police custody, to provide for the safety of officers and the public, and to protect the Department against fraudulent claims of lost, stolen or damaged property.

If the apparent potential for damage to a locked container reasonably appears to outweigh the protection of the items inside, other options to consider regarding locked containers include, but are not limited to, obtaining access to the locked container from the owner, placing the locked container into safekeeping or obtaining a written waiver of responsibility for the contents of the locked container.

502.6 PRESERVATION OF EVIDENCE

An officer removing a vehicle pursuant to CRS § 42-4-1803, who has probable cause to believe that the vehicle or its contents constitute any evidence which tends to show that a criminal offense has been committed, or tends to show that a particular person has committed a criminal offense, should ensure that all legally required and reasonably necessary efforts to preserve the evidence, including but not limited to, safe storage, are taken until the evidence is released to the owner or otherwise disposed of according to law.

502.7 SECURITY OF VEHICLES AND PROPERTY

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

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

Impaired Driving

503.1 PURPOSE AND SCOPE

This policy provides guidance to those department members who play a role in the detection and investigation of driving under the influence (DUI).

503.1.1 OFFICERS RESPONSIBILITIES

Officers should affect the arrest of any person in violation of traffic laws pertaining to driving under the influence of alcohol and or drugs. Officers shall base the arrest on probable cause and the totality of the circumstances.

Patrol officers should investigate the suspicion of Driving under the Influence of Alcohol, Drugs or both in accordance with CRS § 42-4-1301. Standard Field Sobriety Tests (SFST) and Horizontal Gaze Nystagmus (HGN) shall be conducted in accordance with the standards established by the International Association of Chief of Police and the Colorado Department of Transportation.

Only those officers who have successfully completed the IACP approved Standard Field Sobriety Testing training program or its equivalent shall conduct such testing on drivers suspected of DUI.

An officer who has training in drug recognition, if available, shall evaluate persons suspected of Driving under the Influence of Drugs. It is the responsibility of the Watch Supervisor, once advised, to notify a Drug Recognition Expert (DRE) to respond to the department. It shall be a coordinated effort between the arresting officer and the DRE to complete the investigation of Driving under the Influence of Drugs.

503.2 POLICY

The Northglenn Police Department is committed to the safety of the roadways and the community and will pursue fair but aggressive enforcement of Colorado's impaired driving laws.

503.3 INVESTIGATIONS

Officers should not enforce DUI laws to the exclusion of their other duties unless specifically assigned to DUI enforcement. All officers are expected to enforce these laws with due diligence.

503.4 CHEMICAL TESTS

A person is deemed to have consented to a chemical test or tests under any of the following (CRS § 42-4-1301.1):

- (a) The officer has probable cause to believe that the person was driving a motor vehicle in violation of CRS § 42-4-1301 (DUI, DUI per se, DWAI, habitual user or UDD).
- (b) The person is dead or unconscious (CRS § 42-4-1301.1(8)).

503.4.1 CHOICE OF TESTS

Officers shall respect a viable choice of chemical test made by an arrestee as provided for by law. Generally, a person may request either a test of his/her blood or breath for determining alcohol

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content (CRS § 42-4-1301.1(2)(a)(I)). However, if a person under the age of 21 is suspected of underage drinking and driving (UDD), the person may only submit to a breath test.

For purpose of determining drug content within a person's system officers may select the most appropriate and viable test of the of the person's blood, or urine. The arrestee is required to take and complete the selected test or tests. (CRS § 42-4-1301.1(2)(b)(I)).

503.4.2 BREATH SAMPLES

The Intoxilyzer Instructor should ensure that all devices used for the collection and analysis of breath samples are properly serviced and tested and that a record of such service and testing is properly maintained.

Officers obtaining a breath sample should monitor the device for any sign of malfunction. Any anomalies or equipment failures should be noted in the appropriate report and promptly reported to the Special Events and Traffic Unit Sergeant.

503.4.3 BLOOD SAMPLES

Only persons authorized by law to withdraw blood shall collect blood samples (CRS § 42-4-1301.1(6)(a)). The withdrawal of the blood sample should be witnessed by the assigned officer. No officer, even if properly certified, should conduct the blood withdrawal.

Officers should inform an arrestee that if he/she chooses to provide a blood sample, a separate sample can be drawn for alternate testing. Unless medical personnel object, two samples should be drawn and retained as evidence, so long as only one puncture is required.

If an arrestee cannot submit to a blood test because he/she is a hemophiliac or is using an anticoagulant, he/she shall not be required to take a blood test. Such inability to take a blood test shall not be treated as a refusal. However, the person may be required to complete another available and viable test.

503.4.4 URINE SAMPLES

If a urine test will be performed, the person should be promptly transported to the appropriate testing site. The officer shall follow any directions accompanying the urine evidence collection kit.

Urine samples shall be collected and witnessed by an officer or jail staff of the same sex as the person giving the sample. The person tested should be allowed sufficient privacy to maintain his/her dignity, to the extent possible, while still ensuring the accuracy of the specimen.

The collection kit shall be marked with the person's name, offense, Northglenn Police Department case number and the name of the witnessing officer. The collection kit should be refrigerated pending transportation for testing.

503.5 REFUSALS

When a person refuses to provide a chemical sample, officers should:

- (a) Advise the person of the requirement to provide a sample (CRS § 42-4-1301.1).
- (b) Audio-record the admonishment and the response when it is practicable.

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- (c) Document the refusal in the appropriate report.

503.5.1 STATUTORY NOTIFICATIONS

Upon refusal to submit to a chemical test as required by law, officers shall personally serve the notice of revocation upon the person and take possession of any state-issued license to operate a motor vehicle that is held by that person and issue the person a seven day temporary permit unless the person already possesses one (CRS § 42-2-126(5)).

503.5.2 BLOOD SAMPLE WITHOUT CONSENT

A blood sample may be obtained from a person who refuses a chemical test when any of the following conditions exist:

- (a) A search warrant has been obtained.
- (b) The officer has probable cause to believe the person committed any of the following offenses (CRS § 42-4-1301.1(3)):
 - 1. Criminally negligent homicide.
 - 2. Vehicular homicide.
 - 3. Assault in the third degree.
 - 4. Vehicular assault.

503.5.3 FORCED BLOOD SAMPLE

If a person indicates by word or action that he/she will physically resist a blood draw, the officer should request a supervisor to respond.

The responding supervisor should:

- (a) Evaluate whether using force to obtain a blood sample is appropriate under the circumstances.
- (b) Ensure that all attempts to obtain a blood sample through force cease if the person agrees to, and completes a viable form of testing in a timely manner.
- (c) Advise the person of his/her duty to provide a sample (even if this advisement was previously done by another officer) and attempt to persuade the person to submit to such a sample without physical resistance. This dialogue should be recorded on audio and/or video when practicable.
- (d) Ensure that the withdrawal is taken in a medically approved manner.
- (e) Supervise any use of force and ensure the forced withdrawal is recorded on audio and/or video when practicable.
 - 1. Unless otherwise provided in a warrant, force should generally be limited to handcuffing or similar restraint methods. In misdemeanor cases, if the suspect becomes violent or more resistant, no additional force will be used and a refusal

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should be noted in the report. In felony cases, force which reasonably appears necessary to overcome the resistance to the blood being withdrawn may be permitted.

- (f) Monitor and ensure that the type and level of force applied is reasonable under the circumstances.
 - 1. Unless otherwise provided in a warrant, force should generally be limited to handcuffing or similar restraint methods.
 - 2. In misdemeanor cases, if the suspect becomes violent or more resistant, no additional force will be used and a refusal should be noted in the report.
 - 3. In felony cases, force which reasonably appears necessary to overcome the resistance to the blood being withdrawn may be permitted.
- (g) Ensure the use of force and methods used to accomplish the blood sample draw are documented in the related report.

If a supervisor is unavailable, officers are expected to use sound judgment and perform as a responding supervisor, as set forth above.

503.6 ARREST AND INVESTIGATION

503.6.1 PRELIMINARY TESTING

An officer may request that a person provide a breath sample for a preliminary screening test when the officer (CRS § 42-4-1301(6)(i)(I)):

- (a) Has reason to believe the person was driving a motor vehicle while under the influence or impaired by alcohol and,
- (b) Has advised the person that he/she may refuse or agree to provide the preliminary breath sample.

If the person is under the age of 21, the officer may conduct a preliminary screening test, without the person's consent, if there is a reasonable belief the person has consumed alcohol (CRS § 42-4-1301(6)(i)(I)).

An officer may use the results of the preliminary test in determining whether probable cause exists to believe the person was DUI and whether to administer additional testing (CRS § 42-4-1301(6)(i)(II)).

503.6.2 COLLECTING SAMPLES

Arrestee samples shall be collected and processed in accordance with standards set by the Department of Public Health and Environment (5 CCR 1005-2).

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503.6.3 TIME TO COLLECT SAMPLE

If an officer requests that a person submit to a blood or breath test to determine the alcohol content of the person's blood or breath, the person must cooperate with the request such that the sample can be obtained within two hours of the person's driving (CRS § 42-4-1301.1(2)(a)(III)).

If an officer requests that a person submit to a blood or urine test to determine the drug content within the person's system, the person must cooperate with the request such that the sample can be obtained within two hours of the person's driving (CRS § 42-4-1301.1(2)(b)(II)).

If a chemical test cannot be completed within the two hours, Officers may still request a person to submit to a blood, breath or urine test for the purpose of Criminal Court Proceedings.

503.6.4 NOTICE TO COMMERCIAL MOTOR VEHICLE DRIVER

Officers investigating a driver of a commercial motor vehicle license for DUI shall advise the person that a refusal to submit to a chemical test shall result in an out-of-service order for a period of 24 hours and a revocation of the privilege to operate a commercial motor vehicle for one year (CRS § 42-4-1301.1(4)).

503.6.5 OFFICER RESPONSIBILITIES

An officer believing that a person should be subject to license revocation as a result of driving under the influence shall forward the following to the Division of Motor Vehicles (DMV) on the forms prescribed by the DMV (CRS § 42-2-126(5)):

- (a) A copy of the completed notice of revocation form.
- (b) A copy of any completed temporary permit.
- (c) The person's driver's license.
- (d) An affidavit, signed, dated and sworn to by the officer containing information relevant to the legal issues and facts to be considered by the DMV for revoking the person's license.

503.6.6 EXTRAORDINARY CIRCUMSTANCES

If an officer requests a person to submit to a chemical test and subsequently determines that there are extraordinary circumstances that prevent the completion of the test elected by the person within the two-hour time period, the officer shall inform the person of such circumstances and request and direct the person to take and complete the other test. The person shall then be required to take and complete, and to cooperate in the completing of, the other test (CRS § 42-4-1301.1(2)(a.5)(I)). Extraordinary circumstances include, but are not limited to, weather related delays, high call volume affecting medical personnel, malfunctioning breath test equipment and other circumstances that preclude the timely collection of a sample (CRS § 42-4-1301.1(a.5)(IV)(B)).

503.6.7 UNCONSCIOUS OR DECEASED PERSONS

If an officer believes a person to be DUI and the person cannot submit to a chemical test because the person is unconscious, hospitalized or undergoing medical treatment, the officer may:

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- (a) Order the test of any blood or urine that was obtained and not utilized by the health care provider.
- (b) Have access to medical tests administered by the health care provider that show test results of the alcohol or drug content in the person's system. The provisions of section 13-90-107 relating to physician privileged communications do not apply to such test results (CRS § 42-4-1301.1(8)).

In addition, the blood or urine sample of any deceased driver or pedestrian at least 15 years of age shall be tested for alcohol, drug and carbon monoxide concentration following the procedures established by the Department of Public Health and Environment (CRS § 42-4-1301.1(8); CRS § 42-4-1304(1); CRS § 42-4-1304(6)).

503.7 RECORDS SECTION RESPONSIBILITIES

The Records Supervisor will ensure that all case-related records are transmitted according to current records procedures and as required by the prosecuting attorney's office.

503.8 ADMINISTRATIVE HEARINGS

The supervisor will ensure that all appropriate reports and documents related to administrative license suspensions are reviewed and forwarded to the Division of Motor Vehicles (DMV).

Officers called to testify at an administrative hearing should document the hearing date and the DMV file number in a supplemental report. Specific details of the hearing generally should not be included in the report unless errors, additional evidence or witnesses are identified. The Records Section should forward this to the prosecuting attorney as part of the case file.

503.9 TRAINING

The Training Sergeant should ensure that officers participating in the enforcement of DUI laws receive regular training. Training should include, at minimum, current laws on impaired driving, investigative techniques and rules of evidence pertaining to DUI investigations. The Training Sergeant should confer with the prosecuting attorney's office and update training topics as needed.

Traffic Citations

504.1 PURPOSE AND SCOPE

This policy outlines the responsibility for traffic citations, the collection of data, the procedure for dismissal, correction and voiding of traffic citations.

504.2 RESPONSIBILITIES

Employees of this department shall use the approved traffic citation for all traffic offense citations.

The Records Section is responsible for the supply and accounting of all county traffic citations issued to employees of this department and the municipal court will be responsible for the supply and accounting of all municipal citations. Citations will be kept in a secure location and issued to officers by the Records Section staff. Officers will sign for the citation books when issued.

504.3 DISMISSAL OF TRAFFIC CITATIONS

Employees of this department do not have the authority to dismiss a citation once it has been issued. Only the court has the authority to dismiss a citation that has been issued. Any request from a recipient to dismiss a citation shall be referred to the shift Sergeant. Upon a review of the circumstances involving the issuance of the traffic citation, the shift Sergeant may request that the Patrol Division Commander recommend dismissal of the traffic citation. If approved, the citation will be forwarded to the appropriate prosecutor with a request for dismissal. All recipients of traffic citations whose request for dismissal has been denied shall be referred to the appropriate court.

Should an officer determine during a court proceeding that a traffic citation should be dismissed in the interest of justice or where prosecution is deemed inappropriate, the officer may request that the court dismiss the citation. Upon dismissal of the traffic citation by the court, the officer shall notify his/her immediate supervisor of the circumstances surrounding the dismissal and shall complete any paperwork as directed or required.

504.4 VOIDING TRAFFIC CITATIONS

Voiding a traffic citation may occur when a traffic citation has not been completed or where it is completed but not issued. All copies of the citation shall be presented to a supervisor to approve the voiding of the citation.

504.5 CORRECTION OF TRAFFIC CITATIONS

When a traffic citation is issued and in need of correction, the officer issuing the citation shall submit an amendment form stating the specific correction to his/her immediate supervisor. Once completed the amendment form shall be forwarded to the court having jurisdiction of the citation.

504.6 DISPOSITION OF TRAFFIC CITATIONS

The court and file copies of all traffic citations issued by members of this department shall be forwarded to the employee's immediate supervisor for review.

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Upon separation from employment with this department, all employees who were issued traffic citation books shall return any unused citations to the Records Section or Court.

Disabled Vehicles

505.1 PURPOSE AND SCOPE

The Northglenn Police Department has adopted this policy regarding providing assistance to motorists in disabled vehicles within this organization's jurisdiction.

505.2 OFFICER RESPONSIBILITIES

When an on-duty officer observes a disabled vehicle, the officer should make a reasonable effort to provide assistance. If that officer is assigned to a call of higher priority, the dispatcher should be advised of the location of the disabled vehicle and the need for assistance. The dispatcher should then assign another available officer or other department member to respond as soon as practicable.

505.3 EXTENT OF ASSISTANCE

In most cases, a disabled motorist will require assistance. After assistance is rendered or arrangements for assistance are made, continued involvement by Department personnel will be contingent on the time of day, the location, the availability of Department resources and the vulnerability of the disabled motorist.

505.3.1 MECHANICAL REPAIRS

Department personnel shall not make mechanical repairs to a disabled vehicle. The use of push bumpers to relocate vehicles to a position of safety or to remove vehicles that are obstructing traffic pursuant to CRS § 42-4-1803(2) is not considered a mechanical repair.

This does not prevent a police vehicle from jump-starting another city vehicle.

505.3.2 RELOCATION OF DISABLED VEHICLES

The relocation of disabled vehicles by members of this department by pushing or pulling a vehicle should only occur when the conditions reasonably indicate that immediate movement is necessary to reduce a hazard presented by the disabled vehicle.

505.4 PUBLIC ACCESS TO THIS POLICY

This written policy is available upon request.

Abandoned Vehicle/Illegal Vehicle Violations

506.1 PURPOSE AND SCOPE

This policy provides procedures for the removal, recording and storage of vehicles abandoned in violation of abandoned vehicle laws under the authority of CRS § 42-4-1803, et seq.

506.1.1 DEFINITIONS

Definitions related to this policy include:

Abandoned motor vehicle - A motor vehicle is abandoned if:

- (a) It is on public property and (CRS 42-4-1802(1)); (Muni Code 7-3-5 (a)(2)):
 - 1. Left unattended on a highway right-of-way within the limits of a town or city longer than allowed by any local ordinance.
 - 2. Stored in an impound lot at the request of a law enforcement agency and not removed within 72 hours after notification to the owner that the vehicle is available for release.
- (b) It is on private property and (CRS § 42-4-2102(1)); (Muni Code 7-3-5 (a)(1)):
 - 1. Left unattended without consent for at least 24 hours or as established by a local ordinance.
 - 2. Not removed from an impound lot according to an agreement with the owner.
 - 3. Towed at the request of a property owner and not removed from the impound lot by the vehicle owner within 48 hours.

506.2 MARKING VEHICLES

Vehicles on public roadways suspected of being abandoned in violation of Colorado laws or Municipal Code shall be marked and noted on the Northglenn Police Department zoning courtesy notice and documented via the computer aided dispatch (CAD) system. No case number is required at this time.

A visible chalk or crayon mark should be placed on the rear left rear tire tread and road surface at the 6 o'clock position unless the vehicle is missing tires or other vehicle conditions or the weather prevents marking. Any deviation in markings shall be noted on the marked vehicle card.

All marked zoning courtesy notice cards shall be disseminated in the following manner:

- (a) Orange Copy is placed on side window of vehicle
- (b) Pink Copy is turned in to the Patrol Shift Supervisor
- (c) White Copy is kept by the Officer for follow-up or referred to the Animal Control Officers for follow-up.

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506.2.1 MARKED VEHICLE FILE

The Patrol Shift Supervisor shall be responsible for forwarding all pink copies of all marked zoning courtesy notice to Records.

Animal Control Officers assigned to the Patrol Shift Supervisor shall be responsible for the follow-up investigation of all abandoned violations forwarded to them through the zoning courtesy notice or CAD system.

506.3 VEHICLE STORAGE

Any vehicle in violation shall be stored by the authorized towing service and a vehicle impound/storage form shall be completed by the officer authorizing the storage of the vehicle. An incident report will be generated through the I/Leads records management system by the Officer or Animal Control Officer. Animal Control Officers may also document the impound through the Citizenserve management system.

506.3.1 VEHICLE STORAGE REPORTING

The vehicle impound/storage form shall be submitted to the Records Section immediately following the storage of the vehicle. It shall be the responsibility of the Records Section to enter information from the vehicle impound/storage form into CCIS. Owner and/or lienholder will be notified by Police Administration personnel as per policy 510.2.5.

Chapter 6 - Investigation Operations

Investigation and Prosecution

600.1 PURPOSE AND SCOPE

When assigned to a case for initial or follow-up investigation, officers shall proceed with due diligence in evaluating and preparing the case for appropriate clearance or presentation to a prosecutor for filing criminal charges.

600.2 INITIAL INVESTIGATIONS

An officer responsible for an initial investigation shall complete no less than the following:

- (a) Make a preliminary determination if a crime has been committed by completing, at a minimum:
 - 1. An initial statement from any witnesses or complainants.
 - 2. A cursory examination for possible evidence.
- (b) If information indicates a crime has occurred, the officer shall:
 - 1. Preserve the scene and any evidence as required to complete the initial and follow-up investigation.
 - 2. Determine if additional investigative resources (e.g., investigators or scene processing) assistance is necessary and request assistance as required.
 - 3. If assistance is warranted, or if the incident is not routine, notify a supervisor or Shift Sergeant.
 - 4. Interview all available victims, informants, complainants, witnesses and suspects.
 - 5. Make reasonable attempts to locate, identify and interview all available victims, complainants, witnesses and suspects.
 - 6. Collect any evidence.
 - 7. Take any appropriate law enforcement action.
 - 8. Complete and submit the appropriate reports and documentation.
- (c) If the preliminary determination is that no crime occurred, determine what other action may be necessary, what other resources may be available and advise the informant or complainant of this information.
- (d) Generally, the officer who initiates the report shall assume all follow up until final disposition of the case, however cases may be forwarded to Investigations for the following reasons:
 - 1. The crime is a felony.
 - 2. There are a series of misdemeanor cases with similar modus operandi.

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3. The suspect or witnesses live outside the city limits are not available by telephone contact.
4. The investigation requires lengthy follow-up or special procedures such as a physical or photo line-ups.
5. When assistance is requested by a patrol supervisor with the approval of the Investigations Unit Supervisor.

600.3 CUSTODIAL INTERROGATION REQUIREMENTS

Any custodial interrogation of a person who is suspected of having committed any violent felony offense should be electronically recorded (audio/video or both as available) in its entirety. Regardless of where the interrogation occurs, every reasonable effort should be made to secure functional recording equipment to accomplish such recordings.

Officers should also consider electronically recording a custodial interrogation, or any investigative interview, for any other offense when the officer reasonably believes it would be appropriate and beneficial to the investigation and is otherwise allowed by law.

No recording of an interrogation should be destroyed or altered without written authorization from the District Attorney and the Investigative Support Unit supervisor. Copies of recorded interrogations or interviews may be made in the same or different format provided they are true, accurate and complete copies and are made only for authorized and legitimate law enforcement purposes.

Officers should continue to prepare written summaries of custodial questioning and investigative interviews and continue to obtain written statements from suspects when applicable.

600.4 PERSONS WITH COMMUNICATION DISABILITIES

Upon the arrest of a person with a communication disability and before interrogation or the taking of his/her statement, the officer, should make an interpreter available to that person at public expense or in accordance with any applicable law.

600.5 FOLLOW-UP INVESTIGATIONS

Follow-up investigations on all cases are evaluated and assigned by the Investigative Support Unit supervisor based upon caseload, case assignment and an evaluation of case solvability factors.

600.5.1 CASE SOLVABILITY FACTORS

Case solvability factors include, but are not limited to, the following:

- (a) Reliability of witnesses
- (b) Suspect is named.
- (c) Suspect is described.
- (d) Suspect's location is known.

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- (e) Suspect is identified.
- (f) Suspect has been previously seen.
- (g) Suspect vehicle is described.
- (h) Suspect vehicle is identified.
- (i) Property is traceable.
- (j) Modus operandi is significant.
- (k) There is usable physical evidence.
- (l) There was limited opportunity for anyone other than the suspect to commit the crime.
- (m) The case may be solved with reasonable additional investigative effort.
- (n) Other factors that are applicable only in exceptional circumstances include:
 - 1. That the case is of significant importance to the community.
 - 2. That there is potential, imminent danger to victims or witnesses.
 - 3. The seriousness of offense.
 - 4. That there is a characteristic pattern, frequency or modus operandi related to the case.
 - 5. Management decisions to pursue a case regardless of solvability factors.

600.6 MODIFICATION OF CHARGES FILED

Employees should consult with a supervisor prior to recommending to the District Attorney, City Attorney or to any other official of the court that charges on a pending case be altered or the case dismissed. Engaging in discussions initiated by the prosecutor representing the District Attorney or City Attorney is not restricted. In all cases resulting in court prosecution, any intent by a member of the Department to modify the charges filed or to recommend dismissal of charges in a pending case shall be discussed with a Division Commander or the Chief of Police or the authorized designee prior to taking action.

600.7 TRAINING

Officers should receive training in conducting preliminary investigations prior to assignment to any investigative duties. Officers assigned to investigative follow-up or advanced investigations, or upon assignment to the Support Division, should have completed training in follow-up investigations.

Sex Crime Victim's Rights

601.1 PURPOSE AND SCOPE

This policy establishes a procedure by which sex crime victims may inquire about and be provided with information regarding the status of any DNA evidence in their case, their right to confidentiality and other rights afforded by the Constitution of the State of Colorado and the Colorado's Victim Rights Act (CRS 24-4.1-301, et seq.).

601.2 INVESTIGATION CONSIDERATIONS

601.2.1 VICTIM CONFIDENTIALITY

Officers investigating or receiving a report of an alleged sex offense shall assist in keeping the identity of the victim private. The name of any juvenile victim of a sex crime shall not be disseminated or published (CRS § 19-1-102(1.7)).

The Department shall withhold public access to information that would reveal the identity of a victim or alleged victim of criminal sexual conduct pursuant to CRS § 24-72-304. The notation "SEXUAL ASSAULT" shall be made on Department official records involving a victim of a sex crime.

601.2.2 OFFICER RESPONSIBILITIES

Officers investigating or receiving a report of an alleged sex crime shall:

- (a) Call a Victim Advocate or provide victim with a copy of the "Victim Rights" brochure. If a Victim Advocate is not called to respond it will be the investigating officers responsibility to provide the victim with the information required in CRS 24-4.1-303(9). If a Victim Advocate does not respond the investigating officer shall inform the Victim Service unit of the case number and contact information for the victim. Refer to Chapter 3 Policy 303 of the Northglenn Police Department Manual for procedures, policies and statutory requirements regarding "Victims' Rights"
- (b) In writing provide the following:
 - 1. Investigating Officer's name, business address and telephone number.
 - 2. Keep the victim informed of the status of the case, including "critical stages" in the case and notification of the charges to be filed or if charges will not be filed; unless such information would jeopardize the case or associated cases.
 - 3. Provide appropriate translation services.
 - 4. Document the above information was provided to the victim.
 - 5. Coordinate with Victim Services staff members in scheduling interviews, evidence collection or other investigative procedures in order for the victim to receive advocacy, crisis intervention and other supportive services.

Sex Crime Victim's Rights

601.3 FORENSIC MEDICAL EXAMINATION FOR SEX CRIME VICTIMS

Officers investigating or receiving a report of an alleged sex offense that occurred within 96 hours of the offense shall, with the consent of the victim or a person authorized to act on behalf of the victim, request a forensic medical examination of the victim. No Northglenn Police Department employee shall ask or require a sex crime victim to participate or cooperate in an investigation as a condition of receiving a forensic medical examination (CRS § 18-3-407.5)(3)(a)).

If a sexual assault is not reported within 96 hours of the offense, the Department may still request a medical examination of the victim, provided consent is given by the victim or a person authorized to act on behalf of the victim.

The Northglenn Police Department shall be responsible for direct costs associated with the collection of forensic evidence from a sex crime victim (CRS § 18-3-407.5(1)).

601.4 TRUTH VERIFICATION EXAMINATION FOR SEX CRIME VICTIMS

Employees of the Northglenn Police Department shall not ask or require a victim of a sex crime to submit to a truth verification examination as a condition for proceeding with a criminal investigation (CRS 18-3-407.5 (2)).

A truth verification examination shall only be conducted upon a victim with the victim's written informed consent that includes notice that he/she has the right to refuse to submit to the examination. In addition, the victim shall be informed orally with information about the potential use of the result of the examination (CRS § 18-3-407.5(2)).

Asset Forfeiture Policy

602.1 PURPOSE AND SCOPE

This describes the authority and procedure for the seizure and forfeiture of property. This policy applies to seized and forfeited property in the form of real, personal, tangible or intangible property pursuant to the Colorado Public Nuisance Abatement Act and the Colorado Contraband Forfeiture Act (CRS § 16-13-302, et seq. and CRS § 16-13-501, et seq.).

602.1.1 DEFINITIONS

Definitions related to this policy include (CRS § 16-13-502):

Contraband article - Includes any controlled substance, any imitation controlled substance, any drug paraphernalia or the possession of any drug prohibited by the laws of Colorado.

Proceeds traceable or traceable proceeds - Includes all real and personal property, which is proceeds attributable to, derived from or realized through any unlawful act involving a contraband article.

602.2 ASSET SEIZURE AUTHORITY

An officer of this department may seize and hold property when there is probable cause to believe that property or articles are contraband and the seizure is incident to a lawful search or as directed by the court (CRS §16-13-308(1)(a)(I), CRS §16-13-309(3) and CRS § 16-13-504).

602.3 ASSET FORFEITURE PROCEDURE

Before seizing any currency, vehicle or personal property, a patrol officer shall notify the on-duty supervisor. The following guidelines will be observed:

- (a) The seizing officer or the detective shall interview all involved persons concerning their possession of the seized assets, financial situation, employment, income and other resources. The interviewing officer shall ensure that *Miranda* warnings are given and waivers obtained before interviewing any person who is in custody.
- (b) When someone has made notification other than the Investigations Unit Supervisor, a copy of all reports and all applicable asset forfeiture paperwork must be forwarded to the asset forfeiture detective in the North Metro Task Force, or Support Division Commander for review.
- (c) Attempt to promptly determine all lien holders or all persons who may have a legal interest in the seized currency, vehicle or property for further contact, investigation and notification.
- (d) The seizure of assets subject to forfeiture is a civil proceeding filed through the county of origin, Office of the District Attorney Forfeiture Unit or the North Metro Drug Task Force.

Asset Forfeiture Policy

602.3.1 SEIZED PROPERTY

Any property seized subject to forfeiture will be inventoried and booked into the Property and Evidence Room.

The property will be checked through the automated property system to determine if the property has been stolen. Reasonable diligence in securing the property is required.

602.3.2 SEIZED CURRENCY

Currency seized subject to forfeiture will be counted in accordance with the Cash Handling, Security and Management Policy. The currency will be placed in a money envelope with the denomination of the currency, totals of each denomination and the total amount of currency enclosed noted on the money envelope. The officer counting and the employee verifying the money will initial and sign the envelope when sealed. If the currency will not fit into a standard money envelope, place the currency in a larger envelope or bag, sealing and affixing a completed money envelope to the outside of the larger envelope or bag that contains the currency.

Currency may be deposited in an interest-bearing account designated for holding seized currency if so ordered by the court upon motion of any party (CRS § 16-13-510).

602.3.3 SEIZED BOATS AND MOTOR VEHICLES

Vehicles, watercraft or aircraft seized subject to forfeiture will be taken to a designated storage facility appropriate for the storage of the item in a manner consistent with the Vehicle Towing and Release Policy. A seized vehicle should not be impounded. The officer seizing the vehicle shall notify the detective supervisor of the circumstances as soon as possible.

If the vehicle cannot be operated, a tow truck or trailer will be used to tow the boat or motor vehicle to the storage facility.

Personal property located in a seized boat or motor vehicle shall be removed and booked into property as either evidence or for safekeeping.

If a rented motor vehicle is seized, the Department shall notify the motor vehicle rental company of the seizure. A rented motor vehicle shall be returned to the rental company unless the vehicle must remain in custody for evidentiary purposes or if there is probable cause to believe the rental company had knowledge or notice of the criminal activity (CRS § 16-13-315(3) and CRS § 16-13-504(1.5)).

602.4 PROPERTY FORFEITURE LOG

A detailed internal control inventory of all asset forfeiture cases shall be kept in the Investigative Support Unit. The inventory shall include no less than the following:

- (a) The case number
- (b) Items seized
- (c) The amount of property acquired
- (d) The date the property was acquired

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- (e) The value of the property
- (f) The type of seizure
- (g) The disposition of the property, which includes at minimum:
 - 1. The manner in which property was disposed.
 - 2. The date of disposition.
 - 3. Detailed financial records concerning any property sold.
 - 4. The name of any person who received the property.

Information maintained on the log will be provided to the Chief of Police or authorized staff, as requested.

602.5 ASSET DISPOSITION

Assets shall be disposed of pursuant to state law and may include (CRS § 16-13-311 and CRS § 16-13-506):

- (a) Retention by the Department.
- (b) Destruction.
- (c) Public sale.
- (d) Other disposition pursuant to applicable provisions of Colorado law.

Members of this department or persons related to members of this department by blood or marriage are prohibited from purchasing forfeited items sold by this department (CRS § 16-13-302(g)).

602.6 DISTRIBUTION OF PROCEEDS FROM FORFEITURE

Forfeited property sold shall be distributed pursuant to state law (CRS § 16-13-311(3) and CRS § 16-13-506).

All forfeiture proceeds must be applied first to satisfy any established claims and allocated in the following manner:

- (a) Reimbursement for costs associated with the forfeiture action, injury or property damage as a result of the acts which resulted in forfeiture.
- (b) Any special account established pursuant to Colorado law.
- (c) Equitably between agencies involved in the seizure and directed by the court.
- (d) To a person who petitions the court and suffered bodily injury or property damage as a result of the acts which resulted in forfeiture.

Any monies received shall be deposited to a special account established for asset seizure monies of this department

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The Northglenn Police Department shall not use or expend the proceeds of any forfeited property until approved by the Committee on the Disposition of Forfeited Property pursuant to CRS § 16-13-702.

602.7 FORFEITURE REPORTING

The Department shall prepare a report covering any forfeiture proceeds (CRS § 16-13-302(2)(f) and CRS § 16-13-501.5(2)(e)). Each quarter the Division Commander shall provide a report of the approximate value, receipt and use of forfeiture proceeds with the City Finance Director. At a minimum, the report should include the following information:

- (a) The amount forfeited
- (b) The statutory authority for the forfeiture
- (c) The date of the forfeiture
- (d) Whether the forfeiture was contested
- (e) A brief description of the circumstances involved
- (f) Identification of all boats, motor vehicles and firearms, including the number, make, model, and serial number of the items seized
- (g) The manner of disposition
- (h) For driving under the influence forfeitures, whether the forfeiture was initiated as an administrative or judicial forfeiture

If forfeiture proceeds are received from a federal forfeiture action, the Division Commander shall submit a copy of the report to the Department of Local Affairs (CRS § 16-13-701(3)).

Confidential Informants

603.1 PURPOSE AND SCOPE

In many instances a successful investigation cannot be conducted without the use of confidential informants. To protect the integrity of the Northglenn Police Department and the officers using informants, it shall be the policy of this department to take appropriate precautions by developing sound informant policies.

603.1.1 DEFINITIONS

Definitions related to this policy include:

Confidential informant - A person who provides information about criminal activity to law enforcement officers, whose identity is privileged in order to insulate the informant from retribution by those involved in crime.

603.2 INFORMANT FILE SYSTEM

The North Metro Drug Task force supervisor or the authorized designee shall be responsible for maintaining informant files. A separate file shall be maintained on each confidential informant.

603.2.1 FILE SYSTEM PROCEDURE

Each file shall be coded with an assigned informant control number. An informant history shall be prepared to correspond to each informant file and shall include the following information:

- (a) Informant's name and/or aliases
- (b) Date of birth
- (c) Physical description: height, weight, hair color, eye color, race, gender, scars, tattoos or other distinguishing features
- (d) Current home address and telephone numbers
- (e) Current employer, position, address and telephone numbers
- (f) Vehicles owned and registration information
- (g) Places frequented
- (h) Informant's photograph
- (i) Evidence that a criminal history check has been made
- (j) Briefs of information provided by the informant and his/her subsequent reliability; if an informant is determined unreliable, the informant's file will be marked as "Unreliable."
- (k) Name of officer initiating use of the informant
- (l) Signed informant agreement
- (m) Update on active or inactive status of the informant

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The informant files shall be maintained in a secure area within the North Metro Task force. These files shall be used to provide a source of background information about the informant, enable review and evaluation of information given by the informant, and minimize incidents that could be used to question the integrity of investigators or the reliability of the confidential informant.

Access to the informant files shall be restricted to the Chief of Police, a Division Commander, the North Metro Task force Supervisor or their authorized designees.

603.3 USE OF INFORMANTS

Before using an individual as a confidential informant, an officer must receive approval from the North Metro Task force supervisor. The officer shall compile sufficient information through a background investigation to determine the reliability, credibility and suitability of the individual, including age, maturity and risk of physical harm.

603.3.1 JUVENILE INFORMANTS

The use of juvenile informants under the age of 13 years is prohibited. A parent or legal guardian's written consent shall be secured prior to the use of any juvenile informant between the age of 13 and 17. Final approval to use a juvenile informant must be obtained from the Chief of Police or the authorized designee.

For purposes of this policy, a "juvenile informant" means any juvenile who participates, on behalf of this department, in a prearranged transaction or series of prearranged transactions with direct face-to-face contact with any party, when the juvenile's participation in the transaction is for the purpose of obtaining or attempting to obtain evidence of illegal activity by a third party, and where the juvenile is participating in the transaction for the purpose of reducing or dismissing a pending juvenile petition or criminal charge against the juvenile.

603.4 GUIDELINES FOR HANDLING CONFIDENTIAL INFORMANTS

All confidential informants are required to sign and abide by the provisions of the Department informant agreement. The officer using the confidential informant shall discuss each of the provisions of the agreement with the confidential informant.

Details of the agreement are to be approved in writing by the unit supervisor before being finalized with the confidential informant.

603.4.1 RELATIONSHIPS WITH CONFIDENTIAL INFORMANTS

No member of the Northglenn Police Department shall knowingly maintain a social relationship with a confidential informant while off-duty, or otherwise become intimately involved with a confidential informant. Members of the Northglenn Police Department shall neither solicit nor accept gratuities or engage in any private business transaction with a confidential informant.

To maintain officer/informant integrity, the following requirements must be met:

- (a) Officers shall not withhold the identity of an informant from the Chief of Police, a Division Commander, the North Metro Task force Supervisor or their authorized designees.

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- (b) Identities of informants shall otherwise be kept confidential.
- (c) Criminal activity by informants shall not be condoned.
- (d) Informants shall be told they are not acting as police officers, employees or agents of the Northglenn Police Department and that they shall not represent themselves as such.
- (e) The relationship between officers and informants shall always be ethical and professional.
- (f) Social contact shall be avoided unless it is necessary to conduct an official investigation, and only with prior approval of the North Metro Task force supervisor.
- (g) Officers shall not meet with informants in a private place unless accompanied by at least one additional officer or with prior approval of the North Metro Task force supervisor. Officers may meet informants alone in an occupied public place, such as a restaurant. When contacting informants for the purpose of making payments, officers shall arrange for the presence of another officer whenever reasonably possible.
- (h) In all instances when department funds are paid to informants, a voucher shall be completed in advance, itemizing the expenses.

603.5 NARCOTICS INFORMANT PAYMENT PROCEDURES

The potential payment of large sums of money to any confidential informant must be done in a manner respecting public opinion and scrutiny. To maintain a good accounting of such funds requires a strict procedure for disbursements.

603.5.1 PAYMENT PROCEDURE

The amount of funds to be paid to any confidential informant will be evaluated against the following criteria:

- The extent of the informant's personal involvement in the case
- The significance, value or effect on crime
- The amount of assets seized
- The quantity of the drugs seized
- The informant's previous criminal activity
- The level of risk taken by the informant
- Other factors that may motivate the informant

The North Metro Task force supervisor will discuss the above factors with the Patrol Division Commander and arrive at a recommended level of payment that will be subject to the approval of the Chief of Police or the authorized designee. The amount of payment will be based on a percentage of the current market price for the drugs or other contraband being sought, not to exceed 15 percent.

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603.5.2 CASH DISBURSEMENT POLICY

The following establishes a cash disbursement policy for confidential informants. No informant will be told in advance or given an exact amount for services rendered.

- (a) When both assets and drugs have been seized, the confidential informant shall receive payment based upon overall value and the purchase price of the drugs seized, not to exceed a maximum of \$5,000.
- (b) A confidential informant may receive a cash amount for each quantity of drugs seized, whether assets are also seized, not to exceed a maximum of \$5,000.

603.5.3 PAYMENT PROCESS

A check shall be requested, payable to the case agent. The case number shall be recorded justifying the payment. The signatures of the Chief of Police or the authorized designee and the City Manager or the authorized designee are required for disbursements over \$500. The disbursement of money shall be handled in accordance with established state law and City policies, ordinances and protocols. Payments of \$500 and under may be paid in cash out of the North Metro Task force buy/expense petty cash fund. The North Metro Task force supervisor will be required to sign the voucher for amounts under \$500.

The North Metro Task force buy/expense petty cash fund is a petty cash fund managed by the North Metro Task force supervisor in compliance with the Cash Handling Security and Management Policy. These funds shall be maintained in a locked cash box that is secured in a locked cabinet, desk or drawer in the North Metro Task force supervisor's office. This office will be secured whenever it is unoccupied.

To complete the transaction with the confidential informant, the case agent shall have the confidential informant initial the cash transfer form. The confidential informant will sign the form indicating the amount received, the date and that the confidential informant is receiving funds in payment for information voluntarily rendered in the case. The Northglenn Police Department case number shall be recorded on the cash transfer form. A copy of the form will be kept in the confidential informant's file.

If the payment amount exceeds \$500, a complete written statement of the confidential informant's involvement in the case shall be placed in the confidential informant's file. This statement shall be signed by the confidential informant verifying the statement as a true summary of his/her actions in the case.

603.5.4 REPORTING OF PAYMENTS

Each confidential informant receiving a cash payment shall be informed of his/her responsibility to report the cash to the Internal Revenue Service (IRS) as income.

If funds distributed exceed \$600 in any reporting year, the confidential informant should be provided IRS Form 1099 (26 CFR § 1.6041-1). If such documentation or reporting may reveal the identity of the confidential informant and by doing so jeopardize any investigation, the safety of peace officers or the safety of the confidential informant, then IRS Form 1099 should not be

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issued. In such cases, the confidential informant shall be provided a letter identifying the amount he/she must report on tax returns as "other income," and shall be required to return a signed acknowledgement of receipt of the letter. The completed acknowledgement form and a copy of the letter shall be retained in the confidential informant's file (26 CFR § 1.6041-3).

603.5.5 AUDIT OF PAYMENTS

At least once every six months the Chief of Police or the authorized designee shall conduct a thorough audit of all informant funds for the purpose of accountability and security of the funds. Petty cash records, transfer forms, invoices, receipts and logs will assist with the audit process.

Eyewitness Identification

604.1 PURPOSE AND SCOPE

This policy sets forth guidelines to be used when members of this department employ eyewitness identification techniques.

604.1.1 DEFINITIONS

Definitions related to the policy include:

Eyewitness identification process -Any field identification, live lineup or photographic identification.

Field identification -A live presentation of a single individual to a witness following the commission of a criminal offense for the purpose of identifying or eliminating the person as the suspect.

Live lineup -A live presentation of individuals to a witness for the purpose of identifying or eliminating an individual as the suspect.

Photographic lineup - Presentation of photographs to a witness for the purpose of identifying or eliminating an individual as the suspect.

604.2 POLICY

This department will strive to use eyewitness identification techniques, when appropriate, to enhance the investigative process and will emphasize identifying persons responsible for crime and exonerating the innocent.

604.3 INTERPRETIVE SERVICES

Officers should make a reasonable effort to arrange for an interpreter before proceeding with eyewitness identification if communication with a witness is impeded due to language or hearing barriers.

Before the interpreter is permitted to discuss any matter with the witness, the investigating officer should explain the identification process to the interpreter. Once it is determined that the interpreter comprehends the process and can explain it to the witness, the eyewitness identification may proceed as provided for within this policy.

604.4 EYEWITNESS IDENTIFICATION FORM

The Support supervisor shall be responsible for the development and maintenance of an eyewitness identification process for use by members when they are conducting eyewitness identifications.

The process and any related forms or reports should provide:

- (a) The date, time and location of the eyewitness identification procedure.
- (b) The name and identifying information of the witness.

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- (c) The name of the person administering the identification procedure.
- (d) If applicable, the names of all of the individuals present during the identification procedure.
- (e) An admonishment that the suspect may or may not be among those presented and that the witness is not obligated to make an identification.
- (f) An admonishment to the witness that the investigation will continue regardless of whether an identification is made by the witness.
- (g) A signature line where the witness acknowledges that he/she understands the identification procedures and instructions.

The process and related forms should be reviewed at least annually and modified when necessary.

604.5 EYEWITNESS IDENTIFICATION

Officers are cautioned not to, in any way, influence a witness as to whether any subject or photo presented in a lineup is in any way connected to the case. Officers should avoid mentioning that:

- The individual was apprehended near the crime scene.
- The evidence points to the individual as the suspect.
- Other witnesses have identified, or failed to identify, the individual as the suspect.

In order to avoid undue influence, witnesses should view suspects or a lineup individually and outside the presence of other witnesses. Witnesses should be instructed to avoid discussing details of the incident or of the identification process with other witnesses.

Each witness should be admonished that he/she is not required to make an identification of any person shown during an eyewitness identification process.

604.5.1 PHOTOGRAPHIC AND LIVE LINEUP CONSIDERATIONS

When practicable, the person composing the lineup and the person presenting the lineup should not be directly involved in the investigation of the case. When this is not possible, the member presenting the lineup must take the utmost care not to communicate the identity of the suspect in any way.

When practicable, the employee presenting a lineup to a witness should not know which photograph or person is the suspect.

Other persons or photos used in any lineup should bear similar characteristics to the suspect to avoid causing him/her to unreasonably stand out. In cases involving multiple suspects, a separate lineup should be conducted for each suspect. The suspects should be placed in a different order within each lineup.

The employee presenting the lineup to a witness should do so sequentially and not simultaneously (i.e., show the witness one person at a time). The witness should view all persons in the lineup.

Eyewitness Identification

The order of the suspect or the photos and the fillers should be randomized before being presented to each witness.

A live lineup should only be used before criminal proceedings have been initiated against the suspect. If there is any question as to whether any criminal proceedings have begun, the investigating officer should contact the appropriate prosecuting attorney before proceeding.

604.5.2 FIELD IDENTIFICATION CONSIDERATIONS

Field identifications, also known as field elimination show-ups or one-on-one identifications, may be helpful in certain cases, where exigent circumstances make it impracticable to conduct a photo or live lineup identifications. A field elimination or show-up identification should not be used when independent probable cause exists to arrest a suspect. In such cases a live or photo lineup is the preferred course of action if eyewitness identification is contemplated.

When initiating a field identification, the officer should observe the following guidelines:

- (a) Obtain a complete description of the suspect from the witness.
- (b) Assess whether a witness should be included in a field identification process by considering:
 - 1. The length of time the witness observed the suspect.
 - 2. The distance between the witness and the suspect.
 - 3. Whether the witness could view the suspect's face.
 - 4. The quality of the lighting when the suspect was observed by the witness.
 - 5. Whether there were distracting noises or activity during the observation.
 - 6. Any other circumstances affecting the witness's opportunity to observe the suspect.
 - 7. The length of time that has elapsed since the witness observed the suspect.
- (c) If safe and practicable, the person who is the subject of the show-up should not be handcuffed or in a patrol vehicle.
- (d) When feasible, officers should bring the witness to the location of the suspect, rather than bring the suspect to the witness.
- (e) A person should not be shown to the same witness more than once.
- (f) In cases involving multiple suspects, witnesses should only be permitted to view the suspects one at a time.
- (g) A person in a field identification should not be required to put on clothing worn by the suspect, to speak words uttered by the suspect or to perform other actions mimicking those of the suspect.

Eyewitness Identification

- (h) If a witness positively identifies an individual as the perpetrator, officers should not conduct any further field identifications with other witnesses for that suspect. In such instances officers should document the contact information for any additional witnesses for follow up, if necessary.

604.6 DOCUMENTATION

A thorough description of the eyewitness process and the results of any eyewitness identification should be documented in the case report. Witness comments of how certain he/she is of the identification or non-identification should be quoted in the report.

If a photographic lineup is utilized, a copy of the photographic lineup presented to the witness should be included in the case report. In addition, the order in which the photographs were presented to the witness should be documented in the case report.

Brady Material Disclosure

605.1 PURPOSE AND SCOPE

This policy establishes guidelines for identifying and releasing potentially exculpatory or impeachment information (so-called "*Brady* information") to a prosecuting attorney.

605.1.1 DEFINITIONS

Definitions related to this policy include:

***Brady* information** -Information known or possessed by the Northglenn Police Department that is both favorable and material to the current prosecution or defense of a criminal defendant.

605.2 POLICY

The Northglenn Police Department will conduct fair and impartial criminal investigations and will provide the prosecution with both incriminating and exculpatory evidence, as well as information that may adversely affect the credibility of a witness. In addition to reporting all evidence of guilt, the Northglenn Police Department will assist the prosecution by complying with its obligation to disclose information that is both favorable and material to the defense. The Department will identify and disclose to the prosecution potentially exculpatory information, as provided in this policy.

605.3 DISCLOSURE OF INVESTIGATIVE INFORMATION

Officers must include in their investigative reports adequate investigative information and reference to all material evidence and facts that are reasonably believed to be either incriminating or exculpatory to any individual in the case. If an officer learns of potentially incriminating or exculpatory information any time after submission of a case, the officer or the handling investigator must prepare and submit a supplemental report documenting such information as soon as practicable. Supplemental reports shall be promptly processed and transmitted to the prosecutor's office.

If information is believed to be privileged or confidential (e.g., confidential informant or protected personnel files), the officer should discuss the matter with a supervisor and/or prosecutor to determine the appropriate manner in which to proceed.

Evidence or facts are considered material if there is a reasonable probability that they would affect the outcome of a criminal proceeding or trial. Determining whether evidence or facts are material often requires legal or even judicial review. If an officer is unsure whether evidence or facts are material, the officer should address the issue with a supervisor.

Supervisors who are uncertain about whether evidence or facts are material should address the issue in a written memo to an appropriate prosecutor. A copy of the memo should be retained in the Department case file.

Brady Material Disclosure

605.4 DISCLOSURE OF PERSONNEL INFORMATION

If a member of this department is a material witness in a criminal case, a person or persons designated by the Chief of Police shall examine the personnel file and/or internal affairs file of the officer to determine whether they contain *Brady* information. If *Brady* information is located, the following procedure shall apply:

- (a) In the event that a motion has not already been filed by the criminal defendant or other party, the prosecuting attorney and department member shall be notified of the potential presence of *Brady* material in the member's personnel file.
- (b) The prosecuting attorney or department counsel should be requested to file a motion in order to initiate an in camera review by the court.
 - 1. If no motion is filed, the supervisor should work with counsel to determine whether the records should be disclosed to the prosecutor.
- (c) The Custodian of Records shall accompany all relevant personnel files during any in camera inspection to address any issues or questions raised by the court.
- (d) If the court determines that there is relevant *Brady* material contained in the files, only that material ordered released will be copied and released to the parties filing the motion.
 - 1. Prior to the release of any materials pursuant to this process, the Custodian of Records should request a protective order from the court limiting the use of such materials to the involved case and requiring the return of all copies upon completion of the case.
- (e) If a court has determined that relevant *Brady* information is contained in the member's file in any case, the prosecutor should be notified of that fact in all future cases involving that member.

The person or persons designated by the Chief of Police should periodically examine the personnel files and/or internal affairs files of all officers who may be material witnesses in criminal cases to determine whether they contain *Brady* information. The obligation to provide *Brady* information is ongoing. If any new *Brady* information is identified, the prosecuting attorney should be notified.

605.5 INVESTIGATING BRADY ISSUES

If the Department receives information from any source that a member may have issues of credibility, dishonesty or has been engaged in an act of moral turpitude or criminal conduct, the information shall be investigated and processed in accordance with the Personnel Complaints Policy.

605.6 TRAINING

Department personnel should receive periodic training on the requirements of this policy.

Chapter 7 - Equipment

Department-Owned and Personal Property

700.1 PURPOSE AND SCOPE

Department employees are expected to properly care for Department property assigned or entrusted to them. Employees may also suffer occasional loss or damage to personal or Department property while performing their assigned duties. Certain procedures are required depending on the loss and ownership of the item.

700.2 DOCUMENTATION OF ISSUED PROPERTY

All property issued shall be documented in the appropriate property sheet or equipment log and receipt acknowledged by signature. Upon an employee's separation from the Department, all issued equipment shall be returned and documentation of the return signed by a supervisor.

700.2.1 CARE OF DEPARTMENT PROPERTY

Employees shall be responsible for the safekeeping, serviceable condition, proper care, use and replacement of Department property assigned or entrusted to them. An employee's intentional or negligent abuse or misuse of Department property may lead to discipline including, but not limited to, the cost of repair or replacement.

- (a) Employees shall promptly report through the chain of command, any loss, damage to or unserviceable condition of any department-issued property or equipment assigned for their use.
 - 1. A supervisor receiving such a report shall notify the appropriate Division Commander who will determine if an investigation and/or memo is required. If the Division Commander chooses, the supervisor will include the result of his/her investigation and whether the employee followed proper procedures. The supervisor's report shall address whether reasonable care was taken to prevent the loss, damage or unserviceable condition.
 - 2. A review by the staff to determine whether misconduct or negligence was involved should be completed.
- (b) The use of damaged or unserviceable Department property should be discontinued as soon as practicable and, if appropriate and approved by the staff, replaced with comparable Department property as soon as available and following notice to a supervisor.
- (c) Except when otherwise directed by competent authority or required by exigent circumstances, Department property shall only be used by those to whom it was assigned. Use should be limited to official purposes and in the capacity for which it was designed.
- (d) Department property shall not be thrown away, sold, traded, donated, destroyed or otherwise disposed of without proper authority.

Department-Owned and Personal Property

- (e) In the event that any Department property becomes damaged or unserviceable, no employee shall attempt to repair the property without prior approval of a supervisor.

700.2.2 NONEXCLUSIVE LISTING OF VIOLATIONS - MISCONDUCT, NEGLIGENCE

- Purposefully damaging equipment.
- Through inattention or other acts of negligence, causing equipment to be damaged.
- Failing to perform routine and regular maintenance on assigned equipment.
- Failing to report damaged or dysfunctional equipment.
- Leaving a vehicle running and unsecured.
- Private use of equipment without the approval of appropriate supervisory personnel.
- Testing or using equipment in an unauthorized manner that results in damage.
- Use of another person's equipment without gaining prior approval.
- Using special or restricted equipment without gaining proper supervisory authorization.

700.3 USE OF PERSONAL PROPERTY

The carrying of personal equipment on-duty or its use in the performance of duties requires prior written approval by the Chief of Police or appropriate Division Commander. The employee should submit for approval the description of personal property that the employee has requested to carry, the reason for its use, the period of its use and the terms of its use. Personal property of the type routinely carried by persons not performing law enforcement duties, and that is not a weapon, is excluded from this requirement.

700.3.1 DEFINITIONS

Definitions related to this policy include:

Personal property - Items or equipment owned by, provided by or purchased totally at the expense of the employee. This definition includes optional equipment items identified in the Police Uniform Regulations Policy.

700.3.2 FILING CLAIMS FOR PERSONAL PROPERTY

Claims for reimbursement for damage or loss of personal property must be made on the proper form. This form is submitted to the employee's immediate supervisor. The supervisor may require a separate written report of the loss or damage.

The supervisor receiving such a report shall make an appropriate investigation and direct a memo to the appropriate Division Commander that shall include the result of his/her investigation and whether reasonable care was taken to prevent the loss, damage or unserviceable condition.

Department-Owned and Personal Property

Upon review by the staff and a finding that no misconduct or negligence was involved, repair or replacement may be recommended by the Chief of Police, who will then forward the claim to the finance department.

The Department will not replace or repair costly items (e.g., jewelry, exotic equipment) that are not reasonably required as a part of work.

700.3.3 REPORTING REQUIREMENT

A verbal report shall be made to the employee's immediate supervisor as soon as circumstances permit.

A written report shall be submitted before the employee goes off-duty or within the time frame directed by the supervisor to whom the verbal report is made.

700.4 LOSS OR DAMAGE OF PROPERTY OF ANOTHER

Officers and other employees intentionally or unintentionally may cause damage to the real or personal property of another while performing their duties. Any employee who damages or causes to be damaged any real or personal property of another while performing any law enforcement function shall report it as provided below.

- (a) A verbal report shall be made to the employee's immediate supervisor as reasonably soon as circumstances permit.
- (b) A written report shall be submitted before the employee goes off-duty or within the time frame directed by the supervisor to whom the verbal report was made.
- (c) The supervisor shall complete the Supervisors Investigation Report located on the NIC to be forwarded to Risk Management before the supervisor goes off-duty.
- (d) When possible, photographs of the damaged property should be taken. Copies should be attached to the report or saved to the file.

700.4.1 DAMAGE BY PERSON OF ANOTHER AGENCY

If employees of another jurisdiction cause damage to personal property or property belonging to the City of Northglenn, it shall be the responsibility of the employee present or the employee responsible for the property to make a verbal report to his/her immediate supervisor as reasonably soon as circumstances permit. The employee shall submit a written report before going off-duty or as otherwise directed by the supervisor.

These written reports, accompanied by the supervisor's written report, shall promptly be forwarded to the appropriate Division Commander.

Personal Communication Devices

701.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the use of Personal Communication Devices (PCD), whether issued or funded by the Department or personally owned, while on duty or when used for authorized work-related purposes.

701.2 DEFINITIONS

Personal Communication Devices (PCD): The term Personal Communication Device (PCD) includes, but is not limited to cellular telephones (cell phones), personal digital assistants (PDA), laptop/notebook/tablet computers, and similar wireless two-way communications or portable internet access devices.

Use of Personal Communication Devices (PCD): PCD use includes, but is not limited to, accessing sites or services on the Internet including social media, blogging, emailing, placing and receiving calls, playing games, text messaging, and using video or camera features.

701.3 POLICY

Employees are allowed to utilize department-issued or -funded, and personally-owned PCDs in the workplace, subject to specific restrictions. Any PCD used while on- or off-duty in any manner reasonably related to the business of the Department or City, is subject to monitoring and inspection consistent with the standards set forth in this policy.

Use of a personally-owned PCD either on- or off-duty for business-related purposes may subject the employee and the employee's PCD records to civil or criminal discovery or disclosure under applicable public records laws.

Employees are reminded that PCDs are not secure devices and conversations may be intercepted or overheard. Caution should be exercised while utilizing PCDs to ensure that sensitive information is not inadvertently transmitted.

Any pictures, audio or video, or copies of any such picture or recorded media that is directly related to official department business shall not be disclosed to any third party through any means, without the express authorization of the Chief of Police or the authorized designee.

Employees may use a PCD to communicate with other department personnel in situations where the use of the radio is either impracticable or not feasible. PCDs should not be used as a substitute for, as a way to avoid, or in lieu of regular radio communications.

Employees shall ensure that their department-issued or -funded PCD, or personally-owned PCD used for work is passcode protected. The employee shall provide the Department with the passcode.

Personal Communication Devices

701.4 DEPARTMENT ISSUED OR FUNDED PCD

Department issued or funded PCDs are provided as a convenience to facilitate on-duty performance only. Such devices and the associated telephone number shall remain the sole property of the Department.

Employees shall have no expectation of privacy with regard to the use of a department-issued or -funded PCD, including any communication made with or stored in or through said device. Additionally, employees shall have no expectation of privacy with regard to their location should the device be equipped with location detection capabilities.

Communications or data reception on personal, password-protected, web-based email accounts and any other services are subject to monitoring if department equipment is used.

Supervisors are authorized to conduct a limited administrative search of electronic files, without prior notice, consent or a search warrant, on department-issued or -funded PCDs. Administrative searches can take place for work-related purposes that may be unrelated to investigations of employee misconduct and, as practicable, will be done in the presence of the affected employee. Supervisors conducting a search in accordance with this policy shall submit a memorandum to the Chief of Police documenting the search and the subsequent findings.

701.5 PERSONALLY OWNED PCD

Carrying a personally-owned PCD is a privilege, not a right.

The Department accepts no responsibility for loss of or damage to a personally-owned PCD, and the PCD and any associated services shall be purchased, used and maintained solely at the employee's expense.

A personally-owned PCD shall not be utilized to record or disclose any business-related information, including photographs, video or the recording or transmittal of any information or material obtained or made accessible as a result of employment with the Department, without the express authorization of the Chief of Police or an authorized designee.

Employees will have a reduced expectation of privacy when using a personally-owned PCD in the workplace, and have no expectation of privacy with regard to any department business-related communication.

A personally-owned PCD should not be used for work-related purposes except in exigent circumstances (e.g., unavailability of radio communications or department-issued or -funded PCD) or after obtaining express authorization from his/her supervisor to use a personally-owned PCD in lieu of a department-owned PCD.

Use of a personally-owned PCD in lieu of a department-issued or -funded constitutes consent for the Department to access the PCD to inspect and copy data to meet the needs of the Department, which may include litigation, public records retention and release obligations and internal investigations. If a personally-owned PCD is carried on-duty, employees shall provide the Department with all telephone access numbers for the device.

Personal Communication Devices

Supervisors are authorized to conduct a limited administrative search of electronic files, without prior notice, consent or a search warrant, on personally-owned PCDs that have been used to conduct department-related business. Administrative searches can take place for work-related purposes that may be unrelated to investigations of employee misconduct and, as practicable, will be done in the presence of the affected employee. Prior to conducting any search of personally-owned devices, supervisors shall consult with the Chief of Police. Supervisors conducting a search in accordance with this policy shall submit a memorandum to the Chief of Police documenting the search and the subsequent findings.

Except with prior express authorization from their supervisor, employees are not obligated or required to carry, access, monitor or respond to electronic communications using a personally-owned PCD while off-duty unless the device is being used in lieu of a department-issued or -funded PCD.

701.6 USE WHILE DRIVING

The use of a PCD while driving can adversely affect safety, cause unnecessary distractions and present a negative image to the public. Officers operating emergency vehicles should restrict the use of these devices to matters of an urgent nature and should, where practicable, stop the vehicle at an appropriate location to use the PCD.

Except in an emergency, employees who are operating non-emergency vehicles shall not use a PCD while driving unless the device is specifically designed and configured to allow hands-free use. Hands-free use should be restricted to business-related calls or calls of an urgent nature.

701.7 CELL PHONES

The following protocols shall apply specifically to the use of all department-issued or -funded cell phones or personally-owned cell phones authorized in lieu of a department-issued or -funded cell phone:

- Cell phones are required equipment when on-duty, including off-duty police employment (ODPE) and plain clothes assignments.
- Cell phones shall be fully charged prior to going on duty.
- Cell phones shall be carried in a manner that does not allow it to be visible while in uniform, unless it is in an approved carrier.
- Department-issued or -funded cell phones shall remain in the department-issued protective case.
- Employees may carry department-issued or -funded cell phones off-duty, and use them to conduct personal business.

701.8 SUPERVISORY RESPONSIBILITIES

Supervisors should monitor, to the extent practicable, PCD use in the workplace and take prompt corrective action if an employee is observed or reported to be improperly using a PCD.

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701.9 ISSUANCE OF CELL PHONES AND EVIDENCE COLLECTION

The issuance of cell phones and their use in the collection of evidence shall be in accordance with SOP-701.

[See attachment: SOP 701 - Cell Phones and Evidence Collection 2016.pdf](#)

Vehicle Use and Accident Reporting

702.1 PURPOSE AND SCOPE

The Northglenn Police Department utilizes City-owned motor vehicles for a variety of applications. The purpose of this policy is to establish and communicate the system of accountability and ensure City-owned vehicles are used appropriately.

Although assigned vehicles have demonstrated a long-term fiscal and service benefit to the Department and subsequently the City, this policy shall not be construed to create or imply any contractual obligation by the Department to assign vehicles for department use. Assignments of vehicles is at the discretion of the Chief of Police or the authorized designee.

702.2 DEFINITIONS

City-owned Vehicle (Vehicle): Any vehicle owned, leased or rented by the City of Northglenn.

Marked Patrol Vehicle or Motorcycle: An authorized emergency vehicle equipped with police markings, a siren, horn, and a red or blue emergency light, and is capable of displaying a flashing, oscillating or rotating red light visible from the front.

Motor Vehicle Accident: For purposes of this policy, a motor vehicle accident is any injury or damage caused by the movement of a motor vehicle or its load occurring on public or private property.

Non-preventable Accident: An accident in which the employee, as the operator of the involved motor vehicle, was found to have exercised reasonable caution to prevent the accident from occurring and observed applicable Department policy, procedures, and training.

Patrol Use Vehicle: Includes, but is not limited to, any marked or unmarked patrol vehicle, van, motorcycle, animal control vehicle, speed trailer, SWAT vehicle, crime scene van, undercover or unmarked vehicle or deployment trailers provided by the Department for the purpose of performing job duties as required by public safety or emergency response duties or essential job functions.

Preventable Accident: An accident in which the employee, as the operator of the involved motor vehicle, was found to have failed to exercise reasonable caution to prevent the accident from occurring, or failed to observe applicable Department policy, procedures, and training.

Reckoning Period: A reckoning period is the length of time between preventable motor vehicle accidents during which a preventable motor vehicle accident will be considered as second or third offenses, etc.

Unmarked Patrol Vehicle: An authorized emergency vehicle equipped a siren, horn, and a red or blue emergency light, and is capable of displaying a flashing, oscillating or rotating red light visible from the front, but has no markings indicating it is a law enforcement vehicle.

Vehicle Use and Accident Reporting

702.3 USE OF VEHICLES

Employees are responsible for inspecting the interior and exterior of any assigned vehicle before placing the vehicle into service and at the conclusion of the shift. Any previously unreported damage, mechanical problems, unauthorized contents or other problems with the vehicle shall be promptly reported to a supervisor and documented as appropriate.

702.3.1 PATROL USE VEHICLES

Patrol personnel shall use their assigned vehicle unless permitted by the Division Commander or the authorized designee to use a different vehicle. The on-duty shift supervisor shall note which vehicle each officer is using on the appropriate equipment "Check Out" sheet attached to the Department schedule.

Personnel assigned to routine scheduled field duties shall log onto the in-car computer at the beginning of their shift and input the required information. If the vehicle is not equipped with a working in-car computer, they shall notify Adams County Communications Center for entry of the vehicle number on the shift roster. If the employee exchanges vehicles during the shift, the new vehicle number shall be entered.

Employees shall adhere to the following guideline when utilizing a Patrol Use Vehicle:

- All weapons shall be secured when the vehicle is unattended
- Employees may dress in a manner appropriate for their intended activity, however, attire and appearance whenever in view of or in contact with the public, regardless of the activity, should be suitable to reflect positively upon the Department
- No key should be left in the vehicle except when necessary to leave the vehicle running
- Unattended vehicles shall be locked and secure at all times
- Vehicles shall only be operated by City employees, peace officers assigned to the Department or by other peace officers under their direction
- Whether on- or off-duty, employees shall not operate a Patrol Use Vehicle after consuming alcohol
- Whether on- or off-duty, employees shall not use a Patrol Use vehicle for unapproved activities

Whether on- or off-duty, sworn personnel shall carry and have accessible a Department approved firearm when operating a marked patrol vehicle.

Vehicles assigned to an employee for a work shift as part of their normal duties should be used for official business, however, employees are authorized to use their assigned vehicle for meal breaks or other reasonable incidental personal errands conducted during authorized breaks. If the employee is not clear whether a specific errand would be authorized, such employee shall request clarification from their respective supervisor.

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Civilians, including members of an employee's family or other persons not employed by the City, are prohibited from riding in a Patrol Use vehicle except during a Department approved Ride-Along. This does not apply to transporting civilians during the performance of official job duties.

Family members may ride in a Patrol Use vehicle during assignments in which the employee is not considered to be on-duty for regular duties under the following circumstances:

- As authorized by the Chief of Police or Division Commanders
- Out-of-City overnight schools and conferences
- Parade functions as approved by the Chief of Police

Officers should not operate the Patrol Use vehicle at emergency response speeds with family members in the vehicle.

702.3.2 TAKE-HOME VEHICLE ASSIGNMENT

Division Commanders shall review and assess the necessity for an employee to be assigned a Take-home Vehicle based on the needs of the department as they relate to the employees job duties. Employees assigned a Take-home Vehicle must reside within the parameters set forth by the Chief of Police. Division Commanders shall also consider the following prior to authorizing a Take-home Vehicle assignment:

- If the employee frequently attends after hours meetings as an agency representative and is considered key operational personnel
- If the employee has a 24-hour operational responsibility
- If the employee is required to respond at any hour due to crisis management
- If the employee is responsible for operations and personnel at multiple locations
- If the employee is subject to 24-hour call out
- If the employee's assignment may necessitate responding to multiple locations during any single call out
- If the employee's assignment requires specialized equipment that is not easily transferable or removable
- If the employee's assignment requires a specialized vehicle that is required as part of the job function (i.e. Motorcycle)

702.3.3 TAKE-HOME VEHICLE ASSIGNMENT - INVESTIGATIONS

Detectives may be assigned a Take-home Vehicle while on the "on-call" rotation. The assigned detective must reside within the parameters set forth by the Chief of Police.

702.3.4 TAKE-HOME VEHICLE USE LIMITATIONS

The following limitations apply to employees assigned a Take-home Vehicle:

- Employees shall not operate a Take-home Vehicle after consuming any amount of alcohol

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- Employees shall not operate a Take-home Vehicle if impaired by medication, either over the counter or prescribed
- Employees shall use a Take-home Vehicle only during duty hours or when in an on-call status
- Employees shall not make any modifications to a Take-home Vehicle without approval from their respective Division Commander

Limited personal business is allowed if such personal business is en route to or from the employee's designated duty assignment.

Take-home Vehicles assigned to employees shall be parked at the police department when the employee is on a light duty assignment or will be on leave or training out of town for more than 40 hours, unless the vehicle was approved for transportation.

Civilians, including members of an employee's family or other persons not employed by the City are prohibited from riding in a Take-home vehicle except during a Department approved Ride-Along. This does not apply to transporting civilians during the performance of official job duties.

Family members may ride in a Take-home vehicle during assignments in which the employee is not considered to be on-duty for regular duties and under the following circumstances:

- As authorized by the Chief of Police or Division Commanders
- Out-of-City overnight schools and conferences
- Parade functions as approved by the Chief of Police

702.3.5 ENFORCEMENT ACTION

When driving an assigned vehicle to and from work outside of the jurisdiction of the Northglenn Police Department, an officer shall not become involved in enforcement actions except in those circumstances where a potential threat to life or serious property damage exists.

702.3.6 TAKE-HOME VEHICLE SECURITY

The following security measures shall be taken by employees utilizing a Take-home Vehicle:

- All firearms and kinetic impact weapons shall be removed from the interior of the vehicle and placed in the trunk or properly secured in the residence when the vehicle is not attended
- Off-street parking must be available and used at the employee's residence
- Vehicles shall be locked when unattended

702.4 UNSCHEDULED USE OF VEHICLES

Personnel utilizing a vehicle for any purpose other than their normally assigned duties shall first notify the on-duty supervisor of the reason for use. This section does not apply to personnel permanently assigned an individual vehicle.

Vehicle Use and Accident Reporting

702.5 CIVILIAN EMPLOYEE USE

Civilian employees and volunteers operating marked vehicles shall ensure all weapons are removed from the vehicle before going into service. Civilian employees shall not operate the emergency lights or siren of any vehicle unless expressly authorized by a supervisor.

702.6 VEHICLE CARE AND INSPECTIONS

Each employee shall adhere to the following guidelines regarding the care of assigned vehicles:

- All firearms, weapons and kinetic impact weapons shall be removed from the vehicle and properly secured in the armory prior to the vehicle being released for maintenance, repair or service
- All confidential documents shall be removed after use of a vehicle
- All personal items and trash shall be removed after use of a vehicle
- Employees are responsible for the cleanliness of the exterior and interior of their assigned vehicle
- Employees shall inspect their assigned vehicle for damage and maintenance requirements prior to use
- Supervisors shall make, at a minimum, monthly inspections of vehicles assigned to employees under their command to ensure the vehicles are being maintained in accordance with policy
- Vehicles operated under severe use conditions such as extreme training, high-speed pursuits, off-road operations, or rough roadway should be removed from service and subjected to a safety inspection as soon as practicable
- Vehicles should be fueled at the end of each shift
- Vehicles should be fully fueled when placed into service and refueled before the level falls below 3/4 of a tank
- Weather permitting, vehicle should be washed as necessary to enhance their appearance

702.7 VEHICLE DAMAGE

Any damage to a vehicle that was not caused during a traffic accident shall be immediately reported to the on-duty patrol supervisor. Vehicles with damage or suspected damage that affects its safety or proper functioning, shall be removed from service and the on-duty patrol supervisor and fleet manager shall be notified.

Vehicles that become inoperative or in need of a repair that affects its safety or proper functioning, shall be removed from service and the employee's supervisor and fleet manager shall be notified.

Damage shall be recorded in the electronic vehicle log book, and proper documentation shall be completed by the employee who detected the defective condition.

Vehicle Use and Accident Reporting

To ensure Patrol Use vehicles are safe and function properly, employees shall inspect their assigned vehicle at the beginning of shift and document the results on a Vehicle Inspection Form.

702.8 VEHICLE INSPECTIONS

All City-owned vehicles are subject to inspection and or search at any time by a supervisor. No employee assigned to or operating such vehicle shall be entitled to any expectation of privacy with respect to the vehicle or its contents.

702.8.1 INSPECTIONS BEFORE AND AFTER TRANSPORT

The interior of any vehicle used to transport any person other than an employee shall be inspected immediately before and after the transport to ensure unauthorized contents have not been left in the vehicle.

702.9 VEHICLE EQUIPMENT

To help ensure operational readiness during emergency situations and routine duties, specific equipment shall be maintained in all vehicles.

The following equipment shall be maintained in all Department Patrol Use Vehicles:

- Blanket (1)
- Crime Scene Tape (1)
- Evidence Kit (Print Kit & Collection Bags at a minimum) (1)
- Fire Extinguisher (1)
- First-Aid Kit (1)
- Green Go-Bag (1)
- LED Flip Flares (4)
- PPE Kit & CPR Mask (1)
- Road Flares (20)
- Roller Tape (1)
- Snow Brush/Scraper (1)
- Stop Sticks (1)
- Transport Belt (1)

The following equipment, at the minimum, shall be maintained in all Department Unmarked Vehicles:

- Blanket (1)
- Camera (1)

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- Crime Scene Tape (1)
- Evidence Kit (Print Kit & Collection Bags at a minimum) (1)
- First-Aid Kit (1)
- PPE Kit & CPR Mask (1)
- Road Flares (20)
- Snow Brush/Scraper (1)

To ensure vehicles are stocked with the proper equipment, employees shall inspect their assigned vehicle at the beginning of shift and document the results of their inspection on a Vehicle Inspection Form.

702.9.1 EQUIPMENT REPLENISHMENT

Employees are responsible for replenishing equipment required for their vehicles. In the event the equipment is not available the employee shall fill out a memo through their supervisor to the Division Commander so the equipment can be restocked.

702.10 MOTOR VEHICLE ACCIDENTS

When an employee is involved in a motor vehicle accident while operating a City-owned vehicle, the involved employee, unless incapacitated, shall immediately notify the on-duty patrol supervisor. A motor vehicle accident report shall be filed with the agency having jurisdiction over the accident.

When an employee is involved in a motor vehicle accident while operating City-owned vehicle within the jurisdiction of the Northglenn Police Department, the on-duty patrol supervisor shall investigate the accident and complete an Accident Report provided they are not involved. If the on-duty patrol supervisor is involved, a Commander or the authorized designee shall investigate the accident and complete an Accident Report. In the absence of a Commander, or in cases which the Commander is involved, and the accident did not result in injury, an uninvolved officer shall investigate the accident and complete an Accident Report.

When an employee is involved in a motor vehicle accident while operating City-owned vehicle within the jurisdiction of the Northglenn Police Department that results in bodily injury or death, an outside agency as selected by the Chief of Police or the authorized designee should be summoned to conduct the investigation.

A diagram and photographs shall be included as part of all Accident Reports detailing an employee involved motor vehicle accident.

702.10.1 MOTOR VEHICLE ACCIDENT – INVESTIGATING SUPERVISOR'S RESPONSIBILITIES

Motor vehicle accidents involving Department vehicles may result in serious risks to department personnel and the public, as well as considerable financial loss due to injury, vehicle damage, and exposure to civil liability. Therefore, a motor vehicle accident reporting and review process has

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been established for evaluating accidents involving agency motor vehicles in order to determine cause, and to institute corrective and preventive actions where possible.

In addition to the Accident Report, the investigating supervisor shall complete a Supervisor's Report within 48 hours of the accident. The Supervisor's Report shall include the following information and supporting documentation:

- A completed Accident Report
- A narrative detailing the events surrounding and contributing to the accident
- Information regarding the persons involved in the accident, including the driver's insurance, and the nature and seriousness of any injuries or property damage
- Photographs of the scene and any related damage, including injuries
- Witness statements
- Personnel Quality Report

Upon completion, the investigating supervisor shall forward the Supervisor's Report to the employee's direct supervisor for review and recommendation for corrective action.

702.10.2 MOTOR VEHICLE ACCIDENT REVIEW

The employee's direct supervisor shall review the Supervisor's Report and render a finding as to whether the accident was "preventable" or "non-preventable" as those terms are defined within this policy. The reviewing supervisor shall document their findings on a Supervisor's Investigation and Findings form. If the accident was found to be "preventable", the supervisor shall make a recommendation for corrective action. Corrective action includes but is not limited to the following:

- Remedial drivers training
- Review of equipment for potential modification
- Review of related Department policies and procedures
- Review of related Department training and tactics
- Fitness-for-duty, optometric, or stress evaluations
- Additional Corrective action, including progressive discipline up to and including termination

In all reviews, supervisors shall consider the circumstances surrounding the accident, and the nature and seriousness of any injuries or property damage when determining recommendations for corrective action. Supervisors may also consider an employee's performance and previous violations when determining recommendations for corrective action.

The supervisor shall then submit all documentation to the Chief of Police or the authorized designee via the chain-of-command within five days of the accident.

Each supervisor in the employee's chain-of-command shall make a recommendation as to the nature of the corrective action.

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A reckoning period shall always accompany any corrective action recommended by the employee's chain-of-command. The Chief of Police or the authorized designee will set the reckoning period case by case based on a totality of the circumstances surrounding the accident. Accidents that occur after the end date of a previous reckoning period shall be considered a first offense. The reckoning period does not affect the length of time that the accident may be retained in the employee's file.

Supervisor's Investigations resulting in corrective action in the form of non-permanent discipline, shall be forwarded to the employee's Division Commander for review, comments and imposition of discipline.

Supervisor's Investigations in which the employee's chain-of-command recommends corrective action in the form of permanent discipline shall be forwarded the employee's Division Commander. Upon receipt of the investigation, the Division Commander shall adhere to the guidelines found in Department Policy 301.5.3, "Supervisor's Investigation Guidelines – Division Commander".

Upon receipt of a Supervisor's Investigation in which the employee's chain-of-command is recommending corrective action in the form of permanent discipline, the Chief of Police shall adhere to the guidelines found in Department Policy 301.5.4, "Supervisor's Investigation Guidelines – Chief of Police".

Upon receipt of a Supervisor's Investigation in which the Chief of Police intends to impose corrective action in the form permanent discipline, the Professional Standards' unit shall adhere to the guidelines found in Department Policy 301.5.5, "Supervisor's Investigation Guidelines – Professional Standards".

Employees must appeal any imposed discipline in accordance with Department Policy 301.8, "Post-Discipline Appeal Rights".

702.10.3 NON-PREVENTABLE AND PREVENTABLE ACCIDENT GUIDELINES

The presence of any of the following actions by the operator shall result in a determination of "Preventable":

- Operator was inattentive
- Operator failed to accurately observe and assess existing conditions that contributed to the accident
- Operator drove at a speed inconsistent with posted (prescribed) limits, or existing road, weather, or traffic conditions
- Operator drove at a speed that precluded stopping within available clearances or assured clear distance
- Operator misjudged or did not confirm available clearances above, below, or on the sides of vehicle resulting in the striking of a fixed object
- Operator failed to control vehicle
- Operator failed to yield the right of way resulting in an accident

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- Operator failed to communicate the vehicle's presence or intended actions through the use of directional lights, emergency lights, horn, or other means
- Operator was in violation of Department rules or special instructions, the regulations of any federal or state regulatory agency, or any applicable traffic law or ordinance

Barring extenuating circumstances and maintaining the reasonable action standards, absence of the aforementioned actions by the operator shall result in a determination of "Non-Preventable".

Cash Handling, Security and Management

703.1 PURPOSE AND SCOPE

The proper handling and documentation of cash transactions and the maintenance of accurate records of cash transactions is important to protect the integrity of police operations and to ensure the public trust.

703.2 PETTY CASH FUNDS

Employees designated as fund managers and authorized to maintain and manage petty cash funds are the Administration Specialist and Administration Division Commander. These persons may delegate this responsibility to another person in their absence. All funds require the creation and maintenance of an accurate and current transaction ledger and filing of invoices, receipts and expense reports by the fund manager.

703.3 PETTY CASH TRANSACTIONS

The fund manager shall document all transactions on the petty cash accounting/reimbursement form. Each person participating in the transaction shall sign or otherwise validate the petty cash accounting/reimbursement form attesting to the accuracy of the entry. Transactions should include the filing of an appropriate receipt or invoice.

703.4 PETTY CASH AUDITS

The Administrative Commander/manager shall audit the petty cash fund no less than once every six months. This audit requires that the Commander review the ledger, records, receipts and funds, verifying the accuracy of the accounting. A discrepancy in the audit requires documentation by those performing the audit and immediate reporting of the discrepancy to the Chief of Police.

Should fund management be transferred to any person, each transfer of this responsibility shall require completion of a separate petty cash audit by those persons involved in the transfer.

A separate audit by the Chief of Police should be completed on a random date approximately once each year on each petty cash fund.

703.5 ROUTINE CASH HANDLING

Members of the Department authorized to routinely handle cash as part of their assignment are property officers and the North Metro Task force supervisor. Routine cash handling shall be pursuant to their specific policies (see the Confidential Informants Policy and Property Procedures Policies).

703.6 OTHER CASH HANDLING

Members of the Department who, within the course of their duties come into the possession of cash that is not their property or is outside their defined cash handling duties shall, as soon as reasonably practicable, verify the amount of cash, summon another employee to verify their

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accounting, and process the cash as safekeeping, evidence or found property. Each employee involved in this handling, verification or processing of cash shall complete an appropriate report or record entry.

Money taken in for services through Police Records shall be reconciled daily against receipts written-at the beginning of the day and at the end of business. A deposit shall be made to finance or the designated financial institute, weekly if needed, by an employee who is not responsible for taking in the money. All money is turned over to finance who does a final audit and completes the deposit. The Records Supervisor shall review copies of receipts and check the ledgers to ensure accuracy on a monthly basis.

Funds recovered for municipal court bonds and fines shall be deposited into a one-way security deposit box, recorded, and the ledger shall be forwarded to the municipal court manager. The municipal court manager shall be issued a key to the box and designated personnel shall retrieve the cash funds on a weekly basis.

Chapter 8 - Support Services

Crime Analysis

800.1 PURPOSE AND SCOPE

Crime analysis should provide current, useful information to aid operational personnel in meeting its tactical crime control and prevention objectives. Crime analysis is intended to help identify and analyze the methods of operation of individual criminals, providing crime pattern recognition and analysis of data. Crime analysis can be useful to the Department's long-range planning efforts by providing estimates of future crime trends and assisting in the identification of enforcement priorities.

The crime analysis function shall include collecting, organizing, analyzing, interpreting crime and incident data to evaluate past performance and identify criminal activity patterns and trends for operational deployment, tactical intervention, strategic planning and management analysis. Crime analysis is indispensable to the department's efficiency, productivity and effectiveness. Therefore, all applicable personnel shall provide complete and consistent reports of crime, incidents and related information as required supporting this function. The crime analysis function shall in turn provide operational units with and assist units to assemble data and information sufficient for analysis, planning and daily problem solving.

800.2 DATA SOURCES

Crime analysis data is extracted from many sources including, but not limited to:

- Crime reports
- Field Interview records
- Parole and probation records
- Computer Aided Dispatch data
- Department of Public Safety

800.3 CRIME ANALYSIS FACTORS

The following minimum criteria should be used in collecting data for crime analysis:

- Frequency by type of crime
- Geographic factors
- Temporal factors
- Victim and target descriptors
- Suspect descriptors
- Suspect vehicle descriptors
- Modus operandi factors

Crime Analysis

- Physical evidence information

800.4 CRIME ANALYSIS DISSEMINATION

For a crime analysis system to function effectively, information should be disseminated to the appropriate units or persons on a timely basis. Information that is relevant to the operational and tactical plans of specific line units should be sent directly to those units. Information relevant to the development of the Department's strategic plans should be provided to the appropriate staff units. When information pertains to tactical and strategic plans, it should be provided to all affected units.

800.4.1 FEEDBACK AND EVALUATION

Each report issued by the crime analysis function is accompanied by a standard crime analysis feedback form to be used to track and evaluate the effectiveness of enforcement actions and countermeasures.

Operational units will address the crime or other problem areas identified and utilize data provided to develop and implement enforcement tactics, strategies and long-term plans.

800.4.2 COORDINATION WITH OTHER CRIMINAL JUSTICE AGENCIES

The Crime Analyst will coordinate their efforts with other criminal justice agencies whenever appropriate and necessary. This may include but is not limited to linkages with prosecuting attorneys, local, state and regional intelligence systems and other local and state law enforcement agencies.

Communication Operations

801.1 PURPOSE AND SCOPE

The basic function of the communications system is to satisfy the immediate information needs of the law enforcement agency in the course of its normal daily activities and during emergencies. The latter situation places the greatest demand on the communications system and tests the capability of the system to fulfill its functions. Measures and standards of performance are necessary to assess the effectiveness with which any organization, large or small, uses available information technology in the fulfillment of its missions.

801.1.1 FEDERAL COMMUNICATIONS COMMISSION (FCC) COMPLIANCE

Northglenn Police Department radio operations shall be conducted in accordance with FCC procedures and guidelines.

801.2 COMMUNICATION OPERATIONS

This organization provides 24-hour telephone service to the public for information or assistance that may be needed in emergencies. The ability of citizens to telephone quickly and easily for emergency service is critical. This organization provides access to the 9-1-1 system with a single emergency telephone number.

This organization has radio capability with a 900 MHz dual band digitally trunked system providing continuous communication between Adams County Communications Center and Officers.

801.2.1 CALL HANDLING

When a call for law enforcement services is received, the dispatcher will determine if the call is an emergency or non-emergency. The dispatcher will determine the call type, location and priority by asking the four key questions:

- Where?
- What?
- When?
- Who?

A person reporting an emergency should not be placed on hold until the dispatcher has obtained all necessary information to ensure the safety of the responding units and the affected citizen. Dispatchers should be courteous, kind, patient and respectful in dealing with the public.

Emergency calls should be dispatched immediately. The Shift Supervisor shall be notified of pending calls for service when units are unavailable for dispatch.

801.2.2 COMMUNICATIONS LOG

It shall be the responsibility of Adams County Communications Center to record all relevant information on calls for criminal and noncriminal service or self-initiated activity. Employees shall attempt to elicit, record and share as much information as possible to enhance the safety of the

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officer and assist in anticipating conditions to be encountered at the scene. Desirable information would include, at a minimum, the following:

- Event number
- Date and time of request
- Name, address and telephone number of complainant, if possible
- Type of incident reported
- Involvement of weapons, drugs and/or alcohol
- Location of incident reported
- Identification of any officer assigned as primary and backup
- Time of dispatch
- Time of the officer's arrival
- Time of officer's return to service
- Disposition or status of reported incident

801.3 RADIO COMMUNICATIONS

Operations are more efficient and officer safety is enhanced when dispatchers, supervisors and other officers know the status of officers, their locations and the nature of their cases.

801.3.1 OFFICER IDENTIFICATION

Identification systems are based on factors such as beat assignment and officer identification numbers. Employees should use their entire call sign when calling Adams County Communications Center or another unit. The use of the call sign allows for a brief pause so that the dispatcher or called unit can respond to the appropriate unit. Employees initiating communication with other agencies shall use their entire call sign. This requirement does not apply to continuing conversation between the mobile unit and dispatcher once the mobile unit has been properly identified.

Property and Evidence

802.1 PURPOSE AND SCOPE

This policy provides for the proper collection, storage, security and disposition of evidence and other property. This policy also provides for the protection of the chain of custody and those persons authorized to remove and/or destroy property.

802.1.1 PROPERTY AND EVIDENCE ROOM SECURITY

The Property and Evidence Room shall maintain secure storage and control of all property necessitating custody by the Department. The property and evidence technician reports to the Support Division Sergeant and is responsible for the security of the Property and Evidence Room. Property and Evidence Room keys are maintained only by the property and evidence technician, criminalist, Support Division Sergeant and Support Division Commander. An additional key is stored in the Support Division safe, which can be accessed only by the Support Division Commander, and the Support Division Sergeant. Employees who have access to Evidence Room Keys under this policy shall not loan Property and Evidence Room keys to anyone and shall maintain keys in a secure manner.

Any individual entering the Property and Evidence Room other than the property and evidence technician must be accompanied by one of the following: the property and evidence technician, criminalist, Support Division Sergeant or the Support Division Commander. Individuals without normal access must sign in and out on the logbook, giving the date and time of entry and exit, and the purpose, including a specific case or property number. The entry shall be initialed by the accompanying employee with evidence access.

802.2 DEFINITIONS

Definitions related to this policy include:

Evidence - Includes items taken or recovered in the course of an investigation that may be used in the prosecution of a case.

Found property - Includes property found by an employee or citizen where the owner cannot be readily identified or contacted and has no apparent evidentiary value.

Safekeeping - Includes the following types of property:

- Property obtained by the Department for safekeeping, such as a firearm
- Personal property of an arrestee not taken as evidence
- Property taken for safekeeping under authority of a law

802.3 PROPERTY HANDLING

Any employee who first comes into possession of any property shall retain such property in his/her possession until it is properly tagged and placed in the designated property locker or storage room, along with the property label. Care shall be taken to maintain the chain of custody for all evidence.

Property and Evidence

Where ownership can be established as to found property that has no apparent evidentiary value, excluding contraband, such property may be released to the owner without the need for booking. The employee must document the release of property not booked.

802.3.1 PROPERTY BOOKING PROCEDURE

All property should be booked prior to the employee going off-duty. Employees booking property shall observe the following guidelines:

- (a) Complete a PREV in the I/Leads Records management System describing each item separately, listing all serial numbers, owner's name, finder's name and other identifying information or markings.
- (b) A bar code label shall be printed and attached to the packaging of each piece of property.
- (c) The officer shall seal each item of evidence, excluding guns, and initial the seal with their initials, badge or employee number, and date.
- (d) Items too small to mark, or that will be damaged, degraded or devalued by marking, should be individually packaged, labeled and the package marked with officer initials, badge number and date.
- (e) Officers must have a witness present while counting and packaging any money. A witness label must be completed and attached to the currency pouch.
- (f) All property shall be secured in the evidence lockers, or temporary property storage.
- (g) When the property is too large to be placed in a temporary property locker, the item may be temporarily stored in the Support Division Sergeants office or other location that can be secured from unauthorized entry. The location shall be secured to prevent entry and a completed property label placed into a numbered property locker indicating the location of the property.

802.3.2 NARCOTICS AND DANGEROUS DRUGS

All narcotics and dangerous drugs shall be booked separately. A PREV must be completed with detailed information to include the net weight of the drugs, and the unit of measure must be in grams. All drugs booked in require an officer to witness the weight of the drugs and sealing of the evidence. A witness label must be completed and attached to the outside of the evidence bag.

Drug Paraphernalia generally should be digitally photographed and placed in the secured destruction bin. If the drug paraphernalia is pertinent to establishing your probable cause to further a lawful investigation which results in felony charges, the drug paraphernalia should be photographed and then packaged in a safe manner to prevent the paraphernalia from breaking.

802.3.3 EXPLOSIVES

Explosives that are known or suspected to be armed or live, other than fixed ammunition, should not be retained in the police's facility.

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Officers who encounter an explosive device should not move or handle the device and shall immediately notify a supervisor and/or Shift Sergeant. The bomb squad will be called to handle situations involving explosive devices. All such devices will be released to them for storage, sampling and disposal.

All fireworks, emergency road flares and similar signaling devices that are considered safe will be transported to the police department and disposed of in approved containers. Any such items that are needed as evidence shall be photographed prior to being disposed of in an approved container.

802.3.4 EXCEPTIONAL HANDLING

Certain property items require a separate process. The following items shall be processed in the described manner:

- (a) Any evidence collected specifically for DNA, should be properly labeled as such.
- (b) Property stained with bodily fluids such as blood or semen stains shall be air-dried prior to booking.
- (c) License plates found not to be stolen or connected with a known crime should be photographed and placed in the designated container for return to the Colorado Department of Revenue, Division of Motor Vehicles. Only the property booking process is required for the photographs.
- (d) All bicycles and bicycle frames require a property record. Property tags will be securely attached to each bicycle or bicycle frame. The property may be released directly to the property and evidence technician or placed in the bicycle storage area until a property and evidence technician can log the property.
- (e) All cash shall be counted in the presence of another officer and the envelope initialed by both officers. A supervisor shall be contacted for cash in excess of \$1,000. The supervisor shall also witness the count and will initial and date the property documentation and specify any additional security procedures to be used.
- (f) All evidence collected by personnel processing a crime scene requiring specific storage requirements pursuant to laboratory procedures should clearly indicate storage requirements on the property label.
- (g) Items that are potential biohazards shall be appropriately packaged and marked to reduce the risk of exposure or contamination.

City property, unless connected to a known criminal case, should be released directly to the appropriate City department. No formal booking is required. In cases where no responsible person can be located, the property should be booked for safekeeping in the normal manner.

802.4 PACKAGING OF PROPERTY

Packaging will conform to certain procedures. Certain items require special consideration and shall be booked separately as follows:

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- (a) Controlled substances
- (b) Firearms (ensure they are unloaded, rendered safe, and the box left unsealed for verification, and booked separately from ammunition)
- (c) Property with more than one known owner
- (d) Drug paraphernalia
- (e) Fireworks
- (f) Contraband
- (g) Biohazards

802.4.1 PACKAGING CONTAINER

Employees shall package all property, except controlled substances, in a suitable container that is appropriate for its size. Knife boxes should be used to package knives or any other sharp items. Handgun boxes should be used for handguns. Syringe tubes should be used to package syringes and needles.

A property tag shall be securely attached to the outside of all items or group of items packaged together.

802.4.2 PACKAGING CONTROLLED SUBSTANCES

The officer seizing narcotics and dangerous drugs shall retain such property in his/her possession until it is properly weighed, packaged, tagged and booked into evidence. Prior to packaging and if the quantity allows, a presumptive test should be made on all suspected controlled substances. When conducted, the result of this test shall be included in the officer's report.

Narcotics and dangerous drugs shall be packaged in an anti-static bag of appropriate size, available in the evidence work up room. The booking officer shall place the anti-static bag in a normal plastic bag and seal and initial as normal. Controlled substances shall not be packaged with other property.

The booking officer shall weigh the suspected narcotics or dangerous drugs gathering the net weight of the contraband. A full description of the item, along with packaging and net weight of the drugs seized, will be placed in the case report and on the property label. After packaging and sealing as required, both the case officer and witness officer will initial the weight of the drugs on the outside of the bag.

802.4.3 RIGHT OF REFUSAL

The property and evidence technician has the right to refuse any piece of property that is hazardous or that has not been properly documented or packaged. Should the property and evidence technician refuse an item of property, he/she shall maintain secure custody of the item in a temporary property locker or other safe location and inform the submitting officer's supervisor.

Property and Evidence

802.5 RECORDING OF PROPERTY

The property and evidence technician receiving custody of evidence or property shall attach a FileOnQ bar code label verifying the information on each bar code label. The property shall then be accepted in the FileOnQ evidence management system and stored in the proper secure storage location(s).

802.6 PROPERTY CONTROL

Each time the property and evidence technician receives property or releases property to another person, he/she shall enter this information in the computer system. Officers desiring property for court shall contact the property and evidence technician at least one business day prior to the court day.

802.6.1 RESPONSIBILITIES OF OTHER PERSONNEL

Every time property is released or received, an appropriate chain of custody form shall be completed to maintain the chain of custody.

802.6.2 TRANSFER OF EVIDENCE TO CRIME LABORATORY

The transporting employee will check the evidence out of property, indicating the date and time in Evidence on Q.

Request for items to be analyzed at CBI shall be completed on the request for lab examination form provided by CBI and submitted to the property and evidence technician or CSI. Included with this request form shall be a cover letter with a synopsis of the case and the intent of the analysis and the evidentiary value it will provide. This request may be filled out any time after booking of the property or evidence. The forms will be transported with the property to the examining laboratory. Upon delivering the item involved, the officer will record the delivery time and indicate the employee to whom it was delivered. The original copy of the lab form will remain with the evidence and the copy will be returned to the Records Section for filing with the case.

802.6.3 STATUS OF PROPERTY

Each person receiving property will make the appropriate entry to document the chain of custody. Temporary release of property to officers for investigative purposes, or for court, shall be noted in the computer system, stating the date, time and to whom it was released.

Any employee receiving property shall be responsible for such property until it is returned to the Property and Evidence Room or released to another authorized person or entity.

The return of the property should be recorded in the computer system, indicating date, time and the person who returned it.

802.6.4 AUTHORITY TO RELEASE PROPERTY

The property and evidence technician shall not release any property without a signed authorization from an appropriate authorized member of the Department. The Investigative Support Unit shall authorize the disposition or release of all evidence and property coming into the care and custody of the Department.

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For property in custody of the Department for investigatory or prosecutorial purposes and owned by a victim or witness, a property and evidence technician shall, upon the request of the owner:

- (a) Provide a list describing the property, unless such release would seriously impede an investigation.
- (b) Return the property expeditiously, unless the property is contraband or required as evidence.

Upon the direction of a prosecuting attorney, property held as evidence of a crime may be photographed and released to the owner.

802.6.5 RELEASE OF PROPERTY

A reasonable attempt shall be made to identify the rightful owner of found or stolen property or evidence not needed for an investigation.

Property belonging to a crime victim shall be promptly released to the victim unless needed for evidence (CRS 24-4.1-302.5(1)(k)). Following a request from the victim, property no longer needed for evidence shall be returned to the victim unless the property is contraband or subject to forfeiture proceedings (CRS § 24-4.1-303(7)).

Release of property shall be made upon receipt of an authorized release form, listing the name and address of the person to whom the property is to be released. Release of all property shall be properly documented.

With the exception of firearms and other property specifically regulated by statute, found property and property held for safekeeping shall be held for a minimum of 60 days. During such period, property personnel shall attempt to contact the rightful owner by telephone and/or mail when sufficient identifying information is available. Property not held for any other purpose and not claimed within 60 days after notification (or receipt, if notification is not feasible) may be auctioned to the highest bidder at a properly published public auction. If such property is not sold at auction or otherwise lawfully claimed, it may thereafter be destroyed. The final disposition of all such property shall be fully documented in related reports.

A property and evidence technician shall release the property to the owner or finder, upon valid identification and proper documentation presented by the owner or finder, for which an authorized release has been received. The owner or finder shall also pay any costs incurred by the agency, including costs for advertising or storage. A signature of the person receiving the property shall be recorded on the original property documentation. After release of all property entered on the property control card, the card shall be forwarded to the Records Section for filing with the case. If some items of property have not been released, the property card will remain with the Property and Evidence Room.

Upon release or other form of disposal, the proper entry shall be recorded in all property documentation and logs.

Property and Evidence

802.6.6 STOLEN OR EMBEZZLED PROPERTY

Stolen or embezzled property or property believed to be stolen or embezzled that is in the custody of this department shall be restored to the legal owner. Such property may be released from law enforcement custody when the following is satisfied (CRS § 13-25-130(3)):

- (a) Photographs of the property are filed and retained by the Property and Evidence Room.
- (b) Satisfactory proof of ownership is shown by the owner.
- (c) A declaration of legal ownership is signed under penalty of perjury.
- (d) If a defendant has been filed upon, he/she has been notified that such photographs, video tapes or films have been taken, recorded or produced.
- (e) A receipt for the property is obtained from the owner upon delivery.
- (f) Signed District Attorney request for release/approval for release.

802.6.7 DISPUTED CLAIMS TO PROPERTY

Occasionally more than one party may claim an interest in property being held by the department, and the legal rights of the parties cannot be clearly established. Such property shall not be released until one party has obtained a court order or other proof of the undisputed right to the involved property.

All parties should be advised that their claims are civil. In extreme situations, legal counsel for the Department may be asked to file an interpleader in court to resolve the disputed claim.

802.6.8 RELEASE AND DISPOSAL OF FIREARMS

A firearm may not be released until it has been verified that the person receiving the weapon is not prohibited from receiving or possessing the weapon by 18 USC § 922 (d).

802.7 DISPOSITION OF PROPERTY

All property not held for evidence in a pending criminal investigation or proceeding, and held for six months or longer where the owner has not been located or fails to claim the property, may be sold at a public auction in compliance with existing laws, upon receipt of proper authorization for disposal. The property and evidence technician shall request a disposition or status on all property which has been held in excess of 120 days and for which no disposition has been received from a supervisor or detective.

Abandoned motor vehicles impounded by the Department may be sold at a public or private sale following notice pursuant to CRS § 42-4-1805.

802.7.1 EXCEPTIONAL DISPOSITIONS

The following types of property shall be destroyed or disposed of in the manner and at the time prescribed by law or by a court of competent jurisdiction:

- Weapons declared by law to be nuisances

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- Animals, birds and equipment related to their care and containment that have been ordered forfeited by the court
- Counterfeiting equipment
- Gaming devices
- Obscene matter ordered to be destroyed by the court
- Altered vehicles or component parts
- Narcotics
- Unclaimed, stolen or embezzled property
- Destructive devices

802.7.2 UNCLAIMED MONEY

If found money is no longer required as evidence and remains unclaimed after one year, the money is presumed abandoned property (CRS § 38-13-108.2).

802.7.3 RETENTION OF BIOLOGICAL EVIDENCE

The Investigative Support Unit supervisor shall ensure that no biological evidence held by the Department is destroyed without adequate notification to the following persons, when applicable:

- (a) The defendant
- (b) The defendant's attorney
- (c) The appropriate prosecutor
- (d) Any sexual assault victim
- (e) The Support Division supervisor

Biological evidence shall be retained for a minimum period established by law, the Support Division supervisor or the expiration of any sentence imposed related to the evidence, whichever time period is greater. Following the retention period, notifications should be made by certified mail and should inform the recipient that the evidence will be destroyed after a date specified in the notice unless a motion seeking an order to retain the sample is filed and served on the Department within 90 days of the date of the notification. A record of all certified mail receipts shall be retained in the appropriate file. Any objection to, or motion regarding, the destruction of the biological evidence should be retained in the appropriate file and a copy forwarded to the Support Division supervisor.

Biological evidence related to a homicide shall be retained indefinitely and may only be destroyed with the written approval of the Chief of Police and the head of the applicable prosecutor's office.

802.8 REPORT OF ABANDONED PROPERTY (MONEY)

The Investigative Support Unit Division supervisor shall complete and file a report of presumed abandoned property to the State Treasurer each year. The report shall cover the period from July

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Property and Evidence

1 to June 30 and shall be submitted no later than the immediately following November 1 date (CRS § 38-13-110).

802.9 INSPECTIONS OF THE PROPERTY AND EVIDENCE ROOM

- (a) Unannounced inspections of evidence storage areas shall be conducted annually, as directed by the Chief of Police.
- (b) An annual audit of evidence held by the Department shall be conducted by a Division Commander, who is not routinely or directly connected with evidence control, as assigned by the Chief of Police.
- (c) Whenever a change is made in personnel who have access to the Property and Evidence Room, an inventory of all evidence/property shall be made by an individual not associated with the Property and Evidence Room or function to ensure that records are correct and all evidence property is accounted for.

Records Section Procedures

803.1 PURPOSE AND SCOPE

The Records Supervisor shall keep the Department Records Section procedures continuously updated to reflect the procedures being followed within the Records Section. Policies and procedures that apply to all employees of this department are contained in this chapter.

803.1.1 NUMERICAL FILING SYSTEM

Case reports are filed numerically by Records Section personnel.

Reports are numbered commencing with the last two digits of the current year followed by a sequential number beginning with 00001 starting at midnight on the first day of January of each year. As an example, case number 11-00001 would be the first new case beginning January 1, 2011.

803.1.2 PRIVACY POLICY

The Records Supervisor shall apply, and assist in the development and maintenance of, the organization's policy standardizing the collection, storage, transfer and use of personally identifiable information pursuant to CRS § 24-72-502. Minimally, the policy shall include:

- (a) A declaration supporting the protection of individual privacy.
- (b) Standards which minimize the collection of personally identifiable information to the least amount of information required to complete a particular transaction.
- (c) The applicability of the Colorado Open Records Act.
- (d) A method for feedback from the public on compliance with the privacy policy.
- (e) Notation that the policy applies to the collection of all personally identifiable information, regardless of the source or medium.

The privacy policy shall be published on the organization's website.

803.2 FILE ACCESS

All reports including, but not limited to, initial, supplemental, follow-up, evidence and all reports related to a case shall be maintained in a secure area within the Records Section, accessible only to authorized Records Section personnel. Access to report files when records personnel are otherwise not available may be obtained through the Records Section Supervisor, and in his/her absence, the watch supervisor or Division Commander.

803.2.1 REQUESTING ORIGINAL REPORTS

Generally, original reports shall not be removed from the Records Section. Should an original report be needed for any reason, the requesting employee shall first obtain authorization from the Records Supervisor. All original reports removed from the Records Section shall be recorded on the report check-out log, which shall constitute the only authorized manner by which an original report may be removed from the Records Section.

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All original reports to be removed from the Records Section shall be photocopied and the photocopy retained in the report file location of the original report until the original is returned to the Records Section. The photocopied report shall be shredded upon return of the original report to the file.

803.3 RECORDS MANAGER TRAINING

The Records Supervisor shall receive training in records management, including proper maintenance, retention and disposal of records and the proper release of records under state and federal law.

Records Release and Security

804.1 PURPOSE AND SCOPE

The purpose of this section is to establish a reference and procedure for the security and release of Department public records in accordance with the Colorado Open Records laws (CRS § 24-72-200.1 to § 24-72-206 and CRS § 24-72-301 to CRS § 24-72-309).

This policy does not prevent the Department from voluntarily making part or all of specific records available to the requesting person, or the public, unless disclosure is deemed exempt, confidential, private or expressly prohibited by law.

The Federal Freedom of Information Act (FOIA) does not apply to state or local records.

804.1.1 DEFINITIONS

Definitions related to this policy include:

Public Record - A record kept by the Department that is made, maintained or kept by Northglenn Police Department.

Criminal Justice Records - A record kept by the Department which is not a public record under CRS 24-72-302

Records Custodian - A person assigned the responsibility for the public records of Northglenn Police Department, regardless of whether the records are in his/her actual personal custody and control (CRS § 24-72-202(2)).

804.2 PUBLIC REQUESTS FOR RECORDS

The Records Custodian is responsible for the retention, archiving, release and destruction of department public records as follows:

- (a) The Records Custodian will maintain a policy for the retention, archiving and destruction of Department public records (CRS § 24-72-203(1)(b)(I)).
- (b) The Records Custodian will maintain either the Colorado Model Municipal Retention Schedule if approved by the State Archivist for use by Northglenn Police Department or other retention schedule signed by the Records Custodian, the Colorado State Archivist, the State Auditor's Office and the Attorney General's Office. The Records Custodian is responsible for requesting authorization to destroy records and for responding to any authorization to destroy records sent by the State Archives.
- (c) The Records Custodian will establish rules regarding the inspection of department records as reasonably necessary for the protection of such records and the prevention of unnecessary interference with the regular discharge of the duties of the custodian or the custodian's office (CRS § 24-72-203(1)(a)).
- (d) The Records Custodian shall consult periodically with the Colorado Department of Personnel and the Attorney General of Colorado regarding retention and disposition

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of records to determine whether records are of legal, administrative or historical value (CRS § 24-80-103).

1. Those records unanimously determined to be of no legal, administrative or historical value shall be disposed of by such method as the three officers may specify.
 2. The Records Custodian shall file and preserve a list of all records disposed of, together with a statement signed by these three officers certifying compliance.
- (e) The Records Custodian shall maintain a schedule of fees for public records as follows (CRS § 24-72-205, § 24-72-306):
1. Fees are charged based on the amount of time spent researching the public record. Fees are not to exceed the actual cost of providing a copy, printout or photograph of a public record in a format other than a standard page.
 2. For records generated by a manipulation of data in a form not used by this department, the fee shall not exceed the actual cost of manipulating the data and generating the record in accordance with the request. Persons making subsequent requests for the same or similar records may be charged a fee not in excess of the original fee.
 3. If the public record is a result of computer output, other than word processing, the fee may be based on recovery of the actual incremental cost of providing the electronic services and products together with a reasonable portion of the cost associated with building and maintaining the information system.
 4. The Records Custodian may waive or reduce fees when it is in the public interest to do so, provided any such fee reduction or waiver is uniformly applied among persons who are similarly situated.
- (f) The Records Custodian should prepare and make available to the public a description of the basic rights of a person who requests public information, the responsibilities of the Department and the procedures, to include the cost of inspecting or obtaining copies.

804.2.1 PROCESSING OF REQUESTS

Any member of the public, including the media, may request to inspect records of this department by submitting a written and signed request for each individual and specifically identified record sought to an authorized employee during normal business hours. Requests shall be forwarded to the Records Custodian to process.

Request for records of the department will be handled by the Records Custodian as follows:

- (a) The Records Custodian shall determine whether the requested record is available and/or subject to any exemption from disclosure. Processing of such requests may not

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take more than three days, unless the Records Custodian finds there are extenuating circumstances (CRS § 24-72-203(3)(b)).

1. A finding that extenuating circumstances exist shall be made in writing by the Records Custodian and shall be provided to the person making the request within the three-day period.
 2. The fact that portions of records are exempt from disclosure shall not preclude portions that are not exempt from being released. If portions of a record are redacted, those portions should be identified as redacted or the person requesting the record shall be notified of the redaction.
 3. If the Records Custodian finds there are extenuating circumstances, he/she shall make such records available for inspection within seven business days.
- (b) The requesting party should be required to pay in advance any established fee for each record sought.
- (c) Requests for information that the Records Custodian believes is confidential and wishes to withhold from the public that is not specifically allowed by statute or judicial decision should be discussed with legal counsel for the Department.
- (d) If the Records Custodian denies access to any public record, the applicant may request a written statement of the grounds for the denial. The Records Custodian shall prepare the written statement citing the law or regulation under which access is denied or the general nature of the public interest to be protected (CRS § 24-72-204(4), CRS § 24-72-305(6)).
- (e) The Department is not required to create records which do not otherwise exist. However, existing records may be copied in such a manner as to provide the requesting party with unrestricted portions of any record.

Members shall make a reasonable effort to exclude or redact the Social Security number of any victim and witness from any document released in accordance with this policy to anyone other than the victim, the attorney for the defendant or any criminal justice agency (CRS § 24-4.1-303(18)).

804.3 REPORT RELEASE RESTRICTIONS

Absent a valid court order or other statutory authority, the following restrictions apply:

- (a) **Victim compensation information** - Records or portions of records containing any confidential materials concerning an application for victim's compensation shall not be released (CRS § 24-72-204(2)(c); CRS § 24-4.1-107.5).
- (b) **Sexual assault victim information** - The name and any other information that would identify any victim of sexual assault or of alleged sexual assault or attempted sexual assault or alleged attempted sexual assault shall be deleted prior to the release of any record (CRS § 24-72-304(4)).

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- (c) **Confidential information** - Records involving confidential informants, intelligence information, information that would endanger the safety of any person involved or information that would endanger the successful completion of the investigation or a related investigation should not be released.
- (d) **Information received from the Safe2Tell® program** - Information as described in CRS § 16-15.8-103 (CRS § 24-72-204; CRS § 16-15.8-104).
- (e) **Intelligence and security measures** - Records of intelligence information or security procedures should not be released where disclosure would be contrary to the public interest (CRS § 24-72-204(2)(a)).
- (f) **Contrary to the public interest** - The Records Custodian may refuse to disclose or release any criminal justice record when it would appear that the public's interest in accessing such record is outweighed by the reason for nondisclosure (CRS § 24-72-304(1)).
- (g) **Solicitation of business use** - The Records Custodian shall deny any person access to records of official actions and criminal justice records unless such person signs a statement which affirms that such records shall not be used for the direct solicitation of business for pecuniary gain (CRS § 24-72-305.5).
- (h) **Requests from criminal defendants** - Requests from criminal defendants and their authorized representatives, including attorneys, shall be referred to the District Attorney, City Attorney or the courts.
- (i) **Personnel records** - Personnel records, medical records and similar records which would involve personal privacy shall not be made public (CRS § 24-72-204(3)(a)).
- (j) **Work product** - Any record which was created exclusively in anticipation of potential litigation involving this department shall not be subject to public disclosure.
- (k) **Other records** - Any other record not addressed in this policy shall not be subject to inspection where (CRS § 24-72-204(1)):
 - 1. Such inspection would be contrary to any state statute.
 - 2. Such inspection would be contrary to any federal statute or regulation.
 - 3. Such inspection is prohibited by rules promulgated by the Supreme Court or by the order of any court.

804.3.1 PERSONAL IDENTIFYING INFORMATION

Employees shall not access, use or disclose personal identifying information, including an individual's photograph, Social Security number, driver identification number, name, address, telephone number and the individual's medical or disability information, which is contained in any driver's license record, motor vehicle record or any department record except as authorized by

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the Department and only when such use or disclosure is permitted or required by law to carry out a legitimate law enforcement purpose (18 USC § 2721, 18 USC § 2722).

804.4 SUBPOENA DUCES TECUM

Any subpoena duces tecum or discovery request should be promptly provided to a supervisor for review and processing. While a subpoena duces tecum may ultimately be subject to compliance, it is not an order from the court that will automatically require the release of the requested information.

All questions regarding compliance with any subpoena duces tecum should be promptly referred to the City Attorney or other legal counsel for the Department so that a timely response can be prepared.

804.5 PRIVACY AND SECURITY OF RECORDS

Records such as offense reports, arrest reports, juvenile records or other sensitive records shall be secured in such a manner as to reasonably protect them from unauthorized disclosure.

Criminal History Record Information (CHRI)

805.1 PURPOSE AND SCOPE

This policy provides guidelines for the release of criminal offender records, security of those records and persons authorized to release those records.

805.2 DEFINITIONS

Definitions related to this policy include:

Criminal History Records Information (CHRI) - Information collected by Colorado criminal justice agencies on individuals consisting of identifiable descriptions and notations of arrests, detentions, indictments or other formal criminal charges, and any disposition, including acquittal, sentencing, correctional supervision or release.

805.3 RELEASE OF CHRI

The Records Supervisor is responsible for releasing CHRI of this Department as provided in the Records Release and Security.

If a record requested is in the custody or control of another agency, the Records Supervisor will notify the requestor of this fact and in writing if requested. The notification shall identify to the best of the Records Supervisor's knowledge and belief, the agency which has custody or control of the record in question.

805.4 JUVENILE RECORDS

Nothing in this procedure is intended to alter existing statutes, case law or the policies and orders of both the county juvenile board and the designated juvenile court regarding the release of juvenile offender records.

Absent a court order, juvenile records and information may only be inspected or disclosed to the public under circumstances provided by law. For example, CRS § 19-1-304(1)(b.5) may require disclosure of some records when the juvenile has been charged with or is subject to a revocation of probation for committing the crime of possession of a handgun, a class 1, 2, 3 or 4 felony, or an offense involving a weapon. However, even then the information that can be released may be limited to the following:

- (a) Physical description of the accused
- (b) Information reporting the arrest and filing of charges
- (c) Date and place of the arrest and filing of charges
- (d) Name, gender, date of birth and last known address of the accused
- (e) Nature of the charges
- (f) Disposition of the charges

Criminal History Record Information (CHRI)

805.5 CHALLENGE TO CRIMINAL OFFENDER RECORD

Any person has the right to challenge the accuracy and completeness of records pertaining to him/her and to request that said records be corrected. Any such requests shall be forwarded to the Records Supervisor.

Upon receipt of a request to correct the record, the Records Supervisor will evaluate the request as follows (CRS § 24-72-307):

- (a) The Records Supervisor will review the request for correction and make a determination of whether to grant or refuse the request, in whole or in part.
- (b) In the event that the Records Supervisor requires additional time to evaluate the merit of the request for correction, the Records Supervisor shall notify the applicant in writing.
 - 1. The Records Supervisor shall then have 30 days from the date of receipt of the request for correction to evaluate the request and to make a determination of whether to grant or refuse the request, in whole or in part.
 - 2. The Records Supervisor will communicate that decision to the applicant in writing.
- (c) If the Records Supervisor refuses to make the requested correction and the person requests a written statement of the grounds for the refusal, the Records Supervisor shall promptly provide such a written statement.
- (d) If the Records Supervisor decides to make the correction, the Records Supervisor will ensure the change is made in the records of the Northglenn Police Department and communicate the correction to the Colorado Bureau of Investigation.

805.6 PROTECTION OF CHRI

The Records Supervisor is responsible for setting any necessary procedures to protect confidential National Crime Information Center (NCIC) or Colorado Crime Information Center (CCIC) information, including any policies related to the following:

- (a) Where and how such records may be stored
- (b) Access to such records
- (c) Computer terminal security
- (d) Destruction of such records

805.7 PENALTIES FOR MISUSE OF RECORDS

Employees may obtain, or attempt to obtain, records or information from the Department files only in accordance with their official duties.

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Criminal History Record Information (CHRI)

Criminal history record information may not be used in any unauthorized manner, for any unauthorized purpose or disclosed to any person who is not entitled to the information in compliance with the FBI CJIS security policy.

Computers and Digital Evidence

806.1 PURPOSE AND SCOPE

This policy establishes procedures for the seizure and storage of computers, personal communications devices (PCDs) digital cameras, digital recorders and other electronic devices that are capable of storing digital information. This policy also establishes procedures for the preservation and storage of digital evidence. All evidence seized and/or processed pursuant to this policy shall be done so in compliance with clearly established Fourth Amendment and search and seizure provisions.

806.2 SEIZING COMPUTERS AND RELATED EVIDENCE

Computer equipment requires specialized training and handling to preserve its value as evidence. Officers should be aware of the potential to destroy information through careless or improper handling, and utilize the most knowledgeable available resources. When seizing a computer and accessories the following steps should be taken:

- (a) Photograph each item, front, back and surrounding desktop or office setup, specifically including cable connections to other items. Look for a telephone line or cable to a modem for Internet access.
- (b) Do not overlook the possibility of the presence of physical evidence on and around the hardware relevant to the particular investigation, such as fingerprints, biological or trace evidence and/or documents.
- (c) If the computer is off, do not turn it on.
- (d) If the computer is on, do not shut it down normally and do not click on anything or examine any files.
 - 1. Photograph the screen, if possible, and note any programs or windows that appear to be open and running.
 - 2. Disconnect the power cable from the back of the computer box. If the computer is a portable notebook style, disconnect any power cable from the case and remove the battery.
- (e) Label each item with the case number, evidence sheet number and item number.
- (f) Handle and transport the computer and storage media (e.g., tape, disks, memory cards, flash memory, external drives) with care so that potential evidence is not lost.
- (g) Lodge all computer items into the Property and Evidence Room. Do not store computers where normal room temperature and humidity is not maintained.
- (h) At minimum, officers should document the following in related reports:
 - 1. Where the computer was located and whether it was in operation

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2. Who was using it at the time
 3. Who claimed ownership
 4. If it can be determined, how it was being used
- (i) In most cases when a computer is involved in criminal acts and is in the possession of the suspect, the computer itself and all storage devices (e.g., printers, remote drives, hard drives, tape drives and disk drives) should be seized along with all media. Accessories (e.g., printers, monitors, mouse, scanner, keyboard, cables, software and manuals) should not be seized unless as a precursor to forfeiture or the equipment is proprietary (e.g. Apple keyboard and mouse) and necessary for examination of the associated media.

806.2.1 BUSINESS OR NETWORKED COMPUTERS

If the computer belongs to a business or is part of a network, it may not be feasible to seize the entire computer. Until properly secured, networked computers can be accessed remotely to alter critical hard drive data. Therefore, cases involving networks require specialized handling. Officers should contact a certified forensic computer examiner as soon as practicable for instructions or a response to the scene. It may be possible to perform an on-site inspection or to image the hard drive only of the involved computer. This should be done by someone specifically trained in processing computers for evidence. The forensic copy of the image of the hard drive shall be marked and maintained as primary evidence.

806.2.2 FORENSIC EXAMINATION OF COMPUTERS

If an examination of the contents of the computer's hard drive, disks or any other storage media is required, forward the following items to a computer forensic examiner:

- (a) A copy of reports involving the computer, including the evidence/property sheet
- (b) A copy of a consent to search form signed by the computer owner or the person in possession of the computer, or a copy of a search warrant authorizing the search of the computer hard drive for evidence relating to the investigation or other legal authority for examination
- (c) A list of the items to search for (e.g., photographs, financial records, e-mail, documents)
- (d) A forensic copy of the media will be made; subsequent forensic examination of the copy will be conducted by a trained digital forensic examiner.

806.3 SEIZING DIGITAL STORAGE MEDIA

Digital storage media, including hard drives, floppy disks, CDs, DVDs, tapes, memory cards or flash memory devices, should be seized and stored in a manner that will protect them from damage.

- (a) If the media has a write-protection tab or switch, it should be activated.

Computers and Digital Evidence

- (b) Do not review, access or open digital files prior to submission. If the information is needed for immediate investigation, request the Property and Evidence Room to copy the contents to an appropriate form of storage media.
- (c) Many kinds of storage media can be erased or damaged by magnetic fields. Keep all media away from magnetic devices, electric motors, radio transmitters or other sources of magnetic fields.
- (d) Do not leave storage media where it would be subject to excessive heat, such as in a parked vehicle on a hot day.
- (e) Use plastic cases designed to protect the media, or other protective packaging, to prevent damage.

806.4 SEIZING PERSONAL COMMUNICATION DEVICES

Personal communication devices (PCD), such as cellular phones, Personal Data Assistants (PDA) or other handheld devices connected to any communication network must be handled with care to preserve evidence that may be on the device, including messages, stored data and/or images.

- (a) Officers should not attempt to access, review or search the contents of such devices prior to examination by a forensic expert. Unsent messages can be lost, data can be inadvertently deleted and incoming messages can override stored messages.
- (b) Do not turn the device on or off. The device should be wrapped in no less than six sheets of heavy duty aluminum foil, or placed in a solid metal container, such as a paint can or in a Faraday bag, to prevent the device from sending or receiving information from its host network.
- (c) When seizing the devices, also seize the charging units and keep them plugged in to the chargers until they can be examined. If the batteries go dead, all the data may be lost.

806.5 DIGITAL EVIDENCE RECORDED BY OFFICERS

Officers handling and submitting recorded and digitally stored evidence from digital cameras and audio or video recorders will comply with these procedures to ensure the integrity and admissibility of the evidence.

806.5.1 COLLECTION OF DIGITAL EVIDENCE

Once evidence is recorded it shall not be erased, deleted or altered in any way prior to submission. All photographs taken will be preserved regardless of quality, composition or relevance. Video and audio files will not be altered in any way.

806.5.2 SUBMISSION OF DIGITAL MEDIA

The following are required procedures for the submission of digital media used by cameras or other recorders:

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- (a) The recording media (e.g., smart card, compact flash card or any other media) shall be brought to the Property and Evidence Room as soon as reasonably possible for submission into evidence.
- (b) Officers are only authorized to review the data stored on the device that was used to record the data. Copying data from memory cards is prohibited. Evidence technicians are the only employees authorized to copy and/or distribute digital media made from the memory cards.
- (c) As soon as reasonably possible following the collection of evidence, the camera operator is to remove the memory card from his/her digital camera and place the card into a plastic carrier. The card and carrier are then to be placed into a ziplock-type baggie. The camera operator shall write his/her name and the related case number on the outside of the baggie before placing it in the film drop box along with the evidence form.
- (d) Evidence technicians will make a copy of the memory card using appropriate storage media. Once they have verified that the images properly transferred to the storage media, the technicians will erase the memory card for reuse. The storage media will be marked as the original.
- (e) Officers requiring a copy of the digital files must request a copy on the evidence form when submitted to evidence.

806.5.3 DOWNLOADING OF DIGITAL FILES

Digital information, such as video or audio files recorded on devices using internal memory, must be downloaded to storage media. The following procedures are to be followed:

- (a) Files should not be opened or reviewed prior to downloading and storage.
- (b) Where reasonably possible, the device should be connected to a computer and the files accessed directly from the computer directory or downloaded to a folder on the host computer for copying to the storage media.

806.5.4 PRESERVATION OF DIGITAL EVIDENCE

- (a) Only evidence technicians are authorized to copy original digital media that is related to case documentation and held as evidence. Only digital forensic examiners are authorized to copy original media seized as evidence. The original digital media shall remain in evidence and shall remain unaltered.
- (b) Digital images that are enhanced to provide a better quality photograph for identification and investigative purposes must only be made from a copy of the original media.
- (c) If any enhancement is done to the copy of the original, it shall be noted in the corresponding incident report.

Animal Control Procedures

807.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for Animal Control Officers (ACO) and Northglenn Police Department personnel in dealing with calls related to animal control and to set forth procedures regarding animal control services, the handling of injured animals and the abatement of animal nuisances.

807.1.1 TRAINING

ACOs shall successfully complete the required basic and continuing education animal control courses as approved by the Department or required by local or state authorities.

807.2 ANIMAL CONTROL OFFICER RESPONSIBILITIES

ACOs shall be responsible for enforcing local, state and federal laws relating to animals and for appropriately resolving or referring animal problems as outlined in this policy. Specifically the ACO is assigned the tasks necessary for the day-to-day responsibilities including, but not limited to, those identified under the Colorado Animal Protection Act (CRS § 35-42-101, et seq.).

ACOs shall be under the operational control of the Patrol Division. The assigned working hours will be scheduled by the Patrol Division Commander. During hours when an ACO is on-duty, requests for animal control services shall be assigned by Adams County Communications Center or the Shift Sergeant.

Requests for assistance by an ACO shall be acknowledged and responded to promptly.

807.3 OFFICER RESPONSIBILITIES

During hours when no ACO is on-duty, or if an ACO is otherwise unavailable, the following animal-related calls for service will be handled by the appropriate on-duty officer.

Officers may be dispatched to animal-related calls and should take appropriate actions to control the situation. Due to the hazards of handling animals without proper equipment, responding officers generally should not attempt to capture and pick up any animal, if ACO is responding. If no ACO is on duty, or extenuating circumstances exist, the on duty officer should take action. The following are examples of when an officer may consider acting before the arrival of an ACO:

- (a) When there is a threat to public safety
- (b) When an animal has bitten someone, officers should take measures to confine the animal and prevent further injury
- (c) When an animal is creating a traffic hazard
- (d) When the owner/handler has been arrested and there is no other alternative placement for the animal
- (e) When an animal is gravely injured

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- (f) If no ACO is available the watch supervisor should provide animal control equipment to include the animal control vehicle for use by on duty patrol officers

807.3.1 ANIMAL CRUELTY COMPLAINTS

An officer shall conduct a preliminary investigation on all reports of animal cruelty and forward the information to the ACO for follow-up. Officers shall not hesitate to take any immediate actions deemed necessary to prevent the perpetration of any act of cruelty to animals in his/her presence and may use such force as is necessary to prevent the crime.

The assistance of an animal control officer may be requested to assist with the investigation when appropriate for the purpose of handling the disposition of any animal associated with the case.

807.3.2 STRAY ANIMALS

If an animal has a micro-chip or can otherwise be identified, the owner should be contacted, if possible. If the owner is contacted, the animal should be released to the owner and a citation may be issued if appropriate. If an animal is taken into custody, it shall be transported to the animal shelter or to the holding pens, making sure the animal has food, water and shelter. If placed in the ACO vehicle or holding pen, consideration should be made to when the next ACO comes on duty.

The animal courtesy notice must be completely filled out and placed in the ACO's in-box.

An ACO will transport any animals in the holding pens to the animal shelter as soon as he/she comes on-duty. Once an animal has been taken into custody, all releases should be handled by the animal shelter. In cases where an ACO is not available, the Shift Supervisor shall designate an alternate to transport so that animals are not held in the holding pens unnecessarily for extended periods.

807.3.3 ANIMAL BITES TO HUMANS

Officers shall obtain as much information as possible for forwarding to an ACO for follow-up. Officers shall instruct the owner of a biting animal, if contacted, to keep the animal confined on the property until contacted by an ACO. If the animal is a stray, then every effort shall be made to capture and impound the animal immediately.

If a biting dog has been killed in order to prevent further injury or death, the local board of health shall be notified of the facts related to the bite and the killing, and the body of the dog shall be held for release to the board of health. The body must be bagged and refrigerated to preserve for testing. (6 CCR 1009-1:1).

807.3.4 PUBLIC NUISANCE CALLS RELATING TO ANIMALS

Officers shall obtain and forward to an ACO as much information as possible regarding the nature of the complaint, the complaining person, owner information (if possible) and location of the problem. Officers will also document any actions taken, citation issued and related report numbers.

In the event responding officers cannot fulfill urgent requests for service because the animal is difficult or dangerous to handle, an ACO may be called. If an ACO is unavailable, the patrol supervisor may request the assistance of an animal control officer from an outside agency.

Animal Control Procedures

All requests to call in an ACO must be approved by a field supervisor or the Shift Sergeant.

807.4 DECEASED ANIMALS

Deceased animals on public property will be removed and properly disposed of by an ACO. Officers will remove deceased animals when an ACO is not on-duty. The deceased animals may be placed in the dead pan of an ACO's truck.

- (a) For health and sanitary reasons, deceased animals should be placed in a sealed plastic bag prior to placing them in an ACO truck. Large animals should be double-bagged and left next to an ACO truck, out of public view.
- (b) Neither an ACO nor any officer will be required to climb onto or under any privately owned structure for the purpose of removing a deceased animal.

807.5 INJURED ANIMALS

When any injured domesticated animal is brought to the attention of a member of this agency, all reasonable attempts shall be made to contact the owner or responsible handler. When the owner or responsible handler cannot be located and the animal is not an immediate danger to the community, it shall be taken to a doctor of veterinary medicine as described below:

- (a) During normal business hours, the animal should be taken to an authorized veterinary care clinic.
- (b) If it is after normal business hours, the animal should be taken to an authorized veterinary emergency services clinic.
- (c) The only exception to the above is when the animal is an immediate danger to the community or the owner of the animal is identified and takes responsibility for the injured animal.
- (d) When it is necessary to dispatch a seriously injured or dangerous animal, the Firearm Discharge Policy shall be followed.
 - 1. An ACO or an officer may euthanize an animal when, in his/her judgment and in the opinion of a licensed veterinarian, the animal is experiencing extreme pain or suffering or is severely injured, disabled or diseased past recovery. (CRS § 35-42-110).
 - 2. Injured wildlife may be euthanized whenever the ACO or officer determines that no other reasonable action would be practical, humane or effective for the rehabilitation of the wildlife (2 CCR 406-14:1405).
- (e) Injured or deceased wildlife should be referred to the appropriate agency as listed by the Colorado Division of Wildlife.
- (f) When handling dead or injured animals, Department employees shall attempt to identify and notify the owner of the final disposition of the animal.

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Animal Control Procedures

- (g) Each incident shall be documented, at minimum, to include the name of the reporting party and the veterinary hospital and/or person to whom the animal is released. If an ACO is off-duty, the information will be forwarded for follow-up.

807.6 ENFORCEMENT

An ACO of this department may issue citations or summonses and complaints enforcing any local or state law concerning the control of pet animals (CRS § 30-15-105).

It should be at the discretion of the handling officer or the field supervisor as to the need for, or advisability of, the issuance of a citation for a violation.

807.7 POST-ARREST PROCEDURES

Employees should take reasonable efforts to ensure that animals or pets in an arrestee's care will be provided with proper care. This is only required when there is no person to provide care and the arrestee is expected to be in custody for a time period longer than would reasonably allow him/her to properly care for the animals. Relatives or neighbors may be contacted, with the owner's consent, to care for the animals. If no persons can be found or the owner does not consent, the appropriate animal control authority should be notified.

Chapter 9 - Custody

Holding Facility

900.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the booking, housing, security and release of individuals from any Northglenn Police Department facility that detains people for less than 6 hours for processing or awaiting transportation to another facility (6 CCR 1010-13:2.8).

This policy is established to ensure proper environmental, occupational and personal health conditions for the protection of persons detained and Northglenn Police Department staff (6 CCR 1010-13:18.1).

In addition, a separate holding facility operations and procedures manual should be maintained and followed. The Department shall maintain the custody of detainees in accordance with this policy, any applicable Operations and Procedures Manual and in accordance with applicable law.

900.1.1 DEFINITIONS

Definitions related to this policy include:

Holding facility - A local detention facility used for the confinement of persons for less than 6 hours pending release, transfer to another facility or appearance in court (6 CCR 1010-13:2.8). A holding facility includes any area designated for the temporary detention of persons in civil protective custody.

900.2 DETENTION OF PERSONS IN THE HOLDING FACILITY

Detainees in the holding facility shall be released or transported to another facility within 6 hours or sooner if possible and practicable (6 CCR 1010-13:2.8).

Generally, only one prisoner should be placed in a cell at a time. When there are more than five prisoners the Shift Supervisor will determine which cells may hold more than one. Cell #5 may be used for multiple prisoners during the booking process. Guidelines for sight and sound and gender differential shall be followed.

900.2.1 DETAINABLE PERSONS

Detainees who fall within the following classifications may be detained in the holding facility with the approval of the Shift Supervisor. Detainable persons include those arrested and detained pending:

- (a) Posting of bail.
- (b) Release on Own Recognizance.
- (c) Citation or summons release per the Cite/Summons and Release Policy.
- (d) Transportation to the county jail.
- (e) In-custody interview or other investigation.
- (f) Transfer to court.

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900.3 TEMPORARY DETENTION OF JUVENILES

Juveniles who are detained by members of this department will be processed and handled in accordance with the Temporary Custody of Juveniles Policy. Juveniles in the holding facility must be kept out of sight and sound of adults and detained in cell number one or two if possible.

900.4 TEMPORARY DETENTION OF FEMALES

If possible, female detainees shall be separated by sight and sound from male detainees by detaining them in cells two, three or four.

Female detainees who are pregnant should be medically cleared for jail.

No arrestee who is in labor shall be handcuffed or restrained unless the arrestee presents an immediate and serious risk of harm to herself or others, the arrestee poses a substantial risk of escape that cannot reasonably be reduced by the use of other existing means.

900.5 ORTHOPEDIC OR PROSTHETIC APPLIANCE

Subject to safety and security concerns, persons who are detained in a holding facility shall be permitted to retain possession of an orthopedic or prosthetic appliance if it is prescribed or recommended and fitted by a physician. However, if the appliance presents a risk of bodily harm to any person or is a risk to the security of the facility, the appliance shall be removed from the detainee and kept with the detainee's property. It shall be promptly returned if it is later determined that such risk no longer exists.

Whenever a prosthetic or orthopedic appliance is removed from a detainee, the Shift Supervisor shall be promptly apprised of the reason for the removal. If it is determined that the appliance will not be returned, the detainee shall be medically cleared for jail.

If the examining physician determines that removal is or will be injurious to the health or safety of the detainee and the appliance cannot immediately be returned because of safety or security concerns, the transporting Officer shall inform the jail deputies upon arrival.

900.6 MONITORING AND CLASSIFICATION

900.6.1 MONITORING OF DETAINEES

All detainees shall be checked through direct visual observation without the aid of surveillance cameras as follows:

- (a) All detainees should be visually checked no less than once every half hour. The checks should be at varying times.
- (b) Detainees in physical restraints shall be personally checked by staff at least every 10 minutes.
- (c) A jail check shall be conducted every shift to verify detainees' physical presence and identification.

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- (d) All checks will be documented in the holding facility log or other check sheet designed for that purpose.

900.6.2 LOG

The Shift Sergeant is responsible to ensure that a log is kept in the booking area of the holding facility and that all appropriate entries are made.

- (a) Any person booked into the holding facility should be logged into the holding facility Log. The following entries are to be completed by the booking officer and personnel responsible for maintaining detainees in the facility:
 - 1. Date
 - 2. Time in
 - 3. Officer number
 - 4. Time out
 - 5. Officer number
 - 6. Cell number
 - 7. Name of Arrestee
 - 8. Date of birth
 - 9. Race/Sex
 - 10. Local ID number
 - 11. Reason for arrest/processing
 - 12. Case report number
- (b) All detainee checks will be documented on the holding facility sheet.
- (c) The Shift Supervisor should make periodic checks to ensure the log entries and security checks are made on time.
- (d) The Professional Standards Sergeant should review all holding facility logs and shall report to the Patrol Commander and Chief of Police as required.
- (e) All logs and reports should be maintained by Internal Affairs for inspection by the Patrol Commander or other officials as may be required.

900.7 HOLDING FACILITY PROCEDURES

900.7.1 SECURITY

- (a) Firearms, or any type of explosive device are not permitted within the secure area of the holding facility. Weapons should be properly secured outside the secure area of

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the holding facility. An exception may occur only during emergencies upon approval of the Shift Supervisor.

- (b) Perimeter doors to the holding facility shall be kept locked at all times except during routine cleaning, when no detainees are present or in the event of an emergency, such as an evacuation.
- (c) Cell doors are to be locked at all times when detainees are in the cell.
- (d) No personnel shall smoke at any time while in the detention area.
- (e) No detainee shall be allowed to smoke or possess smoking materials in the detention area.
- (f) Force may be used in accordance with Department policy and shall be reviewed by the Shift Supervisor.
- (g) All restraint devices, including handcuffs, disposable cuffs, transport belt and leg restraints, will be used in accordance with existing Department policy.

900.7.2 RECEIPT OF PRISONERS

The arresting and/or assisting officer should:

- (a) Conduct a booking search as detailed in the Custody Searches Policy of each detainee booked into the holding facility.
- (b) Remove all contraband, hazardous items, jewelry, belts, shoes and jackets from each detainee.
- (c) Inventory, secure and record all property removed from each detainee as detailed in the Custody Searches Policy.
- (d) Ensure fingerprints and palm prints are obtained and submitted as appropriate.
- (e) Take front view photos.
- (f) Complete the medical screening form.
- (g) Complete the arrest report.
- (h) Before the booking procedure is completed, the arresting or booking officer will log the detainee into the holding facility log. This procedure is to be completed regardless of the length of time the detainee is to be held in the facility and shall include those detainees whose admittance is for booking only.

900.7.3 HOLDING CELL SECURITY

- (a) Prior to placing a detainee into a cell, the cell shall be searched to ensure there are no weapons contraband present and to ensure the cell is clean and sanitary. If other detainees are present in the cell, this inspection shall be done visually without removing other detainees.

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- (b) If the booking officer is alone, any other detainees in a cell should be directed to stand against the far wall of the cell prior to opening the cell door.
- (c) Facility keys used by the staff shall be returned to their secure location prior to leaving the building.
- (d) Access to the booking and holding cell area is restricted to only officers who are in the process of or assisting the booking or release of detainees, or personnel conducting detainee checks.
- (e) Maintenance and/or cleaning personnel shall be accompanied at all times by an officer when inside the holding facility.

900.7.4 HOLDING CELLS, PERSONAL HYGIENE AND BEDDING

- (a) Detainees shall have toilets and water available at all times (6 CCR 1010-13:10.0).
- (b) Temperatures in indoor living and work areas shall be maintained at least 61 degrees during the coldest months and less than 86 degrees in the warmest months (6 CCR 1010-13:9.4).
- (c) The booking officer shall provide a blanket if requested.

900.7.5 FOOD SERVICE

- (a) Food will be purchased from a retail food provider (6 CCR 1010-13:13.0).
- (b) Meals should be provided for persons during normal mealtime unless the person will be in the holding facility for a short period of time before being released or transferred to another facility.
- (c) Persons requiring a special diet prescribed by a physician and are unable to eat the food provided, shall be transported as soon as possible to Adams County Detention Facility or other facility or released on summons or bond.

900.7.6 TELEPHONE CALLS

- (a) Every detainee is entitled to make a reasonable number of completed telephone calls from every Police station, holding facility or other place of booking as soon as possible after arrival (CRS § 16-3-402).
- (b) Telephone calls may be limited to local calls, except that long-distance calls may be made by the arrested person at his/her own expense.
- (c) Calls between the detainee and his/her attorney shall be deemed confidential and shall not be monitored, eavesdropped upon or recorded.
- (d) If the person is a custodial parent with responsibility for a minor child or caring for a dependent adult, the person should be entitled to make a reasonable number of

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completed telephone calls for the purpose of arranging care for the minor child or a dependent adult.

- (e) There is no obligation for the officer to make a call on behalf of a detainee or assist a detainee in making calls. For example, in the case of a person who is so intoxicated that he/she cannot make a call. An officer is not required to wake an intoxicated person so that they may complete a call.
- (f) There is no limitation on the amount of time a phone call may last. A detainee should be given sufficient time on the phone to contact whomever he/she desires and to arrange for necessary items because of his/her arrest. The phone calls are not intended to be lengthy conversations and the officer may use his/her judgment in determining the duration of the calls.
- (g) Calls shall not be allowed between a detainee and victim of a crime which could be viewed as a furtherance of the initial crime.

900.7.7 ATTORNEYS AND BAIL BONDSMEN

The Shift Supervisor is responsible to ensure the following:

- (a) Any attorney in this state shall be permitted to see and consult the detainee, alone and in private (CRS §16-3-404):
 - 1. Upon the demand of a detainee.
 - 2. Upon demand of a friend, relative, spouse or attorney of the detainee, if the detainee expressly consents to see or to consult with the attorney
- (b) A detainee shall be allowed to consult with an attorney as many times and for as long as reasonable.
- (c) The attorney and the detainee should be searched for weapons prior and after being admitted to the holding facility interview room.
- (d) Attorneys must produce a current identification card or license from a recognized state regulatory or licensing agency, as well as other matching appropriate identification.
- (e) Interviews between attorneys and their clients shall not be monitored or recorded.

900.7.8 MEDICAL CARE

Should a detainee be injured or become ill during detention, appropriate medical aid will be summoned. A supervisor should, if possible, meet with those providing medical aid at the holding facility to allow access to the detainee. The decision to transport a detainee to a hospital will be the decision of the paramedic. The method and means of transportation is subject to the approval of the supervisor. If any detainee is transported while still in custody, the detainee will be accompanied by an officer. If the person is detained for a misdemeanor, the supervisor may release the person to facilitate medical care and transport.

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900.7.9 RELEASE OF DETAINEES

- (a) The holding facility should be inspected for damage prior to the release or transportation of any detainee.
- (b) Any damages should be noted and, if necessary, an additional crime report completed. If additional charges are warranted, they should be made. Photographic evidence should be obtained and documented to support additional charges.
- (c) Detainees should be required to clean cells prior to release or transportation. If a detainee refuses, he/she may not be compelled to clean up nor may his/her release be delayed to accomplish this.
- (d) Detainees shall be released in accordance with state law. The releasing officer will be responsible for the following:
 - 1. All proper reports and forms shall be completed prior to release.
 - 2. All bail money is accounted for.
 - 3. Bail bonds are attached to the necessary paperwork and placed in the court return file in the Records Section.
 - 4. All property, except evidence, contraband or dangerous weapons, shall be returned to the detainee and the detainee will be required to sign for the release.
 - 5. The appropriate holding facility log will be completed showing the date and time of release, as well as the releasing officer's badge number.
 - 6. The person being released will be escorted from the holding facility and the Police facility by an employee of the Northglenn Police Department. At no time will a released person be allowed in any secure area of the station without personal supervision by an employee.

900.7.10 RELEASE OF DETAINEE'S PROPERTY

- (a) A request by a detainee for release of property to another person must be made in writing by the detainee. Release of a detainee's property to any person requires the recipient's signature on the custody property sheet.
- (b) If a detainee is released to the court or an officer of another agency, all property will be released to that officer, who will be required to verify and sign for the property. The officer responsible for transporting a detainee to Adams County Detention Facility is required to obtain the receiving officer's signature on the booking form as notice of receipt of the property.
- (c) The Shift Supervisor shall be notified whenever a detainee alleges there is a shortage or discrepancy regarding the detainee's property. The Shift Supervisor will interview the person claiming the shortage prior to his/her release. The Shift Supervisor shall ensure that a search for the alleged missing items is complete and shall attempt to

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prove or disprove the claim. A written claim by the detainee shall be requested where the discrepancy cannot be resolved, and forwarded on a PQR to the Professional Standards Sergeant.

- (d) All personal property that is unclaimed shall be properly disposed of pursuant to state law.

900.7.11 DETAINEE TRANSFERS

Whenever a detainee is to be transported from the holding facility to another facility by a member of this department, the transporting officer shall:

- (a) Verify that the identity of each detainee to be transported matches the booking paperwork.
- (b) Ensure that all pertinent documentation accompanies the detainee, such as copies of booking forms, medical records when appropriate, an itemized list of the detainee's property and any warrant or warrantless affidavit copies.
- (c) Ensure that any known or suspected threat or danger the detainee may pose, such as escape risk, suicide potential or medical condition, is recorded on the detainee's booking documentation and is transported with the detainee to the next facility. The transporting officer shall ensure such threat or danger is communicated to intake personnel at the receiving facility.
- (d) Document the authority for the release and the identity of the receiving officer and his/her agency, including the date, time and location of the release.

900.7.12 HOLDING FACILITY SEARCHES

The Shift Supervisor should ensure that all areas of the facility that are accessible to the detainee are inspected for contraband and physical security deficiencies at least once per shift.

The Patrol Commander or the authorized designee shall be notified of any discovered contraband or physical security deficiencies. The appropriate disposition of contraband and the remediation of physical security deficiencies shall be documented.

900.7.13 FACILITY SANITATION AND MAINTENANCE

All holding facilities shall be maintained in good repair and in a clean and sanitary condition.

The Shift Supervisor should inspect the holding facility at the beginning and end of each shift to ensure that the detention area is clean and maintained. Any maintenance problems will be reported to the Patrol Division Commander.(6 CCR 1010-13:18.1).

900.7.14 DEATH OF A DETAINEE

An officer who discovers a fatal injury or the death of a detainee while in the holding facility shall immediately notify the Shift Supervisor who is responsible for notifying the Staff Duty Officer.

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900.8 DETAINEE ESCAPES

In the event of an attempted escape from the holding facility, the following measures should be taken:

- (a) The holding facility video system will be monitored by the Northglenn Records Department.
- (b) If an escape attempt is underway, with or without an officer present, Northglenn Records Department should perform the following actions in sequential order:
 - 1. Broadcast an immediate alarm over the radio system.
 - 2. Notify the Shift Supervisor, other supervisors and other resources as directed by supervisors, to immediately respond to the holding facility to prevent the escape and/or assist the officer involved.
 - 3. Announce the escape attempt on the internal communication system of the Police Department.
 - 4. Alert the Staff Duty Officer of the attempted escape using appropriate communication systems.
- (c) All available personnel are to respond to aid in prevention of an escape.
- (d) If the escape is successful, Northglenn Police Department will complete a National Criminal Information Center (NCIC) teletype broadcast to surrounding agencies. The teletype, with the approval of a supervisor, provides a physical description of the escapee, the reason for detention, whether the person is armed and if there were any injuries related to the escape.

900.8.1 USE OF FORCE TO PREVENT ESCAPE OR CAPTURE ESCAPEES

Officers attempting to prevent the escape shall use only that amount of force that reasonably appears necessary, given the facts and circumstances perceived by the officer at the time of the event, to accomplish a legitimate law enforcement purpose.

900.8.2 POST-ESCAPE INCIDENT ACTIONS

Once the escape has been thwarted or escapees captured, Northglenn Police Records shall announce via internal intercom and radio broadcast signifying an end to the alert. The Shift Supervisor will ensure all persons notified of the event are notified of its resolution.

900.9 FIRE AND LIFE SAFETY

The holding facility is equipped with smoke detectors that trigger alarms. The facility is also equipped with a number of strategically located fire extinguishers. The person designated by the Patrol Division Commander as having responsibility for the holding facility should, at the beginning of each shift, inspect the facility to ensure:

- (a) No flammable materials are stored in the detention area.
- (b) Fire extinguishers are serviceable.

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- (c) Cell keys are available in the booking area and Records Department for emergency use.
- (d) First-aid kits are readily available and completely stocked.
- (e) Smoke detectors are operational.

The facility shall be inspected by the fire department in accordance with the International Fire Code. The North Metro Fire Department is responsible for scheduling and accomplishing all inspections.

The Patrol Division Commander shall inspect the facility at least two times per year, but preferably at least every four months, for security, control, conditions and the overall state of compliance.

900.9.1 EMERGENCY PROCEDURES

- (a) In the event of a fire or other emergency requiring evacuation in the detention area, the employee who discovers it should immediately:
 - 1. Notify the fire department or other appropriate agency, Shift Supervisor and on-duty patrol personnel simultaneously through Adams County Communications Center.
 - 2. Initiate movement of all detainees to an area of safety through the utilization of the evacuation plan.
 - 3. Begin fire suppression procedures or other emergency mitigation actions, as appropriate.
- (b) Responding patrol officers under the direction of the Shift Supervisor should be responsible for:
 - 1. The evacuation of detainees.
 - 2. Obtaining medical services as needed.
 - 3. Securing detainees in a temporary holding area.
 - 4. Arranging transportation of detainees to the county jail or other holding facility as necessary.
 - 5. Initiating an investigation concerning the origin of the fire or other emergency, along with filing the necessary reports.

900.10 EMERGENCY EVACUATION

If an evacuation of the holding facility becomes necessary, the following should be considered.

- (a) Safety and security concerns should be considered in the following order:
 - 1. Safety of public
 - 2. Safety of Department personnel

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3. Safety of detainees
4. Security of detainees
- (b) Any person who believes evacuation is necessary should notify the Shift Supervisor.
- (c) The Shift Supervisor will ensure notification of the appropriate personnel:
 1. All available certified personnel
 2. Fire department
 3. Emergency medical aid providers
 4. Patrol Commander and on call staff duty

900.10.1 EVACUATION PROCESS

When time permits, all detainees will be restrained as deemed necessary by the officer conducting the evacuation. The evacuation will be conducted in an orderly fashion by one of the routes posted in the holding facility.

900.10.2 EVACUATION FORMATION AREA

All detainees will form in the designated location where they will be held until the facility can again be safely occupied, or in case of an emergency of a long duration, until they can be transported to another facility.

If possible, juveniles are to be kept separate from adult detainees, and females separate from male detainees.

Only after the safety and security of the detainees is assured will personnel not detailed to detainee security participate in fire suppression or other emergency activities.

900.10.3 CITY WIDE OR REGIONAL DISASTERS

In cases of City wide or regional disasters, the Shift Supervisor may authorize the release of prisoners detained for misdemeanors or felonies involving property crimes only. Every available effort will be made to continue the custody of violent felons or felons accused of violent crimes to ensure the safety of the public.

900.10.4 FIRST-AID/PROFESSIONAL MEDICAL ATTENTION

As necessary, evacuating personnel will apply first-aid techniques to those detainees injured because of the emergency or during the evacuation procedure until professional medical aid arrives to assist.

900.10.5 REPORTS

The Shift Supervisor will ensure that any emergency evacuation of the holding facility is documented and that copies of those reports be forwarded to the Patrol Commander.

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900.11 EMERGENCY TRAINING

The Patrol Commander is responsible to ensure all Department personnel are trained and familiar with (6 CCR 1010-13:16.0):

- (a) This policy and any applicable Operations and Procedure Manual.
- (b) Emergency first-aid techniques.
- (c) The fire safety and evacuation plan, including the use of the fire extinguisher.

Custody Searches

901.1 PURPOSE AND SCOPE

This policy provides guidance regarding searches of persons in custody.

901.1.1 PHILOSOPHY

It is the policy of this department that all custody searches should be conducted with concern for safety, dignity, courtesy, respect for privacy and hygiene, and in compliance with policy and law to protect the rights of persons subject to any search.

901.2 DEFINITIONS OF SEARCHES

Definitions related to this policy include:

Body cavity search - An inspection of any body cavity, including the stomach, anal or vaginal cavity, of a person that is conducted visually, manually or in any other manner. For purposes of this policy, a body cavity search does not include a search of a person's mouth (CRS § 16-3-405(5)).

Booking search - A search of an arrested person and the arrested person's personal property, shoes and clothing, including pockets, cuffs and folds on the clothing, to remove all weapons, dangerous items and contraband.

Search - A thorough visual and manual examination of an arrested person and the area immediately around that person for weapons, contraband or evidence that might be destroyed. A search does not require the removal or arrangement of some or all of a person's undergarments or clothing directly covering the person's genitalia, buttocks, anus or female breasts.

Strip search - A search that requires a person to remove or arrange some or all of his/her clothing to permit a visual inspection of the genitals, buttocks, anus or female breasts of such person (CRS § 16-3-405(2)).

901.3 ARREST AND TRANSPORTATION SEARCHES

An officer should conduct a search of an arrestee immediately after the arrest, when receiving an arrestee from another person, and before transporting an arrestee in any police vehicle.

Whenever practicable, a search should be conducted by an officer of the same gender as the person being searched. If an officer of the same gender is not reasonably available, it is recommended that a witness officer be present during any search of a person of opposite gender as the searching officer.

901.4 BOOKING SEARCHES

For the safety of everyone in the holding facility, all detainees brought into the facility will be searched.

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Custody Searches

901.4.1 SEARCHES AT TEMPORARY HOLDING OR CUSTODIAL FACILITIES

Immediately upon securing weapons, officers bringing detainees into the holding facility shall thoroughly search their detainees.

When a detainee has been handcuffed, the detainee should remain handcuffed until the search is substantially completed.

901.4.2 HANDLING OF DETAINEE'S PROPERTY

Employees shall take reasonable care in the handling of a detainee's property to avoid discrepancies or losses.

Any personal property belonging to a detainee but retained by an officer for safekeeping shall be kept in a secure location until the detainee is released or transferred. Smaller items, such as a driver's license, pocket knife, wallet, prescription medication, jewelry and other similar property, shall be placed in a property bag and sealed. Any property too large to be secured in the facility and any property that will not otherwise be accepted by a receiving facility in the event of a detainee transfer should be booked into property for safekeeping. All property shall be listed by objective description on the booking form and the detainee's signature shall be affixed to the completed inventory. If the detainee's signature cannot be obtained, the inventory should be witnessed by another staff person.

Property belonging to the detainee but retained by an officer as evidence, shall be booked according to procedures. The detainee shall be advised that such property will be kept as evidence.

901.4.3 VERIFICATION OF DETAINEE'S MONEY

All money belonging to the detainee and retained by an officer shall be counted in front of the detainee. When possible, the detainee shall initial the dollar amount on the booking sheet. Additionally, all money should be placed in a separate envelope and sealed. Negotiable checks or other instruments and foreign currency should also be sealed in an envelope with the amount indicated but not added to the cash total. All envelopes should clearly indicate the contents on the front. The person sealing it should place his/her initials across the sealed flap. Should any money be withdrawn or added to the cash envelope, the officer making such change shall enter the amount below the original entry and initial it. The amount of money in the envelope should always be totaled and written on the outside of the envelope.

901.5 STRIP SEARCHES

No person held at a Northglenn Police Department facility shall be subjected to a strip search unless there is reasonable suspicion based upon specific and articulable facts to believe the person has a health condition requiring immediate medical attention or is concealing a weapon or contraband (CRS § 16-3-405(1)). Factors to be considered in determining reasonable suspicion include, but are not limited to:

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- (a) The detection of an object during a pat-down search that may be a weapon or contraband and cannot be safely retrieved without a modified strip search or strip search.
- (b) Circumstances of a current arrest that specifically indicate the person may be concealing a weapon or contraband. A felony arrest charge or being under the influence of a controlled substance should not suffice as reasonable suspicion absent other facts.
- (c) Custody history (past possession of contraband while in custody, assaults on staff, escape attempts).
- (d) The person's actions or demeanor.
- (e) Criminal history (level of experience in a custody setting).

No transgender or intersex detainee shall be searched or examined for the sole purpose of determining the detainee's genital status. If the detainee's genital status is unknown, it may be determined during conversations with the detainee, by reviewing medical records, or, if necessary, as part of a broader medical examination conducted in private by a medical practitioner (28 CFR 115.115).

901.5.1 STRIP SEARCH PROCEDURES

Strip searches at Northglenn Police Department facilities shall be conducted as follows:

- (a) Written authorization from the Shift Sergeant shall be obtained prior to the strip search (CRS § 16-3-405(4)).
- (b) All employees involved with the strip search shall be of the same sex as the person being searched, unless the search is conducted by authorized medical personnel (28 CFR 115.115; CRS § 16-3-405(3)).
- (c) All strip searches shall be conducted in a professional manner under sanitary conditions and in a secure area of privacy so that the search cannot be observed by persons not participating in the search (CRS § 16-3-405(3)). The search shall not be reproduced through a visual or sound recording.
- (d) Whenever possible, a second officer of the same sex should be present during the search for security and as a witness to the finding of evidence.
- (e) Employees conducting a strip search shall not touch the breasts, buttocks or genitalia of the person being searched.
- (f) The primary employee conducting the search shall prepare a written report to include:
 - 1. The facts that led to the decision to perform a strip search.
 - 2. The reasons less intrusive methods of searching were not used or were insufficient.

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3. The written authorization for the search, obtained from the Shift Sergeant.
 4. The name of the person who was searched.
 5. The name and sex of the persons who conducted the search.
 6. The name, sex and role of any person present during the search.
 7. The time and date of the search.
 8. The place at which the search was conducted.
 9. A list of the items, if any, recovered during the search.
 10. The facts upon which the employee based his/her belief that the person searched was concealing a weapon or controlled substance, if the person was not arrested for a felony.
- (g) A copy of the written authorization shall be retained and made available upon request to the detainee or the detainee's authorized representative.
- (h) No employee should view a detainee's private underclothing, buttocks, genitalia or female breasts while the detainee is showering, performing bodily functions or changing clothes, unless the detainee otherwise qualifies for a strip search. However, if serious hygiene or health issues make it reasonably necessary to assist the detainee with a shower or a change of clothes, a supervisor should be contacted to ensure reasonable steps are taken to obtain the detainee's consent and/or otherwise protect the detainee's privacy and dignity.

901.6 SPECIAL CIRCUMSTANCE FIELD STRIP SEARCHES

No strip search shall be conducted outside of the holding facility, except as follows:

- (a) An officer must have authorization from the Shift Sergeant before conducting a strip search outside of the holding facility.
- (b) The Shift Sergeant may authorize a strip search in the field only in exceptional circumstances, when transporting the person to be searched to the holding facility is impracticable, and when:
 1. The officer articulates probable cause to arrest the subject and probable cause to believe that the subject is concealing a weapon or other dangerous items.
 2. The officer articulates probable cause to arrest the subject and probable cause to believe that the subject is concealing a controlled substance and there is no reasonable alternative to ensure the arrestee cannot destroy or ingest the substance during transportation.
- (c) The officer conducting the strip search shall be of the same gender as the person being searched.

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- (d) Whenever possible, a second officer of the same gender should assist in conducting the search as necessary.
- (e) Officers conducting the search shall not touch the breasts, buttocks or genitalia of the person being searched.
- (f) The strip search shall be conducted in an area of privacy so that the search cannot be observed by persons not participating in the strip search.
- (g) The primary officer conducting the search shall prepare a written report to include:
 - 1. The name of the Shift Sergeant who authorized the search.
 - 2. The name of the person who was searched.
 - 3. The name of the person who conducted the search.
 - 4. The name of any person who witnessed the search.
 - 5. The time and date of the search.
 - 6. A description of the place at which the search was conducted.
 - 7. A list of the items, if any, recovered during the search.
 - 8. The reason transporting the person to the holding facility prior to the search was impracticable.
 - 9. The facts upon which the officer based his/her probable cause for the search.
- (h) A copy of the report shall be maintained and a copy shall be given to the person who was searched.

901.7 BODY CAVITY SEARCH

A body cavity search at the holding facility may be conducted as follows:

- (a) An officer shall not conduct a body cavity search. A body cavity search shall only be conducted by a physician or nurse (CRS § 16-3-405(5)). A facility operated by another entity (such as a hospital detention or custody facility) may require determination of which physician or nurse is capable or willing to perform the search.
- (b) No person shall be subjected to a body cavity search without a search warrant unless there is a legitimate medical emergency that makes obtaining a warrant impracticable.
- (c) Authorized medical personnel may conduct a body cavity search only for one or more of the following reasons:
 - 1. There is probable cause to believe that the person to be searched is concealing evidence of the commission of a criminal offense, including fruits or tools of a crime, contraband or a deadly weapon that could not otherwise be discovered.
 - 2. There is a legitimate medical or hygienic reason.

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- (d) No person shall be subjected to a body cavity search without written approval of the Shift Sergeant unless there is a legitimate medical emergency that makes obtaining written approval impracticable.
- (e) A body cavity search must be performed under sanitary conditions.
- (f) Except for medical personnel, persons present must be of the same gender as the person being searched.
- (g) A body cavity search must be conducted in an area of privacy so that the search cannot be observed by persons not participating in the strip search.
- (h) Upon completion of a body cavity search, the employee requiring the search shall complete a written report concerning the search, which shall include:
 - 1. The written authorization for the search obtained from the Shift Sergeant.
 - 2. If the body cavity search was conducted before or without the issuance of a search warrant, or if the body cavity search was conducted before or without the granting of written authorization from the Shift Sergeant, the legitimate medical reason or medical emergency that justified the warrantless search or made obtaining written authorization impracticable
 - 3. The name of the person who was searched.
 - 4. The name of the person or persons who conducted the search.
 - 5. The name of any person who participated in the search.
 - 6. The time and date of the search.
 - 7. The place at which the search was conducted.
 - 8. A list of the items, if any, recovered during the search.
 - 9. The facts upon which the officer based his/her probable cause for the body cavity search.
- (i) A copy of the report shall be maintained and a copy shall be given to the person who was searched. A copy of the search warrant and the result of a body cavity search shall be included in a written report and made available, upon request, to the detainee or the detainee's authorized representative.

901.8 TRAINING

The Training Sergeant shall ensure members have training in, at a minimum (28 CFR 115.115):

- Conducting searches properly in a professional and respectful manner and in the least intrusive manner possible, consistent with security needs.
- Conducting cross-gender searches.
- Conducting searches of transgender and intersex detainees.

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902.1 PURPOSE AND SCOPE

This policy provides guidance for complying with the Prison Rape Elimination Act of 2003 (PREA) and the implementing regulation that establishes standards (PREA Rule) to prevent, detect and respond to sexual abuse, harassment and retaliation against detainees in the Northglenn Police Department Temporary Holding Facilities (28 CFR 115.111).

902.1.1 DEFINITIONS

Definitions related to this policy include:

Intersex - A person whose sexual or reproductive anatomy or chromosomal pattern does not seem to fit typical definitions of male or female. Intersex medical conditions are sometimes referred to as disorders of sex development (28 CFR 115.5).

Sexual abuse - Any of the following acts, if the detainee does not consent, is coerced into such act by overt or implied threats of violence or is unable to consent or refuse:

- Contact between the penis and the vulva or the penis and the anus, including penetration, however slight
- Contact between the mouth and the penis, vulva or anus
- Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object or other instrument
- Any other intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh or the buttocks of another person, excluding contact incidental to a physical altercation (28 CFR 115.6)

Sexual abuse also includes abuse by a staff member, contractor or volunteer as follows, with or without consent of the detainee, arrestee or resident:

- Contact between the penis and the vulva or the penis and the anus, including penetration, however slight
- Contact between the mouth and the penis, vulva or anus
- Contact between the mouth and any body part where the staff member, contractor or volunteer has the intent to abuse, arouse or gratify sexual desire
- Penetration of the anal or genital opening, however slight, by a hand, finger, object or other instrument, that is unrelated to official duties, or where the staff member, contractor or volunteer has the intent to abuse, arouse or gratify sexual desire
- Any other intentional contact, either directly or through the clothing, of or with the genitalia, anus, groin, breast, inner thigh or the buttocks, that is unrelated to official duties, or where the staff member, contractor or volunteer has the intent to abuse, arouse or gratify sexual desire

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- Any attempt, threat or request by a staff member, contractor or volunteer to engage in the activities described above
- Any display by a staff member, contractor or volunteer of his/her uncovered genitalia, buttocks or breast in the presence of a detainee, arrestee or resident
- Voyeurism by a staff member, contractor or volunteer (28 CFR 115.6)

Sexual harassment - Repeated and unwelcome sexual advances; requests for sexual favors; verbal comments, gestures or actions of a derogatory or offensive sexual nature by one detainee, arrestee or resident that are directed toward another; repeated verbal comments or gestures of a sexual nature to a detainee, arrestee or resident by a staff member, contractor or volunteer, including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures (28 CFR 115.6).

Transgender - A person whose gender identity (i.e., internal sense of feeling male or female) is different from the person's assigned sex at birth (28 CFR 115.5).

902.2 POLICY

The Northglenn Police Department has zero tolerance toward all forms of sexual abuse and sexual harassment (28 CFR 115.111). The Department will not tolerate retaliation against any person who reports sexual abuse or sexual harassment or who cooperates with a sexual abuse or sexual harassment investigation.

The Northglenn Police Department will take immediate action to protect detainees who are reasonably believed to be subject to a substantial risk of imminent sexual abuse (28 CFR 115.162).

902.3 PREA COORDINATOR

The Chief of Police shall appoint an upper-level manager with sufficient time and authority to develop, implement and oversee department efforts to comply with PREA standards in the Northglenn Police Department Temporary Holding Facilities (28 CFR 115.111). The PREA Coordinator's responsibilities shall include:

- (a) Developing and maintaining procedures to comply with the PREA Rule.
- (b) Ensuring that any contract for the confinement of Northglenn Police Department detainees or arrestees includes the requirement to adopt and comply with applicable PREA and the PREA Rule, including the obligation to provide incident-based and aggregated data, as required in 28 CFR 115.187 (28 CFR 115.112).
- (c) Developing a staffing plan to provide adequate levels of staffing and video monitoring, where applicable, in order to protect detainees from sexual abuse (28 CFR 115.113). This includes documenting deviations and the reasons for deviations from the staffing plan, as well as reviewing the staffing plan a minimum of once per year.
- (d) Developing methods for staff to privately report sexual abuse and sexual harassment of detainees (28 CFR 115.151).

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- (e) Developing a written plan to coordinate response among staff first responders, medical and mental health practitioners, investigators and department leadership to an incident of sexual abuse (28 CFR 115.165).
- (f) Ensuring a protocol is developed for investigating allegations of sexual abuse in the Temporary Holding Facility. The protocol shall include (28 CFR 115.121; 28 CFR 115.122):
 - 1. Evidence collection practices that maximize the potential for obtaining usable physical evidence based on the most recent edition of the U.S. Department of Justice's (DOJ) Office on Violence Against Women publication, "A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents" or a similarly comprehensive and authoritative protocol.
 - 2. A process to ensure a criminal or administrative investigation is completed on all allegations of sexual abuse or sexual harassment.
 - 3. A process to document all referrals to other law enforcement agencies.
 - 4. Access to forensic medical examinations, without financial cost, for all victims of sexual abuse where appropriate. Such examinations shall be performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) where possible. If SAFEs or SANEs cannot be made available, the examination can be performed by other qualified medical practitioners. The efforts to provide SAFEs or SANEs shall be documented.
 - 5. In accordance with security needs, provisions to permit, to the extent available, detainee access to victim advocacy services if the detainee is transported for a forensic examination to an outside hospital that offers such services.
- (g) Ensuring that detainees with limited English proficiency and disabilities have an equal opportunity to understand and benefit from efforts to prevent, detect and respond to sexual abuse and sexual harassment. This includes, as appropriate, access to interpreters and written materials in formats or through methods that provide effective communication to those with disabilities (e.g., limited reading skills, intellectual, hearing or vision disabilities) (28 CFR 115.116).
 - 1. The agency shall not rely on other detainees for assistance except in limited circumstances where an extended delay in obtaining an interpreter could compromise the detainee's safety, the performance of first-response duties under this policy, or the investigation of a detainee's allegations of sexual abuse, harassment or retaliation.
- (h) Publishing on the department's website:
 - 1. Information on how to report sexual abuse and sexual harassment on behalf of a detainee (28 CFR 115.154).

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2. A protocol describing the responsibilities of the Department and any other investigating agency that will be responsible for conducting sexual abuse or sexual harassment investigations (28 CFR 115.122).
- (i) Establishing a process that includes the use of a standardized form and set of definitions to ensure accurate, uniform data is collected for every allegation of sexual abuse at facilities under this agency's direct control (28 CFR 115.187).
 1. The data collected shall include, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence, conducted by DOJ, or any subsequent form developed by DOJ and designated for lockups.
 2. The data shall be aggregated at least annually.
- (j) Ensuring audits are conducted pursuant to 28 CFR 115.401 through 28 CFR 115.405 for all Temporary Holding Facilities used to house detainees overnight (28 CFR 115.193).
- (k) Ensuring contractors or others who work in the Temporary Holding Facility are informed of the agency's zero-tolerance policy regarding sexual abuse and sexual harassment (28 CFR 115.132).

902.4 REPORTING SEXUAL ABUSE AND HARASSMENT

Detainees may make reports verbally, in writing, privately or anonymously of any of the following (28 CFR 115.151):

- Sexual abuse
- Sexual harassment
- Retaliation by other detainees or staff for reporting sexual abuse or sexual harassment
- Staff neglect or violation of responsibilities that may have contributed to sexual abuse or sexual harassment

During intake the Department shall notify all detainees of the zero-tolerance policy regarding sexual abuse and sexual harassment, and of at least one way to report abuse or harassment to a public or private entity that is not part of the Department and that is able to receive and immediately forward detainee reports of sexual abuse and sexual harassment to agency officials. This allows the detainee to remain anonymous (28 CFR 115.132; 28 CFR 115.151).

902.4.1 MEMBER RESPONSIBILITIES

Department members shall accept reports from detainees and third parties and shall promptly document all reports (28 CFR 115.151).

All members shall report immediately to the Shift Sergeant any knowledge, suspicion or information regarding:

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- (a) An incident of sexual abuse or sexual harassment that occurs in the Temporary Holding Facility.
- (b) Retaliation against detainees or the member who reports any such incident.
- (c) Any neglect or violation of responsibilities on the part of any department member that may have contributed to an incident or retaliation (28 CFR 115.161).

No member shall reveal any information related to a sexual abuse report to anyone other than to the extent necessary to make treatment and investigation decisions.

902.4.2 SHIFT SERGEANT RESPONSIBILITIES

The Shift Sergeant shall report to the department's designated investigators all allegations of sexual abuse, harassment, retaliation, neglect or violations leading to sexual abuse, harassment or retaliation. This includes third-party and anonymous reports (28 CFR 115.161).

If the alleged victim is under the age of 18 or considered a vulnerable adult, the Shift Sergeant shall also report the allegation as required under mandatory reporting laws and department policy.

Upon receiving an allegation that a detainee was sexually abused while confined at another facility, the Shift Sergeant shall notify the head of the facility or the appropriate office of the agency where the alleged abuse occurred. The notification shall be made as soon as possible but no later than 72 hours after receiving the allegation. The Shift Sergeant shall document such notification (28 CFR 115.163).

If an alleged detainee victim is transferred from the Temporary Holding Facility to a jail, prison or medical facility, the Department shall, as permitted by law, inform the receiving facility of the incident and the detainee's potential need for medical or social services, unless the detainee requests otherwise (28 CFR 115.165).

902.5 INVESTIGATIONS

The Department shall promptly, thoroughly and objectively investigate all allegations, including third-party and anonymous reports, of sexual abuse or sexual harassment. Only investigators who have received department-approved special training shall conduct sexual abuse investigations (28 CFR 115.171).

902.5.1 FIRST RESPONDERS

The first officer to respond to a report of sexual abuse or sexual assault shall (28 CFR 115.164):

- (a) Separate the parties.
- (b) Establish a crime scene to preserve and protect any evidence. Identify and secure witnesses until steps can be taken to collect any evidence.
- (c) If the abuse occurred within a time period that still allows for the collection of physical evidence, request that the alleged victim not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking or eating.

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- (d) If the abuse occurred within a time period that still allows for the collection of physical evidence, ensure that the alleged abuser does not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking or eating.

If the first responder is not an officer the responder shall request that the alleged victim not take any actions that could destroy physical evidence and should then notify a law enforcement staff member (28 CFR 115.164).

902.5.2 INVESTIGATOR RESPONSIBILITIES

Investigators shall (28 CFR 115.171):

- (a) Gather and preserve direct and circumstantial evidence, including any available physical and biological evidence and any available electronic monitoring data.
- (b) Interview alleged victims, suspects and witnesses.
- (c) Review any prior complaints and reports of sexual abuse involving the suspect.
- (d) Conduct compelled interviews only after consulting with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution.
- (e) Assess the credibility of the alleged victim, suspect or witness on an individual basis and not by the person's status as a detainee or a member of the Northglenn Police Department.
- (f) Document in written reports a description of physical, testimonial, documentary and other evidence, the reasoning behind any credibility assessments, and investigative facts and findings.
- (g) Refer allegations of conduct that may be criminal to the District Attorney for possible prosecution, including any time there is probable cause to believe a detainee sexually abused another detainee in the Temporary Holding Facility (28 CFR 115.178).
- (h) Cooperate with outside investigators and remain informed about the progress of any outside investigation.

902.5.3 ADMINISTRATIVE INVESTIGATIONS

Administrative investigations shall include an effort to determine whether staff actions or failures to act contributed to the abuse. The departure of the alleged abuser or victim from the employment or control of this department shall not be used as a basis for terminating an investigation (28 CFR 115.171).

902.5.4 SEXUAL ASSAULT AND SEXUAL ABUSE VICTIMS

No detainee who alleges sexual abuse shall be required to submit to a polygraph examination or other truth-telling device as a condition for proceeding with the investigation of such an allegation (28 CFR 115.171(e)).

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Detainee victims of sexual abuse shall receive timely, unimpeded access to emergency medical treatment. Treatment services shall be provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident (28 CFR 115.182).

902.5.5 CONCLUSIONS AND FINDINGS

All completed investigations shall be forwarded to the Chief of Police, or if the allegations may reasonably involve the Chief of Police, to the City Manager. The Chief of Police or City Manager shall review the investigation and determine whether any allegations of sexual abuse or sexual harassment have been substantiated by a preponderance of the evidence (28 CFR 115.172).

All personnel shall be subject to disciplinary sanctions up to and including termination for violating this policy. Termination shall be the presumptive disciplinary sanction for department members who have engaged in sexual abuse. All discipline shall be commensurate with the nature and circumstances of the acts committed, the member's disciplinary history and the sanctions imposed for comparable offenses by other members with similar histories (28 CFR 115.176).

All terminations for violations of this policy, or resignations by members who would have been terminated if not for their resignation, shall be criminally investigated unless the activity was clearly not criminal and reported to any relevant licensing body (28 CFR 115.176).

Any contractor or volunteer who engages in sexual abuse shall be prohibited from contact with detainees and reported to any relevant licensing bodies (28 CFR 115.177). The Chief of Police shall take appropriate remedial measures and consider whether to prohibit further contact with detainees by a contractor or volunteer.

902.6 RETALIATION PROHIBITED

All detainees and members who report sexual abuse or sexual harassment or who cooperate with sexual abuse or sexual harassment investigations shall be protected from retaliation (28 CFR 115.167). If any other individual who cooperates with an investigation expresses a fear of retaliation, appropriate measures shall be taken to protect that individual.

The Shift Sergeant or the authorized designee shall employ multiple protection measures, such as housing changes or transfers for detainee victims or abusers, removal of alleged abusers from contact with victims, and emotional support services for detainees or members who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations.

The Shift Sergeant or the authorized designee shall identify a staff member to monitor the conduct and treatment of detainees or members who have reported sexual abuse and of detainees who were reported to have suffered sexual abuse. The staff member shall act promptly to remedy any such retaliation. In the case of detainees, such monitoring shall also include periodic status checks.

902.7 REVIEWS AND AUDITS

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902.7.1 INCIDENT REVIEWS

An incident review shall be conducted at the conclusion of every sexual abuse investigation, unless the allegation has been determined to be unfounded. The review should occur within 30 days of the conclusion of the investigation. The review team shall include upper-level management officials and seek input from line supervisors and investigators (28 CFR 115.186).

The review shall (28 CFR 115.186):

- (a) Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect or respond to sexual abuse.
- (b) Consider whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender or intersex identification, status or perceived status; gang affiliation; or was motivated or otherwise caused by other group dynamics at the facility.
- (c) Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse.
- (d) Assess the adequacy of staffing levels in that area during different shifts.
- (e) Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff.

The review team shall prepare a report of its findings, including any determinations made pursuant to this section and any recommendations for improvement. The report shall be submitted to the Chief of Police and the PREA Coordinator. The Chief of Police or the authorized designee shall implement the recommendations for improvement or shall document the reasons for not doing so (28 CFR 115.186).

902.7.2 DATA REVIEWS

The facility shall conduct an annual review of collected and aggregated incident-based sexual abuse data. The review should include, as needed, data from incident-based documents, including reports, investigation files and sexual abuse incident reviews (28 CFR 115.187).

The purpose of these reviews is to assess and improve the effectiveness of sexual abuse prevention, detection and response policies, practices and training. An annual report shall be prepared that includes (28 CFR 115.188):

- (a) Identification of any potential problem areas.
- (b) Identification of any corrective actions taken.
- (c) Recommendations for any additional corrective actions.
- (d) A comparison of the current year's data and corrective actions with those from prior years.
- (e) An assessment of the department's progress in addressing sexual abuse.

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The report shall be approved by the Chief of Police and made readily available to the public through the department website or, if it does not have one, through other means. Material may be redacted from the reports when publication would present a clear and specific threat to the safety and security of the Temporary Holding Facility. However, the nature of the redacted material shall be indicated.

All aggregated sexual abuse data from Northglenn Police Department facilities and private facilities with which it contracts shall be made readily available to the public at least annually through the department website or, if it does not have one, through other means. Before making aggregated sexual abuse data publicly available, all personal identifiers shall be removed (28 CFR 115.189).

902.8 RECORDS

The Department shall retain all written reports from administrative and criminal investigations pursuant to this policy for as long as the alleged abuser is held or employed by the Department, plus five years (28 CFR 115.171).

All other data collected pursuant to this policy shall be securely retained for at least 10 years after the date of the initial collection unless federal, state or local law requires otherwise (28 CFR 115.189).

902.9 TRAINING

- (a) All employees, volunteers and contractors who may have contact with detainees shall receive department-approved training on the prevention and detection of sexual abuse and sexual harassment within this facility. The Training Sergeant shall be responsible for developing and administering this training as appropriate, covering at a minimum (28 CFR 115.131):
 - The Department's zero-tolerance policy and detainees' right to be free from sexual abuse and sexual harassment, and from retaliation for reporting sexual abuse or harassment.
 - The dynamics of sexual abuse and harassment in confinement settings, including which detainees are most vulnerable.
 - The right of detainees and staff members to be free from sexual abuse and sexual harassment, and from retaliation for reporting sexual abuse or harassment.
 - Detecting and responding to signs of threatened and actual abuse.
 - Communicating effectively and professionally with all detainees.
 - Compliance with relevant laws related to mandatory reporting of sexual abuse to outside authorities.

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- (b) Investigators assigned to sexual abuse investigations shall also receive training in conducting such investigations in confinement settings. Training should include (28 CFR 115.134):
- Techniques for interviewing sexual abuse victims.
 - Proper use of *Miranda* and *Garrity* warnings.
 - Sexual abuse evidence collection in confinement settings.
 - Criteria and evidence required to substantiate a case for administrative action or prosecution referral.

The Training Sergeant shall maintain documentation that employees, volunteers, contractors and investigators have completed required training and that they understand the training. This understanding shall be documented through individual signature or electronic verification.

All current employees and volunteers who may have contact with detainees shall be trained within one year of the effective date of the PREA standards. The agency shall provide annual refresher information to all such employees and volunteers to ensure that they understand the current sexual abuse and sexual harassment policies and procedures.

Chapter 10 - Personnel

Recruitment and Selection

1000.1 PURPOSE AND SCOPE

The employment policy of the Northglenn Police Department shall provide equal opportunities for applicants and its employees, regardless of race, sexual orientation, age, pregnancy, religion, creed, color, national origin, ancestry, physical or mental handicap, marital status, veteran status or gender, and shall not show partiality or grant any special favors to any applicant, employee or group of employees in conformance with Title VII of the Civil Rights Act of 1964, the guidelines issued by the Equal Employment Opportunity Commission and Colorado law. The rules governing employment practices for this department are maintained by the Northglenn Human Resources .

1000.2 APPLICANT QUALIFICATIONS

Candidates for job openings will be selected based on merit, ability, competence and experience.

1000.3 STANDARDS

Employment standards shall be established for each job classification and shall include minimally, the special training, abilities, knowledge and skills required to perform the duties of the job in a satisfactory manner. The City of Northglenn Human Resources Department maintains standards for all positions.

The challenge facing the Department is one of developing a job-valid and non-discriminatory set of policies that will allow it to lawfully exclude persons who do not meet the Northglenn or State of Colorado hiring standards. The Colorado Peace Officer Standards and Training (POST) Board statutorily prescribes minimum standards for employment for certified employees and a preemployment investigation of a candidate's background (CRS § 24-31-303(1(f) and CRS 24-31-304(3)).

The following standards have been adopted for public safety applicants.

1000.3.1 OPERATION OF A MOTOR VEHICLE

- (a) The ability to possess a valid Colorado driver's license.
- (b) The ability to drive safely.
- (c) The ability to control a motor vehicle at high speeds.
- (d) The ability to operate a motor vehicle in all types of weather conditions.
- (e) The following may be disqualifying:
 - 1. Drivers license suspension/revocation/denial in the last 3 years
 - 2. Two or more traffic convictions (6 points or more each) or more than 3 traffic convictions (5 points or more each) in the last 3 years
 - 3. Three or more at fault vehicle accidents in the last 3 year

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4. Conviction for DUI/DWAI/DUID in the past 3 years or more than one conviction for DUI/DWAI/DUID for any time period

1000.3.2 INTEGRITY

- (a) Refusing to yield to the temptation of bribes, gratuities and payoffs.
- (b) Refusing to tolerate unethical or illegal conduct on the part of other law enforcement personnel.
- (c) Showing strong moral character and integrity.
- (d) Being honest in dealing with the public and police administration.
- (e) The following shall be disqualifying:
 1. Any material misstatement of fact or significant admission during the application or background process shall be disqualifying, including inconsistent statements made during the initial background interview, documents submitted or discrepancies between this background investigation and other investigations conducted by other law enforcement agencies.
 2. Any forgery, alteration or intentional omission of material facts on an official employment application document or sustained episodes of academic cheating.
 3. Terminated for cause from 2 non-law enforcement agencies in the last 3 years
 4. Received three or more written reprimands in the last 3 years
 5. Received two suspensions for cause in the last 3 years
 6. A court martial resulting in dismissal from military service in the last 5 years
 7. An individual bankruptcy in the last 5 years not the result of an unexpected loss of employment, divorce, injury or illness
 8. Individual debt or debts totaling \$1000.00 dollars or more that is more than 90 days delinquent over the last 2 years not the result of unexpected loss of employment, divorce, injury or illness
 9. Knowingly writing two or more non-sufficient funds checks in the last 3 years, totaling \$500.00 dollars or more in the aggregate
 10. Theft from any employee over \$200.00 dollars at the age of 18 or older
 11. Shoplifting at the age of 18 or older
 12. Conviction of a felony offense at the age of 18 or older
 13. Illegal distribution or manufacturing of a controlled substance
 14. Illegal use/possession of any controlled substance in the last 5 years

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15. Illegal use/possession of marijuana within the last 3 years
16. Refusal to consent or submit to a test for controlled substances and/or alcohol use for this hiring process
17. Eluding a police officer at the age of 18 or older
18. Falsification of any official document (i.e. any business record) in the last 3 years
19. Testifying falsely under oath in court
20. Knowingly offered, solicited or accepted a bribe
21. Solicitation or acceptance of a gratuity in the last 2 years not permitted by assignment or employer
22. Physical force used against another person resulting in physical harm requiring medical attention except authorized by law in the past 3 years
23. More than one sustained complaint or any suspension for excessive force in the last 3 years
24. Any unlawful sexual contact involving a child
25. Child abuse resulting in any injury or 2 chargeable child abuse incidents
26. Any conviction of domestic violence

1000.3.3 DEPENDABILITY

- (a) Having a record of submitting reports on time and not malingering on calls.
- (b) A record of being motivated to perform well.
- (c) A record of dependability and follow through on assignments.
- (d) A history of taking the extra effort required for complete accuracy in all details of work.
- (e) A willingness to work the hours needed to complete a job.
- (f) Applicants may be disqualified for:
 1. Missing any scheduled appointment during the hiring process without prior permission.
 2. Arriving late for any scheduled appointment during the hiring process without making telephone notification as to the reason for the delay.
 3. Having been disciplined by any employer, including military, as an adult for abuse of leave, gross insubordination, dereliction of duty or persistent failure to follow established policies and regulations.
 4. Having been involuntarily dismissed, for any reason other than layoff, from two or more employers as an adult.

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5. Having held more than seven paid positions with different employers within the past four years, or more than 15 paid positions with different employers in the past 10 years (excluding military). Students who attend school away from their permanent legal residence may be excused from this requirement as well as other persons with a reasonable explanation for an extensive job history.
6. Having undergone personal bankruptcy more than once.
7. Having current financial obligations for which legal judgments have not been satisfied.
8. Having wages currently garnished.
9. Any other history of financial instability.
10. Resigning from any paid position without notice may be disqualifying, except where the presence of a hostile work environment is alleged or other reasonable cause existed.
11. Having any outstanding warrant of arrest at time of application.
12. Pending criminal matters.

1000.3.4 LEARNING ABILITY

- (a) The ability to comprehend and retain information.
- (b) The ability to recall information pertaining to procedures, rules or regulations.
- (c) The ability to recall information pertaining to laws, statutes and codes.
- (d) The ability to learn and to apply what is learned.
- (e) The ability to learn and apply the material, tactics and procedures that are required of the position.
- (f) Applicants shall be disqualified for:
 1. Being under current academic dismissal from any college or university where such dismissal is still in effect and was initiated within the past two years prior to the date of application.
 2. Having been academically dismissed from any POST-certified basic law enforcement academy wherein no demonstrated effort has been made to improve in the deficient areas. Subsequent successful completion of another POST basic law enforcement academy shall rescind this prohibition.

1000.3.5 PERSONAL SENSITIVITY

- (a) The ability to resolve problems in a way that shows sensitivity for the feelings of others.
- (b) Empathy.

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- (c) Discretion in applying authority.
- (d) Effectiveness in dealing with people without arousing irrational antagonism.
- (e) The ability to understand the motives of people and how they will react and interact.
- (f) Applicants may be disqualified for:
 - 1. Having been disciplined by any employer, including the military and/or any law enforcement training facility, for acts constituting racial, ethnic or sexual harassment or discrimination.
 - 2. Uttering any epithet derogatory of another person's race, religion, gender, national origin or sexual orientation.
 - 3. Having been disciplined by any employer as an adult for fighting in the workplace.

1000.3.6 JUDGMENT UNDER PRESSURE

- (a) The ability to apply appropriate problem-solving and decision-making skills under stressful conditions.
- (b) The ability to make sound decisions on the spot.
- (c) The ability to use good judgment in dealing with potentially explosive situations.
- (d) The ability to make effective, logical decisions under pressure.
- (e) Applicants shall be disqualified for:
 - 1. Admissions of administrative findings or criminal convictions for any act amounting to assault under color of authority, use of excessive force pursuant to CRS § 18-8-803 or any violation of federal or state civil rights laws.
 - 2. Admission of administrative findings or criminal conviction for failure to properly report witnessed criminal conduct committed by another law enforcement officer pursuant to CRS § 18-8-802 or equivalent laws.

1000.4 OFFICER SELECTION PROCESS

- (a) Applicants for entry-level officer positions will apply to the City Human Resources Department and are required to (CRS § 24-31-303):
 - 1. Meet qualifications of POST and the Department, as required by this policy or law.
 - 2. Pass an entrance examination.
 - 3. Pass a physical assessment test.
 - 4. Obtain an acceptable passing score from a structured oral interview board.

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- (b) The highest ranking candidates based on the above criteria will be interviewed by the Chief of Police or the authorized designee. The passing candidates will be required to successfully complete the following:
 - 1. A background investigation
 - 2. A deception detection device or other truth verification test process
- (c) The top candidates meeting Department hiring criteria may then be given a conditional offer of employment, with hiring and appointment contingent upon the successful completion of the following:
 - 1. Physical examination
 - 2. Drug testing
 - 3. Psychological testing
 - 4. Chief of Police final interview
 - 5. Successful completion of a law enforcement academy (if required) and licensing
- (d) Regular employee status may be granted upon:
 - 1. Successful completion of field training.
 - 2. Successful completion of probation.

1000.4.1 LATERAL TRANSFER OFFICER SELECTION PROCESS

Basic certified officer applicants (laterals) currently employed full time with other agencies with a minimum two years full-time law enforcement experience may be deemed to have met various entry requirements and specific steps may be waived at the discretion of the Chief of Police or the authorized designee.

1000.5 CIVILIAN SELECTION PROCESS

- (a) Applicants for all civilian positions will apply to the City Human Resources and are required to:
 - 1. Meet Department qualifications.
 - 2. Successfully complete an employment examination.
 - 3. Obtain an acceptable passing score on a word processing test if applicable to the position.
 - 4. Obtain an acceptable passing score from a structured oral interview board.
 - 5. Successfully complete a background investigation.
 - 6. Successfully complete a deception detection device or other truth verification test process.

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- (b) Candidates meeting Department hiring criteria may then be given a conditional offer of employment, with hiring and appointment contingent upon the successful completion of the:
 - 1. Psychological examination.
 - 2. Physical examination.
 - 3. Drug test.
 - 4. Chief of Police final interview.
- (c) Regular employee status may be granted upon:
 - 1. Successful completion of training.
 - 2. Successful completion of probation.

1000.6 STAFF AND SPECIALIST POSITIONS

- (a) Experienced applicants for management, supervisory positions and for specialists will be considered from within the Department and from individuals outside the Department for positions such as criminal investigations, crime prevention, identification or other positions that require specialized skills. These individuals must meet, or previously have met, the Department employment criteria for certified or civilian employment, as appropriate to the position. If applicable, the selection process for the position may also include:
 - 1. Successful completion of a specialized employment examination.
 - 2. Successful completion of an assessment center process.
 - 3. An acceptable score from a staff interview and/or board.
- (b) Candidates meeting Department hiring criteria may then be given a conditional offer of employment, with hiring and appointment contingent upon the successful completion of the:
 - 1. Psychological examination.
 - 2. Physical examination.
 - 3. Drug test.
 - 4. Chief of Police final interview.
- (c) Regular employee status may be granted upon:
 - 1. Successful completion of training.
 - 2. Successful completion of probation.

1000.7 TECHNIQUES, TOOLS AND RECORDS

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1000.7.1 DECEPTION DETECTION DEVICE

If a deception detection device is used in the selection process, the operator will be licensed and/or certified in the use of the device.

1000.7.2 BACKGROUND INVESTIGATIONS

Background investigations are conducted on all Department employees prior to the final hiring decision. Relevant information regarding the candidate's qualifications, integrity, lawful and unlawful past behavior, previous work performance and driving record, if applicable to the position, is included, along with interviews of individuals who are familiar with the candidate. This information is used to make an informed decision on the candidate's suitability for employment.

Background investigations shall be conducted by members of the Department who have been trained in conducting background investigations or in accordance with the background investigation protocol adopted by the Department.

1000.7.3 RECORDS

All selection materials for those individuals hired, including the background investigation, will be placed in an envelope and filed in the employee's personnel file. Employee selection materials will be maintained for the length of the time required for personnel files under the organization's records retention schedule.

All selection materials for those individuals not hired will be maintained for a minimum period established by the organization's records retention schedule.

Promotional and Transfer Policy

1001.1 PURPOSE AND SCOPE

The purpose of this policy is to establish required and desirable qualifications for promotion within the ranks of the Northglenn Police Department.

1001.1.1 GENERAL REQUIREMENTS

The following conditions will be used in evaluating employees for promotion and transfer:

- (a) Presents a professional and neat appearance.
- (b) Maintains a physical condition that aids in his/her performance.
- (c) Demonstrates:
 - 1. Emotional stability and maturity
 - 2. Stress tolerance
 - 3. Sound judgment and decision-making
 - 4. Personal integrity and ethical conduct
 - 5. Leadership
 - 6. Initiative
 - 7. Adaptability and flexibility
 - 8. Ability to conform to organizational goals and objectives
 - 9. Skills and abilities related to the position

1001.2 CERTIFIED NON-SUPERVISORY SELECTION PROCESS

The following positions are considered Non-promotional transfers and are not considered promotions:

- (a) Detective
- (b) School Resource Officer
- (c) Motor Officer
- (d) Accident Team Investigator
- (e) Field Training Officer
- (f) Community Relations/Crime Prevention Officer
- (g) SWAT or CNU Officer
- (h) Drug Recognition or DUI Officer
- (i) Honor Guard

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1001.2.1 DESIRABLE QUALIFICATIONS

Each Non-promotional position will have specific qualifications-see job posting for criteria. The following general qualifications should be consideration for non-promotional transfer:

- (a) Experience
- (b) Regular full-time employee status
- (c) Has shown an express interest in the position applied for.
- (d) Education, training and demonstrated abilities in related areas, such as enforcement activities, investigative techniques, report writing and public relations
- (e) Completed any training required by POST, federal or state law.

1001.3 SELECTION PROCESS

The following criteria apply to transfers:

- (a) An administrative evaluation as determined by the Chief of Police that shall include a review of supervisor recommendations. Each supervisor who has overseen or has otherwise been accountable for the candidate's performance will submit recommendations.
- (b) The supervisor recommendations will be submitted to the Division Commander for whom the candidate will work. The Division Commander will schedule interviews with each candidate.
- (c) Based on supervisor recommendations and those of the Division Commander after the interview, the Division Commander will submit his/her recommendation to the Chief of Police
- (d) Appointment by the Chief of Police.

The policy and procedures for all positions may be waived for temporary assignments, emergency situations or for training.

1001.4 PROMOTIONAL SPECIFICATIONS

Specifications for promotional opportunities are on file with the Northglenn Human Resources.

1001.5 SUPERVISOR CERTIFICATE

Within one year of the effective date of assignment, all full-time first-line supervisors should complete a supervisor training course.

1001.6 JOB POSTING CRITERIA FOR SPECIALIZED POSITIONS

Minimum criteria for selection for the listed specialized assignments are as follows:

1001.6.1 NORTH METRO DRUG TASK FORCE DETECTIVE

- (a) Minimum of four (4) years experience as a Level 1 Certified Police Officer;

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- (b) Successful completion of entry-level probation with the Northglenn Police Department;
- (c) Thorough knowledge of Municipal and State laws;
- (d) Thorough knowledge of Colorado Rules of Criminal Procedure;
- (e) Knowledge and understanding of crime analysis and theories of directed patrol;
- (f) Knowledge and understanding of applicable court decision relating to criminal law and criminal problems;
- (g) Knowledge of surveillance techniques;
- (h) The ability to work with other divisions and sections, both within the City and outside agencies;
- (i) Available and able to work irregular hours;
- (j) The ability to communicate well, both verbally and in writing;
- (k) Knowledge of crime scene processing and evidence gathering and preservation;
- (l) Understanding of the basics of photographic techniques; and,
- (m) College degree preferred, but not required. (Proof Required)
- (n) Letter of recommendation from immediate supervisor.

1001.6.2 ROTATIONAL DETECTIVE

- (a) Minimum of four (4) years experience as a Level 1 Certified Police Officer;
- (b) Successful completion of entry-level probation with Northglenn Police Department;
- (c) Thorough knowledge of Municipal and State Laws;
- (d) Knowledge of Colorado Rules of Criminal Procedure;
- (e) Knowledge of Supreme Court decisions about criminal prosecution and procedures;
- (f) Ability to coordinate investigations with outside agencies;
- (g) Self-motivated and can work with minimum supervision;
- (h) Exceptional written and verbal communication skills;
- (i) Good interviewing skills;
- (j) General knowledge of crime scene processing and evidence gathering and preservation of evidence;
- (k) Understanding of the basics of photographic techniques;
- (l) Ability to work as a member of a team and share information and ideas; and,
- (m) College degree preferred, but not required. (Proof Required)

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- (n) Letter of recommendation from immediate supervisor.

1001.6.3 FIELD TRAINING OFFICER

- (a) Must have at least (3) years experience as a Level 1 Certified Peace Officer;
- (b) Successful completion of entry-level probation with Northglenn Police Department;
- (c) Must volunteer for assignment as a Field Training Officer;
- (d) Be in good standing with the department, and have a rating of standard on last performance;
- (e) Ability to display patience, hard work, teaching and coaching techniques, good writing skills, and creativity; and,
- (f) Receive a Letter of Recommendation from immediate supervisor.

1001.6.4 TECHNICAL ACCIDENT INVESTIGATION TEAM

- (a) Must have three (3) years experience as a Level 1 Certified Peace Officer;
- (b) Successful completion of entry-level probation with Northglenn Police Department;
- (c) Performing job functions at or above standard;
- (d) Hold a Level 1 Basic Accident Investigation Certificate, or be able to obtain the certificate within one year of appointment to the team;
- (e) Be able to obtain a Level II Technical Accident Investigation Certificate two years after appointment to the team;
- (f) Must volunteer for appointment as a member of the Technical Accident Investigation Team;
- (g) Must be willing to respond after hours without standby compensation; and,
- (h) Must be willing to carry and respond to a department issued phone.
- (i) Letter of recommendation from immediate supervisor.

1001.6.5 TRAFFIC OFFICER

- (a) Must volunteer for the position as a traffic officer;
- (b) Minimum of (3) years experience as a Level 1 Certified Police Officer;
- (c) Successful completion of entry-level probation with Northglenn Police Department;
- (d) Completion of Level I Traffic Accident Investigation Training within one (1) year; and,
- (e) Class "M" endorsement is not a requirement; however, ability to obtain motorcycle certification at a later date is desirable.
- (f) Good knowledge of Model Traffic Code and State Motor Vehicle Laws

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- (g) Letter of recommendation from immediate supervisor.

1001.6.6 DRUG RECOGNITION EXPERT (DRE)

- (a) Must have (3) years experience as a Level I Certified Peace Officer;
- (b) Successful completion of entry-level probation with Northglenn Police Department;
- (c) Must volunteer for assignment as a Drug Recognition Expert (DRE);
- (d) Performing job functions at or above standard;
- (e) Availability (response time);
- (f) Compatible with department duty assignment; and
- (g) Committed to the enforcement of DUI/DUID's and for a further commitment to this position for a minimum of three (3) years as a DRE.
- (h) Letter of recommendation from immediate supervisor.

1001.6.7 HONOR GUARD

- (a) Must volunteer for the position as a member of the Honor Guard;
- (b) Must have (2) years experience as a Level 1 Certified Police Officer;
- (c) Successful completion of entry-level probation with Northglenn Police Department;
- (d) Must be in good standing with police department and performing job functions at or above standard;
- (e) Must be available for events and willing to train on own time to maintain proficiency.
- (f) Understanding of basic marching techniques is recommended but not required.
- (g) Letter of recommendation from immediate supervisor.
- (h) All decisions for team placement are at the discretion of the Chief.

1001.6.8 DRIVE TRACK INSTRUCTOR

- (a) Must have two (2) years experience as a Level 1 Certified Peace Officer;
- (b) Successful completion of entry-level probation with Northglenn Police Department;
- (c) Must volunteer for assignment as a Drive Track Instructor;
- (d) Must be performing job functions at or above standard; and;
- (e) Must possess excellent oral communication skills.
- (f) Letter of recommendation from immediate supervisor.

1001.6.9 INTOXILYZER INSTRUCTOR

- (a) Must have two (2) years experience as a Level 1 Certified Peace Officer;

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- (b) Must volunteer for assignment as an Intoxilyzer Instructor;
- (c) Must be performing job functions at or above standard;
- (d) Demonstrated ability to handle stress and be a team player;
- (e) Must demonstrate excellent problem-solving skills;
- (f) Must possess excellent oral communication skills; and,
- (g) Must be able to take on additional responsibilities in regards to the maintenance and upkeep of The Intoxilyzer.
- (h) Letter of recommendation from immediate supervisor.

1001.6.10 CRISIS NEGOTIATOR

- (a) Must have three (3) years experience as a Level 1 Certified Peace Officer;
- (b) Successful completion of entry-level probation with Northglenn Police Dept.;
- (c) Must volunteer for assignment as a Crisis Negotiator;
- (d) Must be performing job functions at or above standard;
- (e) Demonstrated ability to handle stress and be a team player;
- (f) Must demonstrate excellent problem-solving skills;
- (g) Must possess excellent oral communication skills; and,
- (h) Must be able to respond to SWAT/CNU call-outs as needed.
- (i) Letter of recommendation from immediate supervisor.

1001.6.11 CNU-TECHNICAL SUPPORT OFFICER

- (a) Must have (3) years experience as a Level 1 Certified Peace Officer;
- (b) Successful completion of entry-level probation with Northglenn Police Department;
- (c) Must volunteer for assignment as Technical Support Officer;
- (d) Performing job functions at or above standard;
- (e) Ability to handle stress as measured by past performance; and,
- (f) Compatible with department duty assignment.
- (g) Letter of recommendation from immediate supervisor.

1001.6.12 SWAT OPERATOR

See Policy 408

Reporting of Employee Convictions

1002.1 PURPOSE AND SCOPE

Convictions of certain offenses may restrict or prohibit an employee's ability to properly perform official duties. Therefore, all employees shall be required to promptly notify the Department of any past and current criminal convictions.

1002.2 DOMESTIC VIOLENCE CONVICTIONS AND PROTECTION ORDERS

Colorado and federal law prohibit individuals convicted of certain offenses and individuals subject to certain court orders from lawfully possessing a firearm. Such convictions and court orders often involve allegations of the use or attempted use of force or threatened use of a weapon on any individual in a domestic relationship (e.g., spouse, cohabitant, parent, child) (18 USC § 922; CRS § 18-12-108).

All members are responsible for ensuring that they have not been disqualified from possessing a firearm by any such conviction or court order and shall promptly report any such conviction or court order to a supervisor, as provided in this policy.

1002.3 CRIMINAL CONVICTIONS

Any person convicted of a felony is prohibited from being a peace officer in the State of Colorado (CRS 24-31-305(1.5)(a)).

If a person is convicted of a misdemeanor crime listed in CRS § 24-31-305(1.5) after July 1, 2001, they may not obtain POST certification without a waiver or may have their POST certification suspended or revoked.

Even when legal restrictions are not imposed by statute or by the courts upon conviction of any criminal offense, criminal conduct by a member of this department may prohibit him/her from carrying out law enforcement duties.

1002.3.1 COURT ORDERS

All employees shall promptly notify the department if they are part of any criminal or civil court order. Court orders may prevent peace officers from possessing a firearm or require suspension or revocation of their peace officer POST certificate (see generally CRS § 24-31-303).

1002.4 REPORTING PROCEDURE

All members of this department and all retired officers with an identification card issued by the Department shall promptly notify their immediate supervisor (or the Chief of Police in the case of retired officers) in writing of any past or current criminal arrest or conviction, regardless of whether the matter is currently on appeal and regardless of the penalty or sentence, if any.

All members and all retired officers with an identification card issued by the Department shall further promptly notify their immediate supervisor (or the Chief of Police in the case of retired

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officers) in writing if the member or retiree becomes the subject of a domestic violence restraining order or similar court order.

Any member whose criminal conviction unduly restricts or prohibits that member from fully and properly performing his/her duties may be disciplined including, but not limited to, being placed on administrative leave, reassignment and/or termination.

Any member failing to provide prompt written notice pursuant to this policy shall be subject to discipline.

1002.5 PROCEDURE FOR RELIEF

A peace officer may petition the court for permission to carry a firearm following a conviction under state law. Federal law, however, does not provide for any such judicial relief and the granting of a state court petition will not relieve one of the restrictions imposed by federal law.

Therefore, relief for any employee falling under the restrictions imposed by federal law may only be obtained by expungement of the conviction. Each employee shall seek relief from firearm restrictions on his/her own time and through his/her own resources.

Pending satisfactory proof of relief from any legal restriction imposed on an employee's duties, the employee may be placed on administrative leave, reassigned or disciplined. The Department may, but is not required to return an employee to any assignment, reinstate any employee or reverse any pending or imposed discipline upon presentation of satisfactory proof of relief from any legal restriction set forth in this policy.

Alcohol and Drug Use Policy

1003.1 PURPOSE AND SCOPE

The intent of this policy is to deter the misuse or abuse of legal or illegal substances that create a threat to the safety and health of any employee or member of the public. The Northglenn Police Department discourages alcohol and drug abuse and strives to achieve a workforce free from the influence of drugs and alcohol.

1003.2 GENERAL GUIDELINES

The consumption of illegal drugs is strictly prohibited and the consumption of alcohol by on-duty personnel is generally prohibited except as necessary and expressly authorized in the performance of an official special assignment. Personnel who are authorized to consume alcohol as part of a special assignment shall not do so to the extent of impairing on-duty performance.

Employees who have consumed any amount of an alcoholic beverage or taken any medication that would tend to adversely affect their mental or physical abilities shall not report for duty. The affected employee shall notify the Shift Sergeant or appropriate supervisor as soon as the employee is aware that he/she will not be able to report to work. If the employee is unable to make the notification, every effort should be made to have a representative contact the supervisor in a timely manner.

1003.2.1 PURCHASE OR POSSESSION OF DRUGS OR ALCOHOL ON-DUTY

Department employees shall not purchase or possess alcohol or other controlled substances on City property, at work or while on-duty except in the performance of a special assignment as described in this policy.

Department employees shall not illegally manufacture any alcohol or drugs.

1003.2.2 USE OF PRESCRIBED MEDICATIONS

Department employees who are medically required to take prescription medication during work hours shall not allow such medication to impair their ability to perform their work. Any employee who is required to take any medication with side effects which might impair his/her ability to fully and safely perform all requirements of the position shall report the need for such medication to his/her immediate supervisor.

No employee shall be permitted to work on or drive a vehicle owned or leased by the Department while taking such potentially impairing medication without a written release from his/her physician.

1003.3 EMPLOYEE ASSISTANCE PROGRAM

There is available a voluntary Employee Assistance Program to assist employees who wish to seek help for alcohol and drug problems. There is also available a variety of insurance coverages which provide treatment for drug and alcohol abuse. Employees may contact the Human Resources, their insurance provider or the Employee Assistance Program for additional information.

Alcohol and Drug Use Policy

Employees who experience drug or alcohol problems are encouraged to seek referral for rehabilitation through an Employee Assistance Program or their insurance provider. It is the responsibility of each employee to seek assistance before alcohol or drug problems lead to performance problems.

Employees may use leave for confidential visits.

1003.4 WORK RESTRICTIONS

If an employee informs a supervisor that he/she has consumed any alcohol, drug or medication that could interfere with the safe and efficient performance of his/her duties, the employee may be required to obtain clearance from his/her physician before he/she continues to work.

If a supervisor reasonably believes, based upon objective facts, that an employee's ability to perform his/her duties safely and efficiently may be impaired by the consumption of alcohol or other drugs, the supervisor may ask the employee whether he/she has consumed any alcohol or other drugs and, if so the amount and type of alcohol or other drug consumed, the time of consumption and the name of the person who prescribed the controlled substance.

If the supervisor reasonably believes, based on objective facts, that an employee is impaired by the consumption of alcohol or other drugs, the supervisor shall prevent the employee from continuing work and shall transport him/her or cause him/her to be transported safely away from the Department.

1003.5 REQUESTING SCREENING TESTS

The department may request an employee to submit to a screening test if the department:

- (a) Reasonably believes, based upon objective facts, that the employee is under the influence of alcohol or drugs that are impairing his/her ability to perform duties safely and efficiently.
- (b) Informs the employee of the specific facts supporting its belief and prepares a written record of those facts, and:
 - 1. Informs the employee in writing whether the test will be for alcohol or drugs, or both.
 - 2. Informs the employee that the result of the test is not admissible in any criminal proceeding against him/her.
 - 3. Informs the employee that he/she may refuse the test, but that his/her refusal may result in dismissal or other disciplinary action.

1003.5.1 ADDITIONAL SCREENING TESTS FOR OFFICERS

The department may request an employee to submit to a screening test if the employee:

- (a) Is a law enforcement officer and, during the performance of his/her duties, discharges a firearm other than by accident.

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- (b) During the performance of his/her duties, drives a motor vehicle in such a manner as to cause bodily injury to him/herself or another person or substantial damage to property.

1003.5.2 SCREENING TEST REFUSAL

An employee is subject to disciplinary action if he/she:

- (a) Fails or refuses to submit to a screening test as requested.
- (b) After taking a screening test which indicates the presence of a controlled substance, fails to provide proof, within 72 hours after being requested by his/her appointing authority, that he/she had taken the controlled substance as directed pursuant to a current and lawful prescription issued in his/her name.

1003.6 CONFIDENTIALITY

The Department recognizes the confidentiality and privacy due employees. Disclosure of any information relating to chemical abuse treatment, except on a need to know basis, shall only be with the express written consent of the employee involved or pursuant to lawful process. The written results of any screening test may be provided to the employee but will remain confidential and separate from the employee's other personnel files.

General Leave Policy

1004.1 PURPOSE AND SCOPE

Employees of this department are provided with a general leave benefit that gives them continued compensation during times of absence due to personal or family illness or preapproved vacations and days off. Employees may also be entitled to additional paid or unpaid leave for certain family and medical reasons as provided for in the Family and Medical Leave Act (29 CFR 825.100).

1004.2 EMPLOYEE RESPONSIBILITIES

Unscheduled leave may be used for absences caused by illness, injury, or for medical, dental or vision exams or medical treatment of the employee or the employee's immediate family when it is not reasonably possible to schedule such appointments during non-working hours. Unscheduled leave is leave requested for any reason less than 24 hours prior to the start of the shift. Employee's should advise their supervisor their expected leave duration if longer than one day. Additional days will be counted as vacation days and not unscheduled leave.

Employees shall notify their immediate supervisor, the on-duty shift supervisor, or other appropriate supervisor as soon as they are aware they will not be able to report to work.

Unscheduled leave shall be documented on the schedule by the immediate supervisor.

1004.3 EXTENDED ILLNESS

Employees on extended absences shall, if possible, contact their unit supervisor at three-day intervals to provide an update on their absence and expected date of return. Employees absent from duty due to personal illness in excess of three consecutive days may be required to furnish a statement from their health care provider supporting the use of sick leave and/or the inability to return to work.

Nothing in this section precludes a supervisor, based upon reasonable cause, from requiring a physician's statement if three or fewer sick leave days are taken.

1004.4 SUPERVISOR RESPONSIBILITIES

Supervisors should monitor sick leave usage and regularly review the attendance of employees under their command to ensure that the use of sick leave is consistent with this policy. Supervisors should address the use of sick leave in the employee's performance evaluation when it has negatively affected the employee's performance or ability to complete assigned duties and when unusual amounts of sick leave by the employee have a negative effect on department operations. When appropriate, supervisors should counsel employees regarding the excessive use of sick leave and should consider referring the employee to the Employee Assistance Program.

Communicable Diseases

1005.1 PURPOSE AND SCOPE

This policy is intended to provide guidelines for department personnel to assist in minimizing the risk of contracting and/or spreading communicable diseases and to minimize the incidence of illness and injury as required by state and federal guidelines (29 CFR § 1910.1030(a)). The policy will offer direction in achieving the following goals:

- To identify, inform and train all Department employees regarding the communicable disease risks to which they may be exposed while performing their specific job assignments
- To manage the risks associated with bloodborne pathogens, aerosol transmissible diseases and other potentially infectious substances
- To assist Department personnel in making decisions concerning the selection, use, maintenance, limitations, storage and disposal of personal protective equipment (PPE)
- To protect the privacy rights of all Department personnel who may be exposed to or contract a communicable disease during the course of their duties
- To provide appropriate testing, treatment and counseling should an employee be exposed to a communicable disease

1005.1.1 DEFINITIONS

Definitions related to this policy include:

Biohazard or bloodborne pathogen - Pathogenic microorganisms that are present in human blood and can cause disease in humans (29 CFR 1910.1030(b)). These pathogens include, but are not limited to, hepatitis B virus (HBV) and human immunodeficiency virus (HIV).

Communicable disease - An illness caused by an agent or its toxic products that arises through the transmission of that agent or its products to a susceptible host, either directly or indirectly.

Exposure incident - A specific eye, mouth, other mucous membrane, non-intact skin, or parenteral contact with blood or other potentially infectious materials that result from the performance of a Department member's duties (29 CFR 1910.1030(b)).

Other potentially infectious materials - Includes human body fluids such as semen, vaginal secretions, cerebrospinal fluid, synovial fluid, pleural fluid, pericardial fluid, peritoneal fluid, amniotic fluid, saliva in dental procedures, any bodily fluid that is visibly contaminated with blood, and all bodily fluids in situations where it is difficult or impossible to differentiate between bodily fluids; any unfixed tissue or organ (other than intact skin) from a human (living or dead) and HIV-containing cell or tissue cultures, organ cultures and HIV or HBV-containing culture medium or other solutions; and blood, organs or other tissues from experimental animals infected with HIV or HBV (29 CFR 1910.1030(b)).

Communicable Diseases

1005.2 PROCEDURES FOR CONTACT WITH BLOOD OR BODILY FLUIDS

All Department personnel who may be involved in providing emergency medical care or who come in contact with another person's blood or bodily fluids (e.g., during an altercation or while attending to any injured person) shall follow these procedures and guidelines.

1005.2.1 UNIVERSAL PRECAUTIONS

All human blood and bodily fluids, such as saliva, urine, semen and vaginal secretions, are to be treated as if they are known to be infectious. Where it is not possible to distinguish between bodily fluid types, all bodily fluids are to be assumed potentially infectious.

1005.2.2 PERSONAL PROTECTIVE EQUIPMENT

Personal protective equipment is the last line of defense against communicable disease. Therefore, the following equipment is provided for all personnel to assist in the protection against such exposures:

- Not less than two pair of disposable latex/nitrile gloves (keeping a box in the car is recommended)
- Safety glasses or goggles
- NIOSH N95 particulate respirator with a one-way valve
- Alcohol, or similar substance, to flush skin at emergency site
- Keeping alcohol hand wipes in the car is recommended

The protective equipment is to be kept in each police vehicle, inspected at the start of each shift and replaced immediately upon returning to the station if it has been used or damaged during the shift, or is otherwise in need of replacement.

1005.2.3 IMMUNIZATIONS

All Department personnel who, in the line of duty, respond to emergency medical calls or may be exposed to or have contact with a communicable disease shall be offered appropriate immunization treatment.

1005.2.4 WORK PRACTICES

All personnel shall use the appropriate barrier precautions to prevent skin and mucous membrane exposure whenever contact with blood or bodily fluid is anticipated.

Disposable gloves shall be worn on all medical emergency responses. Disposable gloves should, if possible, be worn before making physical contact with any patient and/or when handling items (e.g., evidence, transportation vehicle) soiled with blood or other bodily fluids. Should one's disposable gloves become contaminated with blood or other bodily fluids, the gloves shall be disposed of as contaminated waste. Care should be taken to avoid touching other items (e.g., pens, books and personal items in general) while wearing the disposable gloves in a potentially contaminated environment.

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All procedures involving blood or other potentially infectious materials shall be done in a way to minimize splashing, spraying or otherwise generating droplets of those materials.

Eating, drinking, smoking, applying lip balm and handling contact lenses shall be prohibited in areas where a potential for an exposure exists.

1005.2.5 INFORMATION AND TRAINING

All employees shall participate in occupational exposure training commensurate with the requirements of his/her position. The training shall be provided:

- (a) At the time of initial assignment to tasks where an occupational exposure may take place.
- (b) At least annually after the initial training.
- (c) Whenever the employee is assigned new tasks or procedures affecting his/her potential exposure to communicable disease.

The occupational exposure training should meet the minimum standards set by state and federal regulations (29 CFR § 1910.1030(g)(2)(vii)).

1005.3 DISPOSAL AND DECONTAMINATION

The following procedures will apply to the disposal or decontamination of equipment or personnel after responding to an event that involved contact with a person's blood or bodily fluids.

1005.3.1 USE OF WASTE CONTAINERS

Officers shall dispose of biohazards with the on-scene fire response vehicle or ambulance, at the attending clinic or hospital with its approval or in an appropriately marked biohazard waste container immediately upon arrival.

The biohazard waste container shall be collapsible, leakproof, red and appropriately labeled with a biohazard warning, and routinely emptied.

1005.3.2 DECONTAMINATION OF SKIN AND MUCOUS MEMBRANES

Personnel shall immediately wash their hands either while on-scene or as soon as practicable following the removal of potentially contaminated gloves. Antibacterial soap and warm water or an approved disinfectant shall be used to wash one's hands, paying particular attention to the fingernails.

If an employee's intact skin contacts someone else's blood or bodily fluids or other potentially infectious materials, the employee shall immediately wash the exposed part of his/her body with soap and warm water and/or an approved disinfectant, as soon as possible. If the skin becomes grossly contaminated, body washing shall be followed by an approved hospital strength disinfectant wash or rinse. If large areas of the employee's skin are contaminated, the employee shall shower as soon as reasonably possible, using warm water and soap and/or an approved disinfectant. Medical treatment should be obtained.

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Contaminated non-intact skin (e.g., injured skin, open wound) shall be cleaned using an approved disinfectant and then dressed or bandaged as required. Medical treatment is required.

All hand, skin and mucous membrane washing that takes place in the station shall not be done in the kitchen.

1005.3.3 SHARPS AND ITEMS THAT CUT OR PUNCTURE

All personnel shall avoid using or holding sharps (e.g., needles, blades) unless they are needed to assist a paramedic or are being collected for evidence. If required for evidentiary reasons related to evidence preservation, employees are to place the needles in the approved evidence container, and knives in the appropriate knife box. Employees shall not recap sharps. Disposal, when practicable, shall be into a puncture-proof biohazard container.

All sharps and items that cut or puncture (e.g., broken glass, razors and knives) shall be treated cautiously to avoid cutting, stabbing or puncturing one's self or any other person. If a sharp object contains known or suspected blood or other bodily fluids, that item is to be treated as a contaminated item. If the item is not evidence, touching it with the hands shall be avoided. Use a device, such as tongs or a broom and a dustpan, to clean up debris. If the material must be handheld, protective gloves must be worn.

1005.3.4 DISPOSABLE PROTECTIVE EQUIPMENT

Contaminated disposable supplies (e.g., gloves, dressings, CPR mask) shall be transported with the patient or suspect in the ambulance or police vehicle. The waste material shall then be disposed of in a biohazard waste container at the hospital or police station. Disposable gloves are to be worn while placing the waste into the waste biohazard container, placing the gloves in with the waste when through.

1005.3.5 DECONTAMINATION OF NON-DISPOSABLE EQUIPMENT

Contaminated non-disposable equipment (e.g., flashlight, gun, baton, clothing, portable radio) shall be decontaminated as soon as reasonably practicable. If it is to be transported, it shall be done by first placing it into a biohazard waste bag.

Grossly contaminated non-disposable equipment items shall be transported to a hospital, fire station or police station for proper cleaning and disinfecting. Porous surfaces, such as nylon bags and straps, shall be brushed and scrubbed with a detergent and hot water, laundered and allowed to dry. Non-porous surfaces (e.g., plastic or metal) shall be brushed and scrubbed with detergent and hot water, sprayed with a bleach solution, rinsed and allowed to dry. Delicate equipment (e.g., radios) should be brushed and scrubbed very carefully using a minimal amount of a type of germicide that is approved by the Environmental Protection Agency (EPA).

While cleaning equipment, pay close attention to handles, controls, corners, crevices, portable radios and external microphones. Equipment cleaning shall not be done in the kitchen, bathrooms or other areas not designated as the cleaning/decontamination area.

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Contaminated equipment should be cleaned using an approved EPA germicide or a 1:100 solution of chlorine bleach (one-quarter cup of bleach per one gallon of water) while wearing disposable gloves and goggles. Large particles of contaminants such as vomit, feces and blood clots should first be removed (e.g., using a disposable towel or other means to prevent direct contact) and then properly disposed.

1005.3.6 DECONTAMINATION OF CLOTHING

Contaminated clothing such as uniforms and undergarments shall be removed as soon as feasible and rinsed in cold water to prevent the setting of bloodstains. If the clothing may be washed in soap and hot water, do so as soon as possible. If the clothing must be dry-cleaned, place it in a biohazard waste bag take to a dry cleaner that is capable of cleaning contaminated clothing and inform them of the potential contamination. This dry cleaning will be done at the Department's expense.

Contaminated leather boots shall be brushed and scrubbed with detergent and hot water. If the contaminant soaked through the boot, the boot shall be discarded and replaced under the fair wear and tear policy.

1005.3.7 DECONTAMINATION OF VEHICLES

Contaminated vehicles and components, such as the seats, radios and doors, shall be washed with soap and warm water and disinfected with an approved germicide as soon as feasible.

1005.4 POST-EXPOSURE REPORTING AND FOLLOW-UP REQUIREMENTS

In actual or suspected exposure incidents, proper documentation and follow-up action must occur to limit potential liabilities and ensure the best protection and care for the employee.

1005.4.1 EMPLOYEE RESPONSIBILITY TO REPORT EXPOSURE

In order to provide appropriate and timely treatment should exposure occur, all employees shall verbally report the exposure to their immediate supervisor and complete a written exposure report as soon as possible following the exposure or suspected exposure. The report shall be submitted to the employee's immediate supervisor. Employees should document in the exposure report whether they would like the person who was the source of the exposure to be tested for communicable diseases.

1005.4.2 SUPERVISOR REPORTING REQUIREMENTS

The supervisor on-duty shall investigate every exposure that occurs as soon as reasonably practicable following the incident, and complete the Report of On the Job Injury form located on the NIC and submit to Risk Management within 24 hours.

1005.4.3 MEDICAL CONSULTATION, EVALUATION AND TREATMENT

Any employee who was exposed or suspects he/she was exposed to a communicable disease shall be seen by a physician (or qualified health care provider) as soon as reasonably possible. The doctor or qualified health care provider should be provided the supervisor's report and the employee's medical records relevant to the visit and examination.

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The employee shall be made aware of the laws and regulations concerning disclosure of the identity and infectious status of a source. If possible, the exposed employee will be informed of the source's test results.

The health care professional shall provide the City's Risk manager with a written opinion/evaluation of the exposed employee's situation. This opinion shall only contain the following information:

- If a post-exposure treatment is indicated for the employee
- If the employee received a post-exposure treatment
- Confirmation that the employee received the evaluation results
- Confirmation that the employee was informed of any medical condition resulting from the exposure incident that will require further treatment or evaluation
- Whether communicable disease testing from the source is warranted, and if so, the possible diseases to be tested

All other findings or diagnosis shall remain confidential and are not to be included in the written report.

1005.4.4 COUNSELING

The Department shall provide the exposed employee, and his/her family if necessary, the opportunity for counseling and consultation.

1005.4.5 CONFIDENTIALITY OF REPORTS

Most of the information involved in the process must remain confidential. The supervisor shall ensure that all records and reports are kept confidential.

Risk Management shall be responsible for maintaining records containing the employee's treatment status and the results of examinations, medical testing and follow-up procedures that took place as a result of an exposure.

The risk manager shall be responsible for maintaining the name and social security number of the employee and copies of any information provided to the consulting health care professional as a result of an exposure.

This information is confidential and shall not be disclosed to anyone without the employee's written consent, except as required by law. Test results from persons who may have been the source of an exposure are to be kept confidential as well.

1005.5 SOURCE TESTING

Testing for communicable diseases of a person who was the source of an exposure to an employee of this department should be sought when it is desired by the Department member or otherwise appropriate. It is the responsibility of the Risk Manager to ensure the proper testing and reporting occur. These methods include:

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- Obtaining voluntary consent that covers testing for any communicable disease from any person who may be the source of an exposure.
- Determining if the source person is compelled to submit to testing under any lawful provision.
- Filing a report with the county health officer when an employee is exposed. The county health officer may assist in pursuing testing on the City's behalf.
- Applying for a court order to compel testing of the source person.

1005.5.1 EXPOSURE FROM A NON-ARRESTEE

Upon notification of an employee's exposure to a person who was not arrested, the Risk Manager should attempt to determine if the person who was the source of the exposure will voluntarily consent to testing. If consent is indicated, the following steps should be taken:

- (a) A licensed health care provider should notify the person to be tested of the exposure and make a good faith effort to obtain voluntary informed consent from the person or his/her authorized legal representative to perform a test for HIV, hepatitis B, hepatitis C and other communicable diseases the health care provider deems appropriate.
- (b) The voluntary informed consent obtained by the health care provider must be in writing and include consent for specimens of blood for testing.
- (c) The result of the tests should be made available to the source and the exposed employee.
- (d) If consent is not obtained, the Risk Manager should promptly consult with City counsel and consider requesting that a court order be sought for appropriate testing.

1005.5.2 EXPOSURE FROM AN ARRESTEE

Upon notification of an exposure to an employee by a person who was arrested, the Risk Manager should take the following steps:

- (a) Seek consent from the person who was the source of the exposure and seek a court order if consent is not given.
- (b) Take reasonable steps to immediately contact the county health officer and provide preliminary information regarding the circumstances of the exposure and the status of the involved individuals to determine whether the county health officer can order testing.
- (c) In all cases, comply with the reporting and testing schemes required by law. This includes completing state or county forms as required by the end of the employee's shift. If submission by the end of the shift is not practicable, it must occur as soon as possible but no later than two days after the incident.

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- (d) Remain in contact with the county health officer to determine whether testing of the arrestee will occur and whether the testing satisfies the medical needs of the employee.
- (e) The results of the tests should be made available to the donor and the exposed employee.

Smoking/Tobacco Use Policy

1006.1 PURPOSE AND SCOPE

This policy establishes limitations on the use of tobacco products by employees and others while on-duty or while in Northglenn Police Department facilities or vehicles.

1006.2 POLICY

The Northglenn Police Department recognizes that tobacco use is a health risk and can be offensive to other employees and to the public. It is the policy of the Northglenn Police Department to prohibit the use of tobacco by employees while acting in an official capacity for the Department. Employees may use tobacco while on breaks outside of the public view within the parameters of this policy.

1006.3 EMPLOYEE USE

Tobacco use by employees is prohibited anytime employees are in public view representing the Department.

Smoking and the use of other tobacco products is not permitted inside any City facility, office or vehicle, crime scenes or calls for service.

It shall be the responsibility of each employee to ensure that no person under his/her supervision smokes or uses any tobacco product inside City facilities and vehicles.

1006.4 ADDITIONAL PROHIBITIONS

No person shall smoke or use any tobacco product inside Department facilities and no employee shall smoke tobacco products within 25 feet of an entryway of any department building (CRS § 25-14-204).

Seat Belts

1007.1 PURPOSE AND SCOPE

The use of seat belts and other safety restraints significantly reduces the chance of death or injury in case of a traffic collision. This policy establishes guidelines for seat belt and child safety seat use to promote maximum operator and passenger safety, thus reducing the possibility of death or injury as the result of a motor vehicle collision. This policy will apply to all employees operating or riding in Department vehicles.

1007.1.1 DEFINITIONS

Definitions related to this policy include:

Child restraint system - A specially designed seating system that is designed to protect, hold, or restrain a child in a motor vehicle in such a way as to prevent or minimize injury to the child in a motor vehicle accident that is either permanently affixed to a motor vehicle or is affixed to such vehicle by a safety belt or a universal attachment system that meets Federal Motor Vehicle Safety Standards and Regulations set forth in 49 CFR 571 (CRS § 42-4-236).

Safety belt system - A system utilizing a lap belt, a shoulder belt or any other belt or combination of belts installed in a motor vehicle to restrain drivers and passengers, and that conforms to Federal Motor Vehicle Safety Standards and Regulations (CRS § 42-4-237(1)(b)).

1007.2 WEARING OF SAFETY RESTRAINTS

All members shall wear properly adjusted safety restraints when operating or riding in a seat equipped with restraints, in any vehicle owned, leased or rented by this department while on-duty. The member driving such a vehicle shall ensure that all other occupants, including non-members, are also properly restrained.

Exceptions to the requirement to wear safety restraints may be made only in exceptional situations where, due to unusual circumstances, wearing a seat belt would endanger the member or the public. Members must be prepared to justify any deviation from this requirement.

1007.2.1 TRANSPORTING CHILDREN

An approved child restraint system should be used for all children younger than 8 years of age (CRS § 42-4-236(2)).

Rear seat passengers in a cage-equipped vehicle may have reduced clearance that requires careful seating and positioning of seat belts. Due to this reduced clearance, children and the child passenger safety seat system or booster seat should be secured properly in the front seat of these vehicles, provided this positioning meets the vehicle and the child passenger safety seat system manufacturer's design and use recommendations. In the event that a child is transported in the front seat of a vehicle, the passenger side air bag should be deactivated. If this is not possible, officers should consider arranging alternative transportation.

Seat Belts

1007.3 TRANSPORTING PRISONERS

Safety belts are not required for the rear seats of police vehicles. However, prisoners should be secured in the prisoner restraint system in the rear seat of the patrol vehicle or by seat belts when a prisoner restraint system is not available. The prisoner should be in a seating position for which seat belts have been provided by the vehicle manufacturer. The prisoner restraint system is not intended to be a substitute for handcuffs or other appendage restraints.

1007.4 INOPERABLE SEAT BELTS

No Department vehicle shall be operated if the seat belt in the driver's position is inoperable. No person shall be transported in a seating position in which the seat belt is inoperable.

No person shall modify, remove, deactivate or otherwise tamper with the vehicle safety belt system, except for vehicle maintenance and repair staff, who shall do so only with the express authorization of the Chief of Police.

Employees who discover an inoperable restraint system shall promptly report the defect to the appropriate supervisor. Prompt action will be taken to replace or repair the system.

1007.5 VEHICLES MANUFACTURED WITHOUT SEAT BELTS

Vehicles manufactured and certified for use without seat belts or other restraint systems are subject to the manufacturer's operating requirements for safe use.

Body Armor

1008.1 PURPOSE AND SCOPE

The purpose of this policy is to provide law enforcement officers with guidelines for the proper use of body armor.

1008.2 POLICY

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

1008.3 ISSUANCE OF BODY ARMOR

The Administration supervisor shall ensure that body armor is issued to all officers when the officer begins service at the Northglenn Police Department and that, when issued, the body armor meets or exceeds the standards of the National Institute of Justice.

The Administration supervisor shall establish a body armor replacement schedule and ensure that replacement body armor is issued pursuant to the schedule or whenever the body armor becomes worn or damaged to the point that its effectiveness or functionality has been compromised.

1008.3.1 USE OF SOFT BODY ARMOR

Generally, the use of body armor is required subject to the following:

- (a) Officers shall only wear agency-approved body armor.
- (b) Officers shall wear body armor anytime they are in a situation where they could reasonably be expected to take enforcement action.
- (c) Officers may be excused from wearing body armor when they are functioning primarily in an administrative or support capacity and could not reasonably be expected to take enforcement action.
- (d) Body armor shall be worn when an officer is working in uniform or as required by instructors when taking part in Department range training.
- (e) An officer may be excused from wearing body armor when he/she is involved in undercover or plainclothes work that his/her supervisor determines could be compromised by wearing body armor, or when a supervisor determines that other circumstances make it inappropriate to mandate wearing body armor.

1008.3.2 INSPECTIONS OF BODY ARMOR

Supervisors should ensure that body armor is worn and maintained in accordance with this policy through routine observation and periodic inspections.

Body Armor

1008.3.3 CARE AND MAINTENANCE OF SOFT BODY ARMOR

Soft body armor should never be stored for any period of time in an area where environmental conditions (e.g., temperature, light, humidity) are not reasonably controlled (e.g., normal ambient room temperature/humidity conditions), such as in automobiles or automobile trunks.

Soft body armor should be cared for and cleaned pursuant to the manufacturer's care instructions provided with the soft body armor. The instructions can be found on labels located on the external surface of each ballistic panel. The carrier should also have a label that contains care instructions. Failure to follow these instructions may damage the ballistic performance capabilities of the armor. If care instructions for the soft body armor cannot be located, contact the manufacturer to request care instructions.

Soft body armor should not be exposed to any cleaning agents or methods not specifically recommended by the manufacturer, as noted on the armor panel label.

Soft body armor should be replaced in accordance with the manufacturer's recommended replacement schedule.

1008.4 RANGEMASTER RESPONSIBILITIES

The Rangemaster should:

- (a) Monitor technological advances in the body armor industry for any appropriate changes to Department approved body armor.
- (b) Assess weapons and ammunition currently in use and the suitability of approved body armor to protect against those threats.
- (c) Provide training that educates officers about the safety benefits of wearing body armor.

Personnel Files

1009.1 PURPOSE AND SCOPE

This policy governs the maintenance, retention and access to personnel files. It is the policy of the Department to maintain the confidentiality of personnel data in personnel files pursuant to state law CRS § 24-72-204(3)(a)(II)(A)).

1009.2 PERSONNEL FILES DEFINED

1026.2 Department FILES DEFINED

Definitions related to this policy include:

Background File - The file containing all information gathered during an applicant and/or an employee's hiring process. Background files shall be maintained in the office of the Chief of Police or the authorized designee as a permanent record of a member's employment with this department.

Departmental Personnel File - The file containing an employee's personal and performance related information. Department files shall be maintained in the office of the Chief of Police or the authorized designee as a permanent record of a member's employment with this department.

Internal Affairs Investigation File - Any file which contains complaints of employee misconduct and all materials relating to the investigation into such allegations, regardless of disposition.

Supervisor Performance File and Log Entries - Any written comment, excluding actual performance evaluations, made by a supervisor concerning the conduct and performance of an employee of this department.

Training File - Any file which documents the training records of an employee.

1009.3 TYPES, LOCATION AND MAINTENANCE OF PERSONNEL FILES

The Department may maintain a personnel file on an employee for the Department use.

1009.3.1 DEPARTMENT FILE

Background files shall be maintained under the exclusive control of the Office of Professional Standards in conjunction with the Office of the Chief of Police. Access to these files may only be approved by the Chief of Police or the supervisor of Professional Standards. Background files should contain any information obtained during and in conjunction with the hiring process.

1009.3.2 DIVISION FILE

Departmental Personnel files shall be maintained under the exclusive control of the Office of Professional Standards in conjunction with the Office of the Chief of Police. Access to these files may only be approved by the Chief of Police or the supervisor of the Office of Professional Standards. Departmental Personnel Files should contain at least the following:

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- (a) Personnel Action Reports reflecting assignments, promotions and other changes in the employee's employment status.
- (b) Performance Evaluation Reports regularly completed by the appropriate supervisor and signed by the affected employee shall be permanently maintained and a copy provided to the employee.
- (c) Records of disciplinary action:
 - 1. Records shall be maintained in the individual employee's Departmental Personnel File for a minimum of four years and as otherwise required by the current retention schedule
 - 2. Investigations of complaints that result in a finding of Not Sustained, Unfounded or Exonerated should not be placed in the employee's Departmental Personnel File, but should be separately maintained for the appropriate retention period with the Office of Professional Standards' current record keeping system, as required by the current records retention schedule.
- (d) Documents reflecting any commendation, congratulation or honor bestowed on an employee by a member of the public or by the Department for an action, duty or activity that relates to official duties. These documents should be permanently retained in the employee's Departmental Personnel File, with a copy provided to the employee.

1009.3.3 INTERNAL AFFAIRS FILE

The Internal Affairs file shall be maintained under the exclusive control of the Professional Standards Unit in conjunction with the office of the Chief of Police. Access to these files may only be approved by the Chief of Police or the supervisor of the Professional Standards Unit. These files shall contain the complete investigation of all formal complaints of employee misconduct regardless of disposition.

- (a) Each investigation file shall be sequentially numbered within a calendar year (e.g., YY-001, YY-002), with an alphabetically arranged index cross-referenced for each involved employee.
- (b) Each investigation file arising out of a formal citizen's complaint or a complaint involving discriminatory harassment or hostile work environment shall be kept no less than four years and as otherwise required by the current records retention schedule.

1009.3.4 TRAINING FILES

An individual training file shall be maintained by the Training Sergeant for each employee. Training files will contain records of all training and education mandated by law or the Department, including firearms qualifications and mandated annual proficiency requalification.

- (a) It shall be the responsibility of the involved employee to provide the Training Sergeant or immediate supervisor with evidence of completed training/education in a timely manner.

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- (b) The Training Sergeant or supervisor shall ensure that copies of such training records are placed in the employee's training file.

1009.4 CONFIDENTIALITY OF ALL PERSONNEL FILES

Personnel files are private and confidential and may be exempt from disclosure. A request to release, inspect or copy a personnel record shall be forwarded to the City Attorney for review and a decision regarding the action to be taken. The person requesting this type of record shall be informed in writing that their request involves records that are believed to be restricted from release, inspection or copying, and that the request is being reviewed by the City Attorney to ensure that exempt, protected or restricted information is not improperly released.

Nothing in this section is intended to preclude review of personnel files by the Director of Management Services, an employee's supervisor or manager, members of an authorized review board reviewing conduct of the employee, the City Manager, the City Attorney or other attorneys or representatives of the City in connection with official business.

1009.5 REQUESTS FOR DISCLOSURE

Only written requests for the disclosure of any data contained in any personnel record will be considered. Any employee receiving a request for disclosure of personnel files shall promptly notify the Shift Sergeant and the Professional Standards Unit Sergeant.

Upon notice of any such request, the Shift Sergeant shall ensure that the affected employee is notified as soon as practicable that such a request has been made.

The Professional Standards Unit Sergeant shall ensure that an appropriate response to the request is made in a timely manner, in accordance with applicable law. In many cases, this will require assistance of approved and available legal counsel.

All requests for disclosure that result in access to an employee's personnel data shall be logged in the corresponding file and the affected employee shall be notified.

1009.5.1 RELEASE OF CONFIDENTIAL INFORMATION

No employee of this department may disclose private or confidential data without the written consent of the affected employee or written authorization of the Chief of Police or the authorized designee, except as provided by this policy, pursuant to lawful process and pursuant to state law or court order.

Any person who willfully and knowingly discloses confidential information contained in a personnel file, including but not limited to, an officer's home address or telephone number may be guilty of a crime (CRS § 24-72-206).

1009.6 EMPLOYEE ACCESS TO HIS/HER OWN FILE

Upon request, an employee may review his/her personnel file, except for letters of reference concerning employment, licensing or issuance of permits regarding the employee (CRS § 24-72-204(3)).

Personnel Files

Employees may be restricted from accessing files containing any of the following information:

- (a) Ongoing Internal Affairs investigations to the extent that it could jeopardize or compromise the investigation, pending final disposition or notice to the employee of the intent to discipline.
- (b) Confidential portions of Internal Affairs files that have not been sustained against the employee.
- (c) Criminal investigations involving the employee.

1009.7 PURGING OF FILES

Data in personnel files not related to pending litigation or other ongoing legal proceedings may be purged from respective Department files once the required records retention period has been met.

- (a) Each supervisor responsible for completing the employee's performance evaluation shall also determine whether any prior sustained disciplinary file should be retained beyond the statutory period for reasons other than pending litigation or other ongoing legal proceedings.
- (b) If a supervisor determines that records of prior discipline should be retained beyond the applicable statutory period, approval for such retention shall be obtained through the chain of command from the Chief of Police.
- (c) During the preparation of each employee's performance evaluation, all complaints and discipline should be reviewed to determine the relevancy, if any, to progressive discipline or training and career development. If, in the opinion of the Chief of Police or the authorized designee, a complaint or disciplinary action beyond the statutory retention period is no longer relevant, all records of such matter may be destroyed pursuant to the current records retention schedule.

Commendations and Awards

1010.1 PURPOSE AND SCOPE

It is the purpose of this policy to establish guidelines for recognizing exemplary service by department personnel and to provide protocols for the presentation of awards and related recognition for such service.

The recognition of personal excellence is an important aspect of this departments activities. Presenting departmental awards for exemplary service provides that recognition, thereby enhancing department morale, reinforcing the department's commitment to the maintenance of a high standard of performance by its employee, and motivating personnel to perform their duties at the highest possible level. Therefore, it is the policy of the Northglenn Police Department to recognize and reward exemplary service through an awards program to be administered under the procedures set forth herein.

1010.2 STRUCTURE OF AWARDS PROGRAM

The Chief of Police and the Department should recognize deserving employees for acts of heroism, bravery, and or extraordinary service. To assist in this endeavor the Chief of Police shall appoint an Awards Board.

The Board shall determine whether certain awards should be presented and, if so, which specific award or awards would be appropriate.

The Board shall consist of the number of employees determined to be appropriate by the Chief of Police and shall represent a cross-section of departmental ranks and duty assignments. The Chief of Police shall appoint a member of Command Staff to serve as chairperson of the Awards Board.

Each Board member will serve a two-year term or at the discretion of the Chief of Police. No Board member should serve more than four years.

If an employee of the Awards Board is under consideration for receipt of any award, that employee shall be excused from the board when this award is under consideration. The Chief of Police may appoint an ad hoc employee of the appropriate rank to serve on the Board in place of the Board member being considered for an award.

1010.3 EXEMPLARY SERVICE AWARD CATEGORIES

Medal of Honor (Red, White, Blue): Awarded to department employees for an act above and beyond the call of duty that involved extreme risk to the life of the recipient. This award will be presented in the form of a medal, a ribbon bar and certificate.

Medal of Valor (White, Blue): Awarded to departmental employees for conspicuous gallantry while acting in the line of duty ; presented to officers for acts of exceptional bravery, performed at very high risk to their own lives, with full awareness of the danger involved. This award will be presented in the form of a medal, a ribbon bar and certificate.

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Life -Saving Award (White): To be conferred upon any employee of the department whose actions directly contribute to saving or significantly prolonging human life. This award will be presented in the form of a medal, a ribbon bar and certificate.

Purple Heart Award (Purple): Awarded to departmental employees for an act in the performance of duty, which as a result of the criminals action inflicts serious bodily injuries or death to the recipient, or as a direct result of the actions of an armed subject inflict bodily injuries to the recipient. This award will be presented in the form of a medal , a ribbon bar, and certificate.

Distinguished Service Award (Red/ White): Awarded to any employee of the department for an outstanding accomplishment , that has contributed to a more effective and efficient police department. This may involve improved administration, improved operations, substantial cost savings, or other benefits to the department that have materially facilitated the effective performance of the department's mission. This award will be presented in the form of a medal, a ribbon bar, and a certificate.

Meritorious Service Award(Red/Silver): Presented for an act of bravery, meritorious service, unusual attention to duty, outstanding performance of assigned functions, or community service, which reflects favorably on the department and / or promotes public safety in the community. This award will be presented in the form of a medal, a ribbon bar, and a certificate.

1010.3.1 COMMENDABLE SERVICE AWARD CATEGORIES

Excellence in Policing Award (Blue): Presented to department employees who distinguish themselves through extraordinary efforts that exemplify the best principles and practices of community -based policing and that result in significant contributions to: service delivery, crime reduction, crime prevention, reduced victimization, traffic accident prevention or reduction, or volunteerism. This award will be presented in the form of a ribbon bar and certificate.

Senior Service School Recognition: Signifying the completion of senior service course as recognized and approved by the Chief of Police. The service ribbon is worn above the marksmanship ribbon and below any award ribbons. (See also Uniforms and Accessories)

Certificate of Commendation: Presented in recognition of a high degree of competence and professionalism in the performance of departmental duties. This includes exemplary conduct during a field incident or operation, outstanding administrative work, the effective handling of a criminal investigation, the organization of a new and beneficial departmental program, designing and conducting a course of training, and commendable participation in any other activity that improves the department in any way. It may also be presented to any employee who has demonstrated long-term excellence in service to this agency. This award is presented in the form of a certificate.

Letter of Recognition: Presented to departmental employees who perform their duties in a manner of professionalism, devotion to duty, and dedication to the performance of the department mission. This award may also be presented for the submission of any suggestion subsequently adopted by the department that materially improves the efficiency of the department. This award

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is presented in the form of a letter to the employee signed by the Chief of Police. Supervisors may make presentations of these awards to officers under their command as approved by the Chief of Police.

Citizen Commendation: This award may be presented to any person who is not an employee of the department but who has materially aided the department or its officers in some way. This includes assistance in the solution of a crime or the apprehension of criminals, aiding an officer in the field in a critical situation, and cooperation with or assistance to the department as a whole in any aspect of the department's administration or operations.

Other Awards: The department may establish other awards as deemed desirable and as designated by the Chief of Police. Any such additional awards shall be considered and presented in accordance with this policy.

1010.3.2 RECOMMENDATIONS FOR AWARDS

Any departmental employee may recommend another departmental employee for any award. More than one person may make recommendations jointly.

Award recommendations shall be neatly typed and shall set forth in detail the circumstances upon which the award is recommended. The recommendation must identify the person or persons making the recommendation and be signed by that person or persons.

The recommendation form may be accompanied by such supporting documentation as is deemed desirable by the person or persons initiating the recommendation. This documentation may include such items as witness statements, photographs, pertinent departmental incident reports, medical reports, and reports from other law enforcement agencies, statements from civilians familiar with the incident, newspaper articles, and any other evidence that will assist the Awards Board in determining the merits of the recommendation.

A nomination for an Exemplary Service Award shall be forwarded to the Awards Board through the nominated employees chain of command. Each member of the chain shall review the nomination and either approve or disapprove the nominations by signing the form.

Letters from citizens commending a departmental employee shall be forwarded to the employee's immediate supervisor for review who should complete a Personnel Quality Report. The supervisor may then forward the appropriate copies to the respective Commander and Professional Standards Sergeant.

If the respective Commander or Immediate supervisor concludes that an award to the employee may be justified, they shall prepare and forward to the Awards Board a recommendation for an award in accordance with the procedure set forth in this policy.

Nominations of Private Citizens for Awards: Any employee of the department who is given significant assistance by a citizen, or any employee of the department who is aware that such assistance has been given to another employee, may nominate that citizen for a Citizen Commendation. Such nominations shall be prepared and forwarded in the manner prescribed for recommendations of departmental awards.

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1010.3.3 DETERMINATION OF AWARDS

All recommendations for departmental awards are to be kept on file pending the review and action by the Chief of Police or, if appropriate, the next meeting of the Awards Board.

The Awards Board will meet at such intervals as needed by the department. Meetings may be held at the discretion of the Board Chair to consider recommendations requiring the Board's immediate attention.

The Awards Board shall examine the circumstances of the recommendation and collect all facts pertinent to the case. This may include speaking with witnesses, the examination of supporting documents submitted with the recommendation, the examinations of any other reports prepared in connection with the incident, and if necessary, field investigation to determine the accuracy of the testimony and documentation submitted. To ensure a fair and unbiased process, there shall be no ex parte communication between Awards Board members and any potential awardees, witnesses, or other involved individuals.

Upon completion of the fact-finding process, the Board shall consider the case and vote upon the recommendation. A majority vote of the Boards members available shall be sufficient to determine the Board's recommendation.

The Board may make any one of the following findings:

- That the case meets the standard for the award which is the subject of the nomination, and the award is therefore approved, or
- That the circumstances justify recognition, but that it has been determined that the presentation should be for an award other than what was specified in the initial recommendation, or
- That the facts as currently known do not justify an award at the time.
- Following the Board's deliberations, a written report shall be forwarded to the Chief of Police setting forth the Boards findings.

Upon receipt of the Board's report, the Chief of Police may approve, disapprove, or modify the Board's findings. All Exemplary and Commendable Service Awards shall be officially authorized on a Personnel Order.

Only one award shall be made to an individual for any one act, achievement, or period of distinguished service. However, there is no limit to the number of medals, certificates, or letters of recognition that may be awarded to an individual for separate acts. The Purple Heart may be awarded in conjunction with any other award when applicable.

1010.4 NOTIFICATION OF AWARD

Personnel for whom the departmental awards have been approved shall be notified as soon as practicable of the award through the chain of command. The notifications may be made by the Chief of Police at his/her discretion.

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Notices of all departmental awards shall be posted on departmental bulletin boards and noted in appropriate departmental documents and publications.

All departmental awards shall be made a matter of record in the employee's personnel file. A copy of the certificate of award shall be included in the file. All awards shall be considered in connection with future personnel decisions, such as promotion or assignment to a particular duty or location.

When appropriate, press releases regarding departmental awards should be made available to local media representatives.

Citizens who have received departmental commendations for assistance to the department should be notified in a similar manner.

1010.5 PRESENTATION OF AWARDS

Presentation of all department awards other than Letters of Recognition shall be made at a formal ceremony deemed appropriate by the Chief of Police. Letters of recognition may also be presented at a formal ceremony at the discretion of the Chief of Police or by another command or supervisory officer as designated by the Chief of Police.

During awards ceremonies, presentations of awards shall be made whenever possible by the Chief of Police or his/her designee when the Chief of Police is not available.

All personnel not otherwise engaged in a duty assignment shall be encouraged to attend the presentation. The recipient's supervisor should be present and the ceremony. All personnel should be properly attired under guidelines established by the department.

The recipients family shall be invited to attend the ceremony and, upon arrival, should be escorted to a position that provides a full view of the proceedings.

Member of the local press shall be invited to attend presentations of awards of the Medal of Honor, Medal of Valor, Purple Heart, and Life Saving Medal.

Normally the individual who has earned the award will accept the award in person at the presentation ceremony.

The next of kin shall receive posthumous awards.

Posthumous awards may be presented at the memorial or funeral service or at such time as deemed appropriate by the next of kin.

Letters of Recommendation not presented at a formal ceremony shall be placed in the employee's personnel file and a copy posted on departmental bulletin board or otherwise disseminated through the department.

Commendations to civilians may be presented at a formal ceremony at the discretion of the Chief of Police, but only with the consent of the citizen concerned.

1010.6 WEARING AWARDS

Medals are not intended for wear on the duty uniform.

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Award ribbon bars may be worn on the duty uniform. If worn on the duty uniform, ribbon bars shall be placed on the uniform as directed by department policy. (See also Uniforms & Accessories)

Ribbon bars worn on the duty uniform shall be maintained in good condition at all times.

No medals, ribbons, or pins of any type shall be worn on the uniform unless the department specifically authorizes such wear.

1010.7 RECOGNITION UPON RETIREMENT

At the discretion of the Chief of Police sworn employees who have been official retired may be issued a Northglenn Police Department identification card with the word "Retired" clearly printed on the card. A flat badge may also be issued with the employees last rank and "Retired" clearly written on the badge. The "Retired" identification card and flat badge are "Honorary" and afford no authority or privileges.

Fitness for Duty

1011.1 PURPOSE AND SCOPE

All officers are required to be free from any physical, emotional or mental condition that might adversely affect the exercise of peace officer duties. The purpose of this policy is to ensure that all officers of this department remain fit for duty and able to perform their job functions.

1011.2 EMPLOYEE RESPONSIBILITIES

- (a) It shall be the responsibility of each member of this department to maintain good physical condition sufficient to safely and properly perform essential duties of the position.
- (b) Each member of this department shall perform his/her respective duties without physical, emotional and/or mental constraints.
- (c) During working hours, all employees are required to be alert, attentive and capable of performing assigned responsibilities.
- (d) Any employee who feels unable to perform his/her duties shall promptly notify a supervisor. In the event that an employee believes that another employee is unable to perform his/her duties, such observations and/or belief shall be promptly reported to a supervisor.

1011.3 SUPERVISOR RESPONSIBILITIES

- (a) A supervisor observing an employee, or receiving a report of an employee, who is perceived to be unable to safely perform his/her duties due to a physical, medical or mental condition shall take prompt and appropriate action in an effort to resolve the situation.
- (b) Whenever feasible, the supervisor should attempt to ascertain the reason or source of the problem and in all cases a preliminary evaluation should be made to determine the level of inability of the employee to perform his/her duties.
- (c) In the event the employee appears to be in need of immediate medical or psychiatric treatment, all reasonable efforts should be made to provide such care.
- (d) In conjunction with the Shift Supervisor and Division Commander, a determination should be made whether the employee should be temporarily relieved from his/her duties.
- (e) The Chief of Police shall be promptly notified in the event that any employee is relieved from duty.

Fitness for Duty

1011.4 NON-WORK RELATED CONDITIONS

Any employee suffering from a non-work related condition that warrants a temporary relief from duty may be required to use sick leave or other paid time off in order to obtain medical treatment or other reasonable rest period.

1011.5 WORK-RELATED CONDITIONS

Any employee suffering from a work-related condition that warrants a temporary relief from duty shall be required to comply with personnel rules and guidelines for processing such claims.

Upon the recommendation of the Shift Sergeant or unit supervisor and with the concurrence of a Division Commander, any employee whose actions or use of force in an official capacity result in death or serious injury to another may be temporarily removed from regularly assigned duties and/or placed on paid administrative leave for the well-being of the employee and until such time as the following may be completed:

- (a) A preliminary determination that the employee's conduct appears to be in compliance with policy and law.
- (b) If appropriate, the employee has had the opportunity to receive necessary counseling and/or psychological clearance to return to full duty.

1011.6 PHYSICAL AND PSYCHOLOGICAL EXAMINATIONS

- (a) Whenever circumstances reasonably indicate that an employee is unfit for duty, the Chief of Police may serve that employee with a written order to undergo a physical and/or psychological examination in cooperation with the Human Resources to determine the level of the employee's fitness for duty. The order shall indicate the date, time and place for the examination.
- (b) The examining physician or therapist will provide the Department with a report indicating that the employee is either fit for duty or, if not, list any functional limitations that limit the employee's ability to perform job duties. If the employee places his/her condition at issue in any subsequent or related administrative action or grievance, the examining physician or therapist may be required to disclose any and all information that is relevant to such proceeding.
- (c) To facilitate the examination of any employee, the Department will provide all appropriate documents and available information to assist in the examination, evaluation and/or treatment.
- (d) All reports and examinations or evaluations submitted by the treating physician or therapist shall be part of the employee's private medical file.
- (e) Any employee ordered to receive a fitness-for-duty examination shall comply with the terms of the order and cooperate fully with the examining physician or therapist regarding any clinical interview, tests administered or other procedures as directed.

Fitness for Duty

Any failure to comply with such an order and any failure to cooperate with the examining physician or therapist may be deemed insubordination and may subject the employee to discipline, up to and including termination.

- (f) Once an employee has been deemed fit for duty by the examining physician or therapist, the employee will be notified to resume his/her duties.
- (g) If an employee is deemed unfit for duty by the Department, the employee may submit a report from his/her personal physician, psychiatrist, psychologist or other health care provider that will be taken into consideration.

1011.6.1 CRITICAL INCIDENTS

The Northglenn Police Department shall require a psychological evaluation, when possible, on all officers directly involved in shooting incidents. The department may also require psychological evaluation for employees involved in other types of stressful incidents at the discretion of the Chief of Police. The cost of the evaluations shall be borne by the City according to existing department and city policies. Employees who are affected by incidents may seek counseling through Mines and Associates at no cost to the employee.

1011.7 LIMITATION ON HOURS WORKED

Absent emergency operations, members should not work more than:

- 16 hours in one-day period (24-hour period)
- 30 hours in any two-day period (48-hour period)
- 84 hours in any seven-day period (168-hour period)

Except in very limited circumstances members should have a minimum of eight hours off between shifts. Supervisors should give consideration to reasonable rest periods and are authorized to deny overtime or relieve to off-duty status any member who has exceeded the above guidelines.

Limitations on the number of hours worked apply to shift changes, shift trades, rotation, holdover, training, special events, contract work, general overtime and any other work assignments.

1011.8 APPEALS

An employee who is separated from paid employment or receives a reduction in salary resulting from a fitness-for-duty examination shall be entitled to an administrative appeal as outlined in the Conduct Policy.

Meal Periods and Breaks

1012.1 PURPOSE AND SCOPE

This policy regarding meals and breaks, insofar as reasonably possible, shall conform to the policy governing all City employees.

1012.1.1 MEAL PERIODS

Certified employees and dispatchers shall remain on-duty subject to call during meal breaks. All other employees are not on-call during meal breaks unless directed otherwise by a supervisor.

Uniformed officers shall advise Adams County Communications Center prior to taking a meal period. Uniformed officers should take their breaks within the City limits or nearby and shall monitor their radios unless on assignment outside of the City.

The time spent for the meal period shall not exceed the authorized time allowed. Officers shall be mindful of public perception and scrutiny regarding meal breaks. Officers should be sensitive to the number of officers taking a meal break at the same time and at the same public location and apply a reasonable standard of practice.

Lactation Break Policy

1013.1 PURPOSE AND SCOPE

The purpose of this policy is to provide reasonable accommodations to employees desiring to express breast milk for the employee's infant child.

1013.2 POLICY

It is the policy of this department to provide, in compliance with the Fair Labor and Standards Act and the Colorado Workplace Accommodations for Nursing Mothers Act, reasonable break time and appropriate facilities to accommodate any employee desiring to express breast milk for her nursing child for up to two years after a child's birth (29 USC § 207, CRS § 8-13.5-101 and CRS § 8-13.5-104(1)).

1013.3 LACTATION BREAK TIME

Employees wishing to express breast milk for their nursing child shall be permitted to do so during any authorized break. A break period should be permitted each time the employee has the need to express breast milk (29 USC § 207). Such breaks, if feasible, should be taken at the same time as the employee's regularly scheduled break or meal periods. In general, lactation breaks that cumulatively total 30 minutes or less during any four-hour work period or major portion of a four-hour work period are reasonable.

While a reasonable effort will be made to provide additional time beyond authorized breaks, any such time exceeding regularly scheduled break time will be considered unpaid.

A reasonable period for such break should be consistent with existing law regulating work breaks under the FLSA, which are generally 5 to 20 minutes in duration (29 CFR § 785.18).

Employees desiring to take a lactation break shall notify Adams County Communications Center or a supervisor prior to taking such a break. Such breaks may be reasonably delayed if they would seriously disrupt Department operations.

Once a lactation break has been approved, the break should not be interrupted except for emergency or exigent circumstances.

1013.4 PRIVATE LOCATION

The Department will make reasonable efforts to accommodate employees with the use of an appropriate room or other location to express milk in private. Such room or place should be in close proximity to the employee's work area and shall be other than a bathroom or toilet stall. The location must be shielded from view and free from intrusion from co-workers and the public (29 USC § 207).

The area assigned for this purpose should not be used for storage of any devices, supplies or expressed milk and should be returned to its original state after each use.

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Employees occupying such private areas shall either secure the door or otherwise make it clear to others that the area is occupied with a need for privacy. All other employees should avoid interrupting an employee during an authorized break, except to announce an emergency or other urgent circumstance.

Authorized lactation breaks for employees assigned to the field may be taken at the nearest appropriate private area.

1013.5 STORAGE OF EXPRESSED MILK

Any employee storing expressed milk in any authorized refrigerated area within the Department shall clearly label it as such. No expressed milk shall be stored at the Department beyond the employee's shift.

Timesheet Procedures

1014.1 PURPOSE AND SCOPE

Timesheets are submitted to Administration on a biweekly basis for the payment of wages.

1014.1.1 RESPONSIBILITY FOR COMPLETION OF TIMESHEETS

Employees are responsible for the accurate and timely submission of timesheets for the payment of wages.

1014.1.2 TIME REQUIREMENTS

All employees are paid on a biweekly basis usually on Friday with certain exceptions such as holidays. Timesheets shall be completed and submitted through the chain of command to employee's immediate supervisor. Timesheets shall be forwarded to Administration no later than 8:00 a.m. on the following Monday morning before pay day, unless specified otherwise. Employees shall follow city guidelines on hours of work, call-back, standby and overtime compensation-see Northglenn City Employee Handbook.

Overtime Payment Requests

1015.1 PURPOSE AND SCOPE

It is the policy of the Department to compensate nonexempt salaried employees who work authorized overtime. See City of Northglenn Employee Handbook-Hours of Work, Call back, Standby and Related Provisions for further.

1015.1.1 DEPARTMENT POLICY

Because of the nature of law enforcement work, and the specific needs of the Department, a degree of flexibility concerning overtime policies must be maintained.

Nonexempt employees are not authorized to volunteer work time to the Department. All requests to work overtime shall be approved in advance by a supervisor. If circumstances do not permit prior approval, approval shall be sought as soon as practicable during the overtime shift and in no case later than the end of shift in which the overtime is worked.

Short periods of work at the end of the normal duty day (e.g., less than one hour in duration) may be handled unofficially between the supervisor and the employee by adjusting a subsequent shift schedule to compensate for the time worked, rather than by submitting requests for overtime payments. If the supervisor authorizes or directs the employee to complete a request for such a period, the employee shall comply.

The individual employee may request compensatory time (if eligible) in lieu of receiving overtime payment. The employee may not exceed 40 hours of Compensatory Time.

1015.2 ACCOUNTING FOR OVERTIME WORKED

Employees are to record the actual time worked in an overtime status. In some cases, a minimum number of hours will be paid, (e.g., two hours for court/administrative hearing, or two hours if called immediately back into work). The supervisor will ensure that the hours documented will match the actual time worked.

1015.2.1 ACCOUNTING FOR PORTIONS OF AN HOUR

When accounting for less than a full hour, time worked shall be rounded up to the nearest quarter of an hour as indicated by the following chart:

<u>TIME WORKED</u>	<u>INDICATE ON CARD</u>
Up to 15 minutes	.25 hour
16 to 30 minutes	.50 hour
31 to 45 minutes	.75 hour
46 to 60 minutes	1.0 hour

1015.2.2 VARIATION IN TIME REPORTED

Where two or more employees are assigned to the same activity, case or court trial, and the amount of time for which payment is requested varies between the two, the Shift Sergeant or other

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approving supervisor may require each employee to include the reason for the variation on the back of the overtime payment request.

Outside Employment

1016.1 PURPOSE AND SCOPE

To avoid actual or perceived conflicts of interest for Department employees engaging in outside employment, all employees shall initially obtain written approval from the Chief of Police prior to engaging in any outside employment. Approval of outside employment shall be at the discretion of the Chief of Police in accordance with the provisions of this policy.

1016.1.1 DEFINITIONS

Definitions related to this policy include:

Outside employment - The employment of any member of this department who receives wages, compensation or other consideration of value from another employer, organization or individual not affiliated directly with this department for services, products or benefits rendered. For purposes of this section, the definition of outside employment includes those employees who are self-employed and not affiliated directly with this department for services, products or benefits rendered.

Off-Duty Police Employment (OPDE) - Overtime involving any member of this department who performs duties or services on behalf of an outside organization, company or individual within this jurisdiction on behalf of the Department. Such outside overtime shall be requested and scheduled directly through this department so that the Department may be reimbursed for the cost of wages and benefits.

1016.2 OBTAINING APPROVAL

No member of this department may engage in any outside employment without first obtaining prior written approval of the Chief of Police. Failure to obtain prior written approval for outside employment or engaging in outside employment prohibited by this policy is grounds for disciplinary action.

To obtain approval for outside employment, the employee must complete an outside employment request form (Available in Human Resources), that shall be submitted to the employee's immediate supervisor. The application will then be forwarded through the appropriate chain of command to the Chief of Police for consideration.

If approved, the employee will be provided with a copy of the approved application. Any employee seeking approval of outside employment whose application has been denied shall be provided with a written reason for the denial of the application at the time of the denial and within 30 days of the application.

1016.2.1 APPEAL OF DENIAL OF OUTSIDE EMPLOYMENT

If an employee's application is denied or rescinded by the Department, the employee may file a written notice of appeal to the Chief of Police and Human Resources within 10 days of the date of denial.

Outside Employment

1016.2.2 REVOCATION/SUSPENSION OF AN APPROVED OUTSIDE EMPLOYMENT APPLICATION

Any approved outside employment application may be revoked or suspended after the employee has received written notification of the reasons for revocation or suspension. Additionally, revocation or suspension will only be implemented after the employee has exhausted the appeal process.

The outside employment may be revoked:

- (a) If an employee's performance declines to a point where it is evaluated by a supervisor as needing improvement to reach an overall level of minimum acceptable competency, and the outside employment may be related to the employee's performance. The Chief of Police may, at his/her discretion, notify the employee of the intent to revoke any previously approved outside employment application. After the appeal process has concluded, the revocation will remain in force until the employee's performance directly related to the outside employment has been re-established to the minimum level of acceptable competency.
- (b) If, at any time during the term of an approved outside employment application, an employee's conduct or outside employment conflicts with the provisions of Department policy, or any law.
- (c) The outside employment creates an actual or apparent conflict of interest with the Department or City.

1016.3 PROHIBITED OUTSIDE EMPLOYMENT

The Department expressly reserves the right to deny any application submitted by an employee seeking to engage in any activity that:

- (a) Involves the employee's use of Department time, facilities, equipment or supplies, the use of the Department badge, uniform, prestige or influence for private gain or advantage.
- (b) Involves the employee's receipt or acceptance of any money or other consideration from anyone other than this department for the performance of an act that the employee, if not performing such act, would be required or expected to render in the regular course or hours of employment or as a part of the employee's duties as a member of this department.
- (c) Involves the performance of an act in other than the employee's capacity as a member of this department that may later be subject directly or indirectly to the control, inspection, review, audit or enforcement of any other employee of this department.
- (d) Involves time demands that would render performance of the employee's duties for this department below minimum standards or would render the employee unavailable for reasonably anticipated overtime assignments and other job-related demands that occur outside regular working hours.

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Outside Employment

1016.3.1 OUTSIDE SECURITY EMPLOYMENT

Due to the potential conflict of interest, no member of this department may engage in any outside or secondary employment as a private security guard, private investigator or other similar private security position.

Any private organization, entity or individual seeking special services for security or traffic control from members of this department must submit a written request to the Chief of Police in advance of the desired service. Such outside overtime will be monitored by the patrol supervisor.

- (a) The applicant will be required to enter into a written indemnification agreement prior to approval.
- (b) The applicant will be required to provide for the compensation and full benefits of all employees requested for such outside security services.
- (c) If such a request is approved, any employee working outside overtime shall be subject to the following conditions:
 - 1. The officer shall wear the Department uniform/identification.
 - 2. The officer shall be subject to all the rules and regulations of this department.
 - 3. No officer may engage in such outside employment during or at the site of a strike, lockout, picket or other physical demonstration of a labor dispute.
 - 4. Compensation for such approved outside security services shall be pursuant to normal ODPE procedures.
 - 5. No officer may engage in outside employment as a peace officer for any other public agency without prior written authorization of the Chief of Police.

1016.3.2 OUTSIDE OVERTIME ARREST AND REPORTING PROCEDURE

Any employee making an arrest or taking other official law enforcement action while working in an approved ODPE assignment shall be required to complete all related reports in a timely manner pursuant to Department policy. Time spent on the completion of such reports shall be considered incidental to the ODPE assignment.

1016.3.3 SPECIAL RESTRICTIONS

Except for emergency situations or with prior authorization from the Division Commander, undercover officers or officers assigned to covert operations shall not be eligible to work overtime or other assignments in a uniformed or other capacity that might reasonably disclose the officer's law enforcement status.

1016.4 DEPARTMENT RESOURCES

Employees are prohibited from using any Department equipment or resources in the course of or for the benefit of any outside employment. This shall include the prohibition of access to official records or databases of this department or other agencies through the use of the employee's position with this department.

Outside Employment

1016.5 CHANGES IN OUTSIDE EMPLOYMENT STATUS

If an employee terminates his/her outside employment the employee shall promptly submit written notification of such termination to the Chief of Police through the appropriate chain of command. Any subsequent request for renewal or continued outside employment must thereafter be processed and approved through normal procedures set forth in this policy.

Employees shall also promptly submit in writing to the Chief of Police any material changes in outside employment including any change in the number of hours, type of duties or demands of any approved outside employment. Employees who are uncertain whether a change in outside employment is material shall report the change.

1016.6 OUTSIDE EMPLOYMENT WHILE ON DISABILITY OR ADMINISTRATIVE LEAVE

Department members engaged in outside employment who are placed on disability or administrative leave or modified/light-duty shall inform their immediate supervisor in writing within five days whether they intend to continue to engage in outside employment while on such leave or light-duty status. The immediate supervisor shall review the duties of the outside employment along with any work-related doctor's orders and make a recommendation to the Chief of Police whether such outside employment should continue or the approved application be suspended or revoked.

In the event the Chief of Police determines that the outside employment should be discontinued or if the employee fails to promptly notify the supervisor of his/her intentions regarding the employment application, a notice of intent to revoke the employee's application will be forwarded to the involved employee and a copy attached to the original employment application. The revocation process outlined in this policy shall be followed.

Criteria for revoking or suspending an approved outside employment application while on disability status or administrative leave includes, but is not limited to, the following:

- (a) The outside employment is medically detrimental to the total recovery of the disabled employee, as indicated by the City's professional medical advisers.
- (b) The outside employment performed requires the same or similar physical ability, as would be required of an on-duty employee.
- (c) The employee's failure to make timely notice of his/her intentions to his/her supervisor.
- (d) The outside employment is not compatible with the reason the employee is on administrative leave.

On-Duty Injuries

1017.1 PURPOSE AND SCOPE

The purpose of this policy is to provide for the reporting of on-duty injuries, occupational illnesses or deaths, the circumstances of the incident and to ensure proper medical attention is received by the employee.

1017.2 WORKERS' COMPENSATION FUND REPORTS

1017.2.1 INJURIES REQUIRING MEDICAL CARE

All work-related injuries and work-related illnesses requiring medical care must be documented and also reported to the risk management office (CRS § 8-43-102). A notice of injury form should be provided to the injured employee within 24 hours from the time the injury was discovered, excluding weekends and holidays. Records of work-related injuries and work-related illnesses shall be maintained as prescribed by Colorado law (CRS § 8-43-101).

1017.2.2 DEFINITIONS

Definitions related to this policy include (CRS § 8-40-201):

Accident - Any unforeseen event occurring without the will or design of the person whose mere act causes it. An accident or injury includes disability or death resulting from accident or occupational disease.

Occupational disease - Any disease resulting directly from employment or work conditions which is a natural incident of the work and a result of the exposure occasioned, and which can be fairly traced to the employment as a proximate cause and not from a hazard to which the worker would have been equally exposed outside of his/her employment.

1017.2.3 EMPLOYEE'S RESPONSIBILITIES

An employee sustaining any work-related injury, as well as any employee who is involved in any accident while on-duty, shall report such injury or accident in writing as soon as practicable to his/her supervisor. An employee sustaining any work-related illness shall report such illness to his/her supervisor in writing as soon as practicable. An employee must file a Workers' Claim for Compensation with the Colorado Division of Workers' Compensation within two years.

An employee observing or learning of a potentially hazardous condition is to promptly report the condition to his/her immediate supervisor.

An employee sustaining a work-related injury or illness that requires relief from duty is also required to comply with Department policies and directives relating to the duty to periodically call in during absences, in addition to the duty to notify the Department of any change in condition or anticipated duration of the absence.

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On-Duty Injuries

When appropriate, an employee being treated for an on-duty injury should inform the attending physician that a modified-duty assignment may be available at the Department. Modified-duty may be available for employees whose injuries prevent resumption of regular duties.

An injured employee or an employee who has suffered a work-related illness shall report as soon as practicable to his/her immediate supervisor the medical findings concerning the injury and the extent and duration of any work restrictions, if they are known. In addition, such employees are required to promptly submit all medical releases, whether partial or full releases, to their supervisor.

1017.2.4 SUPERVISOR RESPONSIBILITIES

If an employee is physically or mentally unable to provide notice of an injury or illness, his/her supervisor shall report such injury or accident in writing as soon as practicable (CRS § 8-43-102).

A supervisor learning of any work-related injury, illness or accident shall promptly prepare the Report of On the Job Injury Form as outlined in this policy. The supervisor shall also complete a Supervisors Investigation Report detailing the event. Updated copies of forms with instructions for completion provided by Risk Management are located on the NIC.

All work-related injuries or illnesses are to be reported, regardless of the severity of the injury. The completed form shall be forwarded to the supervisor's Division Commander through the chain of command.

Every injured employee must be provided with a Workers' Claim for Workers' Compensation Benefits Form within 24 hours, regardless of the nature of illness or injury.

Copies of any reports documenting the accident or injury should be forwarded to the Division Commander as soon as completed.

1017.2.5 DIVISION COMMANDER RESPONSIBILITIES

The Division Commander receiving a report of a work-related accident or injury should review the report for accuracy and determine what additional action should be taken. The report shall then be forwarded to the Chief of Police.

1017.2.6 CHIEF OF POLICE RESPONSIBILITIES

The Chief of Police or the authorized designee shall ensure that a printed card notifying employees of their responsibility to report a workplace injury is displayed at all times in a prominent place in the workplace pursuant to CRS § 8-43-102.

The Chief of Police shall review and forward copies of the Report of On the Job Injury Form to the Human Resources. Any copies of the report and any related documents retained by the Department shall be filed in the employee's private medical file and not in the employee's personnel file (see Personnel Files Policy).

On-Duty Injuries

1017.3 INJURY NOT REQUIRING MEDICAL ATTENTION

Injuries and illnesses not requiring medical attention shall be recorded on a Report of On the Job Injury Form. This form shall be completed and signed by a supervisor.

This form shall be signed by the affected employee, indicating that he/she desired no medical attention at the time of the report. By signing this form, the employee will not preclude his/her ability to seek medical attention later.

1017.4 SETTLEMENT OF INJURY CLAIMS

Occasionally, an employee's work-related injury results from the negligent or wrongful acts of another, the losses for which the employee, the City and/or other insurers are entitled to recover civilly. To ensure that the City's interests are protected and that the employee has the benefit of the City's experience in these matters, the following procedure is to be followed.

1017.4.1 EMPLOYEE TO REPORT INITIAL CONTACTS

When an employee sustains work-related injuries caused by another person and is then approached by such person or an agent, insurance company or attorney and offered a settlement of claims, that employee shall take no action other than to make a written report of this contact to his/her supervisor as soon as practicable.

1017.4.2 NO SETTLEMENT WITHOUT PRIOR APPROVAL

No less than 10 days prior to accepting and finalizing the settlement of any third-party claim arising out of or related to an on-duty injury, the employee shall provide the Chief of Police with written notice of the proposed terms of such settlement.

In no case shall the employee accept a settlement without first giving such written notice to the Chief of Police. The purpose of the notice is to permit the City to determine whether the offered settlement will affect any claim the City may have regarding payment for damage to equipment or reimbursement for wages against the person who caused the accident or injury, and to protect the City's right of subrogation, while ensuring that the employee's rights to receive compensation for injuries are not affected.

Personal Appearance Standards

1018.1 PURPOSE AND SCOPE

To project uniformity and neutrality toward the public and other members of the Northglenn Police Department, employees shall maintain their personal hygiene and appearance to project a professional image appropriate for this Department and for their assignment.

1018.2 GROOMING STANDARDS

Unless otherwise stated and because deviations from these standards could present officer safety issues, the following appearance standards shall apply to all employees, except those whose current assignment would deem them not appropriate, and where the Chief of Police has granted exception.

1018.3 HAIR

Hairstyles of all employees shall be of natural color(s) and neat in appearance. Bulk and appearance shall not be excessive, ragged or unkempt.

For sworn male officers, hair shall be of such length, and styled in such a manner so it does not cover the eyebrow nor extend over the ear, nor touch the top of the shirt collar.

For sworn female officers, hair shall not be grown to a length that extends below the waist when the employee is standing upright. In all cases, hair must be worn in one of the following way:

- (a) If the officer intends to wear their hair down while in uniform, it may not extend below the bottom line of the back of the uniform collar.
- (b) Hair that extends below the bottom line of the back of the uniform collar, shall be worn up in a tightly wrapped bun, braid or ponytail that does not hang below the midpoint of the center of the back. Bobby pins or other hair clips will be neat and inconspicuous.
- (c) Sworn female personnel not in uniform may wear their hair down so long as it does not extend below the level of their elbow when the employee is standing upright.

1018.4 FACIAL HAIR

Employees may grow a full beard, goatee or mustache at any time so long as it is grown in a manner that does not interfere with the proper deployment and functioning of required equipment. Sworn personnel are not permitted to simply go unshaven, as it is the intent of this policy to approve those seeking to grow a clean, well-groomed, and professional looking beard, goatee or mustache.

Employees must provide written notice of their intent to grow a beard or goatee to their supervisor prior to starting to grow a beard or goatee. Stubble or unshaven look is only allowed during the time the beard or goatee is growing out. If the employee shaves the beard or goatee, written notice must again be provided to their supervisor prior to starting to regrow a beard or goatee.

In order to respect and honor the tradition of the position, members of the Honor Guard may not have a beard or goatee while performing official Honor Guard functions in Honor Guard Uniforms.

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The Chief of Police may, at his discretion, require uniformed personnel to be clean shaven for special events including, but not limited to, funerals and memorials or planned deployments that may require personnel to wear gas masks or SCBA's for extended periods of time.

If a supervisor feels that an employee's facial hair does not fall within the limits of this policy, they will request the employee shave immediately.

1018.4.1 BEARDS

Beards shall be professional in nature and worn in conjunction with a mustache. Beards shall not protrude more than one quarter of an inch (1/4) from any part of the face. Beards must be trimmed along the cheekbones, neck, and throat, and must be kept clean at all times. Beards shall not present a clumpy, patchy, scraggly, sparse, or otherwise unprofessional appearance.

Beards shall not contain any shaved designs or have any beads, jewelry, or ornamentation displayed in them.

1018.4.2 GOATEES

Goatees shall be professional in nature and worn in conjunction with a mustache. Goatees shall not protrude more than three quarters of an inch (3/4 inch) from any part of the face. Goatees must be trimmed along the cheekbones, neck, and throat, and must be kept clean at all times.

Chin Puffs (Chin only) and Soul Patches (single patch of facial hair between the lower lip and chin) are prohibited.

Goatees shall not contain any shaved designs or have any beads, jewelry, or ornamentation displayed in them.

1018.4.3 MUSTACHES

Mustaches shall not extend more than one quarter of an inch (1/4 inch) below the corner of the mouth and must be kept trimmed and clean at all times.

Mustaches may not be waxed or twisted.

1018.4.4 SIDEBURNS

Sideburns shall not extend below the bottom of the outer ear opening (the top of the earlobes) and must be kept trimmed and clean at all times.

Flared sideburns are not permitted.

1018.5 FINGERNAILS

Fingernails extending beyond the tip of the finger can pose a safety hazard to officers or others. For this reason, fingernails shall be trimmed so that no point of the nail extends more than one quarter of an inch (1/4) beyond the tip of the finger.

Sworn personnel may paint their fingernails so long as all fingernails are painted and of the same color.

Personal Appearance Standards

1018.6 JEWELRY AND ACCESSORIES

No jewelry or personal ornaments shall be worn by uniformed personnel, including investigators, on any part of the uniform or equipment, except those authorized within this manual. Jewelry worn by sworn personnel on duty in uniform shall not be visible above the shirt collar.

Earrings shall not be worn by sworn male uniformed officers or investigators.

Sworn female uniformed officers may wear small earrings with a post or clip on the back. Earrings must be worn in pairs and only one earring will be worn in each ear.

Non-Sworn employees and sworn officers not in uniform may wear dangling or hoop style earrings so long as they do not hang more than one and one half inch (1 1/2) below the bottom of the earlobe.

1018.7 TATTOOS

Employees may have tattoos below the elbow while wearing short-sleeve shirts. With the exception of cosmetic eyeliner, neck, face, and hand tattoos are prohibited.

Prior to displaying any tattoo, employees must submit a photograph of the tattoo accompanied by a memorandum requesting a review and approval of the tattoo(s) through your chain-of-command to the Chief of Police.

Employees shall wear long-sleeves or Class A uniform for jury trials.

The Chief of Police has the authority to order employees to cover tattoos that are deemed offensive or present an unprofessional appearance or are excessive in nature. If deemed as such and while in uniform or on duty, employees shall cover the tattoo by wearing a long sleeve shirt.

1018.8 BODY PIERCING OR ALTERATION

Body piercing or alteration to any area of the body that is visible in any authorized uniform or attire, and is a deviation from normal anatomical features and that is not medically required is prohibited. Such body alteration includes, but is not limited to, the following:

- (a) Abnormal shaping of the ears, eyes, nose or teeth
- (b) Complete or transdermal implantation of any material other than hair replacement or breast augmentation
- (c) Scarification
- (d) Tongue splitting or piercing

Police Uniform Regulations

1019.1 PURPOSE AND SCOPE

The uniform policy of the Northglenn Police Department is established to ensure that uniformed officers, special assignment personnel and civilian employees will be readily identifiable to the public through the proper use and wearing of Department uniforms. Employees should also refer to the following associated policies:

- Firearms Policy
- Department-Owned and Personal Property Policy
- Body Armor Policy
- Personal Appearance Standards Policy

The Northglenn Police Department uniform specifications and procedures are maintained and periodically updated by the Chief of Police or the authorized designee and should be consulted regarding authorized equipment and uniform specifications.

The Northglenn Police Department will provide uniforms for all employees who are required to wear them in the manner, quantity and frequency agreed upon in the respective employee group's collective bargaining agreement.

1019.2 WEARING AND CONDITION OF UNIFORM AND EQUIPMENT

Police employees wear the uniform to be identified as the law enforcement authority in society. The uniform also serves an equally important purpose, which is to identify the wearer as a source of assistance in an emergency, crisis or other time of need.

1. Uniform and equipment shall be maintained in a serviceable condition and shall be ready at all times for immediate use. Uniforms shall be neat, clean and appear professionally pressed
2. All peace officers of this department shall possess and maintain at all times a serviceable uniform and the necessary equipment to perform uniformed field duty
3. Personnel shall wear only the uniform specified for their rank and assignment
4. Employees shall not loan any portion of the uniform to others, except in emergency situations
5. Employees shall not permit the uniform to be reproduced or duplicated
6. The uniform is to be worn in compliance with the specifications set forth in the Department's uniform specifications and procedures, which are maintained separately from this policy
7. All supervisors will perform periodic inspections of their personnel to ensure conformance to the Northglenn Police Department uniform specifications and procedures

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8. Civilian attire shall not be worn in combination with any distinguishable part of the uniform
9. Uniforms are only to be worn while on-duty, while in transit to or from work, for court or at other official Department functions or events
10. Employees are not to purchase or drink alcoholic beverages while wearing any part of the Department uniform, including the uniform pants
11. Visible jewelry, other than those items listed below, shall not be worn with the uniform, unless specifically authorized by the Chief of Police or the authorized designee
 - (a) Wrist watch
 - (b) Wedding rings, class ring or other ring of tasteful design; a maximum of one ring/set may be worn on each hand
 - (c) Medical alert bracelet
 - (d) Sworn female uniformed officers may wear small earrings with a post or clip on the back. Earring must be worn in pairs and only one earring will be worn in each ear.
 - (e) Non-sworn female employees and sworn female officers not in uniform may wear dangling or hoop style earrings so long as they do not hang more than one and one-half inch (1 1/2") below the bottom of the earlobe.

1019.2.1 DEPARTMENT-ISSUED IDENTIFICATION

The Department issues each employee an official Department identification card bearing the employee's name, identifying information and photo likeness. All employees shall be in possession of their department-issued identification card at all times while on-duty or when carrying a concealed weapon.

- (a) Whenever on-duty or acting in an official capacity representing the Department, employees shall display their department-issued identification in a courteous manner to any person upon request and as soon as practicable.
- (b) Officers working specialized assignments may be excused from the requirements regarding the possession and display of identification when directed by their Division Commander.

1019.3 UNIFORM CLASSES

The various uniform specification classes are those identified in this policy.

1019.3.1 CLASS A UNIFORM

The Class A uniform is to be worn on special occasions, such as funerals, graduations, promotions, ceremonies or as directed. The Class A uniform is required for all certified officers. The Class A uniform includes the standard issue uniform with the following:

- (a) Long sleeve shirt with tie
- (b) Polished shoes

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The campaign hat may be worn for events held outdoors. Boots with pointed toes are not permitted.

1019.3.2 CLASS B UNIFORM

All officers will possess and maintain a serviceable Class B uniform at all times.

The Class B uniform will consist of the same garments and equipment as the Class A uniform with the following exceptions:

- (a) The long or short-sleeve shirt may be worn with the collar open. No tie is required
- (b) A black crew neck undershirt must be worn with the uniform
- (c) All shirt buttons must remain buttoned except for the last button at the neck
- (d) Polished shoes; approved all-black unpolished shoes may be worn
- (e) Boots with pointed toes are not permitted

1019.3.3 SPECIAL EVENTS UNIFORM

The special events uniform may be established to allow field personnel cooler clothing during the summer months or for special duty assignments. The Chief of Police will establish the regulations and conditions for wearing the special events uniform and its specifications.

1019.3.4 SPECIALIZED UNIT UNIFORMS

The Chief of Police may authorize special uniforms to be worn by officers in specialized units, such as Canine Team, SWAT, CNT, bicycle patrol, motor officers and other specialized assignments.

1019.3.5 FOUL WEATHER GEAR

The uniform and equipment specifications manual lists the authorized uniform jacket and rain gear.

1019.4 INSIGNIA AND PATCHES

1. The authorized shoulder patch supplied by the Department shall be machine stitched to the sleeves of all uniform shirts and jackets, 3/4 of an inch below the shoulder seam of the shirt, and be bisected by the crease in the sleeve
2. Service stripes indicating 5 years of service may be worn on long-sleeve shirts and jackets. They are to be machine stitched onto the uniform. The bottom of the service stripe shall be sewn 1 1/2 inches above the cuff seam with the rear of the service stripes sewn on the dress of the sleeve. The stripes are to be worn on the left sleeve only
3. The regulation nameplate, or an authorized sewn-on cloth nameplate, shall be worn at all times while in uniform. The nameplate shall display the employee's first initial and last name. The nameplate shall be worn and placed above the right pocket located in the middle, bisected by the pressed shirt seam, with equal distance from both sides of the nameplate to the outer edge of the pocket
4. When a jacket is worn, the nameplate or an authorized sewn-on cloth nameplate shall be affixed to the jacket in the same manner as the uniform

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5. Assignment insignias, (e.g., SWAT, FTO or similar) may be worn as designated by the Chief of Police or the authorized designee
6. An American flag pin may be worn, centered on the left pocket flap with stars inward
7. departmentThe department-issued badge, or an authorized sewn-on cloth replica, must be worn and be visible at all times while in uniform. Certified non-uniformed personnel will wear or carry their badge in a manner that the badge is in reasonable proximity to their firearm and able to be displayed whenever appropriate
8. The designated insignia indicating the employee's rank must be worn at all times while in uniform. The Chief of Police or the authorized designee may authorize exceptions

1019.4.1 MOURNING BADGE BAND

Uniformed employees may wear a black mourning band across the uniform badge whenever a law enforcement officer is killed in the line of duty. The following mourning periods will be observed:

- (a) An officer of this department - From the time of death until midnight on the 14th day after the death.
- (b) A peace officer from this state - From the time of death until midnight on the day of the funeral.
- (c) Funeral attendee - While attending the funeral of a fallen peace officer.
- (d) National Peace Officers Memorial Day (May 15) - From midnight through the following midnight.
- (e) As directed by the Chief of Police or the authorized designee.

1019.5 RELIGIOUS EXEMPTIONS

Employees may request exemptions based on religious beliefs in order to wear articles of faith while on-duty or observe religious grooming customs from the Chief of Police, through their chain of command. The Chief of Police, or an authorized designee, shall review each request on a case-by-case basis considering any potential safety issues and operational concerns that the article of faith or religious grooming custom may present to the employee or public.

Such requests shall be submitted in writing and shall include the employee's name, present assignment, and the reason why an exemption is being requested.

If the employee is not satisfied with the ruling, the employee may request a meeting with the Chief of Police or the authorized designee to personally present their reason for the exemption or objections to the specific nature of the approval or denial.

Employees who are granted an exception and are approved to wear an article of faith in addition to or in place of the uniform required by Northglenn Police Department policy shall bear all costs associated with procuring and maintaining their article of faith.

Articles of faith that are currently approved by the Chief of Police are as follows:

- (a) Employees of the Sikh faith may wear a turban exclusively, at all times, unless otherwise directed or not permissible due to their assigned duty (e.g., when wearing a

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motor helmet). In instances where a Sikh employee is required to wear a motor helmet, a smaller “under-turban” may be worn under the helmet.

1. Employees who wear Sikh turbans shall ensure that:
 - (a) Their hair is groomed and secured under their turban
 - (b) The Northglenn Police Department hat badge is pinned to and centered on the front of the turban
 - (c) The turban fits snugly on the head so that the top peak of the turban is facing toward the front
 - (d) The turban is the same color as the headgear corresponding to Northglenn Police Department uniform requirements
 - (e) Employees of the Sikh faith may wear a Kara (i.e., steel bracelet) as long as the Kara does not interfere with the ability of the employee to perform police duties
 - (f) Employees of the Sikh faith who carry a Kirpan (i.e., religious sword) shall ensure the Kirpan as a blade-length no longer than three inches and is worn in a cloth holster (i.e., “Gatra”) under the uniform shirt
 - (g) Bearded employees of the Sikh faith shall groom their beard and mustache in a neat and clean manner and tie their beard in a knot that is tucked and held in place under the chin
- (b) Employees of the Muslim faith may wear a hijab exclusively, at all times
 1. Employees wearing a hijab shall ensure that:
 - (a) The hijab is the same color as the headgear corresponding to Northglenn Police Department uniform requirements
 - (b) The hijab fits snugly on the head. Employees who wear a hijab may elect to wear a specifically modified hijab with clasps that allow it to come off easily
 - (c) Headgear is worn on top of the hijab, when required

1019.6 CIVILIAN ATTIRE

There are assignments within the Department that do not require wearing a uniform because recognition and authority are not essential to their function. There are also assignments in which wearing civilian attire is necessary.

1. All employees shall wear clothing that fits properly, is clean and free of stains and not damaged or excessively worn.
2. Records personnel shall wear an NPD insignia approved uniform shirt. This will be either the official polo or dress shirt, in approved colors by the Chief. Sweaters or jackets may be worn with NPD insignia. An insignia must be visible when dealing with the public. With the uniform shirt, records personnel may wear dresses, slacks, or 7/8 (cropped pants -where bottom of pants sits just above the ankle). Leggings of

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moderate business colors may be worn, but only when the accompanying shirt falls below the hip line.

3. All male administrative, investigative and support personnel who elect to wear civilian clothing to work shall wear button-style shirts with a collar, slacks or suits that are moderate in style.
4. All female administrative, investigative and support personnel who elect to wear civilian clothes to work shall wear dresses, slacks or pants, 7/8 pants where the hem sits just above the ankle, longer shirts, blouses or suits that are moderate in style. Flats, loafers, boots, clogs or mules that have a closed heel or dress shoes with a heel no higher than 3" are approved for non-sworn employees.
5. Sworn employees who wear plain clothes, when not in the field, may wear flats, loafers, boots, clogs or mules that have a closed heel or dress shoes with a heel no higher than 2" are approved for plain clothes sworn.
6. Denim/Jean pants of blue or black color are approved only for Jean day (designated by Chief) or worn for non-office duties at the direction of a supervisor. The Denim/Jeans may not have holes, tears or fraying, even if they were purchased as such.
7. The following items shall not be worn on-duty:
 - (a) Open toe or peek-a-boo toe dress shoes
 - (b) Stiletto shoes
 - (c) Flip flops or casual sandals
 - (d) Swimsuit, tube tops or halter tops, or t-shirt alone
 - (e) Spandex type pants, yoga pants, or see-through clothing
 - (f) Distasteful printed slogans, buttons or pins
 - (g) Shorts
 - (h) Sweatshirts, sweatpants or similar exercise clothing, unless worn for training at the direction of the instructor
8. Variations from this order are allowed at the discretion of the Chief of Police or the authorized designee when the employee's assignment or current task is not conducive to wearing such clothing.
9. No item of civilian attire may be worn on-duty that would adversely affect the reputation of the Northglenn Police Department or the morale of the employees.
10. Certified employees carrying firearms while wearing civilian attire should wear clothing that effectively conceals the firearm when outside a controlled law enforcement facility or work area.

1019.7 POLITICAL ACTIVITIES, ENDORSEMENTS, ADVERTISEMENTS OR OTHER APPEARANCES IN UNIFORM

Unless specifically authorized by the Chief of Police, Northglenn Police Department employees may not wear any part of the uniform, be photographed wearing any part of the uniform, utilize

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department badge, patch or other official insignia, or cause to be posted, published or displayed, the image of another employee, or identify him/herself as an employee of the Northglenn Police Department to do any of the following:

- (a) Endorse, support, oppose or contradict any political campaign or initiative
- (b) Endorse, support, oppose or contradict any social issue, cause or religion
- (c) Endorse, support or oppose, any product, service, company or other commercial entity
- (d) Appear in any commercial, social or nonprofit publication, or any motion picture, film, video, public broadcast, photo, any website or any other visual depiction

1019.8 OPTIONAL EQUIPMENT - MAINTENANCE AND REPLACEMENT

- 1. Any of the items listed in the uniform and equipment specifications manual as optional shall be purchased at the expense of the employee.
- 2. Maintenance of optional items shall be the financial responsibility of the purchasing employee (e.g., repairs due to normal wear and tear).
- 3. Replacement of items listed in this order as optional shall be done as follows:
 - (a) When the item is no longer functional because of normal wear and tear, the employee bears the full cost of replacement
 - (b) When the item is no longer functional because of damage in the course of the employee's duties, it may be replaced following the procedures for the replacement of damaged personal property outlined in the Department-Owned and Personal Property Policy

1019.9 UNAUTHORIZED UNIFORMS, EQUIPMENT AND ACCESSORIES

Northglenn Police Department employees may not wear any uniform item, accessory or attachment unless specifically authorized in the uniform and equipment specifications manual or by the Chief of Police or the authorized designee.

Northglenn Police Department employees may not use or carry any tool or other piece of equipment unless specifically authorized in the uniform and equipment specifications manual or by the Chief of Police or the authorized designee.

Nepotism and Employment Conflicts

1020.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure effective supervision, safety, security, performance, assignments and discipline while maintaining positive morale by avoiding actual or perceived favoritism, discrimination or other actual or potential conflicts of interest by or between members of this department.

1020.1.1 DEFINITIONS

Definitions related to this policy include:

Relative - An employee's parent, stepparent, spouse, domestic partner, significant other, child (natural, adopted or step), sibling or grandparent.

Personal relationship - Includes marriage, cohabitation, dating or any other intimate relationship beyond mere friendship.

Business relationship - Serving as an employee, independent contractor, compensated consultant, owner, board member, shareholder or investor in an outside business, company, partnership, corporation, venture or other transaction where the employee's annual interest, compensation, investment or obligation is greater than \$250.

Conflict of interest - Any actual, perceived or potential conflict of interest in which it reasonably appears that an employee's action, inaction or decisions are or may be influenced by the employee's personal or business relationship.

Supervisor - An employee who has temporary or ongoing direct or indirect authority over the actions, decisions, evaluation and/or performance of a subordinate employee.

Subordinate - An employee who is subject to the temporary or ongoing direct or indirect authority of a supervisor.

1020.2 RESTRICTED DUTIES AND ASSIGNMENTS

While the Department will not prohibit personal or business relationships between employees, the following restrictions apply:

- (a) Employees are prohibited from directly supervising, occupying a position in the line of supervision or being directly supervised by any other employee who is a relative or with whom they are involved in a personal or business relationship.
 1. If circumstances require that such a supervisor/subordinate relationship exist temporarily, the supervisor shall make every reasonable effort to defer matters involving the involved employee to an uninvolved supervisor.
 2. When personnel and circumstances permit, the Department will attempt to make every reasonable effort to avoid placing employees in such supervisor/subordinate situations. The Department reserves the right to transfer or reassign

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any employee to another position within the same classification as it may deem necessary in order to avoid conflicts with any provision of this policy.

- (b) Employees are prohibited from participating in, contributing to or recommending promotions, assignments, performance evaluations, transfers or other personnel decisions affecting an employee who is a relative or with whom they are involved in a personal or business relationship.
- (c) Whenever reasonably possible, Field Training Officers (FTOs) and other trainers will not be assigned to train relatives. FTOs and other trainers are prohibited from entering into or maintaining personal or business relationships with any employee they are assigned to train until such time as the training has been successfully completed and the employee is off probation.
- (d) To avoid actual or perceived conflicts of interest, members of this department shall refrain from developing or maintaining personal or financial relationships with victims, witnesses or other individuals during the course of, or as a direct result of, any official contact.
- (e) Except as required in the performance of official duties or in the case of immediate relatives, employees shall not develop or maintain personal or financial relationships with any individual they know or reasonably should know is under criminal investigation, or is a convicted felon, parolee, fugitive, registered offender or who engages in intentional violations of state or federal laws.

1020.2.1 EMPLOYEE RESPONSIBILITIES

All employees are required to adhere to state guidelines and to disclose of conflicts of interest as required by law (Colorado Constitution Article XXIX, CRS § 18-8-308, CRS § 24-18-104 and CRS § 24-18-105).

Prior to entering into any personal or business relationship or other circumstance that the employee knows or reasonably should know could create a conflict of interest or other violation of this policy, the employee shall promptly notify his/her uninvolved, immediate supervisor.

Whenever any employee is placed in circumstances that would require the employee to take enforcement action or provide other official information or services to any relative or other individual with whom the employee is involved in a personal or business relationship, the employee shall promptly notify his/her uninvolved immediate supervisor. In the event that no uninvolved supervisor is immediately available, the employee shall promptly notify Adams County Communications Center to have another uninvolved employee either relieve the involved employee or minimally remain present to witness the action.

1020.2.2 SUPERVISOR RESPONSIBILITIES

Upon being notified of or becoming aware of any circumstance that could result in or constitute an actual or potential violation of this policy, a supervisor shall take all reasonable steps to mitigate or avoid such violations whenever reasonably possible. Supervisors shall also promptly notify the

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Chief of Police or the authorized designee of such actual or potential violations through the chain of command.

Department Badges

1021.1 PURPOSE AND SCOPE

A Northglenn Police Department badge and uniform patch as well as the likeness of these items and the name of the Northglenn Police Department are property of the Department and their use shall be restricted as set forth in this policy.

1021.2 POLICY

The uniform badge shall be issued to Department members as a symbol of authority. The use and display of Department badges shall be in strict compliance with this policy. Only authorized badges issued by this department shall be displayed, carried or worn by members while on-duty or otherwise acting in an official or authorized capacity.

1021.2.1 FLAT BADGE

Certified officers, with the written approval of the Chief of Police or the authorized designee, may purchase at their own expense a flat badge that can be carried in a wallet. The use of the flat badge is subject to all the same provisions of Department policy as the uniform badge.

- (a) An officer may sell, exchange or transfer the flat badge he/she purchased to another officer within the Northglenn Police Department with the written approval of the Chief of Police or the authorized designee.
- (b) Should the flat badge become lost, damaged or otherwise removed from the officer's control, he/she shall make the proper notifications as outlined in the Department-Owned and Personal Property Policy.
- (c) An honorably retired officer who served for 5 or more years, may keep his/her flat badge upon retirement with approval of the Chief of Police.
- (d) The purchase, carrying or display of a flat badge is not authorized for civilian personnel.

1021.2.2 CIVILIAN PERSONNEL

Badges and Department identification cards issued to civilian personnel shall be clearly marked to reflect the position of the assigned employee (e.g. PSR, CSI, Evidence Technician).

- (a) Civilian personnel shall not display any Department badge except as a part of his/her uniform and while on-duty or otherwise acting in an official and authorized capacity.
- (b) Civilian personnel shall not display any Department badge or represent him/herself, on- or off-duty, in such a manner which would cause a reasonable person to believe that he/she is a certified officer.

1021.2.3 RETIREE UNIFORM BADGE

Upon honorable retirement, (15 plus years) and approval of the Chief of Police, employees may keep their assigned duty badge for display purposes. It is the discretion of the Chief of Police to determine if the employee will be required to purchase their badge from the department with

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less than 15 years with the department. It is intended that the duty badge be used only as private memorabilia, as other uses of the badge may be unlawful or in violation of this policy.

1021.3 UNAUTHORIZED USE

Except as required for on-duty use by current employees, no badge designed for carry or display in a wallet, badge case or similar holder shall be issued to anyone other than a current or honorably retired peace officer.

Department badges are issued to all certified employees and civilian uniformed employees for official use only. The Department badge, shoulder patch or the likeness thereof, or the Department name shall not be used for personal or private reasons including, but not limited to, letters, memoranda and electronic communications, such as electronic mail or websites and web pages.

The use of the badge, uniform patch and Department name for all material (e.g., printed matter, products or other items) developed for Department use shall be subject to approval by the Chief of Police or the authorized designee.

Employees shall not loan the badge or identification card to others and shall not permit the badge or identification card to be reproduced or duplicated.

1021.4 PERMITTED USE BY EMPLOYEE GROUPS

The likeness of the Department badge shall not be used without the express authorization of the Chief of Police or the authorized designee and shall be subject to the following:

- (a) The employee associations may use the likeness of the Department badge for merchandise and official association business, provided it is used in a clear representation of the association and not the Northglenn Police Department. The following modifications shall be included:
 - 1. The text on the upper and lower ribbons is replaced with the name of the employee association.
 - 2. The badge number portion displays the acronym of the employee association.
- (b) The likeness of the Department badge for endorsement of political candidates shall not be used without the express approval of the Chief of Police or the authorized designee.

Modified-Duty Assignments

1022.1 PURPOSE AND SCOPE

The purpose of this policy is to establish procedures for assigning employees to modified duty. Temporary modified-duty assignments may be available to employees who have incurred a duty-related illness or injury and due to restrictions or limitations are unable to perform their regular assigned duties. Non-duty related illnesses or injuries may also be considered for eligibility in accordance with this policy. Eligibility for modified-duty assignment is subject to the approval of the Chief of Police or the authorized designee.

Modified-duty assignments are intended to provide an employee with the ability to continue working within the limits of his/her restrictions and limitations on a temporary basis while providing the Department with a productive employee during the interim.

The Department will engage in a good faith interactive process to consider reasonable accommodations for any employee with a temporary or permanent disability.

1022.2 DEFINITIONS

Definitions related to this policy include:

Modified duty - A temporary limited-term assignment not requiring performance of the full range of duties associated with the regular job classification. Modified-duty also may be termed as light-duty assignments.

1022.3 LIMITATIONS

Modified-duty assignments are a management prerogative and not an employee right. Modified-duty assignments shall be subject to continuous reassessment dependent upon Department need and the employee's ability to perform in a modified-duty capacity.

An injured employee may be assigned to a modified-duty position outside of his/her normal assignment or duties if it becomes available. If the injury or illness is not duty related, the employee shall be given the option to either accept the position or continue to draw on applicable sick leave or other leave accounts as applicable.

- (a) If an employee cannot adequately perform in a modified-duty assignment, such assignment may be modified or terminated.
- (b) The lack of Department need or a change in priorities may result in the employee's removal from or modification of a modified-duty assignment.
- (c) The Department may place conditions as deemed appropriate upon any modified-duty assignment.
- (d) Officers on a limited duty status shall not carry a firearm in a limited duty assignment. At the discretion of their commanding officer they may carry a firearm in a concealed

Modified-Duty Assignments

manner only, when they are performing a limited duty assignment outside the department facility.

1022.4 PROCEDURE

Employees may request assignment to modified-duty by providing a signed statement from their health care provider describing their restrictions, limitations and expected duration to Human Resources. The statement must also indicate if the employee requires any workplace accommodations, mobility aids or medical devices. A Human Resource representative will, in turn, notify the Division Commander of the request and any workplace accommodations.

The Division Commander will determine what modified-duty assignments may be available based on the needs of the Department, the limitations of the employee and the suitability of the employee to work a particular assignment. Requests for a modified-duty assignment of 20 hours or less may be approved and facilitated by the Shift Sergeant or Division Commander. Assignments of longer duration are subject to the approval of the Chief of Police or the authorized designee.

1022.4.1 MODIFIED-DUTY SCHEDULES

The schedules of employees assigned to modified-duty may be adjusted to suit medical appointments or Department needs at the discretion of the Division Commander.

The employee and his/her supervisors should be informed in writing of the schedule, assignment, limitations and restrictions as determined by the employee's health care provider.

1022.4.2 ACCOUNTABILITY

The employee's supervisor shall coordinate efforts to ensure proper time accountability.

- (a) Employees on modified-duty are responsible for coordinating required doctor visits and physical therapy appointments in advance with their supervisor to appropriately account for any duty time taken. Doctor visits and appointments for treatment of injuries or illnesses that are not work related shall be arranged during off-duty time or otherwise charged to the employee's sick leave.
- (b) Employees shall promptly submit a status report for each visit to their treating health care provider and shall immediately notify Human Resources of any change in restrictions or limitations as determined by their health care provider. An employee assigned to a modified-duty assignment shall provide a duty status report to Human Resources no less than once every 30 days while the employee is on modified duty.
- (c) Human Resources staff will keep the Division Commander apprised of the employee's status and ability to perform the modified-duty assignment. Modified-duty assignments that extend beyond 60 days will require a written status report and a request for an extension to the Division Commander, with an update of the employee's current status and anticipated date of return to regular duty. Extensions require approval of the Chief of Police or the authorized designee.

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- (d) When it is determined that an employee on modified duty will return to regular duty, the supervisor shall notify the Division Commander. All training and certification necessary for return to duty shall be reviewed and updated as necessary.

1022.4.3 MEDICAL EXAMINATIONS

The Department reserves the right to require, prior to returning to full-duty status, a fitness-for-duty examination of any employee assigned to a modified-duty assignment or of any employee having been on such assignment. Such examinations shall be at the expense of the Department.

Prior to returning to full-duty status, employees shall be required to provide a statement signed by their health care provider indicating that they are medically cleared to perform the basic and essential job functions of their assignment without restriction or limitation.

1022.5 PREGNANCY

It is the policy of the Department to reassign employees who are pregnant upon request by the employee or when deemed necessary by the Department to temporary assignments that will not routinely expose the employee to potentially hazardous environments or activities.

1022.5.1 EMPLOYEE NOTIFICATION

An employee who learns of her pregnancy should notify her immediate supervisor as soon as practicable. The employee must inform Human Resources of her intent regarding reassignment, job accommodations and anticipated leave for the pregnancy or prenatal care. The employee shall also submit a statement from her health care provider of any job restrictions or limitations she may have.

1022.5.2 SUPERVISOR'S RESPONSIBILITY

Upon receiving the medical verification of the pregnancy and a request for job accommodation, reassignment or leave, the supervisor shall notify the Division Commander, who will consider assigning the employee to an available temporary modified-duty assignment if it is deemed appropriate by the Department and medically necessary by the employee's health care provider.

If at any point during the pregnancy it becomes necessary for the employee to take a leave of absence, such leave shall be granted consistent with the City's personnel rules and regulations regarding family and medical care leave.

1022.6 PROBATIONARY EMPLOYEES

Probationary employees who are assigned to a temporary modified-duty assignment shall have their probation extended by a period of time equal to the employee's assignment to modified duty.

1022.7 MAINTENANCE OF CERTIFICATION AND TRAINING

Employees assigned to modified-duty shall maintain all certification, training and qualifications appropriate to both their regular and temporary duties, provided the certification, training or qualifications are not in conflict with any limitations or restrictions. Employees who are assigned

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to modified-duty shall inform their supervisor of any inability to maintain any certification, training or qualifications.

Quarterly Chalk Talks

1023.1 PURPOSE AND SCOPE

Quarterly chalk talks are collections of data designed to assist supervisors in evaluating the performance of their employees. Quarterly chalk talks can help identify commendable performance as well as early recognition of training needs and other potential issues. While it is understood that the statistical compilation of data may be helpful to supervisors, it cannot account for and must be carefully balanced with the many variables in law enforcement, such as:

- An officer's ability to detect crime
- An officer's work ethic
- An officer's work assignment and shift
- An officer's physical abilities, stature, etc.
- Randomness of events

1023.2 RESPONSIBILITIES

Under the authority of the Division Commander, the Sergeant is responsible for collecting performance indicators and other relevant data to generate and provide a Yearly Performance Evaluation for each officer to the appropriate Division Commander. Though chalk talks are generated quarterly, each Yearly Performance Evaluation will contain data from a one-year time period.

The Division Commander will also forward a copy of each Yearly Performance Evaluation to the Chief of Police who will sign and forward to Human Resources.

1023.3 COMPONENTS OF PERFORMANCE HISTORY AUDITS

Quarterly Chalk Talks will include the following components:

- (a) Knowledge, Skills and Abilities
 - Performance indicators
 - Data analysis
 - Employee review
- (b) Game plan for following quarter
 - Training requested or required
 - Follow-up monitoring

1023.4 PERFORMANCE INDICATORS

Performance indicators represent the categories of employee performance activity that the Chief of Police or the authorized designee of Northglenn Police Department has determined may be

Quarterly Chalk Talks

relevant data for the generation and analysis of Quarterly Chalk Talks and Yearly Performance Reviews. Performance indicators may include, but are not limited to:

- (a) The frequency and findings of use-of-force incidents.
- (b) Frequency of involvement and conduct during vehicle pursuits.
- (c) Frequency and findings of citizen complaints.
- (d) Number of commendations, compliments and awards (citizen and Department).
- (e) Claims and civil suits related to the employee's actions or alleged actions.
- (f) Internal Affairs investigations.
- (g) Frequency and reasons for case rejections by a prosecutor.
- (h) Intentional or unintentional firearm discharges (regardless of injury).
- (i) Vehicle collisions.
- (j) Missed court appearances.
- (k) Documented counseling memos.
- (l) Self-initiated work product
- (m) Case management and follow up
- (n) Investigative abilities
- (o) Ad hoc assignments

1023.5 COMPILATION OF DATA

The employees sergeant or supervisor will utilize secure systems and other methods to compile and track performance indicators for each officer during each quarter in order to prepare a Quarterly Chalk Talk and Yearly Performance Review.

1023.6 EMPLOYEE NOTIFICATION AND RESPONSE

The employee's supervisor will speak with each officer during the Quarterly Chalk talk about any performance indicator which the supervisor feels is an accomplishment or an area which needs improvement. During the Quarterly Chalk Talk, the employee can voice their comments which can be documented by the supervisor. During the Yearly Performance Review, the employee may submit a written comment regarding each performance indicator. Any such written comment will be attached to the related performance indicator in such a way as to be readily noticed by supervisors reviewing a Yearly Performance Review.

1023.7 CONFIDENTIALITY OF DATA

Information, data and copies of material compiled to develop Quarterly Chalk Talks and Yearly Performance Reviews shall be considered part of the employee's personnel file and will not be

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subject to discovery or release except as provided by law. Access to data in the system will be governed under the same process as access to an officer's personnel file as outlined in the Personnel Files Policy.

1023.8 RETENTION AND PURGING

Except as incorporated in separate training or disciplinary records, all performance indicators and Quarterly Chalk Talks shall be purged from the Supervisors file and all other locations within the Department one year from the date generated. The City Attorney, however, shall retain a copy of Quarterly Chalk Talks for an additional one-year period as attorney work product.

Employee Speech, Expression and Social Networking

1024.1 PURPOSE AND SCOPE

This policy is intended to address issues associated with employee use of social networking sites and to provide guidelines for the regulation and balance of employee speech and expression with the needs of the Department.

Nothing in this policy is intended to prohibit or infringe upon any communication, speech or expression that is protected or privileged under law. This includes speech and expression protected under state or federal constitutions as well as labor or other applicable laws. For example, this policy does not limit an employee from speaking as a private citizen, including acting as an authorized member of a recognized bargaining unit or officer associations, about matters of public concern, such as misconduct or corruption.

Employees are encouraged to consult with their supervisor regarding any questions arising from the application or potential application of this policy.

1024.1.1 APPLICABILITY

This policy applies to all forms of communication including, but not limited to film, video, print media or public speech, use of all Internet services, including the World Wide Web, e-mail, file transfer, remote computer access, news services, social networking, social media, instant messaging, blogs, forums, wikis, video and other file sharing sites.

1024.2 POLICY

Public employees occupy a trusted position in the community, and thus, their statements have the potential to contravene the policies and performance of this department. Due to the nature of the work and influence associated with the law enforcement profession, it is necessary that employees of this department be subject to certain reasonable limitations on their speech and expression. To achieve its mission and efficiently provide service to the public, the Northglenn Police Department will carefully balance the individual employee's rights against the organization's needs and interests when exercising a reasonable degree of control over employee speech and expression.

1024.3 SAFETY

Employees should carefully consider the implications of their speech or any other form of expression when using the Internet. Speech and expression that may negatively affect the safety of Northglenn Police Department employees, such as posting personal information in a public forum, can result in compromising an employee's home address or family ties. Employees should therefore not disseminate or post any information on any forum or medium that could reasonably be expected to compromise the safety of any employee, an employee's family or associates.

Employee Speech, Expression and Social Networking

Examples of the type of information that could reasonably be expected to compromise safety include:

- Disclosing a photograph and name or address of an officer who is working undercover.
- Disclosing the address of a fellow officer.
- Otherwise disclosing where another officer can be located off-duty.

1024.4 PROHIBITED SPEECH, EXPRESSION AND CONDUCT

To meet the organization's safety, performance and public-trust needs, the following are prohibited unless the speech is otherwise protected (for example, an employee speaking as a private citizen, including acting as an authorized member of a recognized bargaining unit or officer associations, on a matter of public concern):

- (a) Speech or expression made pursuant to an official duty that tends to compromise or damage the mission, function, reputation or professionalism of the Northglenn Police Department or its employees.
- (b) Speech or expression that, while not made pursuant to an official duty, is significantly linked to or related to the Northglenn Police Department and tends to compromise or damage the mission, function, reputation or professionalism of the Northglenn Police Department or its employees.
- (c) Speech or expression that could reasonably be foreseen as having a negative impact on the credibility of the employee as a witness. For example, posting statements or expressions to a website that glorify or endorse dishonesty or illegal behavior.
- (d) Speech or expression of any form that could reasonably be foreseen as having a negative impact on the safety of the employees of the Department. For example, a statement on a blog that provides specific details as to how and when prisoner transportations are made could reasonably be foreseen to jeopardize employees by informing criminals of details that could facilitate an escape or attempted escape.
- (e) Speech or expression that is contrary to the canons of the Law Enforcement Code of Ethics as adopted by the Northglenn Police Department.
- (f) Use or disclosure, through whatever means, of any information, photograph, video or other recording obtained or accessible as a result of employment with the Department for financial gain, or data classified as confidential by state or federal law, or any disclosure of such materials without the express authorization of the Chief of Police or the authorized designee.
- (g) Posting, transmitting or disseminating any photographs, video or audio recordings, likenesses or images of department logos, emblems, uniforms, badges, patches, marked vehicles, equipment or other material that specifically identifies the Northglenn

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Police Department on any personal or social networking or other website or web page without the express authorization of the Chief of Police.

- (h) Accessing websites for unauthorized purposes, or use of any personal communication device, game device or media device, whether personally or department-owned, for personal purposes while on-duty, except in the following circumstances:
 - 1. When brief personal communications may be warranted by the circumstances (e.g., informing family of extended hours)
 - 2. During authorized breaks; such usage should be limited as much as practicable to areas out of the sight and sound of the public and shall not be disruptive to the work environment.

In addition, an employee is required to take reasonable and prompt action to remove any content that is in violation of this policy, whether posted by the employee and/or others, from any web page or website maintained by the employee (e.g., social or personal website).

1024.4.1 UNAUTHORIZED ENDORSEMENTS AND ADVERTISEMENTS

While employees are not restricted from engaging in the following activities as private citizens or as authorized members of a recognized bargaining unit or officer associations, employees may not represent the Northglenn Police Department or identify themselves in any way that could be reasonably perceived as representing the Northglenn Police Department in order to do any of the following, unless specifically authorized by the Chief of Police:

- (a) Endorse, support, oppose or contradict any political campaign or initiative
- (b) Endorse, support, oppose or contradict any social issue, cause or religion
- (c) Endorse, support, or oppose any product, service, company or other commercial entity
- (d) Appear in any commercial, social or nonprofit publication or any motion picture, film, video, public broadcast or any website

Additionally, when it can reasonably be construed that an employee, acting in his/her individual capacity or through an outside group or organization (e.g. bargaining group) is affiliated with this department, the employee shall give a specific disclaiming statement that any such speech or expression is not representative of the Northglenn Police Department.

Employees retain their right to vote as they choose, to support candidates of their choice and to express their opinions as private citizens, including as authorized members of a recognized bargaining unit or officer associations, on political subjects and candidates at all times while off-duty. However, employees may not use their official authority or influence to interfere with or affect the result of an election or a nomination for office. Employees are also prohibited from directly or indirectly using their official authority to coerce, command or advise another employee to pay, lend or contribute anything of value to a party, committee, organization, agency or person for political purposes (5 USC § 1502).

Employee Speech, Expression and Social Networking

1024.5 PRIVACY EXPECTATION

Employees forfeit any expectation of privacy with regard to e-mails, texts or anything published or maintained through file-sharing software or any Internet site (e.g., Facebook, MySpace) that is accessed, transmitted, received or reviewed on any department technology system.

The Department reserves the right to access, audit and disclose for whatever reason any message, including attachments, and any information accessed, transmitted, received or reviewed over any technology that is issued or maintained by the Department, including the Department e-mail system, computer network, radio or other communication system or medium or any information placed into storage on any department system or device.

This includes records of all key strokes or web-browsing history made at any department computer or over any department network. The fact that access to a database, service or website requires a user name or password does not create an expectation of privacy if it is accessed through department computers or networks.

1024.6 TRAINING

Subject to available resources, the Department should provide training regarding employee speech and the use of social networking to all members of the Department.

Major Traumatic Incident

1028.1 PURPOSE AND SCOPE

The purpose of this policy is to outline the Department's plan for supporting department personnel and their families when the employee is involved in a Major Traumatic Incident (MTI).

1028.2 POLICY

The police department will maintain a plan designed to support department personnel and their families in the event the employee is involved in a MTI such as, but not limited to, an officer involved shooting, or an on-duty in-custody death. The plan will include procedures for addressing pre-incident, at the scene, and post-incident needs of the employee and their families.

1028.3 PRE-INCIDENT

The Department will provide semi-annual training that incorporates topics surrounding normal and problematic post-traumatic reactions to on-duty MTI.

The Department and the City also offers educational and training programs, as well as additional resources that employees may utilize which include, but are not limited to:

City of Northglenn

- Employee Assistance Program
- Threat Assessment

Department

- In-house Education and Training
- In-House Policy Review
- Peer Support Team
- Department Chaplin

Outside Resources

- Access to Psychological Services
- Outside Training and Educational Classes

1028.4 ON-SCENE

During an officer involved shooting, employees will follow Department Policy 306 - Officer-Involved Shooting. Policy 306 provides the specific guidelines required to handle the immediate physical effects on any employee involved in an officer involved shooting, as well as the procedure for activating the Critical Incident Team to investigate the incident. The District Attorney has outlined the requirements for an officer to assist in an officer involved shooting investigation.

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Major Traumatic Incident

The Department will address the mental health and wellness of any involved employee as part of the outlined medical treatment plan. The plan will ensure that:

- Immediately following the incident, physical and psychological first aid will be provided to involved personnel, including assignment of a companion officer or peer support team member whose focus of support should be on calming stress and reinforcing the officer's sense of safety.
- Upon the involved officer providing a voluntary statement, or declining to provide such statement, the Department should transport the officer to a safe and supportive environment with a companion officer, chaplain, or a supportive peer.
- Involved officer should have the opportunity to contact their family as soon as possible after the incident. If the officer cannot personally make the call, someone should do so on their behalf, preferably someone that knows the family, someone the officer previously chose, or someone serving as the companion officer.

The on-scene actions for any other MTI will follow the guidelines found in Department policy 306 - Officer-Involved Shooting. When the scene has been stabilized, the Department will address the mental health and wellness of the involved employees as part of the medical treatment.

In the event of any MTI, the Peer Support Team Leader will be notified as part of the notification process. The Peer Support Team will follow their protocols as outlined police Department policy 1029 - Peer Support Team.

The employee will be provided the necessary immediate services to assist with the employee's return to duty. Following any MTI, all employees will follow Police Department Policy 302 - Removal from Duty Assignment, to determine their immediate duty status.

1028.5 POST-INCIDENT

The employee will be provided the necessary medical and mental health services to assist with their return to duty.

The employee will be provided the immediate medical attention at a workman's comp service provider or emergency medical services provider as deemed appropriate for the medical services needed.

The employee will be provided psychological services at a provider who deals specifically with law enforcement trauma related incidents.

If the employee's family has been impacted by the MTI, they may also request the assistance of psychological treatment. This service will be at a provider who deals specifically with law enforcement trauma related incidents. They will be provided three visits as part of the post-incident plan. If more than three visits are required as deemed by the service provider, a request will be made to the Chief of Police to continue services.

If the family member wishes additional treatment outside of the service provider's request, they may utilize the City's EAP program for continued services.

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Major Traumatic Incident

1028.5.1 POST-INCIDENT SERVICES

The Police Department provides confidential post-incident support with a qualified mental health professional, as defined by C.R.S. § 16-2.5-402(2), who deals specifically with law enforcement trauma related incidents.

The Police Department provides confidential post-incident support with a qualified mental health professional, as defined by C.R.S. § 16-2.5-402(2), who deals specifically with law enforcement trauma related incidents. The services are confidential and are designed to assist and support the employee in the aftermath of an MTI. The Department will provide ongoing confidential services as needed, as the employee works to return to duty. These services may differ from services required to determine an employee's fitness to return to their duty assignment as outlined in Department policy 1011 - Fitness for Duty.

1028.5.2 MANAGEMENT PLAN

The management plan may determine whether an employee needs temporary leave or duty reassignment during their reintegration plan after an MTI. The management plan will incorporate the Department policies 1022 – Temporary Modified-Duty Assignments and 1101 – Fitness for Duty.

The management plan will determine if the employee should return to the scene of the MTI in order to assist in their psychological recovery.

The management plan also requires in certain cases that an officer qualify with their duty-weapon as is outlined in Department policy 304 - Firearms. Following their qualification, the management plan may outline the need for the officer to participate in a reintegration training plan if necessary.

The management plan will require a confidential follow-up with the employee mental health provider for ongoing care and support.

PEER SUPPORT TEAM

1029.1 PURPOSE AND SCOPE

The Northglenn Police Department recognizes that employees involved in a Major Traumatic Incident may be required to take action which may result in their suffering emotional or psychological trauma. The Peer Support Program is designed to provide non-professional confidential support during times of crisis or emotional trauma to employees who express the need for assistance, or for whom supervisory staff believe could benefit from the Program.

1029.2 PROTECTION UNDER CRS

Peer Support Team Members are protected under CRS 13-90-107(m)(I): There are particular relations in which it is the policy of the law to encourage confidence and to preserve it inviolate; therefore, a person shall not be examined as a witness in the following cases:

A law enforcement peer support team member shall not be examined without the consent of the person to whom peer support services have been provided as to any communication made by the person to the peer support team member; nor shall a recipient of individual peer support services be examined as to any such communication without the recipient's consent.

"Communication" means an oral statement, written statement, note, record, report, or document, made during, or arising out of, a meeting with a peer support team member.

"Law enforcement peer support team member" means a peace officer, civilian employee, or volunteer member of a law enforcement agency or other person who has been trained in peer support skills and who is officially designated by a police chief, as a member of a law enforcement agency's peer support team.

This shall apply only to communications made during interactions conducted by a peer support team member: Acting in the person's official capacity as a law enforcement or firefighter peer support team member; and functioning within the written peer support guidelines that are in effect for the person's respective law enforcement agency.

1029.3 DEFINITIONS

Major Traumatic Incident (MTI) - Any incident, which could cause severe physical or mental injury, usually due to an external agent. Situations that may be considered a MTI include, but are not limited to the following:

- Employee involved in the use of deadly force, or in-custody death
- Assault on an employee involving a deadly weapon
- Hostage situation where employee is the victim
- Catastrophic Incident (Airplane crash, Fatal Accident, Flood, etc.)
- Traumatic Investigations such as death investigations, S.I.D.S., or serious motor vehicle accidents

PEER SUPPORT TEAM

- Injury, illness or death of an employee or family member of an employee
- Personal problems in an employee's life such as family or substance abuse issues that are approaching crisis proportions

Mental Health/Psychological Services – Services provided by licensed mental health professionals who specialize in Law Enforcement trauma related incidents.

Peer Support Program (Program) - A program designed to assist in the identification and resolution of employee concerns by offering confidential assistance and resource information to employees during times of personal or professional problems that may adversely affect their personal or professional mental health and wellbeing or job performance.

Peer Support Program Coordinator (Coordinator) - The Coordinator shall function as the primary liaison between Peer Support Team Member, Psychological Services, and the Chief of Police.

This person is responsible for administering the program to include assigning and supervising Peer Support Team Leaders and Team Members in the performance of their duties associated with the support and referral program. This person will interact closely with the Chief for guidance and administrative assistance of the program.

Peer Support Team Leader (Team Leader) - An employee appointed by the Peer Support Coordinator to assist with administrative tasks of the program and to function as the Peer Support Coordinator during the Coordinator's absence.

Peer Supporter: An employee who by virtue of prior experience, training or interest, has expressed a desire and has been selected and trained to provide support for peers.

Peer Support Team Member (Team Member) – Any employee who has been selected or appointed to be part of the Peer Support Team.

1029.4 PEER SUPPORT PROGRAM OBJECTIVES

The Peer Support Program provides services to employees who have faced a traumatic event related to their employment or immediate intervention and assistance during times of crisis. The Program provides input to the Coordinator on any other potential needs of the employee or their family related to a traumatic event. The Program will maintain confidentiality as directed by this policy and state law.

Additionally, the Program assists in:

- Identify services to guide Peers with appropriate referrals
- Developing educational outreach for all employees and their families with extra emphasis on new employees and their families.
- Developing Peer Support personnel who can identify personal conflicts and provide guidance or referrals to professional or alternate resources as required
- Providing emotional support during and after a MTI
- Providing emotional support during and after times of personal or professional crisis

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- Providing personnel to listen, assess, and whenever necessary, refer for professional assistance, employees and their families during times of trauma, grief, or other personal and professional problems
- Educate, promote trust, allow anonymity and preserve confidentiality for employees utilizing the program.

1029.5 ETHICAL ISSUES

- The behaviors and actions of a Team Member reflect on the credibility of this Program. Inappropriate behavior can damage the trust all members place in this Program. Therefore, all team members are expected to be role models in their professional lives, appearance, and off-duty activities.
- Paramount is the personal integrity of each team member and respect for each employee's dignity, self-development, and personal welfare.
- Team members will not exercise power over employees or derive personal gain from helping them. It is unethical for a team member to accept any gift or remuneration from, engage in activities to meet his/her personal needs at the expense of, or to ask for favors or help from employee/family member. A team member's sole reward is the satisfaction of helping a troubled employee/family member.
- In developing trust with an employee/family member, it is beneficial to explain the team member's role and describe what services can and cannot be offered. Team members are primarily caring and attentive listeners, serving as a bridge to helping troubled employees find the professional help they require, and are not tasked to solve the employees' problems for them.
- Team members must be knowledgeable with state statutes and department policy involving confidentiality. They must advise the employee/family member when confidentiality can and must be breached (such as indications of illegal behavior or indication that a clear and imminent danger exists to the employee or others), preferably at the outset of any contact.
- Team members must not enter into a "dual relationship" with employees. These can include: situations where the employee is a subordinate, supervisor, subject officer or panel member of a Disciplinary Review Board, or other process involving the team member. Team members shall avoid situations where the employee's need for peer support stems from an incident involving the team member or any other situations diminishing the team member's ability to remain objective.
- Should any of the above situations arise, the team member shall contact the Coordinator and/or supervisory officer to be removed from that situation.
- The Program relies on the trust and endorsement of both management and employees. Team members must strive to be neutral, non-partisan or aligned with management or employee organizations.

PEER SUPPORT TEAM

1029.6 PEER SUPPORT PROGRAM COORDINATOR RESPONSIBILITIES

The Peer Support Program Coordinator will function as a liaison between the Team Leaders, Psychological Services, and the Chief of Police. The Coordinator will be responsible for all records, and will ensure they are kept secured at all times. A Team Leader may contact the Coordinator for advice on situations or get contact information for one of the team members. The Coordinator may delegate or share responsibilities with a Team Leader.

1029.7 PEER SUPPORT TEAM LEADER RESPONSIBILITIES

The Team Leader will function as the primary contact for all coordination of Team Members during a MTI (See 1028 – Major Traumatic Incident), or for providing a Peer Supporter to an employee/family member who needs immediate intervention and assistance during a crisis. The Team Leader will ensure all guidelines and policies are followed to provide the best assistance possible to the employee/family member.

1029.8 PEER SUPPORTER RESPONSIBILITIES

The Peer Supporter may be called to respond to the scene of an MTI to provide emotional support to an employee involved, approached or contacted by an employee/family member for emotional support during a time of crisis, or requested upon an employee's behalf.

The Peer Supporter will advise employee/family member(s) seeking assistance they are not exempt from laws, rules, regulations, policy, directive or orders; but that any exchange of information not in violation of the above shall remain confidential. The employee/family member is to be advised any act of self-injury or injury to others can't go unreported.

Any other party seeking information about discussions shared between the Peer Supporter and the employee/family member shall be informed that the information is confidential.

The Peer Supporter will provide supportive assistance and/or referral(s) within the scope of their ability, training, knowledge, and abilities, but will not impede any investigative process while providing such assistance.

1029.9 PEER SUPPORT TEAM MEMBER SELECTION PROCESS

Due to the sensitive nature of this program, the selection process will involve not only an interview, but a review of the applicant's ability to adhere to the core tenants of this type of program.

Consideration will be taken to determine if the applicant can be an effective team member that employees/family members believe they can trust by evaluating social characteristic and traits, such as applicant's reputation, social skills, sincerity, ability to empathize, and adherence to the program policy.

De-selection of any Coordinator, Team Leader, or Team Member can be made at any time at the discretion of the Chief of Police.

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PEER SUPPORT TEAM

1029.10 TRAINING

All newly selected team members will be required to attend training, to include a 40-hour Peer Support Training class. All team members will be required to attend scheduled internal training.

1029.11 MEETINGS

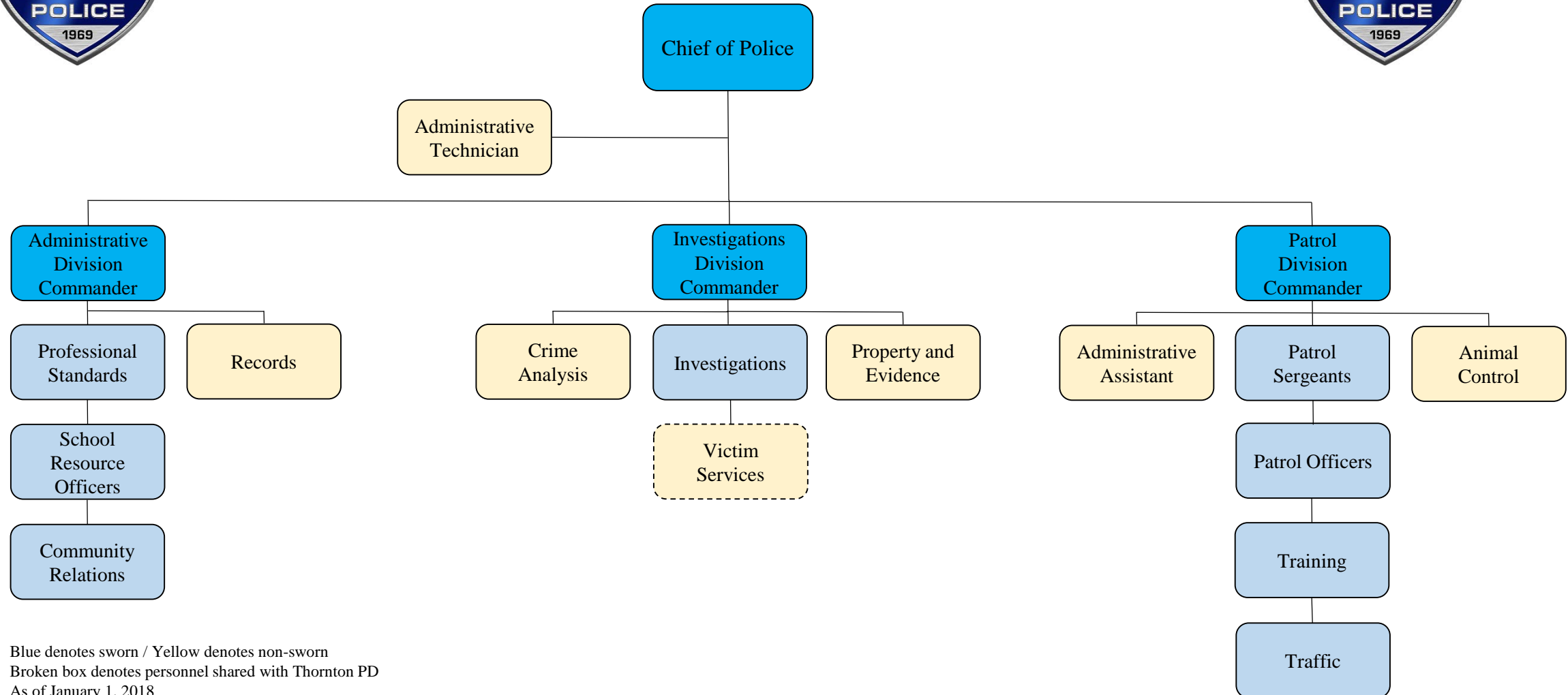
All team members will be required to attend regular meetings facilitated by the Coordinator. A Mental Health Professional will attend meetings at a minimum of quarterly to provide assistance and consultation reference ongoing and past contacts with employee(s)/family member(s).

Attachments

Organizational Chart - 2018.pdf



2018 Northglenn Police Department Organizational Chart



Blue denotes sworn / Yellow denotes non-sworn
Broken box denotes personnel shared with Thornton PD
As of January 1, 2018

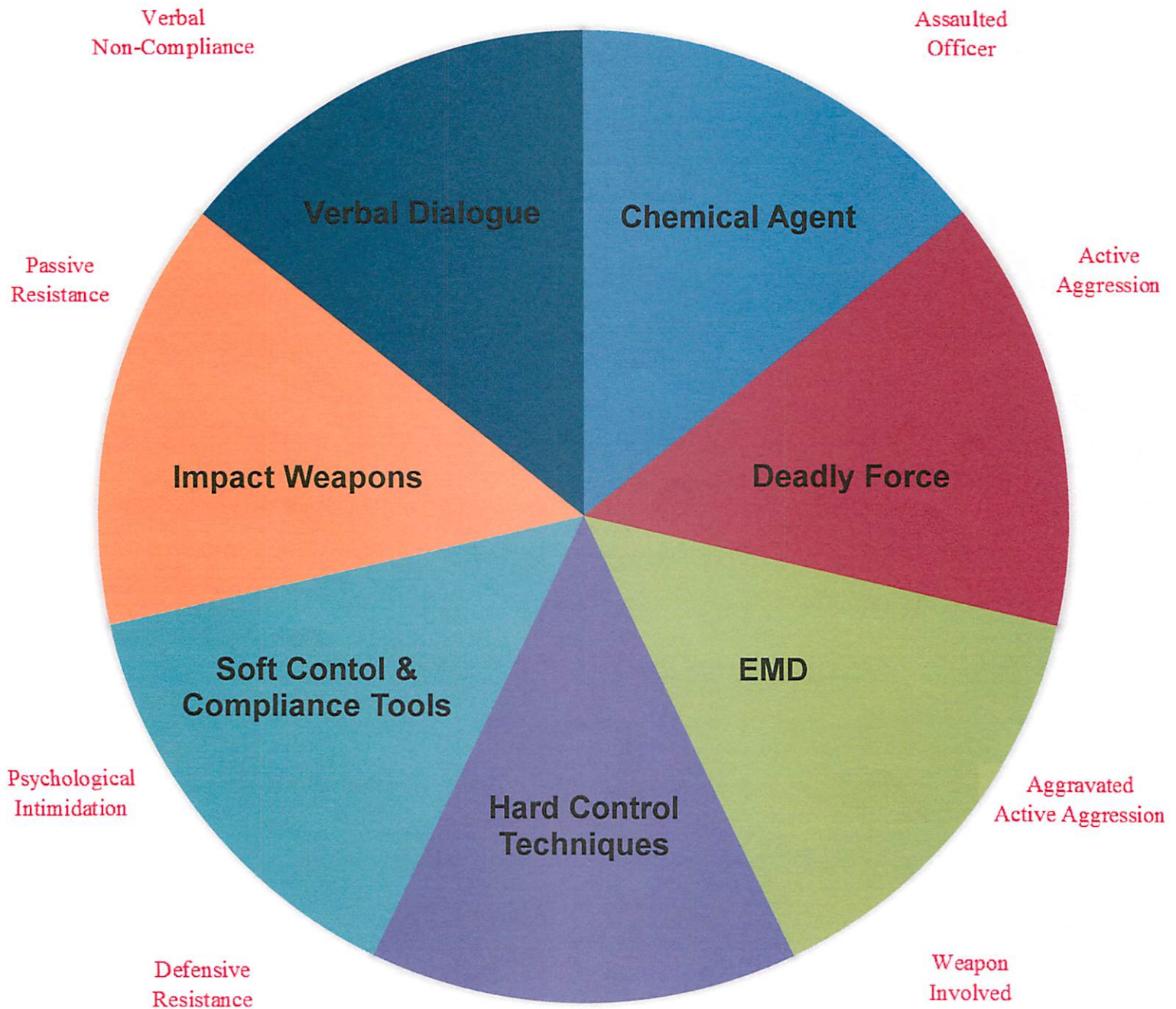
**Policy 303 - Use of Force -
Situational Force Model 20170316.pdf**

Situational Force Model

The Situational Force Model illustrates several general force options available based on the type of resistance an officer encounters. The following are additional and non-exclusive factors that can be used to assist an officer when making the decision to apply force:

- **Presence/Appearance:** Is present in every situation where an officer is summoned for an in-person response and may reflect the officer's demeanor, attitude and the legal right to be there.
- **Verbal Dialogue:** A show of authority by communication with verbal and non-verbal communication. The subject must be informed of what is required and given a chance to comply. Non-verbal dialogue may include assuming an empty hand defensive position, as well as the display of a defensive weapon.
- **Soft Control and Compliance Techniques:** When the subject fails to respond to verbal direction or resists in a defensive manner, the officer seeks compliance by the use of physical means. This could include empty hand control, pressure compliance holds, blocking, restraining, controlling or escorting holds.
- **Control and Compliance Tools, Chemical Agent (OC), Electro Muscular Disruption System (EMD or TASER), and Pain Compliance Tools:** When a situation requires the use of more aggressive techniques, as well as using defensive weapons against the subject's resistance. The subject has become an aggressor, attacks the officer, or there is fear for the safety of the officer and others. Less aggressive techniques have been exhausted or would be ineffective. This includes chemical agents such as OC, TASER, and pain compliance tools such as the baton or other objects used to exert pain compliance.
- **Hard Control, Closed Hand and Kick Tactics Techniques:** When the aforementioned techniques are ineffective, or the subject becomes more aggressive, the officer seeks compliance by additional physical means including closed or open fist strikes, kicks, stuns or takedowns.
- **Impact Weapons:** The use more aggressive techniques, as well as other defensive weapons against the subject's resistance. Factors leading to the use of impact weapons include multiple aggressors, a subject armed with a rock, bottle, or any other object, or an unarmed subject who cannot be controlled by less aggressive techniques. The officer may respond with non-lethal or lethal force, depending on the situation. In an urgent situation, it is possible for many things to be used as an impact weapon. The baton is preferred since its design and training renders it a defensive weapon, much less likely to be used for head strikes, more versatile and less likely to be seized by an opponent. As with the baton, any object used, to include a metal flashlight, to exert physical force upon a person must be justified and must conform to the situational force model. Another preferred impact weapon is the Kinetic Energy Impact Projectile (Blue Nose).
- **Deadly Force:** The use of additional tactics or tools against armed subjects who possess guns, knives, or other instruments; or any subject (object) capable of inflicting serious bodily injury or death. This type of situation allows for the use of non-lethal or lethal force.

Situational Force Model



SOP 341.1 - Extreme Risk Response Team Procedures (1).pdf

SOP 303 - Use of Force Reporting 20170316.pdf

**NORTHGLENN POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE - 303**

Effective Date: March 16, 2017
Subject: Use of Force Reporting

The procedure for documenting "Reportable Use of Force" is as follows:

- 1) Access "Use of Force" on the NIC
 - A. Open NIC
 - B. Select "Police Department" from the drop-down menu under "Department"
 - C. Select "Private Access" from the drop-down menu under "Police Department"
 - D. Sign in using your first initial and last name (ex. JMay), and your email password
 - E. Select "Forms"
 - F. Select "Use of Force" and click the "Go" button
- 2) Complete "Use of Force Report"
 - A. Input information
 - B. Use the "Use of Force Additional Officers" report to add additional officers
 - C. Use the "Use of Force Additional Subjects-Witnesses" report to add additional subjects or witnesses
 - D. Officers' narratives in the associated case or supplemental reports should support the information found in the use of force report
 - E. Print and sign the report (use of force reports cannot be saved)
- 3) Submit "Use of Force Report" for review
 - A. Submit report to the on-duty supervisor (Sergeant or Acting)
 - 1) Sergeants shall forward a copy to Professional Standards
 - 2) Acting-supervisors shall forward the original report to the appropriate sergeant
 - B. Reports for uses of force in which the sergeant was involved, shall be submitted to the appropriate commander
- 4) Review "Use of Force Report" for compliance with department policy
 - A. Supervisors shall review the use of force report and supporting narratives, and document their findings on a "Supervisor's Investigation-Findings" report
 - B. Print, sign and submit to the appropriate commander
 - 1) Commander shall review the use of force report and supporting narratives, and document any additional findings on the "Supervisor's Investigation-Findings" report

The "Supervisor's Investigation-Findings" report shall be forwarded to Professional Standards for archiving.

**SOP 341.1 - Extreme Risk
Response Team Procedures.pdf**

**SOP 304DR - Duty Rifle
Qualification Course 20170222.pdf**

**NORTHGLENN POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE – 304DR**

Effective Date: February 22, 2017
Subject: Duty Rifle Qualification Course

The Duty Rifle qualification course shall adhere to the following criteria:

- A. Target Type**
 - 1. DPD 8-11
 - 2. Simulated 100-Yard Silhouette
- B. Scoring Method**
 - 1. 5-4-3 based on target rings
 - 2. Maximum points possible: 150
 - 3. Total number of rounds for qualification course: 30
 - a. Magazine One: 12 Rounds
 - b. Magazine Two: 18 Rounds
- C. Course of Fire**
 - 1. 50-yard line
 - a. Total Number of Rounds for Stage: 5
 - b. Shooting Position and Movement: Officers will begin the stage standing at the 50-yard line with magazine 2 inserted in the weapon and the safety on. When confronted with an imminent deadly threat, officers will fire 5 rounds from a position of their choice.
 - c. Desired Point of Impact: Center Mass of Simulated 100-Yard Silhouette
 - d. Time: 25 Seconds
 - 2. 50-yard line
 - a. Total Number of Rounds for Stage: 5
 - b. Shooting Position and Movement: Officers will begin the stage standing at the 50-yard line with magazine 2 inserted into the weapon and the safety on. When confronted with an imminent deadly threat, officers will fire 5 rounds from a position of their choice.
 - c. Desired Point of Impact: Head of the DPD 8-11 target
 - d. Time: 25 Seconds

3. 25-yard line
 - a. Total Number of Rounds for Stage: 8
 - b. Shooting Position and Movement: Officers will begin the stage standing at the 50-yard line with magazine 2 inserted into the weapon and the safety on. When confronted with an imminent deadly threat, officers must advance to the 25-yard line and fire 2 rounds from a standing- point-shoulder position. Officers must then seek cover, complete a reload, and fire 3 rounds from the primary-hand side of cover and 3 rounds from the off-hand side of cover.
 - c. Desired Point of Impact: Center Mass of the DPD 8-11 target
 - d. Time: 35 Seconds
4. 25-yard to 7-yard line
 - a. Total Number of Rounds for Stage: 6
 - b. Shooting Position and Movement: Officers will begin the stage at the 25-yard line facing downrange in a ready-gun position. When instructed to move, officers will begin to advance toward the 7-yard line. When confronted with an imminent deadly threat, officers will stop, fire 2 rounds, and continue to move toward the 7-yard line. These steps will be repeated twice more for a total of 3 iterations.
 - c. Desired Point of Impact: Center Mass of the DPD 8-11 target
 - d. Time: 3 Seconds per iteration
5. 7-yard line
 - a. Total Number of Rounds for Stage: 6
 - b. Shooting Position and Movement: Officers will begin the stage at the 7- yard line facing to their right in a ready-gun-safety-circle position. When confronted with an imminent deadly threat, officers must turn, face the threat, and fire 2 rounds. For the second iteration, officers will face uprange in a ready-gun-safety circle position. When confronted with an imminent deadly threat, officers must turn, face the threat, and fire 2 rounds. For the third iteration, officers will face to their left in a ready- gun-safety-circle position. When confronted with an imminent deadly threat, officers must turn, face the threat, and fire 2 rounds.
 - c. Desired Point of Impact: Center Mass of the DPD 8-11 target
 - d. Time: 3 Seconds per iteration

**SOP 304BOH - Backup and Off-Duty
Handgun Qualification Course 20170222.pdf**

**NORTHGLENN POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE – 304BOH**

Effective Date: February 22, 2017

Subject: Backup and Off-Duty Handgun Qualification Course

The Backup and Off-Duty Handgun qualification course shall adhere to the following criteria:

A. Target Type

1. TQ-15

B. Scoring Method

1. 5-4-3 based on target rings
2. Maximum points possible: Dependent on magazine size
3. Total number of rounds for qualification course: Dependent on magazine size

C. Course of Fire

1. 7-yard line
 - a. Total Number of Rounds for Stage: Dependent on magazine size
 - b. Shooting Position and Movement: Officers will begin the stage at the 15-yard line with their weapon in the same condition as they would carry it under normal circumstances. When confronted with an imminent deadly threat, officers must advance to the 7-yard line and fire all rounds from a fully loaded magazine in standing-point-shoulder position.
 - c. Desired Point of Impact: Center Mass
 - d. Time: 25 Seconds

SOP 303 - Use of Force Reporting 20190905.pdf

SOP 303 - Use of Force Reporting 20200528.pdf

**NORTHGLENN POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE - 303**

Effective Date: May 28, 2020
Subject: Use of Force Reporting

The procedure for documenting a “Reportable Use of Force” is as follows:

- 1) Create Use of Force report in Blue Team
 - Click New Incident
 - Incident Type – Use of Force
 - Complete date and time received
 - Complete Occurrence Details
 - Summary
 - Enter your summary entering the information from your report
 - Use of Force Details
 - Complete necessary fields
 - Enter all details for involved citizen
 - Enter any charges
 - Add the resistance levels
 - Add any injuries
 - Enter all details for involved officer
 - This is a one on one report, each officer will complete their own use of force report for the incident, and one report for each individual force was used on
 - Add any injuries
 - Add the use of force levels used
 - Complete body diagram
 - Enter all available details for any witnesses
 - If this was during a special event, add the category
 - Once the report is completed, forward the report to the supervisor on duty.
 - Cc the report to your supervisor if different
 - If there are any corrections, the supervisor will send the report back to you.
 - Make any corrections
 - Send back to supervisor
 - Once the supervisor has reviewed the report, if there are no corrections it will be submitted to the Commander of the Division for review and determination.
- 2) Submit “Use of Force Report” for review
 - Submission will notify the Administrative and Patrol Commanders of the completed report
 - A supervisor’s approval of the case report indicates the associated Use of Force report was completed properly

- 3) Review "Use of Force Report" for compliance with department policy
 - Supervisors shall review the use of force report and supporting narratives, then complete a "Supervisor's Review" report in Blue Team
 - Commander shall review the use of force report and supporting narratives, and document any additional findings in the review.
- 4) Once the "Use of Force Report" is completed and reviewed through all chains, it will be accepted into IAPro for permanent archiving.

SOP 307 - Vehicle Pursuit Reporting 20190905.pdf

**NORTHGLENN POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE - 307**

Effective Date: September 5, 2019
Subject: Vehicle Pursuit Reporting

The procedure for documenting a "Reportable Vehicle Pursuit" is as follows:

- 1) Create Vehicle Pursuit report under the "Other Event" tab (Only create one report for all involved officers)
 - "Person Record" is the person operating the fleeing vehicle
 - "Injury" and "Injury Type" are mandatory complete fields
 - All involved officers
 - "Injury" and "Injury Type" are mandatory complete fields
 - Repeat for each officer
 - "Other Persons Involved" are anyone other than another officer who witnessed the event
 - "Narrative"
 - The narrative default reads, "SEE INCIDENT REPORT NARRATIVE"
- 2) Submit "Vehicle Pursuit Report" for review
 - Submission will notify the Administrative and Patrol Commanders of the completed report
 - A supervisor's approval of the case report indicates the associated vehicle pursuit report was completed properly
- 3) Review "Vehicle Pursuit Report" for compliance with department policy
 - Supervisors shall review the vehicle pursuit report and supporting narratives, then document their findings on a "Supervisor's Investigation-Findings" report
 - Print, sign and submit to the appropriate commander
 - Commander shall review the vehicle pursuit report and supporting narratives, and document any additional findings on the "Supervisor's Investigation-Findings" report
 - The "Supervisor's Investigation-Findings" report shall be forwarded to Professional Standards for archiving

**SOP 304DH - Duty Handgun
Qualification Course 20170222.pdf**

**NORTHGLENN POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE – 304DH**

Effective Date: February 22, 2017
Subject: Duty Handgun Qualification Course

The Duty Handgun qualification course shall adhere to the following criteria:

A. Target Type

1. TQ-15

B. Scoring Method

1. 5-4-3 based on target rings
2. Maximum points possible: 300
3. Total number of rounds for qualification course: 60

C. Course of Fire

1. 50-yard line

- a. Total Number of Rounds for Stage: 6
- b. Shooting Position and Movement: Officers will begin the stage at the 50-yard line in the standing position. When confronted with an imminent deadly threat, officers will fire 6 rounds from a position of their choice.
- c. Desired Point of Impact: Center Mass
- d. Time: 30 Seconds

2. 25-yard line

- a. Total Number of Rounds for Stage: 15
- b. Shooting Position and Movement: Officers will begin the stage at the 50-yard line. When confronted with an imminent deadly threat, officers must advance to the 25-yard line and seek cover. Officers will fire 12 rounds from cover using their primary-hand supported from the primary-hand side of cover. Officers will then fire 3 rounds using their off-hand supported from the off-hand side of cover.
- c. Desired Point of Impact: Center Mass
- d. Time: 80 Seconds

3. 15-yard line
 - a. Total Number of Rounds for Stage: 12
 - b. Shooting Position and Movement: Officers will begin the stage at the 25-yard line. When confronted with an imminent deadly threat, officers must advance to the 15-yard line and using their primary-hand supported, fire a maximum of 11 rounds from a standing-point-shoulder position. Officers must then seek cover, complete a reload, and fire their remaining round(s) using their primary-hand supported.
 - c. Desired Point of Impact: Center Mass
 - d. Time: 25 Seconds
4. 7-yard line
 - a. Total Number of Rounds for Stage: 12
 - b. Shooting Position and Movement: Officers will begin the stage at the 15-yard line. When confronted with an imminent deadly threat, officers must advance to the 7-yard line and using their primary-hand supported, fire 6 rounds from a standing-point-shoulder position. Officers must then complete a reload, and using their off-hand unsupported, fire 6 rounds from a standing position.
 - c. Desired Point of Impact: Center Mass
 - d. Time: 25 Seconds
5. 7-yard line
 - a. Total Number of Rounds for Stage: 6
 - b. Shooting Position and Movement: Officers will begin the stage at the 7-yard line facing downrange in a ready-gun position. When confronted with an imminent deadly threat, officers must move laterally in the direction of their choice and fire 2 rounds. For the second iteration, officers will face to their right in a ready-gun-safety-circle position. When confronted with an imminent deadly threat, officers must turn, face the threat and fire 2 rounds. For the third iteration, officers will face to their left in a ready-gun-safety-circle position. When confronted with an imminent deadly threat, officers must turn, face the threat and fire 2 rounds.
 - c. Desired Point of Impact: Center Mass
 - d. Time: 3 Seconds per iteration

6. 3-yard line
 - a. Total Number of Rounds for Stage: 9
 - b. Shooting Position and Movement: Officers will begin the stage at the 3-yard line facing downrange in a hands-up or interview position with their weapon holstered. When confronted with an imminent deadly threat, officers must move laterally in the direction of their choice and fire 3 rounds. Officer will then scan for threats and holster their weapon. These steps will be repeated twice more for a total of 3 iterations.
 - c. Desired Point of Impact: Center Mass
 - d. Time: 3 Seconds per iteration

**SOP 701 - Cell Phones and
Evidence Collection 2016.pdf**

**NORTHGLENN POLICE DEPARTMENT
STANDARD OPERATING PROCEDURE - 701**

Effective Date: May 1, 2015
Subject: Cell Phones and Evidence Collection

Employees issued a cell phone will also be issued a charging/data transfer cable, and a protective case. Employees may purchase additional charging/data transfer cables at their own expense. When on-duty, employees shall ensure the charging/data transfer cable is in the workplace and available for immediate use.

Cell Phone General Requirements

Cell phones will be inspected semi-annually.

All damage to a department-issued cell phone shall be reported in accordance with standing procedure regarding damage property to the on-duty supervisor as soon as practicable.

Employees shall notify the on-duty supervisor of any issues involving the functionality of the cell phone. Employees should then contact Kelli Ryan (8711) for assistance in resolving the issue.

In general, cell phones damaged accidentally or lost will be replaced by the department at no cost to the employee. However, unexplained damage or excessive wear may result in the employee being required to provide a comparable cell phone at their own expense or to pay for the repair or replacement out of pocket.

Initial setup of all cell phones shall be accomplished with the assistance of a representative from IT.

An Apple ID is necessary to set up the department-issued cell phones. Employees will be required to establish an Apple ID using their work email address prior to the issuance and training date. Upon separation, employees must provide the Apple ID password and lock passcode to allow for resetting and reissuance of the cell phone.

All department-issued cell phones must remain signed in to the "Find my iPhone" application at all times.

Cell phones shall not be set up to communicate with the "Cloud".

Evidence Collection with Cell Phone

Employees who use their department-issued or personally-owned cell phones to collect evidence of any kind shall download that evidence as soon as practicable. The procedure for downloading evidence from an employee's cell phone is as follows:

1. Create a new folder within the "Digital Evidence" folder located on the abasin internal drive
 - a. Name the new folder using the case number in the following format: YYYY- __ __
— —
2. **COPY** or download all evidence from the cell phone into the newly created folder (When not downloading, ensure the evidence is copied and pasted into the "Digital Evidence" folder, Do not cut and paste)
3. Complete a property evidence voucher indicating the number of photos or videos downloaded
4. Print and attach a barcode label to the photo/video log
5. Place photo/video log in property evidence submission slot

In the event there is a problem with the download or if photos or videos are accidentally deleted from the cell phone prior to download, employees shall notify the on-duty supervisor and contact Kelli Ryan (8711) for assistance with the possible recovery of the evidence. In this situation, the employee shall still complete a property evidence voucher indicating the number of photos or videos that were submitted to evidence.

Do not delete items of evidence from your phone immediately after properly downloaded or copying and pasting it into the appropriate "Digital Evidence" folder. After the server is backed-up (one overnight cycle), evidence will send an email to officers confirming receipt of all of the items to be booked. Upon receipt of this email, officers shall delete the items of evidence from their phone.

SOP 307 - Vehicle Pursuit Reporting 20180701 S.pdf

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