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(Sworn)

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THE RALEIGH POLICE DEPARTMENT

1100-01

EXECUTIVE POLICIES

PURPOSE

The purpose of this directive is to set forth our mission, our values and our guiding principles, and the code of ethics by which all personnel are expected to abide.

VALUES REFLECTED

This directive reflects our values of *Service and Integrity*. We are committed to the mission, values and principles that are the basis of all our actions as police officers.

UNITS AFFECTED

All Divisions/All Personnel

REFERENCES/FORMS

Raleigh City Code, Section 5-1001 "Police Chief, Officers and Employees"
Law Enforcement Code of Ethics (Attachment A)

OUR MISSION

Our mission statement is intended to convey what we believe to be the fundamental purpose of our Department.

In the spirit of service, the Raleigh Police Department exists to preserve and improve the quality of life, instill peace, and protect property through unwavering attention to our duties in partnership with the community.

OUR VALUES

Our core values are fundamental convictions and beliefs that we hold so firmly that they cannot be altered by circumstances. Our values and how we define our values serve as our ethical compass in making decisions and taking actions.

Service

We set the highest possible standard of excellence as we serve and protect the community; seeking to maximize the benefits we provide in the interest of community well-being.

Courage

Our valor proves us worthy of the trust given to us by this community. Our words and actions demonstrate the willingness to venture into danger and difficulty when our duties call for it.

Fairness

We practice impartiality, equity, and honesty without self interest, prejudice and favoritism. We treat people with dignity and respect.

Integrity

We strive to be forthright and honest in all of our affairs and to maintain the highest moral and ethical standards of character and conduct. We are accountable for our duties and actions. We will freely give reasons for our actions and accept responsibility for them.

Compassion

We continually remember that our work involves interactions with people, many of whom are undergoing trying circumstances. We display patience and sympathy for those in distress as we work to alleviate harm and suffering.

GUIDING PRINCIPLES

Our guiding principles must be at the core of how we lead and perform our duties.

Our Commitment to Our People

As a Department, our people are the single most important resource we have. We invest energy and financial support into training, career development and personal development opportunities for

all employees. We further demonstrate this commitment through a meaningful reward and positive recognition system to reinforce a culture of dedicated professionals.

Our Commitment to Professionalism

We will achieve an unparalleled level of professionalism through professional accountability. We will demonstrate professional accountability by taking responsibility for our actions and decisions, while upholding the values of our Department. We will have mechanisms in place for early identification of personnel and operational problems and act swiftly and appropriately to correct them.

Our Commitment to Leadership

How we lead determines how successful and skillful we are at achieving our mission and vision. Skillful leaders inspire others to work hard to achieve organizational goals and inspire others to become effective leaders. Focused leadership occurs when we combine the depth of our people and professionalism, a clearly communicated organizational direction, and the power of change to create the most beneficial outcomes available. We will create an organization that is constantly learning and adapting and is ready for what lies ahead.

Our Commitment to Innovation and Interoperability

As we face new challenges, we will seize the opportunity to examine current methods and a system for potential enhancements to create tomorrow's "better practices." We will encourage our people to envision and pursue innovative ideas for problem solving. Our innovations will propel us toward our vision.

While innovation takes us to the next level, interoperability streamlines our efforts. Interoperability exists when our dynamic partnerships with government entities, public safety and health agencies, community, and businesses result in a unified network focused on achieving common goals.

Our Commitment to Organizational Change

Because change is inevitable and a part of growth, we are committed to creating an organization that is capable of change without losing sight of its guiding beliefs and principles. Change is difficult for an organization; therefore, we will approach organizational change by developing trust, empowering all levels, eliminating unnecessary work, designing new ways and developing new systems.

Developing trust is a lengthy, yet invaluable process that must be given considerable attention. Trust is continuously being cultivated. It is affected by our leadership and management styles. Skepticism is addressed by providing clear, articulate and accurate information and empowering our people to aid in affecting change.

Empowering all levels refers to encouraging creativity, initiative, and education. We empower our people through training, career development and involved leadership.

Eliminating unnecessary work involves evaluating performance areas and job tasks to streamline and eliminate those that are outdated, or otherwise ineffective or inefficient.

Designing the new way means redrawing the current blueprint of our organization to better enable us in achieving effective and efficient policing. We must look to refresh the design of our systems as if starting from the beginning; keeping "better practices" and becoming open-minded to new ideologies and strategies for accomplishing our mission.

ACCOUNTABILITY TO CIVILIAN AUTHORITY

The exercise of police power in a free society requires that the Department hold itself accountable to civilian authority. The Department is accountable to the City Manager, the City Council, and ultimately, to the citizens of Raleigh. All members of the Department will hold the Constitution of the United States as one of their most sacred treasures and, will at all times, obey the laws of our City, State and Country.

Accountability requires thorough review of complaints of alleged misconduct. Protecting citizens and improving employees requires that complaints, from all sources, be investigated.

Accountability requires the highest level of public access to information that does not place our security or operations in jeopardy. The Raleigh Police Department will keep the public informed about its activities and will respond in a forthright manner to requests for information.

POLICE DISCRETION

Each employee will be held accountable for the sound use of discretion and the use of good judgment in the performance of their duties.

Police discretion is a necessary tool of law enforcement requiring constant care to avoid abuse.

Enforcement of infractions and misdemeanor violations may take several forms. The option selected in each case should be the one that maintains the safety of the public, discourages repetition of the violation, and causes the least inconvenience to those involved.

Enforcement of felony violations will be more closely mandated by statute or by specific procedure.

ACCOUNTING MANAGEMENT

Expense Reimbursement

All Expense Reimbursements will be handled through the Fiscal Unit. When an employee seeks reimbursement for an expense accrued while performing their duties for the City of Raleigh, all receipts will be given to the Fiscal Unit. The Fiscal Unit will enter the receipt into PeopleSoft in order to reimburse the employee for any work related expense. Reimbursement will be made through direct deposit.

Cash Funds

All cash funds will follow proper accounting procedures. An approved ledger or other system that identifies initial balance, credits, debits, and balance-on-hand will be used by those employees authorized to manage cash funds. Proper documentation will support each entry. All cash accounts will be audited quarterly.

Asset Forfeiture Funds

All funds received from asset forfeiture proceedings will be managed according to proper accounting procedures. Complete records of receipts, deposits and disbursements will be maintained.

RECORDS RETENTION

All records for the Department will be maintained in accordance with the "Municipal Records Retention and Disposition Schedule" published by the North Carolina Department of Cultural Resources, Division of Archives and History.

Attachment A 1100-1

LAW ENFORCEMENT CODE OF ETHICS

AS A LAW ENFORCEMENT OFFICER, my fundamental duty is to serve humankind; 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 people to liberty, equality and justice.

I WILL keep my private life unsullied as an example to all; maintain courageous calm in the face of danger, scorn, or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life, I will be exemplary in obeying the laws of the land and the regulations of my Department. Whatever I see or hear of a confidential nature or that is confided 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 and never accepting gratuities.

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

THE RALEIGH POLICE DEPARTMENT

1100-02

DEPARTMENTAL ORGANIZATION AND MANAGEMENT

PURPOSE

The purpose of this directive is to establish policies governing the direction, management, and organization of the Raleigh Police Department.

VALUES REFLECTED

This directive reflects our values of *Service and Integrity*. We will create an organization that is constantly learning, adapting, and encouraging our people to pursue innovative problem solving strategies.

UNITS AFFECTED

All Units/All Personnel

REFERENCES/FORMS

Raleigh City Charter, Sections 6.21, 6.22
Raleigh City Code, Sections 5-1001 to 5-1005
Police Department Organizational Chart
City of Raleigh SOP 300-5

GENERAL POLICIES

The Raleigh Police Department consists of a Chief of Police and such sworn officers and other employees as may be specified by the Raleigh City Council. The Department is under the general supervision of the City Manager.

Responsibility for a task or assignment will always be accompanied by a commensurate delegation of authority. Each employee is accountable for the use of delegated authority. Sworn officers of the Department are obligated to uphold state and federal law as well as City ordinances within the scope of their authority.

Effective management requires that each employee be accountable to only one immediate supervisor at any given time. Supervisory personnel are accountable for the performance of employees under their immediate control and are responsible for seeing that personnel under their supervision are informed of their duties.

OFFICE OF THE CHIEF

The Chief of Police oversees and directs all activities of the Police Department and is the official representative of the Department. The Chief is directly responsible for promotions, selection of new employees, final decisions concerning grievances and discipline, internal investigations, submission of the Department's annual budget and fiscal management of the Department. The Chief of Police is also authorized by City ordinance to enter into cooperative agreements with other law enforcement agencies.

In the absence of the Chief of Police, the Deputy Chief will serve as Chief.

Deputy Chief

The Deputy Chief reports directly to the Chief, assumes command of the Department in the Chief's absence and carries out other duties as assigned by the Chief.

Police Attorney's Office

The Police Attorney(s) are employees of the City Attorney's Office. They will serve as staff legal advisors to the Chief of Police and are responsible for keeping all personnel informed of law changes that affect their activities. The Police Attorney(s) will represent the Department in legal actions affecting the organization.

The Police Attorney(s) will receive complaints of cases the District Attorney's Office dismissed or declined to prosecute due to alleged mishandling by officers of the Department. The Police Attorney(s) will forward a preliminary report to the Chief of Police. Complaints will be assigned to the Internal Affairs Unit for further investigation.

Office of Professional Standards

The Office of Professional Standards operates under the purview of the Chief of Police. The Unit is comprised of the Internal Affairs Unit, the Inspections Unit and the Accreditation Unit. Daily activities are directed by the Office of Professional Standards Commander (Police Major) who reports directly to the Deputy Chief of Police.

- Internal Affairs Unit (Refer to DOI 1105-02)

  The Internal Affairs Unit's daily activities are directed by the Office of Professional Standards Commander who reports directly to the Deputy Chief of Police, who has overall responsibility for the internal affairs function. The Deputy Chief of Police will relay all information concerning complaints and investigations to the Chief of Police. While Internal Affairs Unit personnel work under the Office of Professional Standards Commander and the Internal Affairs Captain, they can, if necessary, report directly to the Chief. This Unit is charged with the following responsibilities:

  - Investigation of citizen complaints or other allegations of misconduct against Departmental personnel as directed by the Chief of Police.

  - Conducting administrative inquiries of all non-training related discharges of firearms by Departmental personnel. The Chief of Police will request that the State Bureau of Investigation conduct an investigation of discharges of firearms where injury to another person is involved. The Chief of Police has the discretion to request that the State Bureau of Investigation conduct an investigation even when there are no injuries.

  - Conducting staff inspections when directed by the Chief of Police.

  - Investigating allegations of misconduct by city employees in other departments when requested to do so by the City Manager.

  The Internal Affairs Unit Captain is responsible for maintaining internal affairs records separate and secure from all other police records for a minimum period of twenty years from the date of case closure.

  Transcription Services is assigned to the Internal Affairs Unit and will transcribe, to written form, recorded interviews, etc. as required.

- Inspections and Accreditation Unit

  The Inspections and Accreditation Unit falls under the purview of the Office of Professional Standards Commander. The Unit's daily activities are directed by a Lieutenant who reports to the Internal Affairs Captain. The responsibilities of the Inspections and Accreditation Unit include:

  - Conducting periodic staff inspections;

  - Completing reports and audits of Departmental operations;

  - Creating, amending and revising written policies and procedures for maintaining compliance with professional law enforcement standards;

  - The Accreditation Sergeant is primarily responsible for managing the accreditation process and ensuring that all written directives and documentation necessary for compliance with professional law enforcement standards are accurately maintained. The Accreditation Sergeant will also coordinate an on-going review of all Departmental policies and written directives.

Fiscal Management Unit

This office is supervised by a civilian Fiscal Manager and is directly responsible for the overall preparation, review, analysis and execution of the Department's annual operating budget and five year capital improvements program. The Unit administers funds for out-of-house training. The Grants Manager is responsible for obtaining and managing all Departmental grants. The False Alarm Administrator/Facilities Manager enforces the provisions of the City's false alarm ordinance and is responsible for maintenance and records keeping for facilities.

Community Policing Programs Office

The Community Policing Programs Coordinator is responsible for networking within business and residential communities, designing problem-solving strategies in conjunction with police personnel and the community in cooperation with the Field Operations Division.

Public Affairs Office

The office is supervised by the Director of Public Affairs, who reports directly to the Chief of Police. It distributes information to the news media, maintains the Department's social media presence, communicates internal news information to employees, provides graphic design support, and responds to public records requests.

Research and Planning Office

Primary functions of the Research and Planning Office include conducting research, publishing periodic reports, engaging in multi-year and operational planning and developing manpower allocation alternatives. The Office will conduct periodic workload assessments for the Department which address:

- anticipated workload and population trends;
- anticipated personnel levels;
- capital improvements and equipment needs; and,
- long-term and operational objectives

DEPARTMENTAL DIVISIONS

The Department consists of five Divisions, each commanded by a Police Major who reports directly to the Chief of Police. These five Divisions are Office of the Chief, Field Operations, Special Operations, Detective and Administrative Services.

Field Operations Division

- Field Operations Division Commander

  The Field Operations Division Commander oversees the operation of the patrol component. The Division Commander is responsible for submitting annual budget proposals and written performance objectives for the Division to the Chief of Police.

- Division Administrative Assistant

  The Division Administrative Assistant assists the Division Commander in the performance of their duties.

  - The Administrative Assistant will provide budget oversight for the Division.
  - The Administrative Assistant is further responsible for reviewing the content and quality of line inspections.
  - The Administrative Assistant assists the public with complaints and information requests.
  - The Administrative Assistant establishes a liaison for all Departmental Divisions, other city departments and outside agencies.

- District Commanders

  At the District level, the District Commander (Captain) is responsible for overseeing the operations of a District. The District Commander is responsible for crime prevention and detection activities and for developing effective problem-solving strategies to reduce crime and disorder in the District through intelligence led policing techniques.

- District Supervisors and Roll Calls

  District supervisors have a responsibility for briefing officers on events affecting daily patrol and for evaluating readiness of officers to assume patrol. A review of the previous shift's Watch Commander Log will be covered with the officers to ensure operational readiness. Additional responsibilities include notifying officers of new procedures or changes in procedures. Squad members are encouraged to support the exchange of information among the other Divisions in order to coordinate ongoing activities and enhance performance. This will be accomplished as needed by occasional attendance of daily roll calls by Detectives and vice-versa, or through an exchange of daily bulletins.

  - Roll calls will be conducted by a supervisor prior to every shift change.
  - District Lieutenants are responsible for scheduling, conducting and evaluating roll call training on a periodic basis in order to supplement all other training.

- Shift Assignments

  Shift assignments will be based on the needs of the Department; however, to the extent that workload distribution permits, the Department will use officer preference as the basis in assigning officers to shifts or Districts. Any officer desiring a transfer may request to do so by forwarding a request to the Division Commander. Transfers will not usually be granted where there are pending performance deficiency problems. The Field Operations shift rotation is on a 28-day cycle.

- Work Area Assignments

  In order to allow officers to become better acquainted with an area and to encourage officers to practice effective beat management, the Department has adopted a system of work area assignments.

  - Selection for vacant, permanent beat assignments will be made on the basis of job performance and experience.

  - District Lieutenants will forward recommendations for work area assignments to the District Commander for approval.

  - Officers may request beat assignments by submitting a memo to their District Commander.

  - Any officer desiring a transfer may request to do so by forwarding a request to the Division Commander. Transfers will not usually be granted where there are pending performance deficiency problems.

- Days Off

  Officers and supervisors will receive regular days off in accordance with the published Field Operations Division shift schedule. Other accrued leave requested by officers requires supervisor approval.

  - District Commanders have authority to establish limitations on the maximum number of officers per squad who may request the use of accrued leave based on workload demands, special events or current squad/District strength.

  - District supervisors are responsible for monitoring accrued overtime of their employees to ensure that it does not exceed the 70 hour limit imposed by the City's overtime policy (SOP 300-5). If necessary, supervisors may assign officers days off to ensure that overtime limits are not exceeded.

<u>Special Operations Division</u>

- Special Operations Division Commander

  The Special Operations Division Commander is responsible for the Animal Control Unit, the Taxi Inspections Unit, NetForces, reviewing applications for Alcohol Beverage Control and massage parlor licenses, tactical response units and other specialized units that support District policing activities. This Division is responsible for developing operational plans for special events and for planning and coordinating responses to unusual occurrences. Prior to March 1st of each year, the Special Enforcement Captain will initiate an annual review and update of the Department's Emergency Action Plan for critical incidents and emergencies.

  The Division Commander is responsible for submitting annual budget proposals and written performance objectives for the Division to the Chief of Police.

- Division Captains (Special Enforcement Captain and Special Events/Support Services Captain)

  The Division Captains function as executive officers and will perform the duties of the Division Commander during the Commander's absence.

  Division Captains will be responsible for the assignment and deployment of all personnel under their command.

- Division Lieutenants

  The Special Services Lieutenant is responsible for the supervision of personnel assigned to the Selective Enforcement Units.

  The Traffic/Canine/Mounted Lieutenant is responsible for the supervision of the Traffic Enforcement Unit, DWI Enforcement Unit, Crash Reconstruction Unit, Canine Unit, and Mounted Unit.

  The Support Services Lieutenant is responsible for the supervision of personnel assigned to the Animal Control Unit, Secondary Employment Unit, Code Enforcement/PROP Unit, NetForces, ABC Licensing and Permitting, Planning and Logistics, and Taxi Inspections.

- Squad Supervisors and Roll Calls

  Squad supervisors have the responsibility to brief officers on events affecting daily duties and for evaluating readiness of officers to assume duties.

  - Roll calls will be conducted prior to every shift change. If an officer is scheduled to report for duty at a time other than their regularly scheduled shift, the officer is to notify a supervisor immediately upon assuming duty.

  - The Lieutenants are responsible for scheduling, conducting and evaluating roll call training on a periodic basis in order to supplement all other training.

  Squad officers are encouraged to support the exchange of information among the other Divisions in order to coordinate ongoing activities and enhance performance. This will be accomplished as needed by occasional attendance of daily roll calls by Detective supervisors and vice-versa, or through an exchange of daily bulletins.

- Days Off

  Officers and supervisors will receive regular days off in accordance with the Special Operations Division shift schedule. Other accrued leave requested by officers requires supervisor approval.

  The Lieutenant has authority to establish limitations on the maximum number of officers per squad who may request the use of accrued leave based on workload demands, special events or current squad strength.

Squad supervisors are responsible for monitoring accrued overtime of their employees to ensure that it does not exceed the 70 hour limit imposed by the City's overtime policy. If necessary, supervisors may assign officers days off to ensure that overtime limits are not exceeded.

Detective Division

- Detective Division Commander

  The Detective Division Commander is responsible for providing personnel and resources to conduct most follow-up investigations and for initiating investigations involving vice, drugs, organized crime and other criminal activity. In addition to general supervision of Detectives, the Division Commander's responsibilities include:

  - Submitting the Division's annual budget and performance objectives to the Chief of Police;
  - Submitting quarterly reports to the Chief of Police summarizing Departmental activities aimed at drugs, vice and organized crime enforcement;
  - Establishing criteria for handling individuals identified as habitual/career criminals and establishing mechanisms to identify cases involving career criminals;
  - Maintaining juvenile records separate and secure from other records in the Department;
  - Approving all undercover or decoy operations initiated by the Division;
  - Providing a schedule of after-hours Detectives on call to the Field Operations Division Commander on a timely basis;
  - Meeting with the Director of C.C.B.I., the District Attorney and court officials as needed for coordination purposes.
  - Designating personnel responsible for administering any grants received by the Division;
  - Maintaining security over the informant master control file and accountability for confidential fund accounts charged to the Division; and,
  - Providing budget oversight for the Division

- Detective Captains (Major Case/Family Services Captain and General Investigations/Drugs and Vice Captain)

  The Detective Captains function as executive officers and will perform the duties of the Division Commander during the Commander's absence.

- Division Lieutenants and Sergeants

  Division Lieutenants and Sergeants have a responsibility for briefing Detectives on events affecting daily duties and for evaluating the readiness of Detectives to assume their duties.

- Division Lieutenants/Sergeants are responsible for scheduling, conducting and evaluating roll-call training on a periodic basis in order to supplement all other training.

- Division personnel are encouraged to exchange information among other Divisions and other law enforcement agencies in an effort to support the Department's proactive position. Division Sergeants will periodically assign Detective Division personnel to attend Field Operations District roll-calls. The assignment will be documented and maintained by the Sergeant.

- Squad Sergeants

  Squad Sergeants will assume responsibility for investigations and assign cases for follow-up based upon priorities established by DOI 1110-14, "Investigative Case Management and Review" and Division protocols.

- Drugs and Vice Unit Supervision

  The Drugs and Vice Unit will be under the supervision of a police Lieutenant who will report directly to the General Investigations/Drugs and Vice Captain.

  - Drug, vice and ABC violation case reports will be forwarded to the Drugs and Vice Unit. Where appropriate, a supervisor will assume responsibility for an investigation and assign the case for additional follow-up.

  - The Unit will maintain, in a secured location, indexes and photographs of vice and organized crime arrestees.

  - The Drugs and Vice Lieutenant will provide the Captain with a monthly summary of Unit activities, arrests and seizures.

- Control Of Vice And Organized Crime

  Primary responsibility for vice and organized crime control enforcement resides with the Drugs and Vice Unit. Complaints involving alleged police corruption will be forwarded directly to the Internal Affairs Unit.

  The goal of the Drugs and Vice Unit is to address unlawful activities by members of organized groups or associations, as well as independent or non-organized individuals involved in gambling, prostitution, the distribution of illegal pornographic material and illegal use and/or sale of controlled substances and alcohol.

- Records of Active Cases

  Due to their sensitive nature, the entire case report on active vice and organized crime investigations will be held secure in the Drugs and Vice Unit until after case closure.

- Anonymous Complaints

  The Department will fully investigate all vice and organized crime complaints obtained from any source.

- Division personnel receiving anonymous complaints will forward the complaint to the Drugs and Vice Unit.

- Anonymous phone callers should be advised that they can be treated as a confidential source. An investigator will contact the caller upon conclusion of the investigation should they decide to leave their name.

- Refusal of a complainant to identify themselves is not sufficient grounds to inactivate a complaint.

- All records of complaints will be tracked and maintained by the Drugs and Vice Lieutenant.

- Raleigh Intelligence Center (RIC)

  The Raleigh Intelligence Center is responsible for maintaining a database of criminal information and other essential police performance measures as may be required for the purposes of tracking, analysis and reporting. In addition, the RIC provides information for purposes of assessing the effectiveness of field commands by monitoring arrest activity, responses to pattern crimes and the implementation of crime strategies. Finally, the RIC manages the assignment and dissemination of outstanding warrants to Department personnel.

- Police Explorers

  The Raleigh Police Explorers Post program is designed to help youth ages 14 thru 21 gain insight into the field of law enforcement. The program will be administered by the Detective Division. Police Explorers serve an auxiliary function. They are not police employees and are non-sworn.

  Police Explorers may assist with Raleigh Police functions in a limited capacity. Explorers can monitor inner perimeter traffic at intersections during parades; assist officers in the Command Post at parades and large events; and assist officers during community events by providing information about the Police Explorer Program. Police Explorers will only perform their functions as authorized by the designated Police Explorers Coordinator.

<u>Administrative Services Division</u>

- Administrative Services Division Commander

  The Administrative Services Division Commander will be responsible for information systems management, Police human resources, and the coordination of Departmental planning, which includes asset management, recruitment, training and career development programs.

  The Division Commander is responsible for submitting annual budget proposals and written performance objectives for the Division to the Chief of Police.

- Police Psychologist

  The Police Psychologist reports directly to the Division Commander and provides psychological services for the Department.

- Administrative Captain

  The Administrative Captain assists the Division Commander in the performance of the Commander's duties and will assume the duties of the Division Commander in the Commander's absence. The Administrative Captain is responsible for:

  - Providing budget oversight for the Division;
  - Managing the operational components of the Division;
  - Working closely with the Volunteer Program Coordinator; and,
  - Overseeing the operations of the Crime Reporting Center (CRC)

- Division Operating Units

  Many of the functions performed by the Division are closely related requiring continual cooperation and the occasional sharing of duties between personnel. These units are supervised by Division Lieutenants who oversee daily operations. The Administrative Lieutenant reviews case reports for correct classifications, oversees operations and strategic planning, maintains records for Departmental assets and completes annexation studies.

  - Support Services Unit

    The Support Services Unit is supervised by a Lieutenant and consists of the Service Center, Quartermaster's Office, Police Records, and Evidence.

    The Police Vehicle Fleet Manager is responsible for providing direction, oversight and strategic planning for the department's vehicle fleet and all related equipment. Responsibilities of the Police Vehicle Fleet Manager include:

    - Managing the inventory and maintenance of the current vehicle fleet; and
    - Overseeing the acquisition and up-fit of all newly acquired vehicles

    The Quartermaster is responsible for acquiring, issuing and maintaining accountability over the equipment issued to Departmental employees.

    The Police Records Supervisor is designated as custodian of public records in possession of the Raleigh Police Department. The Records Supervisor is responsible for ensuring that a proper repository of records is maintained in conformity with State regulations and law enforcement professional standards.

    The Evidence Unit is responsible for the security and care of all evidence and found or confiscated property held by the Department.

The Crime Reporting Center (CRC) is staffed by Information Response Technicians and limited duty personnel who assist patrol units by completing incident reports for cases that do not require an officer to respond to the scene. The information necessary to complete these reports is normally gathered from complainants over the telephone or internet. The CRC is also responsible for the assignment and dissemination of outstanding subpoenas, juvenile petitions, and criminal summons.

- Information Services

  The Information Services Manager is a civilian position that reports directly to the Administrative Services Division Commander and is responsible for overseeing and managing the Department's information technology projects and needs. The Information Services Manager coordinates all phases of information technology projects and acts as a liaison between command staff, employees, consultants and vendors.

  The primary responsibilities of the Information Services Manager include:

  - Identifying requirements and developing outlines, budgets and schedules for information technology projects;
  - Preparing proposals and writing contracts; and,
  - Protecting Departmental assets through the development and implementation of hardware and information security standards and protocols across multiple platforms

- Training

  The Training Director coordinates all basic and in-service training. They are responsible for ensuring certification of instructors and training programs. The Training and Career Development Sergeant will be responsible for administering career counselor training, voluntary career path development training and educational assistance.

  The Training Lieutenant oversees activities at the police firing range and driving pad. They are responsible for the supervision of all Administrative Services Division personnel assigned to the Battlebridge Training Facility.

- Human Resources

  The Police Human Resources Sergeant administers promotion and selection procedures and coordinates the grievance process within the Department. They will submit an annual report which includes an analysis of grievances for trends and an analysis of selection and promotion procedures for adverse impact prior to July 1 of each year.

  The Human Resources Sergeant supervises the Court Liaison Specialist who is responsible for coordinating court operations between the Police Department and the District Attorney's Office.

- Recruitment

  The Recruiting Sergeant is responsible for seeing that all elements of the hiring process are administered, scored, and evaluated in a uniform manner. They will submit an annual report which includes a selection process review, members assigned to the Recruiting Unit, venues used to recruit future personnel, and a recruitment plan for the upcoming fiscal year prior to July 1 of each year.

- Volunteer Program

  The Administrative Services Division Staff Captain will work closely with the Volunteer Program Coordinator. The Raleigh Police Department utilizes civilian volunteers who are non-sworn, non-uniformed personnel assisting with staff support activities. Civilian volunteers who are non-sworn and uniformed can be utilized to assist with patrol of city streets and greenways; however, they will not take part in any enforcement actions. Assignments are determined by the technical skills of the volunteer and the needs of the Department.

  The Volunteer Program Coordinator will receive applications for civilian volunteers. The Coordinator will contact persons who have expressed an interest through pre-application contact cards. Once applications are received from volunteers, the Police Recruitment Office will conduct an appropriate background check on applicants. The background check will consist of a character reference check, a driver's license check, and a criminal records check of Volunteer Program applicants.

  Training for civilian volunteers will be the responsibility of the staff units to whom they are assigned. While on duty, volunteers are required to abide by lawful instructions of supervisors or officers of the unit to whom they are assigned and will observe the same "Rules of Conduct" required of all Departmental employees. If performance problems are noted, they should be reported to the Volunteer Program Coordinator who will make a recommendation to the Chief of Police to retain or release the volunteer. Upon release or resignation from the program, volunteers are required to promptly return all issued equipment, uniforms and identification cards.

DIVISION DIRECTION AND CONTROL

Division Commanders are responsible for the management of all personnel within their Division and for ensuring cooperation between Divisions.

Span of Control

The recommended span of control depends on the function of the unit involved. For direct field supervision in patrol functions, an immediate span of control no greater than 12 is recommended. This ratio will vary for other functions.

Division Goals and Objectives

Division Commanders are responsible for annual budget and performance measurement preparation, and for reporting the progress of units under their control in achieving those goals and objectives.

Line Inspections

Division Commanders will prepare a list of line inspections pertinent to their function to include the frequency of inspection, responsibilities of those conducting the inspection and follow-up and reporting procedures.

Duty Majors

Division Commanders will serve as Duty Major on a rotating schedule established by the Chief of Police.

Watch Commanders

Designated Captains and Lieutenants serve as Watch Commander on the Field Operations rotation schedule. During the tour of duty, the Watch Commander will function as field commander and will be responsible for the delivery of all patrol services. The Watch Commander is further responsible for notifying the Public Affairs Officer of major hazards, alerts or lookouts for dangerous persons.

Coordination Among Divisions in Field Situations

Emergencies may require the coordination of members from different Divisions and different Districts. During such situations, the highest ranking Field Operations supervisor present will be in charge at the scene. The Watch Commander will maintain overall responsibility of the scene and operate under Incident Command procedures. The Watch Commander will designate an Incident Commander and return to Watch Commander duties after the appropriate transition. When notified of a field situation, the Duty Major will maintain overall Departmental responsibility unless relieved by the Deputy Chief or the Chief of Police.

All supervisors who arrive on the scene should coordinate their activities through the Watch Commander or Incident Commander as time permits. This does not relieve them from the responsibility to issue immediate commands when the Watch Commander is not readily accessible. Such action should be reported to the Watch Commander as soon as practical.

In pre-planned field situations or emergencies involving personnel from different Divisions, a field coordinator will be designated by the Division Commander having responsibility for the action. All personnel involved in cross Divisional pre-planned field activities or emergencies will report directly to the field coordinator in charge of the operation.

Departmental Staff Meetings

Staff meetings, when properly conducted, enhance verbal direction and improve coordination. The Chief of Police will conduct staff meetings with Division Commanders on a regular basis. Division Commanders should also hold regular staff meetings involving major components within their Division. The meetings may also include members from other Divisions in order to improve

cooperation and exchange of information among Divisions. Supervisors should communicate relevant information discussed in staff meetings to their employees within a reasonable time frame.

Administrative Reporting Program

Administrative reports are designed to provide information within the agency on a day-to-day operational basis as well as provide a mechanism to report agency activities daily, monthly, and annually.

Reports, Purpose, Responsibility, Distribution and Frequency

Non-Biased Policing Review:

- Reports used to review non-biased policing complaints for the prior year to determine if there is a need for increased training or policy revisions. This report shall be distributed annually by the Internal Affairs Captain or Lieutenant to the Chief of Police, Deputy Chief of Police, and the Accreditation Sergeant.

Early Warning Report:

- This report provides information on officers who have three or more reported Uses of Force within the quarter. This report shall be distributed quarterly to the Chief of Police, Deputy Chief of Police, and the Accreditation Sergeant.

Use of Force Analysis:

- This report is used to review the Department's reported Uses of Force for the prior year and to determine if there is a need for increased training, procedure changes, or policy revisions. This report shall be distributed annually by the Internal Affairs Captain or Lieutenant to the Chief of Police, Deputy Chief of Police, and the Accreditation Sergeant.

Grievance Analysis:

- This report is used to review grievances for the prior year to determine if a need exists to address a policy or procedure. This report shall be distributed annually by the Police Human Resources Sergeant to the Chief of Police, Deputy Chief of Police, Administrative Division Commander and Captain, and the Accreditation Sergeant.

Records Monthly Reports:

- This report is used to provide monthly statistical data gathered from records data on offenses, reported incidents, criminal arrests, and traffic collisions and arrests. This report shall be distributed monthly by the Records Supervisor to the Chief of Police, Deputy Chief of Police, Division Commanders, Captains and Lieutenants, Crime Analysis Unit, and the Accreditation Sergeant.

Records Annual Report:

- This report is used to provide annual statistical data gathered from records data on offenses, reported incidents, criminal arrests, and traffic collisions and arrests. This report shall be distributed annually by the Records Supervisor to the Chief of Police, Deputy Chief of Police, Division Commanders, Captains and Lieutenants, Crime Analysis Unit, and the Accreditation Sergeant.

Pursuit Analysis:

- This report is used to provide a review of police pursuits and collisions involving police vehicles for the prior year to determine if there is a need for increased training or policy revisions. This report shall be distributed annually by the Crash Reconstruction Unit Sergeant to the Chief of Police, Deputy Chief of Police, Division Majors, and the Accreditation Sergeant.

Weekly Crime Statistics:

- This report is used to provide weekly updates of Part I and Part II crimes as well as arrest data for the agency. This report shall be distributed weekly by the Crime Analysis Unit to the Chief of Police, Deputy Chief of Police, Division Commanders, Captains, Lieutenants, Sergeants, Public Affairs Officer, Records Supervisor, and the Crime Analysis Unit.

Watch Commander's Log:

- This report is used to provide a summary of noteworthy incidents that occurred during each 12 hour shift of patrol coverage. This log provides summary updates to command as well as serving as a basis for roll-call briefings to inform personnel of recent incidents occurring prior to their shift. This report shall be distributed twice a day by the Watch Commander Captain or Lieutenant to the Chief of Police, Deputy Chief of Police, Division Commanders, Captains, Lieutenants, Sergeants, Division Assistants, Public Affairs Officer, Records Supervisor, Crime Analysis Unit, and assorted personnel as affected.

Incident Reports:

- These reports are used to document incidents within the Department's territorial jurisdiction to provide a permanent written record, statistical information, intelligence information, and assist with the prosecution of cases. Sworn Officers and Crime Reporting Center personnel are responsible for completing these reports per incident and distributing them to affected personnel when necessary.

LINE INSPECTIONS

Line inspections should be an ongoing activity to ensure that employees are acting in concert with agency requirements. They are the primary responsibility of all supervisors and managers.

During the course of an inspection of Departmental vehicles, lockers or facilities, Departmental property and employee-owned property is subject to inspection.

Line Inspection Procedures

Line inspections will be conducted by supervisors at the direction of the Division or District Commander. All organizational components, facilities, property, equipment, activities and personnel should be inspected on a continuing basis. Additionally, the following inspections should be performed:

- All firearms following each qualification and whenever spot checks may be needed to encourage compliance with Departmental firearms regulations.
- Monthly inspection of all patrol vehicles, to include a check to ensure the vehicle is clean, all necessary equipment is contained therein and the absence of any unauthorized items or contraband.
- Monthly inspection of all other emergency or special purpose vehicles in a manner as prescribed in the applicable checklists.
- Monthly inspection of any specialized equipment assigned to the Division or District to ensure operational readiness.

Written Reports

A written report on all line inspections will be completed and forwarded to the Division Commander. If the inspection is of equipment such as a special purpose vehicle, the completion of the applicable vehicle inspection log will be sufficient to document the inspection.

Follow-Up Procedures

It will be the duty of the inspecting supervisor to attempt to correct any problems which surface during any inspection. If they cannot correct the situation, their written report will be forwarded to the Division Commander who will see that the proper corrective action is taken and documented.

STANDING COMMITTEES

The Department has established two standing committees to ensure careful and consistent attention to long range planning and training efforts.

Planning Review Committee

The Planning Review Committee will be chaired by the Research and Planning Sergeant who will function as the Planning Director. The Division Staff Captains and a Field Operations designee will represent their respective Division Commanders on the committee. The committee's function is to review the major projects of the Planning Unit for consistency with the Department's vision and goals and to provide direction on the future operating and capital needs. The committee will meet annually at the beginning of the budget process.

Training Committee

The Training Committee is chaired by the Chief of Police. Membership includes the Deputy Chief of Police, the Division Commanders, the Training Director, the Training Lieutenant, the Training Sergeants, and the Police Human Resources Sergeant. The Police Attorney will serve as an ex-officio member.

The Training Committee's functions are described in DOI 1103-02 Training.

THE RALEIGH POLICE DEPARTMENT

1100-03

JURISDICTION / MUTUAL AID

PURPOSE

The purpose of this directive is to establish procedures, duties and responsibilities when providing assistance to, or requesting assistance from, another law enforcement agency.

VALUES REFLECTED

This directive reflects our values of *Service, Fairness, and Integrity.* We will act to offer or request aid when cooperation with other agencies enhances our problem solving capabilities or when response to natural or man-made disasters or criminal events exceeds our available capacity to protect the lives of all of our citizens.

UNITS AFFECTED

All Units/All Personnel

REFERENCES/FORMS

G.S. 15A-402(d) "Arrest Following Immediate and Continuous Flight"
G.S. 160A-285 "Powers and Duties of Police Officers"
G.S. 160A-286 "Extraterritorial Jurisdiction"
G.S. 160A-288 "Cooperation Between Law Enforcement Agencies"
Raleigh City Charter, Section 6.22, "Powers and Duties of Police"
Raleigh City Council Resolution (1978) 647
"Law Enforcement Assistance Agreement", Raleigh Police Department
Wake County Emergency Plans

GENERAL POLICIES

North Carolina General Statute 160A-288 and City Council Resolution 647 (1978), authorizes the Chief of Police to enter into mutual aid agreements for dealing with natural or man-made disasters or special operations.

"Mutual Aid" in this context refers to the temporary lending of personnel, vehicles or equipment for special purposes. Requests or approval for such aid must be made by the Chief of Police or his/her designee.

This policy is not intended to preclude officers from responding to requests for assistance from adjoining or concurrent agencies in responding to emergency calls. Authority for Raleigh officers to travel outside the City must be given by an on-duty supervisor.

JURISDICTION

Under North Carolina law and the Raleigh City Charter, the Department has jurisdiction in the following instances:

Within the Corporate City Limits

Officers of the Department shall have all the powers vested in law enforcement officers by state statute or common law while within the Raleigh corporate limits. They also have power to serve all civil and criminal processes issued by any officer of the General Court of Justice. They may enforce City of Raleigh ordinances as the Raleigh City Council directs.

One-Mile Extraterritorial Extension

Raleigh Police Officers are also granted all the powers vested in a law enforcement officer for a distance of one mile from the corporate City limits.

Raleigh officers will not engage in regular patrol or enforcement within this one-mile extraterritorial area.

Immediate and Continuous Flight

Raleigh Police Officers are also entitled to all of the powers of a law enforcement officer when in pursuit of an offender who has committed a criminal offense within the officer's jurisdiction for which an arrest could be made, and who then flees outside the corporate or extraterritorial limits of the City of Raleigh. The pursuit must be immediate and continuous.

City Property Outside the Corporate Limits

Raleigh Officers have jurisdiction within any City park or property owned or leased by the City of Raleigh, even though it may be outside the corporate limits or extraterritorial limits.

Concurrent Jurisdiction

As a general policy, Raleigh officers will not regularly patrol or take enforcement action on federal government, state government or N.C. State University property located within our jurisdiction unless the agency requests the assistance of our officers. In the event that one of these agencies requests our assistance, our Department will assist to the extent that it is able.

Wake County Public Safety Center and Courthouse

The Wake County Sheriff's Department will exercise jurisdiction over the Wake County Courthouse and Public Safety Center. For bomb threats and fire alarms, the Sheriff's office will determine the extent of evacuation. Raleigh officers will assist as requested. The Wake County Sheriff's Department will investigate all bomb threats against the Wake County Courthouse. Raleigh officers will submit bomb threat case reports for Uniform Crime Reporting purposes.

PROVIDING MUTUAL AID TO ANOTHER AGENCY

During natural or man-made disasters, the Raleigh Police Department will provide assistance to other agencies according to the guidelines in the City of Raleigh Emergency Plan, Wake County Emergency Plan and mutual aid agreements.

Requests by Another Agency

Requests for mutual aid must be made in writing by the head of the requesting agency or his/her designee to the Chief of Police or his/her designee who will decide what resources are available (a NCIC/DCI message will satisfy this requirement in emergencies). The requesting agency head must sign or have previously signed an Assistance Agreement with our Department. The Police Attorney will maintain a current file of all Assistance Agreements. Each Agreement will be reviewed and revised by the Chief of Police and Police Attorney prior to implementation.

Authorization for Mutual Aid

The Chief of Police or his/her designee will determine the level of response to requests for aid and will authorize any and all use of Department resources including personnel, vehicles and equipment.

Supervision and Control of Officers on Loan

Raleigh Police Officers assigned to another agency under mutual aid provisions shall be subject to lawful operational commands of supervisors of that agency.

Personnel and administrative control, including compensation of the Raleigh officers, will be retained by the Raleigh Police Department. Raleigh officers will be entitled to Worker's Compensation and other benefits to which they would be entitled were they functioning within the normal course and scope of their duties with the Raleigh Police Department.

Jurisdiction, Powers and Immunities

Raleigh officers assigned to another agency under mutual aid provisions shall have the same jurisdiction, powers, rights and immunities as officers of that agency.

REQUEST FOR ASSISTANCE

In requesting assistance during emergencies or disasters, the Raleigh Police Department will follow the guidelines specified in the City of Raleigh Emergency Plan.

Requesting Aid

All requests for mutual aid assistance by the Raleigh Police Department will be made by the Chief of Police or his/her designee.

Officers Temporarily Assigned to the Department

Officers from other agencies, who are temporarily assigned to the Raleigh Police Department under a mutual aid agreement, are subject to the same rules, regulations and supervisory commands as our own officers. They will possess the same jurisdiction, powers, rights and immunities as Raleigh officers.

Personnel and administrative control, including compensation of the officers, will be retained by the lending agency.

Requests to the State Highway Patrol or National Guard

Requests for assistance from the State Highway Patrol or the National Guard must be initiated by the Mayor of Raleigh or the next in line of succession.

Federal Law Enforcement Assistance

Circumstances may require the assistance of federal law enforcement agencies. Requests for federal law enforcement assistance will be initiated by the Chief of Police. In the event that the Chief is unavailable, the City Manager, as Public Safety Director, will initiate requests for federal law enforcement assistance.

THE RALEIGH POLICE DEPARTMENT

1100-04

NON-BIASED POLICING

PURPOSE

To reaffirm the Department's commitment to unbiased policing, clarify the circumstances in which race or other identifiable group descriptors can be used as a factor to establish reasonable suspicion or probable cause, and to reinforce procedures that serve to assure the public that we are providing service and enforcing laws in a fair and equitable manner.

VALUES REFLECTED

This directive reflects our values of *Fairness and Integrity*. By following the guidelines that are presented in this order we demonstrate that we are not improperly influenced and that we are forthright and honest. We also demonstrate that we are impartial, treat people equitably, and are free of prejudice and favoritism.

UNITS AFFECTED

All Divisions/All Personnel

REFERENCES/FORMS

United States Constitution – Fourth Amendment
G.S. 114-10 "Division of Criminal Statistics"

GENERAL POLICIES

Except in "suspect-specific incidents", employees are prohibited from considering the race, national or ethnic origin, or other identifiable group descriptors of members of the public in deciding to detain a person or stop a motor vehicle and in deciding upon the scope or substance of any law enforcement action.

DEFINITIONS

Biased Based Profiling

The practice of stopping or arresting a suspect because of race, ethnic background, gender, sexual orientation, religion, economic status, age, cultural group or any other identifiable characteristics without any individualized suspicion of the particular person being stopped or arrested.

Suspect Specific Incident

An incident in which an officer is lawfully attempting to detain, apprehend, or otherwise be on the lookout for one or more specific suspects who have been identified or described in part by national or ethnic origin, race or other identifiable group descriptors.

NON-BIASED POLICING

All investigative detentions, traffic stops, arrests, searches and seizures of property by officers will be based on a standard of reasonable suspicion or probable cause as required by the Fourth Amendment of the U.S. Constitution and statutory authority. Officers must be able to articulate specific facts, circumstances and conclusions that support law enforcement action taken.

Except as provided below, officers will not consider race, national or ethnic origin, or other identifiable group descriptors in establishing either reasonable suspicion or probable cause.

Officers may take into account the reported race, national or ethnic origin, or other identifiable group descriptors of specific suspect or suspects based on credible, reliable, locally-relevant information that links a person of a specific race to a particular criminal incident or links a specific series of crimes in an area to a group of individuals of a particular race/ethnicity, as long as the description includes more than race/ethnicity or group characteristic.

Except as provided above, no person will be singled out or otherwise treated differently on account of his/her race, national or ethnic origin, or any other identifiable group descriptors.

PREVENTING MISPERCEPTIONS OF BIASED POLICING

In an effort to prevent inappropriate perceptions of biased law enforcement, officers will utilize the following strategies when conducting pedestrian and vehicle stops:

- Officers will be courteous, polite, and professional.
- Officers will introduce themselves (providing name and agency affiliation) and explain to the person stopped the reason for the stop as soon as practical, unless providing this

information will compromise the safety of officers or other persons. In vehicle stops officers should provide this information before asking the driver for their license and registration.

- Officers will ensure that the length of the detention is no longer than necessary to take appropriate action for the known or suspected offense.
- Officers will answer any questions that persons stopped may have regarding their responsibility after receiving a citation.
- Officers will provide their names and code numbers when requested, in writing or on a business card.

DOCUMENTATION

In accordance with General Statute 114-10.01, any officer performing a traffic stop shall complete a Racial Profile Form. This form will be completed by the officer prior to the end of the officer's shift.

When working a checking station, officers issuing verbal warnings, written warnings, uniformed traffic citations, making physical arrests, or conducting searches will be required to complete a Racial Profile Form. For the purposes of generating an electronic Racial Profile Form, officers are required to self-initiate a traffic stop for each enforcement action taken. The Racial Profile Form requires the officer to submit a "purpose" for the stop. Officers will indicate "Checkpoint" as the reason for the stop. Officers participating in checkpoints outside their jurisdiction should use "000" in lieu of a beat number.

SUPERVISION AND TRAINING

Supervisors will ensure all personnel in their command are familiar with the content of this policy and are operating in compliance.

Supervisor Responsibility

- Monitor conduct to ensure that the standards of this policy are being carried out.
- Ensure that employees complete Racial Profile Forms and document facts to sufficiently support their law enforcement actions.
- Take positive steps to identify, prevent, and eliminate any instances of biased based profiling by members of the Department.

Training

All enforcement personnel will receive periodic training on biased based profiling and discrimination issues, including legal updates and a review of this policy.

DISCIPLINARY PROCEDURES

Violation of this policy, or portions thereof, will result in remedial training and/or disciplinary action as set forth in the Department's applicable rules and regulations.

ADMINISTRATIVE REVIEW

The Internal Affairs Unit will conduct an administrative review of the Department's practices concerning impartial policing including any citizen complaints and concerns. The Internal Affairs Annual Report will include this review.

THE RALEIGH POLICE DEPARTMENT

1100-05

INTERAGENCY RELATIONSHIPS

PURPOSE

The purpose of this directive is to establish responsibilities and procedures for developing and maintaining liaisons with outside agencies whose mission, objectives and activities are directly linked to those of the Raleigh Police Department.

VALUES REFLECTED

This directive reflects our values of *Service and Integrity*. We are committed to establishing close ties with other criminal justice agencies, community groups, and human service agencies so that we may work together to solve community problems and provide excellent service.

UNITS AFFECTED

All Divisions/All Personnel

REFERENCES/FORMS

GENERAL POLICIES

The Raleigh Police Department will maintain liaisons with other criminal justice, public safety, community groups and social service agencies to promote a productive exchange of information, coordinated efforts in criminal investigations, the arrest of fugitives, the planning of operations and a coordinated response to diversion and other intervention activities.

Individuals responsible for maintaining contact with an outside agency should meet with that agency as often as is necessary to maintain effective communications and not less than annually to discuss mutual concerns, problems and solutions to problems.

All official communications with outside agencies should be made with the approval of the Chief of Police.

OFFICE OF THE CHIEF

Chief of Police

The Chief of Police provides overall direction and guidance to the Department by establishing liaison with various associations of police executives and regional coordinating committees.

Police Attorney

The Police Attorney will keep the Department informed of any legislation or rulings related to the Department by maintaining liaison with the N.C. Attorney General's Office, the Wake County District Attorney's Office and the North Carolina Association of Police Attorneys.

Office of Professional Standards

The Internal Affairs Unit is responsible for developing and maintaining liaisons with the following agencies:

- N.C. State Bureau of Investigation
- Wake County District Attorney's Office
- City-County Bureau of Identification
- Other law enforcement agencies as necessary

The Inspections Unit is responsible for developing and maintaining communications with the following entities:

- Physical security contractor for Departmental facilities
- Environmental cleaning services contractor (for purposes of security and building access)

The Accreditation Unit is responsible for developing and maintaining communications with the following agencies:

- Commission on Accreditation for Law Enforcement Agencies (CALEA)
- N.C. Law Enforcement Accreditation Network

Planning

This office is responsible for developing and maintaining communications with the following agencies:

- City of Raleigh Planning Department
- City of Raleigh Budget and Management Services Department
- Governor's Crime Commission
- N.C. Law Enforcement Planner's Association
- Area educational institutions with planning programs

Public Affairs Office

The Public Affairs Office maintains an ongoing working relationship with the City of Raleigh Public Affairs Department and communicates and collaborates with public information personnel in other agencies on an as-needed basis.

FIELD OPERATIONS DIVISION

The Field Operations Division is responsible for developing formal liaisons throughout the community, through community relations and public education programs, so that the Department might better respond to their needs. Other responsibilities of the Field Operations Division include informing the community about relevant changes in crime patterns and other quality of life issues.

The Field Operations Division will also maintain liaisons with other agencies to enhance the Department's ability to effectively respond to any field situation or emergency.

The Division Commander or his/her designee is responsible for developing and maintaining the following liaisons:

Law Enforcement Agencies

- North Carolina State University Department of Public Safety
- State Capitol Police Department
- Patrol divisions of adjoining or concurrent police departments
- Patrol division of the Wake County Sheriff's Department
- N.C. State Highway Patrol

Community Organizations

- Raleigh Merchant's Association
- Citizens Advisory Councils (CACs)

Public Utilities

- Duke Energy Progress
- AT&T Telephone
- PSNC Energy Company

Traffic Management and Control

- City of Raleigh Transportation Department
- N.C. Department of Transportation
- N.C. State Highway Patrol
- Governor's Highway Safety Program

DETECTIVE DIVISION

The Detective Division is responsible for investigating the activities of criminals who may be operating across several jurisdictions. The Division also shares responsibility with other agencies for successful prosecution, diversion or protection of juveniles, and observation of probationers and parolees. The Division Commander or his/her designee is responsible for developing formal liaisons to further these objectives.

Law Enforcement Agencies

- Investigative divisions of adjoining or concurrent police departments
- Investigative division of the Wake County Sheriff's Department
- City-County Bureau of Identification
- Wake County ABC Law Enforcement
- N.C. State Bureau of Investigation
- N.C. Division of Alcohol Law Enforcement
- Federal Bureau of Investigation
- Bureau of Alcohol, Tobacco, Firearms and Explosives
- Drug Enforcement Agency
- U.S. Marshals Service
- U.S. Immigrations and Customs Enforcement
- Other law enforcement agencies as necessary

Protection of Juveniles

- N.C. Department of Juvenile Justice and Delinquency Prevention
- Wake County Juvenile Detention Center
- Wake County Department of Human Services
- Wake County Public School System Security

Court System

- Wake County District Attorney's Office
- N.C. Attorney General's Office
- U.S. Attorney's Office
- Felony Diversion Program

Corrections

- N.C. Community Corrections
- U.S. Probation

ADMINISTRATIVE SERVICES DIVISION

The Administrative Services Division is responsible for developing formal liaisons in the following areas:

Human Resources and Training

This office is responsible for developing and maintaining communications with the following agencies:

- N.C. Criminal Justice Education & Training Standards Commission
- N.C. Justice Academy
- City of Raleigh Human Resources Office

Information Services

This office is responsible for developing and maintaining communications with the following agencies:

- N.C. Division of Criminal Information
- National Crime Information Center
- Administrative Office of the Courts
- City of Raleigh Information Technology Department
- N.C. Office of the State Controller

Evidence Unit

This office is responsible for developing and maintaining communications with the following agencies:

- N.C. State Bureau of Investigation
- City-County Bureau of Identification

SPECIAL OPERATIONS DIVISION

The Special Operations Division is responsible for developing the following liaisons:

Emergency Response

- Department of Homeland Security
- City of Raleigh Fire Department
- Raleigh/Wake County Emergency Communications Center
- Wake County Emergency Medical Services (EMS)
- Wake County Emergency Management
- N.C. National Guard
- N.C. Department of Crime Control and Public Safety (Emergency Management Division)
- Environmental Protection Agency
- Shearon Harris Nuclear Power Plant
- Wake County Crisis and Assessment
- Area Correctional Facilities

Traffic Management and Control

- City of Raleigh Transportation Department
- N.C. Department of Transportation
- N.C. State Highway Patrol
- Governor's Highway Safety Program

Dignitary Security

- U.S. Secret Service
- N.C. State Highway Patrol
- Raleigh-Durham International (RDU) Airport Police

DEPARTMENT'S ROLE IN DIVERSION PROGRAMS

All members of the Department are obligated to cooperate with all area criminal justice and social services diversion programs by responding promptly to authorized requests for reports, referrals, and investigative assistance related to criminal prosecution, diversion, protection of juveniles, probation and parole.

This responsibility extends to the following agencies and to any other agency charged with administering diversion programs:

- Wake County First Offender Good Conduct and Attitude Improvement Dialogue Program
- Felony Diversion Program
- Wake County Re-Entry Program
- Other Criminal Justice and Social Service Programs

THE RALEIGH POLICE DEPARTMENT

1100-06

POLICE VOLUNTEER PROGRAM

PURPOSE

The purpose of this directive is to establish policies and procedures that define the role of citizen volunteers within the Raleigh Police Department.

VALUES REFLECTED

This directive reflects our values of *Service, Integrity, and Compassion*. We are committed to our Citizens and value the talents that they bring to the Department.

UNITS AFFECTED

All Divisions/All Personnel

REFERENCES/FORMS

Community Services Department DOI 3010-304

GENERAL POLICIES

Volunteers can be an important part of any organization and are proven to be a valuable asset to law enforcement agencies. Qualified volunteers assist in departmental efficiencies and improve services to the community.

DEFINITIONS

Volunteer: Non-sworn personnel who perform services for the department without promise, expectation, or receipt of compensation for services rendered.

The Police Volunteer Program will be administered by the Administrative Division and will be overseen by the Police Volunteer Coordinator. The volunteers will receive training on basic police structure and operations. The Police Volunteer Coordinator will be responsible for conducting training and maintaining all records of the training. Volunteers may be assigned to work in areas throughout the department as needed.

POLICE VOLUNTEER COORDINATOR

This is supervisory work directing and controlling the assignments of the Police Volunteers. Some of the duties of this position include:

- Supervise the staffing of the Raleigh Police Volunteer Program;
- Make on-site visits with volunteers to ensure they are working within the guidelines of the program;
- Recruiting, selecting, and training of qualified volunteers for various positions;
- Conduct departmental orientation and follow-up training for the Volunteers as needed;
- Maintain a record of volunteer schedules and work hours;
- Administer discipline when warranted;
- Process all applications and make selections from among qualified applicants

VOLUNTEER APPLICATION PROCESS

- Submit an application to the Police Volunteer Coordinator;
- Have a photo taken;
- A copy of driver's license will be made;
- Submit a notarized release of information;
- Submit a signed Social Security Statement of Purpose;
- Have a background check completed

Selection of Police Volunteers

The Police Volunteer Coordinator will work with the City of Raleigh Community Services Department Volunteer Coordinator to recruit qualified volunteers for the program. The Police Volunteer Coordinator is responsible for ensuring the following:

- The applicant is physically able to perform the work.
- The applicant has never been convicted of a felony or Class A misdemeanor.
- The applicant is reliable as demonstrated with background checks and references.
- The applicant is reliable as demonstrated by an interview with the Police Volunteer Coordinator.
- The applicant is able to furnish transportation to the assigned work area.

POLICE VOLUNTEER PROCEDURES

- Volunteers will be placed only in job assignments or programs that are consistent with their knowledge, skills, abilities, and the needs of the department.
- Police volunteers will be required to perform 15 hours per month.
- Police volunteers shall be on their assignments on time and work with their assigned supervisor.
- Police volunteers are NOT LAW ENFORCEMENT OFFICERS. They shall not be involved in any police enforcement action.
- No weapons are authorized for use by any member of the program.

Conditions of Work

Police volunteers assigned to citizen patrol will wear uniforms furnished by the department. While in uniform, volunteers are governed by the same rules of conduct specified in the Department Operating Instructions that apply to all personnel.

All police volunteers will use the chain of command when conducting departmental business or matters of concern to the department unless otherwise specified by departmental regulations. Any individual with a request should discuss the matter with the Police Volunteer Coordinator. If the Police Volunteer Coordinator is unable to handle the matter, the volunteer may request and will be permitted to appeal to the next level of authority up to, and including, the Chief of Police.

Police Volunteer Activities

Administrative duties may include, but are not limited to:

- Data entry;
- Filing, answering phones, performing other office tasks;
- Assisting personnel by answering citizen inquiries and performing routine administrative tasks such as maintaining spreadsheets, filing reports, or assisting Detectives, Quartermaster, the Family Violence Intervention Unit, etc.

Citizen patrol duties include, but are not limited to:

- Assisting with stalled vehicles;
- Assisting on collision scenes;
- Assisting with searches for missing persons;
- Providing bike patrol in community parks;
- Home-bound checks;
- Assisting with training center programs;
- Graffiti abatement programs;
- Assisting with ceremonies and parades;
- Any additional duties deemed necessary by the Police Volunteer Coordinator

Training

Volunteers will be provided an orientation program to acquaint them with the department, personnel, and policies and procedures that may have a direct impact or their work assignment. Volunteers will also receive position-specific training through a nine week training academy; to ensure they have adequate knowledge and skills to complete tasks required by the position. Periodic on-going training will be conducted when it is deemed appropriate by supervisors or the Police Volunteer Coordinator.

Training will emphasize that volunteers may not intentionally represent themselves as, or by omission infer that they are, sworn officers or other full-time members of the department. Volunteers will always represent themselves in their appropriate capacity.

Reporting Out Sick or Tardy

Police Volunteers shall notify their supervisor of illness during the first one-half hour of the day they are scheduled to work. They shall also contact the Police Volunteer Coordinator. In emergency situations where an on-duty supervisor cannot be reached, Police Volunteers may also report out to the Police Desk.

Dismissal

Police Volunteers who do not comply with the standards of the Raleigh Police Department will be terminated from the Raleigh Police Department or Greenway Volunteer Programs.

Personnel Records

The Police Volunteer Coordinator will maintain a file of the volunteer applications, background checks, and other related personnel records.

Property and Equipment

Volunteers shall be issued an identification card that must be worn 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.

Evaluation

An evaluation of each volunteer will be conducted on a monthly basis by the Police Volunteer Coordinator to note the number of volunteer assignments and the number of hours performed. Regular personnel evaluations will be conducted between volunteers and coordinators so as to ensure the best use of human resources; to ensure that personnel problems are identified and dealt with promptly and fairly; and to ensure optimum job satisfaction on the part of volunteers.

GREENWAY VOLUNTEERS

The Greenway Volunteer Program is a volunteer program designed to let citizens report crimes in progress, help citizens in need and provide a sense of security. The program will be administered under the supervision of the Police Volunteer Coordinator. Volunteers serve an auxiliary function. They are not police employees and are non-sworn.

Greenway Volunteer Activities

Greenway Volunteers assist the Raleigh Police Department in a limited capacity.

- They utilize their own bicycles and riding equipment to ride or to walk the various Greenways.
- They will use their eyes and ears to detect problems which may require intervention by Police.
- They assist the community by providing information and a sense of safety.
- Communication with the Raleigh Police Department and Parks and Recreation will occur via cell phone.

Greenway Volunteers will only perform their functions as authorized by the designated Police Volunteer Coordinator (See Greenway Handbook). Those riding bicycles must be able to ride their bicycle safely, including wearing all safety equipment. Walkers need to know their limitations.

Training

Greenway Volunteers will be provided initial training before patrolling the Greenways and ongoing training as deemed necessary by the Police Volunteer Coordinator.

Training will emphasize that Greenway Volunteers are not sworn officers and may not intentionally represent themselves as or by omission infer, they are sworn officers or other full time members of the department. Training will also emphasize legal issues concerning being a Greenway Volunteer.

POLICE EXPLORERS

The Raleigh Police Explorers Post program is a volunteer program that is designed to help youth, ages 14 thru 21, gain insight into the field of law enforcement. The program will be administered by the Detective Division under the supervision of the Police Explorers Coordinator. Police Explorers serve an auxiliary function. They are not police employees and are non-sworn.

Police Explorer Activities

Police Explorers may assist with Raleigh Police functions in a limited capacity. Explorers can:

- Monitor inner perimeter traffic intersections during parades;
- Assist officers in the Command Post at parades and large events; and,
- Assist officers during community events by providing information about the Explorer Program.

Police Explorers will only perform their functions as authorized by the designated Police Explorers Coordinator.

Training

Police Explorers will receive periodic, on-going training conducted during Explorer meetings and when it is deemed appropriate by the Police Explorers Coordinator.

Training will emphasize that Explorers may not intentionally represent themselves as, or by omission infer that they are, sworn officers or other full-time members of the department. Explorers will always represent themselves as in their appropriate capacity.

THE RALEIGH POLICE DEPARTMENT

1101-01

PLANNING, BUDGETING AND RESOURCE MANAGEMENT

PURPOSE

The purpose of this directive is to establish a systematic management process directed toward achieving departmental mission, goals and objectives and accounting for results.

VALUES REFLECTED

This directive reflects our values of *Service, Fairness, Integrity, and Compassion*. We are accountable for the efficient and effective use of the resources entrusted to us by the community. We will apply these resources to continuous process improvement and will constantly search for ways to improve service delivery.

UNITS AFFECTED

All Divisions/All Personnel

REFERENCES/FORMS

City of Raleigh Manual of Instructions for Preparation of Budget Request
City S.O.P. 102-1 "Budget Making-Preparation Events and Schedule
City S.O.P. 100-7 "Management of Capital Projects"
City of Raleigh "Program Activity Description"
DOI 1100-2 "Department Organization and Management"

GENERAL POLICIES

We recognize that effective planning, performance measurement and the annual budget are the most powerful management tools we have in the delivery of efficient, effective, high quality police services. The Raleigh Police Department has implemented management practices that link these three processes so that one necessarily informs the other.

The Multi-Year Strategic Plan is based on the overall departmental mission, core values and specification of organizational objectives by the Department's internal and external stakeholders. This plan provides the structural framework for the annual budget.

The annual budget is organized around activities, operations or organizational units directed toward the attainment of specified goals and objectives. Budget preparation is an opportunity to review organizational structure and operating methods and to initiate new programs and make changes in existing programs.

The Performance Management System is a process that allows the department to make allocation decisions based in part on the efficiency and effectiveness of service delivery. Data derived from the system is used to support decisions related to planning, organizing, staffing, budgeting and program development.

MULTI-YEAR STRATEGIC PLANNING AND ACTION PLANNING

The Planning Director, in coordination with the Fiscal Manager, is responsible for the development and implementation and periodic monitoring and review of the department's Multi-Year Strategic Plan. The plan is implemented and monitored through the use of action plans.

The Multi-Year Strategic Plan

Multi-year strategic planning in the Raleigh Police Department is an issues management process that begins with an assessment of the Department's position in relation to its social, cultural, political and economic environment and the identification of key issues facing the department over a multi-year period. It is a highly focused process with the following key elements:

- Concentration on selected issues
- Development of specific action oriented strategies to address the issues with an emphasis on practical results
- Explicit consideration of resource availability

Plans Review

Multi-year planning is a continuous process wherein the plan may be modified when adjustments in existing strategies are needed or when new issues arise. To support this process, the Planning Unit will maintain an information base as follows:

- Current workload distribution
- Projected city population growth over a 5-10 year period
- Projected growth in patrol area by patrol district
- Population demographics by patrol district
- Crime rates and projected demand for services
- Anticipated personnel levels over a 5-10 year period
- Capital improvements and equipment needs over a five year planning horizon
- Technology needs over a ten year planning horizon
- Quarterly performance measures reports

The Planning Director is responsible for initiating and conducting a semi-annual review of multi-year plans.

Strategic Planning Team

The Strategic Planning Team is chaired by the Planning Director and is composed of a Field Operations Administrative Assistant, the Detective Captains, the Fiscal Manager, the Research and Planning Sergeant from the Office of the Chief, the Captain in the Administrative Services Division, the Accreditation Manager, the Grants Manager and others as may be required or designated. The team is responsible for developing the multi-year strategic plan, reviewing results and making recommendations for adjustments and modifications. The team will meet not less than semiannually for plans review.

Management Action Plans

Management Action Plans are work plans which specify program objectives, responsibilities, resources, milestones and targets for achieving program objectives. These work plans are based on the multi-year strategic plan and the annual budget and are prepared by program managers for all projects related to new programs or expansions of existing programs. Management Action Plans should state the following:

- Division name
- Program Name, Project Name and Description
- Authorized date of the project
- The Project Objective - what the project seeks to accomplish
- Name of the Project Manager

- Specific tasks needed to complete the project and the names of the responsible person(s)

- Target dates for the completion of each task and project milestones

Management Action Plans are approved by the appropriate Division Commander and forwarded to the Department's Planning Unit with copies to the Department's Budget Office for purposes of monitoring and progress reporting.

ANNUAL BUDGET AND CAPITAL IMPROVMENTS PROGRAM

The Fiscal Manager is responsible for the overall preparation, review, analysis and implementation of the annual operating budget and five year capital improvements program in coordination with the Planning Director. The Fiscal Manager's responsibilities include, but are not limited to, the following:

- Prepares the Department's executive budget for review by the Chief of Police

- Tracks expenditures and provides monthly budgetary status reports to program managers to assist the managers in maintaining an alignment between financial accountability and operational accountability

- Reviews division budgets and makes recommendations

- Develops, recommends and implements department-wide budgeting concepts, management systems and procedures

- Reviews grant applications, grant extensions and continuations and assesses fiscal impact on operating budgets

- Prepares Departmental budget calendars and schedules

- Issues budget instructions and guidelines

- Conducts budget preparation workshops for department officials

Budget preparation is a "bottom up" process beginning at the program level with a review of current operations and proposals for expanded or new programs based on performance measurement data and the multi year strategic plan. Budget requests are aggregated at the division level for review by Division Commanders and submission to the department's Fiscal Manager. At a minimum, budget requests will be supported by the following information:

- A statement of the results to be achieved. The results should be stated in a manner that is quantitative, measurable and related to a specific time frame.

- Performance measures that indicate how effectively and efficiently a program is being carried out.

- Workload indicators that will measure the amount of work actually performed.

A Departmental calendar of budget events and budget guidelines will be prepared and distributed by the Fiscal Manager no later than September 1 of each budget year. Requests for capital equipment

and new or expanded programs should be submitted to the Fiscal Manager no later than November 1 of each year. Capital improvements program requests are to be submitted no later than December 1 of each year. Strict compliance with budget preparation deadlines is expected.

PERFORMANCE MEASUREMENT

The Planning Director is responsible for preparing a manual of instructions and assisting Department program managers in the development of performance measures. The purpose of performance measurement is to provide a quantitative basis for planning and managing key objectives identified in the multi-year strategic plan and to support and justify budget requests during the annual budget preparation process.

Performance measures are based on specific program objectives and are reported in the following categories:

- Efficiency measures - These measures are used to assess the extent to which a program is being carried out productively. For example, the equipment Service Manager may measure the maintenance cost per mile for police vehicles

- Effectiveness measures or indicators - These are quality measures used to assess program outcomes or the extent to which a program is doing what it is intended to do. They are often expressed as percentages or averages such as average response time to emergency calls but at times may be based on such data from community surveys, etc.

- Workload indicators - These indicators measure the quantity of work actually performed. For example, the Human Resources Director may report the number of personnel applications received or the number of background checks performed.

Performance data is monitored by the Planning Office and is used to track inputs, outputs, outcomes and efficiencies at the program level. Measurement data will be maintained by program managers. A quarterly performance measures report will be prepared by the Planning Office, reviewed by the Fiscal Manager and Departmental Command Staff, and submitted to the City of Raleigh Administrative Services Division. The Office of Professional Standards will be responsible for verifying the accuracy and reliability of performance measurement data.

REVIEW OF SPECIALIZED ASSIGNMENTS:

The Raleigh Police Department is committed to maximizing effectiveness through performance management. The use of specialty units allows for a select number of personnel to develop content expertise to address specific agency needs. To ensure that specialized units continue to meet their original purpose and unit goals, each Division Commander or their designee will conduct an annual review and status report of each specialized assignment within their division which will be forwarded to the Chief of Police and Accreditation Sergeant. The annual review and status report should list each specialized assignment; the cause or problem that created the unit; the purpose and objective; the responsibility, authority, and coordinator of the specialized unit; accountability of the unit; and identifying what resources will be used. Each unit should then be evaluated using performance data to determine if the unit is still meeting its original purpose and is an effective use of personnel.

SPECIALIZED ASSIGNMENTS:

Assignments to special units that do not constitute a promotion or change in pay offer opportunities for career development and job enrichment by allowing officers to receive specialized training and apply specific talents and skills to highly specialized duties. The Department offers assignments to these specialized units:

Special Operations Division

- Events and Planning Officer
- Code Enforcement Officer
- Prop Officer
- Canine Officer
- Mounted Officer
- Traffic Enforcement Officer
- Crash Reconstruction Officer
- SEU Officer

Detective Division

- U.S. Marshal Task Force
- D.E.A. Task Force
- A.T.F. Task Force
- F.B.I. Task Force
- Career Criminal Unit Officer
- Fugitive Officer
- Family Violence Unit Officer
- Youth Services Officer
- School Resource Officer
- Gang Suppression Officer

Field Operations Division

- Community Officer
- Crime Prevention Officer

CREATION OF SPECIALTY UNITS:

The creation of a new specialty unit should be based on a documented need to address a problem through a group of specialists. Due diligence should be used in identifying best practices through benchmarking of other agencies addressing the same problem. A proposal for a new unit should be presented to command staff for review and final approval by the Chief of Police. New unit proposals should include the following:

1) Definition of the problem or condition that will be addressed.
2) Summary of research findings on best practices in addressing similar problems by other agencies.

3) Summary on how the creation of a specialty unit will improve service delivery in addressing the problem.
4) Proposal on how the new unit will be staffed, to include recommendations for staffing increases, grant funding, and/or reassignment of current positions.

ELIMINATION OF SPECIALTY UNITS:

If at any time it is determined that a specialty unit is no longer meeting its stated purpose, consideration will be given to the elimination of the unit and reassignment of its personnel to other duties. A recommendation for the elimination of a specialty unit should be forwarded to command staff for review and approval by the Chief of Police. The recommendation should include the following:

1) Summary of conditions that have led to the unit no longer meeting the needs of the department.
2) Recommendation for reassignment of unit personnel to other positions.

THE RALEIGH POLICE DEPARTMENT

1101-02

SYSTEM OF WRITTEN DIRECTIVES

PURPOSE

The purpose of this directive is to establish a system of formal directives to provide all employees with guidance and a clear understanding of the expectations related to their duties.

VALUES REFLECTED

This directive reflects our values of *Service and Integrity*. Written directives provide clear and positive guidance that enhances our service to citizens, directs us toward the achievement of common goals, and enable fair and consistent decision making.

UNITS AFFECTED

All Units/All Personnel

REFERENCES/FORMS

City SOP 100-1 "Standard Procedure Documents"

GENERAL POLICIES

The purpose of a formal system of written directives is to guide the actions of employees and provide them with a clear understanding of the constraints and expectations of their specific duties and rapid access to a single, current source for information about departmental procedures, rules and regulations.

To keep this information source current, the Accreditation Unit and Deputy Chief will ensure all directives are reviewed at least biennially to determine if they should be canceled, revised or continued in their present form. Supervisors are responsible for ensuring that written directives are properly disseminated and explained to employees.

The existence of a formal written directives system does not preclude supervisors from issuing written job instructions to personnel under their command.

WRITTEN DIRECTIVES

All members of the Department are responsible for being familiar with the various forms of written directives and for complying with those applicable to their assignment.

City Standard Operating Procedures

City Standard Operating Procedures are general guidelines in the form of stated management principles and instructions required to implement policies. These procedures normally affect more than one department of City government. Standard Operating Procedures are written orders issued by the City Manager. If the Police Department is included under the "Organizations Affected" (Section 2.0) of a Standard Operating Procedure, it is mandatory that all Departmental personnel abide by the procedure. Standard Operating Procedures remain in effect until rescinded or superseded.

Departmental Operating Instructions (DOIs)

Departmental Operating Instructions delineate permanent job tasks or functions that affect all personnel or require coordination among different divisions. Unless otherwise indicated in the "Units Affected" section, DOIs apply to all police personnel. DOIs are issued by the Chief of Police with concurrence by the City Manager and are written standing orders which remain in effect until rescinded or superseded. The Chief of Police may suspend enforcement of provisions of a DOI if the Chief determines that the provision does not adequately reflect current circumstances.

Departmental Operating Instructions will be drafted using a format identical to the one in this procedure. Each DOI will state a "Purpose", "Values Reflected", "Units Affected", "References", and "General Policies."

All personnel have access to the electronic version of the manual on the local intranet. One printed copy will be maintained in each Division office and District substation.

The Division and District Lieutenants and the Accreditation Sergeant are responsible for maintaining these manuals.

Special Memoranda

Special Memoranda are issued by the Chief of Police and are intended as temporary directives pending incorporation in DOIs. Special Memoranda will be issued on the standard Inter-Office Memorandum form and an electronic version will be placed on the local intranet. Special Memoranda carry the same authority as a written order from the Chief of Police and shall remain in effect until the indicated expiration date (if applicable) or until the content of the Special Memorandum has been incorporated into policy.

Bulletins

Bulletins are information only lookouts, checklists or instructional material. Bulletins carry no formal authority and may be issued by any member of the Department. Bulletins may be posted in accordance with the following rules:

- Bulletins should indicate the units or personnel affected and must be dated.
- In order to be posted on official bulletin boards, bulletins must bear the initials of the supervisor of that unit.
- Bulletins will be removed from official bulletin boards 30 days after the date of issuance.

CHANGES IN WRITTEN DIRECTIVES

Personnel are encouraged to review all written directives and to make any suggestions for changes to their unit supervisor. Any proposed changes that show merit should be put in writing and forwarded through the chain of command to the Accreditation Unit.

Proposals for new DOIs will be reviewed by all Division Commanders and the Police Attorney after an initial review by the Chief of Police.

Responsibilities of Accreditation Manager

The Accreditation Manager will prepare proposed changes in policy or procedure for review by the Division Commanders and Deputy Chief. It is the responsibility of the Accreditation Sergeant to ensure that any changes to existing policy or the creation of new policies comply with the current CALEA accreditation standards and do not contradict other existing policies or laws. Upon acceptance of the draft, the policy change will be reviewed and approved by the Chief of Police.

Notice of Changes

DOI revisions and Special Memoranda will be distributed and acknowledgement of receipt/review verified electronically. Each DOI revision and Special Memorandum will be reviewed and acknowledged by the employee prior to a specific closing date of the revision. Failure to review and acknowledge DOI revisions and Special Memorandums could result in disciplinary action. Employees with printed copies will update their manuals upon receipt of electronic revisions. Supervisors are responsible for informing employees of changes in written directives through roll-call training, posting changes on official bulletin boards or other appropriate means.

Biennial Review of Written Directive

The Accreditation Sergeant will maintain an index of effective dates for all DOIs and Special Memoranda. The Accreditation Sergeant will periodically notify Division Commanders of directives that are coming up for review. Division Commanders must approve all suggestions for revisions prior to submitting them to the Accreditation Sergeant who will be responsible for initiating a review process to ensure compliance with applicable professional standards.

FORMS DEVELOPMENT AND CONTROL

Efficient written communications requires that the Department avoid an unwanted proliferation of forms. The Administrative Services Lieutenant is designated as the person responsible for control and coordination of approval for all official forms used by the Department.

New Departmental Forms

Any person wishing to institute a new form or revise an existing form should draft a copy of the form and submit it to the Administrative Services Lieutenant. Information provided with the form should include all of the following:

- The units that will be using the form.
- The circumstances and frequency (monthly, weekly, daily) under which the form would be used.
- The routing, distribution and filing location of completed forms.
- The unit or person responsible for having the form printed, along with an estimate of the number of copies that will be required annually.

The Lieutenant or designee will examine the form for duplication with existing forms and ensure that it meets any records keeping, data collection or data processing requirements. The proposed form will then be submitted for approval through the normal Departmental policy review process.

New Forms from Outside Agencies

Any unit initiating the use of a new form required by an outside agency should forward a copy of that form, along with any instructions for completing the form, to the Administrative Services Lieutenant.

Forms Archives

Approved Departmental forms will be indexed and assigned a control number by the Administrative Services Lieutenant. An original of the form will then be filed as an archive copy.

Deletion of Forms

Units of the Department are encouraged to review forms used by their unit for usefulness. The Administrative Services Lieutenant is to be notified when forms are no longer being used.

THE RALEIGH POLICE DEPARTMENT

1101-03

GRANT MANAGEMENT

PURPOSE

To create procedures for initiating grant applications, assign responsibilities and accountability to specific members, and require grant reporting procedures be followed.

VALUES REFLECTED

This directive reflects the values of *Service and Integrity* by explaining the process by which the Department obtains property and equipment through grants.

UNITS AFFECTED

All Units/All Personnel

REFERENCES/FORMS

DOI 1101-11 Quality of Life Enforcement
Attachment A: Grant Application Notification Form

GENERAL POLICIES

It is the policy of the Raleigh Police Department to apply for grants to fund the implementation of new programs or to supplement existing programs. Grant based programs or expenditures will be properly managed and coordinated among Department members to ensure that funds are expended in a timely manner and in accordance with grant guidelines. Grant guidelines must be strictly adhered to. At no time should any employee obtain or attempt to obtain a grant on behalf of the City of Raleigh or the Raleigh Police Department unless compliant with this policy.

DEFINITIONS

Authorized Official – The individual, named by the applicant organization, who is authorized to act for the applicant and to assume the obligations imposed by the laws, regulations, requirements and conditions that apply to grant applications or grant awards.

Award – An award is a funder's agreement to contribute funding to a specific project. When a funder approves an award, a formal notice is sent to the recipient. This notice is usually in the form of a grant or a contract.

Award Number – The identifying number for a discretionary grant or cooperative agreement award issued by the funder.

Budget – The financial expenditure plan for the grant-supported project or activity. The budget consists of funder (grant) funds and, if required by the funder, grantee participation in the form of matching or cost sharing.

Deadline Date – The date stipulated by the funder by which the grant application must be received to be considered for funding.

Grant – A financial assistance mechanism providing money, property, or both to an eligible entity to carry out an approved project or activity.

Grant Agreement – A grant agreement is a legal instrument for the transfer of funds from the funder to the grantee and which sets forth the terms and conditions of the award.

Grant Application Notification Form – A form used by the Department to submit a grant request.

Grantee – An organization that has been awarded financial assistance for a project. The grantee is the entire legal entity even if a particular component (e.g., department, office or agency) carries out the grant funded activities. The grantee is legally responsible and accountable to the funder for the performance and financial aspects of the grant supported project or activity.

Grantor – A governmental unit, foundation, or other entity that awards grants.

Grants Manager – The person who is responsible to oversee the research, preparation and progress of all grants under the control of the Raleigh Police Department.

Grant Period – The period that extends from the effective date through the expiration date.

Matching Funds – Funds other than the funder's grant funds required by a grant program to pay the percentage of project costs not covered by the grant.

Memorandum of Understanding (MOU) – An agreement developed and executed among partners relating to their roles in a joint operation.

Monitoring – A grantor's review and evaluation of specific aspects of a grantee's activities under a grant agreement. These activities include (a) measuring a grantee's performance, (b) assessing a grantee's adherence to applicable laws, regulations plus the terms and conditions of the award, (c) providing technical assistance to grantees, and (d) assessing whether a grantee has made substantial progress.

Progress Report – A recipient report that contains information on the comparison of actual accomplishments to objectives established for the reporting period. In addition, where the output of the project can be quantified, a computation of the costs per unit of output may be required.

Project Director – The person designated by the Chief of Police who is assigned primary responsibility for the programmatic oversight of the grant project. This person must ensure all requirements relating to the operation of the project, personnel, budget and reporting are met within the specified time constraints.

Recurring Cost – Costs that the organization must incur after the grant period is complete. Examples may include payroll, equipment maintenance or replacement costs.

Seed Money – A grant or contribution used to start a new project.

Supplanting – To deliberately reduce budgeted funds because of the existence of grant funds. If funds are appropriated for a stated purpose or program and grant funds are awarded for that same purpose, budgeted funds may not be replaced with the grant funds in order to shift the budgeted funds to a different purpose.

Terms and Conditions – All legal requirements imposed on a grant by the funder, whether based on statute, regulation, policy or other document referenced in the grant award, or specified by the grant award document itself.

Unexpended Funds – The funding (money) not spent during the award period.

GRANT REQUESTS

When a division is thinking about or requires grant funding, the following procedures shall be followed:

- Requests for a grant will be submitted in writing using the "Grant Application Notification Form" (Attachment A) for approval through the employee's chain of command. The purpose of meeting with the respective chain of command will be to discuss all aspects and the feasibility of the grant request and to determine if an application for a grant should be developed and to approve or disapprove the grant request. In addition, a discussion will be

held to recommend a Project Director for the grant. The Division Commander will review the form rescind or approve. If approved, it will be forwarded to the Grants Manager.

- The Grants Manager will take the Grant Application Notification Form to the Chief of Police to discuss the grant project. The Chief of Police will make the final decision to proceed or rescind the request for grant funding.

- At no time shall a member of the Department engage in grant development discussions with funding agencies and/or elected officials which commit the Department to courses of action prior to obtaining the approval of the Chief of Police. Committing to a course of action may create conflict with other projects, programs, or Department policies already in existence.

GRANTS MANAGER RESPONSIBILITIES

The Grants Manager is responsible for the development of the grant application with the assistance of the Project Director to ensure the following conditions are met:

- The application addresses the needs of the Department,

- The application meets the requirements and format of the grantor and ensures the fiscal requirements of the grantor and the City of Raleigh are satisfied without conflict,

- The application is properly completed prior to being submitted to the Chief of Police for approval and required signature(s),

- The grant application is processed and submitted to the grantor,

The Grants Manager is also responsible for completing the following tasks for grants that have been awarded to the Department:

- Compliance with conditions and guidelines established by the grantor to include audits or inspections of records and equipment,

- Maintenance, budget and oversight of all grant files for active and closed grants,

- All cost reports prepared by the City of Raleigh Accounting Department are submitted in a timely manner to the grantor,

- Any budget modifications or grant adjustment requests are submitted to the grantor,

- Establish and monitor all Department grant budgets,

- Prepare council agenda items and budget amendments for newly awarded grants,

- Coordination of contracts and memorandums of understanding between grantor and possible sub-grantees.

PROJECT DIRECTOR RESPONSIBILITIES

To ensure accuracy, accountability and commitment to the grant award, the Project Director will work closely with the Grants Manager to:

- Provide information to the Grants Manager for the preparation of any progress reports to be submitted to the grantor. This may include, but not limited to:

    1. Milestones
    2. Data
    3. Impact
    4. Accomplishments
    5. Performance measures
    6. Purchasing problems or delays to include obtaining required quotes or bid information following the City of Raleigh Purchasing Guidelines or any other purchase information

- Notify the Grants Manager of any required budget modifications or possible grant extensions.
- To assure compliance with any contracts or memorandums of understanding between the grantor and sub-grantees.
- Expend grant funds on schedule.

DOI 1101-03

Attachment A

Raleigh Police Department
Grant Application Notification Form

Contact Information

Name: _____ Assignment: _____ Date: _____ Phone: _____

Description of Project and Need (Attach additional sheet(s), if needed)

Grant Source Identified: Choose an item. Grant Submission Deadline Date: _____

Name of Funding Source: _____ Match Requirement/Amount: _____

Length of Grant: _____ Special Grant Conditions: _____

Budget Description Required for Project (Attach additional sheet(s), if needed)

Item	Description	Computation	Total
Personnel	Click here to enter text.	Click here to enter text.	
Fringes	Click here to enter text.	Click here to enter text.	
Contractual	Click here to enter text.	Click here to enter text.	
Equipment	Click here to enter text.	Click here to enter text.	
Supplies	Click here to enter text.	Click here to enter text.	
Travel	Click here to enter text.	Click here to enter text.	
		Subtotal	
		Required Match %	
		Total Request	

Recurring Cost(s) to the Department at Conclusion of Project: Choose an item.

If yes, explain cost(s):

_____

_____

Recommended Project Director: _____ Phone Number: _____

_____ _____ _____ _____

Division Commander Approval Date Chief of Police Approval Date

THE RALEIGH POLICE DEPARTMENT

1101-04

VICTIM / WITNESS SERVICES

PURPOSE

To describe the services and programs that are available to the general public and Departmental employees who are victims or witnesses to serious crimes or who suffer other severe personal hardship.

VALUES REFLECTED

This directive reflects our values of *Service and Compassion* as we offer support and assistance to all victims or witnesses of crime.

UNITS AFFECTED

All Divisions/All Personnel

REFERENCES/FORMS

G.S. 15A-830-839 Crime Victims' Rights Act
G.S. 15B Victim Compensation
G.S. 122C-301 Public Intoxication
Chapter 50B
Victims' Rights Notification Pamphlet, State of North Carolina Document
Notice to District Attorney Form, State of North Carolina Document
Attachment A: NCGS 15A-825 Treatment Due Victims and Witnesses
Attachment B: NCGS 15A-830, 831 Crime Victims' Rights Act

GENERAL POLICIES

The Raleigh Police Department firmly supports the aims of G.S. 15A-825 "Treatment Due Victims and Witnesses." All Departmental employees have an obligation to see that victims and witnesses are treated with fairness, dignity and compassion. The Department is committed to the development, implementation and continuation of appropriate programs serving victim/witness assistance needs.

A primary goal of the Department's victim/witness services program is to see that those suffering great personal tragedies that come into contact with our Department are informed of appropriate support agencies and/or additional resources that may be available. This goal includes informing victim/witnesses of what further assistance they can expect from our Department, Family Court and from community service agencies.

GOALS AND COORDINATION OF THE VICTIM/WITNESS SERVICES PROGRAM

The Detective Division is responsible for overall administration of Victim/Witness Services and for coordination of the Department's role with other agencies providing victim/witness assistance. The Detective Division is also responsible for providing training programs for both sworn and civilian personnel to inform them of victim/witness rights and of assistance programs available.

Family Violence Intervention Unit

The Family Violence Intervention Unit specializes in services to victims of family/domestic violence. The Unit addresses the cycle of family violence by providing intervention services, an emergency response program, officer awareness training, counseling, victim assistance, public awareness, and community outreach. The focus is to reduce crime in which women are generally the victim but is broad enough to include spousal abuse; child abuse by family members or guardians; and elderly abuse by family members, guardians, or long term care givers. The prosecution of family violence cases will be coordinated with the Wake County Family Violence Court.

Victim Advocate

The Victim Advocate coordinates all victim/witness services for the Department and is responsible for the following:

- Insures that victims are properly informed of medical and support services available within our jurisdiction at the time of first contact or early during the preliminary investigation.
- Insures that all victims/witnesses are informed of subsequent steps in the criminal justice process, and the role of the Department and the victim/witness in that process.
- Assists in the prompt release of property, not needed for evidentiary use by officers, to victims.
- Acts as the liaison between the Department and the District Attorney's Office.

- Acts as the liaison between the Department and the City Community Services Department.
- Assists as needed in the training of Department members in sensitivity and responding to the needs of victims and witnesses.
- Maintains a list of foreign language and sign language interpreters that are available to the Department. This list is to be updated in July of each year and a copy placed at the Police Information Desk and the Emergency Communications Center.
- Conducts an analysis every other year of victim/witness needs and available services within the Department's service area.

Availability of Information

Crime Prevention Officers, in conjunction with the Psychological Services Unit and the Family Violence Intervention Unit, will provide suitable information to inform the public of victim/witness services that are available.

AVAILABLE VICTIM/WITNESS SERVICES

HOPELINE is the single point of contact regarding services offered by other organizations in our area. HOPELINE also provides a 24-hour information, crisis intervention, and referral service. The following additional information is intended to address some of the more frequent victim/witness assistance problems that our Department receives.

Emergency Shelter

Both the Raleigh Rescue Mission and the Salvation Army provide emergency food and shelter. Travelers Aid provides assistance for stranded non-residents. Additional agencies providing food, clothing, heating fuel or shelter are listed in the Community Services section of the telephone directory. Officers of our Department are authorized to transport persons to emergency shelter when no reasonable alternative exists.

Battered Women, Sexual Assault

Interact of Wake County provides emergency shelter and/or counseling to women who are victims of domestic violence or sexual assault.

Interact also provides on-call rape and sexual assault victim companions who will accompany a victim to the hospital or to line-ups and similar proceedings. Most of the Interact companions are volunteers who have received approximately forty hours of training in general counseling techniques and procedures required for a rape kit. The companions are not licensed psychotherapists and officers are not to infer such to victims.

Victim Compensation:

There are two programs under which crime victims may be compensated for injuries or loss of property. Victims may request restitution through the court system in those cases where an arrest is made. Victims must contact the District Attorney's Office prior to the court date so that a victim impact statement may be completed.

Victims of crime or Driving While Impaired collision victims, who suffer an economic loss in excess of $100, may also be compensated through the State Crime Victims Compensation Commission. The victim must report the crime to police within 72-hours of occurrence and then submit a notarized Victims' Compensation application to the Compensation Commission. Specifics on benefits and limitations of the program may be obtained by contacting the State Victim and Justice Services Division or the Psychological Services Unit.

Urgent Message Delivery

At times, our Department is asked to notify family members or others of personal tragedy. An example would be where a family member is critically injured in an auto collision and the next-of-kin is requested at the hospital. Personnel with the rank of Master Officer or higher will be utilized for making notifications.

When making such notifications, officers are to avoid diagnosing the extent of injury or illness and should simply indicate that contact with the appropriate agency is requested. Officers should offer to remain with the family member until after the contact is made.

Notifications involving suicide or drug overdose can be especially traumatic to family members. In those cases, the officer should avoid inferring a cause of death or injury and indicate instead that the exact cause is still being investigated.

Drug Abuse/Alcohol Addiction

Wake County has a number of both private and public agencies where referral can be made in non-criminal instances involving drug or alcohol abuse.

Private agencies are listed in the yellow pages of the local telephone directory under separate categories of "Alcoholism" and "Drug Abuse." Non-profit agencies are listed in the Community Services section of the telephone directory under "Alcoholism and Drug Abuse."

In cases where a person is inebriated or addicted to drugs to such an extent that they are dangerous to themselves or others, officers may proceed with involuntary commitment procedures (refer to DOI 1109-12 "Itinerants, Inebriates, or Mental Subjects"). Intoxicated persons who are unable to care for themselves may be transported to places of shelter as provided in G.S. 122C-301.

Police Department Victims

Our own personnel are at times the victims of serious injury or death. We have an obligation to see that the needs of these victims are also met. We will notify and assist as follows:

- An officer will be assigned to remain at the hospital with the injured officer until the family arrives.
- A supervisor will be assigned to notify the family when an officer is injured to the extent that hospitalization is required and will offer to transport the family member to the hospital.
- In instances involving death or serious injury, a member of the Psychological Services Unit or close family friend from the Department will be assigned to assist and to maintain long-

term contact with the family. The District Commander or supervisor should be informed of any special needs of the family.

- The Police Chaplain will be contacted to provide assistance.
- The Police Psychologist will be contacted to provide assistance.
- The Police Department Attorney will be contacted to provide assistance.
- The Police Human Resources Sergeant will assist the family in obtaining any legal or insurance benefits available. Family members of former Departmental employees should also be referred to the Police Human Resources Sergeant when requesting benefits assistance.

INFORMATION PROVIDED TO VICTIM/WITNESS

Officers conducting initial investigations will provide the victim/witness with a calling card that provides telephone numbers where the person may call to report additional information or receive information on the status of the case. The investigating officer should immediately provide the victim/witness with the following information:

- The case number and information on subsequent steps in the investigative process;
- Advice about what the victim/witness should do if the suspect or associates of the suspect threaten or otherwise attempt to intimidate the victim/witness;
- Information regarding applicable services, counseling, or other crisis assistance that is available.

Initial Investigating Officers

The initial investigating officer should inform victims of appropriate medical, victim compensation and other social services assistance available. HOPELINE operates a 24 hour crisis and information referral center. **Officers should refrain from making promises of protection**.

The investigating officer should provide the person with the case number (if known), and inform the victim/witness of subsequent steps in processing the case and what would be expected of the victim/witness. Officers should also inform the victim/witness to call 911 if they are threatened or intimidated by a suspect, suspect's companions or family.

Follow-up Investigations

In conducting follow-up investigations, Detectives should do the following:

- Periodically contact the victim/witness to determine if their needs are being met. A "second contact" should be attempted within ten days of the Detective's initial contact in rape and other serious offenses where the Detective deems appropriate.
- Explain the procedures involved in the prosecution of the victim's case and the victim's role in those proceedings, if it will not endanger successful prosecution of the case.

- Whenever possible, schedule line-ups, interviews and other required appearances at the convenience of the victim/witness. If necessary, the Detective may provide transportation for the victim/witness.

- Provide secure waiting areas during pre-arrest, arrest and post-arrest procedures, and ensure that victim/witnesses do not come into close proximity to suspects or associates unless necessary for the investigation.

- Honor a victim/witness request for the presence of a victim advocate during line-ups or similar proceedings, and assist the victim/witness in locating one (either through Interact, other victim assistance agencies, or the Department).

- Return property belonging to a victim/witness as promptly as possible when it is no longer needed for evidence.

- Promptly notify the victim when an arrest is made. The Detective should provide the charges and arrestee's custody status, when known. The Detective will also explain to the victim that they should call the Wake County Public Safety Center if they wish to check on the continued incarceration of the arrestee.

Victim/Witness Protection

A victim/witness should be directed to phone 911 if they feel they are in immediate danger from a suspect or the suspect's associates, and an officer will be dispatched. The victim/witness should contact the follow-up detective if they feel they are being harassed.

The Department is obligated to provide appropriate assistance when victims or witnesses are threatened. Appropriate assistance must be evaluated based on the circumstances; and may range from arranging for protective custody through the District Attorney's Office, to kind words of encouragement, or to the re-arrest of the offender. Under no circumstances will an officer make promises of safety to a victim/witness.

N.C.G.S. 14-277.1 "Communicating Threats" makes it illegal to threaten injury or destruction of another's property. N.C.G.S. 14-226 "Intimidating Witnesses" makes it illegal for anyone to threaten, menace, or "in any other manner intimidate" a person who is summoned or acting as a witness in a court. Protection from domestic abuse is available under Chapter 50B (refer to DOI 1109-14 "Domestic Disputes").

If the Department becomes aware of danger to a victim/witness, the Department should promptly attempt to contact and alert the victim/witness. When the victim is in another jurisdiction, the Department should also contact the appropriate agency and inform it of the situation and request that reasonable precautions be taken. Officers should also provide the victim/witness with information on SAVAN (State Automated Victim Assistant and Notification 1-877-627-2826). This program provides the victim/witness of the arrestee's status.

Twenty-Four Hour Information Contacts

The Emergency Communications Center is staffed 24-hours a day and is the single point of contact for victims/witnesses requiring emergency response. Emergency Communications is also the single

point of contact for victims/witnesses in need of medical attention, counseling or emergency financial assistance between the time of victimization and the time of preliminary investigation. Emergency Communications can be reached by dialing 911.

HOPELINE operates a 24-hour crisis intervention and information referral service and should be used by our officers following preliminary investigation as the single point of contact for information regarding services provided by other agencies.

The Headquarters Police Information Desk is also staffed 24-hours a day. Assigned Desk Officers can provide advice concerning victim/witness harassment, information on what additional services can be provided by our Department.

CRIME VICTIMS' RIGHTS ACT REQUIREMENTS

In addition to the procedures described above, officers have specific duties required by the State of North Carolina Victims' Rights Act. Broadly, these responsibilities fall into four categories:

- Officers have to inform the victim of services and information.
- Officers have to inform the victim when an arrest is made in their case.
- Officers have to notify the District Attorney's Office of victim information after an arrest is made.
- Officers have to notify other law enforcement agencies when the Department makes an arrest in one of their cases.

Initial Officer Responds and Makes an Arrest

- The initial officer taking the report will determine if there is probable cause to believe that the victim is subject to the protection of the Victims' Rights Act by reviewing the list of crimes found in attachment B.
- After determining that the victim is protected by the Act, the officer will provide to the victim a copy of the VICTIMS' RIGHTS NOTIFICATION. The officer will note in a supplemental report that the pamphlet was provided.
- The initial officer will complete the NOTICE TO DISTRICT ATTORNEY FORM which is printed in triplicate. The officer will direct the victim's attention to the section where the victim shall elect whether or not they choose to receive additional information from the investigating agency.
- Upon making a warrantless arrest for the listed crime or after obtaining an arrest warrant and serving the warrant, the arresting officer will notify the victim of the arrest. Notification can be made in person, by telephone or by mail and will be noted on the NOTICE TO DISTRICT ATTORNEY FORM. The arresting officer will return the completed NOTICE TO DISTRICT ATTORNEY FORM to the Police Headquarters Front Desk at the time of the arrest. The Desk Officer will distribute the triplicate form as follows: White copy to Records, first Pink copy to the Victim Services Program of the District Attorney's Office within 72-hours of the arrest, second Pink copy to the Detective Division to be maintained by the Detective

assigned to the case. Notice does not have to be provided to the victim if the victim has elected to receive no further information from the Department.

Initial Officer Responds/Detective Obtains and Serves Warrant

- The initial officer responding to the call determines that this is a Victims' Rights Crime. The officer will provide the victim with a copy of the VICTIMS' RIGHTS NOTIFICATION. The officer will note in the supplement that the pamphlet was provided.

- The initial officer will complete the first section of the NOTICE TO DISTRICT ATTORNEY FORM. The officer will direct the victim's attention to the section where the victim shall elect whether or not they choose to receive additional information from the investigating agency.

- The officer will turn in all paperwork to the Police Headquarters Front Desk. The Desk Officer will distribute the triplicate NOTICE TO DISTRICT ATTORNEY FORM as follows: White copy to Records, Pink copies are forwarded to the Detective Division.

- The Detective obtains a warrant in the case and serves the warrant

- The Detective completes the two pink copies of the NOTICE TO DISTRICT ATTORNEY FORM. The first Pink copy is sent to the Police Headquarters Front Desk to be forwarded to the Victim Services Program of the District Attorney's Office within 72 hours of arrest. The Detective maintains the second Pink copy with the Detective copy of the case report. The Detective is to make a copy of the completed form and forward it to Police Records to be maintained with the original case report.

- Within 72 hours of the arrest, the Detective is responsible for notifying the victim of the arrest. Notification can be made in person, by telephone or by mail and will be noted on the NOTICE TO DISTRICT ATTORNEY FORM. Notice does not have to be provided if the victim has elected not to receive further notification from the Department.

Initial Officer Responds/Detective or Officer Obtains Warrant/Warrant Placed into NCAWARE to Be Served at a Later Time.

- When the initial officer takes the report and determines that the reported crime is a victims' rights crime, the officer will give the victim a copy of the VICTIMS' RIGHTS NOTIFICATION and will make a notation in the supplement that the pamphlet was provided.

- The initial officer will complete the first section of NOTICE TO DISTRICT ATTORNEY FORM. The officer will direct the victim's attention to the election section for completion. The NOTICE TO DISTRICT ATTORNEY FORM is to be turned in to the Police Headquarters Front Desk. The Desk Officer will distribute the form as follows: The White copy will be forwarded to Records, the two pink copies will be sent to the Detective Division where they will be maintained by the Detective assigned to the case.

- Either the initial officer or the Detective assigned the case may obtain the warrant. Upon obtaining the warrant, the Officer/Detective will insert the Departmental case number into the NCAWARE warrant.

- An officer unfamiliar with the case serves the warrant. The arresting officer will be required to complete a supplement stating that an arrest has been made. The officer will be able to complete the supplement because all Raleigh officers are now required to insert the Departmental case numbers into the NCAWARE arrest warrant when the warrant is obtained. The supplement will state the defendant's name, the charge, and when available, will have the Detective's name in the supplement.

- When the supplement is received by the Detective Division, the Sergeant assigned to the appropriate squad will insure that the Detective assigned to the case makes the required victim notification of arrest and forwards the First Pink copy of the NOTICE TO DISTRICT ATTORNEY FORM to the Desk where it will be forwarded to the Victim Services program of the District Attorney's Office. Both notifications are to occur within 72-hours of arrest. If the assigned Detective is unavailable for that 72-hour period, the Sergeant will insure that the proper notifications are made. Notification to the victim can be made in person, by telephone or by mail and so noted on the NOTICE TO DISTRICT ATTORNEY FORM. The second Pink copy of the NOTICE TO DISTRICT ATTORNEY FORM will be maintained by the Detective. A copy of the completed form will be attached to the status change form and forwarded to Records to be filed with the original report. Notice to the victim does not have to be made if the victim has elected not to receive further notification from the Department.

<u>Domestic Violence Warrants Where There is NO RPD Case Report</u>

- The Victims' Rights Act applies to misdemeanor charges that are domestic violence cases between people covered under 50B-1 (b). It is possible that a domestic violence warrant could come to the Department to be served by a police officer but there may be no Departmental case report.

- In domestic violence cases where there is a Departmental case number, the number is to be inserted into the NCAWARE warrant. When officers make arrests in DV cases where there is a case number, they will complete a supplement and forward it to the Family Violence Intervention Unit. If the Family Violence Intervention Unit is able to determine victim contact information, then the victim will be notified of the arrest.

<u>Additional Responsibilities Under the Act</u>

- When our agency makes an arrest based on a warrant from another agency, the arresting officer will contact the other agency, via Emergency Communications, of the arrest utilizing DCI. Our best efforts will be used to determine the appropriate agency since there may not be identifying information on the face of the warrant. This notification is to be made within 72-hours of an arrest.

- When our agency is contacted by another law enforcement agency that an arrest has been made in one of our cases, the notification of arrest will be forwarded to the Detective Division immediately so that the Detective can contact the victim to notify the victim of the arrest. Notification of an arrest in a domestic violence case shall be forwarded to the Family Violence Intervention Unit immediately. This notification may come to our agency by DCI, telephone, mail or in person. **It is imperative that the notice of arrest be forwarded to the appropriate Division immediately.** Victim notification must be made within 72

hours unless the victim has elected not to be notified. The NOTICE OF DISTRICT ATTORNEY FORM is to be completed and distributed as described above.

- After an arrest is made, the victim may contact the Police Department to learn whether or not the defendant remains in custody. Victims should be directed to the Detective handling the case. The Detective will determine the defendant's status at the request of the victim and will so inform the victim. This should be documented on a supplemental report.

For these procedures to work it is critical that officers insert the Departmental case number into the NCAWARE arrest warrant once obtained.

Attachment A

G.S. 15A-825 Treatment Due Victims and Witnesses

§ 15A-825. Treatment due victims and witnesses.

To the extent reasonably possible and subject to available resources, the employees of law-enforcement agencies, the prosecutorial system, the judicial system, and the correctional system should make a reasonable effort to assure that each victim and witness within their jurisdiction:

(1) Is provided information regarding immediate medical assistance when needed and is not detained for an unreasonable length of time before having such assistance administered.

(2) Is provided information about available protection from harm and threats of harm arising out of cooperation with law-enforcement prosecution efforts, and receives such protection.

(2a) Is provided information that testimony as to one's home address is not relevant in every case, and that the victim or witness may request the district attorney to raise an objection should he/she deem it appropriate to this line of questioning in the case at hand.

(3) Has any stolen or other personal property expeditiously returned by law-enforcement agencies when it is no longer needed as evidence, and its return would not impede an investigation or prosecution of the case. When feasible, all such property, except weapons, currency, contraband, property subject to evidentiary analysis, and property whose ownership is disputed, should be photographed and returned to the owner within a reasonable period of time of being recovered by law-enforcement officials.

(4) Is provided appropriate employer intercession services to seek the employer's cooperation with the criminal justice system and minimize the employee's loss of pay and other benefits resulting from such cooperation whenever possible.

(5) Is provided, whenever practical, a secure waiting area during court proceedings that does not place the victim or witness in close proximity to defendants and families or friends of defendants.

(6) Is informed of the procedures to be followed to apply for and receive any appropriate witness fees or victim compensation.

(6a) Is informed of the right to be present throughout the entire trial of the defendant, subject to the right of the court to sequester witnesses.

(7) Is given the opportunity to be present during the final disposition of the case or is informed of the final disposition of the case, if he has requested to be present or be informed.

(8) Is notified, whenever possible, that a court proceeding to which he has been subpoenaed will not occur as scheduled.

(9) Has a victim impact statement prepared for consideration by the court.

(9a) Prior to trial, is provided information about plea bargaining procedures and is told that the district attorney may recommend a plea bargain to the court.

(10) Is informed that civil remedies may be available and that statutes of limitation apply in civil cases.

(11) Upon the victim's written request, is notified before a proceeding is held at which the release of the offender from custody is considered, if the crime for which the offender was placed in custody is a Class G or more serious felony.

(12) Upon the victim's written request, is notified if the offender escapes from custody or is released from custody, if the crime for which the offender was placed in custody is a Class G or more serious felony.

(13) Has family members of a homicide victim offered all the guarantees in this section, except those in subdivision (1).

Nothing in this section shall be construed to create a cause of action for failure to comply with its requirements. (1985 (Reg. Sess., 1986), c. 998, s. 1; 1989, c. 596, s. 2.).

Attachment B
NCGS 15A-830, 15A-831 Crime Victims' Rights Act

§ 15A-830. Definitions.

(a) The following definitions apply in this Article:

(1) Accused. – A person who has been arrested and charged with committing a crime covered by this Article.

(2) Arresting law enforcement agency. – The law enforcement agency that makes the arrest of an accused.

(3) Custodial agency. – The agency that has legal custody of an accused or defendant arising from a charge or conviction of a crime covered by this Article including, but not limited to, local jails or detention facilities, regional jails or detention facilities, facilities designated under G.S. 122C-252 for the custody and treatment of involuntary clients, or the Department of Correction.

(4) Investigating law enforcement agency. – The law enforcement agency with primary responsibility for investigating the crime committed against the victim.

(5) Law enforcement agency. – An arresting law enforcement agency, a custodial agency, or an investigating law enforcement agency.

(6) Next of kin. – The victim's spouse, children, parents, siblings, or grandparents. The term does not include the accused unless the charges are dismissed or the person is found not guilty.

(7) Victim. – A person against whom there is probable cause to believe one of the following crimes was committed:

a. A Class A, B1, B2, C, D, or E felony.

b. A Class F felony if it is a violation of one of the following: G.S. 14-16.6(b); 14-16.6(c); 14-18; 14-32.1(e); 14-32.2(b)(3); 14-32.3(a); 14-32.4; 14-34.2; 14-34.6(c); 14-41; 14-43.3; 14-43.11; 14-190.17; 14-190.19; 14-202.1; 14-277.3A; 14-288.9; 20-138.5; or former G.S. 14-277.3.

c. A Class G felony if it is a violation of one of the following: G.S. 14-32.3(b); 14-51; 14-58; 14-87.1; or 20-141.4.

d. A Class H felony if it is a violation of one of the following: G.S. 14-32.3(a); 14-32.3(c); 14-33.2; 14-277.3A; or former G.S. 14-277.3.

e. A Class I felony if it is a violation of one of the following: G.S. 14-32.3(b); 14-34.6(b); or 14-190.17A.

f. An attempt of any of the felonies listed in this subdivision if the attempted felony is punishable as a felony.

g. Any of the following misdemeanor offenses when the offense is committed between persons who have a personal relationship as defined in G.S. 50B-1(b): G.S. 14-33(c)(1); 14-33(c)(2); 14-33(a); 14-34; 14-134.3; 14-277.3A; or former G.S. 14-277.3.

h. Any violation of a valid protective order under G.S. 50B-4.1.

(b) If the victim is deceased, then the next of kin, in the order set forth in the definition contained in this section, is entitled to the victim's rights under this Article. However, the right contained in G.S. 15A-834 may only be exercised by the personal representative of the victim's estate. An individual entitled to exercise the victim's rights as a member of the class of next of kin may designate anyone in the class to act on behalf of the class. (1998-212, s. 19.4(c); 2001-433, s. 1; 2001-487, s. 120; 2001-518, s. 2A; 2006-247, s. 20(e); 2007-116, s. 2; 2007-547, s. 2; 2009-58, s. 3; 2011-145, s. 19.1(h).)

§ 15A-831. Responsibilities of law enforcement agency.

(a) As soon as practicable but within 72 hours after identifying a victim covered by this Article, the investigating law enforcement agency shall provide the victim with the following information:

(1) The availability of medical services, if needed.

(2) The availability of crime victims' compensation funds under Chapter 15B of the General Statutes and the address and telephone number of the agency responsible for dispensing the funds.

(3) The address and telephone number of the district attorney's office that will be responsible for prosecuting the victim's case.

(4) The name and telephone number of an investigating law enforcement agency employee whom the victim may contact if the victim has not been notified of an arrest in the victim's case within six months after the crime was reported to the law enforcement agency.

(5) Information about an accused's opportunity for pretrial release.

(6) The name and telephone number of an investigating law enforcement agency employee whom the victim may contact to find out whether the accused has been released from custody.

(7) The informational sheet described in G.S. 50B-3(c1), if there was a personal relationship, as defined in G.S. 50B-1(b), with the accused.

(b) As soon as practicable but within 72 hours after the arrest of a person believed to have committed a crime covered by this Article, the arresting law enforcement agency shall inform the investigating law enforcement agency of the arrest. As soon as practicable but within 72 hours of being notified of the arrest, the investigating law enforcement agency shall notify the victim of the arrest.

(c) As soon as practicable but within 72 hours after receiving notification from the arresting law enforcement agency that the accused has been arrested, the investigating law enforcement agency shall forward to the district attorney's office that will be responsible for prosecuting the case the defendant's name and the victim's name, address, date of birth, social security number, race, sex, and telephone number, unless the victim refuses to disclose any or all of the information, in which case, the investigating law enforcement agency shall so inform the district attorney's office.

(d) Upon receiving the information in subsection (a) of this section, the victim shall, on a form provided by the investigating law enforcement agency, indicate whether the victim wishes to receive any further notices from the investigating law enforcement agency on the status of the accused during the pretrial process. If the victim elects to receive further notices during the pretrial process, the victim shall be responsible for notifying the investigating law enforcement agency of any changes in the victim's name, address, and telephone number. (1998-212, s. 19.4(c); 2001-433, s. 2; 2001-487, s. 120; 2008-4, s. 1.)

THE RALEIGH POLICE DEPARTMENT

1101-05

FIELD TRAINING OFFICER PROGRAM

PURPOSE

The purpose of this directive is to describe the organization and administration of a field training officer program for all new officers and to clearly state field training objectives.

VALUES REFLECTED

This directive reflects our values of *Service, Fairness*, and *Integrity*. We will provide equal and standardized training to all new officers to produce highly motivated officers who are capable of meeting or exceeding the high level of professionalism and competence demanded by all ethical standards of law enforcement.

UNITS AFFECTED

Field Operations Division/All Personnel
Administration Division/Training

REFERENCES/FORMS

Training Guide, Raleigh Police Training Center

GENERAL POLICIES

The Field Training Officer (FTO) Program for new officers is a part of the police selection process. It combines training with standardized guidelines and objective evaluations of a new officer's performance under actual field conditions to ensure that the officer can meet the performance standards required of our uniformed officers.

Producing highly trained officers is a fundamental goal of the Raleigh Police Department. The FTO Program is designed, and will be administered, to achieve the following objectives:

- Improve the Department's screening process through on-the-job observation of each new officer's performance.
- Build on the knowledge acquired in basic training by creating a learning environment, which encourages the new officer to develop skills and proficiency in all areas of job performance.
- Establish and maintain an appraisal system, which is valid and job-related using standardized and systematic measures of performance.
- Provide equal and standardized training to all new officers and provide remedial training when areas of deficiency are identified.
- Evaluate the effectiveness of classroom training.

The ultimate success of the FTO Program depends upon proper selection and adequate training of FTOs and objective trainee evaluation and review.

Post Academy Training

Field Training is twenty (20) weeks in duration. The trainee will train nine (9) weeks with the first FTO. Upon receiving a recommendation from the FTO, the trainee will then transfer to a different district for the next nine (9) weeks. Upon receiving a recommendation from the second FTO, the trainee will then return to their original district for their final two (2) week evaluation.

During the final two week evaluation, the FTO will wear their regular duty uniform; however, the officer in training is expected to handle all patrol functions. **The FTO will function as an observer only. The only exception is an emergency that the officer in training is unable to handle. The FTO would then assume control of that situation.**

Program Administration and Staff Responsibilities

The Administrative Services Division will be responsible for the FTO Program. The FTO Program will be supported, trained and supervised by the Administrative Services Division. The Administrative Services Division will provide training and evaluation materials, training for the FTOs and other staff support. The Academy Training Sergeant (Commandant) will be the Program Coordinator of the FTO Program. The trainee's Field Operations Sergeant will be his/her direct supervisor.

Following graduation from the Basic Recruit Academy, officers will be sworn in and assigned to one of the six police districts and to a FTO in that district. The District Sergeant is responsible for

scheduling working hours of officers in training. Any change in assignment requires the approval of the District Commander. A police officer who is on field training will not engage in any undercover, covert or decoy operations unless prior approval has been granted from the Chief or his/her designee. If approval is granted by the Chief or his/her designee, then the time spent on the project by the officer in training will not apply to the required twenty (20) weeks of field training. Officers in training may act as uniformed take down units for undercover, covert or decoy operations.

Selection of Field Training Officers

The position of FTO is a voluntary position. To be eligible for selection as a FTO, an officer must be a First Class Officer or above with at least two years of continuous (unbroken) experience at the Raleigh Police Department, or within 45 days of obtaining First Class at the completion of the FTO training class, and must not have had any disciplinary action that has resulted in the loss of time or pay within the past two years.

Ability, rather than seniority, is the primary consideration in making the selection. Officers selected as FTOs should be experienced officers who demonstrate the following attributes:

- Exhibit a positive commitment to the FTO Program.
- Possesses an ability to understand and communicate the Department's mission, values, policies, and procedures.
- Possesses an ability to develop officer skills and competencies.

Selection requires a recommendation by the immediate supervisor as well as an endorsement by the District Commander with input from the District Lieutenant. The Field Operations Commander will make the final selection based on the training needs of the Department.

Training and Orientation of Field Training Officers

Officers selected to serve as FTOs will successfully complete the FTO's Course provided through the Raleigh Police Training Center. The FTO will be expected to successfully complete a written test with a score of 70 at the end of the course. The FTO will be remediated and re-tested if he/she does not pass the end-of-course test. The Police Training Center will provide the FTO with a Training Guide. The Training Guide will serve as a means to ensure competency of the officer in training. The Police Department Training Center will also conduct periodic meetings and supplemental training to ensure that FTOs are knowledgeable about the skills and subjects being taught in the Basic Academy and what roles FTOs are to assume.

Responsibilities and Roles of the Police Training Officer

FTOs are experienced officers who act as "role models" in guiding the officer in training through police field activities. They serve as both instructor and trainer during the FTO Program process.

FTOs will note the new officers' progress through entries in their daily log and performance summary, which will be used to create the tri-weekly Evaluation Reports.

The FTO should demonstrate and explain the appropriate response to the variety of calls for service that police are required to respond to. The FTO should demonstrate and explain the responsibilities and requirements for each task that the trainee will be expected to perform independently.

The trainee is expected to lack knowledge and experience as a police officer, however that knowledge is expected to increase as the trainee progresses. The FTO is expected to demonstrate and teach the trainee the different procedures and responses to a variety of calls for police service. The trainee is expected to progressively learn from the FTO those procedures and responses.

It is the responsibility of the FTO to document the progress of the trainee in the training journal, performance summary, and evaluations. The FTO will document if the trainee demonstrates a lack of competency on a task or procedure that has already been taught. The FTO will assist the trainee by demonstrating or explaining the deficiency. If the issue continues, the FTO will document the lack of progress as a failure to respond to training. The FTO will notify the immediate supervisor and the Training Sergeant of the issue.

If the officer in training continues to make similar mistakes in officer safety and critical/high liability areas that have been identified by the evaluation, the training will cease. The trainee will be placed in a non-police role until the proper remediation and re-testing has been completed. The FTO will work with the Academy staff to develop a plan for the trainee. Once remediation has been successfully completed, the trainee will return to field training at the moment where training was ceased for the remediation.

The tri-weekly evaluation will include the notes from the FTO's journal and performance summary. The final paragraph of the performance summary will include the opinion of the FTO on the progression of training and if the trainee is at an acceptable level of performance for his/her current experience level.

FTOs will serve as a final evaluator for the trainee. For the final two (2) week evaluation, the trainee will return to the original FTO and district that the trainee began field training.

The District Sergeant and Program Coordinator will closely monitor the performance of the officer in training. Both District Sergeant and Program Coordinator will review the trainee's evaluations to discern the trainee's progress.

The Program Coordinator will review all training evaluations, training documentation and FTO's recommendations. The Program Coordinator will indicate whether the officer in training has satisfied the requirements for field training and forward this documentation to the District Commander. The District Commander will make a recommendation to the Field Operations Division Commander. The Field Operations Division Commander will consult with the Chief or his/her designee before making a final determination whether to release the officer from training.

Police Training Center

The Police Training Center will provide all materials required by the FTOs and officers in training. The Program Coordinator will also be responsible for annually reviewing and updating these materials as needed.

Early Release

Officers in training who have **previous police experience** and demonstrate exceptional progress may be released from the FTO Program prior to completing the full 20 week field training program. This will be addressed on a case-by-case basis.

Officers with prior police experience will complete a minimum of 10 weeks of field training. This will include a minimum of 4 weeks of training in each district and 2 weeks in the final evaluation period.

When an FTO determines that the officer in training has the potential to succeed with accelerated training, he/she will complete a request for accelerated training form. This form will be completed with supporting documentation and specific illustrations of the exceptional abilities of the officer in training. The completed form will be forwarded to the Program Coordinator for review of the officer in training file, experience, and progress. The Program Coordinator will then forward the form to the District Commander with recommendations. The District Commander will then forward the form to the Field Operations Division Commander who will make the final decision on accelerated training for the officer in training.

Upon completion of the final evaluation period, the FTO will complete a final evaluation and make a recommendation whether to release the officer in training or to continue training. The final evaluation will be forwarded to the Program Coordinator who will review the evaluation and forward a recommendation to the District Commander and the Field Operations Commander. The Field Operations Commander will make the final decision for early release from the FTO Program.

Remediation & Re-testing

The FTO will consult with the Program Coordinator and the training staff when a trainee is not responding to training. The Program Coordinator will first make sure the proper documentation is in place and then will consult with the District Sergeant and Commander to decide if it is a training issue that the training staff can assist. (i.e. officer safety/high liability areas)

The FTO will complete the performance summary, once it is determined that the training staff will remediate and re-test. The performance summary will illustrate what the issues were and specific examples of those issues. The training staff will use that information to tailor a specific remediation for the trainee. After the remediation has been delivered the trainee will be tested and evaluated. The results of the testing, evaluation, and recommendations will be forwarded to the District Commander and the Field Operations Commander. The Field Operations Commander will make the decision if the trainee proceeds with field training.

If the recommendation is made to resume field training, then the trainee will resume field training where it was originally ceased. The time the officer in training spends in remediation and re-testing will not apply to the required twenty (20) weeks of field training.

Maintenance of Training Documents

The FTO will deliver the training journal to the Academy at the conclusion of the trainee's final two weeks. The Program Coordinator will ensure that all training materials are complete before filing the materials in the trainee's training file.

THE RALEIGH POLICE DEPARTMENT

1101-06

POLICE COMPUTER EQUIPMENT AND SOFTWARE

PURPOSE

To provide regulations concerning the use of desktop computers, computer workstations, mobile computer terminals, and computer software owned or operated by the Raleigh Police Department.

VALUES REFLECTED

This directive reflects our values of *Service and Integrity*. By observing these guidelines we demonstrate that we adhere to the highest standards for using the best technology available to us. We recognize that with the privileges and work improvements brought to us through technology come the responsibility to use these resources wisely and to everyone's benefit.

UNITS AFFECTED

Police Department/All Personnel
Emergency Communications Center/All Personnel

REFERENCES/FORMS

DOI 1106-3 "DCI/NCIC Security and Access"
"Personal Computer User Agreement" (Attached)

GENERAL POLICIES

The Police Department seeks to facilitate computer usage among its personnel while avoiding the pitfalls of unrestricted access. Police personnel approved to use Departmental computers will be required to sign a User Agreement which specifies limitations placed on usage. Failure to abide by conditions of the User Agreement may result in disciplinary action. Personnel who have not executed the User Agreement are not authorized to use any computer equipment possessed by the Department. The original copy of the User Agreement will be maintained in the employee's Departmental personnel file. Personnel will be required to complete an online review of this policy and an acknowledgement of the Computer User Agreement annually to ensure they remain in compliance with this policy.

Operation of computer equipment by unqualified persons may damage the equipment or destroy stored data. Use of unauthorized computer programs may result in the introduction of viruses or other problems into the computer system. Illegal use of pirated software may subject the user to both criminal and civil penalties.

COMPUTER SECURITY

Unauthorized use of computers and equipment can be limited by use of passwords or keyboard locks where appropriate. Rooms containing computer equipment should not be left unsecured for extended time periods.

Computer Custodian

- The Police Information Systems Manager is designated as custodian over all desktop PC's, laptops, and mobile computer terminals.

- The original CD's of all personal computer software programs purchased by the Department are to be maintained by the Information Systems Manager. The Manager will keep these programs on file along with the number of the purchase order used to buy the program.

Computer Inspections

The Police Information Systems Manager will conduct unannounced semi-annual inspections of PC's within the Police Department to verify that no illegal or unauthorized computer programs are being utilized. The results of the inspection will be forwarded to the Office of Professional Standards/Inspections Unit for review.

AUTHORIZATION TO USE DEPARTMENTAL PERSONAL COMPUTERS

Personal Computer User Agreements

Personnel who use Police Department computer equipment are required to abide by the conditions specified in the User Agreement. Violation of the User Agreement or this procedure can result in disciplinary action.

- Personnel will not copy any software programs from any Police Department computer or computer workstation.

- Personnel will not use any computer software on any Departmental PC that has not been approved by the Police Information Systems Manager. This is to ensure that the programs have been legally obtained and do not contain any viruses. Personnel bringing in outside software must be able to demonstrate proof of purchase or possess the original documentation that came with the programs.

- Personnel will not install on the hard drive of any Departmental PC any software programs that have not been authorized for installation by the Police Information Systems Manager. This is to ensure that the installation does not alter the "default" configuration of the computer in a way that might interfere with other operations.

- Personnel will maintain only police-related programs or data files on any PC. Unauthorized files left on a computer without the knowledge of the custodian will be deleted without prior notice.

- Personnel will not attempt repairs or adjustments on computer equipment, nor will they attempt to accelerate the performance of computers by loading unauthorized "device drivers" or similar products.

Attachment A - 1101-6

Raleigh Police Department

PERSONAL COMPUTER USER AGREEMENT

I have requested and received permission from the appropriate Raleigh Police Department officials to utilize the Department's computers.

This authorization does not authorize me to use computers other than the ones specified. In utilizing any Departmental computer I agree to the following:

1. I will not copy any software programs from any Police Department computer or computer workstation.

2. I will not use any computer software on any Departmental computer that has not been approved by the Police Information Systems Manager.

3. I will not install on the hard drive of any Departmental computer any software programs that have not been authorized for installation by the Information Systems Manager.

4. I will not maintain programs or personal data files on any computer without the knowledge and approval of the custodian of that computer. Files left on a computer without the knowledge of the custodian will be deleted without prior notice.

5. I will not attempt repairs or adjustments on Departmental computer equipment, nor will I attempt to accelerate the performance of Departmental computers.

6. I understand that a violation of this agreement can result in disciplinary action against me.

Signed and Witnessed this _____ day of _____, 20_____

_____	_____	_____	_____
Printed Name	Code No.	Assignment	Signature
_____	_____	_____	_____
Custodian's Printed Name	Code No.	Assignment	Custodian's Signature

THE RALEIGH POLICE DEPARTMENT

1101-07

PSYCHOLOGICAL SERVICES

PURPOSE

To describe the psychological counseling, testing/evaluation, training, and consulting services available to the Department.

VALUES REFLECTED

This directive reflects our values of *Integrity and Compassion*. We recognize that our compassion must extend to each other as members of the Raleigh Police Department and that our commitment to public service requires that our members have access to a wide array of services, which they may need to cope with the demands of a very hard job and difficult work environment.

UNITS AFFECTED

All Divisions/All Personnel

REFERENCES/FORMS

DOI 1102-4 “Departmental Wellness Program”

GENERAL POLICY

The Raleigh Police Department places a high priority on promoting and maintaining the psychological well-being of its employees. The Department's Police Psychologist provides clinical services as well as support for Departmental operations and investigations.

TYPES OF PSYCHOLOGICAL SERVICES

The two types of psychological services are Intervention and Assessment. The Departmental Police Psychologist provides all of the clinical intervention services. A consulting psychologist provides all of the assessment services.

DUTIES OF THE DEPARTMENTAL POLICE PSYCHOLOGIST

Intervention

The Departmental Police Psychologist will provide individual counseling and psychotherapy to Police Department employees. Services are also available to employees by the Raleigh Employee Assistance Program (REAP) (see DOI 1102-04 "Wellness Program").

Services provided by the Departmental Police Psychologist will be one of two types: (a) self-referred and confidential; or (b) referred by a supervisor. If an employee is referred by a supervisor, the Departmental Police Psychologist will act as an agent of the Department and confidentiality is limited. Any employee receiving information concerning another employee's counseling will be expected to maintain strict confidentiality as well. Violations of this confidentiality will be subject to an Internal Affairs investigation and may result in disciplinary action.

Individual Counseling or Psychotherapy

The fact that an employee is receiving psychological services and the content of those meetings is kept strictly confidential. There are four legal exceptions to confidentiality:

(a) If the Departmental Police Psychologist determines that the person is a danger to others (homicidal).

(b) If the Departmental Police Psychologist determines that the person is a danger to themselves (suicidal).

(c) If the Departmental Police Psychologist determines that the person is involved in or, at immediate risk of causing harm or danger to any child, including physical and/or sexual abuse.

(d) When the Departmental Police Psychologist becomes party to a legal action involving a client, facts pertinent to the case may be revealed at the direction of a trial judge.

Individual Critical Incident Counseling

In the event of a critical incident, contact between the involved employee(s) and the Departmental Police Psychologist is mandatory.

The Departmental Police Psychologist will be notified immediately by the on-duty Watch Commander and given the location of the employee. In the event of an injury, the employee will be contacted at the medical facility when feasible.

The fact that an employee consults with the Departmental Police Psychologist regarding critical incidents is not confidential. However, the content of that conversation is confidential and will only be disclosed as set forth in this directive.

Group Critical Incident Stress Debriefing

Critical Incident Stress Debriefings (CISD) are conducted to assist officers and employees who have been involved in critical incidents. The goal of the CISD is to decrease the trauma of the critical event, not to gain new information regarding the incident. Participants of the CISD's are required to maintain the rules of confidentiality as set forth in this directive.

Officers who have been involved in a previous critical incident are eligible for participation as a peer counselor in future CISD's after appropriate training is obtained. Final selection will be made by the Chief of Police while considering the recommendations of the Departmental Police Psychologist. Peer counselors shall not disclose any privileged communication as defined by N.C.G.S. 8-53.10(a)(4) except in accordance with the exceptions set out in N.C.G.S. 8-53.10.

Training

The Departmental Police Psychologist will provide training to recruits regarding psychological well-being, abnormal psychology, and police psychology topics. General in-service training and specialized training for specific work groups will be provided as needed.

Consultation

Upon request, the Departmental Police Psychologist may consult with supervisors to assist in problem solving as well as to prevent future personnel and organizational problems. These consultations may focus on employee job matching, motivation, and performance. These consultations are solely for the purpose of guidance for supervisors in the management of employees. Supervisors will not reveal names of specific employees during these consultations.

DUTIES OF THE CONSULTING PSYCHOLOGIST

Assessment

All psychological assessments will be provided by a consulting psychologist, not the Departmental Police Psychologist.

All applicants will participate in a pre-employment, post-conditional offer, psychological evaluation. Access to these reports is limited to personnel responsible for hiring, training, and job placement decisions. Regardless of a hiring decision, these reports will be kept for two years.

All members of the Selective Enforcement Unit will participate in a psychological evaluation as part of the selection process as well as on an annual basis.

The Chief of Police may order a Fitness for Duty Evaluation if there is a reasonable belief that unusual or questionable behavior of an employee may be due to a psychological disorder.

Failure to participate in a psychological evaluation, when ordered to do so, will be reported to the Chief of Police and may be considered an act of insubordination which will be subject to disciplinary action up to and including termination.

Psychological evaluations should not be used for making administrative decisions more than one year after the evaluation was conducted.

All reports provided by the Consulting Psychologist are the property of the Raleigh Police Department and will be kept indefinitely. They will be stored in a locked cabinet by the Personnel Sergeant.

THE RALEIGH POLICE DEPARTMENT

1101-08

INTERNET ACCESS, USAGE AND ELECTRONIC CORRESPONDENCE

PURPOSE

To establish management policies for responsible and acceptable use of Internet and Intranet services by Police Department employees

VALUES REFLECTED

This directive reflects our values of *Service and Integrity*. By observing these guidelines we demonstrate that we adhere to the highest standards for using the best technology available to us. We recognize that with the privileges and work improvements brought to us through technology come the responsibility to use these resources wisely and to everyone's benefit.

UNITS AFFECTED

All Divisions/All Personnel

REFERENCES/FORMS

City of Raleigh Internet Usage Policy

GENERAL POLICIES

The City of Raleigh has elected to offer employees access, via the Internet, to local, national, and international resources to:

- Promote partnership, community involvement and the exchange of information with citizens, government agencies, community groups, and businesses.
- Provide information about the activities and services offered by the Department.
- Provide Department information and services to the public in an electronic form.
- Expedite internal communications.

POLICIES

Internet Access

Internet access is coordinated through City of Raleigh Information Services.

Internet Connection

Internets connection must be made in a secured manner to protect the City's data assets and computer networks. Only City-owned P.C.'s connected to the City of Raleigh's computer network may access the Internet via the City's secured centralized Internet Service connection. Stand-alone (non network connected) personal computers must not be used to dial into the Internet.

- Governmental access to the Internet via City resources can only be for City of Raleigh purposes. Its use cannot disrupt or interfere with the ongoing work of the City, other network users, adversely affect the operation of the Internet or the City's own internal network, or misrepresent the interest of the City of Raleigh.
- All use of the Internet via City resources must be in compliance with all applicable laws and policies (federal, state, and local laws as well as City policies). Internet access via the City of Raleigh's resources must not be for illegal purposes.
- The safety and security of the City's network and resources must be considered at all times when using the Internet. Supervisors should advise employees to use appropriate safety guidelines and software when downloading resources from the Internet.
- Individual users must be aware of, and at all times attempt to prevent potential City liability in their use of the Internet.
- Resources which involve source, executable or binary files must not be downloaded without being properly scanned for viruses. Any downloading must be done to removable storage media, not to the hard drive.
- Resources which are not used for City purposes must not be accessed or downloaded.

Resources of any kind, for which there is a fee, must not be accessed or downloaded in violation of the City's purchasing policies.

Web Pages

Individuals responsible for web page designs must ensure that the web pages they design reflect only City information and do not point to sites not authorized by the City of Raleigh's Public Affairs offices. No individual web pages are allowed.

All web pages must be designed according to the City of Raleigh's Internet style guide.

RESPONSIBILITIES

Individual users are responsible for complying with this and all other relevant policies when using the City's resources for accessing the Internet. Use of these same resources in violation of this policy or applicable Departmental policies is grounds for disciplinary action as defined in the City of Raleigh's Standard Operating Procedures.

Guidelines:

- Respect the privacy of others. Users shall not intentionally seek information on, obtain copies of, or modify files, other data, or passwords belonging to other users, or represent themselves as another user unless explicitly authorized to do so by that user.

- Respect the integrity of other computers and computer systems and not interfere with or disrupt network users, services, programs, software, or equipment. Disruptions include, but are not limited to, distribution of unsolicited advertising, propagation of computer worms or viruses or other debilitating programs, and using the network to make an unauthorized entry to any other machine accessible via the network.

- Respect the legal protection provided by copyright and license to programs and data.

- Do not use the network for unlawful purposes.

- Do not transmit threatening, obscene (as defined by US and local law) or harassing materials.

Employees have an obligation to learn about network etiquette (netiquette), customs, and courtesies. Certain procedures and guidelines should be followed when using electronic mail communications, participating in electronic discussion groups, and transferring files from other groups.

All employees engaging in activity surrounding the sending or receiving of information shall assume that all such information is for public review and subject to review by City management.

POLICE DEPARTMENT ELECTRONIC COORESPONDENCE GUIDELINES

All emails and other electronic correspondence (MCT messages, texts, etc.) should be business related and written in a professional manner. Add-on sounds, symbols, quotes, verses, graphics,

pictures, etc. are not to be used unless deemed necessary as part of the business related correspondence.

Employees should be mindful when sending electronic correspondence to groups of personnel. Employees should look at the various groups and use the smallest group that meets their intended target audience.

Supervisors will monitor correspondence to ensure they are professional, business related, and that the distribution method and recipient is appropriate.

THE RALEIGH POLICE DEPARTMENT

1101-09

OPERATIONS, MANAGEMENT, AND DIRECTIVE COMPLIANCE REVIEWS

PURPOSE

To identify the process and responsibility for reviewing Departmental operations, management, and compliance with written directives and national and state professional law enforcement standards through a system of Departmental inspections and audits.

VALUES REFLECTED

This directive reflects our values of *Service, Fairness, and Integrity*. By setting high standards for our organization and by reinforcing these standards by a system of inspections and standards review we confirm our integrity. We demonstrate that we are accountable by observing professionally recognized standards that reflect best policing practices. By looking outside our own department and adapting what has worked well elsewhere to improve ourselves, we show our commitment to continuing high caliber service.

UNITS AFFECTED

Administration Division/All Personnel

REFERENCES/FORMS

DOI 1100-5 "Interagency Relationships"
DOI 1109-1 "Patrol Operations"
The Standards Manual of the Law Enforcement Agency Accreditation Program
North Carolina Criminal Justice Education and Training Standards Commission

GENERAL POLICIES

All Departmental operations, policies and procedures will be assessed every other year for compliance with any required professional law enforcement standards. All evidence control and property functions will be inspected annually, and at other times at the discretion of the Chief of Police.

A primary emphasis during assessments will be to ensure that professional Law Enforcement Standards are met in order to maintain national accreditation by the Commission on Accreditation of Law Enforcement Agencies.

Assessment guidelines and checklists will be maintained and administered in all Departmental line-inspections. Staff inspections, reports, and audits will be performed to maintain compliance with professional law enforcement standards. All Department property and employee owned property which is brought into Departmental facilities and vehicles is subject to inspection without notice.

Line inspections are the responsibility of all supervisors within the Department. Line inspections are an ongoing process in order to ensure that personnel are adhering to Departmental requirements regarding appearance, use and maintenance of equipment, and adherence to Departmental directives and orders. Each supervisor is responsible for the inspection of personnel, activities and equipment under their supervision and the initiation of corrective action in the event of a detected failure, error, violation, misconduct, or neglect of duty by a subordinate. It shall be the overall responsibility of each Division Commander to ensure that the proper inspections are conducted at appropriate times.

ORGANIZATION AND AUTHORIZATION

The Chief of Police shall maintain overall control and responsibility for all Departmental inspections. The Office of Professional Standards/Inspections Unit will perform all staff inspections, scheduled or short notice, under the direct authority of the Deputy Chief.

Office of Professional Standards/Inspections Unit

The Inspections Unit will function under the purview of the Office of Professional Standards Commander with reporting authority directly to the Deputy Chief of Police. The responsibilities of the Office will include conducting periodic staff inspections, reports, and audits of Departmental operations, written policies and procedures required for maintaining compliance with professional law enforcement standards.

SHIFT INSPECTIONS

Sergeants and supervisors in all divisions shall be responsible for inspecting employee appearance, demeanor and use and maintenance of equipment and facilities on a daily basis. Generally, this is accomplished by means of roll call inspections or direct observations. Supervisors will ensure that immediate action is taken, when possible, to correct any noted deficiencies.

Key Box and RADAR Units

The key boxes at each Departmental facility shall be inventoried and inspected by a supervisor designated by the respective Commander to ensure that all keys are accounted for on a daily basis. Designated supervisors shall be responsible for ensuring that all keys are signed out/in and recorded on the proper sign out/in log forms. All handheld RADAR units shall be inspected prior to signing out/in the units to ensure they are accounted for, contain all necessary components, and appear to be in good working order.

LINE INSPECTIONS

The Office of Professional Standards/Inspections Unit shall establish guidelines for periodic line inspections and reports conducted by designated supervisors required for maintaining compliance with professional law enforcement standards. Divisional Staff Supervisors and District Supervisors will assist their respective units with the organization and completion of inspections and proper reporting procedures.

Monthly Equipment Cabinet/Locker Inspections:

The equipment cabinets/lockers at each Departmental facility shall be inventoried and inspected by a supervisor designated by the respective Commander on a monthly basis to ensure that all items are accounted for and in good condition. Designated supervisors shall be responsible for ensuring that all equipment is signed out/in and recorded on the proper sign out/in log forms.

Monthly Formal Inspection

Monthly formal inspections of personnel, equipment, vehicles and facilities will be conducted by supervisors in all Divisions.

Personnel inspections will include, but are not limited to, personal appearance, individually issued equipment, including issued duty gear and uniforms, ballistic vests, riot and PPE gear, assigned key cards or fobs, fuel and Departmental credit cards, all weapons, including shotguns, patrol rifles and personal weapons carried on duty, assigned lockers, assigned computers, to include laptop and desk top computers. All property, items or containers, even those personally owned, located within the locker or desk are subject to inspection. All equipment should be accounted for and inspected on a monthly basis.

Vehicles should be clean, inside and out, free of any damage, and all required equipment should be present and in good working condition. This shall be documented on the “Vehicle Inventory Form” which shall be maintained in the “Vehicle Inventory Log Book.” All MCTs, MVR equipment, and RADAR units, will be checked at the time of the vehicle inspection and included in the documentation. The log book will be retained on the Division level for inspection. All property, items or containers, including personally owned items, located within a Departmental vehicle (owned or leased) are subject to inspection. Any unauthorized items will be investigated, reported and removed immediately.

Facility inspections will include, but are not limited to, all facility key boxes, equipment cabinets, lockers and other storage areas, all handheld RADAR units, specialty vehicles, specialty equipment, and specialty weapons, will be accounted for and inspected by supervisors monthly. A monthly

report detailing all inspections will be completed. Any missing, damaged, or unauthorized items will constitute an investigation by the supervisor conducting the inspection.

Selective Enforcement Unit (SEU) Equipment

SEU Sergeants shall be responsible for inspecting all special equipment issued to SEU Officers on a monthly basis to ensure equipment accountability and that it is in good working condition. In addition, the SEU Sergeants shall be responsible for ensuring that the Department's supply of chemical agents is inspected monthly and that the Pepper Fogger units are checked for operational readiness on a monthly basis.

Written Reports and Corrective Actions

All supervisors performing required inspections are to ensure that the necessary forms associated with each inspection are completed and properly maintained in the appropriate log book. A copy of the monthly formal inspection report will be forwarded to the Office of Inspections. The report will identify any discrepancies discovered and actions taken to remedy the discrepancy.

Supervisors will initiate the proper follow up, corrective action(s), and documentation relative to any detected deficiency arising during any required inspection. Supervisors will ensure that immediate action is taken, when possible, to correct any noted deficiencies. Any unauthorized items will be investigated, reported and removed immediately.

Supervisors should ensure that officer's request any needed replacement equipment through the appropriate procedures and/or initiate the necessary equipment repairs.

Role of the Office of Professional Standards/Inspections Unit in Line Inspections

The Office of Professional Standards/Inspections Unit will not exercise any formal authority over Departmental supervisors conducting line inspections.

The Office of Professional Standards/Inspections Unit will provide technical assistance for reporting, recording, and filing line inspections conducted by Departmental supervisors.

Special Purpose Line Inspections

The Chief of Police may direct special purpose line inspections at any time, as needed. Examples of special purpose line inspections include, but are not limited to, operational procedures, property/evidence control, and weapons storage facilities.

STAFF INSPECTIONS

Staff inspections will be conducted by the Office of Professional Standards/Inspections Unit according to a confidential schedule. Short-notice inspections will be conducted at the direction of the Chief of Police or his/her designee.

Objectives of Staff Inspections

In conducting staff inspections, the inspection team should strive to accomplish the following objectives:

- To ensure the effectiveness of police operations and services to the public through the thorough review of all organizational components and by monitoring compliance with Departmental written directives, city, state and federal law, and national law enforcement accreditation standards.

- To provide detailed, accurate, and reliable information to the Chief of Police as to the status and overall effectiveness of the Department, and each of its organizational components.

- To highlight the positive and successful aspects of Department activities, procedures, and policies, and ensure uniformity of operations throughout the Department.

- To assess how Departmental resources, including personnel, equipment, and facilities, are being used to meet the needs of the community and identify additional resources that may be needed or available.

- To determine those operational and functional areas where the Department or its employees may be vulnerable and/or at risk.

- To identify deficiencies and potential weaknesses in areas in need of improvement so that corrective action may be taken in a timely and appropriate manner.

- To strive for continuous improvements in operational effectiveness by making educated and informed recommendations to the police administration.

Office of Professional Standards/Inspections Unit Programs

There are three primary inspection programs administered by the Office of Professional Standards/Inspections Unit in the conduct of staff inspections and required audits.

- Division/District Inspection Program

  A detailed formal program used to assess the overall operational effectiveness of the inspected District. This program consists of Division/District Staff Inspections, Short-notice inspections, and a Division/District Self-Assessment Program.

- Internal Auditing Program

  A detailed program used to assess and ensure the proper accounting of Departmental assets and resources. The Internal Auditing Program includes statistical and performance verification, mandated cash fund audits, and other operational audits effecting mission capability.

- Staff Assistance Program

  A voluntary preventive assessment program whereby Division/District Commanders may request an objective management and operational review of their subordinate units and programs in an effort to remain proactive and avoid unnecessary risk.

Inspection/Audit Procedures

- Pre-Inspection Conference

  The Assessment Team and the appropriate Commander will meet prior to the inspection/audit to identify specific performance indicators.

- Conduct of the Inspection/Audit

  To alleviate the possibility of misinterpretation, members of the Assessment Team should freely discuss with supervisors any reportable matter at the time of its disclosure. The Assessment Team will brief the affected Commander of current findings.

- Assessment Reports

  Upon the completion of all inspections/audits, a written report will be compiled and presented to the Deputy Chief of Police and the affected Division Commander. A written progress report will also be compiled in the same manner to address any follow-up inspections/audits.

- Post-Inspection Conference

  At the conclusion of an inspection/audit, the Assessment Team will schedule a conference with the affected Division Commander and supervisors. The team will also provide suggestions and recommendations for corrective action at this time. A written reply and feedback from the assessed unit will be compiled by the Commander and forwarded to the Office of Professional Standards/Inspections Unit within 15 days of receiving the assessment report. Any issue of health, welfare and safety requires an answer within five days. A follow-up inspection will be held at a reasonable date in those instances where complete compliance with professional standards is not observed.

SPECIAL INVESTIGATIONS

Special investigations are inquiries of an administrative nature, not under the purview of Internal Affairs or the Detective Division, and not involving criminal activity, suspected or alleged.

Special investigations will be conducted at the discretion of the Chief of Police, in support of the Department's overall management strategy and objectives.

ACCREDITATION/REACCREDITATION

The Raleigh Police Department acknowledges the benefits of professional law enforcement accreditation and strives to maintain compliance with the professional law enforcement standards as established by the Commission on Accreditation of Law Enforcement Agencies [CALEA]. The Accreditation Unit will fall under the purview of the Office of Professional Standards/Inspections and Accreditation Unit.

The Accreditation Sergeant will take efforts to ensure that both Departmental personnel and the general public are informed of the advantages of achieving and maintaining national accreditation.

Benefits of Accreditation

The Accreditation Sergeant should ensure that Departmental personnel are periodically familiarized with the Accreditation/Reaccreditation process and the goals of Accreditation. Some of the goals include:

- To increase the Department's capability to prevent and control crime.
- To enhance the Department's effectiveness and efficiency in the delivery of law enforcement services.
- To improve cooperation and coordination with other law enforcement and criminal justice agencies.
- To increase citizen and staff confidence in the goals, objectives, policies, and practices of the Department.

The Accreditation/Re-accreditation Process

The Accreditation Sergeant will be responsible for ensuring that the processes of Accreditation/Reaccreditation are appropriately addressed and will:

- Submit updated organizational charts, updated agency profile questionnaires, new program descriptions, or other information to the Accreditation Commission as required.
- Conduct an ongoing self-assessment/re-assessment of Departmental rules, policies, procedures, and practices for compliance with professional standards.
- Oversee mock on-site and on-site assessments by professional standards assessors to verify compliance.
- Maintain a checklist of all reports and other documentation required for conformance with Departmental policy and law enforcement standards. On a monthly basis the appropriate checklist will be distributed to each Division. Once completed the documentation submitted will be reviewed for correctness. The Accreditation Sergeant will follow-up to correct any discrepancies.

THE RALEIGH POLICE DEPARTMENT

1101-11

QUALITY OF LIFE ENFORCEMENT

PURPOSE

The purpose of this directive is to define quality of life policies and procedures, provide guidelines for the exercise of police discretion in common situations which permit the use of discretion and to provide a basis for officer accountability in such situations.

VALUES REFLECTED

This directive reflects our values of *Service, Courage, Fairness, Integrity, and Compassion* as we work to reduce fear, prevent crime, and maintain civil and safe neighborhoods. All of our actions will be based on respect and concern for all of our citizens and adherence to the highest standards of professional policing.

UNITS AFFECTED

All Divisions/All Personnel
City Inspections Department
Raleigh Fire Department
City Parks & Recreation Department
Wake County Environmental Services
ALE/Wake County ABC Commission

REFERENCES/FORMS

North Carolina General Statutes
Raleigh City Code
United States Constitution – Fourth Amendment
DOI 1100-04 Non-Biased Policing
Appendix A: "Frequently Used Quality of Life Charges"

GENERAL POLICIES

It is our policy to work in a legal, humane, respectful and equitable way to maintain order in our neighborhoods. Quality of life problems include, but are not limited to, noise, graffiti, public drinking, environmental code violations, housing code violations, prostitution and disorderly conduct such as aggressive panhandling.

We will use the least forceful means possible to maintain order and a high quality of life for the citizens and visitors of Raleigh. Except in cases where offenses warrant immediate enforcement action, the first level of intervention will be to caution and educate offenders about laws and ordinances that impact the neighborhood quality of life. The second level of intervention will be to remind offenders that they are breaking the law and are subject to penalties if they persist. The final level of intervention is citation or arrest.

We recognize that quality of life enforcement activities are discretionary at all levels of the Department. Officers are encouraged to use alternatives when, based upon their discretion, it is in the best interest of the public, the parties involved and the criminal justice system to do so. Discretion does not imply the personal inclination of the officer. Discretion is the application of professional knowledge, values, skills and Departmental guidelines to a particular problem. The starting point for all enforcement activity will always be state and local law.

GENERAL PROCEDURES AND PROBLEM SOLVING

The majority of neighborhood quality of life problem solving activities will be conducted by patrol officers. When neighborhoods are faced with complex problems that require the coordinated efforts of police, the community, other agencies or special units, a more formal problem solving approach will be used. This approach will include the following:

- Identification of neighborhood priorities.
- Clear identification of the nature of the problem.
- Consideration of tactical options and the legal and moral implications of each.
- Expected results of selected options.
- Identification of success/failure indicators.
- Implementation and monitoring for early indicators of success/failure.
- Full implementation if early indicators are positive or a return to the problem identification phase if early indicators are negative.
- Termination of efforts when goals are reached.

GUIDELINES FOR THE USE OF OFFICER DISCRETION

These guidelines serve as a basis for training, supervision and officer accountability. They provide a basis for rewarding competent policing and help to articulate genuinely professional police practices.

Specific Responsibilities

Officers are expected to use discretion and authority in compliance with the law, the Law Enforcement Code of Ethics and Departmental objectives and values.

- Enforcement action, inaction or degree of severity must not be influenced by malice, vengeance or prejudice based on race, sex, ethnic background, religion, political affiliation or any other form of discrimination specifically outlawed by local ordinance, state or federal law.

- Enforcement action must not be more severe than can be reasonably and objectively justified in the furtherance of Departmental goals and objectives.

- Enforcement action or contact may not be extended unnecessarily for the purpose of delaying the release or inhibiting the free movement of any person.

Level of Intervention

In determining the level of intervention to be used in quality of life enforcement, officers will consider the following factors: Time of Day/Time of Year, Location, Condition of the Offender and Level of Vulnerability of the Victim/Witness.

PARTNERSHIPS

Not all quality of life and disorder problems are within the purview of the Police Department. Other community resources may be needed to solve community problems. We place high priority on maintaining consistent and systematic partnerships with other City departments, county and state agencies and community groups that have an active and responsible role in the abatement of disorder and quality of life problems in our neighborhoods. These partnerships add to our range of available tools as we devise strategic and tactical responses to quality of life problems whether on a formal or informal basis.

City Agencies in Partnership

- Raleigh Fire Department: Responsible for enforcing fire code violations and for public education programs to promote safe neighborhoods.

- Inspections Division: Responsible for enforcing minimum housing codes, sanitation and public nuisance violations such as abandoned vehicles and other property conditions which constitute a nuisance or a public health hazard.

- Finance Department: Responsible for enforcing requirements for business licenses.

- Parks & Recreation Department: Provide recreational activities and programs directed toward at-risk populations.

- Transportation Department: Responsible for street lighting program, street design and maintenance, closing streets, rerouting traffic, locating and relocating bus stops.

County Agencies In Partnership

- Wake Alcohol Beverage Control Enforcement: Responsible for enforcing all alcohol, drug and tobacco laws and conducting both overt and covert operations.

State Agencies In Partnership

- Division of Environmental Health: Responsible for enforcing state health and sanitation codes.

- Division of Alcohol Law Enforcement, Department Of Crime Control and Public Safety: Responsible for licensing and enforcing all alcohol, drug and tobacco laws and conducting both overt and covert operations.

TRAINING

We recognize the complexity of professional police work through a program of regular and consistent training to give our officers and officer trainees the requisite knowledge, skills, and basic competencies they need to intelligently identify problems, construct viable tactical responses and exercise the use of discretion responsibly and with consistency.

Frequently Used Quality of Life Charges

Raleigh City Code (RCC)/ NC General Statute (GS)/ City of Raleigh (COR)

Violations are misdemeanors unless marked (I) infraction; (F) felony; or (CP) civil penalty. Appearance in court is mandatory unless marked waivable (W).

Abandoned Refrigerator

- RCC 13-2001: leave outside in place accessible to children a refrigerator that cannot be opened from inside

Abandoned Vehicles

- RCC 12-7001(police): authority to tow abandoned vehicles on public streets
- RCC 12-7001(inspections): authority to tow abandoned/nuisance vehicles on private property
- RCC 12-7005: removal of abandoned vehicles with seven days notice (i.e. Stored on street or no hazard parking violation)
- RCC 12-7006: no notice towing when there is a traffic obstruction or necessary to protect public safety; findings in writing; and parked in bus zone; or loading zone; or in violation of temporary parking restrictions by Chief; or no stopping or standing zone; or obstructing traffic; on sidewalk, or in intersection; or near fire hydrant (note: no notice towing is very unusual)
- RCC 12-7007: Post towing notice requirement

Alcohol

- RCC 12-4001: possess open container or consume a malt beverage or unfortified wine on property owned/occupied by COR (w)
- RCC 12-4005: unlawful to drink intoxicating liquor at railroad/bus station
- RCC 2-2041: sell within COR beer or wine without first obtaining a permit from city revenue
- GS 18B-300(b): consume alcohol on premises with off-premise ABC permit only (w)
- GS 18B-301(f)(1): unlawful for any person to consume liquor/fortified wine at ABC store or on street or sidewalk (w)
- GS 18B-301(f): possess/consume/fortified wine or liquor on premises where forbidden by person in charge of premises (w)
- GS 18B-302: sale to or purchase by person under 21 unlawful; possession under 21 unlawful;(beer/wine possession by 19/20 year old is waivable)
- GS 18B-304: unlawful to sell alcoholic beverages without ABC permit and revenue license.
- GS 18B-305: unlawful for permittee or employee to sell or give alcohol to an intoxicated person (w)

Animals (All violations are misdemeanors that can be charged by law enforcement officers on a citation. Animal control and law enforcement officers can charge on a city citation with a civil penalty).

- RCC 12-3007: unlawful to allow a domesticated animal to run at large
- RCC 12-3011: unlawful to allow a dog to run at large
- RCC 12-3021: unlawful to keep a public nuisance animal within COR (Contact Animal Control for investigation)
- RCC 12-3011: unlawful to fail to remove dog feces from street, sidewalk, publicly owned area or private property unless permitted by owner
- RCC 12-5007(o): unlawful to permit any animal to make habitual or frequent sound by barking that disturbs the quiet, comfort or repose of any person

Assaults

- GS 14-33(a): simple assault
    - C(1): assault inflicting serious injury
    - C(1): assault with a deadly weapon
    - C(2): assault on a female by male at least 18
    - C(3): assault on child under 12
    - C(4): assault on a government official discharging duty
- GS 14-34: Assault by pointing a gun
- GS 14-33.2: Habitual Misdemeanor assault: commits an assault; and has 5 or more misdemeanor convictions and 2 were assaults(f)

Begging

- RCC 13-2007: unlawful to beg upon streets or elsewhere in COR without a permit.
- RCC 13-2031: aggressive begging that intimidates is unlawful
    - begging unlawful within 100 feet of ATM
    - begging at night between 9: 00 pm and 8: 00 am prohibited
- RCC 12-1026: unlawful to stand/sit in right-of- way with intent to approach vehicle to solicit contribution
- GS 14-444: (a)(5) unlawful to be intoxicated in a public place and disruptive by begging for money/property

Bicycles

- RCC 11-3009: persons under 16 must wear a helmet when riding on road, bike path, greenway (I) (because juvenile can only apply for juvenile petition)
- RCC 12-1006: bicycles prohibited on Fayetteville Street Mall, Moore Square Transit Station, and on sidewalks adjacent to bike lanes (I)
- GS 20-171.9: unlawful for parent/guardian to allow child under 16 to ride bike without helmet (I)
- GS 20-4.01(49): bicycles will follow the Chapter 20 rules of the road except where clearly N/A
- GS 20-129(e): bicycles required to have a light on front at night and a reflex mirror or light on rear (I)

Business License

- RCC 2-2029: unlawful to engage in business without paying the privilege license tax

Civic Center

- RCC 9-6018: loiter within civic center complex building or adjacent grounds

Controlled Substances (could be misdemeanor or felony depending on the facts)

- GS 90-113.22: unlawful to possess/use drug paraphernalia to plant, use, test, package, ingest, produce a controlled substance
- GS 90-95: unlawful to manufacture a controlled substance
    - (a)(1) and (b)unlawful to knowingly sell or deliver a controlled substance to another person
    - (e)(5) unlawful to sell/deliver to person under 16 but more than 13 by person 18 or above
    - (e)(5)unlawful to sell/deliver to person under 13 by person 18 or above
    - (e)(8) 21 or older can't sell/deliver/possess with intent to s/d with 300 ft of school
    - (a)(3)unlawful to knowingly possess a controlled substance

Damage to Property/Vandalism

- GS 14-127: unlawful to willfully damage, injure or destroy real property of another
- GS 14-128: unlawful to damage land, a growing thing, cut, break, injure, remove tree, flower without the consent of the owner
- GS 14-160: unlawful to willfully injure the personal property of another
- GS 14-132: unlawful to deface, write on or injure walls of a public building; includes government/ charitable/educational buildings
- RCC 13-2002: unlawful to inscribe, post advertising matter upon a public street, sidewalk, post, tree or other structure on street/alley (does not apply to signs of charitable organization)

Disorderly Conduct/Drunk and Disruptive/Affray

- GS 14-444: (a)(4): unlawful to be intoxicated in a public place and disruptive by cursing/shouting/insulting others
- GS 14-288.4(a)(1): unlawful to cause public disturbance by fighting or creating imminent threat of fighting or violence
    - (a)(2): gesture, display, abusive language likely to provoke violent retaliation (directed to citizens)
- GS 14-33: unlawful to engage in an affray (engages in fighting in a public place)

Firearms

- RCC 13-2010: unlawful to discharge a firearm within the COR except with permit to shoot pigeons, squirrels, rats or at approved firearm/paintball range
- GS 14-269: unlawful to carry a concealed weapon when not on own property unless by permit
- GS 14-415.10 – 415.23: carry concealed handgun permit regulations; could be infraction or misdemeanor depending on the charge and whether first offense

- GS 14-415.1: possession of firearm by felon prohibited except in felon's home/business but see 18USC922(g)(1) federal law prohibits felons from possessing firearm
- GS 14-34.1: unlawful to discharge a firearm into occupied property (building or vehicle)

Fireworks

- GS 14-410-414: unlawful to possess/sell fireworks (does not apply to caps, snake worms, smoke devices, party poppers/sparklers)

Litter

- RCC 12-1035(a) prohibits allowing load to escape/ prohibits tracking mud on streets/sidewalks in COR
- GS 14-399: prohibits littering (punishment depends on amount littered)(w if first offense)

Motor Vehicle

- GS 20- 141: Speed Restrictions (waivable unless in excess of 80 mph or over 15 mph in 55 mph
- RCC 11-2091: Speed regulation: 35 mph in city (I)(W)
- RCC 11-2092: Speeding in excess of posted speed (I)(W)
- GS 20- 141.1: Speed limit in school zones (I)(W)
- GS 20-158: Stop Sign/ signals (W)
- RCC 11-2071: Traffic control signals (I)(W)
- RCC 11-2072: Stop intersections (I)(W)

Noise (All violations are misdemeanors when charged by law enforcement officers. The City Council has the authority to assess a civil penalty).

- RCC 12-5003: unlawful to exceed specified decibel levels; residential/commercial/thoroughfare; day/night
- RCC 12-5004: exceptions to decibel standards
- RCC 12-5006: unlawful to emit any unreasonably loud, annoying, frightening or unnecessary noise; detriment to life/health
- RCC 12-5007: unlawful to emit specifically prohibited noises
  (a) horn on vehicle not in motion for unreasonable period of time
  (b) siren on non-emergency vehicle
  (c) radio, amplifier, television, musical instrument during nighttime (11-7) that disturbs residences/hotel
  (o) noise created by animals or fowl that is habitual/frequent
  (p) noise heard within 50 feet of a vehicle
- RCC 12-5008: unlawful to operate sound magnification on street without permit (from RPD)

Nuisance Party

- RCC 13-3017 unlawful to conduct, sponsor or attend a nuisance party; defined by one or more of the following: Public drinking, public urination, unlawful sale/consumption of alcohol, unlawful litter; destruction of property, obstruction of pedestrian/vehicular traffic; excessive noise; public fights or disturbances

Parks

- RCC 9-2013: unlawful to park except where designated (I)
- RCC 9-2013: unlawful to park in streets/areas of park for the purpose of vending goods/merchandise (I)
- RCC 9-2015: littering in park unlawful
- RCC 9-2016: unlawful to bathe, swim, wade in City owned pond, lake, fountain
- RCC 9-2021: unlawful to possess, either open or concealed, a weapon in park or at Parks and Recreation sponsored event
- RCC 9-2025: unlawful to camp or stay overnight on park or City property without permit; unlawful to camp, sleep or rest in a prone position in Nash Square, Moore Square, Transit Transfer Center, Fayetteville Street Mall or Municipal Building

Parking (All violations listed below carry civil penalties only and are charged on a parking ticket).

- RCC 11-2171 (A): unlawful to stop, stand or park any vehicle upon a street to obstruct traffic
    - (b)(1): unlawful to park on a sidewalk or area between right of way and roadway and median of divided roadway
    - (b)(2): unlawful to park within 12 feet of a crosswalk
    - (b)(3): unlawful to park within an intersection
    - (b)(9): unlawful to park on the roadway side of any vehicle that is stopped, parked or standing at the edge/curb of street
    - (b)(10): unlawful to park within 15 feet of a fire hydrant, unless greater distance designated and marked
    - (b)(11): unlawful to park within 5 feet on either side of private road or driveway, or in manner to block vehicles
- RCC 11-2176: unlawful to park truck/trailer on the street
- RCC 11-2180: unlawful to park/stand a vehicle on roadway for purpose of displaying for sale, washing, repairing (unless emergency)

Pedestrians

- GS 20-172(b): unlawful to start to cross the highway in the direction of a pedestrian-control signal when signal is indicating “Don’t Walk”, the defendant being a pedestrian (I)
- GS 20-173(a): unlawful to fail to yield the right-of-way to a pedestrian crossing the roadway within a marked crosswalk or near an intersection (I)
- GS 20-174(a): unlawful to cross a roadway at a point other than a crosswalk by failing to yield the right-of-way to all vehicles upon the roadway, the defendant being a pedestrian (I)

Prostitution/Crime Against Nature

- GS 14-204: unlawful to engage in prostitution (buyer or seller)
- GS 14-204: unlawful to maintain a place of prostitution
- GS 14-204.1: unlawful to loiter for the purpose of engaging in prostitution or crime against nature for money/something of value
- GS 14-177: unlawful to engage in crime against nature in public; or crime against nature for money/something of value

Sidewalks

- RCC 12-1005: unlawful to obstruct sidewalk with box, bag, vehicle, or other obstruction any longer than necessary to move load
- RCC 12-1022: use of sidewalk for private use is unlawful without permit from City director of transportation
- RCC 12-1025: unlawful to sale merchandise on sidewalk unless charitable, religious or educational purposes
- RCC 12-1024: lawful to peddle from cart with permit; food; art; handicrafts; flowers; cannot impede travel
- RCC 12-1058(c): unlawful for crowd to block street or sidewalk; can be ordered to disperse

Streets

- RCC 12-1021: unlawful to conduct auction in street or attract crowd on street to impede travel by advertising goods for sale
- RCC 12-1026: unlawful to solicit business on streets/sidewalks
- RCC 12-1036: unlawful to paint streets, sidewalks, curbs
- RCC 12-1037: duty of occupants or owners of vacant property to clean sidewalks
- RCC 12-1038: unlawful to leave trash, scrap vehicle, or junk on right-of-way(NA to trash pick-up)

Taxis (Taxi Inspector issues civil penalties; law enforcement can charge as misdemeanors)

- RCC 12-2024: unlawful to engage in the taxi business without the proper permits
- RCC 12-2091: driver's permit may be revoked if driver knowingly transported a passenger for purpose of committing crime
- RCC 12-2034: driver shall maintain a daily manifest; give to owner; maintained for 180 days
- RCC 12-2044: hiring with intent not to pay
- RCC 12-2081: driver must display taxi driver permit
- RCC 11-2184: only taxis permitted to park in posted taxi zone; taxi drivers must remain within 5 feet unless assisting passengers

Trespassing

- GS 14-159.12: unlawful to enter or remain on property (building) without authorization
- GS 14-159.13: unlawful if without authorization, enters or remains on property, after being notified not to enter by lawful occupant; or enter on property posted not to enter

Truancy

- GS 7B-1501(27): juvenile between 6 to 15 who is unlawfully absent from school is undisciplined
- GS 7B- 1900: law enforcement officer may take temporary custody of undisciplined juvenile

Truck Routes

- RCC 11-2132 defines and regulates trucks, through trucks, local trucks

Urinating/Defecating in Public

- RCC 13-3013: unlawful to urinate/defecate on COR right of way, street, sidewalk, park, building unless into approved facility

Overview of Regulations Relevant to Restaurants/Nightclubs and Amplified Entertainment Permit Holders and Agency Responsible for Enforcement
(For assistance, contact the District NetForces representative)

Amplified Entertainment Permit

- RCC 12-2118 through 12-2125
  - Revenue: licensing
  - Zoning: civil penalty enforcement
  - Police: criminal penalty enforcement
  - Inspections/Fire/Zoning: inspection of premises for code and life safety compliance

Fire Prevention Code

- Fire Department/Marshal: inspection/civil penalty enforcement
- Police: violation of Fire Prevention code is also misdemeanor

Building Code

- Inspections: inspection and enforcement

Privilege license, beer and wine license

- Revenue: issues permits
- Police: enforce misdemeanor violations for failure to have permits

Regulation of food/lodging establishments

- Wake County Environmental Services

Alcoholic Beverage Control

- ALE/Wake ABC: inspect premises, licenses and records; enforce ABC and drug laws
- Police: enforce violation of ABC laws in parking lots; violations discovered undercover; violations in locations open to law enforcement
- ABC Commission: issues and revokes ABC permits (on-premise/off-premise)

Contact Information

Police Attorney: 919-996-3340
District Attorney: 919-792-5000
Magistrate: 919-255-7700
NC Alcohol Law Enforcement: 919-733-4060
City Inspections: 919-996-2495
Wake County Environmental Services: 919-856-7400
Solid Waste Services: 919-996-6890
RFD Fire Marshal: 919-996-6392
Parks and Recreation: 919-996-3285
Transportation: 919-996-2155
City Zoning: 919-516-2555
City Revenue: 919-733-7211

THE RALEIGH POLICE DEPARTMENT

1101-12

VOLUNTEER POLICE CHAPLAIN PROGRAM

PURPOSE

The purpose of this directive is to establish policies and procedures that clearly define the qualifications, duties, and areas of responsibility for the Volunteer Police Chaplain program and provide guidelines for the call out of Chaplains.

VALUES REFLECTED

This directive reflects our value of *Compassion*. We strive to remember that the citizens we deal with as well as our own employees and their families will often be going through trying times. We seek to use a variety of resources including Volunteer Chaplains to provide assistance and empathy for those in distress.

UNITS AFFECTED

All Divisions/All Personnel

REFERENCES/FORMS

DOI 1101-07 "Psychological Services"
DOI 1106-05 "Operation of Police Vehicles"
Attachment A: "Volunteer Police Chaplain Contact Report"

GENERAL POLICIES

The Raleigh Police Department Chaplain program is designed to identify qualified members of the clergy who wish to volunteer as Police Chaplains. The primary purpose of volunteer Police Chaplains is to assist officers who, in the course of their duties, encounter persons in crises and other stressful situations; and provide comfort, counseling, ministry and spiritual guidance to Departmental personnel and their families if they so desire.

The Administration Division Commander will select a member of the Raleigh Police Department to serve as the Departmental Chaplain Liaison.

Volunteer Police Chaplains are members of the clergy who are recommended by the Chaplain Committee who are appointed by the Chief of Police and who serve at the discretion of the Chief of Police.

CHAPLAIN COMMITTEE

The Chief of Police will appoint a Chaplain Committee to consist of a present Police Chaplain, the Departmental Police Psychologist, the Departmental Chaplain Liaison and the Administrative Division Captain.

The Chaplain Committee will be responsible for the oversight of the Chaplain Program. The duties of the committee will include planning, organizing and evaluating the Chaplain Program. The Committee will review applications, conduct interviews and recommend candidates for appointment by the Chief of Police. Under the direction of the Chaplain Committee, the Departmental Chaplain Liaison will be responsible for scheduling and training of Volunteer Chaplains and maintaining a summary of contacts based on information assembled from the Volunteer Police Chaplain Contact reports (see attachment).

QUALIFICATIONS FOR A VOLUNTEER POLICE CHAPLAIN

In order to qualify for recommendation to the Chief as a Volunteer Chaplain, candidates must meet the following criteria:

- Must reside within the city of Raleigh or serve in a leadership capacity at a house of worship located within the city of Raleigh.
- Must have a desire to serve as a Police Chaplain and be available to respond to situations where a Chaplain's response is indicated.
- Must be ordained, ecclesiastically certified and endorsed by a recognized religious body.
- Must be in good standing within faith organization.
- Must have a minimum of three-years of service in full-time public ministry.
- Must demonstrate strong communication skills.
- Must be willing to become involved in training programs that enhance the Chaplain's skills in dealing with people in crisis.

- Must be able to commit to attending scheduled meetings and actively participate.
- Must be willing to work collaboratively with people of diverse perspectives and experiences
- Must never have been convicted of a felony or offenses involving moral turpitude.
- Must possess a valid North Carolina operator's license or have access to personal transportation.
- Must maintain a working telephone and email address

The Chief of Police has the authority to waive the three year experience requirement for applicants with other extensive qualifications, certifications, and/or life experiences that would be equivalent to the three years of service in full-time public ministry.

VOLUNTEER POLICE CHAPLAIN SELECTION PROCESS

The selection process for the position of Volunteer Police Chaplain shall include the following:

- Applicants must submit a letter to the Chief of Police expressing interest in the Chaplain Program that provides documentation that the applicant meets the basic qualifications.
- The police Departmental Chaplain Liaison will verify that the applicant meets basic eligibility requirements.
- All applicants must submit to a background investigation.
- All applicants must participate in an interview to be conducted by the full membership of the Chaplain Committee.
- Applicants must participate in a minimum of two ride-a-longs of at least two hours each during a variety of shifts with a variety of officers.
- The Chaplain Committee will verify the credentials of candidates and provide results and a recommendation to the Chief of Police.
- Candidates will be appointed by the Chief of Police.

VOLUNTEER POLICE CHAPLAIN STAFFING AND DUTIES

The Police Chaplain program will consist of a diverse group of Chaplains representing the different religious denominations of the Raleigh community. The number of Chaplains will consist of as many Chaplains as necessary to maintain a 24-hour, seven-days-a-week on-call list.

The Departmental Chaplain Liaison will create and maintain an on-call list. The Departmental Chaplain Liaison will designate a primary Chaplain on-call for each day and each shift so that the list is available at least a month in advance.

Police Chaplains are encouraged to ride along with officers. Chaplains may choose shifts and hours for the ride-along. Chaplains should notify the Departmental Chaplain Liaison or Watch Commander at least 24 hours prior to the ride along.

During a ride-along, the Chaplain is considered available for service. Chaplains are encouraged to familiarize themselves with general Departmental operating instructions, Chaplain procedures and police radio procedures.

Chaplains will be issued an identification card signed by the Chief of Police. The identification card will be issued at the time of appointment. The identification card and other issued equipment will be surrendered at the time of separation from the Police Department. Loss of an identification card or any issued equipment will be reported to the Departmental Chaplain Liaison and Internal Affairs immediately.

Police Chaplains will provide training to recruits at the Academy and to Departmental members concerning the Police Chaplain Program as requested.

Police Chaplains will assist at Departmental events including, but not limited to, promotions, retirement banquets, graduations, and training and other functions where presence of a Chaplain would be beneficial.

FIELD SERVICE MINISTRY

Requests for a Police Chaplain for field service ministry must be made through a supervisor unless an employee seeks the assistance of a Police Chaplain for personal matters.

Police Chaplains, while acting in the capacity of a Chaplain, shall possess no law enforcement authority.

When in police field service, the Police Chaplain must wear the identification card or an acceptable identification provided for each Chaplain by the Chief of Police. The identification will be used primarily to identify the Chaplain to the officer in charge and will be worn any time assistance is provided.

Police Chaplains shall not interfere with officers in the performance of their official duties.

When providing field services ministry, the Chaplain should, when requested, notify the involved person's clergy as soon as practical. Upon the clergy's arrival, the Chaplain shall defer to the person's clergy and provide assistance as needed or as requested.

Each Chaplain shall complete the Volunteer Police Chaplain Contact Report (see attachment A) and submit it to the Departmental Chaplain Liaison each time a Chaplain makes a contact in the field services ministry. The report will be submitted at the end of the Chaplain's tour of duty. Personal conversations between Departmental personnel and Police Chaplains will not be documented.

Volunteer Chaplains shall complete the Chaplain Contact Report on any follow-up contacts they have with persons who were initially contacted during the Chaplain's service with the Department. Chaplains may make proper referrals in cases where specialized assistance is needed. Chaplains shall document such referrals on the Chaplain Contact Report.

Police Chaplains shall not release any information to news media, insurance companies or any other non-involved individuals. All requests for information should be referred to the Watch Commander and/or the Public Affairs Officer.

Appropriate use of ministry tools (i.e. the Bible, Sacraments, the Koran, etc.) is encouraged. Chaplains are strictly prohibited from proselytizing at Department facilities or during tours of duty; however, nothing shall prohibit Chaplains from engaging in acts of faith when such contact is initiated by Police Department staff or citizens.

Police Chaplains shall maintain all privileged communications to them as confidential (unless waived by the individual) or unless those communications affect the safety of that individual or others.

RIDE-ALONG-PROGRAM

Volunteer Police Chaplains should attempt to ride along with an officer once a month for a minimum of two (2) hours. In addition to the procedure for ride-a-longs outlined in 1106-05 Operation of Police Vehicles, Chaplains will abide by the following policy:

- Chaplains will follow the directions of the police officer at all times.
- The Chaplain is to remain in the police vehicle unless instructed otherwise by the officer or unless exigent circumstances exist.
- Chaplains will wear a ballistic vest at all times during the ride along.
- The Chaplain shall ensure that the officer knows the Chaplain's location at all times. The Chaplain must be available at all times to render assistance if called upon.
- The Chaplain will not handle any evidence at the scene of any traffic incident or crime.
- All procedural questions will be directed to the Departmental Chaplain Liaison.

CALL OUT OF VOLUNTEER POLICE CHAPLAINS

Police officers are encouraged to request a Chaplain as they deem necessary. Employee contacts with a Police Chaplain involving personal matters do not require notification of a supervisor.

The Watch Commander will notify the on-call Chaplain in the following situations:

- Line of duty death or serious physical injury of an officer.

The Watch Commander may consider notification of the on-call Chaplain in the following situations:

- When assistance is requested in delivering death notifications.
- Homicide cases.
- Fatal motor vehicle collisions.
- In situations where the use of a Chaplain may calm victims or persons in crisis.
- Other situations at the discretion of the Watch Commander.

The decision to respond to a critical incident is left to the discretion and availability of the on-call Chaplain.

COMPLAINTS AGAINST AND TERMINATION OF A VOLUNTEER POLICE CHAPLAIN

Complaints about a Chaplain's performance shall be referred to the Chaplain Liaison Officer and the Chief of Police.

Termination of a Police Chaplain may occur due to failure to abide by the established policies and procedures, failure to honor an officer's authority or privacy, or failure to practice good professional ethics.

Police Chaplains who do not comply with the standards of the Raleigh Police Department or who fail to regularly participate in duties and scheduled meetings will be terminated from the Raleigh Police Department Chaplain Program.

Attachment A 1101-12

VOLUNTEER POLICE CHAPLAIN CONTACT REPORT

This form should be completed following a Call Out and/or at the conclusion of the On-Call weekly rotation. RPD Chaplains should document Field Service Ministry, Ride-Alongs, Call Outs, and special events.

DATE/TIME:_____

CHAPLAIN:_____

CALL OUT BY:

CHAPLAIN ON CALL: YES ☐ NO ☐

NUMBER OF OFFICERS COUNSELED:

NUMBER OF CITIZENS COUNSELED:

TYPE OF EVENT:

Field Ministry ☐
Ride-Along ☐
Call Out ☐
Special Event ☐
Other_____ ☐

DESCRIPTION/NATURE OF INCIDENT/EVENT:

DATE REPORT COMPLETED:

Report to be forwarded to Departmental Chaplain Liaison at RPDChaplainLiaison@raleighnc.gov when completed.

THE RALEIGH POLICE DEPARTMENT

1101-13

STUDENT INTERN PROGRAM

PURPOSE

The Department, in conjunction with area colleges and universities, has developed a student internship program to provide practical experience to Criminal Justice students. The Intern Program also allows the Department to develop working relationships with academia and keep abreast of current academic thinking and provides suggestions for improvement. This procedure is intended to outline the structure of the Department's Intern Program and enhance our Department's ongoing recruitment efforts, as a means of helping to achieve our goal of increased diversity within our ranks.

VALUES REFLECTED

This directive reflects our value of *Fairness and Compassion*. By working with young people beginning a career in criminal justice we not only create partnerships with the institutions of higher learning in our community but we also can gain insight about research into crime and policing. This experience will allow interns to gain perspectives of the reality of policing in a diverse city.

UNITS AFFECTED

All Personnel

REFERENCES/FORMS

GENERAL POLICIES

During the internship, students will be under the supervision of officers and other employees of the Department. Failure to comply with reasonable instructions from Departmental employees will result in the student being released from the Intern Program.

Because police operations require confidentiality in selected areas, the Department reserves the right to decline participation in any internship which it deems is not in the best interest of the student, the Department or the public.

PROGRAM STRUCTURE

The Police Human Resources Sergeant will be the Internship Coordinator. The Internship Coordinator will assist students in setting up a schedule and will verify that conditions of the internship are met.

The Police Human Resources Sergeant will work closely with the Police Recruitment Sergeant and the Police Recruitment Officers to identify interns who are interested in applying to the Raleigh Police Department. The Recruitment Officers will make contact with the interns and make themselves available to help provide mentorship and to answer any questions they may have about a possible career with the Raleigh Police Department.

Types of Internships

The Department offers two types of intern programs. The Overview Internship is intended to provide students with a general orientation to policing and the operation of the Department. The Specialized Internship Program is intended for graduate or advanced undergraduate students who intend to specialize in a particular area such as planning, training or law. For both types of internships, the Department will allow some flexibility in the format of the program to allow for special academic requirements of individual colleges and universities.

Admission to the Program

To be admitted into an internship program, the student must be enrolled at an accredited institution of higher education and must be majoring in a criminal justice, law or related field. The internship must be an academic requirement for their degree program. The request for admission must come from a faculty member or other professional staff member affiliated with the institution who agrees to act as the student's sponsor.

All prospective interns must submit a complete Internship Application and all required waiver forms at least 60 days prior to beginning their internship. Interns must sign a Standard Waiver of Liability Form, Code of Confidentiality, and an Internship Code of Conduct Agreement. College interns, who may also need access to Departmental computers, must also sign a Computer User Agreement. Interns must also pass a background check and submit to a drug screening test.

At the discretion of the Internship Coordinator, the total number of students who will be allowed for any given semester is limited, and the number of students who may be admitted from any one college of university may also be limited.

Student Performance and Accountability

In order to evaluate, provide feedback to the student, recognize outstanding performance and identify any needs for improvement, or issues/problems, each student will be required to submit and Internship Evaluation Form to each police employee with whom they are assigned (Attachment "A"). Each employee who works with an intern should complete the form and either fax the form to the Police Human Resources Sergeant or send it in by inner-office mail.

Each student will be required to submit a timesheet to the Police Human Resources Sergeant or his/her designee on a weekly basis. This form will be used to verify the dates and times the student worked, which District and/or Division to which they were assigned, and the name/code number of the employee with whom they worked. The employee who works with the intern should initial the timesheet.

In addition to the weekly timesheet, the intern will be required to maintain a work log showing the date and hours worked and the Officer or Investigator they worked with. The log should also include a synopsis of each call or case handled. The log must be turned in to the Internship Coordinator at the completion of the internship.

Research Paper

As part of the internship program, the student will be required to write a research paper and submit a copy to the Internship Coordinator. The students will be encouraged to analyze what they have learned academically (theories of criminology, investigative techniques, etc...) in the classroom and compare and contrast what they observe in the "field" during the course of their internship assignment. The paper should be at least ten (10) pages in length. The Internship Coordinator will review the research paper and report any inaccuracies with the student and complete any evaluations required by the student's sponsor.

OVERVIEW INTERNSHIP

The Overview Internship consists of an 80-160 hour program (depending upon the academic requirements of the college or university) which is intended to provide students with a general orientation to policing and to the Raleigh Police Department. The internship program must be completed by the end of the academic semester established by each college or university.

Internship Assignments

Each student intern will be scheduled to participate in assignments to observe and experience the Criminal Justice System at the Raleigh Police Department in a logical order.

- Emergency Communications Center: Each student intern will be assigned to work 6-12 hours in Emergency Communications.

- Field Operations Division: Each student intern will be scheduled to work approximately 40-80 hours doing ride-a-long assignments in various Districts.

    - Each ride-a-long assignment will be scheduled for 4-6 hours in length and should be scheduled to begin at the beginning of a shift. Each student intern will be scheduled

for day shift and evening shift hours. The Internship Coordinator will schedule these assignments in a manner so as not to place too many interns in one District or Division at one time.

- Detective Division: Each student intern will be scheduled to work approximately 8-16 hours with the Detective Division.

- Special Operations Division: Each student intern will be scheduled to work approximately 6-18 hours with various specialized squads within this Division (Canine, TEU, GSU, DWI, or SEU).

- Wake County Court: Each student intern will be scheduled to attend District Court for approximately 5-10 hours. Each student will check in at the Court Liaison Office and will be assigned to attend court with an RPD Officer.

- Police Records: Each student intern will be assigned to work in our Records Section where they will participate in a half day orientation.

SPECIALIZED INTERNSHIP PROGRAM

Specialized internships are offered on a limited basis to graduate or advanced undergraduate students who will be assigned to a specific working unit such as Planning, Crime Analysis, the Police Attorney's office or in the Detective Division. Advanced Criminal Justice Majors whose academic requirements are in excess of 160 contact hours will be classified as a Specialized Intern and will be assigned at the discretion of the Internship Coordinator.

Approval

Specialized internships must be requested by the faculty advisor or graduate committee chairman of the student. Requests should normally be submitted at least two months in advance since approval is dependent upon the existence of an assignment in the intern's desired work unit that can be completed within the internship period. Generally, no more than one intern at a time will be allowed to work in a particular work unit.

Course Work

A minimum of eight hours will be spent in each of the four Divisions to orient the student with the operations of the Department. Based upon the number of credit hours being awarded for the internship, the remainder of the hours and assignments are to be worked out between the Internship Coordinator and the faculty advisor of the intern. Specialized interns are also required to complete and turn in a weekly timesheet.

Research Paper

Normally a research paper is required by the institution sponsoring the intern. If so, the intern will be required to submit a copy to the Internship Coordinator. The Coordinator and the supervisor of the unit where the intern worked will review the paper and forward comments to the sponsoring institution.

THE RALEIGH POLICE DEPARTMENT

1102-01

TEMPORARY LIMITED DUTY ASSIGNMENTS AND SPECIAL LEAVE

PURPOSE

The purpose of this procedure is to explain limited duty assignments to employees who have suffered from an injury or illness, and to address special leave requests.

VALUES REFLECTED

This directive reflects our values of *Fairness* and *Compassion*. We will show concern for the special needs of our employees and fairly balance their individual needs and our public service mandate.

UNITS AFFECTED

All Divisions/All Personnel
City Human Resources Office

REFERENCES/FORMS

Family and Medical Leave Act of 1993 (as amended)
Americans with Disabilities Act (as amended)
Pregnancy Discrimination Act
Uniformed Services Employment and Reemployment Rights Act
NC Workers Compensation Act
City Procedure 300-11 "Sick Leave"
City Procedure 300-12 "Special Leave"
City Procedure 300-20 "Family/Medical Leave Policy"
City Management Policy 100-53
City of Raleigh Employee Handbook

GENERAL POLICIES

In order to prevent undue hardships on officers and civilian employees who have medical conditions that prevent them from performing their regular jobs, the Chief of Police may authorize limited duty assignments on a temporary basis to those who cannot perform their regular jobs as sworn officers or civilian employees, but who are able to work in some capacity.

A limited duty assignment is to be regarded as temporary alternate work during the recovery period from a medical condition. It is not the intention of this limited duty policy to create a permanent position with the Department for those employees who are unable to perform the essential functions of the full duty position, with or without a reasonable accommodation, after reaching maximum medical improvement (MMI) from their medical conditions or receiving an assignment by their physician of permanent work restrictions.

Temporary limited duty assignments are not guaranteed and will only be assigned if positions are available. This policy does not limit the rights of employees covered by the Americans with Disabilities Act and/or the Pregnancy Discrimination Act to seek temporary reasonable accommodations as provided by law. This policy also includes the appropriate process that employees are to follow when requesting permanent reasonable accommodations under the Americans with Disabilities Act.

EMPLOYEE RESPONSIBILITIES

Employees who have suffered work-related injuries or illnesses, who are able to work in some capacity as determined by the authorized treating physician, will be evaluated for placement in a temporary limited duty assignment at the earliest opportunity.

Eligibility for a temporary limited duty assignment requires medical certification that the disability or pregnancy renders the employee unable to perform regular duties, but is fit to work in an alternative assignment, whether or not the injury or illness is related to a work-related incident. Any employee requests for temporary limited duty related to pregnancy or an injury or illness that prevents an employee from performing his/her regular job must be made in writing to the Division Commander.

DEPARTMENT RESPONSIBILITIES

Upon notice from the employee of a request for a temporary limited duty assignment, the Division Commander shall provide the employee with the City's medical documentation instructions and forms, which shall be completed by the employee's physician and returned to the Employee Health Center.

For employees with work-related injuries, the Claims and Insurance Specialist assigned to the case by the N.C. League of Municipalities, in consultation with the Deputy Chief of Police, will determine the appropriateness of a temporary limited duty assignment based on the recommendations of the authorized treating physician.

For any other requests not related to work injuries or illnesses, the appropriateness of a temporary limited duty assignment will be decided by the Deputy Chief of Police based on the

recommendations of the employee's physician. Assistance will be provided by the Human Resources Director, the City Nurse and the City Physician, as needed.

In no event shall a temporary limited duty assignment be approved when the employee has not produced medical certification that they are able to work in some capacity. The medical documentation completed by the employee's physician shall also include the Medical Inquiry Form in Response to an Accommodation Request and, whenever possible, the reasonable anticipated date by which the employee is expected to return to full duty as a sworn officer. If the employee remains unable to return to full duty as a sworn officer by the anticipated date, then the employee will be required to provide additional medical certification in order for the employee to continue in the temporary limited duty assignment. At that time, the medical certification will be required to include a revised Medical Inquiry Form in Response to an Accommodation Request and a revised anticipated date by which the employee is reasonably expected to return to full duty as a sworn officer. An employee is eligible for an extension if the employee's physician can certify that the need for limited duty is temporary in nature and that the employee will be able to return to full duty as a sworn officer within a reasonable amount of time from the request for the extension.

If the employee remains unable to return to full duty work as a sworn officer after an extension based on a second request to continue in a temporary limited duty assignment, then the Department and the City will provide the employee with the City's medical documentation instructions and forms to give to his or her physician, including the Medical Inquiry Form in Response to an Accommodation Request. A determination regarding the appropriateness of extending the temporary limited duty assignment further will be made based on the physician's response and any second medical expert opinion that the Department may deem to be appropriate on a case by case basis. The same process shall be followed for civilian employees.

Upon approval of a request for temporary limited duty, the Division Commander will coordinate with the Deputy Chief of Police to determine a suitable assignment. Criteria for determining a suitable assignment may include, but is not limited to rank, any specialized training, pre-injury assignment, the needs of the Department and physical limitations. Officers on temporary limited duty may not make arrests, carry firearms, either on or off duty, as otherwise permitted by DOI 1108-08 "Firearms", or engage in off-duty police employment. This policy is not intended to limit or prohibit officers from exercising their rights as private citizens to carry firearms when not engaged in employment with the Department, provided that they comply with all federal, State and local laws regulating firearms.

RETURN TO FULL DUTY ASSIGNMENT

In order to return to a full duty assignment, the employee will be required to provide medical certification that s/he is able to return to work to the regularly assigned job, with or without a reasonable accommodation.

For a sworn officer of the Department, a return to work to a full duty assignment means the capacity to perform the full duties and law enforcement responsibilities of a sworn officer, which are the essential functions of the regularly assigned job as outlined in the Patrol Officer job description and the Medical Screening Guidelines of the North Carolina Justice Education and Training Standards Commission.

Employees released to full duty shall notify the Deputy Chief of the release within three (3) working days of the full duty release. If an employee requires a reasonable accommodation, then the request shall be made following the process described below in the next section.

When a sworn officer has reported clearance from a physician to return to full duty work, the Department is required by law to limit the officer's activity to non-sworn duties until such time as any outstanding required training necessary for certification has been completed and documentation has been received by the Criminal Justice Standards Office. If the officer fails to qualify with firearms, pursuant to 12 NCAC 9E.0103, this officer must be prohibited from access to any Department-approved service handgun or any other weapon the officer has previously been issued or authorized to use, except when it is being used to qualify, until such time as this officer obtains qualification and documentary evidence has been received by the Criminal Justice Standards Office verifying completion of the in-service requirement. If the officer fails to qualify with firearms by the end of the in-service training year, then the officer will be required to turn in his/her firearm to the Department until such time that s/he qualifies and that qualification has been verified by the Criminal Justice Standards Office. The officer will be limited to non-sworn duties until such time that the officer meets the firearms qualification requirements. If the officer has been released to return to work without restrictions and has met all of the necessary training and certification requirements, the officer will be assigned back to a full duty sworn position immediately.

Civilian employees released to return to full duty work without restrictions will be assigned back to their full duty assignments immediately.

PROCESS FOR REQUESTING A REASONABLE ACCOMMODATION FOLLOWING A MEDICAL RELEASE WITH PERMANENT RESTRICTIONS

In the event that a sworn officer has been released to return to work with permanent restrictions that may require a reasonable accommodation, the Department will begin the interactive process with the employee to determine whether the employee will be able to engage in the essential functions of the regularly assigned job of a sworn officer if a reasonable accommodation is provided. The interactive process will also begin for civilian employees seeking a reasonable accommodation.

If the process does not result in a reasonable accommodation that will allow the employee to return to the regularly assigned job as a sworn officer, then the City will make every effort to accommodate the employee by working together to find a non-sworn, vacant position within the Department, and if none is available within the Department, then within other City departments. Such an accommodation shall be considered a reassignment to a vacant position. All efforts will be made to find vacant, equivalent positions, however, if no equivalent positions are available, further efforts will be made to find a vacant, lower level position. The salary for the vacant position shall be in accordance with the City's Class and Salary Plan for that position.

Similarly, if a reasonable accommodation cannot be found that would enable a civilian employee to continue to perform the essential functions of the assigned job, then the City will make every effort to find an equivalent, vacant position within the Department and in other City departments. If an equivalent vacant position cannot be found, then every effort will be made to find a vacant, lower level position. The salary for the vacant position shall be in accordance with the City's Class and Salary Plan for that position.

If an employee does not wish to seek a reasonable accommodation or refuses a reasonable accommodation that would allow that employee to continue employment with the City, then the City shall begin the separation process.

ADMINISTRATIVE DUTY

Employees who have been placed on administrative duty with pay may also be assigned limited duty on a temporary basis at the discretion of the Chief or the Chief's designee.

SPECIAL LEAVE

Special leaves, not to exceed three calendar months, or requiring special City compensation must be approved by the City Manager. Employees requesting military or other special leaves must notify the Department as far in advance as possible so that the proper approvals may be obtained. Special leaves may be approved with or without pay. Employees requesting military leave shall notify and file the appropriate paperwork with the Human Resources Sergeant. Employees requesting other special leave should first notify their immediate supervisors and then file the appropriate paperwork with their respective Divisions.

Employees may use any or all accumulated sick leave during periods of physician certified disability concurrently with unpaid leave assigned under the Family and Medical Leave Act. Refer to the City's Standard Operating Procedures 300-12, Special Leave and 300-20, Family/Medical Leave Policy for additional guidance on seeking unpaid leave due to a medical condition or a family member's medical condition.

LEAVES WITH PAY

The Chief of Police, upon approval by the City Manager, may approve leaves with pay for certain activities related to the employee's official duties. These include, but are not limited to, the following:

- Attendance at job related schools or conferences
- Subpoenaed witness for a court or administrative hearing
- Jury Duty
- Officially consult with other police departments such as peer review boards, etc.
- Military Leave:
    - Employees on military leave will be compensated in an amount equal to the difference between their military pay and their regular City pay. Employees should apply for and obtain approval for military leave as far in advance as possible. Officers applying for military leave should provide a copy of their orders to the Human Resources Sergeant and complete the required forms. Employees may be granted military leave with pay for up to two weeks per calendar year. Any additional leave would be considered leave without pay unless otherwise provided for by the City Council [City Procedure 300-12(4.2)].

LEAVES WITHOUT PAY

The Chief of Police may grant emergency leaves without pay for a period not to exceed ten working days. Leaves without pay in excess of ten days must be approved by the City Manager. A Personnel Action Form must be submitted to the Human Resources Department initiating any period of leave without pay. A second form must be submitted to reinstate the employee upon return to work. Leaves without pay include, but are not limited to the following:

- Educational Leave
- Emergency Leave
- Military Leave:
    - Employees on military leave should apply for and obtain approval for military leave as far in advance as possible with the Human Resources Sergeant, who is the designated point of contact for military leave requests on behalf of the Department. Employees applying for military leave should provide a copy of their orders to the Human Resources Sergeant and complete the required forms. The Human Resources Sergeant will meet with Employees for an out processing interview prior to deployment. Employees who will be deployed 90 days or more will be required to turn in all equipment and uniforms to the Human Resources Sergeant during this meeting, consistent with DOI 1106-04, Care of Equipment and Uniforms Policy. During the out processing interview, Employees are required to provide the Human Resources Sergeant with contact information, including a telephone number and an email address where the Employee may be reached during deployment. The Human Resources Sergeant will meet with Employees for an in processing interview upon return from deployment, at which time any needed training, requalification and steps for reintegration will be discussed and scheduled, as appropriate and in accordance with the Uniformed Services Employment and Re-Employment Act.

Educational and military leaves may be granted for extended periods of time. Other personal leaves without pay are limited to 90 days in length, unless the leave is approved under SOP 300-20, Family/Medical Leave Policy, in which case, the leave shall be approved in compliance with that SOP and the Family and Medical Leave Act.

FAMILY AND MEDICAL LEAVE

Under the provisions of the Family and Medical Leave Act of 1993, and where authorized in City Procedure 300-11, "Sick Leave,", it is the policy of the department to authorize leaves of absence without pay, in concurrence with or in addition to accumulated paid sick leave, for the following reasons:

- Employee, child, spouse or parent is ill as a result of a "serious health condition";
- Birth, adoption, fostering or other placement of a child for bonding;
- Qualifying exigencies related to spouse, child or parent on active duty; or,
- Caring for serious injury or illness of child, spouse or parent who is a service member (up to 26 weeks under FMLA).

This type of leave will fall into two categories: Foreseeable Circumstances, such as planned hospital surgeries, parental leave, or the placement of a child for bonding; or Unforeseeable Circumstances, such as the sudden onset of a serious health condition or non-work accidents.

The process for FMLA leave is described below:

Foreseeable FMLA

Requests for FMLA leave, if practical, must be made at least 30 days in advance of the date the leave begins. All paperwork must be completed and returned prior to the leave. The process is as follows:

- The employee advises the immediate supervisor of the need for leave via the "Request for FMLA Leave" memorandum.
- Within 5 days of receiving notice, the immediate supervisor will provide the employee with all of the relevant FMLA paperwork, including a "Notice to Employees on Family Medical Leave Act," a "Health Care Provider Certification" form (HCP) and a "Return to Work Release" form. The supervisor will then refer the employee to apply for FMLA on Peoplesoft/ERP and to click on the link to the FMLA policy and review it. If the employee prefers to apply in person, the employee may contact the Human Resources Department's Benefits Division at 996-3315 to make an appointment.
- If applying on ERP, upon completion of the application, an automatic email will be generated to a distribution list that includes the employee, the supervisor in ERP, the Chief or the Chief's designee on personnel matters, Payroll and the staff at the Benefits Division. The request will remain pending until the employee returns the HCP certification to the Benefits Division. Upon receipt of the HCP certification, if appropriate, the request will be approved. An email will be sent to the same distribution list with the approval. If the employee is applying on ERP, then the supervisor will also direct the employee to review the "Benefits Form" during the application stage, complete it and submit it as well.
- If the employee is applying in person, the Benefits Division will review the City's FMLA policy with the employee along with the necessary forms to be completed, including a "Request for FMLA" form. The request will remain pending until the employee returns the HCP certification to the Benefits Division. Upon receipt of the HCP certification, if appropriate, the request will be approved and an approval letter will be sent to the Chief or the Chief's designee on personnel matters, with a copy to the employee.
- The "Notice to Employees on Family Medical Leave Act" includes specific time limits for the return of FMLA forms from the employee to the Benefits Division.
- If an employee on approved FMLA does not report to work on the expected date of return and has not contacted the supervisor prior to that date stating the need for additional time, the supervisor will send to the employee a letter via certified mail accepting the employee's resignation. This letter should be mailed within 24 hours from the employee's expected return date. [City Procedure 300-20(5.10)]

Unforeseeable FMLA

If the FMLA leave request is not foreseeable, then the process is as follows:

- If an employee is out of work for 5 days due to a serious health condition, the supervisor should check the status of the employee's expected plans to return to work to determine whether the employee is out due to a qualifying event under the FMLA.
- If the employee indicates that he/she is not certain of an expected return date or will be out more than 5 days, the supervisor should provide the relevant paperwork as with foreseeable FMLA and contact the Benefits Division to notify them that the employee has been absent for 5 days and may need FMLA and them the employee's contact information for follow-up.

If an employee does not return the proper documentation to the Benefits Division within the specified time, the Benefits Division will contact the immediate supervisor, who will send the employee a letter via certified mail, designating the expected return date and accepting a resignation if the employee does not report on that date. This letter should be mailed within 24 hours from the employee's expected return date. [City Procedure 300-20(5.10)]

Extension of FMLA Leave

If the employee does contact the supervisor prior to the expected date of return and requests an extension, then the supervisor will direct the employee to the Benefits Division and the necessary forms will be completed for the extension. If the employee has not exhausted the full 12 weeks allowed under FMLA, an extension may be granted.

If the employee contacts the supervisor prior to the expected date of return and requests an extension, and the employee has exhausted their 12 weeks of FMLA, then the employee may be granted Special Leave, as provided by SOP 300-12.

A permanent employee on authorized leave without pay continues to be covered under the City's group health and dental plans for a period up to 12 weeks as if they were an active employee and may continue beyond the 12 weeks at their own expense. Coverage for dependent health, dependent dental, and life insurance programs may be continued, provided that the necessary premiums are paid by the employee during the period of leave without pay.

The employee will be reinstated to the same position or one of like classification and pay upon the return to work.

Returning to Work at Less Than Full Time During Family/Medical Leave

Employees may request to return to work on a part-time basis (reduced schedule) or intermittent basis in accordance with the provisions of the Act. Employees may maintain full-time status during the period of Family/Medical leave by using accumulated vacation leave (i.e. work half-days, charge vacation half-days) provided that there is sufficient vacation leave to enable them to remain in a full-time status until their return to work on a full-time basis. The request should be submitted to the Chief and will be reviewed based on the current staffing needs of the Department and the provisions of the Act, as well as any other applicable laws. The same provisions of section 5.2 of SOP 300-20 will apply when both spouses are employed by the City.

THE RALEIGH POLICE DEPARTMENT

1102-03

CAREER DEVELOPMENT

PURPOSE

The purpose of this directive is to describe the basic framework for formal career planning and to specify responsibilities for administration of the career development program.

VALUES REFLECTED

This directive reflects our values of *Service and Integrity*. We will act to maintain a highly trained and professional workforce prepared to act decisively and correctly, with a capacity for effective and innovative leadership in a broad spectrum of situations.

UNITS AFFECTED

All Divisions/All Personnel

REFERENCES/FORMS

DOI 1102-1 “Leaves and Limited Duty”
DOI 1102-2 “Performance Evaluations”
Division Directive “Basic Recruit Training”
Division Directive “In-Service and Specialized Training”
City Procedure 300-19 “Educational Expense Assistance”
City of Raleigh Management Policy 100-20 “Equal Opportunity and Affirmative Action Program”
Attachment A” Available Short-Term Cross Training Assignments

GENERAL POLICIES

The Department is committed to providing the best training available to all members and supports and encourages employees in their pursuit of opportunities to develop their knowledge, skills, abilities and professional status. Career development is a comprehensive program which includes, career counseling and planning, specialized and advanced training, assistance with general education, and clearly specified job performance standards. Educational achievement is a major component of the program.

The Career Development Program is designed to ensure that training, educational, and promotional opportunities are available to all personnel based on merit, qualifications, and interest. The program furthers the objectives of the Department's and the City of Raleigh's Equal Opportunity and Affirmative Action Program (City of Raleigh Management Policy 100-20 "Equal Opportunity and Affirmative Action Program").

The Career Development Program will be administered by the Training and Career Development Sergeant in coordination with the Police Training Director, the Training Review Committee and the Chief of Police. The Police Training Director is responsible for the administration and delivery of the Basic Law Enforcement Training program, in-service training programs, and career specialty training. The Chief of Police and the Training Review Committee are responsible for the overall coordination of police Training and Career Development Sergeant programs.

The Career Development Program is designed to improve overall organizational performance by recognizing the importance of personal job satisfaction, having well trained personnel, and fostering cooperation and unity of purpose.

EDUCATIONAL ASSISTANCE

The City of Raleigh encourages employee development by reimbursing employees for job related education expenses. The amount of reimbursement for any fiscal year (July 1 - June 30) is set by City Council. Probationary employees are not eligible to receive assistance.

Approval for Assistance

Employees are eligible for reimbursement of tuition, related fees, and textbook expenses that are not funded by any other agency or grant.

- The course requested must be directly related to the employee's present or possible future duties with the Department, or fulfill a requirement for a degree that is job related.
- Employees desiring assistance must complete an online "Application for Educational Assistance Form" through the City of Raleigh Human Resources Office.
- Approved application forms for all personnel will be forwarded to the City Human Resources Training Officer.

College Tuition Assistance Program Participation Guidance (COR SOP 300-19)

Employees may request tuition assistance through the City of Raleigh Human Resources Office as described in City SOP 300-19. For additional information contact City Human Resources at tuition.reimbursements@raleighnc.gov

Tuition Advances

Employees may request that tuition payments be paid upon enrollment in an approved educational institution. This "tuition in advance" will be paid by the City directly to the educational institution. Personnel applying for and receiving advanced tuition must immediately notify the Training and Career Development Sergeant of any course registration changes or withdrawals by completing a "Change or Repayment" form at the City Human Resources Office.

Verification of Successful Completion

Requests for reimbursement and verification of successful course completion must be submitted to the Training and Career Development Sergeant within two weeks of the course ending date.

Reimbursement will be granted only upon successful completion of the course. A grade of "C" or better must be obtained for courses in which a grade is given or a "pass" credit for courses given on a pass/fail basis.

Official grade reports and tuition receipts must be furnished for all courses taken. Textbook titles and itemized receipts must be provided for reimbursement of book expenses.

Repayment of Tuition Advances

Employees may be required to repay the City for any tuition advances if they fail to successfully complete the training or if they leave City employment within 90 days of completing the training. Affected employees must immediately notify the City of Raleigh Human Resources Office. Repayment must be made to the City Human Resources Office in accordance with City SOP 300-19.

On-Duty School Attendance

The Department will allow employees up to six hours per 28 day cycle of on-duty time to attend classes which they undertake on their own initiative. Such leave is subject to workload constraints and supervisory approval. The classes attended must be job-related.

Shift Assignment

Employees may request shift assignments consistent with their educational goals. Assignments will be made consistent with Departmental needs and workload distributions.

Educational Leaves

Employees may submit requests to the Chief of Police for extended leaves without pay in order to pursue further education. The Department will attempt to fill vacant positions for leaves of 20 days or more. The employee would then be offered the first vacant position upon return (DOI 1102-01 "Special Leave and Limited Duty").

Records of Educational Achievements

The Training and Career Development Sergeant will maintain a record of educational achievements and goals for all sworn personnel. All personnel should keep their file current by submitting a copy of all certificates, diplomas, transcripts or other supportive documents of education and training to the Training and Career Development Sergeant.

CAREER DEVELOPMENT COUNSELING

Career counseling is an integral component of the Career Development Program. All employees will be provided with general career counseling by their supervisor upon assignment or re-assignment of job responsibilities and as a part of their annual performance evaluation.

Career Counselors

All Departmental managers and supervisors will receive appropriate training as counselors. Training will be provided by the Training Center Staff and outside instructors and consultants as needed.

Career Counseling Sessions

Career counseling assists the employee in preparing a plan for the achievement of career objectives and in evaluating progress toward achieving those objectives. Performance evaluations will form the basis for planning and assessment. The counseling session should include, but not be limited to, the following:

- Information about all career development programs, including voluntary career development training, short-term cross training assignments, voluntary career development counseling, and educational counseling.
- A review of the employee's strengths, weaknesses, and training records that relate to current duties and responsibilities.
- Employees will be encouraged by counselors to evaluate their skills, knowledge, and abilities, and to identify short-term and long-term career goals.

Counselors will assist in preparing written, action-oriented career development plans.

Training and Career Development Sergeant

In addition to supervisory career development counseling, the Department's Training and Career Development Sergeant is available for consultation with all personnel and can:

- Provide detailed job information, qualifications, and requirements for the desired career goal.
- Assist in assessing educational needs and goals.
- Provide current information about area college and university educational programs and opportunities.

- Review Departmental policies on educational assistance and leaves.
- Assist in developing a written plan of action for obtaining educational and career goals.
- Provide the officer with more detailed information on components of the Career Development Program and make appropriate referrals.

VOLUNTARY CAREER DEVELOPMENT TRAINING

The Training and Career Development Sergeant will be responsible for conducting needs assessments and developing voluntary career development programs consisting of a variety of workshops, seminars, formal training modules and other training aids. This training will be directly related to the employee's career goals and objectives.

Training Programs

Career development training may be provided by the Training Staff, outside instructors, or consultants. Training is based on needs assessment and will include, but not be limited to, the following.

- Understanding and preparing for promotional processes.
- Understanding and achieving educational goals, developing good study habits, and test-taking strategy.
- Stress and time management.
- Preparing action-oriented career plans and life planning.
- Job performance.
- Oral communications.

Workshops and programs will be announced through inter-office memo. Employees must register with the Training and Career Development Sergeant to ensure adequate space.

Career Development Training Aids

Career development training aids, including video tapes, films, and books will be maintained and can be checked out from the Training and Career Development Sergeant.

SHORT-TERM CROSS TRAINING ASSIGNMENTS

Cross training assignments provide members with knowledge of the work performed by other units of the Department and give them an opportunity to assess the desirability of pursuing particular career paths. This program also benefits the Department as a whole by creating a group of cross-trained personnel who may assist other units in emergencies.

Nature of Assignments

Short-term cross training assignments are 28 day temporary assignments to a unit dealing with a particular career specialty (see attachment A). At the conclusion of the assignment the unit supervisor will prepare a performance evaluation that will be included in the employee's regular annual performance evaluation and career development records. Cross training assignments may include outside study. Employees should be prepared to meet these requirements prior to requesting a cross training assignment.

Requesting Assignments

Sworn personnel seeking short-term cross training assignments should submit a request to their immediate supervisor, indicating the career area in which they would like to work. As a general rule, no more than one officer per District will be allowed temporary assignment to another unit at the same time, and no more than two temporaries would be assigned to the same unit at the same time.

Selection Procedure

All requests for short-term temporary assignments will be made through the immediate supervisor and must be approved by the Division Commander. Requests for temporary assignments between divisions are subject to approval of both of the Division Commanders.

Recommendations and approvals for cross training assignments will be based on the following criteria.

- Work record and performance evaluation for the past year.
- Sick leave record for the past year.
- Disciplinary record for the past year.

MANAGEMENT OF THE CAREER DEVELOPMENT PROGRAM

The Chief of Police and the Police Training Committee have overall responsibility for the administration, operation, and direction of the Career Development Program.

Training and Career Development Sergeant

The Training and Career Development Sergeant will maintain a database of educational achievements of all personnel and the knowledge, skills, and abilities required for all positions.

The Training and Career Development Sergeant will maintain contact with area educational institutions and identify programs that would enhance the opportunity of personnel. The Training and Career Development Sergeant will also research the career development programs provided by other agencies.

Police Training Director

The Police Training Director will develop, administer, and evaluate basic, in-service, and career specialty training and will be responsible for managing the Training Staff. The director, with the advice and assistance of the Training Staff, has overall responsibility for the following.

- Evaluation of the quality and effectiveness of all basic and in-service training. An annual report including any projected training needs will be prepared annually prior to July 1.

- Developing and providing training for Police Training Officers. An evaluation of the Post Academy Training and Evaluation Program will be incorporated into the Director's annual report.

- Assuring that officers who are promoted to supervisory positions have completed a minimum of 40 hours of training in supervisory practices prior to promotion or as soon after promotion as possible. This training will be based on the Raleigh Police Department's "Supervisor's Developmental Training Course." A listing of schools or resources necessary to provide this training will be maintained at the Police Training Center.

- Providing personnel promoted to management positions with suitable training based on new assignments and maintaining an inventory of training or resources available on such topics as management information systems, fiscal management, organizational behavior, and decision making.

- Maintaining written records of all completed proficiency and career specialty in-service training for Departmental personnel and an annual inventory of resources used to develop in-service training.

JOB TASK ANALYSES AND ANNUAL UPDATE OF JOB DESCRIPTIONS

A job task analysis and job description will be maintained for all positions within the Department. The Accreditation Manager will facilitate an annual review and update of all job descriptions. A job task analysis for each position will be reviewed and updated as needed by City Human Resources.

The City Human Resources Office will maintain the written job task analysis for every position in the Police Department. The job task analysis will identify the duties, responsibilities, and tasks of each position and measure the frequency with which each task is performed. It will assess the minimum level of proficiency necessary for job related skills, knowledge, and the abilities, training, experience, education, and certifications required for each position. The Police Department will assist the with the job task analysis by completing Job Analysis Questionnaires.

Each job description will include the following:

- A job definition

- Qualifications, required knowledge, skills, and abilities

- A description of supervision received or exercised

- Experience, education, training, and certification required
- Examples of duties

Whenever a significant change is made in the duties and responsibilities of a position involving either the addition of new assignments, or the removal or modification of existing assignments, such changes shall be reported to the City of Raleigh Human Resources Director by the Chief of Police. Request for any reclassification will be submitted to the City of Raleigh Human Resources Office consistent with City Policy 300-2(5.5).

The annually updated job descriptions will be maintained by the Accreditation Manager and made available to Departmental employees and the City Human Resources Director as a supplement to City of Raleigh Pay and Classification Plan (City Policy S.0.P. 300-2 “Administration of the Classification Plan”).

Attachment A - 1102-3

Available Short-Term Cross Training Assignments

Detective Division:

General Detectives
Special Victims Unit
Aggravated Assaults
Drugs and Vice
Fraud and Cyber Crimes
Robbery Unit
Family Violence Intervention Unit
Intelligence Unit
Youth and Family Services Unit

Special Operations Division:

Gang Suppression Unit
Traffic Enforcement Unit
Staff Planning and Logistics Unit
Code Enforcement Unit

Administrative Services Division:

Records/Information Services
Training
Personnel
Recruitment
Quartermaster

Chief's Office

Planning and Research
Inspections
Accreditation

Field Operations Division

Community Policing

THE RALEIGH POLICE DEPARTMENT

1102-04

DEPARTMENTAL WELLNESS PROGRAM

PURPOSE

To outline programs sponsored by the Police Department and other City departments to promote good health and to detail those portions of the City's substance abuse policy directly applicable to police employees.

VALUES REFLECTED

This directive reflects our values of *Service, Courage and Compassion* as we strive to ensure safe and efficient job performance, to improve long term health and to bolster public confidence through the appearance of a fit and healthy police force.

UNITS AFFECTED

Police Department/All Personnel
Employee Health Office

REFERENCES/FORMS

Management Policy 100-30 "Substance Abuse Program"
DOI 1104-4 "Compliance with Laws, Regulations or Orders"

GENERAL POLICIES

The stressful demands of law enforcement employment require that a satisfactory level of general health and physical fitness be maintained so that work can be performed efficiently and without shortages caused by excessive sick leave. A variety of health and physical fitness services will be made available to all employees to assist in reducing health and fitness risks.

The central component of the Department's Wellness Program is the identification of employees who are "at risk." The criteria for a satisfactory general health level will be established by the Employee Health Center, based upon the age and job function of the employee. Criteria established by Basic Law Enforcement Training of the N.C. Criminal Justice Training Standards Commission are adopted as the standard of satisfactory physical fitness for sworn officers of the Department.

PHYSICAL SCREENING

Medical screening will be provided to all Departmental employees. The frequency and level of testing provided will be determined by the Raleigh Police Department in collaboration with the Employee Health Center, taking into consideration the age of the employee and the work duties performed.

Employee Health Screening

All sworn personnel are required to complete an annual audio test and a complete health screening every other year on or before their anniversary date or the service of the performance evaluation. Each officer will coordinate the examination and appointment times a minimum of four weeks in advance with the Health Center. At the completion of the examination(s), the Health Center will provide documentation indicating the required testing has been completed. This documentation should be attached to the annual performance evaluations. On-duty time will be allowed for the screening/test and will be provided at no cost to the employee.

The Employee Health Center will determine the extent of medical screening to be provided, based upon the age of the employee and the nature of the duties performed. The screening will generally include the following:

- Blood pressure check.
- Weight check.
- Urinalysis test for diabetes.
- Cholesterol check.
- Visual acuity tests.
- A hearing check.
- An EKG at least every 5 years for employees over age 40.

An employee may submit a statement from their personal physician covering the tests listed above in lieu of any screening required by the Employee Health Center.

Selective Enforcement Unit and Sniper Observer Unit

Personnel assigned to the Selective Enforcement Unit (SEU) or the Sniper Observer Unit (S/OU) are evaluated for physical fitness at least semi-annually, based upon the physical fitness requirements specified for initial selection to the Unit. SEU and S/OU personnel are expected to meet minimum requirements for physical fitness. Any unit member that does not pass the physical test must meet the requirements within six months.

SEU and S/OU personnel will also receive an annual psychological screening by a psychologist designated by the Department. Screening results will be reviewed by the Special Operations Division command staff and any concerns will be referred to the Chief of Police

Referrals

The Employee Health Center, the Wellness Coordinator, and Police Training Center can provide fitness prescription packages when employees at risk are identified.

- Referral to the employee's personal physician will be made where medical problems are identified.
- The Wellness Coordinator can provide nutritional information, and referral to programs aimed at stopping smoking and other lifestyle issues.
- Upon request, the Police Training Center will provide physical fitness programs designed to improve physical fitness (cardiovascular, strength, or flexibility). The Department provides exercise facilities, at no cost to sworn employees, in order that they may participate in off-duty physical fitness programs.

SUBSTANCE ABUSE POLICY

Police Department employees who exhibit apparent impairment on the job, due to alcohol or drug abuse, will be referred to the Raleigh Employee Assistance Program (REAP) or other appropriate sources for assessment. In all cases, observed behavior or performance impairment must be documented by a supervisor and reviewed by the Chief of Police prior to referral. No random testing will be conducted. Employees may voluntarily seek referral for substance abuse problems through REAP.

Sworn Officers and Evidence Custodians

Upon authorization by the Chief of Police, officers or evidence custodians may be required to consent to referral and assessment by an agency designated by the City. Refusal to consent to referral, assessment, or testing will result in immediate suspension. If consent is not obtained within 24 hours of refusal, the employee will be dismissed.

Non-Sworn Employees

Civilian employees exhibiting impairment or behavior consistent with substance abuse may be referred, by the Chief of Police, to the Employee Health Center for observation and evaluation. Such employees will not be required to consent to referral or further assessment to an agency designated by the City but may elect to consent if referral is deemed appropriate by the Employee Health Center.

- Civilian employees electing referral will be evaluated and treated in the same manner as sworn officers.

- Civilian employees refusing referral if recommended by the Employee Health Center will be subject to disciplinary action, if warranted, in accordance with existing procedures related to unsatisfactory performance or personal conduct.

Drug Abuse

Employees diagnosed by the City's contracting agency as having a drug abuse problem or having a confirmed positive drug test that cannot be medically justified will be immediately placed on sick leave and/or leave without pay, if sick leave is not available, for a maximum of 30 calendar days. Further employment action will be as follows:

- Upon certification by the contracting agency that the employee has entered into a rehabilitation program approved by the agency, the employee will be granted an authorized leave without pay for three months, which may be extended for an additional three months with the approval of the City Manager.

- Return to employment will be authorized upon certification of successful completion of the program. Failure to obtain medical clearance for return to work within the six month period may result in dismissal.

- Reinstatement will be conditional upon consent for substance retesting at any time for a period of two years. The schedule for retesting will be determined by the contracting agency. Positive results on a retest will be grounds for immediate dismissal.

- If the employee refuses to enter an approved rehabilitation program, the employee will be dismissed at the end of the original 30-day period.

Alcohol Abuse

Sworn officers or evidence custodians diagnosed by the contracting agency as having an alcohol abuse or dependency problem or having been tested with a blood alcohol content level deemed by the agency to cause impairment will be placed on sick leave, and/or leave without pay if sick leave is not available, for three working days on the first occurrence.

- Employees will be given the opportunity to enter a rehabilitation program. If refused, return to employment will be conditional upon consent for retesting at any time within a two-year period under the direction and schedule of the contracting agency.

- A second occurrence within a two-year period will be grounds for immediate dismissal.

Violation of Laws or Procedures

Any employee legally charged with a drug or alcohol related offense on or off the job may be suspended or dismissed in accordance with existing procedures.

Disciplinary action may also be taken for performance issues or conduct violations that may or may not be related to substance abuse problems. Events coinciding with substance abuse may warrant disciplinary action under other procedures.

RALEIGH EMPLOYEE ASSISTANCE PROGRAM (REAP)

The Raleigh Employee Assistance Program (REAP) is an employee benefit provided to assist employees or their family members in finding solutions to issues that may be affecting job performance.

Services Provided

The Raleigh Employee Assistance Program makes available a staff of professional counselors who can provide consultation, problem assessment, and referral for issues related to family conflict, substance abuse, financial difficulties and other personal concerns.

Employees may voluntarily contact the Raleigh Employee Assistance Program directly. The use of REAP services is completely confidential, and no report will be made to the Department or City that would identify the employee.

Departmental Referral

Under appropriate circumstances and with approval of the Chief of Police, an employee may be referred to the Raleigh Employee Assistance Program in lieu of disciplinary action for deficient job performance. Where such referral is made, any discussions or agreements with a counselor will be confidential. The Department will be notified only of the employee's attendance and general progress.

THE RALEIGH POLICE DEPARTMENT

1102-05

PERSONNEL RECORDS

PURPOSE

To establish regulations on the handling of employee information or files held by the Department.

VALUES REFLECTED

This directive reflects our values of *Fairness and Integrity*. We will provide accurate and accessible personnel records in accordance with all laws, rules, regulations and standards which protect our employees' rights to privacy and the right to examine information not restricted by law.

UNITS AFFECTED

All Divisions/All Personnel
City Human Resources Office

REFERENCES/FORMS

City Procedure 300-16 "Personnel Records"

GENERAL POLICIES

The following information is a matter of public record:

- Name, age, date of original employment or appointment to service.
- Current position title.
- Current salary, date and amount of most recent increase or decrease in salary, date of each promotion, demotion, transfer, suspension, separation, or other change in position classification.
- Office to which the employee is currently assigned.
- Date and general description of each promotion.
- Date and type of each dismissal, suspension, or demotion for disciplinary reasons. If the disciplinary action was a dismissal, a copy of the written notice of the final decision setting forth the specific acts or omissions that are the basis of the dismissal.

All other personnel information is confidential and must be held secure by supervisors. Only direct supervisors of an employee or other supervisors designated by the Chief of Police are allowed access to this confidential information.

Employees have a right to examine information that is contained in their permanent personnel files except as restricted by law.

INFORMATION EXCLUDED FROM PERSONNEL FILES

Selected information will be excluded from an employee's permanent personnel file and will be held in a secure location by the Police Human Resources Sergeant. Employees do not have exclusive rights of access to such information.

Pre-Employment Data

Letters of reference or other reference materials solicited prior to employment are not subject to inspection by the employee. Following employment such information will be held in a secure location by the Police Human Resources Sergeant.

Medical Examinations

Information on physical or psychological examinations will be held in a secure location separate from the employee's permanent personnel file by the Police Human Resources Sergeant. Such information is available to employee inspection, unless the physician specifies that such information is confidential and would not normally be disclosed by a prudent physician to the patient. A licensed physician, designated in writing by the employee, may examine that portion of an employee's medical record designated as confidential.

Criminal Investigations

Investigative reports or memoranda concerning possible criminal actions of an employee will be held in a secure location by the person conducting the investigation. Once concluded, investigative notes will be held by the Internal Affairs Unit. No reference to any criminal investigation of an employee should be made in an employee's personnel file, unless the investigation forms the basis of a personnel action.

Administrative Investigations

Preliminary drafts or internal communications concerning an employee must be held in a secure location by the supervisory official conducting an inquiry. In the event that such materials are used for any personnel decision or action, those materials then become subject to inspection by the employee or his/her authorized representative.

Requests for Information on Current or Former Employees

Any Raleigh Police Department employee, who is contacted by a background investigator, or prospective employer, and asked to provide any information about any current or former Raleigh Police Department employee, must refer them to the Police Human Resources Sergeant. Requests for information or interviews must be declined.

Background investigators and prospective employers may view the personnel files for a current or former employee, subject to the State of NC Personnel Records Laws, only after contacting the Police Human Resources Sergeant and/or the Office of Professional Standards. The background investigator or prospective employer must first provide proper identification and present an original signed waiver of information from the current or former employee. A copy of the waiver should be placed in the file. The representative may view the file and take notes, but will not be allowed to make copies unless authorized by the Police Attorney. No information will be disclosed by phone, fax, or email unless authorized in writing by the Police Attorney.

Any Raleigh Police Department employee, who has been asked to be a reference for a current or former employee, must respectfully decline, and refer them to the Police Human Resources Sergeant, City Human Resources Department, or the Police Attorneys, if they have further questions.

Examination Materials

The results of written tests, interviews, or other materials used solely in selection or promotion to a different position will be held by the Police Human Resources Sergeant. The Police Human Resources Sergeant may disclose final scores or selection components where such disclosure would assist the employee's development.

PERMANENT PERSONNEL RECORDS

Only information that is directly relevant to classification or personnel actions should be retained in permanent personnel files held by the Department. The employee or his/her authorized agent has a right to examine all information held in such files. Only direct supervisors of the employee or other supervisors approved by the Chief of Police are to be allowed access to such information.

Departmental Files

Departmental files form an employee's permanent personnel record. No material may be added or removed from such files without the approval of the Chief of Police, the City Human Resources Director, or the City Manager.

- An employee objecting to other material in their file on the grounds that it is inaccurate or misleading may request, in writing, that the Chief of Police remove the material. If the request is denied, the employee may attach a statement relating to the objectionable material. Appeals from the Chief's decision must be made within seven days.

Division Files

Duplicate information, as is necessary for the efficient conduct of daily operations, may be maintained at the Division or District level. The same limitations and regulations regarding permanent personnel records must be followed.

- Employees have the same rights of access to Division and District records as they do to Department level records.

Records of Certification

The Chief of Police is responsible for permanently maintaining records substantiating certification of sworn officers of the Department. These files shall be available for inspection by representatives of the Criminal Justice Training and Standards Commission. These permanent files will contain the following:

- The officer's Notice of Certification by the Commission.
- The officer's Personal History Statement completed during application for employment.
- The officer's Medical History Statement and Medical Examination Report.
- A written summary of the employment background investigation.
- A written summary of the employment Qualifications Appraisal Interview.
- Verification of the officer's educational achievements at the time of employment application.
- Documentation of criminal justice training completed.
- The results of the officer's fingerprint record check.

THE RALEIGH POLICE DEPARTMENT

1102-06

LEGAL AID

PURPOSE

To detail procedures to be followed in obtaining legal aid when an employee is the subject of a civil or criminal action arising out of the performance of job related duties.

VALUES REFLECTED

This directive reflects our values of Service, *Fairness* and *Integrity*. In recognition of the mutual commitment present in all of our employer/employee relationships, we will fairly defend our employees against personal risk arising from the conscientious performance of job duties.

UNITS AFFECTED

Police Department/All Employees

REFERENCES/FORMS

City Procedure 100-12 “Legal Counsel for City Employees”

GENERAL POLICIES

Legal aid for city employees is a special benefit that does not automatically arise as a condition of employment. The amount of any reimbursement for legal aid is dependent on the circumstances surrounding each case and is subject to change. Employees should consult with the approving authority before applying for reimbursements of legal expenses.

LEGAL AID

The Department has several provisions for rendering legal aid to employees who face criminal or civil actions in connection with the performance of official duties. Sworn officers are also covered under the City's general liability insurance for police officers. Aid may also be given, at the sole discretion of the City Manager, in the form of reimbursement for a portion of fees paid by the employees to a private attorney or for other legal expenses incurred by the employee.

Reporting Legal Actions

Employees must immediately notify the Police Attorney of any actions facing them in order to receive assistance. The legal action must have arisen out of the employee's scope of employment with the City. The Police Attorney will advise the employee as to the level of assistance that may be available and steps to be taken in applying for assistance.

Police Liability

Sworn officers of the Department are covered under police liability insurance. Depending on the amount of the claim, the insurance company may wish to provide an attorney to represent the employee. The Police Attorney will contact the appropriate insurance company, which will then select the attorney. The Police Attorney may also assist in representing the employee where the Department is named as a party in the action.

Reimbursement for Private Counsel

Employees may apply for reimbursement of fees for privately retained attorneys involving actions arising out of City employment (City Procedure 100-12).

- Reimbursement is conditional upon a final verdict of not guilty, not liable, or a *nol pros*.
- The City will not usually reimburse employees for payments made for an attorney by an insurance company or from other sources.
- Employees who intend to seek reimbursement should file a request with the Police Attorney at the outset. The request should include the legal expenses agreed to by the employee's attorney and any special conditions. The Police Attorney will forward the request through appropriate administrative channels to the City Manager.
- The City Manager will designate an administrative review panel as prescribed by City procedures. This panel may solicit information before, during, and after the trial; and will recommend to the City Manager the amount of reimbursement up to a maximum amount as established by City policy.

THE RALEIGH POLICE DEPARTMENT

1102-07

VOLUNTARY SEPARATION FROM SERVICE

PURPOSE

The purpose of this directive is to outline the procedure to be followed by personnel who intend to retire or resign.

VALUES REFLECTED

This directive reflects our values of *Service, Fairness, and Compassion.* We will honor the high level of professional service demonstrated by our employees and will extend our commitment to support employees through every stage of their service to the Department.

UNITS AFFECTED

All Divisions/All Personnel

REFERENCES/FORMS

DOI 1106-4"Care of Equipment and Uniforms"
City of Raleigh Employee Handbook
City of Raleigh Personnel Action Form
Raleigh Police Department Separation from Employment
City of Raleigh Notice of Separation Form

GENERAL POLICIES

In recognition of our commitment to support our employees from their initial entry into the Department to final separation from service, the Department will offer guidance, assistance, and counseling throughout for employees who elect to resign or retire from service. In general, the Police Human Resources Sergeant is responsible for adequately informing separating employees of their rights and responsibilities and of required exit procedures.

In general, employees are expected to give adequate notice when separating from employment. This may be done informally in the case of retirements or by memorandum or letter in the case of resignation.

RETIREMENT

Personnel intending to retire from the Department should carefully follow exit procedures to avoid any interruption of benefits to which they may be entitled. Benefits are different for non-sworn and sworn personnel. Employees should consult with the City Human Resources Office and the Local Government Employees Retirement System well in advance of intended retirement for benefits and procedural requirements. Retirement counseling is available from the Local Government Employees Retirement System.

Formal Requirements

Employees intending to retire should contact the City Human Resources Office to schedule a retirement conference. A Human Resources counselor will assist in completing the forms and will advise the employee of all retirement benefits and procedural requirements. All retirement forms should be submitted to the City Human Resources Office not less than 30 days or more than 90 days prior to the employee's effective retirement date. The City Human Resources Office will notify the appropriate state agencies.

Presentation of Badge and Service Side Arm

Sworn officers who retire in good standing may request that their badge and service side arm be presented to them at the time of retirement. Officers must obtain the necessary forms from the Chief's Office before the Quartermaster can remove the items from inventory. It is within the sole discretion of the Chief of Police to award a retiring officer either the badge or the service side arm, or both. A replacement price may be affixed to the service side arm (G.S. 20-187.2).

Firearm Qualification for Retired Officers

The Raleigh Police Department will not provide firearm qualification for any retired law enforcement officers under 18 U.S.C. § 926C, and N.C.G.S. § 14-415.10. However, the Raleigh Police Department will allow retired Raleigh Police Officers access to and use of the police firing range for the qualifications required by 18 U.S.C. § 926C, N.C.G.S. § 14-415.10 and Chapter 9 of Title 12 of the North Carolina Administrative Code. This access shall be achieved through an appropriately licensed, certified and insured instructor who is approved by the Chief of Police. The approved instructor may be granted access to the firing range to conduct the necessary qualifications and shall be responsible for determining eligibility for qualification and shall retain all records of qualification as may be required by State or Federal law.

Access to and use of the Police Range for these limited purposes does not in any way act as affirmation by the City of Raleigh Police Department that the retirees who participate in this qualification process have met the requirements of or are fully in compliance with 18 U.S.C. § 926C, N.C.G.S. § 14-415.10 or Chapter 9 of Title 12 of the North Carolina Administrative Code. Such a determination is solely the responsibility of the authorized instructor.

Presentation of Retirement Badge

Sworn officers who retire in good standing may also receive a Raleigh Police Department retirement badge. The badge will display the officer's code number and rank at the time of retirement. The badge will be presented to the officer at the time of retirement along with a retired police ID card. It is within the sole discretion of the Chief of Police to award a retiring officer with the retirement badge and ID card.

RESIGNATION

Employees who intend to resign must submit a memorandum or letter of resignation to the Police Human Resources Sergeant who will provide instructions as to proper exit procedures. On the effective date of resignation, sworn officers must immediately relinquish their badge, issued weapons, pass keys and identification to the Police Human Resources Sergeant and return other issued property to the appropriate custodian. Officers whose resignations become effective after normal business hours may relinquish their badges, issued weapons, pass keys and identification to their immediate supervisor. Other police property must be returned on the next business day.

Uniforms must be cleaned and bagged and returned to the Quartermaster (DOI 1106-4 "Care of Equipment and Uniforms").

EXIT FORMS

A "Separation from Employment Checklist" form must be completed by all sworn employees separating from service and must be signed by the appropriate property custodian verifying that all property that was issued to the employee has been returned, and that other obligations are properly fulfilled.

A "Notice of Separation Form" and a "City of Raleigh Personnel Action Form" must be completed for all employees separating from service and will be signed by the Chief of Police when the employee has fulfilled all exit obligations. Any final compensation due the employee cannot be paid until the Personnel Action Form is completed. The employee's Division Staff Support Specialist will complete these forms.

EXIT INTERVIEW

Exit interviews shall be available to all employees leaving the Department. The information obtained will be analyzed by Department managers to improve or correct Department practices, policies, or work environments when such action would enhance overall operations.

LEGAL ACTION

Failure to adequately account for issued property or uniforms at the time of exit may result in civil or criminal action.

THE RALEIGH POLICE DEPARTMENT

1102-08

PERSONNEL RECRUITMENT AND SELECTION

PURPOSE

To establish a recruitment, application and selection procedure to fill vacancies in all entry-level sworn positions.

VALUES REFLECTED

This directive reflects our values of *Service, Fairness, and Integrity*. We are committed to a fair and equitable hiring process which identifies the best candidates available and results in low turnover, higher morale, better community relations and more effective policing.

UNITS AFFECTED

All Divisions/All Personnel
City Human Resources Office

REFERENCES/FORMS

N.C. Administrative Code, Title 12, Chapter 9B, Section 0100 "Minimum Standards for Criminal Justice Employment."
Management Policy 100-20 "Equal Employment Opportunity and Affirmative Action"
Management Policy 100-24 "Employment of Relatives"
City Policy 300-22 "Recruitment and Selection Procedure"
City Policy 300-16 "Personnel Records"
City Policy 101-12 "Driving Record Standards for External Applicants"
City Policy 300-23 "Probationary Status"

GENERAL POLICIES

It is the policy of the Department to ensure equal employment opportunity is guaranteed in its recruitment and selection process to all persons without regard to race, creed, color, sex, national origin, age, religion, mental or physical challenges, labor affiliation, sexual orientation, or any other factors not related to merit and fitness for the position.

It is the policy of the Department to ensure that all available positions are posted and processed in accordance with this procedure and any relevant City of Raleigh Standard Operating Procedures.

In addition to any City of Raleigh minimum qualifications and Department standards, police applicants must meet qualifications issued by the N.C. Criminal Justice Training and Standards Commission. Commission regulations will, in all cases, take precedence over any stated City and Department regulations.

Administrative responsibility for the recruitment and selection process shall reside with the Administrative Services Division Commander and the Police Recruiting Sergeant. They are responsible for ensuring that all elements of the process are administered, scored, and evaluated in a uniform manner.

SELECTION AND TRAINING OF RECRUITMENT PERSONNEL

Recruitment personnel will be selected by the Administrative Services Division Major. The Police Recruiting Sergeant, with the approval of the Administrative Services Division Major, will recommend additional personnel to assist in the recruitment process as necessary.

All police personnel who have recruiting, background investigation, and selection responsibilities will undergo a training program prior to initiating their duties. The Police Recruiting Sergeant or subject matter expert will conduct the training for recruiters and background investigators. Training will cover the following areas:

- Career opportunities, salaries, benefits, and training available within the Department.
- Equal Employment Opportunity, Affirmative Action, and other applicable federal and state guidelines.
- Cultural diversity awareness.
- Techniques of formal and informal record keeping systems for candidate tracking.
- Components of the screening and selection process.
- North Carolina Criminal Justice Education and Training Standards requirements for employment of law enforcement officers.
- Rejection guidelines for those not meeting minimum requirements for employment.

RECRUITMENT ACTIVITIES

Job Fairs and Community Outreach

Recruiting personnel will work with area businesses, visit colleges, universities, community educational institutions, and military bases, as well as utilize electronic forums, attend job fairs, career days, and other community events to set up displays, distribute recruitment material, and speak to those who may be interested in law enforcement. The Police Department will seek cooperative recruitment assistance, referrals, and advice from community organizations and civic and religious leaders in order to attract qualified candidates.

Other Departmental Personnel

All departmental personnel are encouraged to refer applicants to the Police Recruiting Office. The Police Recruiting Sergeant will conduct recruiting activities with the City Human Resources Office and other participating divisions.

City Human Resources Office

The City Human Resources Office is responsible for advertising job openings in local and statewide distribution media outlets. City Human Resources also publishes a weekly job bulletin, "City of Raleigh Job Opportunities," available to all employees and the public. This bulletin is distributed both internally and across the state to other organizations on the mailing list utilized by City Human Resources. All entry level positions are advertised utilizing this method. In addition, the Police Recruiting Sergeant will place ads in selected publications, as needed, to draw qualified applicants.

Deadlines are indicated in bold text on all advertisements when recruiting is not continuous. Job vacancies are published at least ten working days prior to any official application filing deadline.

All job announcements through the City Human Resources Office will provide a description of job duties and responsibilities, skills, educational level required, and any physical requirements. All job announcements will advertise the agency as an equal opportunity employer.

APPLICATION AND OFFICER CANDIDATE SELECTION PROCESS

Selection for potential acceptance to the Raleigh Police Academy and employment requires the following:

- Application packet and initial review with the Raleigh Police Recruitment Unit.
- Reading comprehension test.
- Handwritten essay.
- Physical Fitness Assessment (applicants will be required to obtain a medical waiver of liability prior to being assessed).
- Completion of a truth verification examination.
- Completion of a Personal History Statement.

- Criminal history, driving history and credit history checks of the applicant.
- Completion of a background investigation.
- Oral interview of the applicant by a board composed of members of the Department with the rank of lieutenant or higher.

An offer of employment and final acceptance to the Raleigh Police Academy is conditional on successful completion of the following:

- Psychological screening of the applicant by a licensed psychiatrist or psychologist at the Department's expense.
- Medical examination and a drug screening test by a qualified physician at the Department's expense.
- Submission of fingerprint cards.

A final review will be conducted by the Chief of Police or his/her designee.

INITIAL APPLICATION

Initial applications will be accepted by mail or in person.

All police applicants must be of good moral character and meet the following minimum requirements:

- United States Citizenship: Applicants must be natural born or naturalized citizens of the United States.
- Physical Requirements: Applicants must be 21 years of age or older on completion day of the Police Academy. They must have a minimum visual acuity correctable to 20/20. Applicants must not be color blind. They must be in good physical condition, and they must not possess any medical defects that would prevent them from engaging in academy physical training or general law enforcement duties.
- Education: Applicants must be high school graduates or have an approved high school equivalency GED.
- Residency: Sworn officers of the Department are required to reside within 60 miles of the City of Raleigh Municipal Building. Applicants must meet this requirement at the time of graduation from the Raleigh Police Academy.
- Driver's License: Applicants must possess a valid driver's license and be able to obtain a North Carolina operator's license prior to the date of employment. Their driving record must meet the standards of the City of Raleigh's Standard Procedure 101-12.

Recruitment personnel will verify minimum requirements with regard to age, citizenship, education, and driver's license before further processing.

Recruitment personnel will notify each candidate that their application packet was received by the Recruitment Office and solicit additional information if necessary. At this time candidates who meet the minimum requirements will be given written notification describing all elements of the selection process, the expected duration of the process, the expected starting date for the next academy, and the reapplication process for applicants who are not selected. The Police Recruiting Sergeant will review results from the candidates that successfully complete the initial review process.

Personal History Statement (F-3)

Applicants are required to complete a personal history statement detailing many facets of the applicant, including, but not limited to, references, work experiences, criminal and credit history. Applicants will be advised that this information is subject to verification through background investigations or truth verification examinations. The Personal History Statement is available to the applicant on line or in person at any district station or the academy. Applications will not be rejected solely on the basis of omissions or deficiencies that can be corrected prior to a truth verification interview.

Pre-Employment/Polygraph Questionnaire

Applicants are required to complete the pre-employment/polygraph questionnaire and submit same with their application packet.

Required Documents

Each applicant is required to furnish a certified copy of their birth certificate or naturalization papers. Applicants must supply copies of their social security card and driver's license. Applicants with military backgrounds must produce a Discharge from the Armed Services Form (DD-214 Member Form). Each applicant is required to submit certification of high school graduation or equivalency (including diplomas), plus an official transcript of grades from formal institutions attended and degrees if applicable. In addition, applicants are to provide certified copies of local criminal record checks from every jurisdiction in which they lived since turning the age of sixteen. Applicants are to also provide certified copies of driving records from each state in which they have lived. All waivers must be signed and/or notarized then submitted with the application packet.

Medical History

No medical questions or forms are required prior to a conditional offer of employment with the exception of the Physician's Waiver Form. Applicants will be informed that a drug-screening test will be required. They will be informed of the minimum physical requirements and advised that medical and psychological examinations will be required upon conditional offer of employment. These tests are conducted at the Department's expense.

STATE MANDATED READING COMPREHENSION EXAM

Candidates will be scheduled to participate in a State Mandated Reading Comprehension Exam. All candidates must successfully pass this exam in order to remain in the hiring process.

HANDWRITTEN ESSAY

Applicants will complete a brief essay on why they wish to become a Raleigh Police Officer. This essay will be evaluated on the basis of content, legibility, spelling, and grammar. The purpose of the written essay is to establish a basic ability to perform that function.

PHYSICAL FITNESS ASSESSMENT

Candidates will be scheduled for a physical fitness assessment. They will be advised of the requirements of the test at the time of application. In order to participate in the testing, candidates are required to obtain a release of liability statement from their personal physician.

TRUTH VERIFICATION TEST

Candidates who successfully complete the physical fitness assessment are required to submit to a truth verification examination.

- The truth verification operator will review areas from which relevant questions will be drawn with the applicant immediately prior to the testing.
- Truth verification examinations may only be administered by trained operators. Applicants will be requested to sign a consent form prior to the examination.
- Results of a truth verification examination are not used as the single determinant in the selection process. Results of an examination should be corroborated by either pre-test or post-test interviews, or through background checks.

PERSONAL HISTORY INVESTIGATION

The Administrative Services Division Commander or designee will review results from the initial pre-employment reviews, tests, and the truth verification examination and recommend applicants to be considered for a background investigation. A Police Recruiter or approved Background Investigator will conduct a background investigation on applicants under further consideration for employment. If and when necessary, the Department may choose to contract with an outsourced entity to conduct background investigations on employment applications.

Content of Background Check

In addition to criminal history checks, the background investigation seeks to determine whether the applicants possess personality and character traits which make them suitable for police employment. The background investigation includes the following elements:

- Criminal history check of the applicant,
- Driving history check,
- Check of school and academic records,
- Credit history check,
- Check of military service record (if any),

- Check of Social Media/Networking websites
- Follow-up Interview (F8)
- Verification of at least six references who are familiar with the applicant. These references may include independent contacts developed by the background investigator.
- Interview with the applicant's present employer will be conducted only with the applicant's permission. An interview with the employer must be held, though, prior to a final offer of employment.
- Review of an applicant's personnel files from other law enforcement agencies if applicable. The review of these files will be conducted during the background investigation with the applicant's permission. A review of the files must be completed prior to a final offer of employment.

Security of Background Information

Documentation associated with background checks will be considered confidential and held in a secure location.

ORAL INTERVIEW BOARD

The Administrative Services Division Commander or designee will review the results of the background investigation and make recommendations as to which applicants are best qualified and are to be given further consideration for employment. These applicants will be scheduled to appear before an oral interview board.

Composition of the Board

The oral interview board will consist of at least three officers of the rank of lieutenant or higher as designated by the Chief of Police. Board members will receive training by the department prior to evaluating applicants during an oral board.

Inquiries by the Board

The Oral Interview Board will ask each applicant nine (9) preset questions. Any other questions should be limited to the applicant's Personal History Statement, the background investigation, and the truth verification examination. The board will also examine the applicant's motivation and desire for becoming a police officer.

The oral interview of each candidate will be conducted using valid, useful, and non-discriminatory procedures. All information obtained by board members shall be held in confidence and may be used only in the selection process.

Evaluation by the Board

Each member of the Oral Interview Board will evaluate the applicant using a standard evaluation form. These evaluations will be maintained as part of the applicant's file.

FINAL SELECTION

Final selection of the best qualified applicants will be made by the Chief of Police based on the Chief's review of the applicant's file and the recommendation of the Oral Interview Board.

Conditional Offer of Employment

Offers of employment will be conditional upon a favorable psychological evaluation, passing a medical examination, and final approval by the Chief of Police.

Fingerprints

Applicants selected for a conditional offer of employment will be directed to the City-County Bureau of Identification for fingerprinting.

Psychological Evaluations

A licensed psychiatrist or psychologist designated by the Department will conduct psychological evaluations. The person conducting the evaluation is required to submit a written report of findings.

Medical Examinations

A licensed physician designated by the Department will perform medical examinations and drug screening tests necessary to complete the medical examination report form provided by the N.C. Criminal Justice Training and Standards Commission as well as other tests required by the Department.

Employment Status

Applicants accepted for employment will function in a non-sworn capacity until such time as they complete approved academy training and are certified as police officers by the N.C. Criminal Justice Training and Standards Commission.

New officers will complete a probationary period of 12 months from the first day of the academy or until successful completion of field training, whichever is greater.

Hiring Salary

Applicants without prior local or state government law enforcement experience will be hired at the minimum officer salary.

Applicants with prior local or state government law enforcement experience may receive Police Officer starting salary, plus 4% for each year of full-time equivalent experience, beginning with a 2-year required minimum and up to 12 years maximum. If an applicant enters with years of equivalent experience that would make the applicant eligible for First Class Officer and Master Officer ranks, the respective reclassification increases will be included in the hiring salary.

Equivalent experience will be determined on a case-by-case basis in view of the applicant's overall training and experience. Upon final review by the Chief of Police or his/her designee, a salary offer

will be made to the applicant. The offer will be made at the discretion of the Chief of the Police and will be final.

Officers who enter the Department at the rank of First Class or Master must take a reclassification test within 5 months of the date of graduation from the academy. An officer hired with 2 or 3 years of equivalent experience will sit for the First Class test. An officer hired with 4 or more years of experience will sit only for the Master Officer test, not both the First Class and Master tests. If the officer fails, he or she has 6 months to retake the exam. If he or she receives a failing score on the second attempt, the officer's salary will be reduced by 5%.

Upon successful completion of the Academy, recruits who enter the Academy at the minimum salary will receive a 3% salary increase. Recruits who enter the Academy at a higher starting salary due to credit for prior law enforcement experience or who are eligible for Probationary Certification by the State (and are within one year of completion of the NC BLET State Exam) are not eligible for the 3% salary increase.

NOTIFICATIONS

The Police Recruiting Sergeant will keep applicants informed of each phase of the selection process.

Applicants Accepted for Employment

Applicants who are accepted for employment will be notified in writing, informing them of the beginning employment date and a location to report. Hiring documents will be completed and forwarded to City Human Resources.

Applicants Not Accepted for Employment

All applicants not selected for employment will be notified in writing within thirty calendar days. Any applicant not selected may reapply after 12 months from the date on their denial letter, if they meet the minimum standards as set by the N.C. Criminal Justice Training and Standards Commission and the Raleigh Police Department. When recruitment is not continuous, applicants may receive notice of future openings by filing Employment Interest Cards with the City of Raleigh Human Resources Office.

POST HIRING ACTIVITIES

Required Reports and Records

The Police Recruiting Sergeant will be responsible for maintaining records and preparing reports as necessary for the City of Raleigh's EEO/Affirmative Action Plan.

Prior to July 1 of each year, the Police Recruiting Sergeant will submit an evaluation of the current selection procedures.

Records Retention

Applicant files of those accepted for employment will become part of that employee's permanent personnel file and will be retained indefinitely. Notes from interviews with personal references and

other confidential information to which the employee will not have access will be secured by the Police Human Resources Sergeant (refer to DOI 1102-5 “Personnel Records”).

The Police Recruiting Sergeant will retain, in a secure location, complete files on all applicants not selected as indicated in the “Municipal Records Retention and Disposition Schedule” (North Carolina Department of Cultural Resources – Division of Archives and History). Background investigations, psychological screening results, and other selection information will be destroyed according to the disposition schedule specified therein.

THE RALEIGH POLICE DEPARTMENT

1103-01

OFFICER RECLASSIFICATION, LATERAL SELECTION PROCESSES FOR SPECIALIZED ASSIGNMENTS, AND PROMOTIONS

PURPOSE

Separate eligibility requirements and procedures exist for promotions in rank, reclassifications, and selection for special assignment. Certain elements, though, are common for all of these processes. This procedure specifies the common elements and establishes the steps to be followed for specific career advancement and promotional opportunities.

VALUES REFLECTED

This directive reflects our value of *Fairness and Integrity*. Promotion and career advancement will be based on merit and will begin with the identification and evaluation of individuals who possess the skills, knowledge and abilities, and exhibit the potential to perform at a higher level. This will serve to increase the professionalism of our members.

UNITS AFFECTED

All Divisions/Sworn Personnel
City Human Resources Office

REFERENCES/FORMS

City Policies 300-18 "Appeals Process – Administration of Grievances,"
300-22 "Recruitment/Selection Procedure," 300-23 "Probationary Status,"
and 300-19 "Tuition Assistance Program"
DOI 1105-01 "Discipline, Appeals, and Grievances"
DOI 1103-2 through DOI 1103-18
City Management Policy 100-20 "Equal Employment Opportunity and Affirmative Action"
Attachment A: Raleigh Police Department Resume
Attachment B: Suggested Study Material for First Class and Master Officer Tests
Attachment C: Specialized Unit Applicant – Captain's Review and Verification of Eligibility
Attachment D: Specialized Unit Interview Evaluation Form

May be Released to the Public

Effective Date:	4-29-19	Supersedes:	09-21-18
Prepared By:	C.L. Deck-Brown Chief of Police	Approved By:	Ruffin Hall City Manager

GENERAL POLICIES

Officer reclassification, promotional processes and selection processes for specialty units will be administered fairly and impartially using testing and evaluation techniques that assess past performance as well as future potential. The process seeks to encourage further development in those who are not selected for advancement, as well as in those who are.

Officer reclassification, promotions and selection processes for specialty units within the Department will be made solely on the basis of fitness and ability for assuming greater responsibility.

All vacancies for Police Officer positions within the Department are entry level. All other sworn positions require experience as a Raleigh Police Officer.

Any degree or semester hours used to fulfill advancement or promotion requirements must be from an institution accredited by an agency recognized by the United States Department of Education. Questions regarding an institution's accreditation can be directed to the Police Human Resources Sergeant or the Training and Career Development Sergeant.

DEFINITIONS

Active Service: Active service begins on the first day of the Raleigh Police Academy. The active service date for any employee who is re-hired by the Raleigh Police Department after they have been separated for any period of time shall be their new hire date.

Equivalent Service: Equivalent service is the amount of time credited and credentialed to an applicant by the Administrative Services Division Commander. The service is based on prior comparable years of law enforcement experience and training. Equivalent service will be provided in writing to the applicant at the time of the conditional offer.

OFFICER RECLASSIFICATIONS

The following officer position classifications are authorized under a pay and classification plan established by the Raleigh City Council:

Advancement Classes

- First Class Officer
- Master Officer
- Senior Officer
- Senior Detective

Officer reclassification is not a competitive process. Advancement to First Class Officer, Master Officer, Senior Officer, and Senior Detective occurs when an officer or detective meets the minimum requirements for advancement to the next level.

BASIC ELIGIBILITY REQUIREMENTS FOR ADVANCEMENT

First Class Officer: Sworn officers who have two (2) years of active and/or equivalent service as police officers and have received a "Successfully Meets Expectations" or higher on their most recent Performance Evaluation immediately prior to reclassification are eligible for consideration for advancement to First Class Officer.

Master Officer: Officers who have achieved the grade of First Class Officer, who have two (2) additional years of active and/or equivalent service, and have received a "Successfully Meets Expectations" or higher on their most recent Performance Evaluation immediately prior to reclassification are eligible for consideration for advancement to Master Officer.

Senior Officer: Officers who have two unbroken years of active service at the grade of Master Officer, have received a "Successfully Meets Expectations" or higher rating on their most recent Performance Evaluation immediately prior to reclassification, and who have a minimum of six (6) cumulative years of service as a Raleigh Police Officer are eligible for consideration for advancement to Senior Officer.

Senior Detective: Detectives who have two unbroken years of active service at the grade of Detective, have received a "Successfully Meets Expectations" or higher on their most recent Performance Evaluation immediately prior to reclassification, and who have a minimum of six (6) years of active service as a Raleigh Police Detective are eligible for consideration for advancement to Senior Detective.

NOTIFICATIONS AND PROCESS FOR RECLASSIFICATIONS

Notice of Eligibility

The Police Human Resources Sergeant will be responsible for tracking active service dates on all officers and detectives who may become eligible for advancement. The Police Human Resources Sergeant will submit a monthly report to the Administrative Services Division Commander for all officers or detectives who are eligible for reclassification for the next 90 days. At least 45 days prior to an employee's eligibility date, the Police Human Resources Sergeant will notify the Administrative Services Division Commander that the employee will soon become eligible for consideration for reclassification to the next level. The Police Human Resources Sergeant will normally administer the Officer Reclassification tests for First Class and Master Officer bi-monthly on the second Wednesday of the month, unless there are no officers scheduled to be reclassified during that month. No tests are administered for reclassification to Senior Officer or Senior Detective.

Evaluation for Reclassification

The Administrative Services Division Commander will forward a memorandum to the affected employee's Captain at least forty (40) days prior to the employee's eligibility date requesting an evaluation of the officer or detective. Each officer/detective eligible for reclassification will be evaluated by their immediate supervisor. This evaluation will be reviewed by the employee's Captain or in the Captain's absence, his/her designee.

Content of Reclassification Evaluation

Each officer/detective eligible for reclassification to First Class Officer, Master Officer, Senior Officer, or Senior Detective will be evaluated by their immediate supervisor who will address the following areas of job performance:

- Work record and performance evaluations for the two years prior to the eligibility date
- Sick leave record for the two years prior to the eligibility date
- Driving Record
- Firearms proficiency
- Attitude
- Wears appropriate work attire
- Job knowledge
- Disciplinary record for the two years prior to the eligibility date
- Ability to relate well with the public (Senior Detective: Interviews, Interrogations, Informants, etc.)
- In-place performance
- Courtroom demeanor and ability to properly present evidence
- Leadership* (Master Officer, Senior Officer, and Senior Detective only)
- Time and Case Management (Senior Detective only)
- Investigative ability and case preparation (Senior Detective only)

The Captain will review the supervisory evaluations for equity and make further recommendations to the Administrative Services Division Commander at least 10 days prior to the officer's eligibility date. Completed reclassification evaluations will be forwarded to the Office of Professional Standards, where the evaluation will be placed in the employee's permanent file.

Written Examination for First Class and Master Officers

Candidates for First Class Officer and Master Officer who receive favorable recommendations for advancement must also successfully complete a written examination. The Administrative Services Division Commander will notify the Police Human Resources Sergeant of those who have received favorable recommendations. The Police Human Resources Sergeant will notify the officers and schedule them for the examination.

Content of Examination

- Motor Vehicle Law
- Constitutional Law, Criminal Law, and Criminal Procedures
- Departmental Operating Instructions
- Patrol Procedures
- Investigative Skills

Failing Scores

Officers not successfully passing the written examination will be notified in writing by the Police Human Resources Sergeant. The officer will be eligible for reconsideration six months from their original eligibility date. The same procedures for notification and written evaluation will be followed in re-initiating the process.

Passing Scores

The Police Human Resources Sergeant will notify the Chief of Police of those officers who have successfully passed the written examination.

Successful Candidates

The Administrative Services Division Commander will notify the Chief of Police of the candidates who have successfully met all the requirements for reclassification. The Chief of Police or his/her designee will issue a letter to the successful candidate, his/her Captain, and the Human Resources Sergeant to officially notify them of their reclassification.

Unsuccessful Candidates

The Chief of Police or his/her designee will notify candidates who received "unacceptable" ratings. These candidates will be allowed to submit appeals through the normal appeals process. Candidates who are found to be unacceptable at the conclusion of the process will be eligible for reconsideration twelve months from their original eligibility date. Upon recommendation of the unsuccessful candidate's Division Commander, the Chief of Police may reduce the time for reconsideration to six months from the original eligibility date. The Chief of Police will notify both the officer and the Police Human Resources Sergeant of the final status.

SELECTION PROCESSES FOR SPECIALIZED ASSIGNMENTS

Assignments to specialty units, not addressed in a separate selection policy, that do not constitute a promotion or change in pay, offer opportunities for career development and job enrichment by allowing officers to receive specialized training and apply specific talents and skills to highly specialized duties.

BASIC ELIGIBILITY REQUIREMENTS

The following eligibility requirements must be met on or before the posted closing date of application:

- Must be Master Officer or above with the Raleigh Police Department.
- Must have two consecutive years of active service with the Raleigh Police Department. Active service time starts on the first day of the Police Academy. The active service date for any employee who is re-hired by the Raleigh Police Department after they have been separated for any period of time shall be their new hire date.
- Officers must have received at least an "Above Standard" or "Successfully Meets Expectations" on their two most recent Performance Evaluations immediately prior to the posted closing date of the selection process.
- Officers must have no sustained disciplinary actions for the previous two years prior to the posted closing date of the process that resulted in a loss of time or pay (cases on appeal at the time of application will be excluded).

Notice of Vacancies

The Human Resources Sergeant will notify employees of vacancies for specialized assignments Department-wide through inter-office memorandum unless there is a unique need of the service to assign a qualified employee to a specific position. The memorandum should indicate the cut-off date for applications and any special skills or requirements for the position. These announcements will also include a list of criteria that will be used to evaluate each applicant for the open position.

Submission of Memos of Interest and Resume

Interested applicants should submit a Memo of Interest and a Resume (Attachment A to DOI 1103-01) to the Police Human Resources Sergeant, indicating any special qualifications they may have that are relevant to the assignment. Along with the Memo of Interest and Resume, applicants may attach any additional supporting documentation relevant to the position they are applying for.

Captain's Review and Verification of Eligibility

The applicant's Captain or in the Captain's absence, his/her designee, will complete a Captain's Review & Eligibility Verification (Attachment C) on each candidate.

Any candidate who does not meet the basic eligibility requirements will be notified by their Captain or designee in writing stating the reason for ineligibility. Verification of eligibility or ineligibility shall be noted on Attachment C.

Additional Processes

Depending upon the specialized assignments, some processes may include an oral review board (Attachment D), an essay, or a practical exercise. Any additional requirements will be explained in the notice of vacancies memorandum, sent by the Police Human Resources Sergeant.

Appointments

In general, appointments to specialty units will be made by the specialized unit's Division Commander from the list of applicants who meet the minimum standards. Selections may take into account special skills needed on the unit at the time of selection. Final approval of the appointment will be made by the Chief of Police.

PROMOTIONS

The following promotional rank titles and the number of these allotted positions are authorized under a pay and classification plan established by the Raleigh City Council:

Promotional Rank Titles

- Detective
- Sergeant
- Lieutenant
- Captain
- Major
- Deputy Chief

Promotions to Detective, Sergeant, Lieutenant, Captain, Major and Deputy Chief are competitive processes occurring only when openings are available.

In order to be eligible for any competitive promotional process:

- An officer must not have received any discipline that resulted in the loss of time or pay two years prior to the posted closing date of the process.
- Must have two consecutive years of active service with the Raleigh Police Department. Active service time starts on the first day of the Police Academy. The active service date for any employee who is re-hired by the Raleigh Police Department after they have been separated for any period of time shall be their new hire date.
- Officers must have at least an "Above Standard" or "Successfully Meets Expectations" on their two most recent Performance Evaluations immediately prior to the posted closing date of the promotional process.

NOTIFICATION AND PROCESS FOR OFFICER PROMOTIONS

Notice of Vacancies

The Police Human Resources Sergeant will notify the City Human Resources Office whenever a vacancy exists for a position.

Upon notification from the Chief of Police, the Police Human Resources Sergeant will direct City Human Resources to post notice of vacancies on CORECON, (Vacancies icon), and begin accepting new applications if the current promotion list for that rank has expired. City Human Resources will also post a cut-off date for applications and a date for any written examinations that may be required. The posting will include a description of the requirements for the position and the selection process that will be utilized. The Chief of Police will name a Process Coordinator to administer the promotion process.

Submitting Applications

All eligible officers who intend to participate in the promotional process must personally complete and electronically submit an application and resume (Attachment A to DOI 1103-01) through Neogov to the City Human Resources Office, on or before the posted cut-off date. Each candidate will go to CORECON, (Vacancies icon), to create an account to apply. The candidate will be required to upload his/her resume into his/her Neogov application. Each candidate will receive an email receipt once their application has been submitted. The application may not be submitted in person or by mail.

Any false or misstatements of fact or material will result in the candidate being removed from the process and subject to disciplinary action.

Processing Applications

City Human Resources will receive all electronic applications and resumes for promotion and forward them electronically to the Process Coordinator for that promotion process. Those not meeting the basic eligibility requirements will be notified in writing. Applicants wishing an appeal must appeal to the Police Human Resources Sergeant or Process Coordinator no later than 15 (fifteen) working days past the date of notification.

SUPERVISOR'S REVIEW

The Process Coordinator will receive resumes from City Human Resources and forward individual resumes to the employee's commanding officer.

The candidate's immediate supervisor will review the employee's training file to verify items contained on the applicant's resume. The immediate supervisor is also responsible for verifying any special requirements for a particular position.

PROCESS COORDINATOR

The Chief of Police will assign a Process Coordinator. Responsibility for administering all promotional processes shall reside with the designated Process Coordinator.

Compilation of Results

The Process Coordinator is responsible for assembling the results of any steps that may be required by specific promotion procedures.

For those eligibility lists that are established as ranked promotional lists, the total score for each candidate will be truncated to three (3) decimal places. In the rare event of a tied score, the candidate(s) with the greatest number of unbroken years of service with the Raleigh Police Department will be ranked higher than the candidate(s) with lesser years of unbroken service.

Notifications

The Process Coordinator will ensure that eliminated candidates are properly notified during the selection process. A copy of the final list will be forwarded to City Human Resources at the conclusion of the promotional process.

Appeals

The Process Coordinator will receive notices of appeal involving the promotion process once applications have left the City Human Resources Office. Any officer having a complaint concerning written examinations or the administration of the selection process must register their complaint with the Process Coordinator within 15 (fifteen) working days of the objectionable incident. The Process Coordinator will advise the Chief of Police of any pending appeals.

FINAL ELIGIBILITY LIST

Promotions within the Raleigh Police Department will be made by the Chief of Police, based upon an eligibility list compiled according to each individual promotional process.

Duration

All promotional lists will be determined by each individual promotional process. Any extension of the list will be granted at the Chief's discretion. A dated copy of an eligibility list will be forwarded to City Human Resources at the completion of a promotion process.

When the needs of the department give rise to extraordinary circumstances, i.e., voluntary and involuntary demotions, or to remain compliant with federal, state, or local laws, the Chief of Police shall have the authority to make the required personnel action to an allocated vacant position. In order to comply with City policies and all applicable laws, this personnel action to an allocated vacant position can supersede the expected progression of a ranked list.

In the event that a promotional list expires before a vacancy opens subsequent to an assignment under extraordinary circumstances, the next candidate on that ranked promotional list will be eligible for promotion regardless of the expiration of the list.

In the event that a candidate is eligible at the same time for selection to vacant positions from two ranked promotional lists, within three (3) business days of receiving a written request by the Process Coordinator, the employee shall submit a memorandum to the Process Coordinator that includes acceptance of the rank that the candidate has chosen. The candidate then will be removed from the ranked promotional list that was not chosen.

Removal from the List

For just cause, the Chief of Police may remove a candidate from a promotion eligibility list. Reasons for removal include violation of a criminal offense, serious violations of Departmental rules, acts of moral turpitude, or any other act which would seriously undermine the candidate's credibility in the new position. The Chief will notify in writing, within five business days, any candidate so removed.

A candidate may be temporarily suspended from the promotional eligibility list pending an investigation related to violations as stated in the paragraph above. The Chief will notify in writing, within five business days, any candidate so suspended. A candidate suspended from the promotional eligibility list may be reinstated to the list depending on the outcome of the relevant investigation.

Discipline that results in the loss of time or pay will result in the permanent removal of the suspended candidate from the promotional list. If the candidate is later proved not at fault, the candidate will be reinstated to the promotional list at their previous ranking. A reinstated candidate whose ranking has been passed over on the applicable active promotional list will receive the commensurate increase in pay upon promotion.

In the event that the applicable promotional list expires while a candidate was temporarily suspended and passed over for promotion, and the candidate was later proved not at fault, the candidate will be eligible for the next applicable promotional opportunity, regardless of the expiration of the list. Such a candidate will receive the commensurate increase in pay upon promotion.

Probationary Status

The Chief of Police will make promotions from the eligibility list in effect at the time a vacancy occurs. Newly promoted personnel shall serve at their new rank for a probationary period of six months in order to evaluate their ability to adapt to a new work situation (refer to City Standard Procedure 300-23).

REVIEW OF THE SELECTION PROCESS

The Process Coordinator shall have responsibility for coordinating a review of the individual components of the promotion procedures involved.

Review by Applicants

Each applicant may review his or her performance in the entire promotional process by making an appointment with the Police Human Resources Sergeant.

Review of Written Selection Procedures

Prior to the beginning of a promotion process, the Chief of Police will initiate a review of the written procedures used in the previous promotion process.

Recommendations for improvements in written promotional procedures would be approved through the normal Departmental Operating Instruction review process.

Adverse Impacts

The Police Human Resources Sergeant will include in the "Police Recruiting and Human Resources Annual Report" any adverse impacts that may have occurred from the promotional processes during the year.

DOI 1103-01
Attachment A

Raleigh Police Department Resume

Choose an item. _____
(Rank or Assignment)

Full Name: _____

Employee ID	Code Number	Primary Contact Number
Anniversary Date	Active Service Date	Equivalent Years of Service *(If Applicable)*
Current Assignment *(Division/District/Squad)*	Current Rank	Time at Current Rank *(Years and Months)*
Current Supervisor		Total Time with RPD *(Years and Months)*

Performance Evaluations *(Two Most Recent)*:

1: _____ - Choose an item. 2: _____ - Choose an item.
Date Rating Date Rating

Educational Record *(accredited institutions only)*:

Date	Institution	Major	Hours	Degree Earned

Commendations, Awards or Recognitions

Date	Award	Description

Assignment History within the Department

Date	Rank and Assignment Description

Certifications / Special Skills

Date	Description

DOI 1103-01
Attachment A

Raleigh Police Department Resume

Professional Specialized Training

Date	Total Hours	Description

STATEMENT: By signing this resume, I am asserting that I have not been subject to any departmental discipline that would prohibit my participation in the transfer / promotional process pursuant to DOI 1103-01. I also assert that I have met the other eligibility requirements set forth in the DOI for this transfer / promotional process.

Signature: _____ **Date:** _____

For Promotions:
Applicants are responsible for complying with the requirements of the appropriate promotional procedure or memo. This resume should be submitted electronically through Neogov to the City of Raleigh Personnel Office along with any other required paperwork prior to the application closing date.

For Transfers:
Applicants are responsible for complying with the requirements of the appropriate selection procedure or memo indicating selection requirements. This resume should be submitted to the Human Resources Sergeant to be forwarded to the Division in which the position is located.

Resume Instructions

- General
  - Do not change fonts, font sizes, alignments or any other formatting on the resume form.
  - If a field is not applicable, please leave it blank
  - As needed, rows may be added to the tables in order to add additional applicable information. For example, rows may be added to the Educational Record table to provide additional institutions or degrees. To add a row, simple press the TAB key when the cursor is in the rightmost box of the bottom row of the table.
  - The definition of Active Service and Equivalent Service is located in DOI 1103-01.
  - When a field requests "Years and Months", the appropriate format is "XX years and YY months"

- Educational Record
  - The Date field should be formatted "MM/YYYY – MM/YYYY" for the time attending the institution; if still attending, format as "MM/YYYY – present"
  - The Hours field should contain the number of credit hours earned
  - If a degree is pending, add "(pending)" to the field

- Commendations, Awards or Recognitions
  - The Date field should be formatted "MM/YYYY"
  - The Award field should contain the title of award, for example "Lifesaving Award", "Letter of Recognition", "Chief's Citation", "Officer of the Year – Rotary Club"

- Assignment History within the Department
  - The Date field should be formatted "MM/YYYY – MM/YYYY" for the time in the assignment; if still assigned, format as "MM/YYYY – present"
  - Do not list transfers between beats within the same district, but district transfers should be listed separately

Resume Instructions

- Certification / Special Skills
  - The Date field should be formatted "MM/YYYY – MM/YYYY" for the time in which the certification or special skill was valid; if still valid, format as "MM/YYYY – present"
  - Examples of Certifications / Special Skills include, "Radar Operator", "General Instructor", "Spanish Fluency", "CIT", "Mobile Field Force"

- Professional Specialized Training
  - Do not list mandatory In-Service Training
  - The Date field should be formatted "MM/YYYY " based on when the training was completed
  - The Total Hours field should be the total credited hours received for the particular training

- Signature
  - The signature must be handwritten, even if the resume is then scanned and submitted electronically

Suggested Study Material for First Class Officer and Master Officer Reclassification Tests

- Departmental Operating Instructions
- Code of Ethics
- North Carolina Criminal law and Motor Vehicle Handbook
- Arrest, Search and Investigation in North Carolina (Farb)
- Raleigh Police Department Report Writing Guide
- North Carolina Elements of Crime Book and Supplements (Current Edition)

Specialized Unit Applicant

Captain's Review & Verification of Eligibility

(This verification of eligibility and evaluation is to be completed by the applicant's Captain or in the absence of the Captain, his/her designee)

Applicant Name and Code Number: _____

Position Applied for: _____

Based upon the criteria listed below, does this candidate meet the minimum qualifications to be eligible to apply for this position?

____ Yes

____ No (If the candidate is not eligible, they must be notified of their ineligibility in writing)

BASIC ELIGIBILITY REQUIREMENTS

The following eligibility requirements must be met on or before the posted closing date of application:

- Must be Master Officer or above with the Raleigh Police Department.
- Must have two consecutive years of active service with the Raleigh Police Department. Active service time starts on the first day of the Police Academy. The active service date for any employee who is re-hired by the Raleigh Police Department after they have been separated for any period of time shall be their new hire date.
- Officers must have at least an "Above Standard" or "Successfully Meets Expectations" evaluation for the previous two years.
- Officers must have no sustained disciplinary actions for the previous two years prior to the posted opening date of the process that resulted in a loss of time or pay (cases on appeal at the time of application will be excluded).

Captain or Designee

Verifying Eligibility :_____ **Date:**_____

Signature:_____

Specialized Unit Applicant

Captain's Review & Verification of Eligibility

(This verification of eligibility and evaluation is to be completed by the applicant's Captain or in the absence of the Captain, his/her designee)

Applicant Name and Code Number: _____

Position Applied for: _____

Respond to the following questions with a narrative that best indicates the applicant's behavior. There must be a narrative for each question.

1. How would you rate this officer's ability to make rational decisions?

2. How well does this officer perform in potentially dangerous situations?

3. Describe the officer's reliability – ability to be punctual, show up ready for work, and appropriate use of sick leave.

4. Rate the officer's ability to function as part of a team.

5. Rate the officer's overall level of professionalism.

6. Rate the officer's problem solving abilities.

7. Rate the officer's demonstrated level of self-initiated activity.

8. Describe the officer's ability to be successful in this position based upon any additional criterion listed for this specialized position, not already addressed in previous questions.

Form Completed by: _____ **DATE:** _____

DOI 1103-01
Attachment D

Specialized Unit
Interview Evaluation Form

Date:_____ **Candidate:**_____

Evaluator:_____

Performance Area	**Notes and Remarks**
Judgment	
Motivation and Initiative	
Knowledge	
Communication Skills	
Problem Solving Skills	
Leadership and Organizational Skills	

STRONG POTENTIAL FOR SUCCESS _____

POTENTIAL FOR SUCCESS _____

NEEDS FURTHER DEVELOPMENT _____

Form Completed by: _____ **DATE:** _____

THE RALEIGH POLICE DEPARTMENT

1103-02

TRAINING

PURPOSE

The purpose of this directive is to describe the responsibilities of the Police Training Staff in meeting State regulations and Departmental objectives. This procedure also describes the process used to select and retain instructors and procedures governing recruit training, in-service and specialized training, and firearms training.

VALUES REFLECTED

This directive reflects our values on *Service and Integrity*. Our greatest resource is our people. One of the essential keys to performing to the highest standards is job knowledge. We can maximize the benefits we provide the community by increasing the professionalism of our members through training.

UNITS AFFECTED

All Personnel

REFERENCES/FORMS

N.C. Administrative Code, Title 12, Chapter 9B, Sections .0202-.0205, .0209-.0211, .0218-.0219, .0404-.0405, and .0501-.05033
Academy Pre-Delivery Report Form
Academy Post-Delivery Report Form
Training Course Accreditation Form
DOI 1106-4 “Care of Equipment and Uniforms”
DOI 1108-8 “Firearms”
Waiver of Liability for Use of the Police Range

GENERAL POLICIES

Responsibility for providing or coordinating all training within the Department and fiscal control over training programs is vested with the Police Training Center and its Director.

To the extent that it is cost-effective, the Police Training Center should seek to develop expertise within the Department to carry out its training objectives.

The overall goal of the training function is to provide training for or coordinate the training of Departmental personnel to competently perform their duties. The objectives to be satisfied to accomplish this goal are:

- To provide basic recruit training to all new police officers that meets or exceeds the minimum standards as set forth by the North Carolina Criminal Justice Education and Training Standards Commission;
- To administer the Police Academy Training and Evaluation Program;
- To provide all sworn personnel with a minimum of 40 hours of in-service training on an annual basis;
- To conduct/coordinate specialized, advanced, and remedial training as needed;
- To periodically conduct training needs surveys;
- To update and revise lesson plans and curriculums as needed;
- Maintain accurate training records.

TRAINING DIRECTOR

The Police Training Director is responsible for the overall operation of the Training Center, the remote facilities, training programs, and for fiscal control of funds expended for out-of-house training.

Certification of the Training Center and Director

Under State regulations, the Training Center must be accredited and the School Director must be certified by the Criminal Justice Training and Standards Commission. In order to obtain certification, the Chief of Police must submit a written request to the Standards Commission. The Director must meet the education and experience requirements specified in NCAC, T12:09B 0501(b). The Director must also have attended the Criminal Justice School Director's orientation which is conducted by the Standards Commission. The School Director must also participate in annual training.

- The term of certification for Center Directors will be for three years. In order to maintain certification, a Director must attend the annual School Director's Conference conducted by the Standards Commission.

- The Director must maintain continuous certification during the period of time that training programs are being conducted.

Duties of the Director

The Training Director is responsible for the overall planning, development and delivery of all training programs.

- The Training Director will submit course pre-delivery and post-delivery reports as required by the Criminal Justice Training and Standards Commission.

- The Training Director will monitor the performance of instructors used in training programs and forward evaluations on forms provided by the Criminal Justice Training and Standards Commission.

- The Training Director will be responsible for certification of the Police Training Center, by the Standards Commission, every five years.

- The Training Director will ensure maintenance of records of training courses sponsored or delivered by the Training Center. These records are to include the names of attendees and instructors, delivery dates, and course descriptions.

- Out-of-house training documentation will be received and verified by the Training Director.

- The Training Director will review lesson plans for proposed training.

- The Training Director shall identify potential resources in the local public and private sectors that are available to enhance Departmental training programs and utilize them where feasible with the approval of the Chief of Police; in order to increase the effectiveness, improve coordination, and promote better understanding among criminal justice system agencies and the private sector. This includes, but is not limited to, other City Departments, County, State and Federal agencies, local colleges and universities, and other training partners.

- The Training Director shall provide training or Departmental instructors to outside criminal justice system agencies as approved by the Chief of Police.

COURSE COORDINATORS

The Police Training Director will designate a member of the training staff to serve as Course Coordinator for each program sponsored or delivered by the Training Center.

Attendance

Course Coordinators are responsible for verifying the attendance of those scheduled to attend training sessions. Absences or tardiness are to be reported to the Training Director for forwarding to the appropriate Division Commander.

Course Presentation

The Course Coordinator will arrange for the availability of any audio/visual aids and materials needed for the course presentation. The Course Coordinator will also arrange with the Training Director in the scheduling of instructors and assignment of duties among instructors.

Development of Lesson Plans

Course Coordinators will develop written lesson plans for programs under their direction. These lesson plans should follow a format provided by the Training Center, and should include a statement of performance objectives based on job-task analysis. The lesson plans should provide a basis for evaluating the effectiveness of the training program. Lesson plans should also contain testing methods to determine whether participants have mastered the knowledge or skills the course offers.

Resources to be considered in training course and lesson plan development consists of inspection reports, staff reports and/or meetings, consultation with field personnel and field observations, Training Committee reports, training evaluations, and an analysis of internal affairs complaints.

The Training Director will review the lesson plans to ensure consistency with Departmental goals and objectives and recommendations made by the Training Committee. Copies of new lesson plans will be submitted to the Administrative Division Commander for approval.

Course Discipline

The Course Coordinator is responsible for safety and order in the conduct of training sessions. Course coordinators may excuse from a training session any person, irrespective of rank, whose conduct they feel interferes with the safety or presentation of the course. These incidents will be reported immediately to the Training Director for further action. This should also be reported immediately to the highest ranking officer attending the session.

TRAINING COMMITTEE

The purpose of the Training Committee is to develop recommendations concerning ongoing training needs of the Department and apprising the Training Director of such recommendations in order to facilitate the development and revision of necessary training documents and lesson plans and coordination of required activities.

Composition of the Committee

Membership selection for the Training Committee is based on the personnel occupying the applicable functional positions. The Training Committee is chaired by the Chief of Police. Membership includes the Deputy Chief of Police, the Division Commanders, the Training Director, the Training Lieutenant, the Training Sergeants, and the Police Human Resources Sergeant. The Police Attorneys will serve as an ex-officio members.

Duties of the Training Committee

The Training Committee shall address, but is not limited to the following:

- The content of basic recruit and field training. Subjects mandated by the State may not be deleted, but subjects in addition to those may be recommended.

- The content and scheduling of in-service training programs.

- Projected vacancies at different ranks within the Department and the need to provide specialized and advanced training for replacements.

- Crime trends and the possible need to develop greater expertise in certain areas.

- An evaluation of on-going training programs. The evaluation process should include a review of new laws, court decisions, and Departmental directives.

The Training Director will keep minutes of each Training Committee meeting and any decisions shall be recorded.

TRAINING RECORDS

The Police Training Center is responsible for maintaining records of educational achievements of employees and of training programs conducted.

Employee Educational Achievements

The Training Center will maintain test scores of all personnel from the basic recruit academy and any additional training conducted by the Center. Training records on individual members should include in-service training attended, plus copies of any diplomas submitted by the employee. Individual training records will be retained for one year from the time a member terminates employment with the City.

Records of Training Programs

The Training Center will maintain, indefinitely, records regarding course content of programs conducted by the Center. Such records should include the course title, dates and hours of the course, instructors used, a roster of attendees, and any make-up work required [refer to NCAC 09B.0201(c)]. Records should also include the test used to determine subject mastery and test scores for each person attending the course.

Instructor Files

The Training Center will maintain files on each certified instructor, including classes taught, evaluations, current certification forms, and other material relating to qualifications. Files on instructors, who are Departmental employees, will be maintained for one year past termination of employment with the City.

Field Training Officers

The Training Center will also maintain files on Field Training Officers to include training provided to FTO's, certification and active status, and any training conducted by the Field Training Officer (refer to DOI 1101-5 "Post Academy Training and Evaluation Program").

Access to Training Records by Outside Agencies

Only authorized representatives of the N.C. Criminal Justice Training and Standards Commission will be allowed unrestricted access to training records. All other access by outside persons or agencies must be approved by the Chief of Police.

The Training Director may release statistical summaries of courses taught, number of officers receiving instruction, etc., to research and other agencies. The names of personnel receiving the training should not be included in the summaries.

SELECTION OF INSTRUCTORS

Under State standards, an instructor may be certified under a "general"; "specific"; or "professional lecturer" status. Instructors who teach in high liability areas must possess specific certification. Certified instruction provided by the Police Training Center must be taught by instructors who are certified by the North Carolina Criminal Justice Education and Training Standards Commission.

The Training Center will be staffed by full-time personnel. Part-time instructors will be used to deliver training courses when needed.

In order to maintain certification, an instructor must instruct a minimum number of hours and remain competent within their field.

The number of instructors selected and maintained on active status will depend on the instructional content and the amount of classes provided by the Police Training Center. These assignments shall be for a minimum period of two years where feasible or at the discretion of the Chief of Police, based on Departmental needs.

All other Departmental personnel utilized as instructors shall be assigned to the Training Center on a part-time basis to conduct training in their respective areas of expertise or certification. The criteria for selection and use of outside agency instructors shall conform to State standards relative to general, specific, or professional lecturer status. All outside and Departmental instructors utilized in training programs conducted by the Department shall be supervised by the Training Director or Training Sergeants in order to ensure appropriate training material delivery, demeanor, and appearance.

Submission of Requests

Officers who wish to be utilized as instructors should submit requests to the Training Director, and indicate any special skills or attributes which they possess. Preference will be given to those officers who are already assisting the Training Center in its activities.

Training

The Training Director will recommend to the Chief of Police those officers the Director feels would be useful as instructors. Once the Chief has selected those to be trained as instructors, the Training Director will schedule the officers to attend the appropriate instructor training course.

Re-Certification

In order to maintain certification as an instructor, each instructor must teach a minimum number of hours prior to their renewal date. The Training Center will maintain a file on each instructor for the purpose of authenticating the number of hours taught. It is the responsibility of each instructor, though, to keep up with their renewal date so as to avoid a lapse in their certification.

SPECIFIC INSTRUCTOR CERTIFICATION

Instructors who teach in the high liability areas of subject control and arrest techniques (SCAT), first responder, hazardous materials, firearms, driver training, and physical activities must possess "specific" instructor certification.

Basic Requirements

"Specific" instructors must possess General Instructor certification. In addition, they must attend a Training and Standards Commission-approved course dealing with the area of their specialty.

Instructors in the area of medical services must be recognized by the North Carolina Office of Emergency Medical Services as an EMT instructor/coordinator. In addition, they must be certified in CPR, and have taught a minimum of 60 hours in emergency medical services.

Specific Instructor Re-Certification

Specific Instructors will serve the first 12 months in a probationary status. Subsequent renewals will be for three-year periods. During the probationary period of each of the subsequent renewal periods, instructors must teach a minimum of 12 hours in the areas for which they are certified in order to maintain certification.

GENERAL INSTRUCTOR CERTIFICATION

Instructors for topics which are not expressly included under specific certification must possess General Instructor Certification. In addition, Specific Instructors must fulfill the requirements for General Certification prior to receiving Specific Certification.

Requirements for General Certification

Officers seeking General Instructor Certification must possess a combination of education and experience as specified in NCAC T12:09B.0302(1). In addition, they must complete a Criminal Justice Standards Commission-accredited instructor training course.

Renewal of General Instructor Certification

General Instructors must serve the first twelve months in a probationary status. During this probationary period they must successfully instruct a minimum of twelve hours in an accredited course and receive a favorable recommendation from the Training Director. Subsequent renewals are for three-year periods, during which time the instructor must teach a minimum of 12 hours to maintain certification.

PROFESSIONAL LECTURER CERTIFICATION

The Police Training Center may utilize instructors in specialized areas such as law, medicine, or psychology who possess Professional Lecturer Certification.

Topical Areas

Instructors with Professional Lecturer Certification may be used in the following areas.

- ABC laws and procedures
- Constitutional or criminal law
- Deviant behavior
- Emergency medical services
- Juvenile laws and procedures
- Laws on arrest, search, and seizure
- Motor vehicle laws
- Preparing for and testifying in court

Conditions on Professional Lecturer Certification

Certification of Professional Lecturers will be for three-year periods. Professional lecturers may participate in repetitions of the same training course or courses for which certification was granted, so long as there are no changes in the course content that would change the duties and responsibilities for the lecturer.

RADAR AND TD/SMI INSTRUCTORS

North Carolina regulations require separate certification and recertification stipulations for both Radar and Time Distance/Speed Measurement Instrument instructors.

Initial Requirements

In order to be certified as either a Radar or TD/SMI instructor, the officer must first hold General Instructor certification. In addition, TD/SMI instructors must first complete the Radar instructor certification process. Instructors must attend State approved courses dealing with the type of instrument for which the officer desires certification (NCAC, T12: 09B.0210 and .0211). Unless the officer possesses both Radar and TD/SMI certification, the officer may teach only in the area of Radar enforcement.

Re-Certification

Unlike the instructor certifications in other areas, Radar or TD/SMI instructors must attend specific re-certification classes prior to renewal. Instructors must complete recertification classes for Radar

instructors prior to being re-certified as a TD/SMI instructor. Certification and renewals will be for three-year periods, and instructors must complete re-certification within 12 months of expiration of their certificate. Otherwise, the instructor must go back through the initial certification process (NCAC, T12: 09B.0218-.0219).

BASIC RECRUIT ACADEMY

The Raleigh Police Training Center is required to abide by regulations of the N.C. Criminal Justice Education and Training Standards Commission in providing training to police recruits. Responsibility for conduct of the Basic Recruit Academy is vested in the Police Training Director. The Director is responsible for seeing that all State regulations for recruit training are met.

Successful Academy completion is dependent on the recruit maintaining a strict attendance record, achieving acceptable scores on the subjects presented, and passing a State comprehensive examination at the end of the academy. Failure to successfully complete academy training normally results in termination of employment.

PRE-RECRUIT ACADEMY PREPARATION

Adequate preparation normally requires that staff members begin their activities at least 90 days in advance of the anticipated starting date for a basic recruit academy.

Curriculum Review

The Police Training Director will receive proposed changes in training that have been approved through the Training Committee, along with any new curriculum changes mandated by the N.C. Criminal Justice Education and Training Standards Commission. The Director will see that these changes are reflected in training materials or presentations used in the Academy. The Academy curriculum may include subjects in addition to those mandated by the State, but may not delete those mandated by the State.

Scheduling Instructors

Once the Academy curriculum has been established, the Training Director must procure State-certified instructors for the Academy.

- No single instructor may be scheduled to teach more than 35% of the total hours of the basic recruit academy.
- Instructors for the high liability areas of SCAT, first responder, hazardous materials, firearms, driver training, and physical activities must possess “Specific Instructor” certification.
- The Training Director will provide each instructor with a State-approved course outline. The Training Director will review each instructor’s lesson plans and other instructional materials for conformance to State standards, and to minimize repetition of subject matter.

Training Aids

The Police Training Director will obtain copies of the "Basic Law Enforcement Training Manual" and any other publications and materials needed.

The N.C. Criminal Justice Standards Commission periodically reviews training videos and establishes a list of required videos for basic recruit training. The required videos must be purchased by the Department.

Pre-Delivery Report

No later than 15 days prior to the start of a basic recruit academy, the Training Director must submit a "Pre-Delivery Report" to the N.C. Criminal Justice Standards Commission. In addition, the Training Director must submit a copy of the Academy curriculum showing arrangement of topical presentations and proposed instructor assignments, plus a copy of Departmental rules regulating recruit participation and demeanor. Once the Academy curriculum is approved by the State, deviation from course content or failure to adhere to its State standards is unauthorized.

RECRUIT ACADEMY SESSIONS

At the start of an academy, each new trainee will be furnished an orientation handbook and the Rules of Conduct section of the Raleigh Police Manual. Trainees will be expected to conduct themselves according to the standards established for police officers.

Attendance

Trainees are required to abide by Departmental regulations regarding tardiness (DOI 1104-6) and sick leave (DOI 1104-7). Under State regulations, a trainee who misses more than five percent of the scheduled hours of an academy will not be permitted to graduate. Such absenteeism will usually result in dismissal.

Deficient Ratings

Recruits must demonstrate proficiency in all topical areas at the conclusion of that block of instruction. Students who fail to do so must request retesting. If a student fails a test, the Training Director will serve them with a final written warning that a second failure in the same subject area may result in their termination.

- Any additional training provided to the recruit will be provided during the trainee's off-duty time.
- Trainees will be retested in each of the deficient academic topic areas and must demonstrate proficiency by the end of the Academy.
- Trainees will be granted up to four hours of additional training for firearms qualification. For defensive driving and defensive tactics, additional training will be in accordance with BLET requirements and Departmental policy.
- Trainees will be issued up to 500 rounds of handgun ammunition or 100 rounds of shotgun ammunition for additional firearms training.

- Any trainee who fails to meet State standards, following the above listed additional training, will be listed as "deficient" in that topical area. The Police Training Director will then forward a recommendation to the Chief of Police concerning further personnel action.

Remedial Training for Recruits

The Chief of Police may authorize remedial training for trainee's who have accumulated failures in less than four topical areas. The trainee's attendance record and level of participation will be used in deciding whether to provide remedial training. The trainee will be allowed a reasonable period of time to become proficient and will be issued a "final written warning" that failure to correct the deficiency may result in termination. Trainees, who have accumulated failures in four or more topical areas, are subject to academic dismissal.

Academic Dismissal

Trainees may be dismissed for failing to meet academic standards prescribed by the Department and BLET. Dismissal will follow sufficient counseling and retesting in areas of deficiency as determined by the Chief of Police.

Lateral Academy

A Lateral Academy will be offered to recruits who, at the time of hire, hold a valid North Carolina BLET certification, who have at least two years of prior law enforcement experience, or who are eligible for Probationary Certification by the State (and are within one year of completion of the NC BLET State exam).

Recruits who meet the above criteria at the time of hire must complete the following training requirements:

- Firearms training and qualification;
- State-mandated in-service training for the previous year; and
- Any training and testing that the Training Director deems necessary.

Out-of-state recruits and any in-state recruits whose North Carolina certification has been expired for a period of more than one year, but less than three years and who are issued a Probationary Certification by the state must complete the following training requirements:

- Firearms training and qualification;
- North Carolina Basic Law Enforcement Training Legal Unit;
- State Comprehensive Examination passing score; and
- Any training and testing that the Training Director deems necessary.

POST-ACADEMY REQUIREMENTS

Comprehensive State Examination

Following successful completion of the Basic Recruit Academy, the trainee will be scheduled for the mandatory Comprehensive State Examination. Failure to pass this examination will prevent the trainee from being certified as a police officer.

- A recruit who fails two units or less on the first attempt of the examination may request to be re-examined. The request must be submitted within 30 days of the initial test.

- The Police Training Director will prepare and forward to the Chief of Police a recommendation concerning the status of the trainee. It is within the Chief's discretion to retain the trainee in a non-sworn capacity, to suspend the trainee without pay for up to 30 days pending further testing, or to terminate the trainee's employment. The decision on which course of action to pursue will depend on the trainee's attendance and participation during the Basic Recruit Academy.

- The re-examination attempt must be made within 90 days of the first attempt. Trainees who fail this second attempt will be dismissed from employment.

Probationary Certification

The Criminal Justice Standards Commission will issue probationary certificates for those officers successfully passing the Comprehensive State Examination. The City Clerk or other judicial official must receive, sign, and date this certificate prior to administering the Oath of Office. A copy of the signed probationary certificate must be returned to the Standards Commission within 10 days of the Oath of Office.

Post-Delivery Report

Within 10 days of receipt of the test scores from the Comprehensive State Examination, the Police Training Director must submit a "Post-Delivery Report" to the Criminal Justice Standards Commission.

ADMINISTRATION OF POST-ACADEMY TRAINING

In order to ensure the continued competency of all employees, training should be viewed as a continuous process relying on on-the-job training, in-service training, and special purpose training.

Although most of the responsibility for developing training programs resides with the Police Training Center, responsibility for identifying training needs and goals remains with the separate divisions and the Training Committee.

Authority for post-academy training is vested in the Police Training Center and its Director.

Program Development

The Training Director will receive approved recommendations from the Training Committee, and develop objectives to meet those goals. The objectives should focus on the elements of the

job-task analysis for which training is needed, provide clear statements of what is to be learned, and a basis for evaluating participants and the effectiveness of the program.

Lesson Plans

The Training Director will receive and review lesson plans to ensure that the subject to be covered is adequately addressed and sequenced with other training materials. The lesson plans should also include the instructional method to be used and plans for evaluation of the participants.

Use of Testing

All employees are expected to successfully complete scheduled training. The method of evaluation and minimum acceptable scores will be included in the lesson plans submitted to the Training Director.

Course coordinators will notify the Training Director of any employee who fails to successfully complete training. The Director is responsible for forwarding recommendations on further action to the employee's Division Commander.

IN-SERVICE TRAINING

In-Service Training should be geared towards updating personnel on new laws, technical improvements, and revisions in agency policy. Information provided during in-service training will be utilized during promotional processes.

Mandatory Attendance

Attendance at scheduled in-service training programs is mandatory for all personnel. Division Commanders will be responsible for ensuring that their employees are scheduled to attend a particular session. The Division is to reschedule an employee for any hours missed due to absence or tardiness. The Training Center will document attendance and report absences and tardiness to Division Commanders. Failure to complete mandatory in-service training, to include on-line training, could result in the loss of the officer's Law Enforcement Certificate.

Training Topics

The content of in-service training should follow the recommendations of the Training Committee which are approved by the Chief of Police. A number of topics will be addressed on at least an annual basis:

- Firearms qualifications and less lethal weapons training
- CPR and first responder
- Legal changes or case rulings affecting law enforcement
- A review of police discretion and the use of force, especially deadly force
- An update on emergency contingency plans

- A review of the current Emergency Action Plan
- A review of new Departmental procedures, rules or regulations
- New investigative techniques or innovations
- Emergency vehicle operations
- Report writing and records systems procedures
- Bloodborne pathogens
- Hazardous materials
- Weaponless Control Techniques (SCAT)
- Ethics (All Personnel) will be addressed at least every two years

Evaluation Summary of Training Programs

Following the completion of each in-service training session, the Training Director will solicit responses from participants. A summary of the comments will be forwarded to the Administrative Services Division Commander and Division Commanders of those Divisions which received the training.

SPECIALIZED TRAINING

In order to perform designated job functions, certain skills or certifications beyond that provided by entry-level training or orientation may be required. The Police Training Center is responsible for developing specialized training, either in-house or out-of-house, where such training is required.

Positions Requiring Specialized Training

The following job positions require specialized training, either prior to assignment or immediately following assignment. Where post-assignment training is indicated, this training should be initiated within 30 days of assignment.

- Selective Enforcement Unit personnel (post-assignment)
- Radar or Time Distance/Speed Measurement Instrument Operators (pre-assignment)
- Animal Control personnel (post-assignment)
- Polygraph Operators (pre-assignment)
- NCIC/DCI Terminal Operators (pre-assignment)
- K-9 Officers (post-assignment)
- Critical Incident Negotiators (pre-assignment)

- Field Training Officers (pre-assignment)
- First-Line Supervision (post-assignment)
- Motorcycle Unit (post-assignment)
- Bicycle Officers (post-assignment)
- Mounted Officers (post-assignment)
- Patrol Rifle Officer (pre-assignment)

Administration and Delivery of Training

The Training Center should assume primary responsibility for identifying administrative, legal, and policy issues associated with specialized positions. Specialized training should be closely coordinated with experienced line personnel, so that the maximum benefits of formalized training and structured on-the-job training may be derived. The Training Center will ensure that all specialized training has clear standards to measure trainee performance. Those who do not successfully meet all standards will be returned to their previous assignment.

ADVANCED TRAINING

Advanced training refers to training which is normally conducted out-of-house, such as that provided by the N.C. Justice Academy or the FBI National Academy. It is aimed at enhancing the management skills or leadership abilities which personnel already possess.

Notification

The Police Training Director will maintain a listing of advanced training courses available to employees. This list should be developed according to training needs identified by the Training Committee with funds being appropriated through the normal budgetary process. Training Center staff will post notice of the dates and the job classification of employees eligible to attend advanced training.

Selection

Employees wishing to attend a particular advanced training course should submit a request through their normal chain of command. They should be certain to include any qualifications which they feel would enhance their suitability for the training.

Division Commanders will review requests from personnel under their command, and forward recommendations to the Chief of Police. Preference will be given to employees according to rankings on promotional eligibility lists.

Reimbursement for Expenses

Persons selected to receive advanced training will be notified by the Police Training Center at least two weeks prior to the start of the training. The employee must contact the Fiscal Unit and complete a travel voucher for the out-of-house training. The employee must submit expense

receipts to the Fiscal Unit within five working days of return in order to receive proper reimbursement. Along with expense receipts, the employee will submit documentation that they successfully completed the course. Employees who do not supply such documentation will not be reimbursed.

All personnel attending such training must be aware that some training techniques that may be taught during out-of-house courses may be in conflict with Departmental Operating Procedures and/or training standards. Departmental Procedures will always take precedent.

FIREARMS/CONDUCTED ENERGY DEVICES (CED) TRAINING AND QUALIFICATIONS

Firearms/CED training comprises a critical link in Departmental operations. Staff members charged with carrying out this training are to see that it is carried out safely and according to regulations. Certified Firearms/CED instructors are responsible for accurately evaluating the Firearms/CED proficiency of officers, and remedying any deficiencies which occur.

Training

Officers will receive annual Departmental training on the proper use, carry and operation of firearms and CEDs, as well as lead awareness training related to the use of firearms and ammunition. Officers must demonstrate proficiency with all firearms and weapons carried. They must demonstrate and display an understanding of the operation and nomenclature of each weapon as well as the legal and Departmental restrictions. All officers will be issued copies of and instructed on DOI 1108-01 “Use of Force” and DOI 1108-08 “Firearms” prior to being authorized to carry a firearm or less lethal weapon.

Police recruits will be properly instructed and tested on firearms restrictions and will utilize weapons for training purposes only. Specifically, all officers must display an understanding of:

- Justifications for the use of deadly force.
- Departmental restrictions on carrying weapons on and off-duty.
- Legal restrictions on carrying concealed weapons both in and outside the officer’s jurisdiction.

Qualification

Officers must qualify semi-annually with all firearms carried on and off duty. Officers must qualify annually with all issued CEDs. Officers must qualify with all other Departmental less lethal weapons issued to them at least every two years. Departmental personnel are not authorized to carry firearms or less lethal weapons, in a law enforcement capacity, either on or off duty with which they have not qualified.

Officers must semi-annually obtain a minimum score of 75% with their issued handgun on the approved In-Service Handgun Qualification courses. Officers must qualify on the approved shotgun courses of fire at least once per year. The courses of fire along with qualification documentation will be kept on file at the Raleigh Police Training Center. Any officer who scores below 80% on any

of the approved qualification courses of fire will participate in mandatory remedial firearms training. The remedial training will be approved by the training staff.

In order to maintain status as a rifle officer, officers must qualify semi-annually with a minimum score of 80% on the approved Rifle Qualification courses. Any officer who scores below 80% on the approved qualification courses of fire must participate in mandatory remedial firearms training. Officers may not possess a rifle until such time as they score a minimum of 80% on the remedial courses of fire. Failure to achieve adequate scores on the remedial courses of fire will result in the revocation of the officer's status as a rifle officer.

Officers who are issued weapons by the US Marshalls, ATF, FBI, or DEA for a Federal Task Force assignment must complete all training and qualification requirements of the issuing agency. The weapons, ammunition, and qualification requirements will be reviewed by the Raleigh Police Training Lieutenant to ensure consistency with Raleigh Police policies and standards. If the Training Lieutenant determines that the weapons, ammunition, or qualification requirements are not consistent with Raleigh Police policies and standards, he/she shall immediately document his/her findings in a memo to the Chief of Police. Upon receipt of such notification, the Chief of Police will make a final determination as to whether the officer will be permitted to carry the weapon(s) issued by the Federal Law Enforcement Agency.

Failure to Qualify

If an officer fails to qualify with any issued or authorized firearm, the officer will not be allowed to carry or use that firearm. Officers who fail to qualify with their Departmental issued weapons must turn their weapons in to the certified firearms instructor in charge of the training immediately.

Officers who fail to qualify with their issued weapons will be assigned remediation with a certified firearms instructor on the next available working day after the attempted qualification. The officer may receive up to 16 hours of remediation and another attempt at qualification. The officer may not have access to their weapon until a successful qualification has been achieved.

The officer will be assigned to administrative duties. If the officer still fails to qualify after 16 hours of remedial training, the officer will be subject to disciplinary action to include termination. The matter will be referred to the Chief of Police for further action.

Violations of firearms policies and regulations will be handled as serious violations. Violations will result in disciplinary action that may include the loss of the privilege to carry a firearm and up to dismissal.

Off-Duty and Personal Weapons

The Firearms Review Committee will review and produce a list of approved off-duty and personal weapons annually. The list will be approved by the Chief of Police and be kept on file at the Raleigh Police Training Center. Officers are not authorized to carry weapons or ammunition, either on or off duty, that are not on the approved list and with which they have not qualified at least semi-annually.

The type, model, and serial number of personal firearms and the ammunition carried by an officer must be recorded on the North Carolina State F-9 Firearms Qualification Form. A certified firearms

instructor or the Police Armorer must inspect and approve all off-duty firearms and ammunition prior to their use.

Officers who carry personal firearms on or off duty will receive documented annual Departmental training. The training will include a review of laws and Departmental operating instructions regarding carrying concealed weapons and a review of firearms safety regulations. In addition to the training and qualification, officers must demonstrate and show an understanding of the nomenclature, proper loading and unloading, and operation of their personal weapons.

After training and successful qualification, if the officer intends to carry their personal weapon on duty, the officer will complete a Declaration to Carry Form, which will be kept on file at the Raleigh Police Training Center.

After training and successful qualification, if the officer intends to carry their personal weapon off-duty, the officer will be issued a Proof of Qualification Card, indicating the manufacturer, model, and serial number of the personal weapon(s). This card must be carried at all times while the officer is carrying a concealed personal weapon. Expired Proof of Qualification Cards must be surrendered to Internal Affairs. If the card is lost or stolen, the officer's immediate supervisor and Internal Affairs must be notified in writing within 24 hours.

Officers will not carry any weapons or ammunition that is not approved on the Off-Duty and Personal Weapons and Ammunition list.

FIREARMS MAINTENANCE AND TESTING

All firearms testing and repair will be done under the supervision of a certified armorer assigned to Training.

Receipt of New Firearms

Upon purchasing new firearms, the Armorer will receive and inventory the firearms according to property control procedures. Prior to issuance, the Armorer will sight and test fire each firearm.

Annual Maintenance

The Armorer will arrange annual inspections and maintenance of firearms issued to officers. Indications of attempts by officers to adjust or disassemble the trigger mechanism or other internal parts of a weapon are to be reported to that officer's Division Commander. Indications of negligence in care or cleaning of weapons are also to be reported.

Firearms Repair

Officers who feel their firearm is unsafe or in need of repair should take the firearm to the Armorer. Repairs to firearms are only to be undertaken by the Armorer. If the Armorer is unable to immediately repair a weapon, the officer will be issued a temporary replacement by the Armorer, while his/her assigned weapon is being repaired. Should a weapon need to be returned to the factory, the weapon will be returned by the Armorer.

USE OF THE POLICE FIRING RANGE

Inherent dangers are involved in the discharge of firearms, and the utmost safety precautions must be followed.

Safety

All firearms training conducted at the Raleigh Police Firing Range will be under the supervision of a certified firearms instructor. The certification must be by a nationally recognized agency, such as the NCJA, F.B.I. or the N.R.A. The certified instructor will ensure that appropriate safety regulations are complied with, including the use of ballistic vests and eye and ear protection by persons on the range. The range officer may dismiss from training any officer, irrespective of rank, for conduct which compromises the safety of the training. Safety violations are to be documented and forwarded to the Administration Division Commander [refer to 1104-1 "Introduction to Rules of Conduct, Supervision During Training"].

Personnel must pick up all brass or live rounds using provided equipment.

Care of the Range and Facilities

All targets, backboards, or trash are to be removed from the range following the completion of shooting. No private vehicles are to be driven onto the range; they must remain parked in designated parking areas.

Use of Range by Outside Agencies

Outside police agencies may request permission to use the Raleigh Police Range in order to conduct their firearms training. To do so, the requesting agency head must sign a waiver of liability. The requesting agency must indicate the type of training, weapons and ammunition to be used. Explosive or incendiary devices are not permitted. A certified firearms instructor must be present during all training.

THE RALEIGH POLICE DEPARTMENT

1103-03

PROMOTION TO DETECTIVE

PURPOSE

This policy establishes the steps to be followed for promotion to the position of Detective.

VALUES REFLECTED

This directive reflects our values of *Fairness and Integrity*. By acting in concert with these instructions we demonstrate that we practice honesty and are forthright in our internal dealings as well as externally. In filling our internal vacancies we will be impartial and fair and choose those who can best meet the standards needed to perform in specialized positions.

UNITS AFFECTED

All Divisions/All Personnel
City Human Resources Office

REFERENCES/FORMS

City SOP 300-18 "Appeals Process – Administration of Grievances"
City SOP 300-22 "Recruitment/Selection Procedure"
DOI 1103-01 "Officer Reclassification, Lateral Selection Processes for Specialized Assignments and Promotions"

GENERAL POLICIES

The promotion process and selection for qualified Detectives will be administered fairly and impartially using evaluation criteria that assess a candidate's likely future success as a Detective. This process seeks to encourage further development in those who are not selected for promotion, as well as for those who are. The Chief of Police will name a Process Coordinator to administer the promotional process.

The Chief of Police or designee will select a testing firm to coordinate the selection process for Detective.

BASIC ELIGIBILITY REQUIREMENTS

All Raleigh Police personnel who meet the following requirements on or before the posted closing date of application are eligible to compete in the promotional process for Detective:

- Officers must have four years of equivalent or active service and attained the rank of Master Officer or above, with at least two years of continuous (unbroken) experience at the Raleigh Police Department prior to the posted closing date of application.

- Officers must have received a rating of "Above Standard," "Successfully Meets Expectations," or higher on their annual performance evaluations for the previous two years.

- Officers must have no sustained disciplinary actions for the previous two years that resulted in a loss of time or pay.

Applicants who fail to meet all of the above requirements will not be eligible to participate in the promotion process for Detective.

APPLICATION PROCESS

For instructions on making application and other application procedures, see DOI 1103-01 "Officer Reclassification, Lateral Selection Processes for Specialized Assignments and Promotions."

The City of Raleigh Human Resources Office will post notice of Detective vacancies and accept applications and resumes electronically through CORECON (Vacancies icon).

All eligible candidates who intend to participate in the Detective promotional process must personally complete and electronically submit an application and resume (attachment A to DOI 1103-01) through Neogov on CORECON, (Vacancies icon), on or before the posted cut-off date. Each candidate will go to the City of Raleigh Internal Posting website to create a Neogov account to apply. The candidate will be required to upload his/her resume into his/her Neogov application. Applications must be submitted on or before the posted closing date. Each candidate will receive an email receipt once their application has been submitted. The application may not be submitted in person or by mail.

All resumes of those applicants applying for promotion to Detective will be forwarded to the Process Coordinator. The Process Coordinator will then forward the names of officers intending to take part in the promotional process to their respective command staff, who shall be responsible for verifying the eligibility requirements. Any applicant who does not meet the basic eligibility requirements will be

notified by their highest ranking supervisor in writing stating the reason for ineligibility. Verification of eligibility or ineligibility shall be sent to the Process Coordinator.

The Process Coordinator will review the verifications that the basic eligibility requirements have been met. The Process Coordinator will forward a list of applicants who are eligible to take part in the promotional process to the City Human Resources Office.

Any false or misstatements of fact or material will result in the candidate being removed from the process and subject to disciplinary action.

All applications and resumes of those candidates applying for promotion to Detective will be forwarded electronically to the Process Coordinator.

APPEAL OF ELIGIBILITY

Any candidate who elects to appeal the eligibility component of the promotion process should send an appeal to their highest ranking supervisor within five business days of being notified that they are not eligible to participate.

WRITTEN EXAMINATION

Reference Materials
At least ninety (90) days prior to the administration of the written examination, all potential candidates will be furnished a reading materials list. All questions on the exam will be referenced to the content of the text or documents on the list.

Candidate Orientation
The testing firm will offer an orientation session for the written exam and assessment center. This session will be recorded and made available so candidates that could not attend the session can review it at a later date. The testing firm will provide a means for candidates that could not attend the orientation session to ask questions and have those questions answered.

Administration of the Written Examination
The Process Coordinator will post notices concerning the time, date, and location of the written examination for Detective. The written examination will be administered by the testing firm.

Challenges to the Written Examination Questions
Challenges to any written examination questions must be made during the review immediately following the written examination.

Completion of Examination Phase
A list of all the candidates and their scores will be compiled by the testing company. Only candidates who achieved the cut-off score or greater on the written exam will be permitted to continue in the promotional process.

ASSESSMENT CENTER

Only candidates that successfully pass the written examination will be permitted to continue to the assessment center portion of the promotional process. The orientation for the assessment center will be provided concurrently with the orientation for the written examination. This orientation will be recorded and will be available for candidates to review up to the day before the assessment center begins.

The Process Coordinator will schedule all eligible candidates to participate in an assessment center. The assessment center exercises will evaluate each candidate on a series of criteria determined by the testing firm to be indicative of success at the rank of Detective.

Following the completion of the assessment center exercises, candidates' scores for each exercise will be compiled by the testing firm. These exercise scores will be combined into an overall score for the assessment center.

WEIGHTING FACTORS AND OVERALL SCORE

The testing firm will rank the candidates for promotion in descending order, using the weighted scores of the following components:

- Written Exam 20%
- Assessment Center 80%

WRITTEN NOTIFICATION

When the promotional process is completed, candidates will receive a results notice that will include their final score for the process as well as their written exam score, their assessment center exercise scores, and their overall assessment center score. Each candidate will also receive a summary form on their performance during the assessment center as well as strategies for improvement.

PROMOTIONS

Promotions to the rank of Detective will be made by the Chief of Police from the candidates on the established ranked promotional list. Per DOI 1103-01, for just cause, the Chief of Police may remove a candidate from a promotion eligibility list.

DURATION OF THE LIST

The ranked promotion list will remain in effect for six (6) months from the date of the first promotion from the list. The list may be extended if the Chief of Police determines that it is in the best interest of the Department, not to exceed eighteen (18) months from the date of the first promotion from the list.

APPEALS

Candidates may appeal the promotion process in accordance with DOI 1105-01 "Discipline, Appeals, and Grievances" and SOP 300-18 "Appeals Process – Administration of Grievances."

THE RALEIGH POLICE DEPARTMENT

1103-04

PROMOTION TO SERGEANT

PURPOSE

This policy establishes the steps to be followed for promotion to the position of Sergeant.

VALUES REFLECTED

This directive reflects our values of *Fairness and Integrity*. Promotion to this rank will be based on merit and will begin with the objective identification and evaluation of eligible individuals who possess the skills, knowledge and abilities, and exhibit the ability to perform at a higher level.

UNITS AFFECTED

Sworn Personnel
City Human Resources Office

REFERENCES/FORMS

City SOP 300-18 "Appeals Process – Administration of Grievances"
City SOP 300-22 "Recruitment/Selection Procedure"
DOI 1103-01 "Officer Reclassification, Lateral Selection Processes for Specialized Assignments, and Promotions"

GENERAL POLICIES

The promotion process and selection for qualified Sergeants will be administered fairly and impartially using evaluation criteria that assess a candidate's likely future success as a Sergeant. This process seeks to encourage further development in those who are not selected for promotion, as well as for those who are. The Chief of Police will name a Process Coordinator to administer the promotional process.

The Chief of Police or designee will select a testing firm to coordinate the selection process for Sergeant.

BASIC ELIGIBILITY REQUIREMENTS

All Raleigh Police personnel who meet the following requirements on or before the posted closing date are eligible to compete in the process for promotion to Sergeant:

- Officers must have six years equivalent or active service and attained the rank of Master Officer or above with at least four years of continuous (unbroken) experience at the Raleigh Police Department prior to the posted closing date of application.

- Officers must have no sustained disciplinary actions for the previous two years that resulted in a loss of time or pay.

- Officers must have at least an "Above Standard" or "Successfully Meets Expectations" annual performance evaluation rating for the previous two years.

- Officers must possess at least an Associate Degree or have successfully completed two years of college (60 semester hours or the college credit equivalent) from an accredited college or university by the posted closing date of application.

APPLICATION PROCESS

For instructions on making application and other application procedures, see DOI 1103-01 "Officer Reclassification, Lateral Selection Processes for Specialized Assignments, and Promotions."

The City of Raleigh Human Resources Office will post notice of Sergeant vacancies and accept applications and resumes electronically through CORECON (Vacancies icon).

All eligible candidates who intend to participate in the Sergeant promotional process must personally complete and electronically submit an application and resume (attachment A to DOI 1103-01) through Neogov on CORECON, (Vacancies icon), on or before the posted cut-off date. Each candidate will go to the City of Raleigh Internal Posting website to create a Neogov account to apply. The candidate will be required to upload his/her resume into his/her Neogov application. Applications must be submitted on or before the posted closing date. Each candidate will receive an email receipt once their application has been submitted. The application may not be submitted in person or by mail.

All resumes of those applicants applying for promotion to Sergeant will be forwarded to the Process Coordinator. The Process Coordinator will then forward the names of officers intending to take part in the promotional process to their respective command staff, who shall be responsible for verifying the eligibility requirements. Any applicant who does not meet the basic eligibility requirements will be notified by their highest ranking supervisor in writing stating the reason for ineligibility. Verification of eligibility or ineligibility shall be sent to the Process Coordinator.

The Process Coordinator will review the verifications that the basic eligibility requirements have been met. The Process Coordinator will forward a list of applicants who are eligible to take part in the promotional process to the City Human Resources Office.

Any false or misstatements of fact or material will result in the candidate being removed from the process and subject to disciplinary action.

All applications and resumes of those candidates applying for promotion to Sergeant will be forwarded electronically to the Process Coordinator.

APPEAL OF ELIGIBILITY

Any candidate who elects to appeal the eligibility component of the promotion process should send an appeal to their highest ranking supervisor within five business days of being notified that they are not eligible to participate.

WRITTEN EXAMINATION

Reference Materials

At least ninety (90) days prior to the administration of the written examination, all potential candidates will be furnished a reading materials list. All questions on the exam will be referenced to the content of the text or documents on the list.

Candidate Orientation

The testing firm will offer an orientation session for the written exam and assessment center. This session will be recorded and made available so candidates that could not attend the session can review it at a later date. The testing firm will provide a means for candidates that could not attend the orientation session to ask questions and have those questions answered.

Administration of the Written Examination

The Process Coordinator will post notices concerning the time, date, and location of the written examination for Sergeant. The written examination will be administered by the testing firm.

Challenges to the Written Examination Questions

Challenges to any written examination questions must be made during the review immediately following the written examination.

Completion of Examination Phase

A list of all the candidates and their scores will be compiled by the testing company. Only candidates who achieved the cut-off score or greater on the written exam will be permitted to continue in the promotional process.

ASSESSMENT CENTER

Only candidates that successfully pass the written examination will be permitted to continue to the assessment center portion of the promotional process. The orientation for the assessment center will be provided concurrently with the orientation for the written examination. This orientation will be recorded and will be available for candidates to review up to the day before the assessment center begins.

The Process Coordinator will schedule all eligible candidates to participate in an assessment center. The assessment center exercises will evaluate each candidate on a series of criteria determined by the testing firm to be indicative of success at the rank of Sergeant.

Following the completion of the assessment center exercises, candidates' scores for each exercise will be compiled by the testing firm. These exercise scores will be combined into an overall score for the assessment center.

WEIGHTING FACTORS AND OVERALL SCORE

The testing firm will rank the candidates for promotion in descending order, using the weighted scores of the following components:

- Written Exam 20%
- Assessment Center 80%

WRITTEN NOTIFICATION

When the promotional process is completed, candidates will receive a results notice that will include their final score for the process as well as their written exam score, their assessment center exercise scores, and their overall assessment center score. Each candidate will also receive a summary form on their performance during the assessment center as well as strategies for improvement.

PROMOTIONS

Promotions to the rank of Sergeant will be made by the Chief of Police from the candidates on the established ranked promotional list. Per DOI 1103-01, for just cause, the Chief of Police may remove a candidate from a promotion eligibility list.

DURATION OF THE LIST

The ranked promotion list will remain in effect for six (6) months from the date of the first promotion from the list. The list may be extended if the Chief of Police determines that it is in the best interest of the Department, not to exceed eighteen (18) months from the date of the first promotion from the list.

APPEALS

Candidates may appeal the promotion process in accordance with DOI 1105-01 "Discipline, Appeals, and Grievances" and SOP 300-18 "Appeals Process – Administration of Grievances."

THE RALEIGH POLICE DEPARTMENT

1103-05

PROMOTION TO LIEUTENANT

PURPOSE

This policy establishes the steps to be followed for promotion to the position of Lieutenant.

VALUES REFLECTED

This directive reflects our values of *Fairness and Integrity*. Promotion to this rank will be based on merit and will begin with the objective identification and evaluation of eligible individuals who possess the skills, knowledge and abilities, and exhibit the ability to perform at a higher level.

UNITS AFFECTED

Sworn Personnel
City Human Resources Office

REFERENCES/FORMS

City SOP 300-18 "Appeals Process – Administration of Grievances"
City SOP 300-22 "Recruitment/Selection Procedure"
DOI 1103-1 "Officer Reclassification, Lateral Selection Processes for Specialized Assignments and Promotions"

GENERAL POLICIES

The promotion process and selection for qualified Lieutenants will be administered fairly and impartially using evaluation criteria that assess a candidate's likely future success as a Lieutenant. This process seeks to encourage further development in those who are not selected for promotion, as well as for those who are. The Chief of Police will name a Process Coordinator to administer the promotional process.

The Chief of Police or designee will select a testing firm to coordinate the selection process for Lieutenant.

BASIC ELIGIBILITY REQUIREMENTS

All Raleigh Police personnel who meet the following requirements on or before the posted closing date are eligible to compete in the process for promotion to Lieutenant.

- Must have three (3) years of service as a Sergeant on the Raleigh Police Department.
- Officers must have six years equivalent or active service prior to the posted closing date of application.
- Officers must have no sustained disciplinary actions for the previous two years that resulted in a loss of time or pay.
- Officers must have at least an "Above Standard" or "Successfully Meets Expectations" annual performance evaluation rating for the previous two years.
- Must possess at least an Associate Degree or have successfully completed two years of college (60 semester hours or the college credit equivalent) from an accredited college or university by the posted closing date of application.

APPLICATION PROCESS

For instructions on making application and other application procedures, see DOI 1103-01 "Officer Reclassification, Lateral Selection Processes for Specialized Assignments, and Promotions."

The City of Raleigh Human Resources Office will post notice of Lieutenant vacancies and accept applications and resumes electronically through CORECON (Vacancies icon).

All eligible candidates who intend to participate in the Lieutenant promotional process must personally complete and electronically submit an application and resume (attachment A to DOI 1103-01) through Neogov on CORECON, (Vacancies icon), on or before the posted cut-off date. Each candidate will go to the City of Raleigh Internal Posting website to create a Neogov account to apply. The candidate will be required to upload his/her resume into his/her Neogov application. Applications must be submitted on or before the posted closing date. Each candidate will receive an email receipt once their application has been submitted. The application may not be submitted in person or by mail.

All resumes of those applicants applying for promotion to Lieutenant will be forwarded to the Process Coordinator. The Process Coordinator will then forward the names of officers intending to take part in the promotional process to their respective command staff, who shall be responsible for verifying the eligibility requirements. Any applicant who does not meet the basic eligibility requirements will be notified by their highest ranking supervisor in writing stating the reason for ineligibility. Verification of eligibility or ineligibility shall be sent to the Process Coordinator.

The Process Coordinator will review the verifications that the basic eligibility requirements have been met. The Process Coordinator will forward a list of applicants who are eligible to take part in the promotional process to the City Human Resources Office.

Any false or misstatements of fact or material will result in the candidate being removed from the process and subject to disciplinary action.

All applications and resumes of those candidates applying for promotion to Lieutenant will be forwarded electronically to the Process Coordinator.

APPEAL OF ELIGIBILITY

Any candidate who elects to appeal the eligibility component of the promotion process should send an appeal to their highest ranking supervisor within five business days of being notified that they are not eligible to participate.

PROFESSIONAL BIOGRAPHY

Written Biography

All candidates for the position of Lieutenant will prepare, within guidelines provided by the testing firm, a written biography. Candidates will be given at least fourteen (14) days' notice between the distribution of the biography guidelines and the required due date for the biography. Biographies will be forwarded to the Process Coordinator. The Process Coordinator will disseminate the biographies to the individual candidate's chain of command for fact-checking purposes. The verified biography will be returned to the Process Coordinator. The candidate will have an opportunity to review the final fact-checked version of the biography before it is again returned to the Process Coordinator.

Oral Presentation

The Process Coordinator will schedule all eligible candidates to participate in an oral presentation of their biography. The assessors will be provided a copy of the candidate's written biography for presentation purposes. The assessors will score the candidate based on a series of criteria that account for past experience and expected future success.

ASSESSMENT CENTER

The Process Coordinator will schedule all eligible candidates to participate in an assessment center. The assessment center exercises will evaluate each candidate on a series of criteria determined by the testing firm to be indicative of success at the rank of Lieutenant.

Following the completion of the assessment center exercises, candidates' scores for each exercise will be compiled by the testing firm. These exercise scores will be combined into an overall score for the assessment center.

WEIGHTING FACTORS AND OVERALL SCORE

The testing firm will rank the candidates for promotion in descending order, using the weighted scores of the following components:

- Biography Presentation 20%
- Assessment Center 80%

WRITTEN NOTIFICATION

When the promotional process is completed, candidates will receive a results notice that will include their final score for the process as well as their biography presentation score, their assessment center exercise scores, and their overall assessment center score. Each candidate will also receive a summary form on their performance during the biography presentation and assessment center, as well as strategies for improvement.

PROMOTIONS

Promotions to the rank of Lieutenant will be made by the Chief of Police from the candidates on the established ranked promotional list. Per DOI 1103-01, for just cause, the Chief of Police may remove a candidate from a promotion eligibility list.

DURATION OF THE LIST

The ranked promotion list will remain in effect for six (6) months from the date of the first promotion from the list. The list may be extended if the Chief of Police determines that it is in the best interest of the Department, not to exceed eighteen (18) months from the date of the first promotion from the list.

APPEALS

Candidates may appeal the promotion process in accordance with DOI 1105-01 "Discipline, Appeals, and Grievances" and SOP 300-18 "Appeals Process – Administration of Grievances."

THE RALEIGH POLICE DEPARTMENT

1103-06

PROMOTION TO CAPTAIN

PURPOSE

This policy establishes the steps to be followed for promotion to the position of Captain.

VALUES REFLECTED

This directive reflects our values of *Fairness and Integrity*. Promotion to this rank will be based on merit and will begin with the objective identification and evaluation of eligible individuals who possess the skills, knowledge and abilities, and exhibit the ability to perform at a higher level.

UNITS AFFECTED

Sworn Personnel
City Human Resources Office

REFERENCES/FORMS

City SOP 300-22 "Recruitment/Selection Procedure"
DOI 1103-1 "Officer Reclassification, Lateral Selection Processes for Specialized Assignments and Promotions"

GENERAL POLICIES

The promotion process and selection for qualified Captains will be administered fairly and impartially using evaluation criteria that assess past performance and other important criteria as described below. This process seeks to encourage further development in those who are not selected for advancement, as well as those who are. The Chief of Police will name a Process Coordinator to administer the promotional process.

BASIC ELIGIBILITY REQUIREMENTS

All Raleigh Police personnel who meet the following requirements on or before the posted closing date are eligible to compete in the process for promotion to Captain:

- Must have had at least one year of service as a Lieutenant on the Raleigh Police Department.
- Must possess at least an Associate's Degree or have successfully completed two years of college (60 semester hours or the college credit equivalent) from an accredited college or university by the posted closing date of application.

APPLICATION PROCESS

For instructions on making application and other application procedures, see "Notification and Process for Officer Promotions" and "Supervisor's Review" in DOI 1103-01 "Officer Reclassification, Lateral Selection Process for Specialized Assignments, and Promotions."

The City of Raleigh Human Resources Office will post notice of Captain vacancies and accept applications and resumes electronically through on CORECON, (Vacancies icon).

All eligible candidates who intend to participate in the Captain promotional process must personally complete and electronically submit an application and resume (Attachment A to DOI 1103-01) through Neogov on CORECON, (Vacancies icon), on or before the posted cut-off date. Each candidate will go to the City of Raleigh Internal Posting website to create a Neogov account to apply. The candidate will be required to upload his/her resume into his/her Neogov application. Applications must be submitted on or before the posted closing date. Each candidate will receive an email receipt once their application has been submitted. The application may not be submitted in person or by mail.

Any false or misstatements of fact or material will result in the candidate being removed from the process and subject to disciplinary action.

All applications and resumes of those candidates applying for promotion to Captain will be forwarded electronically to the Process Coordinator.

COMMANDER'S REVIEW

Commanders will complete a Commander's Review form (Attachment A) for each eligible candidate under their command. Upon completion of the Commander's Review form, Commanders will discuss the review with the candidate.

Review Criteria:

Commanders will review each candidate on the following criteria:

- Ability to understand problems
- Ability to develop strategy for problem solving
- Ability to delegate authority
- Ability to develop personnel under their command
- Writing ability
- Oral communication skills
- Ability to handle stress
- Work experience
- Education
- Decision-making ability
- Dedication and commitment to Department
- Disciplinary history
- Creativity/Innovation
- Alignment with Department's values
- Integrity/Honesty

CHIEF'S COMMITTEE

The Chief's Committee will consist of the Deputy Chiefs and all Division Commanders. The Committee will conduct an interview of each eligible candidate. Factors to be considered by the Chief's Committee in evaluating each candidate include, but are not limited to:

- The Commander's Review Form.
- The candidate's resume.
- The candidate's personnel file.
- Dependability and performance under stress.

- Leadership ability.
- Job knowledge, initiative, and innovation.
- Sound judgment and decision-making ability.
- Sensitivity to management problems and support for Departmental Policies.
- Management maturity and willingness to accept responsibilities.

PROMOTION

The Chief's Committee will recommend a list of eligible candidates to the Chief of Police. The candidates will be unranked and will be listed in alphabetical order. The Commander's Recommendation and the Chief's Committee Assessment will be forwarded to the Chief for his/her consideration, and thereafter, the Chief will select one or more finalists for interviews with the Chief. The Chief may select any of the eligible finalists, as necessary, to fill vacancies.

DURATION OF THE LIST

The non-ranked promotion list will remain in effect for six (6) months from the date of the first promotion from the list. The list may be extended if the Chief of Police determines that it is in the best interest of the Department, not to exceed 18 months from the date of the first promotion from the list.

APPEALS

Candidates may appeal the promotion process in accordance with D.O.I. 1105-01 "Discipline, Appeals, and Grievances" and S.O.P. 300-18 "Appeals Process – Administration of Grievances.

Promotion to Captain

Commander's Review

(This evaluation is to be completed by the candidate's most immediate supervisor. Only one Commander's Review form per candidate is to be submitted.)

Applicant:

Commander:

Provide a narrative for each criterion listed below that accurately represents that candidate's abilities. Narrative should include specific examples. There must be a narrative for each criterion.

Criterion

Ability to Understand Problems:

Ability to develop strategy for Problem Solving:

Ability to delegate authority:

Ability to develop personnel under their command:

Writing Ability:

Oral communication skills:

Ability to handle stress:

Work Experience:

Education:

Decision making ability:

Dedication and Commitment:

Disciplinary History:

Creativity/Innovation:

Alignment with Department's Values:

Integrity/Honesty:

Form Completed by:

Date:

THE RALEIGH POLICE DEPARTMENT

1103-07

PROMOTION TO MAJOR

PURPOSE

This policy establishes the steps to be followed for promotion to the position of Major.

VALUES REFLECTED

This directive reflects our values of *Fairness and Integrity*. Promotion to this rank will be based on merit and will begin with the objective identification and evaluation of eligible individuals who possess the skills, knowledge and abilities, and exhibit the ability to perform at a higher level.

UNITS AFFECTED

Sworn Personnel
City Human Resources Office

REFERENCES/FORMS

City Procedure 300-18 "Appeals Process – Administration of Grievances"
City Procedure 300-22 "Recruitment/Selection Procedure"
DOI 1103-1 "Officer Reclassification, Lateral Selection Processes for Specialized Assignments, and Promotions"

GENERAL POLICIES

The promotion process and selection for qualified Majors will be administered fairly and impartially using evaluation criteria that assess past and potential performance. This process seeks to encourage further development in those who are not selected for advancement, as well as those who are. The Chief of Police will name a Process Coordinator to administer the promotional process.

BASIC ELIGIBILITY REQUIREMENTS

All Raleigh Police personnel who meet the following requirements on or before the posted closing date are eligible to compete in the process for promotion to Major:

- Must be a Captain within the Raleigh Police Department for a minimum of six months.
- Must possess at least a Bachelor's Degree from an accredited college or university by the posted closing date of application.

APPLICATION

For instructions on making application and other application procedures, see "Notification and Process for Officer Promotions" and "Supervisor's Review" in DOI 1103-01 "Officer Reclassification, Lateral Selection Processes for Specialized Assignments, and Promotions."

The City of Raleigh Human Resources Office will post notice of Major vacancies and accept applications and resumes electronically through CORECON (Jobs icon).

All eligible candidates who intend to participate in the Major promotional process must personally complete and electronically submit an application and resume (attachment A to DOI 1103-01) through Neogov on CORECON, (Jobs icon), on or before the posted cut-off date. Each candidate will go to the City of Raleigh Internal Posting website to create a Neogov account to apply. The candidate will be required to upload his/her resume into his/her Neogov application. Applications must be submitted on or before the posted closing date. Each candidate will receive an email receipt once their application has been submitted. The application may not be submitted in person or by mail.

Any false or misstatements of fact or material will result in the candidate being removed from the process and subject to disciplinary action.

All applications and resumes of those candidates applying for promotion to Major will be forwarded electronically to the Process Coordinator.

FINAL SELECTION

The Chief of Police will review the eligible applicant's qualifications and make a selection. No eligibility list will be established for the rank of Major.

THE RALEIGH POLICE DEPARTMENT

1103-08

PROMOTION TO DEPUTY CHIEF

PURPOSE

The following is the Raleigh Police Department's procedure for promotion to the rank of Deputy Chief.

VALUES REFLECTED

This directive reflects our values of *Fairness* and *Integrity*. Promotion to this rank will be based on merit and will begin with the objective identification and evaluation of eligible individuals who possess the skills, knowledge and abilities, and exhibit the ability to perform at a higher level.

UNITS AFFECTED

Sworn Personnel
City Human Resources Office

REFERENCES/FORMS

City Procedure 300-18 "Appeals Process – Administration of Grievances"
City Procedure 300-22 "Recruitment/Selection Procedure"
DOI 1103-01 "Officer Reclassification, Lateral Selection Processes for Specialized Assignments, and Promotions"

GENERAL POLICIES

The promotion process and selection for qualified Deputy Chief will be administered fairly and impartially using evaluation criteria that assess past and potential performance. This process seeks to encourage further development in those who are not selected for advancement, as well as those who are. The Administrative Division Commander will name a Process Coordinator to administer the promotional process.

BASIC ELIGIBILITY REQUIREMENTS

All Raleigh Police personnel who have met the following requirements on the date designated by the Department are eligible to compete in the promotional process for Deputy Chief:

- Basic eligibility requirements - Must be the rank of Major within the Raleigh Police Department on or before the posted closing date of application.
- Must possess at least a Bachelor's Degree in a job-related curriculum from an accredited college or university by the posted closing date of application.

APPLICATION PROCESS

The City of Raleigh Human Resources Office will post notice of Deputy Chief vacancies and accept applications and resumes electronically through on CORECON, (Jobs icon).

All eligible candidates who intend to participate in the Deputy Chief promotional process must personally complete and electronically submit an application and resume (Attachment A to DOI 1103-01) through Neogov on CORECON, (Jobs icon), on or before the posted cut-off date. Each candidate will go to the City of Raleigh Internal Posting website to create a Neogov account to apply. The candidate will be required to upload his/her resume into his/her Neogov application. Applications must be submitted on or before the posted closing date. Each candidate will receive an email receipt once their application has been submitted. The application may not be submitted in person or by mail.

Any false or misstatements of fact or material will result in the candidate being removed from the process and subject to disciplinary action.

All applications and resumes of those candidates applying for promotion to Deputy Chief will be forwarded electronically to the Process Coordinator.

All resumes of those candidates applying for promotion to Deputy Chief will be forwarded to the Chief of Police.

PROMOTION

The Chief of Police will review the eligible applicant's qualifications and make a selection.

No eligibility list will be established for the rank of Deputy Chief.

THE RALEIGH POLICE DEPARTMENT

1103-10

CANINE UNIT SELECTION PROCESS

PURPOSE

To provide guidelines for the selection of officers to be assigned to the Canine Unit.

VALUES REFLECTED

This directive reflects our values of *Integrity* and *Fairness*. By acting in concert with these instructions we demonstrate that we practice honesty and are forthright in our internal dealings as well as externally. In filling our internal vacancies we will be impartial and fair and choose those who can best meet the standards needed to perform in specialized positions.

UNITS AFFECTED

All Divisions/All Personnel

REFERENCES/FORMS

Attachment "A" Canine Unit Applicant Chain of Command Evaluation

Attachment "B" Canine Unit Interview Evaluation Form

GENERAL POLICIES

Assignment to the Canine Unit consists of specialized duty requiring certain skills. Personnel designated to serve on the Canine Unit shall be selected and trained to perform the required tasks. Specialized skills will be learned by the K-9 handler during the training process. Assignment to the Canine Unit is a lateral transfer with no increase in pay or rank. However, Canine Officers are provided with 28 hours per 28 day work cycle for the home care of their assigned canine(s). Permanent assignment will be contingent upon successful completion of requisite training.

BASIC ELIGIBILITY REQUIREMENTS

The following eligibility requirements must be met on or before the posted closing date of application:

- Must be Master Officer or above with the Raleigh Police Department.
- Must have two consecutive years of active service with the Raleigh Police Department. Active service time starts on the first day of the Police Academy.
- Officers must have at least an "Above Standard" evaluation for the previous two years.
- Officers must have no sustained disciplinary actions for the previous two years that resulted in a loss of time or pay.

APPLICATION PROCESS

Notification

The Police Human Resources Sergeant will post notice of anticipated vacancies on the Canine Unit by inter-office memorandum to be distributed to all divisions.

Submission of Resumes

Interested applicants should submit a resume of background and assignments to the Police Human Resources Sergeant by the posted closing date. Applicants are responsible for indicating any special qualifications they possess that may be related to the assignment.

SUPERVISORY REVIEW

The applicant's three most immediate supervisors will complete a Chain of Command Evaluation on each candidate. If the applicant does not have three immediate supervisors, then the evaluation may be completed by less than three supervisors. The Canine Unit Applicant – Chain of Command Evaluation (Attachment A) will be used. The Captain will review the evaluation sheets of personnel under their command, to ensure continuity and submit the evaluations to the Police Human Resources Sergeant. An applicant must receive a "Potential for Success" or "Strong Potential for Success" by their respective Captain before they can continue in the process.

ORAL INTERVIEW BOARD

Officers with a favorable supervisory review will be scheduled for an oral interview. The interview panel will consist of the Special Operations Captain, Special Operations Lieutenant, and Canine Unit Sergeant. The Canine Unit Interview Evaluation Form (Attachment B) will be used for evaluating the applicant during the interview.

The panel will compile an unranked list of those candidates who achieve the "Strong Potential for Success" designation.

INSPECTION TO DETERMINE SUITABILITY FOR HOUSING POLICE SERVICE DOG

The Special Operations Division Captain or designee will inspect the residences of those candidates on the list to determine the suitability of housing a police service dog. This inspection will include interviews with family members, neighbors, and others with whom the police service dog may have contact. Only candidates whose residences are deemed suitable will remain on the final list.

APPOINTMENTS BY THE CHIEF

The Chief of Police will make appointments to the Canine Unit from an unranked alphabetical list of all applicants that meet the minimum standards.

The list of officers eligible for selection will remain in effect for a period of six (6) months from the date of the first appointment from the list. The list may be extended if the Chief of Police determines that it is in the best interest of the Department, not to exceed 18 months from the date of the first appointment from the list.

Attachment "A"
DOI 1103-10

Canine Unit Applicant

Chain of Command Evaluation

(This review is to be completed by the candidate's most immediate supervisors up to the rank of Captain. Only one Chain of Command Review form per applicant is to be submitted.)

Applicant: _____ Supervisors: _____

Respond to the following questions with a narrative that best indicates the applicant's behavior. There must be a narrative for each question.

1. How would you rate this officer's ability to make rational decisions?

2. How well does this officer perform in potentially dangerous situations?

3. How well does this officer get along with his/her supervisors?

4. How well does this officer get along with other officers?

5. Rate the officer's reliability - ability to be punctual, show up ready for work, and appropriate use of sick leave.

6. Rate the officer's ability to function as part of a team.

7. Rate the officer's overall level of professionalism.

8. Rate the officer's problem solving abilities.

9. Rate the officer's demonstrated level of self-initiated activity.

10. Rate the officer's ability to be fair and impartial.

11. Has the officer attended K-9 Unit training on a voluntary basis?

12. Has the officer had two or more complaints of excessive force in a one year period?

CAPTAIN'S RECOMMENDATION

This Portion is to be completed by the Applicant's Captain.

Please provide an overall recommendation as to your opinion of this officer's potential as a Canine Unit team member. Choose only one of the three recommendations. Any additional comments related to the officer's potential should be included below.

STRONG POTENTIAL FOR SUCCESS _____

POTENTIAL FOR SUCCESS _____

NEEDS FURTHER DEVELOPMENT _____

Form Completed by: _____ **DATE:** _____

Attachment "B"
1103-10

Canine Unit

Interview Evaluation Form

Date:_____ **Candidate:_____**

Evaluator:_____

Performance Area	**Notes and Remarks**
Judgment	
Motivation and Initiative	
Knowledge	
Communication Skills	
Problem Solving Skills	
Leadership and Organizational Skills	

STRONG POTENTIAL FOR SUCCESS _____

POTENTIAL FOR SUCCESS _____

NEEDS FURTHER DEVELOPMENT _____

THE RALEIGH POLICE DEPARTMENT

1103-11

SELECTION PROCESS FOR SELECTIVE ENFORCEMENT UNIT

PURPOSE

Officer assignment to the Selective Enforcement Unit consists of specialized duty requiring certain skills. Assignment of officers to the Selective Enforcement Unit is a lateral transfer with no increase in pay, rank, or other benefits.

VALUES REFLECTED

This directive reflects our values of *Fairness and Integrity*. By acting in concert with these instructions we demonstrate that we practice honesty and are forthright in our internal dealings as well as externally. In filling our internal vacancies we will be impartial and fair and choose those who can best meet the standards needed to perform in specialized positions.

UNITS AFFECTED

All Divisions/All Personnel

REFERENCES/FORMS

Attachment A: "Selective Enforcement Unit Applicant Chain of Command Evaluation"

Attachment B: "Selective Enforcement Unit Captain's Recommendation"

Attachment C: "Selective Enforcement Unit Interview Evaluation Form"

Attachment D: "Sniper/Observer Unit Applicant Chain of Command Evaluation"

BASIC ELIGIBILITY REQUIREMENTS

The following eligibility requirements must be met on or before the posted closing date of application:

- Must be Master Officer or above with the Raleigh Police Department.
- Must have two consecutive years of active service with the Raleigh Police Department. Active service time starts on the first day of the Police Academy. The active service date for any employee who is re-hired by the Raleigh Police Department after they have been separated for any period of time shall be their new hire date.
- Officers must have at least an "Above Standard" or "Successfully Meets Expectations" annual performance evaluation rating for the previous two years.
- Officers must have no sustained disciplinary actions for the previous two years that resulted in a loss of time or pay.

APPLICATION PROCESS

Notification

The Police Human Resources Sergeant will post notice of anticipated vacancies on the Selective Enforcement Unit by inter-office memorandum to be distributed to all divisions.

Submission of Resumes

Interested applicants should submit a resume of background and assignments to the Police Human Resources Sergeant by the posted closing date. Applicants are responsible for indicating any special qualifications they possess that may be related to the assignment (i.e. problem solving skills, self-defense skills, tactical planning, and weapons expertise).

SUPERVISORY REVIEW

The applicant's three most immediate supervisors will complete a Chain of Command Evaluation on each candidate. If the applicant does not have three immediate supervisors, then the evaluation may be completed by less than three supervisors. The Selective Enforcement Unit Applicant – Chain of Command Evaluation (Attachment A) will be used. The Captain will review the evaluation sheets, of personnel under their command, to ensure continuity and submit the evaluations to the Police Human Resources Sergeant. An applicant must be recommended by their respective Captain before they can continue in the process.

ASSESSMENT PHASE

Members of the Training Staff and certified instructors will conduct this portion of the process. All applicants must meet the minimum standards in both physical and firearms testing in order to continue in the process.

The physical assessment and firearms tests listed below will be given on a designated date in the following order:

1. Physical assessment test – Pass/Fail
2. Day firearms score of 90 or better
3. P.O.P.A.T. completed in 5:30 or less
4. Firearms stress course score of 90 or better
5. Night firearms score of 90 or better

Physical Testing

Applicants must demonstrate good physical fitness to be eligible for further consideration. All applicants must complete the following tasks in order to pass the physical assessment test. All the tasks will be performed in duty gear provided by the academy which will include ballistic helmet and tactical vest unless otherwise noted. This test will be administered as follows:

- 60-yard run carrying a one-person ram, within 15 seconds.
- 30-yard low-crawl within 60 seconds. The elbows and knees must touch the ground at all times.
- Climb over a six-foot fence, unassisted within 15 seconds.
- A second floor entry, with the assistance of a team member, is required for each officer.
- Run up and down two flights of stairs, twice, wearing a gas mask and carrying a one-person ram within 35 seconds.
- Move the 150 pound Red Man 20 yards inside a building, wearing a gas mask, within 40 seconds. Any safe carrying, pulling, or dragging technique may be used at the discretion of the candidate.
- Applicants must complete the P.O.P.A.T course as prescribed in the 2015 BLET standard. This test must be completed in five minutes and thirty seconds (5:30) or less. The ballistic helmet and tactical vest will not be utilized for this part of the test. Training Center certified instructors will provide training duty gear to be utilized for this event.

Firearms Testing

Certified firearms instructors will administer the BLET Firearms courses and Stress course. This component will be comprised of the two (2) BLET Firearms Courses listed and a Firearms Stress Course. The minimum cut off score for each course is 90.

- Qualification Phase

  - BLET day handgun course
  - BLET night handgun course

- Firearms Stress Course Phase

  A specially developed stress course will be used that requires firing a weapon while moving from location to location with time constraints. An overall score of 90% must be achieved on the stress course to continue in the process. The stress course is designed to evaluate the applicant's weapons skills and techniques in stressful conditions. It is also designed to assess proper weapon handling, ability to engage multiple targets, shotgun skills, basic shooting skills while moving, ability to operate a weapon under stress, and ability to successfully operate a weapon while being physically challenged. A written description of the stress course, along with the scoring method and score sheets, will be kept on file at the Police Training Center.

ORAL REVIEW BOARD

Applicants passing the Supervisory Review, Physical Testing, and Firearms Testing portions of the process will be scheduled for an oral interview. The interview panel will consist of the Special Operations Captain, Special Operations Lieutenant, and the Selective Enforcement Unit Sergeants. The Selective Enforcement Unit Interview Evaluation Form will be used for evaluating the applicant during the interview.

APPOINTMENTS BY THE CHIEF

The Chief of Police will make appointments to the Selective Enforcement Unit from an unranked alphabetical list of all applicants that meet the minimum standards. Selections may take into account special skills needed on the Unit at the time of selection (i.e. hostage negotiator training, knowledge of chemical agents, etc.). The appointment is conditional upon successful completion of a medical examination and psychological screening.

The list of officers eligible for selection will remain in effect for a period of six (6) months from the date of the first appointment from the list. The list may be extended if the Chief of Police determines that it is in the best interest of the Department, not to exceed 18 months from the date of the first appointment from the list.

MEDICAL EXAMINATION

Officers selected for assignment to the Selective Enforcement Unit will be required to have had a medical examination completed within the past year by a licensed physician, physician's assistant, or nurse practitioner utilizing the criteria set forth on a Criminal Justice Education and Training Standards Commission Medical Examination Report, state form F-2(LE). Final assignment to the Selective Enforcement Unit is dependent upon successful completion of this examination.

PSYCHOLOGICAL SCREENING

Final assignment to the Selective Enforcement Unit is also dependent upon receiving an "Acceptable" evaluation report from the Department's consulting psychologist.

SNIPERS/OBSERVERS

Assignment as a sniper/observer consists of specialized duties requiring additional tactical, observation, and shooting skills. The skills and attributes required for assignment as a sniper/observer are demanding. As such, all responsibilities related to snipers/observers will be fulfilled by members of the Selective Enforcement Unit.

Those officers appointed to the Selective Enforcement Unit are eligible for assignment as snipers/observers. Members of the Selective Enforcement Unit wishing to be billeted as a sniper/observer must meet the following requirements:

- Recommendation of applicant's Captain based on review. (Attachment "D")
- Must qualify with all firearms with a score of 95 or better.
- Successful completion of Basic Sniper/Observer School.
- Successfully qualify with issued rifle.

The final selection of the snipers/observers will be made by the Special Operations Commander and approved by the Chief of Police.

DOI 1103-11

Attachment A

Selective Enforcement Unit Applicant

Chain of Command Evaluation

(This evaluation is to be completed by the applicant's three most immediate supervisors. Only one consensus evaluation per applicant is to be submitted.)

Applicant Name and Code Number: .

	Supervisors Name & Code Numbers	Supervisors Initials
1.		
2.		
3.		

Respond to the following questions with a narrative that best indicates the applicant's behavior. There must be a narrative for each question.

1. How would you rate this officer's ability to make rational decisions?

2. How well does this officer perform in potentially dangerous situations?

3. How well does this officer get along with his/her supervisors?

4. How well does this officer get along with other officers?

5. Rate the officer's reliability - ability to be punctual, show up ready for work, and appropriate use of sick leave.

6. Rate the officer's ability to function as part of a team.

7. Rate the officer's overall level of professionalism.

8. Rate the officer's problem solving abilities.

9. Rate the officer's demonstrated level of self-initiated activity.

10. Rate the officer's ability to be fair and impartial.

DOI 1103-11

Attachment B

CAPTAIN'S RECOMMENDATION

(This Portion is to be completed by the Applicant's Captain)

Applicant Name and Code Number: _____

Please provide an overall recommendation as to your opinion of this officer's potential as a SEU team member. Choose only one of the three recommendations. Any additional comments related to the officer's potential should be included below.

STRONG POTENTIAL FOR SUCCESS _____

POTENTIAL FOR SUCCESS _____

NEEDS FURTHER DEVELOPMENT _____

Form Completed by:_____ **DATE: _____**

DOI 1103-11

Attachment C

Selective Enforcement Unit

Interview Evaluation Form

Candidate: _____ **Date:** _____

Evaluator: _____

Performance Area	**Notes and Remarks**
Judgment	
Motivation and Initiative	
Knowledge	
Communication Skills	
Problem Solving Skills	
Leadership and Organizational Skills	

STRONG POTENTIAL FOR SUCCESS _____

POTENTIAL FOR SUCCESS _____

NEEDS FURTHER DEVELOPMENT _____

DOI 1103-11

Attachment D

Sniper/Observer Unit Applicant Chain of Command Evaluation

(This evaluation is to be completed by the applicant's three most immediate supervisors. Only one consensus evaluation per applicant is to be submitted.)

Applicant Name and Code Number: _____

	Supervisors Name & Code Numbers	Supervisors Initials
1.		
2.		
3.		

Respond to the following questions with a narrative that best indicates the applicant's behavior. There must be a narrative for each question.

1. How would you rate this officer's ability to make rational decisions?

2. How well does this officer perform in potentially dangerous situations?

3. How well does this officer get along with his/her supervisors?

4. How well does this officer get along with other officers?

5. Rate the officer's reliability - ability to be punctual, show up ready for work, and appropriate use of sick leave.

6. Rate the officer's ability to function as part of a team.

7. Rate the officer's overall level of professionalism.

8. Rate the officer's problem solving abilities.

9. Rate the officer's demonstrated level of self-initiated activity.

10. Rate the officer's ability to be fair and impartial.

THE RALEIGH POLICE DEPARTMENT

1103-12

SELECTION OF CRISIS NEGOTIATORS

PURPOSE

Officer assignment to the Crisis Negotiation Team consists of specialized duty requiring certain skills. Assignment of officers to the Crisis Negotiation Team is not a reclassification or promotion and does not result in an increase in pay, rank, or other benefits.

VALUES REFLECTED

This directive reflects our values of *Service*, *Fairness, Integrity and Compassion*. By acting in concert with these instructions we demonstrate that we practice honesty and are forthright in our internal dealings as well as externally. In filling our internal vacancies we will be impartial and fair and choose those who can best meet the standards needed to perform in specialized positions.

UNITS AFFECTED

All Divisions/All Personnel

REFERENCES/FORMS

DOI 1109-05 "Response to Hostage, Barricaded Subject, and Sniper Incidents"

"Attachment A" Crisis Negotiation Unit Applicant Captain's Review and Verification of Eligibility

"Attachment B" Crisis Negotiation Unit Interview Evaluation Form

COR SOP 300-23 "Probationary Status"

GENERAL POLICIES

The negotiating process is a technical one and involvement in a hostage situation is an even more complex activity. For this reason, personnel designated to serve as a crisis negotiator shall be screened, selected, and trained to perform this task. Officers selected to serve as crisis negotiators shall be volunteers and serve in this capacity while continuing with their regular full-time duties and assignments.

Crisis Negotiation Team members who do not participate in team-related activities on a regular basis or who are promoted or transferred may be re-evaluated as to their status as a Crisis Negotiation Team member. This re-evaluation will be conducted by the Crisis Negotiation Coordinator, with the Chief of Police making a final determination as to the status of a unit member.

The Chief of Police or designee will name a Process Coordinator to administer the selection process.

BASIC ELIGIBILITY REQUIREMENTS

The following eligibility requirements must be met on or before the posted closing date of application:

- Must be Master Officer or above with the Raleigh Police Department.
- Must have two consecutive years of active service with the Raleigh Police Department. Active service time starts on the first day of the Police Academy. The active service date for any employee who is re-hired by the Raleigh Police Department after they have been separated for any period of time shall be their new hire date.
- Officers must have received a "Standard" or "Successfully Meets Expectations" or higher on their two most recent Performance Evaluations immediately prior to the posted closing date of the selection process.
- Officers must have no sustained disciplinary actions for the previous two years prior to the posted closing date of the process that resulted in a loss of time or pay (cases on appeal at the time of application will be excluded).

APPLICATION PROCESS

The Human Resources Sergeant will post notice of anticipated vacancies on the Crisis Negotiation Team by inter-office memorandum to be distributed to all divisions.

Submission of Resumes

Interested applicants should submit a Memo of Interest and a Resume (Attachment A to DOI 1103-01) of background and assignments to the Human Resources Sergeant by the posted closing date. Applicants are responsible for indicating any special qualifications they possess that may be related to the assignment (i.e., Crisis Intervention training, problem solving skills, fluent in multiple languages, leadership skills, prior incidents where they communicated with a subject in crisis, and sensitivity training).

CAPTAIN'S REVIEW AND VERIFICATION OF ELIGIBILITY

The applicant's Captain, or in the Captain's absence his/her designee, will complete a Captain's Review & Eligibility Verification (Attachment "A") on each applicant.

Any candidate who does not meet the basic eligibility requirements will be notified by their Captain or designee in writing stating the reason for ineligibility. Verification of eligibility or ineligibility shall be noted on Attachment "A".

An applicant must receive a "Potential for Success" or "Strong Potential for Success" by their respective Captain before they can continue in the process.

INITIAL REVIEW BY PANEL

A review panel will consist of the Crisis Negotiator Coordinator and other personnel designated by the Chief of Police. The panel will review the Memos of Interest, Resumes, and Captain's Review and Verification of Eligibility of all remaining applicants. The panel will consider criteria such as experience, level of interest, training, and foreign language proficiency, and then provide a designated Deputy Chief of Police with a list of applicants that are recommended to continue in the process. The designated Deputy Chief of Police will make the final determination as to which applicants continue in the process.

ORAL REVIEW BOARD

All remaining eligible applicants shall be scheduled for an oral interview. The interview panel will consist of the Crisis Negotiator Coordinator and other personnel designated by the Chief of Police.

APPOINTMENTS BY THE CHIEF

The Chief of Police will make appointments to the Crisis Negotiation Team from an unranked alphabetical list of all candidates based upon the results of the applicant's performance in the process.

The list of officers eligible for selection will remain in effect for a period of six (6) months from the date of the first appointment from the list. The list may be extended if the Chief of Police determines that it is in the best interest of the Department, not to exceed 18 months from the date of the first appointment from the list.

PSYCHOLOGICAL SCREENING

Officers selected from the list are required to pass a psychological screening examination by a licensed psychologist or psychiatrist of the Department's choice before final appointment.

PROBATIONARY STATUS

The Chief of Police will make selections from the eligibility list in effect at the time a vacancy occurs. Newly selected personnel shall serve at their position for a probationary period of six months in order to evaluate their ability to adapt to a new work situation (refer to City Standard Procedure 300-23).

COORDINATION OF SUPERVISION AND TRAINING OF CRISIS NEGOTIATORS

Coordination and supervision of all Crisis Negotiation Training, tactical planning, and operational review is the responsibility of the Crisis Negotiator Coordinator. All officers who successfully complete the psychological screening must also successfully complete the Raleigh Police Department's 40-hour class on Basic Crisis Negotiation or an approved equivalent. The Crisis Negotiator Coordinator will develop, schedule, and coordinate specialized proficiency Team Crisis Negotiations training at least annually based on a review of Departmental hostage/barricaded suspect cases.

Attachment "A"
DOI 1103-12

Crisis Negotiation Team Applicant

Captain's Review & Verification of Eligibility

(This verification of eligibility and evaluation is to be completed by the applicant's Captain or in the absence of the Captain, his/her designee)

Applicant Name and Code Number: _____

Position Applied for: _____

Based upon the criteria listed below, does this candidate meet the minimum qualifications to be eligible to apply for this position?

☐ Yes

☐ No (If the candidate is not eligible, they must be notified of their ineligibility in writing)

BASIC ELIGIBILITY REQUIREMENTS

The following eligibility requirements must be met on or before the posted closing date of application:

- Must be Master Officer or above with the Raleigh Police Department.
- Must have two consecutive years of active service with the Raleigh Police Department. Active service time starts on the first day of the Police Academy. The active service date for any employee who is re-hired by the Raleigh Police Department after they have been separated for any period of time shall be their new hire date.
- Officers must have at least a "Standard" or "Meets Expectations" or higher evaluation for the previous two years.
- Officers must have no sustained disciplinary actions for in the previous two years prior to the posted closing date of the process (cases on appeal at the time of application will be excluded).

Captain or Designee

Verifying Eligibility :_____ Date:_____

Signature:_____

Attachment "A"
DOI 1103-12

Crisis Negotiation Team Applicant

Captain's Review & Verification of Eligibility

(This verification of eligibility and evaluation is to be completed by the applicant's Captain or in the absence of the Captain, his/her designee)

Applicant Name and Code Number: _____

Position Applied for: _____

Respond to the following questions with a narrative that best indicates the applicant's behavior. There must be a narrative for each question.

1. How would you rate this officer's ability to make common sense/rational decisions?

2. How would you rate this officer's skills in conflict resolution and sensitivity training?

3. Is this officer fluent in more than one language?

4. Does this officer portray a positive self-image?

5. Does this officer use good verbal communication skills?

6. Is this officer flexible under pressure?

7. Does this officer perform well under stressful situations?

8. Does this officer have a mature personality?

9. Does this officer maintain good physical stamina?

10. Does this officer have a clear speaking voice?

The lack of any of the above skills should not eliminate anyone from consideration as some of these will be developed through training.

CAPTAIN'S RECOMMENDATION

This Portion is to be completed by the Applicant's Captain.

Please provide an overall recommendation as to your opinion of this officer's potential as a Crisis Negotiation Unit team member. Choose only one of the three recommendations. Any additional comments related to the officer's potential should be included below.

STRONG POTENTIAL FOR SUCCESS _____

POTENTIAL FOR SUCCESS _____

NEEDS FURTHER DEVELOPMENT _____

Form Completed by: _____ **DATE:** _____

Attachment "B"
1103-12

Crisis Negotiation Unit

Interview Evaluation Form

Date:_____ **Candidate:_____**

Evaluator:_____

Performance Area	**Notes and Remarks**
Judgment	
Motivation and Initiative	
Knowledge	
Communication Skills	
Problem Solving Skills	
Leadership and Organizational Skills	

STRONG POTENTIAL FOR SUCCESS _____

POTENTIAL FOR SUCCESS _____

NEEDS FURTHER DEVELOPMENT _____

THE RALEIGH POLICE DEPARTMENT

1103-14

HAZARDOUS DEVICES UNIT SELECTION PROCESS

PURPOSE

Officer assignment to the Hazardous Devices Unit consists of specialized duty requiring certain skills. Assignment of officers to the Hazardous Devices Unit is voluntary with no increase in pay, rank, or other benefits. Hazardous Devices Unit duties are in addition to the officer's regular assignment.

VALUES REFLECTED

This directive reflects our values of *Service, Courage, Fairness, Integrity* and *Compassion*. By acting in concert with these instructions we demonstrate that we practice honesty and are forthright in our internal dealings as well as externally. In filling our internal vacancies we will be impartial and fair and chose those who can best meet the standards needed to perform in specialized positions.

UNITS AFFECTED

All Divisions/All Personnel

REFERENCES/FORMS

"Attachment A" Hazardous Devices Unit Applicant Chain of Command Evaluation

"Attachment B" Hazardous Devices Unit Interview Evaluation Form

"Attachment C" FBI Height/Weight and Body Fat Chart

"Attachment D" FBI Physical Health Standards and General Physical Examination Standards

GENERAL POLICIES

The Hazardous Devices Unit selection process is a technical one and involvement in a Hazardous Device situation is an even more complex activity. For this reason, personnel designated to serve on the Hazardous Devices Unit shall be selected and trained to perform this task. Officers selected to serve on the Hazardous Devices Units shall be volunteers and will serve in this capacity while continuing in their regular full-time assignments.

BASIC ELIGIBILITY REQUIREMENTS

The following eligibility requirements must be met on or before the posted closing date of application:

- Must be Senior Officer or above with the Raleigh Police Department.
- Must have two consecutive years of active service with the Raleigh Police Department. Active service time starts on the first day of the Police Academy.
- Officers must have at least a "Standard" evaluation for the previous two years.
- Officers must have no sustained disciplinary actions for the previous two years that resulted in a loss of time or pay.
- Must have five years retain-ability within the Raleigh Police Department upon completion of Hazardous Devices Basic School.
- Must meet the current height/weight standard as set forth by U.S. Department of Justice, FBI National Standards for Bomb Technicians (5.2.3.4.5) (Attachment C).
- NOTE: Officers are encouraged to review the medical requirements set forth by the FBI to ensure that they are capable of passing the rigorous medical screening (Attachment D). Failure to meet the medical requirements will disqualify the applicant from further consideration.

APPLICATION PROCESS

Orientation Phase

Prior to posting the announcement of vacancies on the Hazardous Devices Unit, members of the unit will host at least one orientation training day to allow interested officers the opportunity to practice the skill exercises described in the assessment phase of this policy. In addition, other physical agility exercises will be completed. However, these additional exercises will not be included as a part of the selection process. The additional exercises are consistent with anticipated bomb squad activities and are designed to assist in determining whether or not the applicant wishes to continue with the selection process.

Notification

The Police Human Resources Sergeant will post notice of anticipated openings on the Hazardous Devices Unit by inter-office memorandum to be distributed to all divisions. Successful applicants

may be placed in a direct appointment or apprentice status based upon needs within the unit and anticipated attrition, and the number of technicians authorized by the Federal Bureau of Investigation. Selection will be made at the Chief's discretion.

Submission of Resumes

Interested applicants should submit a resume of background and assignments to the Police Human Resources Sergeant by the posted closing date. Applicants are responsible for indicating any special qualifications they possess that may be related to the assignment (i.e. problem solving skills, explosive handling, demolition, energetic breaching etc.)

SUPERVISORY REVIEW

The applicant's three most immediate supervisors will complete a consensus evaluation on each candidate. If the applicant does not have three immediate supervisors, then the evaluation may be completed by less than three supervisors. The Hazardous Devices Unit Applicant – Chain of Command Evaluation (Attachment A) will be used. The Captain will review the evaluation sheets under their command to ensure continuity and submit the evaluations to the Police Human Resources Sergeant. An applicant must be recommended by their respective Captain before they can continue in the process.

ASSESSMENT PHASE

Members of the Hazardous Devices Unit and Training Staff and will conduct this portion of the process. All applicants must meet the minimum standards in the physical agility assessment in order to continue in the process.

The physical agility assessment listed below will be given on a designated date:

1) Walk a distance of 300 feet in full bomb suit carrying a PAN disrupter, PAN stand and X-ray source. This is a pass/fail exercise and is not timed.

ORAL REVIEW BOARD

Applicants passing the Supervisory Review and Physical Agility Assessment portion of the process will be scheduled for an oral interview. The interview panel will consist of a Special Operations Captain, a Special Operations Lieutenant and the Hazardous Devices Unit Commander. If one person occupies two of the listed positions, the Chief or his/her designee will select an appropriate replacement to complete the panel. The Hazardous Devices Unit Interview Evaluation Form will be used for evaluating the applicant during the interview.

APPOINTMENTS BY THE CHIEF

The Chief of Police will make appointments to the Hazardous Devices Unit from an unranked, alphabetical list of all applicants who meet the minimum standards. The appointment is conditional upon successful completion of the medical examination, psychological screening, Hazardous Materials training and completion of Basic-HDS (Hazardous Devices School).

The list of officers eligible for assignment to the Hazardous Devices Unit will remain in effect for a period of one (1) year from the date of the first appointment. The list may be extended for one (1) additional year if the Chief of Police determines that it is in the best interest of the Department.

MEDICAL EXAMINATION

Officers selected for assignment to the Hazardous Devices Unit will be required to have a medical examination completed by a licensed physician or physician's assistant or certified nurse practitioner utilizing the criteria set forth in the Department of Justice, FBI Health Care Programs Unit (Standard Form 93, Medical Record-Report of Medical History and Standard Form-88, Medical Record-Report of Medical Examination) Assignment to the Hazardous Devices Unit is conditional upon successful completion of this examination.

PSYCHOLOGICAL SCREENING

Assignment to the Hazardous Devices Unit is dependent upon receiving and "Acceptable" evaluation report from the psychologist or psychiatrist.

Prerequisite Training prior to attending Hazardous Devices Basic School

Applicants selected to the Hazardous Devices Unit are required to satisfactorily complete Hazardous Materials training at the Technician level. This training is a prerequisite for HDS (Hazardous Devices School. This is an FBI requirement. This training will be provided to applicants reaching this stage in the selection process.

Hazardous Devices School Basic training

The final stage in the selection process is the completion of HDS (Hazardous Device School) Basic training. Applicants must successfully complete HDS to be certified as a bomb technician. This is an FBI requirement. In addition, officers are required to maintain certification by successfully completing re-certification requirements as set forth by the FBI. Failure to maintain certification is cause for immediate removal from the unit.

Attachment "A"
DOI 1103-14

Hazardous Devices Unit Applicant

Chain of Command Evaluation

(This evaluation is to be completed by the applicant's three most immediate supervisors. Only one consensus evaluation per applicant is to be submitted.)

Applicant: _____ Supervisors: _____

Respond to the following questions with a narrative that best indicates the applicant's behavior. There must be a narrative for each question.

1. How would you rate this officer's ability to make rational decisions?

2. How well does this officer perform in potentially dangerous situations?

3. How well does this officer get along with his/her supervisors?

4. How well does this officer get along with other officers?

5. Rate the officer's reliability - ability to be punctual, show up ready for work, and appropriate use of sick leave.

6. Rate the officer's ability to function as part of a team.

7. Rate the officer's overall level of professionalism.

8. Rate the officer's problem solving abilities.

9. Rate the officer's demonstrated level of self-initiated activity.

10. Rate the officer's ability to be fair and impartial.

11. Rate the officer's personal and professional maturity.

CAPTAIN'S RECOMMENDATION

This Portion is to be completed by the Applicant's Captain.

Please provide an overall recommendation as to your opinion of this officer's potential as a Hazardous Devices Unit team member. Choose only one of the three recommendations. Any additional comments related to the officer's potential should be included below.

STRONG POTENTIAL FOR SUCCESS _____

POTENTIAL FOR SUCCESS _____

NEEDS FURTHER DEVELOPMENT _____

Form Completed by: _____ **DATE:** _____

Attachment "B"
1103-14

Hazardous Devices Unit

Interview Evaluation Form

Date:_____ **Candidate:_____**

Evaluator:_____

Performance Area	**Notes and Remarks**
Judgment	
Motivation and Initiative	
Knowledge	
Communication Skills	
Problem Solving Skills	
Leadership and Organizational Skills	

STRONG POTENTIAL FOR SUCCESS _____

POTENTIAL FOR SUCCESS _____

NEEDS FURTHER DEVELOPMENT _____

Attachment "C"
1103-14

Hazardous Devices Unit

5.2.3.4.5 Height/Weight Ratio and Body Fat Charts:

	MALE				FEMALE			
Height	**Age Group**				**Age Group**			
(Inches)	21-29	30-39	40-49	50+	21-29	30-39	40-49	50+
58					100	103	106	109
59					105	108	111	114
60	166	169	172	175	110	113	116	119
61	170	173	176	179	115	118	121	124
62	173	176	179	182	120	123	126	129
63	176	179	182	185	125	128	131	134
64	180	183	186	189	130	133	136	139
65	183	186	189	192	135	138	141	144
66	186	189	192	195	140	143	146	149
67	190	193	196	199	145	148	151	154
68	193	196	199	202	150	153	156	159
69	196	199	202	205	155	158	161	164
70	200	203	206	209	160	163	166	169
71	203	206	209	212	165	168	171	174
72	206	209	212	215	170	173	176	179
73	210	213	216	219	175	178	181	184
74	213	216	219	222	180	183	186	189
75	216	219	222	225	185	188	191	194
76	220	223	226	229	190	193	196	199
77	223	226	229	232	195	198	201	204
78	226	229	232	235	200	203	206	209
79	230	233	236	239	205	208	211	214
80	233	236	239	242	210	213	216	219

	AGE GROUP			
	21-27	28-39	40-49	50+
Male Body Fat	22%	24%	26%	28%
Female Body Fat	30%	32%	34%	36%

Attachment "D"
1103-14

Hazardous Devices Unit

5.1.1.1.1 General Physical Examination Standards:

Distant Vision: Distant vision of at least 20/20 in one eye and 20/40 in the opposite eye, with or without corrective lenses, as measured by the 20 foot Snellen chart or equivalent.

Near Vision: Near vision of at least 20/40 in each eye, with or without correction, as measured by the Snellen chart or equivalent. Corrective lenses worn in protective suits must be safety glasses or inserts.

All vision results must be stated in either Snellen format or the Jaeger code format

Color Perception: This test is only required for the Bomb Technician Basic Course. Normal color perception as measured by Pseudoisochromatic Plates (PIP) or Farnsworth D-15. The exact name of the test performed along with the results should be provided.

Hearing: Average (mean) hearing level of 25dB at the four audiometer test frequencies 500, 1000, 2000, and 3000 Hz with or without hearing aid. Actual numbers of the dB readings and/or accompanying audiometer chart must be provided.

Seizure Disorders: Any history of seizure disorder is subject to review by the HDS and FBI's Chief Medical Officer.

Height/Weight Ratio: The NBSCAB has adopted the height/weight chart found in section 5.2.3.4.5 as part of the *National Guidelines for Bomb Technicians*. Bomb Technician Basic Course students who do not meet this requirement must undergo a body fat analysis test performed by a Physician, Registered Nurse, or FBI Fit Coordinator and provide the results to the HDS. Also, Bomb Technician Recertification Course students who do not meet the height/weight ratio measurements may complete a Performance Standard Test documented by their Bomb Squad Commander.

Blood Pressure: The old limit of 140/90 has been changed to a more subjective review that will include the physician's assessment of what is normal and safe for the individual. Note the surgeon general has determined that there is a correlation between overweight individuals with high blood pressure and their susceptibility to myocardial infraction, increased risk of heart attack, under stressful situations such as the response to bomb calls, plus heat stress and the physical demands of wearing a bomb suit of approximately 55-85 pounds in any climate conditions.

A Physician's indication of unsuitability for training based on any medical reason.

Tuberculosis Screening: Since all students are in close proximity to one another and using shared, antiseptically cleaned Personal Protective Equipment (PPE), it is important to determine an individual's exposure to tuberculosis through a skin test, also known as the Purified Protein Derivative (PPD). Applicants with a positive PPD test result are also required to follow-up with a chest X-Ray to eliminate the potential spreading of this infectious disease to other students.

5.1.1.1.1 <u>OSHA Related Physical Examination</u>:

- Standard physical examination that complies with the requirements set forth in 29 Code of Federal Regulations (CFR), Section 1910.120.

- Applicant and physician must complete the OSHA 29CFR, Appendix C to Sec. 1910.134: OSHA Respirator Medical Evaluation Questionnaire. A Physician's office may retain this form, but if they don't the applicant should submit it along with the Bomb Technician Basic Course application packet.

- The OSHA related physical examination must be within 12 months of the training date or applicant should provide written certification of annual re-examination, or determination by the certifying physician that an examination on a biannual basis is acceptable. (See OSHA 29CFR 1910.120(f))

- The regulations concerning the requirement for an OSHA physical examination apply directly to employers. HDS has adopted this standard because the nature of the training has come to include not only bomb suits, but also chemical suits with respirators. Any references to "annual" requirements in the OSHA questionnaire, other than the update mentioned above, will not be monitored by the HDS, and do not relate specifically to certification.

- Submit all written records related to this physical examination to HDS with the application.

THE RALEIGH POLICE DEPARTMENT

1103-15

SELECTION PROCEDURE FOR COMMUNITY POLICING/ CRIME PREVENTION UNIT

PURPOSE

To provide guidelines for the selection of the Community Policing/Crime Prevention Unit.

VALUES REFLECTED

This directive reflects our values of *Service, Fairness and Integrity*. By acting in concert with these instructions we demonstrate that we practice honesty and are forthright in our internal dealings as well as externally. In filling our internal vacancies we will be impartial and fair and choose those who can best meet the standards needed to perform in specialized positions.

UNITS AFFECTED

All Divisions/All Personnel

REFERENCES/FORMS

"Attachment A" Community Policing Unit Applicant Chain of Command Evaluation

"Attachment B" Community Policing Unit Interview Evaluation Form

GENERAL POLICIES

Assignment as a District Crime Prevention/Community Relations Officer includes work in planning and conducting crime prevention and community relations programs encompassing speeches, demonstrations, seminars, and related activities.

Work also involves extensive contact with the public, public educational institutions, and outside agencies.

BASIC ELIGIBILITY REQUIREMENTS

The following eligibility requirements must be met on or before the posted closing date of application:

- Must be Master Officer or above with the Raleigh Police Department.
- Must have two consecutive (unbroken) years of active service with the Raleigh Police Department immediately prior to the posted closing date. Active service time starts on the first day of the Police Academy.
- Officers must have at least an "Above Standard" evaluation for the previous two years.
- Officers must have no sustained disciplinary actions for the previous two years that resulted in a loss of time or pay.

APPLICATION PROCESS

Notification

The Human Resources Sergeant will post notice of anticipated vacancies on the Community Policing Unit by inter-office memorandum to be distributed to all divisions.

Submission of Memos of Interest

Interested applicants should submit a Memo of Interest to the Police Human Resources Sergeant, indicating any special qualifications they may have that are relevant to the assignment. Along with the Memo of Interest, applicants may attach any additional supporting documentation relevant to the Crime Prevention/Community Relations Officer position they are applying for.

SUPERVISORY REVIEW

The applicant's three most immediate supervisors will complete a Chain of Command Evaluation on each candidate. If the applicant does not have three immediate supervisors, then the evaluation may be completed by less than three supervisors. The Community Policing Unit Applicant – Chain of Command Evaluation (Attachment A) will be used. The Captain will review the evaluation sheets of personnel under their command, to ensure continuity and submit the evaluations along with the Captain's Recommendation to the Police Human Resources Sergeant. An applicant must receive a "Potential for Success" or "Strong Potential for Success" by their respective Captain before they can continue in the process.

ORAL PRESENTATION

Officers with a favorable supervisory review will be scheduled for an oral presentation. The Oral Review Board will consist of two District Captains and the Community Policing Coordinator. The Community Policing Unit Interview Evaluation Form (Attachment B) will be used for evaluating the applicant during the oral presentation.

Candidates will be required to give a twenty-minute presentation on a crime prevention/community relations issue. The issue will be the same for all candidates and the candidates will be notified of the topic in advance. Candidates will submit a written outline to each member of the oral interview panel at the beginning of the interview and will have twenty minutes to present his/her solution.

APPOINTMENTS BY THE CHIEF

The Chief of Police will make appointments to the Community Policing Unit from an unranked alphabetical list of all candidates based upon the results of the applicant's performance in the process.

The list of officers eligible for selection will remain in effect for a period of six (6) months from the date of the first appointment from the list. The list may be extended if the Chief of Police determines that it is in the best interest of the Department, not to exceed 18 months from the date of the first appointment from the list.

Attachment "A"
DOI 1103-15

Community Policing Unit

Chain of Command Evaluation

(This evaluation is to be completed by the applicant's three most immediate supervisors. Only one Chain of Command Evaluation per applicant is to be submitted).

Applicant Name and Code Number: _____

	Supervisors Name & Code Numbers	Supervisors Initials
1.		
2.		
3.		

Respond to the following questions with a narrative that best indicates the applicant's behavior. There must be a narrative for each question.

1. How would you rate this officer's ability to make rational decisions?

2. How would you rate this officers skills in conflict resolution and sensitivity training?

3. Is this officer fluent in more than one language?

4. Does this officer portray a positive self-image?

5. Does this officer use good verbal communication skills?

6. Is this officer flexible under pressure?

7. Does this officer perform well under stressful situations?

8. Does this officer have a mature personality?

9. Does this officer maintain good physical stamina?

10. Does this officer have a clear speaking voice?

The lack of any of the above skills should not eliminate anyone from consideration as some of these will be developed through training.

CAPTAIN'S RECOMMENDATION

This Portion is to be completed by the Applicant's Captain.

Applicant Name and Code Number: _____

Please provide an overall recommendation as to your opinion of this officer's potential as a Community Policing Unit member. Choose only one of the three recommendations. Any additional comments related to the officer's potential should be included below.

STRONG POTENTIAL FOR SUCCESS _____

POTENTIAL FOR SUCCESS _____

NEEDS FURTHER DEVELOPMENT _____

Form Completed by: _____ **DATE: _____**

Attachment "B"
1103-12

Community Policing Unit

Interview Evaluation Form

Date:_____ **Candidate:_____**

Evaluator:_____

Presentation Evaluation	Notes and Remarks
ORGANIZATION, ABILITY TO FOLLOW WRITTEN OUTLINE, TIME MANAGEMENT	
KNOWLEDGE OF MATERIAL	
ORAL COMMUNICATION SKILLS	
JUDGMENT	
ABILITY TO REPRESENT THE DEPARTMENT	
PROBLEM SOLVING SKILLS	
LEADERSHIP AND ORGANIZATIONAL SKILLS	

STRONG POTENTIAL FOR SUCCESS _____

POTENTIAL FOR SUCCESS _____

NEEDS FURTHER DEVELOPMENT _____

THE RALEIGH POLICE DEPARTMENT

1103-16

SELECTION PROCESS FOR TRAINING UNIT OFFICER

PURPOSE

Officer assignment to the Training Unit consists of specialized duty requiring certain skills. Assignment of officers to the Training Unit is a lateral transfer with no increase in pay, rank, or other benefits.

VALUES REFLECTED

This directive reflects our values of *Fairness and Integrity*. By acting in concert with these instructions we demonstrate that we practice honesty and are forthright in our internal dealings as well as externally. In filling our internal vacancies we will be impartial and fair and chose those who can best meet the standards needed to perform in specialized positions.

UNITS AFFECTED

All Divisions/All Personnel

REFERENCES/FORMS

"Attachment A" Training Unit Applicant Chain of Command Evaluation

"Attachment B" Interview Evaluation Form

GENERAL POLICIES

The overall goal of the training function is to provide training or coordinate training for Departmental personnel to competently perform their duties. The Training Unit function involves specialized and technical work in the development of police training programs and techniques. The work consists of preparing and conducting pre-service and in-service training programs and activities for police personnel. For this reason, personnel designated to serve on the Training Unit shall be selected and trained to perform this task.

BASIC ELIGIBILITY REQUIREMENTS

The following eligibility requirements must be met on or before the posted closing date of application:

- Must be Master Officer or above with the Raleigh Police Department.
- Must have two consecutive years of active service with the Raleigh Police Department. Active service time starts on the first day of the Police Academy.
- Officers must have at least an "Above Standard" evaluation for the previous two years.
- Officers must have no sustained disciplinary actions for the previous two years that resulted in a loss of time or pay.

APPLICATION PROCESS

Notification

The Process Coordinator will post notice of anticipated vacancies on the Training Unit by inter-office memorandum to be distributed to all divisions.

Submission of Resumes

Interested applicants should submit a resume of background and assignments to the Human Resources Sergeant by the posted closing date. Applicants are responsible for indicating any special qualifications they possess that may be related to the assignment (i.e. problem solving skills, specialized skill expertise/certification, instructing experience, and weapons expertise).

SUPERVISORY REVIEW

The applicant's three most immediate supervisors will complete a Chain of Command Evaluation on each candidate. If the applicant does not have three immediate supervisors, then the evaluation may be completed by less than three supervisors. The Training Unit Applicant – Chain of Command Evaluation (Attachment A) will be completed for this review. The applicant's Captain will review the evaluations to ensure continuity and submit the evaluations to the Human Resources Sergeant upon completion. An applicant must be recommended by their respective Captain before they can continue in the process.

PRESENTATION PHASE

The Training Director and his/her designees will conduct this portion of the process. Selected applicants must develop a presentation on a specific topic, chosen by the Training Director, to members of the Assessment Board. The Assessment Board will consist of the Training Director, Training Unit Lieutenant, and select Training Unit Sergeants.

The same presentation topic will be given to each applicant. Applicants will have a minimum of seven (7) days to prepare for the presentation. The actual presentation is limited to 10 minutes. The applicant may use any instructional aid or method available to support his/her presentation; however, presentation preparation time is limited to 10 minutes.

ORAL REVIEW BOARD

After completing the Presentation Phase, Applicants will be scheduled for an oral interview. The interview panel will consist of the Training Director, Training Unit Lieutenant, and select Training Unit Sergeants. The *Training Unit Interview Evaluation Form* will be used for evaluating the applicant during the interview. Applicants receiving a "Strong Potential for Success", based on a majority consensus, will be placed on a qualifying list of candidates to be submitted to the Chief for final consideration.

APPOINTMENTS BY THE CHIEF

The Chief of Police will make appointments to the Training Unit from an unranked alphabetical list of all applicants that meet the minimum standards. Selections may take into account special skills needed on the unit at the time of selection (i.e. prior certifications, prior instructional experience, special skills, etc.).

The list of officers eligible for transfer to the Training Unit will remain in effect for a period of six (6) months from the date of the first appointment or until the list is exhausted. If not exhausted, the list may be extended for an additional six (6) months for a total of one year from the first appointment from the list, if the Chief of Police determines that it is in the best interest of the Department.

Prior to an appointment to the Training Unit, the selected applicant must demonstrate the ability to perform specific skills that are applicable to the appointment, as needed per assignment.

Attachment "A"
DOI 1103-16

Training Unit Applicant

Chain of Command Evaluation

(This evaluation is to be completed by the applicant's three most immediate supervisors. Only one Chain of Command Evaluation per applicant is to be submitted).

Applicant: _____ Supervisors: _____

Respond to the following questions with a narrative that best indicates the applicant's behavior. There must be a narrative for each question.

1. How would you rate this officer's ability to communicate thoughts and ideas?

2. How well does this officer perform under stressful situations?

3. How well does this officer get along with his/her supervisors?

4. How well does this officer get along with other officers?

5. How well does this officer receive criticism?

6. Rate the officer's reliability – (punctuality and preparedness)

7. Rate the officer's ability to function as part of a team.

8. Rate the officer's overall level of professionalism – (demeanor and appearance).

9. Rate the officer's problem solving abilities.

10. Rate the officer's demonstrated level of self-initiated activity.

11. Rate the officer's ability to be fair and impartial.

Supervisor's Signature _____ Date_____

Supervisor's Signature _____ Date_____

Supervisor's Signature _____ Date_____

CAPTAIN'S RECOMMENDATION

This Portion is to be completed by the Applicant's Captain.

Applicant Name and Code Number: _____

Please provide an overall recommendation as to your opinion of this officer's potential as a Training Unit Officer. Choose only one of the three recommendations. Any additional comments related to the officer's potential should be included below.

STRONG POTENTIAL FOR SUCCESS _____

POTENTIAL FOR SUCCESS _____

NEEDS FURTHER DEVELOPMENT _____

Form Completed by: _____ **DATE: _____**

Attachment "B"
1103-16

Training Unit Officer

Interview Evaluation Form

Date:_____ **Candidate:_____**

Evaluator:_____

Performance Area	**Notes and Remarks**
Judgment	
Motivation and Initiative	
Knowledge	
Communication Skills	
Problem Solving Skills	
Leadership and Organizational Skills	

STRONG POTENTIAL FOR SUCCESS _____

POTENTIAL FOR SUCCESS _____

NEEDS FURTHER DEVELOPMENT _____

THE RALEIGH POLICE DEPARTMENT

1104-01

INTRODUCTION TO RULES OF CONDUCT

PURPOSE

The purpose of this procedure is to provide general policy and definitions related to Rules of Conduct. This introduction forms a part of all succeeding procedures in the Rules of Conduct Section.

VALUES REFLECTED

This directive reflects all of our values but especially *Integrity*. When we adhere to the principles that are established to warrant the public's trust we show we are steadfastly devoted to all of our values. It is our dedication to our values that show the community that we recognize and value the special powers we have as a police department.

UNITS AFFECTED

All Divisions/All Personnel

REFERENCES/FORMS

DOI 1105-1 "Discipline, Appeals and Grievances"
City Procedure 300-1 "Manual for Personnel Administration"
City of Raleigh Management Policy 100-20 "Equal Opportunities and Affirmative Action"

GENERAL POLICY

All personnel are expected to conduct themselves in a manner which inspires respect within the community and promotes smooth working relationships within the Department. It is not necessary for a formal complaint to be filed prior to initiating an investigation concerning a member's conduct.

Due to the sensitive nature of police work, Police Department employees are frequently subjected to a higher level of public scrutiny than that of other city employees. For this reason, all employees must monitor their on-duty conduct, as well as their off-duty conduct, so as not to bring discredit upon the Department.

DEFINITIONS

Police Officer

"Police officer" and "sworn officer" are interchangeable terms referring to those employees vested with powers of arrest.

Uniformed Personnel

"Uniformed personnel" refers to members who wear designated uniforms which identify them as Department employees. Included under this definition are uniformed police officers, volunteers, and animal control officers.

All Employees

"All employees", "all personnel" or "employees" refer to all Police Department employees, both civilian, sworn, and volunteers.

Unless otherwise stated, regulations in the "Rules of Conduct" section apply to civilian, sworn, and volunteer personnel of the Department.

Direction and Control

Effective management requires that each employee be fully informed of the employee's duties and the limits of authority associated with each position. Management actions and practices demonstrate a firm commitment to the concept of equal employment opportunity as a matter of principle and as described in City of Raleigh Management Policy, Equal Employment Opportunity and Affirmative Action (100-20).

Job Duties

A statement of the duties and responsibilities of each position within the Department is maintained in the Police Human Resources Office and is available to all employees. First-line supervisors are responsible for informing subordinates of their duties prior to the outset of a performance evaluation period or upon transfer into a new assignment.

Immediate Supervision

Supervisory personnel are accountable for the performance of employees under their immediate control.

- Commensurate authority to accomplish a task must accompany any delegation of accountability for an assignment.

- Each employee is accountable for the use of delegated authority.

Supervision During Joint Actions

Crime scenes and emergencies may require the cooperation of members from different Divisions. During such situations, the highest ranking Field Operations supervisor present will be in charge at the scene. The Watch Commander will maintain overall responsibility for the scene unless an Incident Commander is appointed. When notified of a field situation, the Duty Major will maintain overall Departmental responsibility until relieved by the Chief or Deputy Chief of Police.

In pre-planned field situations, a coordinator will be designated by the Division Commander having responsibility for the activity. All personnel assigned to the activity, irrespective of rank, will answer to the designated coordinator.

Supervision During Training

During any in-service or temporary training assignment, employees engaged in the training will be under the authority of the unit and Division conducting the training. Violations of rules, regulations, or orders are to be reported to a Police Training Officer or a supervisor of the unit in which the training takes place. The violation will be documented by the Division responsible for conducting the training. A detailed written report of the violation will be forwarded through the Division Commander to the employee's commanding officer.

THE RALEIGH POLICE DEPARTMENT

1104-02

DEPORTMENT, APPEARANCE AND WEARING OF POLICE UNIFORMS

PURPOSE

The purpose of this procedure is to specify standards of conduct and dress for all Departmental employees.

VALUES REFLECTED

This directive reflects our values of *Service.* By acting and looking professional we demonstrate to our public that we strive for the highest possible standard of excellence.

UNITS AFFECTED

All Divisions/All Personnel

REFERENCES/FORMS

GENERAL POLICIES

All employees are expected to conduct themselves in a manner which is lawful, courteous, and reflects favorably on the Department. Employees should be aware that they are representatives of the City of Raleigh and should act accordingly. Employees should conduct themselves as professionals and strive to leave others in better condition than when they first encountered them. Conduct which is obscene, discriminatory, or defamatory, as defined by State, Federal, and/or local laws, is prohibited.

All personnel are expected to dress in a manner which is neat, clean, and displays good personal hygiene. Unless exempted by their Division Commander, all employees are expected to wear business attire or their departmentally issued uniforms. Sworn personnel will not wear gear or equipment that has not been issued by the Department.

Uniforms will be kept neat, clean and pressed at all times. While in uniform, officers should maintain a professional appearance and bearing.

DEPORTMENT

Horseplay

Employees will not indulge in horseplay or loud, boisterous conversations in public while on duty.

Tobacco Use and Chewing Gum

Employees are prohibited from smoking, chewing, dipping, or otherwise using any tobacco products, e-cigarettes, or other vaping devices when they are on duty and in a City owned or leased building or vehicle or when in direct public contact. Additionally, employees are prohibited from chewing gum when in direct public contact.

Attentiveness of Duty

All employees are to be alert and attentive while on duty. They are to refrain from conduct that detracts from a professional image.

Employees shall not read newspapers, play games, watch television or movies, or engage in entertainment while in public and on duty, except as may be required in the performance of duty.

Courtesy and Patience

Employees shall be courteous, patient, and respectful when dealing with the public. Officers shall be tactful in the performance of their duties, control their tempers, and exercise the utmost patience and discretion. They shall not engage in argumentative discussions, even in the face of extreme provocation. Employees shall use trained tactical communication skills when feasible and practical.

Language

Employees shall not use coarse, profane or insolent language or gestures in the performance of their duties. Employees shall not express any prejudice concerning race, religion, national origin, life style,

gender or personal characteristics when the employee's conduct has a connection to or impact on the employee's official duties.

Employees should use professional language in the performance of their duties.

Identifying Oneself and Position

The Department provides all employees with an official identification card which includes the employees photograph, name and job classification (sworn or civilian). When requested, all personnel will, in a professional manner, give their name, job position, other pertinent information, or show their Departmental identification to any violator or other person, unless such action is likely to jeopardize the successful completion of an assignment.

Police Officers in uniform are required to wear name tags at all times. The name tags must be clearly visible and worn over the right pocket of the outer garment.

All Raleigh Police full-time and part-time employees wearing civilian attire (including Department police volunteers) will openly display the departmentally issued identification badge when inside any Police facility.

Alcohol Abuse and Controlled Substance Misuse

All employees are prohibited from buying, possessing, or using intoxicants or non-prescribed controlled substances while on duty, except in the performance of duties and with the authorization of a supervisor.

All employees are prohibited from appearing for duty while under the influence of alcohol, prescription or other drugs, or any other substance which may impair the employee's ability to perform the employee's duties. Employees may not appear for duty with the odor of alcohol on their breath.

Violations of this section must be reported by the employee's immediate supervisor to the employee's commanding officer. The commanding officer may release the employee from duty and will report the alleged violation to the Chief of Police. The City of Raleigh's Alcohol and Controlled Substance Policy (Management Policy 100-30) will be followed for handling job performance issues related to alcohol and controlled substance use.

Respect for Fellow City Employees

All Departmental employees shall be courteous, civil, and respectful not only to members of the public but also to all fellow City employees regardless of whether they are members of the Police Department.

Secret Recording of Co-workers Prohibited

Employees are prohibited from secretly recording their co-workers except as authorized by the Chief or his/her designee. This prohibition does not apply to internal affairs investigations, authorized criminal investigations, electronic recording as required by state law or recording that takes place by consent of the parties.

Exercise of Authority

Authority in the Department shall be exercised with firmness, kindness, and justice. Supervisors should usually praise in public and censure in private. Discrimination and unwarranted criticism is prohibited.

Conduct Expected of an Employee

Employees shall maintain a level of conduct in their personal and business affairs on duty as well as off duty when the employee's conduct has a connection to or impact on the employee's official duties that is consistent with the highest standards of the law enforcement profession. Unacceptable conduct is defined as conduct which may be reasonably interpreted to impair or disrupt the maintenance of discipline by supervisors, impair or disrupt harmony and cooperative working relationships among co-workers, damage close working relationships, impede the performance of the employee's duties, interfere with the operation of the Department, undermine the mission of the Department, conflict with the employee's responsibilities within the Department, demonstrate disrespect and insubordination, or abuse the authority and public accountability that the employee's role entails. Such actions include but are not limited to any conduct or act of moral turpitude which may be reasonably be interpreted to disrupt or impair the operation, efficiency, or ability of the employee and/or the Department to meet their law enforcement obligations.

Harassment

Employees shall refrain from intentional or inadvertent conduct which may be perceived by others as job related sexual coercion, sex-based hostility or any other form of unlawful harassment. Employees shall not create an intimidating, hostile or offensive work environment through their conduct. Any allegation of harassment should be immediately reported to the Internal Affairs Unit to be thoroughly investigated.

APPEARANCE

Attire for Civilian and Non-Uniformed Sworn Personnel

The following guidelines outline appropriate attire for civilian personnel and officers assigned to non-uniformed positions:

Civilian staff and officers assigned to non-uniformed positions are expected to wear business attire. For these personnel, business attire consists of dress pants and a collared shirt (or similar apparel) and dress shoes with socks. Blue jeans, shorts, leggings worn as pants, yoga pants, T-shirts, tennis shoes, sandals (except for civilian personnel), and flip-flops are not appropriate attire.

Detectives are expected to wear business attire as well. For detectives, business attire is defined as suits or suit separates.

The outer police jacket supplied by the quartermaster is to be reserved for crime scene duties and shall not be worn on a daily basis as an outer jacket.

Hair

All employees are required to have their hair secured or arranged so as not to present a safety hazard. Wigs or hair pieces may be worn if they are of natural color, and otherwise conform to regulations. Hair color and styles for all employees will be of a natural hair color, tasteful, and in keeping with the professional image of the Police Department.

Uniformed officers are required to have their hair trimmed or arranged so that it allows secure wearing of the uniform hat and cannot be easily grabbed. Male sworn employees' hair will not extend over the top collar of the uniform or over the top of the ear. Female sworn employees' hair will not extend over the top of the ear or more than one inch below the rear bottom collar of the uniform shirt. Uniformed officers may use only those hair ornaments which remain hidden inside the hair, such as bobby pins, in order to comply with this policy. Ponytails and pigtails are not permitted.

Facial Hair

Uniformed and sworn officers may not wear beards, handle-bar mustaches, goatees or hair below the bottom lip. Sideburns, if worn, shall be neatly trimmed and tapered in the same manner as the hair style. Sideburns shall not extend below the lowest part of the ear opening, will be of even width (not more than 1 inch wide), and will end with a clean shaven horizontal line. Mustaches, if worn, will be neatly trimmed and may not extend more than 1/4 of an inch below the corners of the mouth.

Fingernails

Sworn employees shall keep their fingernails clean and trimmed. Sworn officers' fingernails shall not extend more than 1/8th inch beyond the tips of the fingers. If worn, fingernail polish shall be clear, translucent pastels, or beiges which are conservative. Ornaments or stick-on decorations are prohibited on the fingernails. Only one color of polish may be worn at one time.

Jewelry

No employee shall wear jewelry or necklaces which are gaudy, perverse, or which jeopardize safety. Employees wearing plain clothing shall not wear any jewelry which may create a distraction.

Uniformed officers may not wear earrings and/or bracelets. They are also prohibited from wearing necklaces that are visible beneath the shirt. Employees will not display any body piercings other than earrings while on-duty. Officers may wear bracelets that are of a medical nature.

Tattoos, Body Art, Mutilation, Branding

No employee will be permitted to display any visible tattoos, body art, intentional mutilation or branding while on-duty or when wearing a Department authorized/issued uniform.

Employees will be permitted to comply with this regulation by covering the tattoo, body art, mutilation or branding with make-up or issued clothing.

Exemptions from the Dress Code

The Division Commander, with approval of the Chief of Police, may exempt employees from the regulations regarding dress or appearance due to special assignment or duties, or to provide accommodations required by Federal, State and/or local laws.

WEARING OF POLICE UNIFORMS

Insignias

- Badges: The uniform badge will be worn on the outer garment and will be kept clean and untarnished. Employees should refrain from excessively polishing the badge so as not to distort or erode the badge detail.

- Name Tags: Name tags will be worn on the outer garment, centered over the right pocket. The bottom of the plate shall be 1/4 inch above and in line with the top seam of the pocket. Employees should refrain from excessively polishing the name tag so as not to distort or erode the tag's finish.

- Time in Service Tags: Time in service tags shall be will be worn directly below the name tag on uniform shirts and jackets. Time in service tags will indicate the most recent hire date with the Raleigh Police Department. Years of service patches for the Ike jackets will correlate with the officer's total consecutive years of city, county, or state law enforcement experience.

- Chevrons and Sleeve Patches: Sergeant Chevrons, Detective, Senior, Master, and First Class Officer sleeve patches will be centered on the sleeve crease and positioned 1/2 inch below the bottom seam of the shoulder patch on shirts, sweaters, and Ike jackets. The only chevrons or patches to be sewn onto the Blauer jacket shall be for the rank of Sergeant and shall be done at an authorized location approved by the Quartermaster's Office.

- Collar Brass: Rank insignia for lieutenants and above will be worn on each shirt collar, centered on the collars approximately 1 1/2 inch from the collar point toward the neck seam. The insignia bottom edge should be 1/2 inch from the bottom of the collar.

- Flag Bar Pins: Pins will be worn centered approximately 1/16 of an inch above the name plate on uniform shirts only.

- Operator Patch: The SEU Operator patch will only be worn by current members of the Selective Enforcement Unit. These patches will only be worn on their fatigue uniform.

- Crisis Intervention Team (CIT), Field Training Officer (FTO), Selective Enforcement Unit (SEU), Traffic Enforcement Unit (TEU), Explosive Ordnance Disposal (EOD), Mounted Unit (Cross Sabre) or (K-9) pins issued by the Department or specifically authorized by this procedure may be worn by officers who are currently certified as members of that unit. No more than one pin will be worn at any given time.

- Pins, insignias, or buttons which are not issued by the Department or specifically authorized by this procedure may not be worn. Authorization for any type of unit insignia or commendation bar must be received from the Chief of Police.

Clothing

- Uniform Classes

  The Raleigh Police Department formal uniform includes the regular uniform hat, Ike jacket, long sleeve shirt, tie, regular uniform trousers, Clarino duty belt and accessories, ballistic vest, whistle and chain, issued tie pin and Clarino shoes. Depending on the event, white gloves might be worn. This uniform will be worn at events such as promotional ceremonies, funerals, awards ceremonies, and other special events deemed appropriate by the Chief of Police or his/her designee.

  The Class A Winter uniform for the Raleigh Police Department includes the regular uniform hat, long sleeve shirt, regular uniform trousers, ballistic vest, Clarino duty belt and accessories, and duty shoes or boots. Officers have the option of wearing the uniform tie with tie pin. Officers also have the option of wearing the Blauer or Ike jacket.

  The Class A Summer uniform for the Raleigh Police Department includes the regular uniform hat, short sleeve or long sleeve shirt, regular uniform trousers, ballistic vest, Clarino duty belt and accessories, and duty shoes or boots. Officers have the option of wearing the uniform tie with tie pin when wearing long sleeve shirts.

  The Class A uniform will be worn during normal patrol duties, at off-duty employment, parades, and other special events designated by the event coordinator.

  Police bicycle or mounted patrol uniforms will be worn while officers are engaged in the duties of bicycle and mounted patrols. These uniforms will not be worn while officers are engaged in general vehicle patrols. The bicycle/mounted uniform consists of the light blue shirt and navy blue pants. If a t-shirt is worn, only a white t-shirt, dark navy blue t-shirt, or a light blue t-shirt matching the color of the uniform shirt may be exposed at the neck area. If the t-shirt contains an emblem, insignia, trademark, etc. it may not be visible. Officers are required to wear their ballistic vest and duty belt with all related equipment they normally carry on their belt while on duty. When working an event that requires the Class A uniform, specialty units will report for the event in their assigned uniform with their issued police baseball cap. Officers reporting in a specialty uniform in lieu of their Class A uniform for formal events must be assigned to work in the capacity of their specialty function.

  The Departmentally issued Training uniform will be worn at designated times such as firearms training, Mobile Field Force training, and driver's training. The Training uniform shall consist of the navy blue shirt embroidered with the officer's name and assigned navy blue pant. If a t-shirt is worn, only a white t-shirt or a dark navy blue t-shirt may be exposed at the neck area. If the t-shirt contains an emblem, insignia, trademark, etc. it may not be visible. This uniform may be worn on other occasions as directed by Commanders. Officers are required to wear their ballistic vest and duty belt with all related equipment they normally carry on their belt while on duty. Black duty boots will be worn with the fatigues.

  The Training Academy Staff uniform will mirror this policy unless conditions or job tasks dictate alternative clothing.

When operating a marked police vehicle, officers shall wear the Formal uniform, the Class A uniform, their assigned fatigue uniform, or the bike or mounted uniform. Sworn personnel shall not operate a marked police unit while in plain clothes.

- Hats: Uniform hats must be in a location that makes them available to uniformed officers. Hats are required attire for officers on assignments specified in the "Uniform Classes" section of this policy, while directing traffic, wearing the Departmentally issued reflective traffic safety vest, and as directed by the Chief of Police or designee.

  The uniform hat should be worn squarely on the head - not tilted back or to the side.

  The issued "toboggan" style watch cap or ushanka winter hat may only be worn during inclement weather (40 degrees or below). Any hat/cap not issued by the department and worn on-duty is a violation of this policy.

- Shirts: Shirts should be cleaned and pressed.

  Long sleeve shirts with a tie may be worn at any time. The long sleeve shirt may also be worn similarly to the short sleeve shirts, without a tie and with only the top button unbuttoned. If a t-shirt is worn, only a white, a dark navy blue, or light blue t-shirt matching the color of the uniform shirt may be exposed at the neck area. If the t-shirt contains an emblem, insignia, trademark, etc. it may not be visible. When protective vests are worn with open collar shirts, the exposed portion of the vest may be blue, black or white. No jewelry or ornaments may be visible around or about the neck.

  Officers have the option of wearing the Class A Summer uniform or the Class A Winter uniform for any given tour of duty or off duty job according to their preference unless otherwise notified through their chain of command. Whether choosing to wear the summer uniform or the winter uniform, officers must abide by all guidelines set forth for those uniforms in this section of policy. As needed, the Field Operations Division Commander or designee has the authority to require officers to specifically wear either uniform to address certain needs, including but not limited to: extreme weather or special events. With events that require more formal attire, personnel will be informed accordingly.

  Short sleeve shirts must be worn without a tie and with only the top button unbuttoned. If a t-shirt is worn, only a white, a dark navy blue, or light blue t-shirt matching the color of the uniform shirt may be exposed at the neck area. If the t-shirt contains an emblem, insignia, trademark, etc. it may not be visible. When protective vests are worn with open collar shirts, the exposed portion of the vest may be blue, black or white. No jewelry or ornaments may be visible around or about the neck.

- Trousers: Trousers should be dry cleaned and pressed with a sharp crease from the fly line to the cuff. The bottom cuff of the trousers shall be even with the top of the shoe heel while standing at attention.

- Footwear: When in uniform, dress Clarino, plain black lace-up shoes, or black law enforcement duty boots shall be worn. Shoe soles may not exceed 3/4 inch in thickness. Heels shall not be more than 1 1/2 inches in height. The shoes shall be kept clean, in good repair, and well shined. Personnel shall wear plain navy blue or black socks.

- Jackets: The uniform jacket may only be worn with long sleeve shirts. The decision to wear uniform jackets will be left up to the individual officer. When jackets are worn, they will be fully buttoned at all times with the badge, name tag with time in service tag attached on the outside. No flag pins will be worn on the jackets. Chevrons for the rank of Sergeant and sleeve patches for Detective, Senior, Master, and First Class Officer will be centered on the sleeve crease and positioned 1/2 inch below the bottom seam of the shoulder patch on the Ike jackets. The only chevrons or patches to be sewn onto the Blauer jacket shall be for the rank of Sergeant and shall be done at an authorized location approved by the Quartermaster's Office. Rank insignias for Lieutenants and above will be worn on the epaulet.

- Sweaters: The Departmentally approved sweater may only be worn with long sleeve shirt and tie. Chevrons for the rank of Sergeant and sleeve patches for Detective, Senior, Master, and First Class Officer will be centered on the sleeve crease and positioned 1/2 inch below the bottom seam of the shoulder patch. Rank insignias for Lieutenants and above will be worn on the shoulder epaulet.

- Reflective Traffic Safety Vest: The Departmentally issued reflective traffic safety vest is required any time an employee is exposed to vehicular traffic such as traffic direction and control, traffic collisions, crossing guard details, and/or assist motorists. The traffic safety vest is not required for vehicular traffic stops, unless as part of a traffic checkpoint as detailed in DOI 1109-25.

- Ballistic Vests

  All uniformed officers and supervisors must wear protective vests during their tour of duty. In addition, all officers must wear protective vests during high-risk and/or tactical situations. Examples of high-risk or tactical situations include, but are not limited to, search warrant executions, drug raids, initial crime scene response, and serving felony arrest warrants.

  All officers working in police related secondary employment positions must wear protective vests.

  All Officers attending firearms or driver training must wear their protective vest.

  It is highly recommended that all officers assigned to the Detective and Administrative Divisions wear the protective vest during their tour of duty. However, officers who choose not to wear the protective vest must have it immediately available.

  District supervisors shall check for compliance at the start of each shift and perform spot checks when encountering officers in the field.

- Inclement Weather: The Department furnishes adequate equipment to protect officers from the elements. Adequate clothing must be kept available by the officers to ensure that they are capable of carrying out their duties during inclement weather.

<u>Accessories</u>

- Leather Accessories: All sworn personnel must wear uniform belts, leather accessories, and other equipment that are issued by the Department. Sworn personnel may not wear

equipment that has not been issued by the Department. All belt keepers must have brass buttons. Leather accessories are to be kept clean and polished.

- Pocket Knives: Pocket knives may only be carried in or attached to a pant's pocket.
- Holsters: All officers must carry the holster issued to them by the Department. The holster must be worn on the officer's strong-hand side.
- Gloves: When in uniform, black or navy blue gloves may be worn as protection from cold weather or during frisks or searches of persons, vehicles, or other property. Only full-fingered gloves are authorized. When the gloves are being used for frisks or searches, the gloves should be put on just prior to the frisk or search and then removed immediately thereafter. For funeral services or special ceremonies, Division Commanders may authorize the wearing of white gloves.

Appearing Out Of Uniform

Whether they are assigned to uniform or plainclothes duty, officers will not wear or use any part of the uniform except as permitted by Departmental regulations. When any part of the uniform is worn, the complete uniform shall be worn.

IN-SERVICE TRAINING ATTIRE

The following guidelines outline appropriate attire for in-service training:

Classroom Training

Officers may wear their fatigue uniform, regular duty uniform, or business casual attire. Business casual attire means dress pants and collared shirt (or similar apparel), dress shoes and socks. Blue jeans, shorts, leggings worn as pants, yoga pants, T-shirts, tennis shoes, sandals (except for civilian personnel), and flip-flops are not appropriate attire.

Firearms/Driver Training

Sworn personnel shall wear the assigned fatigue uniform for all firearms and drivers training. For all firearms training, officers are required to wear their ballistic vest, duty belt or normal duty related gear and all related equipment they normally carry on their belt while on duty. Exceptions to this policy may be granted on a case by case basis by the Range Sergeant.

All supervisors attending in-service training are responsible for ensuring that the dress code is followed and that proper conduct is exhibited by everyone present.

DEPARTMENTAL OFFICE APPEARANCE

Employees assigned a work area within the Department shall keep their areas clean and professional looking. Employees will not hang items on the walls that could be construed as unprofessional or unethical.

THE RALEIGH POLICE DEPARTMENT

1104-03

PERFORMANCE OF DUTY

PURPOSE

To provide standards and specific prohibitions in guiding all personnel in the performance of their duties.

VALUES REFLECTED

This directive reflects our values of *Service, Courage, Fairness, Integrity, and Compassion*. By following these guidelines we will show that we are devoted to our values and that we always seek to provide the highest standard of service and protection to all. Our persistent attention to duty will demonstrate that we have the highest interest in and regard for the well-being of our community.

UNITS AFFECTED

All Divisions/All Personnel

REFERENCES/FORMS

Raleigh City Ordinance, Sec. 5-1003 "Residency"
City SOP 100-26 "Residency for Police and Fire"
City SOP 300-5 "Overtime Pay"
City SOP 300-6 "Call Back Pay"
City SOP 300-7 "Stand-By Pay"
DOI 1104-7 "Sick Leave"

GENERAL POLICIES

All employees are equally responsible for assisting the public regardless of which organizational unit they are assigned. If an employee is unable to provide the necessary service, the employee is still responsible for ensuring that the citizen receives the proper assistance.

All employees shall perform all actions that are part of the normal and expected practice of the Raleigh Police Department. Such actions shall always be performed in a manner that brings credit and reflects favorably on the Department.

APPLICATION TO DUTIES

Attentiveness to Duty

All employees are responsible for their assignment until properly relieved or officially dismissed and shall not leave their assigned duty post during the tour of duty except when authorized by proper authority.

Employees shall refrain from any activity or personal business which causes them to neglect or be inattentive to duty.

All employees are prohibited from sleeping while assigned to duty.

Employees are also prohibited from being at a location or in a condition that would prevent them from immediately performing their duties.

Duty to Intervene

Officers have an ethical and legal duty to protect and preserve the constitutional rights of all individuals. If an officer observes a clear violation of an individual's constitutional rights, and has the ability to intervene, that officer is required to do so, regardless of the rank or agency of the individual committing the violation.

Response to Calls

All personnel will respond without delay to all calls or requests for service and will answer those requests in accordance with proper safety precautions, rules, regulations, and guidelines set out in Departmental Procedures or Directives.

Obligation to Enforcement of Laws:

All sworn officers of the Department, except those on limited duty, are equally responsible for the enforcement of all laws, regardless of what division they are assigned to and regardless of their current assignment.

Areas Patrolled

All sworn officers and uniformed personnel shall normally patrol only those areas to which they are specifically assigned. The Department's jurisdiction extends one mile beyond the City limits, but this is only for protection of our officers and not for patrol purposes.

Protection and Safety

All personnel shall provide for the well-being and safekeeping of any person or property placed into their custody, supervision, or control.

Work Stoppage

State law and City policy prohibits Departmental employees from engaging in collective job actions or work stoppages. The definition of work stoppage shall include the concerted and collective effort of personnel to fail to report to duty, be willfully absent from one's position, or use unapproved leave privileges. Uniformed personnel are prohibited from picketing while in uniform.

When the Chief of Police reasonably believes a work stoppage is occurring or is imminent, the Chief of Police may require a statement from the individual's physician, regardless of the number of sick days used (refer to DOI 1104-7 "Sick Leave"). The Chief may also require that any personnel reporting to be sick appear before a physician designated by the Department to take a physical examination.

Keeping Informed

All sworn officers and uniformed personnel will be held responsible for understanding the laws and ordinances they are required to enforce as well as all Departmental regulations. Non-sworn personnel are responsible for understanding all Departmental regulations pertaining to their function.

Designated bulletin boards, roll-call announcements, and e-mails are used to convey needed information. Each individual will be responsible for knowing what is on the Division's and District's bulletin boards, daily hotsheets, or other official Departmental publications or instructions including electronic transmissions which are distributed prior to each tour of duty. If any employee is confused or uncertain about the meaning of any law, ordinance, or Departmental regulation, they should promptly ask for an explanation from their supervisor.

Any employee missing a tour of duty shall be responsible for determining what information was circulated during his or her absence.

Reporting Injuries

Employees will report any injury that arises out of the course of their employment with the City to their immediate supervisor at the time of the injury. In no event will a report of injury be delayed beyond a three-calendar-day period. When a serious injury prohibits the employee from doing so, it is the responsibility of the supervisor to report the injury.

Competency

Employees shall establish and maintain sufficient competency to effectively perform duties and carry out the responsibilities of their position and the function and objectives of the Department. Incompetence may be demonstrated by failing to meet the following performance standards:

- On-going demonstration of the knowledge required in the application of laws to be enforced.
- Consistent willingness and ability to perform assigned tasks and duties.

- Continual conformance to work standards established for the employee's rank, grade or position.
- A history of acceptable performance evaluations.
- Constant observance of the rules, regulations, policies or procedures of the Department.
- Continually maintaining those skills required by the State of North Carolina for certification as a law enforcement officer.

AVAILABILITY FOR EMERGENCIES

Current Address and Phone Number

All personnel shall keep the Department informed of their current address, telephone number, and next of kin. Any changes are to be reported within three working days and forwarded through their Division.

All employees are required to have, at their residence, an operational telephone (landline or cellular). This information will not be released to anyone, other than Departmental members, the Courts, or other law enforcement agencies, without the consent of the employee.

Recall or Standby

All sworn officers are subject to recall or standby duty. Other employees are subject to recall or standby if specified as part of their job function.

When placed on such duty, those employees will hold themselves in readiness at all times and report to a specified location immediately if required. The rate of compensation will be that specified by City policy (refer to City SOP 300-5, 6, and 7).

Residency Requirements

All members of the Department, except civilian personnel, must live within 60 miles driving distance of the Raleigh Municipal Building (City Ordinance, Sec. 5-1003).

Employees covered under this requirement must notify their supervisor of any intended move outside of Wake County prior to moving. The supervisor is responsible for verifying that the intended move is within the 60-mile limitation.

Police Division heads must receive prior approval from the City Manager on residence changes which are outside the City limits (City Management Policy 100-26(A)).

NOTICE OF CIVIL SUIT

If for any reason, a Departmental employee has a damage suit filed against him or her arising out of the performance of their official duties, they shall immediately notify their commanding officer and give their commanding officer a copy of the complaint. The Chief of Police and the Police Attorney are to be notified through channels as soon as practical.

THE RALEIGH POLICE DEPARTMENT

1104-04

COMPLIANCE WITH LAWS, REGULATIONS AND ORDERS

PURPOSE

To detail regulations requiring compliance with laws, regulations, and the chain of command.

VALUES REFLECTED

This directive reflects our values of *Service and Integrity*. Police officers are trusted with powers beyond those of the general public. We must be vigilant to ensure that we continually earn the trust of our office by adhering to all laws, regulations, and orders. It is through this behavior that we demonstrate adherence to the highest moral and ethical standards and thus provide the highest quality service possible.

UNITS AFFECTED

All Divisions/All Personnel

REFERENCES/FORMS

Standard Procedure 101-13

GENERAL POLICIES

All personnel shall abide by the laws of the United States, of North Carolina and other states while in their jurisdiction, and of ordinances of the City of Raleigh.

All personnel shall abide by the Chain of Command and comply with all lawful orders of supervisors.

OBLIGATION TO LAWS

Failure to Abide by Laws

All Departmental employees shall abide by all laws and ordinances. Any member violating any law or ordinance may be subject to disciplinary action including dismissal.

Sworn personnel who drive while impaired are subject to dismissal. Sworn personnel who are arrested for driving while impaired and who refuse to submit to a chemical analysis for alcohol are subject to dismissal. Other crimes committed while the officer is impaired by alcohol will receive strict scrutiny and could subject the officer to dismissal.

Prohibited Establishments

Employees are prohibited from knowingly entering, visiting, or frequenting a house of prostitution, illegal gambling, illegal liquor sales, or any establishment where the laws of the United States, the State of North Carolina or of the local jurisdiction are regularly violated except in the performance of their duties.

Self-Assigned Undercover Investigations

Employees are prohibited from engaging in “self-assigned” covert investigations. Sworn officers must obtain authorization from their Division Commander or the Watch Commander prior to beginning such an operation and must abide by all directives related to such activities if they are given authorization. Prior to giving authorization, the Division Commander or Watch Commander shall confer with the Detective Division Commander to ensure that such an investigation will not interfere with any other on-going investigation.

Reporting Violations of Law or Procedure

Any employee charged with a crime or arrested shall immediately report it to the Internal Affairs Unit and his or her Division Commander. Employees shall report any charge or conviction of a motor vehicle violation to their supervisor, who will forward the information through the chain of command to the Internal Affairs Unit.

Any civilian employee who observes another City employee commit what they reasonably believe to be a violation of law, or has knowledge of such violation, will immediately report it to the Internal Affairs Unit. Sworn employees are expected to take such enforcement actions as they would for any person.

Any employee who has knowledge of any violation of Police or City Procedure shall immediately report it to their immediate supervisor or the on-duty Watch Commander who at the earliest opportunity will notify Internal Affairs.

OBLIGATION TO ORDERS AND REGULATIONS

Chain of Command

All personnel will use the chain of command when conducting Departmental business or matters of concern to the Department unless otherwise specified by Departmental regulations. Any individual with a request should discuss the matter with his or her immediate supervisor. If the supervisor is unable to handle the matter, the employee may request and will be permitted to appeal to the next level of authority up to, and including, the Chief of Police.

Employees may directly contact the Chief of Police or the Internal Affairs Unit for allegations involving supervisors or other highly sensitive issues which the employee would feel uncomfortable discussing within the normal chain of command.

Unless time restraints make it impossible, supervisors should communicate requests or complaints regarding an employee through the chain of command directed to that employee's immediate supervisor.

Unlawful Orders

No employee shall knowingly issue any order which is in violation of federal, state, or local law, nor shall they infringe upon the constitutional or civil liberties of any person.

Employees are not required to obey unlawful orders. Any employee who receives an unlawful order should report the incident to their District or Division Commander at the earliest opportunity.

Inappropriate Orders

All orders given by any member of the Department shall be given in clear and understandable language, in a civil tone, and directly related to Departmental business. Where time constraints permit, all orders should follow the chain of command.

Employees that feel they have been given an inappropriate order, which is otherwise lawful, should first comply with the order and then initiate the appeals process.

Conflicting Orders

Any member of the Department who is given an order in conflict with a prior order shall respectfully explain what the original order was. If the supervisor wishes to countermand the original order, it is their responsibility and privilege.

As soon as possible, a supervisory officer who modifies another supervisor's orders shall notify the original supervisor and advise them of the change.

Insubordination

Employees will promptly obey any lawful and appropriate order from a higher ranking supervisor regardless of whether the employee is on or off duty to include orders relayed by an officer of the same or lesser rank.

Employees who do not promptly obey lawful orders may be considered insubordinate and may be subject to disciplinary action or dismissal.

FALSE REPORTS

Investigations

Employees are required to truthfully answer questions during administrative inquiries (refer to DOI 1105-2 Internal Affairs Complaints). It is a violation for any employee to deliberately make a false written or oral report or refuse to give a truthful statement during an official inquiry which does not involve criminal charges against them.

An employee is not required to answer questions during criminal investigations against them. Any employee choosing to make a statement must truthfully answer questions.

Failure to truthfully answer questions may result in disciplinary action up to and including dismissal.

Sworn Testimony

Any employee who deliberately gives any false statement under oath, either written or oral, before any judicial official, administrative board or commission, fact-finding board, hearing, trial, or upon any occasion where sworn testimony is required will be subject to disciplinary action as well as possible criminal action.

THE RALEIGH POLICE DEPARTMENT

1104-05

MALFEASANCE (MISUSE OF OFFICE)

PURPOSE

To provide specific policy guidelines and prohibitions against accepting gratuities, improper use of influence, or other forms of misconduct related to holding public office.

VALUES REFLECTED

This directive reflects our values of *Service, Fairness, and Integrity*. By following these guidelines, we demonstrate to our community that we remain unaffected by improper influences, that we are impartial and free of self-interest and favoritism, and that we are faithful in seeking justice. Police employees are given a special trust to protect and serve everyone equitably, and we must show that we merit this trust by our actions.

UNITS AFFECTED

All Divisions/All Personnel

REFERENCES/FORMS

1108-4 “Submission of Evidence or Found Property”

GENERAL POLICIES

No employee or employee's spouse may accept any gratuity, gift, loan, free rent or anything of value that is not available to the general public or other City of Raleigh employees and which is offered due to police employment.

No employee will use the employee's rank or position to cause the improper disposition of property or evidence, or improperly influence an investigation or prosecution.

GRATUITIES DEFINED

A gratuity is anything of value that is offered because of Police employment and/or there is an expectation of preferential treatment in return. A gratuity may not be received either directly or indirectly, such as through a spouse.

Gifts

Any gift, interest free loan, free apartment rent, or anything else of value is considered a gratuity.

Free Services

Services provided free of charge, such as free admission to places of entertainment, free legal services, discounts on purchases, or other special favors not available to the general public are considered gratuities.

FEES OR REWARDS

Fees or rewards that are sent or given to employees for performance of their official duties must be reported to the employee's supervisor and submitted to the City Finance Department.

Juror fees, military reserve, or similar pay which does not relate to an employee's official duties and which are paid to all persons performing a similar service are not considered gratuities and may be retained by the employee.

USE OF RANK OR POSITION FOR PRIVATE GAIN

Unlawful Conversion

No employee shall convert to the employee's own use any City property, equipment, or evidence.

Property and Evidence

Employees are prohibited from processing or disposing of any property or evidence in a manner other than in accordance with established Departmental procedures. Possession of property or evidence outside of the established system or chain of evidence shall be prima facie evidence of improper conduct. Falsifying, destroying or removing documents associated with the handling of property or evidence will also be considered evidence of improper conduct and will subject the offender to disciplinary action and criminal charges.

Circumventing Due Process

No employee shall improperly use the employee's rank or position in a manner which is contrary to established procedures so as to affect any investigation, arrest, dismissal, or prosecution. Employees who are subpoenaed to testify on behalf of a defendant should notify their supervisor and the District Attorney.

Whenever an employee seeks a dismissal, the employee must submit a request for dismissal to the employee's commanding officer, indicating the reason for the dismissal. This regulation is not intended to interfere with the District Attorney's right to dismiss a case on the District Attorney's own authority.

Seeking Publicity and Personal Advertising

All employees are prohibited from seeking publicity or from permitting the use of their names or photographs in any advertising or commercial enterprise which makes use of their position with the Department without the approval of the Chief of Police.

Solicitations

Employees may only solicit money, goods, or services on behalf of or for the Department from private citizens, firms, corporations or organizations with approval from the Chief of Police.

Employees are permitted to solicit on behalf of private organizations, but are prohibited from using their position as a Raleigh Police Officer or City employee to influence donations.

ACTIONS COMPROMISING OFFICIAL POSITION

Paying Fines or Bail

No employee will accept money to be turned in as a fine or for persons charged, cited or convicted for violations. Fines that are incorrectly mailed to the Department must be immediately turned in to the appropriate office. No employee is to act as bailer for anyone other than immediate family members.

Associations

All employees are prohibited from having regular or continuous associations or dealings with any person the employee knows, or should know, is under criminal investigation or indictment.

Employees are prohibited from associations with persons who have a reputation in the community or the Department for present involvement in felonious or criminal behavior, except as necessary in the performance of official duties or where unavoidable because of other personal relationships or living location.

Failure to Pay Debts

Employees shall refrain from undertaking financial obligations which they should know they will be unable to meet. They will pay all just debts when due.

Filing a voluntary bankruptcy petition will not, by itself, be cause for disciplinary action. Financial difficulties stemming from unforeseen medical expenses or personal disaster will also not be cause for action, provided that a good faith effort to settle all accounts is being undertaken.

Employees shall not co-sign any note for a loan with a superior or subordinate employee nor shall they borrow from a superior or subordinate employee. If personnel actions within the Department create a conflict with this policy, the employee shall inform Internal Affairs and their commanding officer. This section does not apply to immediate family members.

Recommending Private Services

No employee will recommend any particular person, firm or corporation engaged in business activities coinciding with the police mission. Specifically prohibited acts include recommending wrecker companies to motorists, or lawyers and bail bondsmen to suspects or arrestees.

Signing Affidavits of Good Character

No employee will sign an affidavit or vouch for the good character of anyone applying for a beer license, gun permit, or similar license without authorization from the Chief of Police.

THE RALEIGH POLICE DEPARTMENT

1104-06

TARDINESS / ABSENTEEISM

PURPOSE

To establish Departmental policies with regard to employees who do not report for duty, in-service training, court, or other mandatory appointments at the time scheduled.

VALUES REFLECTED

This directive reflects our values of *Service and Integrity*. By observing the requirements of this directive we will demonstrate that we adhere to a high standard of excellence in providing service to the citizens of Raleigh and that we will be forthright and honest about our personal behavior.

UNITS AFFECTED

All Divisions/All Personnel

REFERENCES/FORMS

City Policy 300-12 "Special Leave"
City Policy 300-13 "Absent Without Leave"
City Policy 300-14 "Disciplinary Action"

GENERAL POLICIES

Excused Tardiness

Subject to approval of their District or Division Commander, supervisors have the authority to excuse tardiness. Supervisors are, nonetheless, expected to note each incident in their performance observation notes in case a pattern of tardiness should develop.

Patterns of Tardiness

The privilege of making up lost time due to tardiness does not relieve employees or supervisors from responsibility in avoiding patterns of tardiness.

Supervisors considering whether a pattern of tardiness exists should include a consideration of the frequency, day of week, days off sequence, or the shift during which the violation occurs.

Sworn Officers

Due to the critical nature of their job assignments, sworn officers will not be excused from being tardy, except in rare and unusual circumstances.

DEFINITIONS

Tardy

Employees are considered tardy if they are less than two hours late for a regularly scheduled duty day or a mandatory appointment.

Absent

Employees are considered absent if they are two or more hours late, they fail to show up for their scheduled duty day or mandatory appointment, or they fail to remain at work for their entire scheduled shift or appointment without taking prior approved leave.

Mandatory Appointment

A mandatory appointment is an appointment that an employee is scheduled to attend for which the employee has been notified in advance. This includes but is not limited to court, training, health screening appointments, and meetings or other Departmental appointments that may occur during or outside an employee's regular duty day.

Regularly Scheduled Duty Day

A duty day is the employee's scheduled work day.

TARDINESS OR ABSENTEEISM

All employees are required to report at the time indicated for duty, in-service training, or any other assignment that constitutes that employee's duty for that day including any court or similar

mandatory appointment that may occur during or outside of the employee's normal scheduled work hours.

Tardiness:

- For the first offense of tardiness within a twenty-four-month period:
    - If an employee is an hour or less late, the employee will receive a written warning on a Departmental Counseling Form.
    - If an employee is more than one hour but less than two hours late for the first offense of tardiness, the employee shall pay back the time from accrued leave or accumulated compensatory time. The employee will receive a written warning to be recorded on a Departmental Counseling Form.
- For the second offense within a twenty-four-month period:
    - If an employee is an hour or less late, the employee will receive a written warning to be recorded on a Disciplinary Action Form.
    - If an employee is more than one hour but less than two hours late for the second offense of tardiness, the employee shall pay back the time from accrued leave or accumulated compensatory time. The employee will receive a written warning to be recorded on a Disciplinary Action Form.
- For the third or fourth offense within a twenty-four-month period:
    - Non-exempt employees, regardless of whether the employee is more or less than one hour late, shall be suspended for (1) one day without pay, and exempt employees shall forfeit (1) one vacation day. The suspension will be recorded on the Departmental Disciplinary Action Form. A notation of the previous offenses will be included on the Disciplinary Action Form. This will include the dates, times of the offenses, the number of times the employee was late, and the signature of the supervisor.
- For the fifth and any subsequent offenses within a twenty-four-month period:
    - The employee's District or Division Captain will forward a written report to the Deputy Chief. This will include the dates, times of the offenses, the number of times the employee was late, and the signature of the supervisor. The Deputy Chief of Police will determine further disciplinary action.

Absenteeism:

- For the first or second offense of absenteeism within a twenty-four-month period:
    - If the employee has an unexcused absence on the employee's normal scheduled duty day or mandatory appointment, non-exempt employees shall be suspended without pay for (1) one day, and exempt employees shall forfeit (1) one vacation day. The suspension will be recorded on a Disciplinary Action Form.

- For the third and any subsequent offenses of absenteeism within a twenty-four-month period:
    - The employee will be suspended for that day and receive no pay for the day. The employee's District or Division Captain will forward a written report and recommendation to the Deputy Chief. The Deputy Chief of Police will determine further disciplinary action.

NOTIFYING SUPERVISORS

If tardiness or absenteeism is inevitable, an employee should attempt to notify an on-duty supervisor as to the length and reason for the tardiness or absence. This will not necessarily excuse the tardiness or absenteeism, but will allow supervisors an opportunity to minimize the inconvenience.

THE RALEIGH POLICE DEPARTMENT

1104-07

SICK LEAVE

PURPOSE

The purpose of this procedure is to establish policies regarding appropriate usage of this valuable benefit.

VALUES REFLECTED

This directive reflects our values of *Service and Integrity*. By observing the requirements of this directive we will demonstrate that we adhere to a high standard of excellence in providing service to the citizens of Raleigh, and that we will be forthright and honest about our personal behavior.

UNITS AFFECTED

All Divisions/All Personnel
May be Release to the Public

REFERENCES/FORMS

City Procedure 300-11 “Sick Leave”
DOI 1106-07 “Off-Duty Employment”

REPORTING OUT SICK

Animal Control civilians and sworn officers are required to notify the Police Desk 45 minutes prior to the time they are scheduled to work that they will be absent due to illness. Non-uniformed civilian employees and Police Volunteers must notify their supervisor of illness during the first one-half hour of the day they are scheduled to work. In emergency situations where an on-duty supervisor cannot be reached, civilian employees may also report out to the Police Desk.

All employees are required to indicate their location and phone number where they can be reached.

In the event an employee is out of work on sick leave for three or more working days, it will be the employee's responsibility to call in to the employee's immediate supervisor every third working day until the employee returns to work. This is an additional requirement and does not relieve any employee from following the Department's initial notification procedures when reporting out sick.

Failure to Report

Failure to report an absence due to sick leave within the specified periods of time can result in loss of pay for that day and other disciplinary action.

AUTHORIZED USES OF SICK LEAVE

Under City SOP 300-11(4.3), the following are authorized uses of sick leave.

- Personal illness or injury.
- Exposure to a contagious disease.
- Medical appointments and dental appointments during working hours.
- Illness, medical appointments, and dental appointments of an immediate family member living in the employee's household or of a spouse, child, or parent living in the same or a different household. In reporting out, the employee must specify the relationship of the family member involved.
- Death in the employee's immediate family which requires personal attendance is limited to 5 days of leave per event. In reporting out, the employee must specify the relationship of the family member (spouse, child, etc.).

  Immediate family is defined as wife, husband, mother, father, daughter, son, sister, brother, grandson, granddaughter, grandmother, grandfather, mother-in-law, father-in-law, daughter-in-law, son-in-law, brother-in-law, sister-in-law, half-sister, half-brother, stepmother, stepfather, stepdaughter, stepson, stepsister, and stepbrother.

DOCTOR'S CERTIFICATION OF ILLNESS

Unless an employee has already provided a medical certification under the FMLA, an employee who claims sick leave due to personal illness for three or more consecutive work days must present a doctor's certificate to their immediate supervisor stating the cause of the absence and certifying that the employee is physically able to return to work.

Sworn personnel must have this doctor's certification submitted to their supervisor prior to reporting to any approved off-duty employment.

Unsubstantiated Illness

Unless an employee has already provided a medical certification under the FMLA, Division Commanders may require a doctor's certificate stating the nature of the illness and an expected date for return to duty, if the Division Commander determines that circumstances require it. This applies to illnesses of either more or less than three days.

Work Stoppage

The Chief of Police may require a doctor's certificate where the Chief determines an organized work stoppage is occurring or about to occur (Refer to DOI 1104-3 Performance of Duty).

Failure to Present a Doctor's Release

An employee who is required to present the proper certificate and fails to do so will be subject to disciplinary action, up to and including dismissal.

THE RALEIGH POLICE DEPARTMENT

1104-08

COURT APPEARANCES

PURPOSE

To establish regulations concerning appearances of Raleigh Police Department employees before courts of law, administrative commissions or hearings, as well as other occasions where sworn testimony is required.

VALUES REFLECTED

This directive reflects our values of *Service and Integrity*. By following the guidelines contained in this directive we demonstrate that we maintain the highest moral and ethical standards. Honest and forthright court testimony is crucial to our performance as part of the criminal justice system. We seek to always explain the reasons for our enforcement actions and to take responsibility for them as part of court proceedings.

UNITS AFFECTED

All Divisions/All Personnel

REFERENCES/FORMS

DOI 1104-02 “Appearance, Deportment, and Wearing of Police Uniforms”
DOI 1104-05 “Malfeasance (Misuse of Office)”
City SOP 300-5 “Overtime Pay”
City SOP 500-1 “Travel Authorization and Expense Reimbursement”
Attachment “A” ”Court Absence Request Form “
Attachment “B” ”Daily Court Standby Approval Log “

GENERAL POLICIES

Raleigh Police Department employees shall attend court or similar legal proceedings whenever they are required and shall be prepared to testify. If unforeseen emergency circumstances prevent a member's prompt attendance in court, the employee must notify their supervisor and the Court Liaison Specialist by telephone and in writing (by email or memo) by the quickest means possible to request a delay of the case(s) until a specified time.

Employees shall respond to a subpoena from Superior Court in preference to conflicting subpoenas from District Court. However, employees shall always promptly notify the Assistant District Attorney in the lower court of the subpoena served from the higher court.

COURTROOM DEMEANOR

Deportment

RPD employees will conduct themselves in a professional manner and act with dignity at all times. Employees will not engage in loud, inappropriate or unprofessional conversations, even if court or other hearing is not in session. General regulations concerning conduct on duty shall apply (refer to DOI 1104-02 "Deportment, Appearance, and Wearing of Police Uniforms").

Impartiality

Employees shall avoid any action that would indicate a special interest in securing a conviction or giving an outward appearance of dissatisfaction with decisions. The attitude of an impartial public servant seeking justice is the only one that is acceptable.

Dress

All employees will dress neatly and formally when appearing before any court or similar hearing. Proper dress will consist of either their Class A Uniform, coat and tie, or other professional attire. Officers will conceal their weapon(s) when in plain clothes attire.

COURTROOM PRESENTATION

Preparation

Before appearing in court, employees shall organize their notes and consider the manner in which they intend to testify. Employees should take their notes to court with them. An employee who is in doubt about a case, should discuss the matter with the prosecutor before the trial.

Testimony

Employees are to be truthful and as accurate as possible in their testimony. Any mistake in testimony must be corrected without delay and employees are not to distort or conceal facts. Employees are not to lose their temper and are to take and leave the witness stand with dignity.

Requesting Dismissals

Any employee requesting a dismissal must have previously submitted a memo to his/her Commanding Officer, indicating the reason for requesting the dismissal (refer to DOI 1104-05 "Malfeasance (Misuse of Office)").

Employees Subpoenaed by the Defense

Employees, who are subpoenaed to testify on behalf of the defendant in a case, should immediately notify their Commanding Officer and the Assistant District Attorney who is prosecuting the case.

COURT ATTENDANCE AND STANDBY

Employees are to appear in court on their regularly scheduled court date and whenever subpoenaed. They are to sign in and out with the Court Liaison Specialist.

Court attendance should always take priority over in-service and outside training. Officers and supervisors are responsible for taking this into account when scheduling all training. In some instances, approval may be granted for an out-of-house school or training, if approved at least 45 calendar days in advance.

Court Standby

- Grand Jury:

  Under no circumstances will the Court Liaison Specialist place an employee on standby when the employee is to appear before the Grand Jury.

  If an employee is subpoenaed to the Grand Jury while on the night shift or regular day off, the employee should call the Grand Jury Witness Coordinator in advance and ask to be placed at the top of the schedule.

- Subpoena to District Court (Not Regular Court Date):

  Officers may contact the Court Liaison Specialist and request to be placed on standby for District Court. The request to be placed on standby must be made at least 24 hours in advance of the court date. The Court Liaison Specialist will immediately contact the Assistant District Attorney who is handling the case to seek their approval.

  The Court Liaison Specialist will maintain a Court Standby Log (Attachment B) to document this approval. If approved to be placed on standby, the officer must remain reachable by phone until court is no longer in session that day and will still be required to come to court if needed.

- Subpoena to Superior Court or for Probable Cause Hearings for Felony Cases:

  Officers may contact the Court Liaison Specialist and request to be placed on standby for Probable Cause Hearings for Felony Cases. The request to be placed on standby must be made at least 24 hours in advance of the court date. The Court Liaison Specialist will immediately contact the Assistant District Attorney who is handling the case to seek their approval.

The Court Liaison Specialist will maintain a Court Standby Log (Attachment B) to document this approval. If approved to be placed on standby, the officer must remain reachable by phone until court is no longer in session that day and will still be required to come to court if needed.

Rescheduling Court Days

Employees who need to be excused on their regular court date should first notify their immediate supervisor and then contact the Court Liaison Specialist at least 45 calendar days in advance. Officers must complete a Court Absence Request Form (Attachment A). Employees scheduled for Grand Jury should also notify the Grand Jury Witness Coordinator. Court will only be rescheduled for the following reasons:

- Scheduled Vacation:

  Officers who need to be excused from a regularly scheduled court date, due to the planned use of vacation time, should notify their immediate supervisor and the Court Liaison Specialist as soon as possible. The request must first be approved by the Officer's immediate supervisor and then submitted to the Court Liaison Specialist at least 45 calendar days in advance. The Court Liaison Specialist will then immediately notify the District Attorney's Office so that the case(s) will not be scheduled or continued to that date.

- Out-Of-House School or Training:

  Officers may request to be excused from a regularly scheduled court date due to being scheduled for an out-of-house school or training. The request must first be approved by the Officer's immediate supervisor and then submitted to the Court Liaison Specialist at least 45 calendar days in advance. The Court Liaison Specialist will then immediately notify the District Attorney's Office so that the case(s) will not be scheduled or continued to that date.

- Special Assignments:

  Officers may request to be excused from a regularly scheduled court date due to being placed on a special assignment. The request must first be approved by the Officer's immediate supervisor and then submitted to the Court Liaison Specialist at least 45 calendar days in advance. The Court Liaison Specialist will then immediately notify the District Attorney's Office so that the case(s) will not be scheduled or continued to that date. In the event that an officer is placed on a covert undercover assignment, the Division Commander or his/her designee will be responsible for notifying the Court Liaison Specialist and the District Attorney's Office to make arrangements for rescheduling court cases.

- FMLA Leave, Workers Comp, Leave of Absence, and Military Leave:

  Officers who are out on FMLA Leave, Workers Comp, approved Leave of Absence, or Military Leave and are unable to attend court will need to complete and submit a Court Absence Request Form (Attachment A) as soon as they become aware that they will be unable to attend court. If the officer is unable or unavailable to complete the form, it will be their immediate supervisors' responsibility to complete this form and submit it to the Court Liaison Specialist.

Requests to be excused from a regularly scheduled court date that are submitted to the Court Liaison Specialist less than 45 calendar days in advance must be approved by the Officers' Division Commander.

- Sickness or Family Illness:

  In compliance with DOI 1104-07 "Sick Leave", officers must first report out sick by notifying the Police Desk, at least 45 minutes prior to the time they are schedule to report to court. The Desk Officer will forward a copy of the Sick Leave Form to the Court Liaison Specialist and the officer's immediate supervisor.

  Officers must also notify the Court Liaison Specialist by telephone or by leaving a message at (919) 831-6140.

- Light Duty:

  Officers who are approved for light duty are still required to attend court, provided their medical restrictions allow them to do so. Any officer, who is on light duty and attends court, will first check in with the Court Liaison Specialist. The Court Liaison Specialist will coordinate having another armed, full duty officer, escort the light duty officer to the courtroom and will remain with the light duty officer until he/she has cleared the courthouse.

COURT PAY

Whenever employees are required to attend court, Department of Motor Vehicles hearings, or other mandatory appearances during their off-duty time, they will be compensated in accordance with the City of Raleigh policy on overtime pay (City SOP 300-5 (9.2.3) "Overtime Pay").

When attending court during an off-duty day, this time should be entered into ERP as "Court", instead of "Regular".

- When attending court during off-duty hours, officers will be compensated at a rate of time and one-half only when this results in more than 171 work hours per the 28-day cycle.

Appearance at the Wake County Courthouse

All police employees attending court, Grand Jury, or other mandatory appearance, are required to check in with the Court Liaison Specialist and complete the Court Attendance Sign-In Log. Each employee shall indicate the time reporting to court and whether they are attending on-duty of off-duty. All police employees shall also indicate the time they cleared from court on the Court Attendance Sign-In Log prior to leaving the courthouse.

Appearance in Wake County Courthouse on Personal Business

Any Officer who attends court on personal business must not be on duty, not in uniform and must not carry any weapons (departmentally issued or personal weapons) into the court room. An Officer may carry his/her duty weapon or approved off duty handgun into the courthouse, but must first secure the weapon in the gun safe in the Court Liaison Specialist's Office prior to entering the court room on personal business.

Appearance Outside of Wake County

When an employee is subpoenaed for a mandatory appearance outside of Wake County as a result of the employee's official duties, a travel voucher should be submitted in the same way as for any travel outside of Wake County (refer to City SOP 500-1 "Travel Authorization and Expense Reimbursement"). Travel vouchers are not required for travel to counties that abut Wake County or for travel to Orange or Wilson County. The City is not responsible for compensating employees in civil litigation which does not involve the employee's duties.

- Travel expenses will be paid by the City as per the usual travel guidelines.
- The time spent in court, not on a regular duty day, should be entered into ERP as "Court", instead of "Regular" and will be compensated in accordance with the City of Raleigh policy on overtime pay (City SOP 300-5 (9.2.3) "Overtime Pay"). The ERP time entered should include travel time, as well as, comments indicating the location of the court appearance and the disposition of the case.
- If an out-of-county court appearance, including travel time, takes equivalent or nearly equivalent time to a daily tour of duty, the Department may consider that time as a tour of duty in lieu of providing overtime.

Accepting Fees Prohibited

Employees are compensated by the City of Raleigh for off-duty court appearances that arise out of their official duties. For this reason, no employee is to retain witness fees, subsistence or travel expenses paid by a court where similar compensation is provided by the City of Raleigh, unless specifically approved by the Chief of Police. Normally, such approval would only be given where verified expenses to the employee exceeded the City of Raleigh compensation. In all other cases, such monies must be turned over to the City of Raleigh (refer to DOI 1104-05 "Malfeasance (Misuse of Office)".

Scheduling of Cases

In no situation will employees purposely set an original court case for their off-duty time in order to take advantage of overtime compensation.

COURT LIAISON SPECIALIST

The Court Liaison Specialist is responsible for coordinating police/court operations between the District Attorney's Office and the Police Department. The Court Liaison Specialist is responsible for assisting in scheduling and locating officers for court attendance.

The Court Liaison Specialist is also responsible for checking court dockets and case dispositions for Departmental personnel. The Court Liaison Specialist will maintain a computer terminal for Departmental criminal arrest disposition inquiries.

Scheduling Court Appearances

The Court Liaison Specialist is responsible for coordinating police/court operations between the District Attorney's Office and the Police Department. The Court Liaison Specialist will maintain a record of all current court dockets and schedules and will run a daily Officer Court Schedule Report. This report will:

- Provide a list of officers who are scheduled to attend court on their regularly scheduled court date.
- List the subsequent two regularly scheduled court dates for these officers.
- Show which officers have submitted a Court Absence Request Form and have been approved to be off or who are out sick, etc…

The Court Liaison Specialist will provide a hard copy of this report to the Assistant District Attorney, the Clerk and Judge in all of the District Courtrooms on a daily basis to be used for the purpose of scheduling/continuing cases.

The Court Liaison Specialist will assist the District Attorney's Office, the Clerk of Courts Office, and attorneys in locating police personnel for court appearance. The Court Liaison Specialist will also report identified problems with court appearances and schedules directly to the Administrative Division Commander.

Maintaining Criminal Case Records and Disposition

The Clerk of Court is mandated by North Carolina General Statute 15A-1381 and 15A-1382 to maintain reports of dispositions of criminal cases. The Clerk of Court maintains this information in a computerized Criminal Index System. The Court Liaison Specialist will maintain an inquiry terminal and printer access to the Criminal Index System providing the following inquiry information:

- ICA/File number inquiry
- Name/Defendant alias inquiry
- Defendant record check
- Process add/update inquiry
- Citation add/update inquiry
- Supplement add/update inquiry
- Witness add/update inquiry
- Disposition add/update inquiry
- Infraction inquiry menu

Conducting Criminal Case Disposition Checks

The Court Liaison Specialist will assist Departmental personnel in conducting Criminal Disposition Checks for the following reasons:

- Per 1108-04 "Evidence and Found Property", officers are primarily responsible for checking the disposition of cases where evidence is maintained and disposition is needed to destroy

or return the evidence. The Court Liaison Specialist should provide guidance to officers when they have questions and can provide assistance when necessary.

Criminal case dispositions will be checked for any officer's court docket cases at the request of supervisory personnel or the Internal Affairs Unit.

Attachment "A"
DOI 1104-08

Raleigh Police Department

Court Absence Request Form

Officer's Name: _____Code# _____

Division/District: _____

Regularly Scheduled Court Date(s): _____

*Note: Employees that need to be excused on their scheduled court date should first notify their supervisor and then contact the Court Liaison Specialist ***at least 45 calendar days in advance.*** **(Less than 45 days requires Division Commander approval)**

Reason for the request:

☐ Scheduled Vacation: Dates of Approved Vacation Leave

_____ to _____

☐ Out of House School or Training: Dates of Approved Training

_____ to _____

☐ Special Assignment Dates of Special Assignment

_____ to _____

☐ FMLA Leave, Workers Comp, Leave of Absence and Military Leave

Dates of Approved Special Leave

_____ to _____

Comments: _____
_____
_____

Approving Supervisor Name: _____

Signature: _____ Date: _____

Court Liaison Signature: _____ Date: _____

Rev 10/14

Attachment "B"
DOI 1104-08

RALEIGH POLICE DEPARTMENT

Daily Court Standby Approval Log

Date:_____ Court Liaison Specialist:_____

Officer Name/Code # Contact Phone Number where Officer can be reached	Court Date	Defendant Name:	Subpoena (S) or Probable Cause Hearing (PC)	Assigned Courtroom(s)	Name of ADA Approving Officer to be placed on Standby

*Requests to be placed on standby must be made at least 24 hours in advance.

Rev 10/14

THE RALEIGH POLICE DEPARTMENT

1104-10

USE OF FAIR LABOR STANDARDS ACT (FLSA) COMPENSATORY TIME, VACATION, PETTY LEAVE, AND DELAYED HOLIDAY FOR NON-EXEMPT EMPLOYEES

PURPOSE

To create a procedure for non-exempt employees who wish to utilize FLSA compensatory time off.

VALUES REFLECTED

This directive reflects our values of *Service and Fairness*. By following these guidelines we balance the needs of our sworn employees with our desire to provide the public with excellent service, ensuring those employees get the time off they have earned without negatively affecting our ability to provide appropriate levels of staffing.

UNITS AFFECTED

All Divisions/Non-exempt employees

REFERENCES/FORMS

Fair Labor Standards Act
City Standard Operating Procedure 300-04A "Job Classification and Compensation System"
City Standard Operating Procedure 300-05 "Overtime Pay"

GENERAL POLICIES

Non-exempt sworn employees of the Raleigh Police Department are generally compensated for overtime work with compensatory time in lieu of cash payment in accordance with City standard procedure.

A non-exempt sworn employee who has accrued compensatory time off and who requests the use of this Fair Labor Standards Act (FLSA) time shall be permitted to use such time within a reasonable period after making the request if the use of this time does not unduly disrupt the Departmental operations.

Each Division is responsible for determining staffing needs in order to evaluate undue disruption.

PROCEDURES FOR REQUESTING TIME OFF

A non-exempt sworn employee who wants to use accrued FLSA compensatory time, vacation, petty leave, or delayed holiday must submit a written request to their immediate supervisor by completing a "Leave Request" through ERP.

The immediate supervisor will review the electronic calendar on Outlook and the Roll Call for that shift to determine if there are sufficient personnel working. If there are sufficient personnel, then the request will be approved in "ERP" by the supervisor and the employee will be entered into the Outlook calendar. No employee will be entered into the Outlook calendar until their "ERP Leave Request" has been approved. The supervisor will immediately update the roll call for the day off requested.

If an employee has no available accrued leave (FLSA compensatory, vacation, petty leave, or delayed holiday), the employee may not take the requested time off unless approval for special leave with or without pay has already been granted.

If the immediate supervisor determines that there will be insufficient staff to provide an acceptable level of service to the public without the requesting employee's services, then the request will be denied unless a satisfactory replacement officer can be found.

Both the requesting officer and the immediate supervisor will attempt to find a qualified replacement.

The fact that a replacement officer may be entitled to overtime compensation (in either time or money) shall not be used as a basis for denying a request to use FLSA compensatory time.

A qualified replacement must have training comparable to the officer to be replaced and must be able to carry out the functions of the officer to be replaced.

A replacement officer must not be scheduled to work on-duty the day(s) that a replacement is sought.

A replacement officer cannot work two shifts back to back if the total time worked exceeds twelve hours out of twenty-four hours.

The immediate supervisor will document efforts to locate a replacement. Once a replacement is confirmed, the replacement will submit a completed Replacement Agreement form to the replacement officer's Division as soon as possible but within 24 hours.

If a qualified replacement cannot be located prior to the requested day(s) off, then the request shall be denied.

Before a request is denied, the requesting officer's Lieutenant will review the request.

PAID OVERTIME ON A FUNDED PROJECT

Supervisors are responsible for monitoring accrued overtime of their employees to ensure that it does not exceed the 70 hour accrual limit imposed by the City's overtime policy. However, in the event that an officer volunteers to work overtime or is required to work overtime to meet the needs of the Department for a specially funded project, then an exception will be made to the overtime rule. Authorized overtime by non-exempt employees may be paid at one and a half times the employee's regular hourly rate established by the City's Job Classification and Compensation System Policy (City SOP 300-04A), at the discretion of the Chief or her designee, and based on funding availability. Alternatively, the officer may be given compensation by receiving compensatory time at time and a half, or the officer's scheduled hours may be offset in order to meet the needs of the Department in accordance with City SOP 300-05.

THE RALEIGH POLICE DEPARTMENT

1105-01

DISCIPLINE, APPEALS, AND GRIEVANCES

PURPOSE

To describe the levels of discipline and the disciplinary process within the Department including improving performance through the option of written counseling, procedures for appealing disciplinary findings, and the process to be used for the internal handling of grievances involving working conditions.

VALUES REFLECTED

This directive reflects our values of *Fairness, Integrity, Compassion, and Service*. These values are demonstrated when we take accountability for our actions by demonstrating integrity in all that we do. If we fall short of acting according to these values, then we expect to be judged in a fair and equitable manner. Through this directive we recognize that we have high standards for our performance and that we must strive to always maintain the trust of the public.

UNITS AFFECTED

All Divisions/All Personnel

REFERENCES/FORMS

City SOP 101-13 "Driving Record Standards for Current Employees"
City SOP 300-14 "Disciplinary Action, Suspension, and Dismissal"
City SOP 300-18 "Appeals Process – Administration of Grievances"
City Management Policy 100-15 "Grievance Resolution"
City Management Policy 100-20 "Equal Employment Opportunity and Affirmative Action"
City Management Policy 100-30 "Alcohol and Controlled Substance Policy"
DOI 1104-04 "Compliance with Laws, Regulations and Orders"
DOI 1110-01 "Initial Investigations of Major Crimes"
Counseling Record Form

Attachment A: Discipline/Appeals Tracker Form

May be Released to the Public

GENERAL POLICIES

All employees share a certain pride in the commendable performance of their organization, and equally share the stigma created by unacceptable performance. The existence of effective disciplinary procedures should, therefore, be of vital importance to all.

It would be difficult to prescribe specific penalties for each violation. In general, deliberate non-compliance will be punished more severely than inadequate performance. Recurrent violations will also be more severely penalized.

CAUSES OF DISCIPLINE

In accordance with City SOP 300-14, causes for disciplinary action generally fall into two categories: those relating to personal conduct which is detrimental to the Department and to City service, and those relating to the performance of duties.

Personal Conduct

Violations related to personal conduct include those where deliberate noncompliance is inferred. Examples include:

Commission of a criminal act

Insubordination

Appearing for duty while intoxicated

Committing malfeasance

Lying or evasiveness during official inquiries

Brutality in the performance of duties

Deliberate violation of Departmental regulations concerning personal conduct

The above examples are not intended to be all-inclusive. In serious cases, employees may be dismissed or suspended without warning.

Performance of Duties

Violations related to the performance of duties do not necessarily infer deliberate non-compliance. Examples related to the performance of duties include, but are not limited to:

Inefficiency or incompetence

Physical or mental incapacity affecting job performance

Absenteeism

Carelessness or negligence in performing duties

Failure to maintain harmonious working relationships

Violation of Departmental regulations regarding the performance of duties

LEVELS OF DISCIPLINE

Exact penalties for each violation would be difficult to prescribe since the circumstances in each differ. The level of discipline may be determined by the seriousness of the misconduct or the employee's previous service record.

Penalties

The progressive scale of penalties has been established for the purpose of enforcing discipline, which includes:

Verbal warning

Remedial Training

Written warning to be recorded on the Department's counseling form

Written warning to be recorded on the Department's disciplinary action form

Revocation of off-duty employment privileges

Loss of vacation time

Suspension without pay

Transfer

Loss of opportunity for promotion

Demotion

Dismissal from employment

Criminal prosecution

The penalties are not necessarily imposed in the sequence listed, and more than one penalty may be imposed simultaneously. For example, dismissal from employment might be in conjunction with criminal prosecution.

Gross negligence or carelessness in the performance of duties may be grounds for immediate suspension or dismissal. Otherwise, employees should receive two warnings prior to dismissal or suspension related to performance of duties. The two warnings may relate to the same cause or to separate and different causes and may be verbal or written warnings.

Successive Violations

Successive violations are punished more severely than initial violations. Successive violations may include dissimilar offenses.

DISCIPLINARY ACTIONS

Disciplinary actions may be initiated by any Supervisor and may result from an Internal Affairs investigation or from occurrences of which the supervisor has knowledge. In all instances where discipline is served on an employee, the employee will be furnished a copy of the action and is required to sign acknowledging receipt of the disciplinary action and that the content has been discussed with them. A verbal warning should be documented in Blue Team, printed and signed by the employee to acknowledge receipt of the disciplinary action. The signed acknowledgment should then be uploaded and attached to the Blue Team entry for tracking purposes.

Emergency Actions

All supervisors have the responsibility for monitoring the performance of employees and taking corrective action when necessary.

Any supervisor observing a breach of conduct or procedure should first attempt to notify that employee's supervisor. The supervisor observing the breach of conduct has authority to remove an employee from an assignment to prevent further breaches.

The Watch Commander, with the permission of the Chief or Deputy Chief, may temporarily place an employee on administrative duty if they feel the conditions warrant such action.

Remedial Training

Remedial training may be used in conjunction with any disciplinary action as a means of improving an employee's productivity and effectiveness through positive and constructive methods.

Written Warning Guidelines (Counseling Records and Disciplinary Action Forms)

All written warnings should include a statement of facts, and shall be signed by the supervisor preparing the form. A written warning on a counseling record requires the approval of the employee's District or Division Captain. A written warning on a disciplinary action form requires the approval of the employee's Division Commander. A disciplinary action form with additional discipline of suspension without pay, a loss of time, demotion or termination must be signed by a Deputy Chief and also be reviewed by a Police Attorney prior to service of the discipline.

VERBAL WARNINGS AND WRITTEN WARNINGS ON A COUNSELING RECORD

Verbal warnings and written warnings on a counseling record are completed when a supervisor must address a matter that does not rise to the level of an Internal Affairs Investigation. This can include but is not limited to the following:

- A complaint that does not rise to the level of a serious policy violation but there may be training or performance issues identified

- An action or series of actions the supervisor recognizes as a policy or rule violation that should initially be handled at a first-line supervisory level through counseling, training or other acceptable methods.

Verbal warnings and written warnings on a counseling record shall be entered into the IAPro database through BlueTeam by designated personnel. They will be forwarded to Internal Affairs through the database system, assigned a number, and then administratively closed.

Appropriate Uses of a Written Warning on a Counseling Record

A written warning on a counseling record is intended to prevent recurrent, deficient performance by providing a clear understanding of needed improvements. This form of discipline should be used for minor rule infractions. Instances where the use of a written warning on a counseling record would be appropriate include but are not limited to:

- Productivity or performance issues
- Public contacts
- Late reports or errors in reports
- Personal appearance
- Vehicle safety
- Preparation or presentation of cases for court
- Tardiness (refer to DOI 1104-06 "Tardiness/Absenteeism")
- Where an employee is expected to receive an overall rating of "Needs Improvement" on their forthcoming performance evaluation (refer to City SOP 300-08).

Inappropriate Use of a Written Warning on a Counseling Record

A written warning on a counseling record would be inappropriate where there is a pattern of recurrent violations, to include performance-of-duty violations. Additionally, serious rule infractions will be recorded on a Disciplinary Action Form rather than through a written counseling record.

All documentation of discipline shall be maintained in the employee's Internal Affairs personnel file on a permanent basis in accordance with N.C.G.S. §160A-168.

PROVIDING NOTICE OF DISCIPLINE

The purpose of a notice of discipline session is to provide discipline and encourage a mutual exchange of information whereby a better understanding of the problem is developed. The notice of discipline session should be documented on the Discipline/Appeals Tracker form.

- Supervisors should explain to the employee what is expected of them and why.
- The employee should be allowed to give reasons for their actions or their failure to act.

- The supervisor should make recommendations for improvement or corrections.
- The supervisor should record the time, date, and results of the counseling session.
- During the counseling session, the written warning will be signed by the employee to acknowledge that the content has been discussed with them.

SUSPENSIONS

Watch Commanders may temporarily remove employees from duty as specified above. Suspensions without pay must be approved by a Deputy Chief of Police. The length of time for compulsory leaves is normally limited to 30 days (refer to City SOP 300-14).

With the approval of the City Manager, the period of suspension without pay for employees facing court action may be extended to allow resolution of the court action.

An employee may request a loss of vacation or compensatory time in lieu of suspension.

An employee who is suspended without pay will be furnished a copy of the action, giving the starting date of the suspension, the cause, any conditions on return or for correcting the problem, and the return date.

If an employee fails to return to work when requested or at the end of their suspension, they will be regarded as having terminated their employment with the City.

DISMISSALS

In severe cases, the Department may dismiss employees without warning, as discussed above. This is especially true for violations related to personal conduct. In less severe cases related to personal conduct and/or performance of duty, the employee should normally be given at least two warnings prior to dismissal. These warnings may include an oral warning withwritten notice, and a final written warning with notice that a continuation of the practice may result in dismissal. These warnings do not have to be given in the sequence listed above and may begin with a more severe level of discipline (refer to City SOP 300-14).

The final written warning should be issued by the employee's Division Commander or a Deputy Chief of Police and should be recorded on the Department's disciplinary action form.

If an employee is being dismissed, a minimum of two weeks' notice will be given. This two-week period may include payment for accumulated vacation leave.

An employee being dismissed will be given a written statement of dismissal which includes the reason for the dismissal, the effective date of the dismissal and a statement of the status of fringe and retirement benefits after dismissal.

If an employee is returned to employment following an appeal, the period between dismissal and re-employment may be considered as a suspension.

APPEALS AND GRIEVANCES

Appeals for disciplinary actions should be made through the City's normal grievance procedures as outlined in City SOP 300-18. Higher levels of authority within the appeals process may decide to reduce or increase the severity of punishment.

It is the policy of the Raleigh Police Department to address all grievances as fairly and as expeditiously as possible. Employees may express grievances through appropriate means without fear of reprisal.

Employees may address grievances in all matters relating to their employment. This includes working conditions, benefits, relationships with supervisors, relationships between employees of a work group, or changes in rank or pay grade.

Options for Filing Grievances

Most grievances can be effectively resolved by working through the normal chain of command. Alternate options are available under City procedures.

Copies of all Police Department grievances and responses filed shall be forwarded to the Internal Affairs Unit and Police Human Resources Sergeant for tracking purposes. The Discipline/Appeals Tracker form shall be forwarded to the Internal Affairs Unit for tracking purposes.

Immediate Supervisors

Employees with grievances that can be resolved through the chain of command should first submit the grievance to their immediate supervisor, unless the grievance is against the immediate supervisor, in which case the grievance may be filed with the next supervisor in the chain of command. Employees who feel they are unable to present the grievance may ask that City Human Resources Office assist them in defining or presenting the problem (refer to City SOP 300-18).

Discrimination and Sexual Harassment Complaints

Employees who feel they have been the victim of discrimination or sexual harassment may file a grievance with their immediate supervisor, the Internal Affairs Unit, or directly with the City Human Resources Office. If the grievance is against the City Human Resources Office, the Assistant City Manager for Operations may receive the complaint (refer to City Management Policy 100-20).

Promotions

Grievances involving the administration or procedure of any of the promotion processes should be filed directly with the Police Human Resources Sergeant within fifteen (15) calendar days after the process has been completed.

GRIEVANCE PROCEDURES

For grievances that do not involve a suspension, dismissal, or demotion, employees should present the grievance, either orally or in writing, within fifteen (15) working days after the cause for the grievance occurred or became known to the employee. Working days, as used in the procedure, refers to Monday through Friday.

Responding to Grievances

Responses to grievances filed in accordance with City SOP 300-18 will be in written form and will be served in person within (5) working days from the notification of the grievance. The written form should include the following:

An acknowledgment of the time, date, and person receiving the grievance;

A statement of the grievance and the facts or allegations in the complaint;

An affirmation or denial of the allegations; and,

The remedy or adjustments, if any, which are to be made

A copy of the response shall be forwarded to the Internal Affairs Unit for tracking purposes along with the Discipline/Appeals Tracker form.

DIVISION COMMANDERS WILL IMMEDIATELY ADVISE THE CITY HUMAN RESOURCES DIRECTOR OF ANY GRIEVANCE WHICH IS APPEALED TO THEIR LEVEL, AND KEEP THE DIRECTOR APPRISED OF THE STATUS OF THE CASE AS IT PROCEEDS.

Suspensions, Dismissals or Demotions

An employee wishing to appeal a suspension, dismissal, or demotion shall appeal directly to the Deputy Chief of Police within five (5) working days of being notified of the action. Working days, as used in the procedure, refers to Monday through Friday.

The Deputy Chief has ten (10) working days to hold meetings with the employee, supervisors, and representatives from the City Human Resources Office and to then render a decision. Any extension beyond the ten (10) day limit must be approved by the City Manager or designee.

The employee will be notified immediately following the Deputy Chief's decision, either in person or by telephone. This will be followed by a written finding. The process will be documented on the Discipline/Appeals Tracker form.

Following the Deputy Chief's decision, the employee will have (3) three working days to appeal to the City Manager by submitting a request to the City Human Resources Director. Appeals to the City Manager should be documented on the Discipline/Appeals Tracker form.

The City Human Resources Office will receive and process all grievances received in accordance with City SOP 300-18.

Statement of Grievance

Employees having a grievance should attempt to state the problem as distinctly as possible. The Department strongly encourages employees to submit grievances in writing to their immediate supervisor. If necessary, the City Human Resources Office will assist employees in writing grievances. The grievance should contain:

The specific act alleged, and the harm done;

A statement of facts upon which the grievance is based (significant times, dates, and actions taken relative to the grievance must be included); and,

A statement of the remedy or adjustment sought

A copy of the grievance and all responses shall be forwarded to the Internal Affairs Unit or Police Human Resources Sergeant for tracking purposes.

Grievance Appeals Process

Grievances which are not resolved at one level of authority may be appealed to the next higher authority. In accordance with City SOP 300-18, appeals involving dismissals, suspensions, and demotions are handled through an accelerated appeals process.

Civil Service Appeals

Grievances related to suspensions, layoffs, removals, promotions, demotions, or forfeitures of time and pay may be appealed from the City Manager or designee to the Raleigh Civil Service Commission by covered employees. Notice of appeal must be given to the City Clerk within (30) thirty days of a final decision by the City Manager or designee.

Other Grievances

Grievances which are not related to suspensions, dismissals, or demotions should be handled through the normal chain of command. Appeals may be made to the next higher level of authority by giving notice within (5) five working days of the last administrative decision. The Deputy Chief of Police will hear the appeal within (5) five working days of receiving the appeal and render a decision within (5) working days. Supervisors below the Deputy Chief should render a decision within five (5) working days.

Following the Deputy Chief's decision, the employee will have (5) five working days to appeal to the City Manager by submitting a request to the City Human Resources Director. The City Human Resources Office will prepare a report within (10) working days, and the City Manager or designee will render a decision within (10) working days. This decision will be final unless otherwise provided for under the Raleigh Civil Service Act, in which case, a notice of appeal must be given to the City Clerk within (30) thirty days of a final decision from the City Manager or designee. The process should be documented on the Discipline/Appeals Tracker form.

Employee Representation

During internal administrative hearings, only persons directly involved in the grievance are authorized to attend. This would include the employee, a member of the City Human Resources Office (if requested by the employee or supervisor), and other appropriate City officials or employees as determined by the supervisor receiving the grievance. Outside persons representing the employee are not authorized to be present. Should a subsequent appeal be made to the Raleigh Civil Service

Commission, the employee may be represented by counsel of his choosing at that time (see City SOP 300-18).

Departmental employees not covered by Civil Service are probationary employees, part-time employees, employees holding exempted positions, and those seeking promotion to exempted positions (refer to City SOP 300-18).

RECORDS AND COORDINATION OF GRIEVANCES

Information regarding grievances should be handled in a sensitive and secure manner.

Tracker for Discipline, Appeals and Grievances

A Discipline/Appeals Tracker form will be completed that documents significant dates within the discipline and/or appeals process and be attached to the original disciplinary or appeal/grievance document to be submitted for final filing in the Internal Affairs Unit once the disciplinary action and/or appeal is resolved. A grievance that is filed orally will also initiate use of the Discipline/Appeals Tracker form. The Discipline/Appeals Tracker form will document the following events but not limited to:

- The date when an investigation begins,
- The date when the employee is notified of the investigation,
- The date when the investigation ends,
- The date discipline is served,
- The total number of days of an investigation (beginning date to notice of discipline),
- The date of the notice of discipline session(s),
- The date that a request for a copy of an investigation is received,
- The date that a copy of an investigation is provided to the employee,
- The date information, documents or data is requested for the purpose of an appeal,
- The date information, documents or data is provided for the purpose of an appeal,
- The date an appeal or grievance is received,
- The date an appeal or grievance is acknowledged,
- The date of any meetings or hearings related to the appeal or grievance,
- The date of the written response and personal service of that response related to the appeal or grievance,

- The date of any additional appeal or response of any kind related to an appeal or grievance will be documented on the Discipline/Appeal tracker form until all appeals by the employee are exhausted up to and including through City of Raleigh Human Resources and/or the City Manager's Office.

At the conclusion of the Disciplinary/Appeals process, the Discipline/Appeal Tracker form should be returned to the Internal Affairs Unit for tracking purposes.Unresolved Grievances

Records of unresolved grievances should be held secure by the supervisor reviewing the complaint. The sensitive nature of grievances dictates that only those directly involved in the grievance have any knowledge of the grievance.

Resolved Grievances

Copies of all grievances and responses filed shall be maintained by the Internal Affairs Unit and Police Human Resources Sergeant for tracking purposes.

Division Commanders will forward records of such grievances to the Police Human Resources Sergeant upon final resolution. The Police Human Resources Sergeant will secure these records for a period of three years from the date of resolution. Thereafter, these records will be maintained in the employee's Internal Affairs personnel file.

Coordination of the Grievance Process

Division Commanders will notify the Police Human Resources Sergeant of all grievances that are appealed and will be responsible for the coordination of grievance procedures.

The last supervisor within the chain-of-command to receive the complaint is responsible for seeing that the appropriate procedures are followed within the required time frames.

Annual Analysis of Grievances

Grievance procedures provide a valuable means for management to discover agency problems. The Police Human Resources Sergeant will conduct an annual review of formal grievances, to be included in the Police Recruiting and Human Resources Annual Report.

DOI 1105-01
Attachment A

DISCIPLINE/APPEALS TRACKER FORM

IA Number _____

EVENT	Date	Initials
Employee notified of investigation		
Investigation completed		
Discipline served		
Total # days of investigation (Investigation start to date discipline is served) =		
Notice of discipline session(s) held		
Copy of investigation request received		
Copy provided to employee		
Additional information, documents or data request		

Police Department

Level of Appeal	Appeal or grievance received		Appeal or grievance acknowledged		Meeting or hearing related to appeal		Written response and service to appeal/grievance	
	Date	Initials	Date	Initials	Date	Initials	Date	Initials
Step 1								
Step 2								
Step 3								
Step 4								
Step 5								

City Manager's Office / Civil Service Commission

Level of Appeal	Appeal or grievance received		Appeal or grievance acknowledged		Meeting or hearing related to appeal		Written response and service to appeal/grievance	
	Date	Initials	Date	Initials	Date	Initials	Date	Initials
Step 6								
Step 7								

	Date	Initials
Received by the Internal Affairs Unit		

OTHER EVENTS NOT LISTED ABOVE

THE RALEIGH POLICE DEPARTMENT

1105-02

INTERNAL AFFAIRS INVESTIGATIONS

PURPOSE

To describe the procedures for receiving complaints against employees, for conducting investigations involving employees, and the role of the Internal Affairs Unit

VALUES REFLECTED

This directive reflects our values of *Service, Fairness, Integrity, and Compassion*. Through this directive we recognize that we have high standards for our performance and that we must strive to always maintain the trust of the public and of each other through comprehensive investigation of possible misconduct.

UNITS AFFECTED

All Divisions/All Personnel

REFERENCES/FORMS

City SOP 101-13 "Driving Record Standards for Current Employees"
City SOP 300-14 "Disciplinary Action, Suspension, and Dismissal"
City SOP 300-18 "Appeals Process – Administration of Grievances"
COR Management Policy 100-15 "Grievance Resolution"
COR Management Policy 100-20 "Equal Employment Opportunity and Affirmative Action"
COR Management Policy 100-30 "Alcohol and Controlled Substance Policy"
DOI 1103-01 "Officer Reclassification, Lateral Selection Processes for Specialized Assignments, and Promotions"
DOI 1104-04 "Compliance with Laws, Regulations and Orders"
DOI 1105-03 "Officer Involved Shootings and In-Custody Deaths"
DOI 1110-01 "Initial Investigation of Major Crimes"
Attachment A: Warning for Criminal Investigation
Attachment B: Warning for Administrative Investigation
Attachment C: Citizen Contact Form

GENERAL POLICIES

The Internal Affairs function within the Raleigh Police Department is important for the maintenance of professional police conduct and ensuring the overall integrity of the Department. This function is accomplished by investigating alleged violations of misconduct by Raleigh Police Department employees. The purpose of this policy is to establish procedures for the fair and impartial investigation of complaints, processing complaint investigations, and final disposition of received complaints.

It shall be the policy of the Raleigh Police Department to investigate all complaints, even those made anonymously, against Department employees or against department policies and procedures, regardless of the source of such complaints. All complaints shall be documented by on-duty supervisory personnel or by the Internal Affairs Unit. Complaints may be made in the following ways including, but not limited to: through individuals within the Department or by private citizens in person, by telephone, by written or electronic correspondence.

When an employee's continued presence at work would be a detriment to the efficiency of the Department or to public safety, the Chief of Police or designee may place an employee on administrative leave with pay. This action may be taken prior to the employee being provided with an opportunity to explain or justify his or her behavior. When such action is taken, the commander responsible for making the notification shall notify the employee in writing and shall include a copy of the notification in the Internal Affairs Case File and/or the employee's personnel file.

INTERNAL AFFAIRS UNIT ORGANIZATION

The Internal Affairs Unit shall serve to assist all personnel regarding investigations of alleged misconduct of Raleigh Police Department employees and/or employees of other City of Raleigh Departments as directed by the City Manager.

The Internal Affairs Unit operates under the purview of the Chief of Police. The unit's daily activities are directed by a Captain who is a direct report to the Office of Professional Standards Major. If needed, any member of the Internal Affairs Unit may report directly to the Chief or a Deputy Chief of Police.

Internal Affairs Unit Captain

The Internal Affairs Unit Captain is responsible for the overall operation and coordination of the Unit. The duties of the Internal Affairs Unit Captain include:

- Documenting and maintaining control over all Internal Affairs investigations;
- Ensuring the Confidential Informant Fund checking account is balanced on a monthly basis;
- Working with the Drugs and Vice Lieutenant to update the Internal Affairs copy of the Confidential Informant database on a quarterly basis;
- Submitting an annual statistical report to the Office of Professional Standards Major detailing the status of all Internal Affairs cases for the previous year;
- Keeping the Office of Professional Standards Major abreast of any trends or patterns in complaint type, location, or employee;
- Completing an annual analysis of Use of Force Reports;

- Completing an annual analysis of discharge of firearms reports;
- Presenting a monthly summary of all complaints and investigations to a Deputy Chief of Police and/or the Chief of Police; and,
- Maintaining records of complaints, administrative investigations, criminal investigations, contacts, and disciplinary actions

Office of Professional Standards Major

The duties of the Office of Professional Standards Major include:

- Reviewing completed investigations to issue findings and recommendations;
- Issuing discipline as necessary;
- Reviewing all Internal Affairs cases to identify if policy revision is needed or if training issues have been identified; and,
- Reviewing and issuing final approval of Use of Force and Blue Team entries

In issues where there may be a conflict of interest, these duties will be delegated to a Deputy Chief of Police.

COOPERATING WITH INVESTIGATIONS

All employees shall cooperate with Internal Affairs Unit personnel as if they were addressing the Chief of Police. Employees who fail or refuse to cooperate with Internal Affairs Unit personnel and their associated administrative investigations shall be subject to disciplinary action, up to and including termination.

CONFIDENTIALITY OF INFORMATION

All information relating to an Internal Affairs investigation is confidential. Except as provided elsewhere in this policy, employees shall not disclose details of an active or pending investigation with anyone, except:

- Members of the Internal Affairs Unit;
- The employee's attorney; and/or,
- Other persons specifically designated by the Chief of Police

Internal Affairs Unit personnel shall neither disclose nor discuss information about any active or pending investigation with anyone who is not authorized by the Chief of Police or designee.

RESPONSIBILITIES

The Office of Professional Standards Major shall be responsible for notifying a Deputy Chief of Police and/or the Chief of Police of all complaints of a serious nature. Such complaints include, but are not limited to:

- Allegations of criminal conduct by a Raleigh Police Department employee;

- Serious breaches of Departmental integrity; and,
- Complaints likely to result in public criticism of the Department

Investigative Responsibility

Internal Affairs Unit personnel will investigate:

- All complaints against Raleigh Police Department personnel either from an external or internal source including, but not limited to, criminal and administrative complaints
- Complaints against other City of Raleigh employees as directed by the City Manager

The Internal Affairs Unit shall utilize a database program designed to assist in the logging, assignment, and management of complaints and use of force reports. This data is created and retained as part of an employee's personnel record. As such, its release is governed by NCGS 160A-168. The database is currently comprised of two components:

- Blue Team – Blue Team is designed for officers and supervisors to enter initial data into the database. That information is then forwarded electronically through the chain of command or directly to the Internal Affairs Unit depending on the type of file.
- IA Pro – IA Pro is the portion of the database utilized by the Internal Affairs Unit for management of the system.

RECEIPT OF COMPLAINTS

All complaints against Department employees are to be directed initially to any on-duty supervisor.

Complaints concerning citations issued or arrests made which have not been adjudicated shall not be accepted unless the complainant alleges serious misconduct or unethical or illegal activity by the officer.

Non-recurring minor allegations of poor police service, demeanor violations, or policy violations that can be resolved by the first-line supervisor may be investigated and resolved by the officer's supervisor or the supervisor who received the complaint. This supervisor will be responsible for completing a Citizen Contact Form (Attachment C), serving it on the officer, and returning the completed form to Internal Affairs through Blue Team.

Upon receipt of a complaint that cannot be resolved in the manner set forth in paragraph above, the receiving supervisor shall conduct a digitally recorded interview with the complaining party and complete an initial entry into Blue Team.

If the complainant refuses to file the complaint in person, the supervisor should note the complainant's refusal, and complete the report himself or herself. If appropriate, the supervisor shall go to the complainant's location to complete the form.

Supervisors may encourage complainants making allegations by telephone to come to the Police Department to file the complaint. However, the supervisor should understand that it is not mandatory for the complainant to do so.

Anonymous complaints will be accepted. Discipline shall not be taken against any employee based solely on an anonymous complaint. The complaint must be substantiated through investigation before any discipline occurs.

All complaints that are required to be entered into Blue Team should be entered by the end of the shift in which the complaint was received.

Supervisors shall not expose or discuss the content or subject of a received complaint that was referred to Internal Affairs unless directed by the Chief of Police or designee to discuss the matter.

Internal Affairs Unit personnel will ensure that all persons making a complaint have been notified that their complaint was received.

The complainant will be updated periodically on the status of the investigation and shall be notified of the final disposition, to the extent allowed by state law.

All employees have an obligation to report acts of misconduct by City employees to the Internal Affairs Unit. Misconduct that is serious in nature including, but not limited to, corruption or violation of any State or Federal law excluding minor traffic offenses shall be immediately reported to the Internal Affairs Unit. All other misconduct shall be reported to Internal Affairs in a timely fashion. Non-supervisory personnel shall direct any citizen wishing to file a complaint to their immediate supervisor.

No employee will attempt to discourage, interfere or delay an individual from making a complaint.

Employees who have knowledge of a violation of City procedures or safety regulations will report it to their immediate supervisor or the on-duty Watch Commander. (see DOI 1104-04 "Compliance with Laws, Regulations, or Orders").

COMPLAINTS

Complaints can be categorized three ways: internal generated formal complaint, external generated formal complaint or a contact complaint.

In general, formal complaints – both internal and external – will be categorized on the Internal Affairs Complaint Form as follows:

- Use of Force
    - Firearm Discharge – Includes all discharges of firearms other than training
    - Assault – Allegation of criminal assault that may or may not be duty related
    - Excessive Use of Force – Duty related use of force complaints other than those listed above
- Demeanor Violations
    - Verbal Abuse – Threatening, profane, argumentative or abusive language
    - Harassment – Unnecessary, unjustified and/or repeated contact with the complainant, usually more than verbal

- Discourtesy – Display of disrespect other than verbal abuse or harassment

- Unbecoming Conduct
  - Unless defined more specifically within this policy, unbecoming conduct is any conduct which is contrary to the Law Enforcement Code of Ethics (see DOI 1100-01 "Executive Policies") and reflects discredit upon the officer or the Department

- Other
  - Larceny – Unlawful taking of property or services
  - Departmental rule violation – Violation of Departmental rules not specified in the other categories
  - Illegal search – Search without proper authority
  - False arrest – Arrest without proper authority
  - Traffic violations – Violation of any federal, state or local motor vehicle law
  - Poor police service – Failure to fully perform the expected activities required to carry out an assignment or duty
  - Poor judgment – Failing to take appropriate action given the totality of the circumstances
  - In-custody death

INVESTIGATION OF COMPLAINTS BY INTERNAL AFFAIRS

The person assigned to conduct an Internal Affairs investigation cannot be:

- The complainant
- The ultimate decision maker regarding disciplinary action
- Anyone who was personally involved in the alleged misconduct

The assigned investigator shall prepare a written notice (Complaint Form) detailing the complainant's allegations concerning the accused employee. The employee will be notified of the investigation at the discretion of the Internal Affairs Unit Captain or Office of Professional Standards Major. Upon notice, the original complaint form will be signed by the accused employee and is only an acknowledgement that he/she has received a copy of the complaint. The employee will be provided a copy of the complaint form. All formal interviews will be recorded and transcribed.

To the extent feasible all interviews will include the following information in the preamble of the interview:

- Name of interviewer;
- Location of interview (if a recorded phone conversation, number called);
- Date and time of the interview;
- Name of person being interviewed;
- Names of anyone else present during the interview; and,

- Internal Affairs Unit case number, if applicable

If circumstances do not allow the investigator to include the above information as a preamble, then the investigator shall ensure the information is recorded at the conclusion of the interview. The assigned investigator shall attempt to interview the employee who is the subject of the investigation during the employee's normal working hours, unless the seriousness of the investigation, as determined by the Internal Affairs Unit Captain or Office of Professional Standards Major, requires the interview take place at another time. The employee shall be provided compensatory time if required to respond to Internal Affairs during a time that is not a part of their scheduled duty day.

An investigator shall inform the employee that failure to truthfully answer questions directly related to the investigation, or failure to cooperate with Internal Affairs Unit personnel during an administrative investigation, may result in disciplinary action up to and including termination. If the investigator determines that any significant discrepancies exist between the allegations and the employee's response, efforts will be made to resolve the discrepancies.

Upon determination by the Office of Professional Standards Major and/or the Chief of Police that the following actions are material and relevant to the investigation, investigative techniques that may be employed by Internal Affairs Unit personnel may include, but are not limited to, directing the employee to:

- Be photographed or fingerprinted;
- Participate in a physical lineup;
- Submit financial disclosure statements;
- Produce specific documents reasonably related to an investigation;
- Provide access to social networking sites;
- Submit to a polygraph examination, if the Chief of Police:
    - Considers the circumstances to be extraordinary; or
    - Believes the integrity of the employee is in question; and
    - The scope of the polygraph examination is narrowly tailored to the internal investigation.
- Submit to a drug or alcohol screening; or,
- Submit to a psychological evaluation

Any such testing shall be at the expense of the Department.

The completed case shall be forwarded to the Office of Professional Standards Major for review, findings and recommendations. Prior to finalization of the recommendations for sustained cases, the Office of Professional Standards Major shall confer with the employee's Division Commander to discuss the recommended discipline.

The Office of Professional Standards Major or designee will issue discipline for all sustained Internal Affairs Unit investigations. The date of disciplinary action will also be documented on the Discipline/Appeals Tracker form and included in the investigative book for tracking purposes.

EMPLOYEE'S RIGHTS AND DUTIES DURING AN INVESTIGATION

Investigations of alleged employee misconduct may be either criminal or administrative in nature. Such factors as the seriousness of the allegations, the degree of injury suffered by the complainant, and the totality of the circumstances will be considered in determining the type of investigation to be conducted.

The Internal Affairs Unit Captain or Office of Professional Standards Major will determine when employees are to be notified that they have become the subject of an Internal Affairs investigation. Upon notification of an investigation, the employee will be given a copy of the complaint form and will be advised whether the investigation is criminal or administrative in nature. Notification to an employee of an investigation will also be documented on the Discipline/Appeals Tracker form.

Criminal Investigations

Employees facing criminal investigations will be read and given a written copy of their criminal (Miranda) rights (Attachment A), even if not in custody. An employee may choose to remain silent, decline polygraph examinations, have an attorney present, or exercise any other right to which a criminal suspect is entitled.

Upon completion of a criminal investigation on an employee, the Internal Affairs Unit Captain or designee will forward the case to the Magistrate or the District Attorney to determine whether probable cause exists for any criminal charge. This may occur prior to the employee being notified of the investigation.

The Internal Affairs Unit Captain shall be responsible for ensuring that a liaison is maintained with the District Attorney's Office in investigations involving alleged criminal conduct on the part of an employee. Internal Affairs will not sign warrants against employees unless directed to do so by the Internal Affairs Unit Captain. This decision shall be made only after conferring with a Police Attorney and the District Attorney's Office.

Administrative Investigations

Administrative investigations are conducted in response to complaints that are generally non-criminal in nature. Employees facing administrative investigations will be read and given a copy of their administrative (Garrity) warnings (Attachment B) prior to any interview. Employees are required to answer questions which directly relate to the performance of their duties or to conduct prejudicial to the good order and reputation of the Department.

An employee is not entitled to representation during administrative inquiries except as provided by DOI 1105-01 "Discipline, Appeals, and Grievances." The employee may be disciplined if he/she fails or refuses to truthfully answer questions related to the administrative inquiry. Evasiveness may be interpreted as a refusal to answer (refer to DOI 1104-4 "Compliance with Laws, Regulations or Orders").

If an employee is ordered to provide statements or risk disciplinary action, any statement or any information or evidence gained by reason of such statements, shall not be used against the employee

in any subsequent criminal proceeding. However, the employee's statement may be used against them in subsequent Departmental disciplinary action.

INVESTIGATION PERIOD

External complaints received by the Raleigh Police Department shall be thoroughly investigated. Such investigations should be completed within (60) days of the date the complaint was filed. Any need to extend the investigation beyond the sixty (60) days shall be documented and permitted only after authorization by the Internal Affairs Unit Captain. Upon the determination that the complaint cannot be handled within sixty (60) days, the complainant will be notified of the estimated completion date.

Completed investigations will be forwarded from the Internal Affairs Unit Captain to the Office of Professional Standards Major who shall issue a general finding on each of the allegations based on the facts which have been discovered during the investigation. If the case is sustained and disciplinary action warranted, the Office of Professional Standards Major will make the final determination as to the disciplinary action to be taken based on the nature of the violation and the employee's disciplinary history for similar violations. Completed investigations and disciplinary action will be documented on the Discipline/Appeals Tracker form.

Notification to the complainant will be made by registered mail with a return receipt requested.

CONTACT COMPLAINTS

Contact Complaints Initially Filed with Internal Affairs

Occasionally, complaints are received by the Internal Affairs Unit or direct supervisors that do not require a full formal Internal Affairs investigation. Such complaints are easily investigated, and officers are most often exonerated based on video/audio or some other readily available information. These types of complaints can be investigated by the officer's chain of command or Internal Affairs. Minor demeanor violation complaints received by Internal Affairs that can be appropriately addressed by the officer's chain of command will be forwarded to the officer's supervisor after being logged in IA Pro and assigned an IA case number. Final determination of the classification of such complaints as a contact will rest with the Internal Affairs Unit Captain. The supervisor handling a contact complaint will complete a Citizen Contact Form (Attachment C). This form will be served to the subject officer and then attached to the case in IA Pro.

Contact Complaints Initially Filed with Supervisors

Supervisors receiving complaints directly from a citizen will be responsible for determining the seriousness of the complaint. Allegations of criminal wrongdoing, integrity violations, and other serious policy violations should be referred to Internal Affairs Unit for review. If the supervisor receiving a contact complaint determines the complaint is a minor demeanor violation that can be resolved easily, the supervisor taking the complaint, or the officer's direct supervisor, will be responsible for completing the investigation, contacting Internal Affairs for a case number, determining the allegation, completing the contact form and serving the officer.

The supervisor completing the contact form will ensure the following information is documented:

- A synopsis of the event;

- Facts and findings detailing what was done to investigate the complaint;
- The finding of the investigation, which shall include a disposition as outlined in the "Disposition of Complaints" section below; and,
- A signature from the subject officer

If the complaint is sustained, the supervisor will:

- Serve the determined discipline;
- Complete the citizen contact form;
- Serve the citizen contact form and discipline to the employee; and,
- Record the incident in Blue Team
- Document the applicable actions on the Discipline/Appeals Tracker form and upload the form to Blue Team along with the discipline

Citizen Contact Forms are designed to notify an officer of a complaint against them, even if that complaint was immediately resolved through the initial phone call. If the complaint is immediately resolved without the need to contact the officer for a statement, the contact form may be emailed to the officer as the notification. The supervisor should request a reply to confirm receipt and attach it to the Blue Team entry. This will be in place of a signature.

Notification to the complainant can be in the form of a phone call, email or letter on a case-by-case basis. The initial phone call can serve as notice to the complainant if the complaint is concluded during the initial phone call.

Disposition of Complaints

- Unfounded – Allegation is demonstrably false or there is no credible evidence to support it
- Not Sustained – Insufficient facts exist to substantiate any wrong doing or to refute the allegations
- Sustained – The allegation is supported by sufficient evidence or acts of misconduct were discovered during the investigation which were not alleged in the complaint
- Proper Conduct – The actions of the Department or officers involved were consistent with Departmental policy and/or training
- Policy Failure – The investigation indicates a need to modify or expand training or a need to change policies or procedures
- Other – Any disposition not indicated above

Sustained complaints

Internal Affairs formal investigations shall be given a final classification by the Office of Professional Standards Major. Internal Affairs Unit personnel assigned to investigate complaints shall not make a

recommendation on disciplinary action. The Internal Affairs Unit will provide written notification to the employee of the final results of the investigation. Notification to the employee will be documented on the Discipline/Appeals Tracker form. The person initiating the complaint will be notified of the final disposition of the case to the extent allowed by state law. Notification to the complainant will be made by registered mail with a return receipt requested. Once the complaint is complete, the case will be closed in IA Pro.

Classifications other than sustained

The Internal Affairs Unit shall notify the complainant of the final results of the investigation to the extent allowed by state law. The notification will be made by registered mail with a return receipt requested. The Internal Affairs Unit shall also provide written notification to the employee of the final results of the investigation.

Record Keeping

The Internal Affairs Unit will act as a repository for:

- All records of discipline resulting from Internal Affairs investigations;
- All records of discipline resulting from Divisional investigations;
- All records of complaints against the Department and its employees, other than complaints investigated by the City of Raleigh's Human Resources Division
- A Discipline/Appeals Tracker form that documents significant dates within the discipline and/or appeals process will be attached to the original disciplinary action, included in the investigative book or attached to the appeal/grievance document to be submitted for final filing in the Internal Affairs Unit once the disciplinary action and/or appeal is resolved.

The Internal Affairs Unit shall maintain statistical information regarding complaints and their dispositions. The statistical summary will be made a component of the annual published summary of internal investigations provided by the Office of Professional Standards.

IA Pro shall be utilized to maintain a complaint history on each employee investigated, which will reflect all complaints and their final classifications. The information maintained shall include:

- Case assignment number
- Employee name
- Employee number
- Date incident occurred
- Allegation/violation
- Final classification
- Type of discipline

Access to Files

All Internal Affairs Unit files will be maintained in a secure area. The Internal Affairs Unit staff will control access to these files.

Records will be released to the public only when required by law. Except as required by law, Internal Affairs Unit staff will keep the contents of all investigations confidential in order to protect the rights and privacy of the complainant, the employee, and the City. Any Freedom of Information or public record request for Internal Affairs Unit files will be referred to a Police Attorney. Subpoenas for documents or items from files maintained by the Internal Affairs Unit shall be directed to a Police Attorney. No documents or items shall be released pursuant to the subpoena without authorization of a Police Attorney.

The door to the Internal Affairs Unit will remain locked at all times. All visitors to the office will be escorted and no visitor will be left unattended in the office at any time. Only members of the Office of Professional Standards, the Police Attorneys, the Chief of Police, and the Deputy Chiefs of Police will be issued keys to the Internal Affairs Unit.

The Internal Affairs Unit shall also be secured by an alarm after business hours or when the offices will be vacant for an extended period of time. The code to the alarm will be changed upon transfer or retirement of any member of the Office of Professional Standards.

RETENTION OF FILES

The Internal Affairs Unit Captain shall be responsible for maintaining a record of all complaints against the Department or its employees for a period of 30 years from the date of closure.

DOI 1105-02
Attachment A

WARNING FOR CRIMINAL INVESTIGATION

I wish to advise you that you are being questioned as part of a criminal investigation by the Raleigh Police Department. You are NOT required to answer any questions or to make any statements. You may choose to remain silent.

If you choose to answer questions or make a statement, that choice must be made voluntarily. Any statement you make, may be used against you in a criminal proceeding. Statements you make could also be used against you in an administrative proceeding

You may consult with an attorney prior to your interview and your attorney may be present during the interview.

I have read the above and at this time:

_____ I choose to answer questions and make a statement

_____ I choose not to answer questions, nor make a statement

_____
Signature

_____
Date **Time**

_____
Witness

_____
Case Number

Revised 02/20

DOI 1105-02
Attachment B

WARNING FOR ADMINISTRATIVE INVESTIGATION

I wish to advise you that you are being questioned as part of an administrative investigation of the Raleigh Police Department. You will be asked questions which directly relate to the performance of your official duties and/or conduct prejudicial to the good order and reputation of the Department. You are required to truthfully answer these questions.

If you refuse to answer questions which directly relate to the performance of your official duties and/or conduct prejudicial to the good order and reputation of the Department, you may be subject to disciplinary action for insubordination, which could result in your dismissal from the Department.

If you do answer, neither your statements, nor any information or evidence which is gained by reason of such statements, can be used against you in any subsequent criminal proceeding. Your statement may be used against you in subsequent Departmental disciplinary action.

I have read the above and at this time:

_____ I choose to answer questions

_____ I refuse to answer questions

_____
Signature

_____
Date **Time**

_____
Witness

_____
Case Number

Revised 02/20

DOI 1105-02
Attachment C

RALEIGH POLICE DEPARTMENT
CITIZEN CONTACT FORM

Date/Time Reported: _____ IA Number: _____

Employee: _____
(Name) (Rank) (Assigned Division) (Code #)

Complainant: _____
(Name) (Address)

Incident: _____
(Date) (Time) (Location)

Allegation:

Incident Synopsis:

Findings and Recommendations:

Employee Signature: _____ Date of receipt: _____

Revised 02/20

THE RALEIGH POLICE DEPARTMENT

1105-03

OFFICER-INVOLVED SHOOTINGS AND IN-CUSTODY DEATHS

PURPOSE

To establish guidelines detailing responsibilities of all Raleigh Police Department personnel responding to any police shooting incidents or in-custody deaths and the subsequent criminal and administrative investigations.

VALUES REFLECTED

This directive reflects our values of *Preservation of Life*, *Integrity*, *Accountability* and *Fairness*. Through this directive we recognize that we have high standards for our performance and that we must strive to always maintain the trust of the public and of each other through comprehensive, fair, and unbiased investigations involving Departmental personnel.

UNITS AFFECTED

All Divisions/Sworn Personnel

REFERENCES/FORMS

DOI 1105-02 "Internal Affairs Investigations"
DOI 1110-01 "Initial Investigation of Major Crimes"
SOP 300-16 Personnel Records
SBI Memorandum of Understanding, August 1, 2005
GS 160A-168 Personnel Laws
Attachment A: Officer Involved Shooting Checklist

GENERAL POLICIES

The State Bureau of Investigation (SBI) will assume the responsibility of conducting all criminal investigations of in-custody deaths and officer-involved shootings resulting in death or personal injuries that occur in the City of Raleigh. The Internal Affairs Unit (IAU) will conduct an administrative investigation separate from the criminal investigation. An investigation of the incident that led up to the use of force shall be conducted by the Department's Major Crimes Unit or other unit designated by the Deputy Chief.

IAU will conduct a criminal investigation of an intentional shooting by an officer where no personal injuries occur. IAU will also investigate any shooting involving a domesticated animal. The SBI will not investigate such incidents unless requested by the Chief of Police.

IAU will conduct an administrative investigation of a police involved accidental shooting where no personal injuries occur. The SBI will not conduct an investigation unless requested by the Chief of Police.

NOTIFICATION PROCEDURES

The first supervisor on scene will immediately notify the Watch Commander of an in-custody death or of an officer-involved shooting. The Watch Commander will contact IAU and the Duty Major. The Duty Major will ensure that the appropriate command staff and support personnel are notified.

CRIME SCENE MANAGEMENT

Patrol Responsibilities and Investigative Procedures

- Initial Responding Officer

  The initial officer responding to the scene will assume command of the incident until the arrival of the first supervisor. The initial officer will manage the scene with the following goals in mind:

  - Scene security and integrity.
  - Identification and separation of witnesses. All witnesses will be asked to remain on the scene unless otherwise directed by a supervisor.
  - Assignment of officer(s) to accompany anyone transported to the hospital.
  - Establish a staging area.
  - Notification of CCBI.
  - Notification of appropriate Department personnel.

- First Supervisor on Scene

  Upon arrival, the first supervisor on the scene will follow the Major Crime Scene Duties checklist to manage the initial investigation and will:

- Separate the involved officer(s) and make officer(s) comfortable.

- Assign a supervisor to stay with the involved officer(s).

- Attempt to identify any individual(s) with potential gunshot residue and take the appropriate steps to secure a gunshot residue test (GSR) from those individuals. Any individual(s) transported from the scene by EMS must have their hands "bagged" to preserve any gunshot residue.

- Duty weapons will not be taken from the officer(s) at the scene unless absolutely necessary for safety reasons; however, the officer(s) must be supervised at all times.

- Ensure that only a member of IAU seizes MVR media of the incident.

- Provide IAU with a list of names of all employees who responded to the scene. Officers and supervisors directly involved in the investigation who responded to the scene must complete a detailed supplement prior to ending their tour of duty.

Involved Officer(s) Action after Shooting

Officer safety is paramount in any officer involved shooting incident. Nothing in this protocol shall preclude an officer from taking reasonable actions to ensure the safety of the officers, public at large, and the scene.

When the initial incident is stabilized and the scene is safe, the officer(s) involved in the discharge of their firearm will do the following:

- The involved officer(s) will request EMS for any injured person and notify a police supervisor.

- The involved officer(s) will not remove, collect or alter items, including weapons, radios, cap stun, batons, vehicles, etc., from their original resting place unless a safety concern is present. In that case, clearly document the location from which any item was moved.

- The involved officer(s) firearm will not be handled by anyone after the shooting unless there is a safety concern. The involved officer(s) should be prepared to articulate their actions, i.e., reloading after the shooting. CCBI will take photographs of the officer, firearm, magazines, and gun belt. CCBI will take custody of the firearm or any other weapon used in the incident after authorized by IAU.

- In the event that the involved officer(s) firearm is handled by responding officers, the firearm will remain in the custody of the officer who first took possession of said firearm until it is turned over to CCBI. This is to include extra weapons, gun belts, and any magazines.

- The involved officer(s) will be transported to Headquarters. The officer(s) will not be allowed to wash their hands until after GSR testing is complete. At no time will any employee of the Raleigh Police Department attempt to conduct a formal interview with the involved officer(s) for any reason prior to the SBI interviewing the officer(s). Inquiries by

officers or supervisors at the scene concerning location of crime scenes, description of suspect(s), and type of weapon used by the suspect are appropriate and should be answered to the best of the involved officer's ability so that a thorough and accurate investigation can be conducted without compromising an involved officer's personal legal protection.

- The involved officer(s) should not be isolated. A member of the Critical Incident Stress Management (CISM) team (if available) will be made available to each involved officer. In addition to or instead of, an involved officer will be able to have a peer-support person or friend of their choice who was not involved in the shooting available to them, as quickly as possible after the incident. Any employee involved in these support roles must not be of a higher rank than the involved officer and should not be given any duties beyond providing companionship and support. The peer-support person, officer or friend may be interviewed; therefore, the involved officer(s) should not discuss details of the event until after they have given their official statements.

- The involved officer may request the assistance of an attorney and will be provided with a private location on site to meet with their attorney. Communication with a private attorney is privileged.

Non-shooter officers involved in the incident, as well as supervisors and command staff who might have been present during the shooting will be afforded the same considerations and support, if desired.

Internal Affairs Unit (IAU) Responsibilities

- IAU will respond to any officer-involved shootings or in-custody deaths and will supervise specific aspects of the investigation as directed.

- Upon notification of a police-related shooting or in-custody death, the IAU Captain will make contact with the Watch Commander to determine the location, number of officers, victims, witnesses, and crime scenes related to the incident.

- The IAU Captain will contact the SBI, give details of the incident, and request SBI's Shooting Investigative Team.

- The IAU Captain will then coordinate the response and assign specific tasks to the IAU staff. At least one IAU member will remain at the scene at all times.

- The IAU Captain will assign one member of the unit as the case agent and will ensure the Detective Division and SBI is aware of this assignment.

- IAU will coordinate with the Watch Commander to contact and transport the officer's family to their location. A change of clothes for the involved officer, if necessary, should be arranged with the family or the police quartermaster.

- The IAU staff will proceed with their administrative investigation in such a manner so as not to jeopardize the criminal investigation being conducted by the SBI or Major Crimes Unit.

- The IAU case agent will obtain two copies of all radio traffic tapes, 911 tapes, MVR tapes, and EMS/Fire Communications tapes and have each tape transcribed. One copy each will be provided to the IAU case agent and the SBI's shooting investigative team.

- The IAU case agent will prepare a timeline leading up to and detailing the actual event.

- The IAU case agent will maintain a complete and enduring task list and evidence log and will be responsible for follow-up of all leads as well as examination of all evidence.

SBI Responsibilities

Internal Affairs will notify the SBI and request that they conduct a criminal investigation of the incident. A team of agents will respond to investigate matters involving the actions of the law enforcement officer(s) involved in an in-custody death or a shooting that resulted in personal injury or death. The SBI's objective in an in-custody death case or a police shooting is to obtain all of the facts in order that the District Attorney can make a determination of criminal liability (if any) on the part of a law enforcement officer.

The SBI will:

- Obtain all search warrants related to the incident and request an autopsy, if appropriate.

- Be briefed by IAU and CCBI prior to conducting interviews.

- Communicate interview information to CCBI as it relates to processing of the scene.

- Assign a SBI crime scene agent as a liaison with CCBI as it relates to processing of the scene.

SBI interview with the involved officer(s):

- The SBI, as part of their criminal investigation, will interview the involved officer(s) and advise them of their Miranda rights. Involved officers will be given a written copy of these rights. The involved officer is not mandated to speak to the SBI agents. The officer can choose to have an attorney present. If the officer refuses to answer SBI interview questions, the officer will not be disciplined. These actions are taken to ensure that the involved officer understands it is a criminal investigation; that the involved officer has the same constitutional rights as all citizens; and to ensure separation between the criminal investigation and any type of administrative, departmental inquiry.

- The SBI will also conduct interviews with other responding officers, victims, suspects, and witnesses. The SBI is not responsible for charging the suspect(s) for any criminal wrongdoing prior to the incident which led to the use of force. The Detective Division's Major Crimes Unit or other unit designated by the Deputy Chief will investigate all specific criminal offenses committed by the suspect at the time of an in-custody death or police shooting, and will make the appropriate charges after consulting with the District Attorney's Office.

- The SBI will not normally permit RPD personnel or others to be present in the room when an involved officer is being interviewed. Any such request by RPD should be made prior to the interview and the SBI will consider each request on a case by case basis.

CCBI Responsibilities

- Once notified, a CCBI agent and supervisor will respond to the scene of an in-custody death or officer-involved shooting that resulted in personal injury or death.

- CCBI will process the scene and all associated locations. CCBI will collect all evidence.

- CCBI will take custody of the firearm or any other weapon used in the incident after authorized by IAU.

- After being briefed on the circumstances surrounding the incident, CCBI will begin processing the scene unless the SBI requests to view the scene before processing begins.

- CCBI will communicate findings from the scene to the SBI that may assist them in the interview process.

- CCBI will create an investigative report of their findings and submit the report along with copies of photographs, video tape(s), etc., to the SBI, IAU and the Detective Division for inclusion with their reports.

Detective Division Responsibilities

The Detective Division's Major Crimes Unit or other unit designated by the Deputy Chief will investigate the specific criminal offense that the suspect was committing at the time of the in-custody death or police shooting.

The Detective Division will, if needed, perform the following duties:

- Obtain search warrants not directly related to the in-custody death or officer-involved shooting.

- Conduct witness interviews.

- Conduct suspect interviews.

- Conduct involved officer(s) interviews. These interviews should only be conducted after the SBI has completed their interviews. Since this is a criminal investigation, during the interview, the officer(s) will be advised of their Miranda rights for a criminal investigation even if not in custody. The officer(s) is not mandated to speak to any member of the Detective Division. The officer(s) can choose to have an attorney present.

- Conduct neighborhood canvasses.

- Conduct crime scene searches.

Post Shooting and In-Custody Death Guidelines and Procedures

(This section does not apply to the shooting of domesticated animals.)

- In the event of an in-custody death or officer-involved shooting, the Director of Psychological Services (DPS) will be notified and given the location of the involved officer(s). The involved officer(s) will be informed that the DPS has been notified and is available if needed. It is not mandatory that the DPS respond unless a request is made by the involved officer(s). Communications between the involved officer and the DPS are confidential unless the DPS is required to share information to prevent a suicide, to prevent injury to another person, or as ordered by a court.

- An Incident report, Supplements, Use of Force report and a Discharge of Firearm report (if applicable) must be completed by the involved officer(s) after the completion of interviews with the SBI, IAU and Detective Division.

- The involved officer(s) will be placed on administrative duty. The officer(s) will remain on administrative duty until authorized by the Deputy Chief to return to their regular assignment.

- The Public Information Officer will prepare, with the assistance of the Police Attorney, an initial release to the news media. The name of the officer(s) and any injured parties will only be released after family members have been notified.

- The SBI is prohibited by law and departmental policy from providing a copy of their investigative report to anyone but the District Attorney's Office.

- The District Attorney's Office is prohibited from obtaining a copy of IAU's administrative investigation.

- The SBI case agent may brief the Chief's Office on the criminal case but will not provide a copy of the investigation.

- The Police Attorney will prepare a brief written report of the incident for the Chief to send to the City Manager within five business days after the shooting or in-custody death.

- The FBI may choose to conduct a civil rights investigation related to the shooting or in-custody death incident. The Department will provide information as allowed by law, to include: public information, protected information released by the involved officer, or as ordered by the court.

- The SBI is not allowed access to a personnel file without the consent of the officer. The SBI must obtain a court order for personnel information that is not released voluntarily.

- Upon completion of the investigation, the SBI will submit a complete written report to the District Attorney for review and decision. The SBI does not make conclusions and recommendations.

- Upon completion of the SBI's investigation, the IAU case agent will forward the internal investigation to the involved officer's Captain for conclusions and recommendations.

The Information Systems Manager will restrict access to Raleigh Police KOPS reports associated with these cases. Access to this information will be decided on a case by case basis at the direction of the Chief of Police, or designee.

Attachment A

Officer-Involved Shooting Investigation Checklist

Involved Officers

- Control threats to safety
- Administer first aid to self and others
- Request emergency medical assistance
- Request backup and related support services
- Broadcast lookouts
- Notify supervisor and communications
- Secure your firearm
- Secure the perimeter and protect evidence
- Identify persons at or leaving the scene
- Identify witnesses and request cooperation

Supervisory Responsibilities

- Determine condition of officer and others
- Determine status of above actions
- Notify command/specialized units or personnel:

  - District Commander
  - CCBI
  - Chaplain
  - Victim Advocate
  - Police Attorney
  - PIO
  - Hostage Negotiator
  - Detective Division
  - SEU
  - K-9

- Ensure area is contained and perimeter established
- Protect evidence
- Move officers away from the area
- Separate officers and provide peer counselors
- If the officer is injured, transport to hospital with supervisor
  - Don't release officer's name
  - Notify officer's family
  - Assign officer to family
  - Collect officer's clothing and equipment as evidence
- Establish command post if required
  - Appoint command post staff
  - Appoint a recorder
  - Brief personnel
  - Maintain/establish perimeter security
  - Press Relations
- Locate and secure officer's weapon
- Check all officers' firearms for discharge
- Begin gathering information on incident
- Neighborhood canvass

Detective's Responsibilities

- Identify all police and emergency services personnel who were or are at the scene
  - Name, rank, code number and current assignment
  - Name of first supervisor at the scene
  - Other related persons, e.g. EMS personnel
- Ensure location, photographing, collection of evidence
  - Color photograph officer and injuries
- Interview witnesses (tape record)
- Conduct and tape record officer interviews in private
  - Advise not to discuss incident with other officers
  - Take involved officer weapon(s) into custody
- Formulate preliminary statement of facts
- Establish Chronology and Conditions
  - Date and time call received
  - Names, serial number and rank of officers involved
  - Current assignment and detail
  - Uniform or plainclothes
  - Types of vehicles
  - Weather, lighting conditions
- Describe and diagram scene including background
- Position of officer(s)
- Position of suspect(s)
- Position of witnesses
- Path of bullets fired

Evidence

- Photographs and videotape of scene and items of evidence
- Officer firearms and ammunition
  - Firearm: serial number, make, model, caliber, type holster
  - Ammunition: type, manufacturer, number of rounds fired
- Suspect firearms and ammunition
  - Firearm: serial number, make, model, caliber, type holster
  - Ammunition: type, manufacturer, number of rounds fired
- Collect expended bullets and cartridge casings
- Suspect information
  - Description
  - Prior record
  - Parole/probation and related information
- Complaint taker and dispatcher voice and data transmissions
- CAD logs
- Officer's and suspect's clothing
- Vehicles
  - Description
  - Evidence booked
  - Disposition, e.g. impound
- Autopsy results
- Brief District Attorney's Office

THE RALEIGH POLICE DEPARTMENT

1105-04

EXPUNCTION OF DISCIPLINARY ACTIONS

PURPOSE

To provide employees with a procedure to expunge disciplinary actions.

VALUES REFLECTED

This directive reflects our values of *Integrity*, *Accountability* and *Fairness*. Through this directive we recognize that we must provide employees with an opportunity to improve their personnel record. We must ensure that employees are provided with opportunity to over come past errors by improving their future performance.

UNITS AFFECTED

All Divisions/All Personnel

REFERENCES/FORMS

City SOP 300-16 “Personnel Records”
DOI 1105-1 “Discipline, Appeals, and Grievances”
Attachment A: “Expunction Request Form”
Attachment B: “Expunction Review Form”

GENERAL POLICIES

The Raleigh Police Department does not intend to permanently penalize employees for errors that occurred in the past, have not been repeated, and are not likely to recur. An expunction of disciplinary action is dependant upon the employee maintaining a clean service record from the time of the disciplinary action. Discipline under appeal is not eligible for expunction.

EXPUNCTION REQUESTS AND PROCEDURES

Officers may request an expunction once during any twelve (12) month period. The request may cover one or more disciplinary actions.

Timeframe for Expunction

In order for a disciplinary action to be eligible for expunction, it must meet the following criteria:

It must be at least three (3) years from the date of discipline if:

- The disciplinary action did not result in the loss of time or pay; or
- The disciplinary action resulted in the loss of time or pay for two or less days.

It must be at least five (5) years from the date of discipline if:

- The disciplinary action resulted in the loss of time or pay for more than two days; or
- The disciplinary action resulted in a Final Written Warning.

Expunction Procedure

Employees who would like a disciplinary action expunged should submit the "Expunction Request Form" to their immediate supervisor. The request should identify the specific disciplinary action to be expunged and the justification for the expunction. A supervisor who receives an Expunction Request Form will review the employee's service record and complete an Expunction Review Form which will be sent to the employee's Commander. The Commander will review the forms and make a recommendation. The information will be forwarded to the Chief of Police or designee for a final decision.

Final Decision and Expunction

Final decisions will be made by the Chief of Police or designee. Employees will be notified of the final decision in writing. An employee whose request has been denied may not make further requests concerning that specific disciplinary action until twelve (12) months have passed from the date of the written denial.

If an expunction is granted, the records of the action will be removed from the employee's personnel file and placed in the Internal Affairs file. Information so removed may not be used for changes in assignments or promotions.

Expunction Request Form

Officers may request an expunction no more frequently than once during any twelve (12) month period. The request may cover one or more disciplinary actions.

Employee Name:
Date of Request:

Date of Disciplinary Action(s):
Disciplinary Action(s) to be expunged:

Justification for Expunction:

Date of last Disciplinary Action received:

Officer’s Signature: _____

Date: _____

Expunction Review Form
Supervisory Review and Approval

A supervisor who receives an Expunction Request Form will review the employee’s service record and complete the Supervisor Review Form which will be sent to the employee’s Commander.

Supervisor Name:

Employee Name:
Date of Disciplinary Action(s):
Disciplinary Action(s) to be expunged:

Does the request comply with DOI 1105-4 “Expunction of Disciplinary Action”?

Yes ☐
No ☐

Has the employee maintained a clean service record since the date of the requested disciplinary action expunction? If no, please include any additional disciplinary measures taken in the applicable time frame.

Yes ☐
No ☐

Supervisor’s Signature: _____

Date: _____

****
Commander Name:
Commander Approval (if “No” please indicate the reason):

Yes ☐
No ☐

Comments:

THE RALEIGH POLICE DEPARTMENT

1105-05

REMEDIAL TRAINING

PURPOSE

Completion of a prescribed recruit training program is not an absolute assurance that an employee will perform satisfactorily in all aspects of the job. As such, program of remedial training is intended to correct deficiencies for employees who are not performing at an acceptable level.

VALUES REFLECTED

This directive reflects our values of *Service* and *Fairness*. It is our goal to provide the best possible service to the public. This directive provides an avenue to improve performance through enhanced training.

UNITS AFFECTED

All Divisions/All Personnel

REFERENCES/FORMS

DOI 1102-2 "Performance Evaluations"
DOI 1105-1 "Discipline, Appeals, and Grievances"
DOI 1102-4 "Departmental Wellness Program"
DOI 1101-7 "Psychological Services"

GENERAL POLICIES

The Police Training Center will assist supervisors in developing remedial training programs and will provide actual instruction when necessary. The responsibility for the development of any remedial training program lies with the affected employee's chain of command; however, the ultimate responsibility for successful completion of the program lies with the employee.

REMEDIAL TRAINING PROGRAMS

Not all performance issues can be addressed through remedial training. Performance deficiencies related to "personal conduct" are generally unsuited to remedial training. Supervisors should consider the possibility that performance deficiencies may be the result of personal issues present in an employee's life. In these cases, the appropriate referrals should be made. Remedial training would be appropriate in cases involving job skills, knowledge, or abilities.

Supervisory Evaluations

Once it appears that an employee is not meeting the job standards for the employee's position, the supervisor should identify and discuss the performance deficiencies with the employee. The supervisor should obtain input from the employee concerning the identified deficiencies and possible solutions for improving performance.

Police Training Center Staff Recommendations

Once the performance deficiencies have been identified, the immediate supervisor will confer with the Police Training Center staff to identify available resources. The Police Training Center staff may recommend self-study materials, in-house or out-of-house specialized training, or individualized instruction. The Training Center staff may also be able to provide standardized tests for demonstrating improvement. Preference should be given to those types of remedial training that can be conducted within the work unit, or which will not disrupt the employee's normal work schedule.

Remedial Training Plan

The immediate supervisor is responsible for preparing a proposed remedial training plan. The proposal should include the type of training, the dates and duration of the training, and any temporary changes in working hours that may be required. Approval of the plan should be obtained from the employee's Division Commander. If temporary reassignment of the employee is required, the plan must be approved by the Deputy Chief of Police.

Remedial Counseling

Once the Remedial Training Plan is approved, the employee's supervisor will provide the employee with written notice of the performance deficiencies and indicate agreed upon steps to correct the issues (refer to DOI 1105-1 "Discipline, Appeals, and Grievances").

ATTENDANCE AND COMPLETION OF REMEDIAL TRAINING

Employees scheduled for remedial training sessions are required to attend and complete assignments within the designated time periods.

Scheduling of Remedial Training

When it is determined that an employee's performance deficiencies would expose the Department to unnecessary liability, the Division Commander should assign the employee to alternate duties until such time as the remedial training plan can be implemented. Otherwise, the plan should be implemented at the convenience of the affected division.

Completion of Remedial Training

The employee's Captain will review the progress of the employee and evaluate the successful completion of the training. Remedial training is offered to employees in lieu of more serious action. Failure to successfully complete remedial training may result in more serious personnel or disciplinary actions.

THE RALEIGH POLICE DEPARTMENT

1105-06

COMMENDATIONS AND AWARDS

PURPOSE

To establish a system of commendations to honor Departmental employees for meritorious conduct and performance.

VALUES REFLECTED

This directive identifies the methods used to recognize behavior that exemplifies the Raleigh Police Department's core values – *Service, Courage, Fairness, Integrity, and Compassion*. Commendations and awards may be given to demonstrate how our best behaviors reflect these values that guide our Department.

UNITS AFFECTED

All Units/All Personnel

REFERENCES/FORMS

DOI 1100-01 "Executive Policies"
Attachment A: "Awards Worksheet"
Attachment B: "Recommendation for Award" Form

GENERAL POLICIES

A system of commendations provides a means whereby deserving police employees, volunteers and members of the public will receive official Departmental recognition for outstanding acts of valor, heroism and meritorious service to the community which exemplify our values. Commendations will publicly recognize extraordinary, exceptionally meritorious or conspicuously outstanding acts above and beyond those normally expected. Such acts distinguish individuals from their peers. Superior performance of an individual's duties over an extended period of time is not necessarily the basis for a commendation. At the Chief's discretion, any of the below listed awards can be awarded posthumously. Best practices encourage the nominations for and presentations of commendations as soon as possible after the precipitating event, but there is no designated time frame during which nominations and presentations must occur. Employees will have a copy of the commendation enclosed in their permanent personnel file.

BOARD OF AWARDS

The Board will consist of eight members of the Police Department who will represent both sworn and civilian personnel and incorporate a representative from each Division. Sworn officers on the Board must be at or below the rank of Sergeant when they are selected to serve. The Board will be chaired by the Administrative Services Division Commander or designee. As chair, the Administrative Services Division Commander or designee will be responsible for maintaining the award nomination forms and scheduling the board meetings. The board members will be selected based on interest and recommendations from their respective Commanders. Members of the Board of Awards will perform their duties with extreme professionalism and will maintain an objective approach to their duty. Members will serve on the Board for a staggered term of two or three years.

During their tenure, board members will be responsible for reviewing each nomination and forwarding recommendations to the Chief. All final decisions will be made by the Chief of Police. Nominees may consist of sworn personnel, civilian police professionals, citizens and community organizations. The awards will be presented at an annual formal ceremony hosted by the Police Department. Members of the Board of Awards may not nominate other employees.

TYPES OF COMMENDATIONS

Commendations may be presented to any Police Department employee for meritorious acts performed either on-duty or off-duty. Factors to be considered in determining the level of commendation include the difficulty in accomplishing the act; the extent to which it exceeded what is normally expected; level of personal risk involved; degree to which the act impacted the community, the police profession or the Department. Every form of commendation must show how the employee's actions supported one or more of our core values.

Raleigh Police Academy Awards

Robert L. Bunn Memorial Award

The Captain Robert L. Bunn Memorial Award will be presented to the outstanding graduate of each academy class based on the following categories: Academics, Physical Training, Driver's Training, Firearms, Peer Evaluations, and Staff Evaluations.

A.A. Boone Motivational Award

The A.A. Boone Motivational Award will be presented to a graduate of each academy class based on their ability to motivate and inspire other recruits, and their ability to display outstanding character even when faced with adversity.

Raleigh Police Departmental Awards

Employee of the Year

The City of Raleigh Human Resources Department manages the Employee of the Year program. Through their nomination and selection process, a Departmental Employee of the Year is chosen. One Departmental Employee of the Year is selected as the overall City Employee of Year. These awards are generally presented in the form of a plaque and a monetary award.

Letter of Commendation

A Letter of Commendation is appropriate to provide recognition and reinforce positive conduct that would not warrant a special commendation. Instances where a Letter of Commendation is appropriate include high productivity or performance, initiative while on duty, commendable public contacts, or recommended changes in procedures that improved operating efficiency. The employee's immediate supervisor will document the commendable performance on the Letter of Commendation form and forward it through the chain of command for approval by the District/Division Captain. This award shall be presented in the form of a letter signed by the Chief of Police or Deputy Chief of Police.

Chief's Citation

The Chief's Citation is granted at the sole discretion of the Chief of Police to sworn officers, civilian employees of the Police Department, citizens or an organization whose cooperation has materially aided the Department in the prevention of crime, apprehension of criminals or who has unselfishly rendered an invaluable service to the Department. The Chief's Citation is presented on the formal Chief's Citation letter and accompanying folder.

Meritorious Unit Citation

The Meritorious Unit Citation may be awarded to any unit or group of employees whose performance clearly exceeds what is normally required or expected of others performing a similar task. Examples include conducting an investigation over an extended period and at greater personal sacrifice that resulted in the clearance of critical criminal cases. This award is presented in the form of a large plaque for the Unit supervisor and a certificate for each Unit member.

Award for Merit

An Award for Merit may be given to an employee for accomplishments resulting in improved administration or operations of the Raleigh Police Department or Law Enforcement. This award is presented in the form of a medal and a certificate.

Lifesaving Award

The Lifesaving Award may be granted to any employee for the saving of a human life or the attempt to save a human life. "Saving of life" or the "attempt to save a human life" is the removal of a person from a place or situation where death would be imminent if the victim were not immediately removed, or the administration of CPR, the Heimlich maneuver, stopping the free flow of blood, or the performing a specific act without which death would be imminent. This award is presented in the form of a medal and a certificate.

Distinguished Service Medal

The Distinguished Service Medal shall be presented to any officer who has rendered a service beyond the ordinary call of duty. It shall recognize these incidents where the member's diligence, perseverance, and timely judgment in the performance of a difficult task has resulted in the protection of life or property, the prevention of a major crime or the extraordinary apprehension of an armed and dangerous criminal. This award is presented in the form of a medal and a certificate.

Purple Star

The Purple Star may be awarded to employees who suffered extreme serious physical injury, permanent disfigurement, or permanent impairment of health incurred in the line of duty. This award is limited to those cases resulting from the performance of hazardous duty. This award is presented in the form of a medal and a certificate.

Medal of Valor

The Medal of Valor shall be the highest award that may be bestowed upon any living member of the Raleigh Police Department. It shall be awarded only in exceptional instances involving extremely hazardous circumstances in which an employee distinguishes themselves by an act of bravery performed with knowledge of the risk involved, at the risk of their own personal safety, of an extraordinary nature above and beyond the call of duty, and that reflected favorably upon the Department and the police profession. This award is presented in the form of a medal and a certificate.

Memorial Award of Honor

The Memorial Award of Honor shall be the highest recognition to be posthumously awarded to any member who has lost their life while in direct performance of duty. The award is a tribute to the member's courage and dedication. This award is presented to the family in the form of a medal and a certificate. The Memorial Award of Honor can be awarded to any member of the Department for any period of time, past or present.

RECOMMENDATION AND APPROVAL OF AWARDS

Nominations for awards can be submitted by any employee of the police department, including volunteers, who may have knowledge of the meritorious act. However, an employee cannot nominate themselves for an award, and members of the Board of Awards cannot nominate other employees.

Nomination forms can be completed using RPDnet (Report/Request Forms). Recommendations for commendations should describe the acts performed, indicate the time, date, and location, whether in-car or body camera video is available, the extent of personal risk involved and, include the names of those who witnessed the act. All case report numbers and other pertinent information should be included in the recommendation. The recommendation must specifically describe how the person's actions furthered a specific Departmental value. The recommendation should also demonstrate how performance of the act contributed to the betterment of the Department, the community or individual quality of life.

VENUES FOR PRESENTATION OF VARIOUS AWARDS

Employee of the Year – The presentation of this award is managed by the City of Raleigh Human Resources Department. This award is typically presented at the City's annual Employee Recognition event, usually held in the spring.

Robert L. Bunn Memorial Award and A.A. Boone Motivational Award - These awards are presented at the Academy graduation ceremony in the form of a plaque.

Letter of Commendation – This award is normally presented by a Watch Commander or District Commander during roll calls or in squad meetings.

Chief's Citation– This award may be presented during Command Staff Meetings, Roll Calls, Special Events, Retirement Socials, etc… depending upon the circumstances and nature of the Citation. This award may also be presented at the Annual Awards Ceremony.

Meritorious Unit Citation, Award for Merit, Lifesaving Award, Distinguished Service Medal, Purple Star, Medal of Valor, and Memorial Award of Honor – These awards are presented at the Annual Awards Ceremony typically held in May of every year following Peace Officers Memorial Week.

THE RALEIGH POLICE DEPARTMENT

1105-07

PERSONNEL EARLY WARNING SYSTEM

PURPOSE

To establish a comprehensive early warning system to increase agency accountability by providing a system for the early identification of potential employee performance issues and remedial action alternatives.

VALUES REFLECTED

This directive reflects our values of *Integrity*, *Fairness* and *Service* by establishing a method to identify employees performing in ways that may lead to serious problems. The process that is described here will help us maintain our integrity. It recognizes that the department is responsible for providing its employees with the tools needed to deliver exceptional service.

UNITS AFFECTED

All Divisions/All Personnel

REFERENCES/FORMS

DOI 1102-2 "Performance Evaluations"
DOI 1102-4 "Departmental Wellness Program"
DOI 1101-7 "Psychological Services"
DOI 1105-1 "Discipline, Appeals and Grievances"
DOI 1105-2 "Internal Affairs Investigations"
DOI 1105-5 "Remedial Training"

GENERAL POLICIES

The Department's early warning system is a management tool designed to identify officers with potential performance deficiencies. The system is designed to alert the department when employees exceed established thresholds for identified criteria. Employee performance issues identified by the system will be evaluated by the employee's chain of command. This system is designed to provide non-punitive remedies such as training or counseling to help officers improve their performance.

DATA TO BE REVIEWED

There is no particular set of criteria that can determine job stress or performance problems. However, it is important that certain types of criteria be routinely reviewed. These criteria may reveal job stress or behavior problems beyond those normally observed by supervisors. Complaints received on an employee and use of force incidents fall into this group. The Personnel Early Warning System will provide a systematic review of complaints received by the Department as well as use of force incidents. It is intended to identify patterns in regard to complaints and use of force incidents that may be otherwise overlooked by the Department.

The Department will evaluate any collected material, which may include but is not necessarily limited to agency performance evaluations, citizen complaints, disciplinary actions, use of force incidents, internal affairs investigations, and supervisory reports as early performance/problem indicators.

PROCEDURE

The Personnel Early Warning System is controlled and managed by the Deputy Chief of Police. The Office of Professional Standards is responsible for reviewing performance indicators that can help identify employees with potential performance deficiencies that include citizen complaints, internal disciplinary actions, firearm discharge reports, use of force incidents, civil litigation, resisting arrest incidents, and vehicle pursuits. The Office of Professional Standards will produce the required reports.

First line and mid-level supervisors are crucial elements in the Personnel Early Warning System. Supervisors will use the system's reports as a resource to help determine if job stress or performance problems exist. In order to obtain a fair assessment of the employee, the supervisor must review the reports in conjunction with other documented criteria. This may include documentation such as performance evaluations, performance observation notes, performance improvement plans, counseling records, disciplinary action, or any other documentation of employee performance/behavior supervisors maintain.

Reporting

Personnel Early Warning System reports are designed as a resource to assist supervisors in evaluating and guiding employees. Such reports shall make no conclusions or determinations concerning job stress or performance problems. They are resource tools. In examining these reports, supervisors should take into account the nature of the unit, shift and area that officers work. The system is not intended to deter good police work. The system is designed to work in

conjunction with various existing programs within the Department to identify and reduce job stress and performance deficiencies.

- Frequency of Reports

  The quarterly report generated by the system will contain the names of employees who have been involved in three or more use of force incidents or two or more complaints in that quarter. Officers who have been involved in multiple disciplinary actions, resisting arrest incidents, assault on law enforcement officer incidents, and/or vehicle pursuits during the quarter could also be identified at the direction of their Division Commander.

  The annual report will contain the names of employees who have been involved in eight or more use of force incidents or complaints in the calendar year. Officers who have been involved in multiple disciplinary actions, resisting arrest incidents, assault on law enforcement officer incidents, or vehicle pursuits may also be identified at the direction of their Division Commander. Those employees with two or more weapon discharges during a twelve-month period will also be identified.

- Disposition of Reports

  The Deputy Chief will disseminate reports through the employee's chain of command. The employee's immediate supervisor will submit through the chain of command a supervisory review of the report including recommendations to the Division Commander. The Division Commander, after reviewing the information submitted by the supervisor, will submit the review back to the Deputy Chief of Police within 30 days of when the report was disseminated.

Action Alternatives

Actions taken to address officers exhibiting potentially at-risk behavior revealed by the system may include, but are not limited to:

- Referral to Psychological Services program for counseling;
- Referral to the Employee Assistance Program;
- Requiring a Fitness for Duty evaluation;
- Participation in a remedial training program; and,
- Corrective action taken by supervisory personnel such as counseling

EVALUATION AND REVIEW

The Office of Professional Standards will conduct an annual evaluation of the Personnel Early Warning System. This evaluation will cover the calendar year and will be submitted to the Deputy Chief of Police no later than March 1st.

THE RALEIGH POLICE DEPARTMENT

1106-01

CONFIDENTIALITY AND RELEASE OF INFORMATION

PURPOSE

The rights of victims and accused persons, the safety of our officers, and state law demands that certain information within the Police Department be kept confidential. The purpose of this procedure is to establish guidelines on the release of information.

VALUES REFLECTED

This directive reflects our values of *Fairness and Integrity.* By complying with the requirements of these guidelines we demonstrate that we will protect the privacy rights of those who become involved in the criminal justice process while balancing the right of the public's open access to that which can be released.

UNITS AFFECTED

All Divisions/All Personnel

REFERENCES/FORMS

"Fair Trial - Free Press Guidelines", The News Media and the Courts, Administration of Justice Council, published by the Institute of Government, Chapel Hill, North Carolina, 1982
North Carolina G.S. 7B-2900 - 2902 (Article 29) "Records and Social Reports of Cases of Abuse, Neglect, and Dependency"
North Carolina G.S. 7B-2900 - 2902 (Article 30) "Juvenile Records and Social Reports of Delinquency and Undisciplined Cases"
North Carolina General Statute 132-1.4 "Criminal Investigations; Intelligence Information Records"
North Carolina General Statute 160A-168 "Privacy of Employee Records"
North Carolina State Bar "Rules of Professional Responsibility"

GENERAL POLICIES

Employees will treat all official information of the Department as sensitive and shall properly handle and safeguard such information.

Information which is not specifically designated as available for public release is confidential and may be released only to authorized persons. If an employee is unable to determine whether a person has authorization to receive certain information, the employee should consult with a supervisor in his/her chain of command. Questions which cannot be resolved should be referred to the Police Attorney.

PUBLIC INFORMATION

The following classes of information may be distributed to the general public.

Crash Reports

Motor vehicle crash reports and that portion of supplements containing additional victims may be released to the public. Supplements detailing crash investigations will not be released.

Public Information Copies of Incident Reports

State law specifies what information from a criminal investigation is public record. All information not designated as public is protected. The public-copy portion of electronic incident reports, the top half of non-electronic incident reports, and that portion of supplements containing detailed property inventories or names of additional victims may be released. Information that would not appear on the top portion of a case report, names of juveniles and victims of sex offenses are not to be listed in the public copy portions of incident reports.

CAD Records

Under most circumstances, information from CAD records, other than the complainant's name, may be released to the public.

Personnel Data

The name; age; date of original employment; terms of contract of employment; current position, title, and salary; date and amount of the most recent increase or decrease in salary; date of the most recent promotion, demotion, transfer, suspension, separation, or other change in position classification; date and general description of the reasons for each promotion; date and type of each dismissal, suspension, or demotion for disciplinary reasons (if the disciplinary action was a dismissal, a copy of the written notice of the final decision setting forth the specific acts or omissions that are the basis for the dismissal); and the office to which an employee is assigned is public information under state law. All other personnel information is confidential. Also, personal information, such as residential addresses, personal telephone numbers and personal e-mail addresses of employees may not be released.

Administrative Departmental Policies

Administrative policies of the Department that are specifically designated as available for public release may be disseminated to the general public. Written policies concerning the response to critical incidents or sensitive public security information will be designated as subject to release by the Chief of Police only. Any requests for these written directives must be immediately forwarded to the Public Affairs Officer.

INFORMATION DESIGNATED AS CONFIDENTIAL

Criminal investigation records, intelligence information records, and sensitive public security information are exempt from public disclosure under the provisions of state law. Listed below are selected classes of confidential information:

Incident Report Supplements

With the exception of portions of supplements that contain property inventories or the names of additional victims, no supplement will be released to anyone other than law enforcement agencies and the District Attorney's office except when required by subpoena, court order or upon authorization from the Chief of Police or the Police Attorney.

DCI/NCIC Terminal Printouts

The release of information retrieved from DCI/NCIC terminals, to non-law enforcement personnel, is prohibited (refer to 1106-03 DCI-NCIC Security and Access).

Juveniles

Identifying information, relating to juveniles, shall not appear in public information copies of incident reports. Information relating to juveniles may not be released to anyone other than parents or guardians, the District Attorney's Office, or Court Counselors, except pursuant to a court order [G.S. 7B-3001 (b).]

The name and address of a minor child involved in a school bus or school activity bus crash may only be disclosed to the local Board of Education, the State Board of Education, the parent or guardian of the child, an insurance company investigating a claim arising out of the crash, an attorney representing a person involved in the crash, and law enforcement officials investigating the crash (G.S. 20-166.1).

The name, age, and gender of juveniles may be released when they are victims in other auto collisions or other accidents. The names of juveniles will not be released when they are victims of criminal offenses unless authorized by the Chief of Police or designee.

The names of juveniles may be released if they are missing persons or are the subject of an Amber Alert.

Victims of Sex Offenses

The name, age, sex and address of a sex offense victim will not be listed on the public information copy of incident reports except that the victim's address may be included as the location of the

crime, when such is the case. The public release of the name and address of a sex offense victim must be authorized by the Chief of Police.

Driving While Impaired Reports

Driving while impaired reports will not be released to anyone other than law enforcement officers, the District Attorney's Office, the defendant or the defendant's lawyer.

Construction of Explosive Devices

Information shall not be disclosed on the construction, content or mechanism of any explosive or incendiary device.

Information Potentially Detrimental to Cases

Information which may jeopardize the successful conclusion of an investigation, or bias the prosecution of a defendant shall not be released to the public.

Examples of such information are:

- Identity of a suspect prior to the issuance of a warrant or the execution of an arrest
- Existence of incriminating statements
- Results of or refusal to take tests
- Opinions as to character, reputation, guilt or innocence
- Items that may be evidence at trial

EXCEPTIONS

Departmental

Exceptions to the above guidelines on the release of information must be authorized by the Chief of Police or his/her designee.

Court Ordered

In those instances where the release of information is mandated by court order or subpoena, the Police Attorney shall be informed as soon as possible and shall review requests prior to the release of information.

THE RALEIGH POLICE DEPARTMENT

1106-02

NEWS MEDIA RELATIONS

PURPOSE

To establish policy and procedures concerning the accurate and appropriate release of information to the news media and to establish a protocol for the release of information at crime scenes and other events

VALUES REFLECTED

This directive reflects our values of *Service, Fairness, Integrity, and Compassion*. We recognize that a spirit of cooperation, openness and candor is essential in fostering the support and trust of the community we serve. We will respond in a professional and timely manner to requests for information, safeguarding the constitutional rights of any individual, acting in accordance with applicable laws, and protecting the integrity of criminal investigations and prosecutions.

UNITS AFFECTED

All Divisions/All Personnel

REFERENCES/FORMS

DOI 1106-1 "Confidentiality and Release of Information"
DOI 1109-1 "Patrol Operations"

GENERAL POLICIES

The Raleigh Police Department works cooperatively with representatives of the news media, receiving direction and guidance from applicable statutes, accepted law enforcement and media practices, and the particular needs and circumstances of individual incidents.

The Department is committed to maintaining the trust, cooperation, and support of the public we serve. Achieving this objective relies, in part, on providing the community with information about the Department's administration and operations.

The Department will assist media representatives by making appropriate information available in a timely manner. Information released by the Department shall comply with the requirements of DOI 1106-01 "Confidentiality and Release of Information." As used in this procedure, the term "release" means any communication with or distribution of information to representatives of the news media.

Media representatives will be provided copies of this procedure and advised of any changes.

No employee shall pose as a member of the media for the purpose of conducting an investigation or for any other purpose. This does not prohibit employees from attending press conferences or other meetings covered by the media, so long as they do not identify themselves as members of the media.

PUBLIC AFFAIRS OFFICE

The Department's principal point of contact with the media is the Public Affairs Office. To avoid confusion or duplication and to ensure uniformity, the Public Affairs Officer or designee will, under normal circumstances, provide information to the media or authorize the release of such information.

News media representatives will be directed to the Public Affairs Officer or designee when inquiries are made. During non-business hours, the Watch Commander will normally serve as the designee.

NEWS RELEASES

The Public Affairs Officer or designee will authorize news releases. News releases pertaining to Departmental policy, staffing, organization, or budget issues, including programs that are in developmental stages, will be authorized by the Chief of Police or his/her designee. The release of information that involves more than one city department or outside agencies will typically be coordinated with the other involved entities prior to release.

Chief of Police, Duty Major and Watch Commander

The Chief of Police, Duty Major and Watch Commander are authorized to release information to the media in order to facilitate justice or public safety. Such releases should comply with applicable guidelines.

Written News Releases

The Public Affairs Officer will maintain a system for providing written news releases to the media and for appropriately distributing them within the Department.

MEDIA REQUESTS AND ITEMS OF INTEREST

During normal business hours, media requests for news information will be referred to the Public Affairs Officer. At other times, requests for information on occurring events will be referred to the Watch Commander.

Information concerning matters that are likely to produce media inquiries should be communicated as soon as practicable to the Public Affairs Officer during normal business hours and to the Watch Commander during non-business hours.

Information about special events and occurrences that involve the Department will be provided to the Public Affairs Officer, as needed, for the preparation of news releases or the scheduling and coordination of media briefings.

ACCESS TO CRIME SCENES AND OTHER INCIDENT AND EVENT LOCATIONS

Representatives of the media have the same access permitted to other members of the general public and will not be prohibited from entering into or photographing from any areas accessible to the general public. The limits of access granted to members of the general public will be determined by the requirements of the incident.

As needed, media representatives will be informed about accessible areas, about areas that have been secured and restricted such as crime scenes, and about any particular restrictions that might apply.

Media representatives will be allowed access to any street, sidewalk or public area that is accessible to the general public during an incident or event. When utilizing such access, media representatives are responsible for complying with all applicable laws, ordinances, and regulations.

Media Assembly Area

In some instances, to ensure that safety and necessary order are maintained, a media assembly area will be created to provide a designated location for media representatives and for the dissemination of information.

Barricaded Areas

In some instances, such as parades, rallies, and demonstrations, media representatives with appropriate press credentials may be admitted past police or fire barricades and roadblocks that have been established to restrict entry by the general public. Such access will not be afforded to crime scenes or areas determined to pose unreasonable risk to health or public safety.

Privately Owned Property

Police officers will neither provide nor deny access to media representatives onto privately owned property. However, if requested by the property owner, police officers may trespass unwanted subjects off the privately owned property.

NEWS MEDIA INTERACTIONS

News Media Input

The Public Affairs Officer will communicate, at least annually, with representatives of the media to solicit their observations and proposals for changes in Departmental media procedures. The Public Affairs Officer will convey the input provided by the media to the Chief of Police for consideration.

News Media Identification

Members of the Raleigh Police Department may require adequate identification of media representatives prior to permitting them access to controlled or secured areas. The Raleigh Police Department does not normally issue credentials to media representatives and relies on media organizations to provide appropriate identification to their representatives.

News Media Conduct

If a member of the Department concludes that a representative of the media has not acted in a professional or proper manner, the issue should be brought to the attention of the Public Affairs Officer. The Chief of Police and the Public Affairs Officer will determine whether follow-up contact with the media organization is appropriate and whether any additional actions should be taken.

THE RALEIGH POLICE DEPARTMENT

1106-03

DCI/NCIC SECURITY AND ACCESS

PURPOSE

The Raleigh Police Department maintains a user's agreement to receive computerized criminal justice information from the N.C. Division of Criminal Information. Information is also received from the National Crime Information Center (NCIC). This policy establishes procedures for insuring security of the system and guidelines for accessing and inputting information.

VALUES REFLECTED

This directive reflects our values of *Service and Integrity*. We will safeguard criminal justice information according to the rules and regulations that guide its use and dissemination. We understand that this resource is designed to help us perform our police and law enforcement functions and that we must be accountable for the system to ensure both the system's and our own integrity.

UNITS AFFECTED

Police Department/All Personnel
Emergency Communications Center/All Personnel

REFERENCES/FORMS

DOI 1106-1 "Confidentiality and Release of Information"
NCIC Entry Format Forms

GENERAL POLICIES

Information obtained from the DCI/NCIC system is confidential information and must not be released to non-criminal justice personnel or without proper authority. Specifically, the release of "non-conviction" data to non-criminal justice personnel is a severe violation.

Only certified DCI terminal operators are authorized to access or input information into the system.

DCI terminal operators who operate full access DCI terminals, both sworn and civilian personnel, must be under the management control of the Raleigh Police Department. Full access DCI terminals are authorized to access criminal history data, violent gang and terrorist organization data, violent felon data, and deported felon data. DCI terminals under the control of civilian authority, such as the DCI terminals located in the Emergency Communications Center do not have full access and will not have access to those files specifically authorized for use only by criminal justice agencies.

Physical and Electronic Media

The Intent of this policy is to ensure the protection of DCI/NCIC system information until such time as the information is either released to the public via authorized dissemination (e.g. within a court system or when presented in crime report data), or is purged or destroyed in accordance with applicable records retention rules.

Authorized Raleigh Police Department personnel shall protect and control electronic and physical DCI/NCIC information while at rest and in transit. Personnel will take appropriate safeguards to limit potential mishandling or loss while being stored, accessed, or transported. Any inadvertent or inappropriate DCI/NCIC disclosure and/or use will be reported to the Terminal Agency Coordinator (TAC). Electronic and physical media must be securely stored, and have restricted access only to authorized users.

Media Storage and Access

Procedures are set in place to protect physical and electronic media containing Criminal Justice Information (CJI) while at rest, stored, or actively being accessed. "Electronic media" includes memory devices in laptops and computer hard-drives, and any removable transportable digital memory media, such as magnetic tape or disk, backup medium, optical disk, flash drive, external hard drive, or digital memory card. "Physical media" includes printed documents and imagery that contain CJI.

Disciplinary Policy

All personnel with access to FBI Criminal Information, DCI/NCIC, or any system with stored FBI information, have a duty to protect the system and related systems from physical and environmental damage. Personnel are responsible for its correct use, operation, care, and maintenance of the information. All existing laws, regulations, and policies apply including not only those laws and regulations that are specific to computers and networks, but also those that may apply to personal conduct.

Misuse of computing, networking, or information resources may result in temporary or permanent restrictions of computing privileges up to employment termination. In some cases, account

privileges will be suspended to prevent ongoing misuse while under investigation. Additionally, misuse can be prosecuted under applicable statutes. All files are subject to search. Incidents are tracked and documented. Security incident forms must be completed. Examples of misuse include but are not limited to:

- Using someone else's login information,
- Leaving your computer logged in with your information, allowing anyone to have access,
- Allowing unauthorized person(s) access,
- Using personally owned devices on City network to include personally owned thumb drives, CD's, mobile devices, tablets on Wi-Fi, etc… Personally owned devices should not store Department data, State data, or FBI data.

DCI/NCIC SECURITY

Terminal Agency Coordinator (TAC) and Assistant Terminal Coordinator (ATAC)

The DCI Clerk is the designated Terminal Agency Coordinator (TAC) of the Police Department's DCI/NCIC terminals. The TAC and ATAC are designated as the custodians for all DCI/NCIC terminals.

- The TAC and ATAC are responsible for seeing that the equipment is located in a secure area and are only accessible to authorized personnel of their units. They are also responsible for insuring that the equipment is safeguarded from damage.

The TAC and ATAC are responsible for seeing that only DCI certified operators are allowed to use the terminals. They will also reset passwords if necessary and administer DCI recertification tests.

The TAC is responsible for seeing that the proper records of access are maintained. They are further responsible for seeing that information being entered on their terminals is periodically reviewed for accuracy, and that unneeded information is purged. The TAC ensures that the Department is in compliance and security incidents have been reported. The TAC is authorized to remove users that have been terminated, disabled, or transferred.

Local Agency Security Officer (LASO) and Information Technology (IT) Support Staff

LASO and IT staff will make sure the Department uses approved hardware, software, and firmware. The LASO will also ensure that personal security screening procedures are followed and that approved and appropriate security measures are in place and working. Agreements between the private contractor(s) and vendor(s) will enter into agreement with the CJIS Security Addendum. Personnel will be informed of all scheduled and unscheduled network and computer downtimes. Staff will protect information subject to confidentiality concerns in systems (viruses, worms, Trojan horses, and other malicious code) archived, on backup media, and until destroyed.

Audits to the System

The IT personnel shall generate audit records for certain events. The IT personnel will periodically review the number of times an officer attempts to log-on to the system successfully or unsuccessfully; attempts to access, create, write, delete, or change permission on a user's account, file, directory, or other system resource; attempts to change account passwords or actions by privileged accounts; or attempts to access, modify, or destroy the audit log file. All events must be logged by date, time, the component of the information system (i.e. software or hardware component), type of event, user identity, and the outcome of the event. This log must be retained for one (1) year.

Terminal Security

Authorized personnel shall not leave any terminal open if unattended at any time. Each authorized user shall log in and out after each use and must use their assigned login information. Terminals should have privacy screen and the screen is to be out of public view.

Records of Access to DCI/NCIC

The designated TAC is responsible for ensuring that print outs of criminal history inquiries are made each month, the documents are reviewed for DCI compliance, and the print out is signed. These records must be maintained for one (1) year by the TAC.

Security over Hard Copies

Employees are responsible for seeing that DCI/NCIC printouts, in their possession, are secured and not accessible to unauthorized persons. Printouts will be stored in a secure location to make sure that information is not easily viewable to unauthorized persons.

Unneeded hard copies should be shredded and not discarded in regular trash containers. Requested printouts that are left at the front desk in excess of seven (7) days will be shredded by Desk Officers. Do not place hard copies in containers that are outsourced for shredding. All hard copies must be shredded by Departmental personnel.

Electronic Media Sanitization and Disposal

Authorized personnel should sanitize, that is overwrite (at least three (3) times) or degauss electronic media for destruction prior to disposal or release for reuse by unauthorized individuals. Written documentation shall be noted of the steps to sanitize or destroy electronic media.

Broadcasting DCI Information over Police Radios

Criminal histories or driving records that are obtained through DCI/NCIC are not to be broadcast over unscrambled radio channels that are normally monitored by the press and other members of the public.

Telephone Requests

DCI terminal operators are responsible for verifying the names and code numbers of officers prior to providing DCI information over the phone. In cases where the validity of the request is

uncertain, the operator will gather the information and then notify a police supervisor. The supervisor will make the decision as to the validity of the request.

REQUESTING INFORMATION

Through DCI/NCIC, officers are able to obtain information on wanted or missing persons and stolen property. DCI also interfaces with Department of Motor Vehicles files to provide driver and vehicle information.

Computerized Criminal History (CCH)

Printed copies of criminal history checks must be obtained in person.

Criminal history checks may be requested for purposes of criminal investigations, criminal justice employment background checks or for licensing. The officer must specify the intended purpose of the criminal history check and may not use the information for any other purpose. If there is any doubt about the purpose, the operator must take measures to verify the purpose of running the criminal history.

Criminal history checks should be supported by a Raleigh Police case number. However, it is understood that a case number may not be applicable in some unique cases. For example, a criminal history may be required for a confidential informant workup.

The Police Desk cannot run history checks for licensing purposes.

In order to access out-of-state information, a date of birth or social security number of the subject is needed.

Records of criminal history checks must be maintained for one year. (Refer to Section "Records of Access to DCI/NCIC" above).

Wanted Persons

Computerized files are maintained on wanted persons in this state and other states. Information on military AWOLs may also be obtained. An alias cross-reference is maintained so officers should include any aliases or similar name spellings when checking for wanted persons.

Stolen Property

Information may be accessed concerning stolen vehicles, vehicle license tags, or vehicle parts. Information on stolen or counterfeit securities, registered boats, and identifiable articles may also be obtained.

Credit cards and other articles, not having a monetary value, cannot be checked through DCI/NCIC.

Missing Persons

Files are maintained on missing adults and juveniles, including unidentified deceased persons (refer to DOI 1109-15 "Initial Response to Missing Persons").

Missing persons must not be removed from NCIC due only to a change in age. For example, a juvenile reported missing while under the age of 18 may not be removed from NCIC merely because he/she has reached the age of emancipation.

Driver and Vehicle Registration Information

Through an interface, DCI is able to access N.C. Department of Motor Vehicle files and the files of other states that maintain computerized motor vehicle files. Information is available on vehicle ownership and drivers. If the operator's license number is known, a cross-check can be made to determine the vehicles registered to that driver.

ENTERING INFORMATION INTO DCI/NCIC

Excluding criminal history and motor vehicle files, officers can enter information into the same files as listed above. In addition, DCI terminals may be used to transmit administrative messages between agencies. With the exception of administrative messages, a Department Case Report must be associated with an entry into NCIC.

NCIC Entry of Wanted Felons

Officers should immediately take steps to enter a wanted felon into NCIC.

Once the felony warrant is issued through NCAWARE and extradition is authorized by the District Attorney's Office, the investigating officer will contact Emergency Communications and have the subject entered into NCIC. Non-Extradition warrants should not be entered into NCIC. The Officer will then complete an NCIC attachment form that is available on PolShare, and email it to the Intelligence Unit Warrant Control Coordinator. The Warrant Control Coordinator will then file a copy of the warrant from NCAWARE into the NCIC file as required by NCIC regulations.

The District Attorney's office will make a determination if extradition is authorized on each felony warrant entered into NCIC. If extradition is not authorized, the wanted person should not be entered into NCIC.

The front desk will receive the initial hit confirmation on all wanted persons that are apprehended. The hit confirmation will be switched to the Emergency Communications Center and a supervisor or authorized personnel from the Detective Division will be notified of the apprehension. The Desk Officer will notify the investigating officer of the hit confirmation by means of a supplement and email. A printed copy of the hit confirmation will be forwarded to the Detective Division.

The Watch Commander will be notified if the arrest is made outside our jurisdiction. The Watch Commander or a Detective Division supervisor will contact the agency having custody of the wanted person. Pickup arrangements will be made as quickly as possible for in-state apprehensions. Out-of-state apprehensions will require notification and extradition processing through the District Attorney's office.

NCIC Entry of Violent Person File

The NCIC Violent Person File (VPF) was designed to provide law enforcement officers with immediate notification when encountering a person with a violent criminal history or a person who has previously threatened law enforcement. An individual may be entered into the VPF when they meet at least one of the following criteria:

- Offender has been convicted for assault or murder/homicide of a law enforcement officer, fleeing, resisting arrest, or any such statute which involves violence against law enforcement;
- Offender has been convicted of a violent offense against a person to include homicide and attempted homicide;
- Offender has been convicted of a violent offense against a person where a firearm or weapon was used;
- A law enforcement agency, based on its basic investigatory duties, reasonably believes that the individual has seriously expressed his/her intent to commit an act of unlawful violence against a member of the law enforcement or criminal justice community.

Routing Information to be Entered

With the exception of administrative messages, the Emergency Communications Center or other authorized personnel will enter all information into DCI/NCIC.

NCIC Format Forms

To facilitate entry of information, NCIC format forms for the various files should be completed prior to entry. Emergency Communications prefers that NCIC format forms be submitted, but they will accept information over the phone in emergencies. Prior to relaying information over the phone, officers should refer to the appropriate forms so as to expedite the process.

All Points Bulletins (APB's)

Under DCI regulations, emergency messages that are sent to all terminals are only authorized where:

A mental patient is involved, or

Foul play is suspected, or

The Chief of Police specifically authorizes the APB.

Administrative Messages

Administrative messages are for the exchange of information among criminal justice agencies and should be directly related to law enforcement. Examples of inappropriate transmissions would be to recruit personnel or to obtain travel directions.

Messages may be sent to an individual terminal or groups of terminals. The priority of the message should also be specified.

By specifying the ORI number (originating agency), a message may be sent to an individual terminal. Many larger cities have terminals in different precincts or locations. When talking to other officers over the phone, obtain the ORI number of the terminal from which that officer receives his/her messages; this will insure correct routing later.

In sending messages, a radius from 1 to 50 miles may be specified. Only terminals within that radius will receive the message.

Pre-defined geographic, highway, district, and special lists exist to include groups of terminals to which messages may be sent. These lists may be used separately or in conjunction with the radius qualifier described above. Copies of these lists are kept at the DCI terminal.

The "Emergency" message code should be used only in life threatening situations such as armed robberies or bridges out. The message should not be sent as an all points bulletin (APB) if the emergency is localized in nature.

The "Priority" code should be used for messages where an immediate action or response is requested.

The "Routine" message code should be used for messages where an immediate response is not required.

Apprehensions and Recoveries

Emergency Communications should be notified when a person or property listed in NCIC is located.

"Clear" is used to denote a recovery or apprehension. The original entry remains in the computer until the purge date. "Cancel" is used to remove an invalid entry and should not be used where a record of the transaction is needed.

INFORMATION TO BE EXCLUDED FROM DCI/NCIC

Juvenile Information

Unless the juvenile is a missing person or is to be charged as an adult offender, information on juveniles is not to be entered.

Intelligence Sources

Unverified data given by intelligence sources will not be submitted for entry into DCI/NCIC.

Traffic Offenses

Unless a vehicle is involved or suspected of being involved in a felony, vehicles involved in traffic offenses will not be entered into NCIC.

Non-Job Related Information

Data which is collected and stored in DCI/NCIC must have been gathered in the performance of the employee's official duties. Data which is not job-related is not to be submitted.

THE RALEIGH POLICE DEPARTMENT

1106-04

CARE OF EQUIPMENT AND UNIFORMS

PURPOSE

To provide regulations concerning the care and replacement of uniforms and equipment.

VALUES REFLECTED

This directive reflects our values of *Service and Integrity*. We recognize our personal responsibility for the care and use of tools we use perform do our jobs and understand that well maintained equipment and uniforms are essential to officer safety and high levels of performance.

UNITS AFFECTED

All Divisions/All Personnel

REFERENCES/FORMS

North Carolina General Statute 10-187.2
"Separation of Employment Form"

GENERAL POLICIES

All employees are expected to exercise reasonable care in using Police Department property that they have under their control. They are prohibited from deliberately or negligently damaging any police property.

Employees will be held accountable for Departmental property that is lost or damaged through negligence.

CARE AND USE OF EQUIPMENT

Firearms

Officers are responsible for the care, safety, and cleaning of weapons issued to them.

Officers shall clean weapons after each use and at other times to maintain serviceability. In cleaning handguns, the handgrips should not be removed. Shotguns are not to be dismantled.

Once every year, officers will arrange to have the internal parts of their handguns cleaned by a Police Training Center Armorer. No officer shall attempt to adjust or disassemble the trigger mechanism or other internal working parts of Departmental firearms.

Officers shall exercise proper safety at all times in handling weapons. Sufficient control shall be exercised so as to prevent accidental discharge. Shotguns and rifles shall be unloaded prior to carrying them into any police station.

Altering Equipment

Employees shall not attempt adjustments or repairs to equipment unless they are certified to perform such service, and it is within their job function.

Repairs or adjustments to electronic equipment will be coordinated through the Police Communications Technician or the City Radio Repair Shop.

Officers will not attempt to enhance the performance of equipment by making unauthorized additions or modifications.

Unauthorized Use

Employees are expected to use or operate only that equipment for which they have been trained or instructed.

Employees are prohibited from using any piece of equipment for purposes other than that for which it was intended.

Unauthorized Equipment

Employees are prohibited from carrying or using non-issued or unauthorized equipment in the performance of their duties.

Specifically prohibited items include non-issued flashlights (other than the pre-approved secondary light sources approved by the Chief of Police), kubotans, blackjacks, non-issued chemical agents, non-issued ammunition, and unapproved handguns.

Supervisory Inspections

Supervisors shall conduct monthly inspections of firearms and other issued property of personnel under their supervision to insure that such property is properly cleaned and maintained.

SECONDARY LIGHT SOURCES

The Chief of Police has approved a list of secondary light sources (flashlights) for officers to purchase (Attachment A), if they so desire, in order to have a secondary light source while working. The following requirements will be met in order for an officer to carry a secondary light source:

- The flashlights cannot be any color other than black.
- The flashlights (any that are extended in length) cannot be made of metal.
- The officer cannot carry the flashlight on the duty belt as their primary light source.
- The officers cannot add holsters or holders, for the purpose of carrying the secondary light, to their duty belt.
- No permanent mounting of chargers or hard wiring for charging systems could be installed in the patrol car.

The department will not be liable for damage or replacement of the secondary light source, nor will the department provide support in any way (batteries, repairs, etc…) for the secondary light source.

REPLACEMENT OF EQUIPMENT AND UNIFORMS

Loss and Damages

Any member who loses or damages a piece of equipment or uniform shall immediately report such loss or damage to the member's supervisor. The Division or District Captain shall then direct an inquiry into the causes for the damage or loss.

- If gross negligence, on the part of the employee, is determined to be the cause, the Division or District Captain will record his or her findings on a counseling form or Departmental disciplinary action form. The employee will be expected to compensate the City for any loss.
- Employees will be expected to replace items at their expense when loss or damage results from improper care or negligence. The employee will be notified by memo of repayment conditions. Should the employee fail to abide by the repayment conditions, the employee will be subject to further disciplinary action.

- Property that is determined to have been lost or damaged in the justifiable performance of duty will be replaced at the Department's expense.

- If the Division or District Commander makes a determination of improper care or negligence, a memo will be forwarded to the employee indicating repayment conditions. The employee must take the memo to the Police Quartermaster, along with a copy of any required repayment receipts. Uniforms or equipment will be replaced at that time.

Normal Wear and Tear

Due to the nature of work, a certain amount of wear to uniforms and equipment is expected and will be replaced at no expense to the employee. This does not include equipment such as flashlights approved for officers to purchase and carry as a secondary light source.

Employees must turn in the uniforms or property to be replaced at the time of replacement.

RETURN OF PROPERTY UPON TERMINATION, SUSPENSION OR LEAVE OF ABSENCE

Termination or Extended Leave

Upon termination of employment or an extended leave of absence of 90 days or more, employees are required to turn in and account for all uniforms and equipment issued to them. The uniforms must be cleaned, pressed, and bagged before turning them in to the Quartermaster. This property may be re-issued to other officers at the discretion of the Quartermaster.

Retirees

An officer who retires in good standing may request from the Chief of Police that their badge and handgun be awarded to them at the time of retirement. It is within the discretion of the Chief of Police to award the retiring member both their badge and handgun, or just their badge. A replacement price may be affixed to handguns (G.S. 10-187.2).

Suspension or Leave of Absence

Officers under suspension in excess of 10 days or on leave of absence in excess of 90 days will be required to turn in their badges to the Quartermaster. All issued firearms will be returned to the Armorer. If the absence is not expected to exceed 120 days, the Armorer and Quartermaster will retain the equipment until the officer's return. Otherwise, the equipment may be re-issued to other officers at the discretion of the Armorer and Quartermaster.

Administrative Duty Placement

Officers or employees who are placed on administrative duty at the direction of the Chief or his/her designee will be required to relinquish the following items to Internal Affairs personnel if applicable:

- Duty Weapons:
    - Handgun and ammunition
    - Shotgun and ammunition
    - Rifle and ammunition
- 3 magazines
- 2 badges
- 1 hat badge
- 1 wallet badge
- 1 TASER
- TASER cartridge
- Capstun with holder
- Baton with holder
- Cell phone and all accessories
- City gas cards
- City credit cards
- Declaration to carry concealed weapon card(s)

Additional Departmentally issued items may be collected by Internal Affairs personnel as deemed appropriate, upon the discretion of and at the direction of the Chief of Police or his/her designee.

Exit Forms

- When employment is terminated, the Quartermaster shall sign a "Separation of Employment" form, indicating that the employee has accounted for all property issued to them. The proper paperwork associated with termination cannot be completed until the Quartermaster's signature is obtained.

Legal Action

Failure to adequately account for issued property may result in civil or criminal actions being taken by the Department against employees or former employees.

OPERATION OF PROPERTY CONTROL

Administration

The Quartermaster will report directly to the Administrative Services Division Lieutenant. The Division Lieutenant or designee may issue equipment in emergencies if the Quartermaster is absent.

Security

The Quartermaster is responsible for seeing that unauthorized persons are not allowed access to the property supply room, and that adequate security exists to prevent theft or unauthorized replacement.

The Quartermaster is responsible for maintaining police property stored by the Department in a state of operational readiness.

CONTROL OVER PROPERTY INVENTORIES

Levels of Inventories

Annually, the Quartermaster, in conjunction with the Administrative Services Division Captain, will establish an inventory listing of items to be maintained in the property supply room. The inventory listing should take into consideration anticipated hiring and will include the maximum quantity to be maintained, re-order quantities and budgeted amounts to maintain inventories.

Receiving Fixed Assets

The Quartermaster should receive all fixed assets either purchased by the Department or turned over to the Department by the Courts. The Quartermaster will inspect the asset, and then prepare a listing describing the property and its intended location. If a Division directly receives any fixed assets, the Division Commander is responsible for notifying the Quartermaster. This listing will then be forwarded to the City fixed assets accountant along with a copy to the Fiscal Unit for future verification (City Proc. 501-8 "Inventory of Fixed Assets").

Issuance

Once assets have been inspected, the Quartermaster will either maintain the items in inventory or distribute them to the intended Division. Fixed assets are not to be moved from their designated location without notifying the Quartermaster.

Destruction or Deletion of Inventory

The Quartermaster will receive uniforms and equipment that are no longer usable. A surplus property form must be completed authorizing the disposal of fixed assets. The assets will then be disposed of as determined by the City Purchasing Agent.

The Administrative Services Division Lieutenant will inspect expendable or non-fixed assets that are to be destroyed. Those items having no salvage value will then be destroyed by the Quartermaster. He or she will then adjust inventory records.

REPAIRS OR MODIFICATIONS

Repairs to Electronic Equipment

The Communications Technician will coordinate the repair of all electronic equipment (repair of radars will be coordinated by the appropriate Division representative). They will receive hand held radios to be repaired and log out a spare radio to the employee. The Communications Technician

will check warranty information on radios or other equipment to be repaired, and determine where it is to be sent.

Modifications or Fabrications

Any requests to the Quartermaster for modifications or fabrications must be accompanied by a memo by the authorizing Division Commander.

Requests requiring the purchase of materials must be accompanied by a payment voucher. Modifications to fixed assets must be reported to the Quartermaster and Fiscal Unit for proper inventory revaluation.

OPERATION OF THE POLICE ARMORY

Administration

The Armorer will report directly to the Remote Facilities Sergeant. The Remote Facilities Sergeant may issue equipment in emergencies if the Armorer is absent.

Issuance of Weapons

Prior to issuing a weapon, the Armorer will verify that the officer is qualified with that type of weapon.

- No officer will be issued more than one handgun unless specifically authorized by that officer's Division Commander.
- The Armorer will issue shotguns to officers upon request. All officers are responsible for security and maintenance of their issued shotgun.
- No weapon will be issued as a replacement weapon until the weapon being replaced is first turned in.
- Ammunition will be dispensed by the Police Training Center's range officers.
- Weapons issued to officers assigned to Federal Task Force assignments such as the US Marshals, ATF, FBI, or DEA, will be documented in the weapons issuance database maintained by the Armorer.

SECURITY OF FACILITIES

Armory

All weapons will be stored in the police armory and will remain under the control of the Police Armorer until they are assigned to an officer.

Unauthorized Access

The Police Armorer will not permit access, of unauthorized officers or personnel, into the secured areas of armory. The armory alarms will be tested quarterly during the staff inspections conducted by the Office of Professional Standards/Inspections Unit.

All keys associated with the armory will be accounted for and assigned. No duplicates will be made without authorization from the Administrative Services Commander or the Internal Affairs Captain.

Sale of Police Weapons

Officers may purchase handguns that were issued to them at the time of replacement by the Department, if approved by the Chief of Police.

- The Armorer will obtain a selling price from the City Purchasing Agent. Usually, this is the average price obtained from the last public auction of police weapons.
- The Armorer will send written notification to the officer of the Department's intent to dispose of the weapon. The officer has 30 days to respond.
- Officers wishing to purchase their handgun must take the written notification to the City Collections Office and pay the purchase price there.
- The officer must carry the payment receipt and a purchase permit from the Wake County Sheriff's Department to the Armorer. The Armorer will then turn the handgun over to the officer and delete it from inventory.

Non-Lethal Weapons

The Quartermaster will maintain specifications on all non-lethal weapons authorized for use by the Department. All employees are prohibited from carrying or using non-issued or unauthorized equipment in the performance of their duties.

- The Training Director will coordinate the procedures for review, inspection, approval, and training for all weapons intended for use by employees in the performance of their duties. The Quartermaster will not issue any weapon to employees who have not received authorization through this process.

INVENTORY CONTROL RECORDS

The Quartermaster will maintain sufficient property records to ensure accountability and fiscal control.

Expendable Items

The Quartermaster will maintain a count of all items maintained in the police supply room.

- In June of each year, the Quartermaster will prepare an inventory showing the Fiscal Year beginning quantity on-hand, quantity issued or destroyed, quantity purchased, and ending

Fiscal Year quantity on-hand. The ending value of the inventory should be indicated for auditing purposes.

- The Quartermaster will maintain records of property issued through the inventory control software system. On a quarterly basis, the Quartermaster will submit to the Administrative Services Division Captain a summary report showing property issued and destroyed. Any indication of excessive usage should be flagged.

The Armorer will maintain control information on weapons assigned to each employee. The Communications Technician will maintain control cards on handheld radios and chargers. In addition, the Administrative Services Division Lieutenant will maintain a computer log of fixed assets provided by the City, showing any changes in location of fixed assets.

Employee Index

The Quartermaster will maintain a record of each employee showing the uniforms and equipment issued to them, and the date on which they were issued property.

Records Retention

Records involving changes in inventories will be maintained from the time of the last City audit plus 3 years. Employee index records will be maintained from the date the employee is no longer with the City plus one year.

INSPECTIONS OF PROPERTY CONTROL

Annual Audit

The City will provide a computer listing to the Administrative Services Division Lieutenant each year showing the location of the Department's fixed assets. The Administrative Services Division Lieutenant will distribute portions to Division Commanders who are responsible for accounting for assets under their control. This verification is subject to spot checks by the City auditors.

- The Quartermaster will furnish the City auditors with beginning and ending inventory counts of property in the police supply room. These inventories are subject to verification by the auditors.

Unscheduled Inspections

At least quarterly, the Administrative Services Division Lieutenant will conduct unscheduled inspections to ensure the cleanliness of the police supply room and the viability of the records system. The Property Control function is also subject to unannounced inspections as directed by the Chief of Police.

Changes in Quartermaster

An inventory of property on-hand in the police supply room will be conducted any time a new employee assumes the position of Quartermaster. This inventory will be conducted jointly by the incoming and outgoing employees.

Attachment "A"
DOI 1106-04

Approved Secondary Light Sources:

1. Streamlight SL-20LP
2. Streamlight Stinger DS LED HL
3. Streamlight Strion LED (this is the current issued light source)
4. Streamlight Strion LED HL
5. Surefire G2X
6. Surefire G2ZX
7. Powertac Warrior

THE RALEIGH POLICE DEPARTMENT

1106-05

OPERATION OF POLICE VEHICLES

PURPOSE

To provide uniform regulations concerning the operation of Police Department vehicles. Regulations regarding the routine operation of Department vehicles apply to all employees. Regulations covering emergency response vehicles would apply only to sworn officers.

VALUES REFLECTED

This directive reflects our values of *Service, Courage, and Integrity*. Acting in accordance with these guidelines will not only demonstrate that we take care of our vehicles, the most costly pieces of equipment, but recognize that the safe operation of our vehicles will lessen the risk of injury to citizens. We recognize that achieving a high standard of excellence requires our care and attention to everything that we do, even as commonplace a task as driving.

UNITS AFFECTED

All Divisions/All Personnel

REFERENCES/FORMS

G.S. 20-145 “When Speed Limit Not Applicable”
G.S. 20-156 “Exceptions to Right-of-Way”
G.S. 20-135.2A “Mandatory Seat Belt Use”
City Policy 100-10A “Seat Belt Use Mandatory”
City Policy 100-27 “Personal Use of City Vehicles”
City Policy 101-25 “Personnel Safety Office”
City Policy 500-1 “Travel Authorization and Expense Reimbursement”
DOI 1106-10 “Pursuits”
DOI 1109-03 “Response to Urgent and High Risk Calls”
Application for Raleigh Police Ride-Along Program
Ride-Along Release and Waiver

GENERAL POLICIES

All employees are expected to operate Department vehicles in a manner which is safe, lawful, and conscientious.

This policy applies to all self-propelled vehicles, vehicles being pulled or trailered behind such vehicles, bicycles, and horses used by the Department.

UNAUTHORIZED USE (ALL EMPLOYEES)

Police Department vehicles are to be used only while conducting official business. Personal use is prohibited.

All operators are required to possess a City Driver's Permit and a valid N.C. Driver's License for the type and class of vehicle being operated.

Assignment of Vehicles

The assignment of vehicles is the responsibility of the employee's immediate supervisor. The assignment is to be recorded in writing and no police vehicle is to be used without proper authorization. The Vehicle Fleet Manager is responsible for maintaining a list of all permanent vehicle assignments.

Supervisors have the authority to temporarily assign vehicles during a specific tour of duty.

Take-Home Vehicles

Authorization for the use of city vehicles for commuting purposes is granted by the City Manager. Division heads are responsible for keeping a current list of employees who are authorized to use take-home vehicles and for ensuring that unauthorized use does not occur (City Policy 100-27).

Unauthorized Passengers

Sworn officers are authorized to transport non-City employees in Police Department vehicles within the confines of this directive as described below. Non-sworn employees are prohibited from transporting non-City employees in Departmental vehicles unless prior approval from a supervisor is given.

RESPONSIBILITY FOR VEHICLES (ALL EMPLOYEES)

Once a vehicle has been assigned, it is the driver's responsibility to inspect the vehicle for damage and operational condition prior to each use. An employee who accepts a vehicle in a damaged condition without reporting it will be held responsible for the damage.

Operational Readiness

The driver of the vehicle is responsible for seeing that the vehicle has sufficient gas, motor oil, safe tires and similar required equipment prior to driving the vehicle.

Inspecting for Unauthorized Items

The driver is also responsible for inspecting the vehicle for trash, contraband, or unauthorized items. If such items are later found in the vehicle, the last person operating the vehicle is accountable. Bumper stickers, placards, front license plates, or other non-issued items shall not be attached to any police vehicle.

ROUTINE OPERATIONS (ALL EMPLOYEES)

Observance of Traffic Laws

Non-sworn employees are expected to abide by all traffic laws and parking regulations while operating Department vehicles. Sworn officers are under the same obligation unless engaged in emergency response (see below).

Animal Control Officers should not park in a travel lane or block traffic unless absolutely necessary to attend to an injured animal. The amber lights should be activated in these circumstances.

Employees who fail to comply with applicable traffic laws may be subject to disciplinary action in addition to any traffic charges that may result.

Maintenance and Service

Employees are responsible for seeing that vehicles assigned to them receive the proper maintenance. They should not operate a vehicle if it can be reasonably foreseen that doing so would result in damage to the vehicle.

A supervisor should be contacted, for authorization, if the Vehicle Fleet Services or private rotation wrecker is needed.

The Police Service Center is available for minor repairs during normal working hours. There is no provision for receiving repairs or supplies from private service stations. Any such requests will be at the employee's expense.

Cleanliness

To ensure the professional standards of the Raleigh Police Department are upheld, the operator of the vehicle is responsible for removing trash or debris from inside and maintaining the cleanliness of the exterior of the vehicle at the end of a tour of duty or use of the car.

Parking

Employees are responsible for parking Department vehicles only at authorized locations. Any expense incurred, as a result of a vehicle being towed for unauthorized parking, will be charged to the employee rather than to the Department.

When parking in the Municipal Building complex, employees are to park only in spaces that have been allocated for the Police Department.

SEAT BELTS (ALL EMPLOYEES)

Every front seat occupant of a Police Department passenger vehicle will wear a seat belt while the vehicle is in motion on a street or highway. When operating a vehicle that is equipped with rear seat restraints, any occupant who is not in custody will also be restrained in a seat belt. Although North Carolina law does not require an in-custody suspect to be restrained by seatbelt, when being transported in the backseat of a police vehicle, officers are encouraged to restrain suspects with seatbelts in the backseat when they can do so safely and without placing themselves at risk of injury.

TRAVEL OUTSIDE THE CITY (ALL EMPLOYEES)

Within Wake County

Trips outside of the City that do not extend beyond Wake County require supervisor notification.

Trips Out of Wake County

For trips outside of Wake County, a Travel Authorization must be submitted and approved in accordance with City regulations (City Policy 500-1). A Travel Authorization is not required for the following out-of-county travel:

- Travel to any county that abuts Wake County.
- Travel to Orange County.
- Travel to Wilson County.

Emergency Assistance to Outside Agencies

Whenever emergency assistance is requested by other law enforcement agencies outside the City, the Raleigh Police Department will respond under the following provisions:

- Assistance will only be given in emergencies, and there must be approval from a supervisor before leaving the City limits.
- At least one officer and one supervisor will respond to the call. It is left to the discretion of the supervisor to send additional units.
- Although it is not absolutely necessary, it would be legally advantageous to have the out-of-town officer, to be assisted, personally request aid from Raleigh Officers upon their arrival.
- If engaged in emergency response, all regulations involving emergency vehicle operation will apply.

TRANSPORTING NON-CITY EMPLOYEES (SWORN OFFICERS ONLY)

Ride-Along Programs

The civilian ride-along program exists to provide enhanced understanding of police operations and for educational purposes.

All requests to participate in the ride-along program will be forwarded to the Field Operations Division Administrative Assistant, located in the Field Operations Administrative Office. An official request must include the applicant's complete name and date of birth. All requests must be received at least five (5) business days prior to the requested ride-along date. Any requests submitted with fewer than five (5) business days of notice will be denied.

Participants in the ride-along program must:

- Be at least eighteen (18) years of age. Exemptions to the age requirement may be made for Raleigh Police Department Explorers. A parent or legal guardian must sign the Explorer's "Waiver of Liability" Form.

- Undergo a Raleigh Police Department background check. This background check will consist of a records management system check, a DCI criminal records check, and a warrant check. Employees utilizing DCI will use the purpose code "C". This background check will be conducted by the Field Operations Administrative Assistant or a designee approved by the Field Operations Division Commander. Convicted felons, persons with misdemeanor convictions reflecting offenses of moral turpitude, and those with outstanding warrants will not be permitted to participate in the ride-along program. Applicants may be denied the opportunity to ride-along based upon other factors and/or findings of background checks. Any questionable findings will be forwarded to the Field Operations Division Commander for a final determination of suitability for participation in the program.

The Field Operations Administrative Assistant will assign participants to an available date, time, and district. Approval notifications will be made to the applicable District Commander and the ride-along program participant.

No more than one (1) ride-along will be assigned to each Field Operations "team" (i.e. NWD A-1, SWD B-2) at any given time period. Participants in the ride-along program can ride two (2) times in a calendar year. The ride-along should not last longer than four (4) hours.

Participants of the ride-along program are expected to arrive on time to the specific district station and must comply with the following guidelines:

- Participants must sign a "Waiver of Liability" form. Volunteer Police Chaplains are not required to sign liability waivers prior to performing the ride-along. Participants in the Internship Program will bring a copy of the "Waiver of Liability" form they signed as being part of the Internship Program.

- Participants must provide a photo-identification. This identification will be compared to the information documented on the "Waiver of Liability" form and the information provided for the background records check.

- Participants are prohibited from possessing weapons, cameras, video cameras, cell phones or any other electronic devices during the ride-along. An exemption will be made for mobile phones. Mobile phones must be powered off and secured in the patrol vehicle's trunk during the ride-along. Any participant who requests to bring personal property (i.e. purses or bags) must submit to their property being searched prior to it being placed inside the police vehicle.

- Family members of Raleigh Police Officers are allowed to participate in the ride-along program. However, the participant cannot ride with their family member unless authorized by the Chief of Police.

- Participants must utilize a seatbelt while in a police vehicle.

- Participants will be neatly dressed (no shorts, t-shirts, sandals, etc.).

- Participants will wear a ballistic vest at all times during the ride-along.

Officers chosen to escort the participant must:

- Have completed field training and have a minimum of one (1) year of service experience post training.

- Ensure that the Watch Commander has been made aware of the ride-along.

- Provide the participant with the "Waiver of Liability" form. The officer must then ensure that the "Waiver of Liability" form has been completed and the participant's information matches their photo-identification. The "Waiver of Liability" form will be submitted to the officer's on-duty supervisor. The on-duty supervisor must review the waiver prior to the ride-along taking place. At the conclusion of the ride-along, the reviewing supervisor will inter-office mail the completed form to the Field Operations Division Administrative Assistant. The Field Operations Administrative Assistant will maintain signed "Waiver of Liability" forms in alphabetical order by participant name for a period of three (3) years.

- Ensure the participant's personal property is searched and secured in the trunk of the police vehicle.

- Sign into CAD utilizing an "R" at the end of their call sign (i.e. 111CR, 424DR). This will alert ECC to the presence of a civilian ride-along.

- Officers will not engage in emergency vehicle operations while a ride-along is present, nor shall an officer transport a ride-along into a location where there is imminent danger of violence or injury. Units with a ride-along may only respond to non-hazardous calls during the ride-along. Should a dangerous condition arise, the ride-along will be discharged at a safe location and the officer will immediately provide the Emergency Communications Center with the location of the ride-along. The Emergency Communications Center will dispatch another officer, not involved in the emergency situation, to the location to pick up the ride-along.

The Raleigh Police Department reserves the right to cancel a scheduled ride-along. The Watch Commander may cancel or suspend a ride-along for any public safety or operational reason he/she deems appropriate. All ride-alongs will be canceled during periods of inclement weather when adverse driving conditions may exist.

Due to the hazardous nature of the assignments in the Special Operations and Detective Divisions, ride-alongs will not be permitted with these units without the approval of the Chief of Police or Deputy Chief. If approved, the background checks, scheduling, and filing of paperwork will still be the responsibility of the Field Operations Division Administrative Assistant.

Ride-along requests by members of the media will be submitted to the Public Affairs Officer who will be responsible for their review. The Chief or designee will approve the rider, subject to the "Waiver of Liability" form requirements and other conditions set forth above. While recording devices are not permitted on ride-alongs, the Public Affairs Officer may grant approval for the possession and use of cameras and other recording devices at other times for purposes of conducting in-car media interviews.

At the discretion of the Chief of Police or his/her designee, any provision of the ride-along policy may be suspended or altered to suit special needs or conditions.

Emergency Transport

Sworn officers are authorized to transport members of the general public in emergencies or where a special hazard exists (i.e. a stranded motorist on a secluded street).

All emergency transports must be approved by a police supervisor.

Employees should not attempt to transport injured persons, unless no other reasonable alternative is available. They should, instead, apply first aid and await the arrival of an ambulance.

In transporting persons of the opposite gender, the officer shall give Emergency Communications their starting location, destination, and odometer mileage. The officer should notify Emergency Communications of the ending odometer reading when the final destination is reached.

EMERGENCY VEHICLE OPERATIONS (SWORN OFFICERS ONLY)

Officers responding to emergency situations must drive with due regard for the safety of all persons using the road and in a manner cognizant of traffic conditions at the time.

Emergency Response

Emergency response involves a situation requiring immediate police attention due to a present danger of public safety, a need for the immediate apprehension of a violator, or a serious crime in progress.

Officers are not to operate police vehicles as emergency vehicles unless an emergency response condition exists.

Emergency operation is defined as any time the vehicle is being operated in excess of the speed limit and/or in contradiction of other traffic laws with all emergency warning equipment activated.

Police vehicles actively involved in emergency operation will come to a complete stop at all controlled intersections displaying a red light or stop sign in the officer's direction of travel. Officers should safely clear these intersections prior to continuing. Officers will reduce the speed of their police vehicle when confronted with traffic congestion. Officers will not travel the wrong way on a one way street or into opposing traffic other than to safely pass another vehicle when no alternatives are available.

In deciding the degree of physical and legal risk which will be accepted in emergency operation, it is necessary to balance the dangers associated with non-apprehension with the dangers to officers and the public associated with high-speed vehicle operation.

Not all criminal enforcement matters justify endangering officers and the public. The seriousness of the underlying criminal offense should be a major factor in deciding whether or not high-speed vehicle operation is lawful and appropriate.

The appropriate balancing of risks shall include consideration of the following:

- Nature (seriousness) of the call
- Applicable speed limit
- Intersections and traffic control devices
- Road conditions, congestion, and weather
- Type and condition of vehicles used at high speeds
- Preparedness of the involved officer(s) condition to drive with reasonable safety at high speeds
- The use of warning signals and lights

Emergency operations shall be immediately terminated when:

- Directed by a field supervisor.
- There is clear and unreasonable hazard to officers, violator, or public.
- The dangers created outweigh the necessity for immediate apprehension.
- The emergency response vehicle experiences equipment failure or malfunction involving lights, siren, radio, brakes, steering or other essential equipment.

Silent Response; Use of Emergency Warning Equipment

The use of blue lights and siren may be excluded when overtaking vehicles for violation of traffic laws, observing vehicles occupied by suspected felons or dangerous persons, or when such use presents an imminent danger to the officer or the public.

At all other times, officers will use emergency lighting, headlights, and siren when engaged in emergency vehicle operations.

Once attempts are made to elude an officer, blue lights and other emergency warning devices are required and procedures regarding pursuit are to be followed (refer to DOI 1106-10 "Pursuits").

When responding to bank or similar alarm calls, officers should discontinue the use of emergency warning devices once they are within hearing or seeing distance of the location (refer to DOI 1109-3 "Response to Urgent and High Risk Calls").

Once the use of emergency warning devices is discontinued, motorists are no longer required to yield to police vehicles. Officers must give proper consideration to the speed of their vehicle and to traffic control signals.

Response by Unmarked Police Vehicles

Unmarked police vehicles will not be used as emergency vehicles, except in situations where no marked cars are in close proximity to the call. They will do so only after being instructed to respond by Communications or a supervisor.

If an unmarked unit is near the location of an emergency call, they should notify Communications that they are an unmarked unit and respond if so instructed.

Vehicle Stops By Unmarked or Covert Vehicles

It is preferable to have marked vehicles conduct traffic stops. When an unmarked vehicle performs a vehicle stop, it is imperative that every possible effort be made to identify our police vehicles and our police officers. The following procedures are to be followed whenever plainclothes personnel make traffic stops of any nature. When executing the traffic stop, the plainclothes officer:

- Must activate the vehicle's emergency blue lights.
- Must operate emergency four-way flashers.
- Must use the vehicle's siren for stopping the subject vehicle, but should inactivate the siren once the vehicle is stopped.
- Must take reasonable steps to identify the officer as a police officer to the stopped subject, including displaying a police badge and wearing a police cap. Officers should wear a police shirt or jacket, if available. The officer should take these steps prior to getting out of the police vehicle and approaching the stopped subject.
- Must verbally announce the officer's identity as a police officer to the occupant(s) in the stopped vehicle in a manner reasonably likely to be heard, taking into consideration noise in and around the stopped vehicle.

Covert vehicles are not equipped for stops or emergency vehicle operation. Plainclothes officers operating covert vehicles will not engage in vehicle stops without the assistance of a marked police vehicle operated by a uniformed officer.

Only in emergencies where existing circumstances warrant immediate action will officers operating covert vehicles deviate from the primary rule of no traffic stops. If an emergency stop is made, the officer must activate the vehicle's four way flashers. Officers must also follow the steps set forth above to make themselves identifiable as a police officer.

Emergency Escorts

Due to the hazards involved in conducting emergency escorts, no officer will become involved in an emergency escort unless cleared by a supervisor. Only marked police vehicles will be used to provide emergency escorts. Emergency escorts are to be conducted only under the following conditions:

- To assist injured persons or other emergency cases who are in route to the hospital by private vehicle.
- To assist out-of-town ambulances when the ambulance driver is not familiar with the City.
- To assist in the security of government officials when necessary.

THE RALEIGH POLICE DEPARTMENT

1106-06

DEPARTMENTAL HONORS AND HONOR GUARD

PURPOSE

To establish guidelines for the Department's Honor Guard in providing honors in the death of a current or retired member of the Department or dignitaries, and participation at other ceremonial events.

VALUES REFLECTED

This directive reflects our value of *Service and Compassion*. We want to recognize those who have served the Department or City. Further we want to demonstrate on-going dedication to providing service of the highest caliber through our participation in important ceremonial occasions.

UNITS AFFECTED

All Divisions/All Personnel

REFERENCES/FORMS

GENERAL POLICIES

The Honor Guard will provide official Departmental representation at ceremonial occasions as directed by the Chief of Police. These occasions include, but are not limited to: officers killed in the line of duty, officers that die during service, officers that die after retirement, and out-of-agency services (including events honoring citizens, parades, civic events and national and state memorial services).

Requests for Departmental Honors at funerals for members or former members of the Raleigh Police Department or public dignitaries shall be approved by the Chief of Police.

Upon approval, a supervisor will be designated as coordinator to act as the Department's representative. For funerals, it will be his or her responsibility to work with the funeral home, minister, and family to insure that appropriate Departmental honors are provided. For other events, the Honor Guard Commander will be responsible to work with the event coordinator.

THE HONOR GUARD

The Special Operations Division Commander will be responsible for the overall administration of the Honor Guard. The Special Operations Division Commander will designate two members of the Honor Guard as Honor Guard Unit Commanders.

Honor Guard Membership

The Honor Guard will consist of at least 20 members of the Department, who are sworn officers and may be from any unit within the Department. Applicants for the Honor Guard must be recommended in writing to the Special Operations Division Commander by their immediate supervisor.

Selection will be made by the Special Operations Division Commander. Applicants must possess the willingness and ability to respond to Honor Guard assignments, training and other details with minimal notice.

HONOR GUARD RESPONSIBLITIES

Honor Guard Commander

The Honor Guard Commander is responsible for planning, organizing, staffing, training, directing, controlling, and coordinating all ceremonial Honor Guard functions. They are responsible for the overall operation of the Honor Guard at a particular event including:

- Assignment and notification of personnel to a detail;
- Making arrangements for transportation, equipment, lodging, expenses, etc.;
- Operation and completion of the detail, (i.e.: inspection of personnel and equipment, compliance with rules and regulations, ceremonial protocol, etc.)

- Maintenance of lists of specific ceremonial protocols including, but not limited to: Honor Guard presence at the funeral home, services at funeral home/church, pall bearers, Rifle Squad, taps and flag folding.

Honor Guard Members

Members of the Honor Guard will have the following responsibilities:

- Maintaining all issued equipment and uniforms in excellent condition
- Returning all issued uniforms and equipment, in excellent condition, when membership in the Honor Guard has ended
- Maintaining outstanding personal appearance
- Attending all assignments, training and other details as assigned
- Proper performance of assigned duties

Honor Guard Assignments

Honor Guard members designated to participate in an approved function shall first be selected from available members on duty at the time of assignment.

Training

The Honor Guard will be authorized to conduct at least four scheduled training sessions annually and additional practices as needed for a detail.

All Honor Guard members will be notified via e-mail at least one week in advance of the training session. Additional training sessions and practices must be approved by the Special Operations Commander.

Participation Requirements

Members are expected to attend all training and practice sessions and to make themselves available for Unit details.

FUNERAL HONORS

Funeral honors may be modified as dictated by Departmental needs, preferences of immediate family, location of services, and weather conditions. Departmental honors encompass the following activities:

- Honor Guard at Funeral Home
- Services at Funeral Home/Church
- Pallbearers
- Rifle Squad
- Bugler
- Flag Folding Detail
- Color Guard

Specific Funeral Honors for current and former members of the Department include:

Line of Duty or Currently Serving Officer Death: In the event an officer is killed in the line of duty or while currently serving on the Department and in good standing the following honors will be rendered:

- Color Guard
- Rifle Squad
- Bugler
- Escorts
- Pallbearers
- Flag Folding Detail
- Honor Guard at Casket

Retired Officer: Retired in good standing

- When the funeral is conducted within the city, the retired officer upon request of the family will receive the same honors listed above. The Chief of Police will review requests for funerals occurring out of town.

DEPARTMENT RECOGNITION

The following procedures will be followed in the event of the death of a Department member:

Mourning Bands

All members of the Department will wear mourning bands according to the following criteria in the event of a Department member death:

- Active member of the Department, line-of-duty death: From the time of death until 12:00 midnight on the tenth day after his/her death.

- Active member of the Department, not line-of-duty death: From 12:01 a.m. until 12:00 midnight on the day of the funeral.

- National Peace Officers Memorial Day (May 15th): Optional for all members of the Department between 12:01 a.m. and 12:00 midnight.

Flags

At all Department buildings, the flags will fly at half-staff as follows:

- Active member of the Department, line of duty death: Flags will fly at half-staff from the time of death until ten days after the funeral.

- Active member of the Department, non-line of duty death: Flags will fly at half-staff on the day of the funeral.

Uniforms

- While attending any services connected with the death of any law enforcement officer, those attending in uniform will be attired in the Formal uniform.

THE RALEIGH POLICE DEPARTMENT

1106-07

SECONDARY EMPLOYMENT

PURPOSE

To set forth guidelines to govern Secondary Employment of officers and civilian employees, to establish procedures to maintain accountability and impartiality, to ensure the efficient operation of the department, and to provide protection to officers, the city, and the community

VALUES REFLECTED

This directive reflects our values of Fairness, Integrity, and Service. By observing the requirements of this order, we demonstrate that our Secondary Employment is provided without favor and that we are always mindful of our obligations to serve first the citizens and visitors of Raleigh. By following these guidelines, we balance the needs of the City with those of the Department while providing excellent public service to the community.

UNITS AFFECTED

All Personnel

REFERENCES/FORMS

City Management Policy 100-22: Conflict of Interests
N.C.G.S. 74C-21: Private Protective Services/Law Enforcement Officer Provisions
City SOP 300-05: Overtime Pay
DOI 1109-18: Body Worn Cameras and Mobile Video Recording

GENERAL POLICIES

The City of Raleigh has elected to permit employees of the Raleigh Police Department to engage in Secondary Employment and Extra Duty Employment outside of an employee's normal City work hours. Permitting RPD employees to engage in Secondary Employment and Extra Duty Employment enhances the safety and security of the community at large through the increased presence of law enforcement officers.

These types of employment are privileges granted to eligible RPD officers and civilian employees. Employment with the City of Raleigh takes precedence over all other types of employment. While reasonable efforts will be made to accommodate these types of employment, the Department may prohibit any or all officers and civilian employees from these types of employment and may impose restrictions on the employment that it does allow.

To engage in any of these types of employment, individual officers and civilian employees must satisfy all eligibility requirements stated in this policy. Employers seeking to hire officers or civilian employees must satisfy all eligibility requirements and comply with all provisions of this policy.

DEFINITIONS

Approved Officer/Employee – a sworn officer or civilian employee of the Raleigh Police Department who has met all eligibility requirements for Secondary Employment or Extra Duty Employment stated in this policy.

City – the City of Raleigh, North Carolina.

Department or RPD – the Raleigh Police Department.

Secondary Employment – employment outside of an employee's normal City work hours performed for a person or entity other than the City. The different types of Secondary Employment (also known as "off-duty" employment) fall into two categories, which are specified herein.

Secondary Employer – a person or entity that employs a sworn or civilian employee of the RPD during the employee's off-duty hours to perform services solely for the benefit of the Secondary Employer.

Extra Duty Employment – employment outside of a sworn officer's normal City work hours performed on behalf of the City in furtherance of special law enforcement projects and initiatives. Compensation for Extra Duty Employment is provided through the City's payroll system.

Job Site Coordinator – an officer designated by the Secondary Employment Coordinator to coordinate and schedule the work of fellow officers employed by the same Secondary or Extra Duty Employer.

Secondary Employment Contract – an employment contract between an officer and a Secondary Employer in a form approved by the Department and for a duration no longer than one year.

Secondary Employment Coordinator or SEC - a sworn Raleigh Police Officer who has been designated by the Chief of Police to coordinate and provide day-to-day administration of Secondary Employment and Extra Duty Employment by sworn officers and civilian employees of the RPD.

Suitable Employer – a Secondary Employer who has met all eligibility and other requirements set forth in this policy.

Supervisor – a sworn Raleigh Police Officer holding the rank of sergeant or higher.

Upper Level Supervisor – a sworn Raleigh Police Officer holding the rank of lieutenant or higher.

CATEGORIES OF SECONDARY EMPLOYMENT

Secondary Employment is divided into two categories based on the type of work.

Category 1: Secondary Employment which does not involve the use of law enforcement powers or authority. Examples include work teaching, performing construction or retail sales.

Category 2: Secondary Employment performing security guard or patrol services which may involve the use of law enforcement powers or authority. Examples include providing security at nightclubs, shopping malls, or other business establishments.

Civilian employees may engage in Secondary Employment only with Category 1 Secondary Employers.

Sworn officers may not simultaneously engage in Category 1 and Category 2 Secondary Employment for the same Secondary Employer.

ELIGIBILITY REQUIREMENTS FOR OFFICERS AND CIVILIAN EMPLOYEES

To be eligible for Secondary or Extra Duty Employment, officers and civilian employees must be employees of the City, must be in good standing with the Department, and must not be on sick leave, family sick leave, light duty, or administrative duty. Civilian employees must have completed their probationary period and sworn employees must have been released from the Field Training Officer (FTO) program. However, the Chief of Police or designee may authorize a sworn employee not yet released from the FTO program to work Secondary Employment under certain circumstances. Without prior approval by the Chief of Police or designee, no employee may engage in any of these types of employment for a period of 12 hours after the conclusion of a shift for which the employee was on sick leave, family sick leave, FMLA leave, light duty, or administrative duty. This would include calling out sick for court, in-service training, or any other departmentally scheduled appointment or activity.

Employees on approved FMLA and Paid Parental Leave may request permission from the Chief of Police or designee to engage in Secondary Employment, but not Extra Duty Employment, while on leave. The Chief of Police or designee has the discretion to permit this activity based on the totality of the circumstances surrounding the leave. Any employee permitted to work Secondary Employment while on FMLA and Paid Parental Leave is subject to all other restrictions set forth in this policy or relevant City policies.

An officer or employee may become ineligible to engage in Secondary or Extra Duty Employment or be subject to certain limitations as a result of disciplinary action, an employee improvement plan, excessive sick leave usage, excessive absenteeism (which includes missed court dates or training), or other job-related reasons.

The Chief of Police or designee may also revoke permission to work Secondary or Extra Duty Employment if he/she reasonably determines that the employment is not in the best interest of the officer/civilian employee or the Department.

SUITABILITY OF SECONDARY EMPLOYERS

Secondary Employers have no inherent right to hire RPD officers or civilian employees. The Department will not guarantee any employer that officers or civilian employees will be willing to work.

Suitable Employers must meet the following minimum requirements:

1. Employer must not offer employment that is inconsistent with the essential functions and mission of the Raleigh Police Department, that presents a conflict of interest, or that brings discredit upon the employee, the Department, or the City.

2. Employer must abide by State and Federal law as well as Department policies and shall not expect or encourage officers or civilian employees to act in a manner inconsistent with policies or law.

3. Employer must not permit officers or civilian employees to engage in employment during on-duty hours. Employer shall report officers or civilian employees who may be engaging in employment during on-duty hours to the SEC who will forward such complaints to the Office of Professional Standards for investigation.

4. Employer must retain employment records of departmental personnel for at least three (3) years and provide those records to the Department upon request.

5. Employer must agree to provide necessary information to the Department for evaluation or re-evaluation as a Suitable Employer. In addition, the employer shall cooperate with the Department in any audit conducted concerning Secondary Employment and provide any information necessary for purposes of such an audit.

6. Employers must permit officers to leave the place of employment in order to carry out law enforcement functions arising from their employment. Officers may also be required to leave their place of employment without notice and return to on-duty status should a need arise as determined by the Department. The Department does not anticipate that such a need shall arise frequently.

In addition to the minimum requirements set forth above, Category 2 Employers must meet the following additional requirements:

7. Absent approval by the Chief of Police or designee, Category 2 employment must take place within the city limits of the City of Raleigh.

8. Category 2 Employers must agree that officers are subject to the lawful direction of Department supervisors when circumstances require law enforcement oversight.

9. Officers providing law enforcement or security services shall be considered employees of the employer. Officers providing law enforcement or security services shall not be permitted to work in a self-employed capacity or work as independent contractors (as required by N.C.G.S. § 74C-21).

10. Category 2 Secondary Employers shall execute the Secondary Employment Contract and provide a certificate of insurance. The certificate must indicate that the employer has at least one million dollars of general liability coverage with two million dollars in aggregate, and they must also have at least the statutory limit of worker's compensation coverage. The Chief of Police or designee has the ability to waive this insurance requirement on a case by case basis for individual Secondary Employers. This waiver shall only occur in exceptional circumstances where the Secondary Employer can demonstrate undue hardship and a strong necessity for law enforcement presence. The SEC shall conduct an initial review of all requests for waiver of the insurance requirements and make a recommendation to the Chief or designee, who will make the final decision on the waiver.

11. Category 2 Secondary Employers shall compensate officers in compliance with the procedures set by the Department and shall compensate officers only at the rates established by the Chief of Police and shall comply with all applicable tax laws and regulations.

The Chief of Police may establish additional guidelines addressing the suitability of Secondary Employers. Based on the guidelines set forth in this policy or by the Chief of Police, the Secondary Employment Coordinator may conclude that an employer is no longer suitable if he/she reasonably determines that the employment is not in the best interests of the officer/civilian employee or the Department.

SPECIFICALLY PROHIBITED EMPLOYMENT

Officers are prohibited from working any type of employment that presents a conflict of interest or that brings discredit upon the officer, the Department, or the City.

Officers are prohibited from the following types of employment:

- Process server.
- Any employment involving the repossession of property.
- Bail bonds or working for a bail bondsman.
- Bill collector or collection of accounts.
- Employment involving an alarm company or locksmith.
- Private investigator.

- Any employment involving the sale or handling of alcohol.
- Any employment regulated or licensed by the Department. This would include owning or operating a taxi or vehicle towing service within the City of Raleigh. This does not include employment that would be regulated if it were conducted within the City of Raleigh but is not regulated by the Department because it falls outside of the City limits. For example, it would be permissible to own or operate a taxi or vehicle towing service in another city.

  Employment by a ride-sharing company (e.g., Uber, Lyft, etc.) is permitted subject to the restrictions of any Category 1 employment (cannot wear police uniform, use city equipment, etc.).
- Because North Carolina statutes prohibit it, officers cannot be self-employed or work as independent contractors providing law enforcement or security services. Officers are also prohibited from employment as a Raleigh Police Officer by a licensed security guard or patrol company (as required by N.C.G.S. § 74C-21).
- Employment involving the handling of packages, merchandise, etc., while in a police uniform
- Employment involving selling door to door, telephone solicitation or peddling.
- Work inside establishments where alcohol is consumed, with the exception of hotels, city owned property, and other locations as approved by the Chief of Police or designee. In the event an officer is called into a facility where alcohol is consumed, then ECC will be notified to make a complaint number and appropriate law enforcement action will be taken. Officers engaging in Secondary Employment will not enter bars, nightclubs or facilities where alcohol is consumed except to perform a law enforcement function.
- Absent the approval of the Chief of Police, employment as a law enforcement related consulting expert or expert witness in the context of criminal or civil litigation or where criminal or civil litigation is reasonably likely.
- Employment as an auxiliary officer with another agency.

The foregoing list is not exhaustive or exclusive. At the discretion of the Chief of Police, additional types of employment may be determined to be prohibited or otherwise limited.

ROLE OF SECONDARY EMPLOYMENT COORDINATOR

The Chief of Police shall designate a sworn officer to serve as the Department's Secondary Employment Coordinator (SEC). The SEC shall be responsible for the coordination and day-to-day administration of Secondary and Extra Duty Employment by sworn officers and civilian employees of the RPD.

The SEC shall be responsible for the following:

1. Receive notices of opportunities for Category 2 Secondary Employment.

2. Receive and maintain copies of all employment contracts.

3. Confirm the eligibility of all officers and civilian employees wanting to engage in Secondary and Extra Duty Employment.

4. Determine the suitability of potential employers.

5. Maintain list of all approved employers.

6. Maintain list of all approved officers/civilian employees.

7. Notify officers of opportunities for Category 2 Secondary and Extra Duty Employment.

8. Maintain all records and data pertaining to Secondary and Extra Duty Employment as directed by the Chief of Police.

9. With the exception of complaints that would normally be received by the Office of Professional Standards, receive and resolve complaints, disputes, and other issues involving Secondary Employment.

10. Conduct audits and evaluations concerning Secondary Employment suitability and eligibility.

11. Perform additional tasks which the Chief of Police may determine necessary for the efficient operation of the Department's Secondary Employment program.

Officers, civilian employees, or Secondary Employers who wish to review any decision made by the SEC may raise any issues related to such decision to the Chief of Police or designee. Concerns should be raised within ten (10) business days after the disputed decision is made.

COMPENSATION AND MANAGEMENT OF SECONDARY EMPLOYMENT

Category 1 and 2 Secondary Employers are separate and independent employers from the City of Raleigh. Secondary Employment will be managed and compensated based on the category of employment as set forth below:

Category 1: Non-law enforcement employment

Departmental employees shall submit to the SEC a Notice of Non-Law Enforcement Secondary Employment with respect to each Category 1 Secondary Employer prior to beginning work. This includes the officer being self-employed. The SEC will apply the suitability guidelines set forth in this policy as well as any additional criteria which the Chief of Police may establish to determine the suitability of all Category 1 Secondary Employers. The SEC will maintain a record of each Category 1 Secondary Employer.
Category 1 Secondary Employers are not required to enter into a contract with the officer or civilian employee regarding Secondary Employment. The Department will not establish a rate of pay for Category 1 Secondary Employment.

Self-employed officers and civilian employees are required to maintain records of time worked and must comply with all applicable tax regulations when working Secondary Employment.

Category 2: Law enforcement related employment

Category 2 Secondary Employers shall contact the SEC to coordinate employment of sworn personnel. Officers may not directly seek employment from, or negotiate rates of pay with, Category 2 Employers.

The Chief of Police will establish the rate of pay and minimum number of work hours for Officers, Supervisors, and Upper Level Supervisors who engage in Category 2 Employment. Until superseded by Special Memorandum or a revision to this policy, the minimum number of compensated hours is three and the rate of pay shall be no less than $35.00 per hour and shall not exceed $40.00 per hour. Category 2 Secondary Employers shall contact the Secondary Employment Coordinator to establish the rate of pay for Raleigh Officers. Officers are prohibited from negotiating pay rates with Secondary Employers. The approval of any rate of pay above $35.00 per hour will be made at the discretion of the Chief of Police or designee. Volunteer (no compensation) Category 2 Secondary Employment is not subject to the three hour minimum. All Category 2 Employers will be required to enter into a contract. Approved officers shall execute the appropriate contract with each Category 2 Employer for whom they work and shall make certain that the employer and the Secondary Employment Coordinator have executed the Contract ***before*** the officer performs any work. Volunteer law enforcement work ***does*** require a contract to be completed. Secondary Employment Contracts are required for all types of employment except for Extra Duty jobs that are paid for by the City.

Category 2 Employment poses additional risk to the officers who work at these locations. In addition, Category 2 Employment requires increased level of review, oversight, supervision, and management.

In general, Category 2 Employers will be permitted to determine the number of officers required to meet their needs. However, the Chief of Police or designee may determine that Category 2 Employers are required to employ a minimum number of officers or officers with supervisory skill and training. The Secondary Employment Coordinator will inform the employer of this requirement. At a minimum, the Department requires the employer to employ one Supervisor if five (5) or more officers are required at a given location and one Upper Level Supervisor if fifteen (15) or more officers are required.

SPECIAL CONDITIONS/REGULATIONS

Employees must allow fifteen (15) minutes of uncompensated time between jobs for different employers, including between their on-duty job and any Secondary Employment, or their on-duty job and any Extra Duty employment.

All Category 2 Employment must be listed in the CYA software. All jobs, whether self-assigned or assigned by a coordinator, should be closed in the CYA system within 72 hours of the completion of the job.

Under no circumstances will an employee be compensated by two or more employers simultaneously. The term employer includes the City of Raleigh in a normal or Extra Duty capacity, all other Secondary Employers, and self-employment.

The Chief of Police or designee may periodically, or as the need arises, transfer, rotate, or exchange the officers assigned to particular Category 2 Employers if they reasonably determine that such action is necessary in order to promote the efficient and orderly operation of the Department.

Employers and Officers shall be responsible for complying with all applicable tax laws and regulations concerning the officer's employment.

Officers must be paid by check (redeemable at financial institutions only) and may not be compensated in cash, services, or money order.

In accordance with City policy, Officers shall complete a Raleigh Police Property Ownership Notification form and forward it to the Office of Professional Standards for any real estate in Wake County that they own or in which they have a financial interest of any sort *other than their primary residence*. Officers shall provide the following information: employee's name, property address, including house number, street, city/town, zip code, date of purchase, and use of the property (for example: lot purchased to hold as investment, rental property, business property). Officers shall notify the Office of Professional Standards if they sell, give, or otherwise transfer their financial interest. Employees shall also notify the Office of Professional Standards if the use of the property changes (for instance, if a primary residence becomes rental property). This information is collected in accordance with N.C.G.S. § 160A-168 (Personnel Record statute) and shall be maintained in each employee's personnel file.

Officers engaged in Category 2 Employment are prohibited from being accompanied by a friend or family member while engaged in the employment.

SPECIAL REGULATIONS CONCERNING SUPERVISORS

To avoid the appearance of impropriety or misuse of rank, supervisors are only permitted to work in positions where they report to someone of an equal or higher rank. For example, if a Lieutenant is the Event Supervisor at a job, the officers working under the Lieutenant could be Officers, Detectives, Sergeants, or Lieutenants, but not Captains. This rule applies as additional supervisory roles are inserted into a chain-of-command at larger events. For example, if the Event Supervisor is a Captain and the Traffic Supervisor for the event is a Lieutenant, Officers, Detectives, Sergeants and/or Lieutenants would be able to work a traffic position; Captains would not be able to work a traffic position in this example because they would be reporting to a Lieutenant.

Additionally, to avoid the appearance of impropriety or misuse of rank, supervisors are only permitted to work at job sites where the Job Site Coordinator is someone of an equal or higher rank. For example, if the Job Site Coordinator is a Sergeant, the officers working at that job site could be Officers, Detectives, and/or Sergeants; Lieutenants and Captains would not be able to work at the job site in this example because they would be reporting to a Sergeant. Supervisors who are currently employed at job sites that do not comply with this policy may continue their employment at that job site until March 31, 2019. This provision does not apply to any jobs that are coordinated by the SEC as a duty of that position.

Supervisors working in a non-supervisory capacity during Secondary or Extra Duty Employment are required to perform any and all duties of the position for which they are employed. These duties

include, but are not limited to, writing incident or crash reports and processing arrestees. Additionally, as a situation requires supervisory guidance, supervisory personnel are expected to assume that role, even if they were initially employed in a non-supervisory capacity.

Per City of Raleigh policy (SOP 300-5), sworn employees above the rank of Sergeant are not permitted to engage in Extra Duty Employment for time-and-a-half pay without express approval from the City Manager or their designee.

EMPLOYMENT AT RESIDENTIAL ESTABLISHMENTS

As used herein, the term "Courtesy Officer" shall refer to an officer who is engaged in Secondary Employment in a security or law enforcement capacity at a residential establishment at which he or she maintains a primary residence. Secondary Employment as a Courtesy Officer shall be considered Category 2 Employment, and Secondary Employers employing Courtesy Officers shall be considered Category 2 Employers. Courtesy Officers and their Secondary Employers shall abide by all terms and conditions applicable to Category 2 Employment, including but not limited to those relating to rate of pay, working hours, attire, performance of duties, and attendance.

Courtesy Officers shall not receive offsets against rent for their mere presence or residence, but must be compensated at the rate set by the Chief of Police for each hour of work provided to the Secondary Employer. However, upon mutual consent of the Courtesy Officer and the Secondary Employer, compensation due to the Courtesy Officer for hours worked may be used to offset rent or lease payments. Secondary Employers and Courtesy Officers must comply with all applicable tax laws and regulations.

In addition, Courtesy Officers shall abide by the following provisions:

1. Courtesy Officers must confine their duties to those of a law enforcement nature. Notifications of evictions, collection of rent, bad checks, and enforcement of complex rules, regulations, or policies which are not otherwise violations of the law are prohibited.

2. Courtesy Officers will not respond to complaints after consuming alcoholic beverages. In such instances, the officer will contact Communications and request that an on-duty officer be dispatched to handle the complaint.

3. Courtesy Officers will not respond to any complaint in the complex in which they are employed while on-duty unless dispatched to that location by Communications.

4. When responding to complaints where enforcement action is anticipated, Courtesy Officers will notify Communications and furnish the location and nature of the complaint.

ATTIRE/EQUIPMENT DURING SECONDARY & EXTRA DUTY EMPLOYMENT

Category 1 Employment:

The employer shall dictate the appropriate attire to be worn by the employee, except that officers may not wear any part of their uniform, or any attire that identifies them as a Raleigh Police Officer, while engaged in Category 1 Secondary Employment. Without express authorization from the Chief of Police or designee, employees are not permitted to use City-issued equipment or vehicles during

the course of Category 1 Secondary Employment. Officers are permitted to carry concealed firearms, consistent with DOI 1108-08, unless the possession of a firearm by an employee is otherwise prohibited by the Category 1 employer.

Category 2 & Extra Duty Employment:

Unless otherwise approved by the Chief of Police or designee, officers engaged in Category 2 or Extra Duty Employment shall be attired in their complete police uniforms and shall carry all standard on-duty police equipment. Officers engaged in an approved specialized Secondary Employment assignment, such as bicycle or mounted patrol, shall be attired in the authorized uniform for that assignment. All police equipment used by the officer during Secondary Employment carries the same level of responsibility for care and safety as when used on-duty by the officer.

All personnel at the rank of Sergeant and below who are engaged in uniformed Category 2 and Extra Duty employment are required to wear and use body-worn cameras in accordance with DOI 1109-18 "Body Worn Cameras and Mobile Video Recording." Officers affected by this provision of the policy will be responsible for ensuring that they have secured a fully charged and offloaded BWC prior to the beginning of any secondary employment or Extra Duty work.

BWCs for secondary employment and Extra Duty may be obtained from any police facility that is set up to maintain BWC inventory. All BWCs that are used for secondary employment and Extra Duty purposes shall be offloaded at a police facility set up to maintain BWC inventory immediately following the completion of secondary employment work. With the exception of BWCs retained by personnel who are assigned PPVs with MVR equipment, BWC equipment shall not be retained beyond the end of secondary employment or Extra Duty shifts. Officers who are subject to this provision of the policy and who are not assigned a PPV may check out a BWC from any facility that is set up to maintain BWC inventory up to 12 hours prior to a scheduled secondary employment or Extra Duty shift.

In the unlikely event that an officer is unable to check-out a BWC prior to engaging in uniformed Category 2 or Extra Duty employment due to lack of availability of equipment or technological reasons, the officer shall immediately notify an on-duty supervisor at the rank of Lieutenant or above, who will then contact the System Administrator to make arrangements for relocation of equipment or troubleshooting of the system.

Officers obtaining or returning BWC equipment in relation to a secondary employment shift will not be compensated by the City for this action unless the officer is engaged in Extra Duty employment for the City. Officers working Extra Duty employment assignments will be compensated with compensatory time for 15 minutes prior to the start of the shift and 15 minutes after the end of the shift for signing in/out the BWC. This time shall not overlap with an officer's on-duty assignment or Extra Duty shift. Personnel should document this time on their ERP time sheet and add appropriate comments relative to the time.

Officers engaged in approved plain-clothes employment may continue performance pursuant to the terms of pending Off-Duty Contracts until the expiration of such contracts. Officers and employers wishing to renew contracts for plain-clothes employment after the expiration of pending secondary employment contracts shall be required to obtain approval of the Chief of Police or designee pursuant to this policy and shall execute a new contract. The approval for a plain-clothes assignment must be obtained every year when the contract is renewed.

Officers engaged in Secondary Employment must be able to present proper identification as a Raleigh Police Officer upon demand or when the situation dictates.

JOB SITE COORDINATORS

All recurring Secondary Employment will require a Job Site Coordinator. The SEC will have the final authority in selecting officers for this role. Job Site Coordinators shall be expected to cooperate with the SEC in order to resolve scheduling conflicts. The Job Site Coordinator is responsible for entering all job and shift information in the CYA system. Compensation of Job Site Coordinators shall be in accordance with the rates of pay established for Secondary Employment. Job Site Coordinators shall manage their Secondary Employment responsibilities so as to avoid disruption of or interference with their on-duty obligations. No officer shall serve as the Job Site Coordinator for more than three (3) Secondary Employers.

ATTENDANCE

The job performance of officers engaged in Secondary and Extra Duty Employment reflects upon the City and the RPD. Upon accepting Secondary and Extra Duty Employment, officers are expected to report to work at the times and places specified by their employers or Job Site Coordinators. If an officer must be absent from or tardy for a scheduled Secondary Employment shift, the officer must make reasonable efforts to contact the employer and/or the Job Site Coordinator. If an officer must be tardy or absent from an Extra Duty shift, the officer must contact the job site coordinator and the scheduled supervisor (if applicable). Secondary Employers may contact the Job Site Coordinator or SEC to request assistance in filling temporary vacancies arising from absent or tardy officers. However, neither the Department nor the SEC guarantees that vacancies can or will be filled. Further, neither the Department nor the SEC is under any obligation to locate officers to fill vacancies.

Secondary Employers may report unexcused tardiness or absences to the SEC who will forward such complaints to the Office of Professional Standards for tracking purposes. The Office of Professional Standards will forward reports of unexcused tardiness or absenteeism to an officer's Division Commander for investigation and appropriate action.

USE OF POLICE VEHICLES, HORSES, CANINES, OTHER CITY EQUIPMENT NOT ISSUED TO INDIVIDUALS

Employers may request the City to allow officers to use marked RPD vehicles during Category 2 Secondary Employment. The SEC will evaluate each request and determine whether use of the vehicle is appropriate under the circumstances. If the Chief of Police or designee reasonably determines that officer or public safety necessitates it, the Chief of Police or designee may require a Category 2 Employer to use marked RPD police vehicles as a condition of allowing employment at a particular location. Employers shall be billed by the City for the use of police vehicles at a rate established by the Chief of Police or designee. Police vehicles used during Secondary Employment may be used only for law enforcement purposes. Officers with PPVs or take-home vehicles are not permitted to use these vehicles for travel to Secondary Employment jobs unless the Secondary Employer has requested and is billed by the City for the use of the vehicles. PPVs and take-home vehicles, marked or unmarked, may be used for travel to Extra-Duty jobs.

Unmarked vehicles may not be used during Secondary Employment unless the Chief of Police or designee authorizes the use of an unmarked vehicle.

Officers will not be compensated for signing out a vehicle for an off-duty assignment unless the assignment involves extra-duty employment for the City. If a vehicle is signed out for an extra-duty assignment, officers will be compensated with compensatory time from the time of arrival to the site from where the vehicle is being signed out to the time of arrival to the extra-duty assignment. Personnel should document this time on their ERP time sheet and add appropriate comments relative to the time.

With approval from the Chief of Police or designee, animals and specialty equipment owned by the City may be used during Secondary Employment. The Special Operations Division Commander or designee has the discretion to determine if a request for animals and/or specialty equipment shall be utilized while employed in a Secondary Employment capacity or, if circumstances indicate a credible threat, in an on-duty capacity.

Officers should not sit in the police vehicles at any Secondary Employment or Extra Duty location unless they are actively utilizing the vehicle to conduct a law enforcement activity. Officers shall not be compensated for traveling time to or from a Secondary or Extra Duty Employment location.

PERFORMANCE OF DUTIES DURING SECONDARY EMPLOYMENT

All officers, including those conducting security patrols as Courtesy Officers, must log onto CAD whenever beginning work for a Category 2 Employer. Officers must log out of CAD whenever their Secondary Employment shift ends. If five (5) or more officers are working the same event, the Supervisor or Upper Level Supervisor with overall command for the event must log onto CAD, but the subordinate officers are not required to do so.

While engaged in Secondary Employment, officers are obligated to perform their duties impartially, without condoning violations of the law, and making arrests when warranted. Officers shall conduct themselves as if they were on duty and must comply with Department policies and training when working Secondary Employment. Officers are responsible for completing the proper reports as if they were on duty. Unless additional assistance is needed from on-duty personnel, law enforcement duties arising from Secondary Employment, including processing arrestees, will not be referred to on-duty personnel.

Only the owner or person acting under the authority of the owner of a business is vested with authority to invoke the trespassing law. Officers may not assume such authority on their own or be so authorized by the Secondary Employer without the written permission of the Chief of Police or designee. Permission will only be granted when it is in the best interest of the City (DOI 1109-24).

Unless approved by the Chief of Police or designee, officers shall not be permitted to direct traffic or interfere with public use of the roadways for the sole benefit of their Secondary Employers.

An officer engaged in Secondary Employment is subject to call-out in case of emergency and may be expected to leave Secondary Employment. Officers engaged in Secondary Employment remain subject to all lawful law enforcement directives of a superior officer.

LIMITATION OF WORKING HOURS

Secondary Employment must be scheduled in a manner that does not conflict or interfere with an officer's performance of duty. Employees who are receiving Standby compensation for callback availability are permitted to work Secondary or Extra Duty Employment during the period they are on Standby. If an employee on Standby is called to respond to an on-duty incident, they should notify their employer and the Watch Commander. Employees on Standby are NOT permitted to drive their police vehicles to Secondary Employment unless the Secondary Employer has requested and is billed by the City for the use of the vehicles. PPVs and take home vehicles, marked or unmarked, may be used for travel to Extra-Duty jobs.

Adequate rest is essential for on-duty alertness and safety. Officers shall not engage in Secondary or Extra Duty Employment that, by virtue of the number of hours worked, the type of work performed, or otherwise, results in undue fatigue or interferes with the officer's alertness or attention to duties.

In furtherance of ensuring adequate rest, employees must have a total of six (6) unscheduled hours (including on-duty, Extra Duty and Secondary Employment (Category 1 and 2)) in the 12-hour period preceding the actual start time of an on-duty shift, or the scheduled start time of an on-duty shift if the employee has taken time off at the beginning of a partial shift. These six (6) hours can be consecutive or non-consecutive.

For example, if an employee begins an on-duty shift at 7:00 p.m., they must have at least six unscheduled hours between 7:00 a.m. and 7:00 p.m.; the employee could work Secondary Employment from 3:30 p.m. to 6:30 p.m. because this leaves nine hours of unscheduled time between 7:00 a.m. and 7:00 p.m. (7:00 a.m. to 3:30 p.m. and 6:30 p.m. to 7:00 p.m.).

As an additional example, an employee is scheduled to begin an on-duty shift at 7:00 p.m., but takes the first four hours off to work Secondary Employment. The employee's actual on-duty start time is 11:00 p.m. Because the employee took time off at the beginning of their shift, the 12-hour look-back period would still be from 7:00 a.m. to 7:00 p.m. (the employee's <u>scheduled</u> on-duty shift start time). The employee could work Secondary Employment from 4:00 p.m. to 10:45 p.m. because this leaves nine (9) hours of unscheduled time between 7:00 a.m. and 7:00 p.m. (7:00 a.m. to 4:00 p.m.).

Scheduled hours include scheduled on-duty time (including training), scheduled Secondary and Extra Duty Employment time, and scheduled court date time. Unscheduled hours include time off, court time not on a regularly scheduled court date, and any overtime earned beyond a scheduled on-duty, Extra Duty or Secondary Employment shift.

Employees shall schedule no more than a total of 240 hours of on-duty work and Secondary or Extra Duty Employment hours during any one 28-day cycle. Typically, officers will reach the two hundred and forty (240) hour limit through a combination of 168 hours of on-duty time and 72 hours of Secondary or Extra Duty Employment.

- The use of vacation, compensatory, delayed holiday, or petty leave will increase the number of Secondary or Extra Duty Employment hours that may be worked.
- If employees are directed by management to take off on an official City holiday, that will increase the number of Secondary or Extra Duty Employment hours that may be worked.

- Officers may work a city-paid job during what would have been their regularly scheduled hours on an official City holiday if they were directed by management to take that day off.
- The use of any type of sick leave will **not** increase the number of Secondary Employment hours that may be worked.
- Officers may not take off during the middle of their regular shift to work in an off-duty capacity and then return to their regular shift.

If an employee is unexpectedly required to work beyond their regularly scheduled tour of duty, additional hours worked shall not count toward the total number of scheduled hours in a 28-day cycle. Likewise, if an officer is required to take a **specific** law enforcement action in their Secondary or Extra Duty Employment which results in the officer working in excess of their scheduled hours, no violation of this section will occur. Specific police actions include processing arrestees, writing reports, securing crime scenes, etc.

AUDITS AND INSPECTIONS

The Office of Professional Standards and the SEC will routinely conduct necessary and proper audits to ensure compliance with the Secondary Employment policy. Audits may include, but are not limited to, examination of specific times and total hours worked and on-site verification of appropriate attire and equipment.

At the direction of the Chief of Police, the Office of Professional Standards and the SEC shall conduct additional audits of approved officers and civilian employees, suitable employers, and Secondary and Extra Duty Employment to evaluate compliance with this policy, whether employers remain suitable, whether specific Secondary Employment jobs are assigned to the appropriate category, whether officers remain eligible, to assess the effectiveness of the policy, and to address other matters, if any, as directed by the Chief of Police.

Discipline for violations occurring in the course of Secondary or Extra Duty Employment, including violations of this policy, will be governed by DOI 1105-01 and may include suspension or termination of the privilege to work Secondary Employment.

TERMINATION OF SECONDARY EMPLOYMENT

Officers wishing to discontinue employment with a particular Secondary Duty Employer shall notify the employer, the Job Site Coordinator, and/or the SEC at least forty-eight (48) hours prior to the start of the officer's next Secondary Employment shift.

Upon request of the Secondary Employer, the SEC shall notify officers of the newly available Secondary Employment opportunity as soon as practical.

THE RALEIGH POLICE DEPARTMENT

1106-08

COMMUNICABLE DISEASE/BLOODBORNE PATHOGENS

PURPOSE

The purpose of this procedure is to establish a written Exposure Control Plan and guidelines to minimize or eliminate employee exposure to communicable diseases and bloodborne pathogens during the performance of their duties.

VALUES REFLECTED

This directive reflects our values of *Service, Courage, and Compassion*. The guidelines in this directive seek to reduce the risk our employees face. We want to provide the safest possible working environment for our officers and civilians. We also recognize that we must treat those who represent risks because they may carry communicable diseases and bloodborne pathogens with patience and sympathy.

ORGANIZATIONS AFFECTED

All Police Personnel and Volunteers

REFERENCES/FORMS

OSHA 29 CFR 1910.1030 OCCUPATIONAL EXPOSURE TO BLOODBORNE PATHOGENS, 12/06/91.
N.C. ADMINISTRATIVE CODE 13, NCAC 7C.0101(a) (96), 03/06/92
DOI 1108-4 “Submissions of Evidence and Found Property”
DOI 1108-6 “First Aid”
City S.O.P. 101-26 “Bloodborne Pathogens”
Attachment A: “Job Classification List”
Attachment B: “Examples of Serious Communicable Diseases”
Attachment C: “Hepatitis B Vaccination Consent/Waiver”
Attachment D: “Employee’s Accident/Exposure Incident Report”

GENERAL

The primary responsibility of the Police Department is the protection of the lives, rights, and property of all people in the City of Raleigh. This complex task must be performed with a high degree of concern for any occupational risk or exposure to communicable diseases or bloodborne pathogens by law enforcement first responders and support services personnel.

The Police Training and Career Development Sergeant will maintain an updated list of job classifications of all job tasks where personnel have an occupational exposure risk to human blood, body fluids, body tissues, or other infectious materials.

All Departmental personnel identified as being at risk for occupational exposure will be offered Hepatitis B immunizations, be provided with information on other vaccinations, and be provided basic and annual training on preventing exposure through use of protective equipment and effective control guidelines.

Post-exposure reporting, evaluations, and record keeping will be conducted to ensure that Federal, State, and Departmental requirements and reporting are fulfilled.

DEFINITIONS

Bloodborne Pathogens

Pathogenic (disease causing) microorganisms that are present in human blood and can cause disease in humans. These pathogens include, but are not limited to, Hepatitis B virus (HBV) and human immunodeficiency virus (HIV).

Communicable Disease

An infectious disease that is capable of being passed to another person by contact with an infected individual or their body fluids. Communicable diseases addressed in this policy include, but are not limited to, Acquired Immunodeficiency Syndrome-AIDS and Hepatitis-B.

Contaminated

Blood or other potentially infectious materials that are present or are reasonably anticipated as present on any item, surface or piece of equipment. This includes clothing, bedding, laundry or uniforms which have been soiled with blood or other potentially infectious substance, and sharp objects that can penetrate the skin including, but not limited to, needles and syringes, scalpels, broken glass, and knives.

Other Potentially Infectious Materials

All human body fluids such as blood, body secretions, and tissue specimens including semen, vaginal secretions, and cerebrospinal fluids.

Decontamination

The use of physical or chemical means to remove, inactivate, or destroy bloodborne or other infectious pathogens on a surface or item to the point where they are no longer capable of

transmitting infectious particles. The surface or item is decontaminated when it is rendered safe for handling, use, or disposal.

Occupational Risk

Risk of exposure may occur in many ways, including needle sticks, cut injuries, bites, assaults, or aerosols of body fluids from potentially infected communicable disease carriers. Skin, eye, mucous membrane, or parenteral (intravenous or intramuscular injection) contact with blood or other potentially infectious materials may result from the performance of duties of law enforcement first responders and support services.

Exposure Incident

A specific eye, mouth, other mucous membrane, non-intact skin or parenteral (intravenous or intramuscular injection) contact with blood or other potentially infectious materials resulting from the performance of an employee's duties. Different levels of response are required for different levels of exposure (see below).

IMMUNIZATION/VACCINATIONS

Immunizations can reduce the occupational risk of contracting some communicable diseases for law enforcement, first responders and support service personnel. The Center for Disease Control recommends Hepatitis B, measles, mumps, rubella, diphtheria, polio, tetanus, and influenza immunizations for law enforcement, first responder personnel and support service personnel who may be at risk.

Training

The Department will ensure that all personnel have received updated training and appropriate medical evaluations for all recommended vaccinations. Training on the Hepatitis B vaccination will provide personnel with information on the efficiency, safety, methods of administration, and the benefits of that vaccination.

Hepatitis B Vaccinations

The Department will ensure that all personnel identified as having an Occupational Exposure risk are offered, free of charge, the recommended Hepatitis B training and vaccination within ten days of assignment to the risk duty.

- All personnel with an Occupational Exposure risk who decline the Hepatitis B vaccination must complete and sign a waiver or declination statement (see attachment C).

- If an officer or employee has previously received the Hepatitis B vaccination series, had an antibody testing revealing the employee is immune, or the vaccine is not advisable for medical reasons, they also must complete and sign a waiver.

- The City of Raleigh Employee Health Center will maintain a confidential record of the status of Hepatitis B vaccinations and any medical records related to the ability to receive vaccinations for all personnel.

BASIC WORK PRACTICE CONTROLS

Basic work practice controls are procedures that reduce or minimize the likelihood of exposure to communicable diseases, bloodborne pathogens or infectious materials. All personnel will abide by the basic control guidelines when performing their duties.

All blood, body secretions, and tissue specimens will be handled as if they are contaminated or known to be infected with HBV/HIV, or other bloodborne or infectious pathogens. These universal precautions always apply.

Hand Washing

Hand washing is the single most important means of preventing the spread of infection. All personnel should practice routine safety hygiene by washing their hands following contact with other persons or items.

- Hands must be washed thoroughly immediately or as soon as feasible with hot water and soap before and after removing gloves, following exposure to any communicable disease or after handling items which may have been exposed to blood, body secretions, or body excretions. Other parts of the body that may have been exposed should also be thoroughly washed in hot water and soap.

- When hand washing facilities are not available, exposed employees will use waterless hand cleaners or antiseptic towelettes; provided by the Department; for use consistent with the manufacturers' directions. When antiseptic hand cleaners or towelettes are used, the hands must be washed in hot water and soap as soon as feasible.

General Safety Precautions

All at-risk employees must exercise caution and, when feasible, wear disposable gloves when doing any of the following:

- Handling items which may contain contaminated blood or body fluid products (hypodermic needles, syringes, etc.);

- Searching and processing arrestees;

- Packaging and handling items of evidence possibly contaminated with blood or body fluids;

- Cleaning up body fluids and secretions which have contaminated floors, seats, equipment, etc.;

- Providing or assisting in the administration of first aid.

- Placing fingers in anyone's mouth. *This should be avoided if possible.*

Protecting Open Wounds or Injuries

If an employee has an open wound or break in their skin, it must be covered with an impenetrable bandage while the employee is on duty. Any contact with known or suspected carriers of communicable disease should be avoided when possible.

Eating, Drinking, or Smoking

Eating, drinking, smoking, applying cosmetics, or handling contact lenses is prohibited in work areas, at accident or crime scenes where there is a likelihood of occupational exposure to bloodborne or other infectious pathogens. No food or drink will be kept in refrigerators, freezers, shelves, cabinets or on countertops or benchtops where blood or other potentially infectious materials are present.

PROTECTIVE EQUIPMENT

Protective equipment is specialized clothing or equipment worn by an employee as protection against a hazard. The equipment is used to prevent direct contact or absorption of blood or other potentially infectious materials or fluids on uniforms, work clothes, undergarments or with the skin, eyes, mouth, or other mucous membranes under normal conditions of use. The Quartermaster will maintain supplies of protective equipment for use by all personnel identified with an occupational exposure risk.

An adequate supply of all protective clothing, equipment and decontamination fluids must be maintained in a sanitary and reliable condition for use as needed by all field units. The following will be maintained in all patrol vehicles:

- Disposable gloves
- Disposable gowns, body suits, head and foot covers
- Face shields, eye protectors, masks, and spit hoods
- Biohazard storage, disposal and evidence bags
- A mouth-to-mask resuscitator
- Antiseptic towelettes and decontamination liquid

First-line supervisors shall conduct monthly inspections of the above items to ensure they are readily available. Supervisors shall ensure any missing items are replaced in a timely manner.

Administering First Aid

Employees must use discretion in administering CPR and first aid.

- If mouth-to-mouth resuscitation is administered, use a mouth-to-mask resuscitator when feasible.

- In the administration of first aid or the controlling of severe bleeding, use disposable gloves when feasible.

- Any mouth suctioning of injuries is prohibited.

Use of Protective Equipment

Protective equipment will be used for all reasonably anticipated exposure situations unless the use of protective equipment would delay the delivery of immediate health care or would pose an increased hazard to the employee or others.

- If it can be reasonably anticipated that the soiling of personal clothing or uniforms by blood, semen, saliva, or other body fluids and tissues is likely, the employee should wear appropriate disposable clothing. If exposure to the face by blood, saliva, or other body fluids is likely, a face mask and goggles should be worn.

- Protective caps or hoods, gowns, and shoe covers or boots will be worn in instances when gross contamination or exposure to infectious materials can be reasonably anticipated.

Decontamination

All protective equipment will be removed prior to leaving an exposure site, accident or crime scene. If garments, personal clothing, uniforms or equipment are soiled by blood, body fluids, or other potentially infectious materials, they should be removed immediately or as soon as feasible.

Protective equipment, contaminated laundry or other equipment shall be packaged in a clearly marked biohazard container. The items will then be laundered, decontaminated, or disposed of consistent with the guidelines outlined in this policy.

EVIDENCE COLLECTION

When the situation dictates the seizure of evidence that has been exposed to human body fluids, excretions, or secretions, the following steps will be taken:

Evidence Packaging

All contaminated items will be handled with protective gloves and/or clothing as feasible. No evidence container should be stapled. Employees should take precautions to properly seal the container without exposing the contents.

- Tangible evidence such as knives, bricks, guns, etc. which have been exposed to body secretions and/or body tissue must be decontaminated prior to packaging and storage. The cleaning solution will be provided by the Evidence Clerk and is available when needed.

  (Note: For emergency use, one part household liquid bleach freshly mixed with nine parts of water will destroy the AIDS virus).

- All evidence exposed to blood, semen, or other body fluids shall be packaged in a special evidence container designed to hold body fluids and clearly marked with biohazard labels. These containers must be sealed with evidence tape.

- All needles, syringes, knives, and other sharp instruments will be packaged in puncture-resistant containers and clearly marked.

Labeling Contaminated Evidence with Biohazard Symbols

A completed identification tag must be affixed to evidence containers containing contaminated evidence.

The evidence container shall be clearly marked "CONTAINS POSSIBLE CONTAMINATED ITEMS" and labeled with fluorescent orange or red Biohazard symbols.

MAINTENANCE AND SECURITY OF FACILITIES

When a person with a known or suspected communicable disease has been transported in a Departmental vehicle or occupies any room in the Department, or any Departmental facility, vehicle, equipment or room is contaminated with any bloodborne pathogens, body fluids or tissues, the following actions must be taken:

Secure the Area

The supervisor in direct control of any Departmental facility, work area, room or vehicle must be immediately notified of any contamination or suspected contamination.

- The supervisor and the employee will ensure that the room or vehicle is immediately secured, thoroughly decontaminated, and cleaned following the person leaving the room or vehicle and prior to any other person using or being confined in the same vehicle or room.

- The supervisor and the employee will ensure that any area, working surfaces, receptacles, room, or equipment contaminated by blood, saliva, semen, urine, feces, or other body fluids or tissues should be similarly secured, decontaminated and cleaned.

Decontamination

The cleaning solution provided by the Quartermaster will be used to decontaminate and clean the affected area. Personnel shall wear protective clothing when cleaning the affected area and wash their hands thoroughly afterwards.

- Building maintenance personnel will be immediately notified of any contaminated building facility, room or area and provided with a decontamination status report [refer to City S.O.P. 101-26(10.0) and appendix B of that procedure].

- The Police Service Center will be immediately notified of any contaminated vehicles and provided with a decontamination status report.

- Where a contaminated vehicle, facility, room, area, or equipment cannot be immediately decontaminated, it must be immediately secured and conspicuously marked with biohazard labels. The Watch Commander must be immediately notified. Decontamination procedures must be fully implemented as soon as feasible.

DISPOSAL AND DESTRUCTION OF CONTAMINATED PROPERTY

The Evidence Manager/Specialist shall ensure that an adequate supply of disposable gloves, clothing, resuscitator masks, and marked disposal bags are in stock and available for use by all personnel.

Collisions and Crime Scene Decontamination

When possible, officers on the scene of collisions and crime scenes should ensure that materials exposed to blood and body tissues used in the treatment of victims by Emergency Medical Services, the Fire Department, or other rescue services are properly collected. When these items are not collected, the officer must properly collect the exposed items in a Biohazard bag and secure them for disposal.

When blood and other body fluids and tissues are on surfaces that cannot be removed or collected – such as floors, pavement or other hard surfaces – the employee will consult with a supervisor to determine the best course of action. A solution of one part household liquid bleach freshly mixed with nine parts water may be used in some circumstances.

Disposal Bags

All disposable gloves, clothing, and resuscitator masks exposed to body fluids shall be placed immediately in marked disposal bags and sealed after their use is completed. All disposal bags containing non-evidence must be sealed and securely disposed of in designated trash containers located in evidence and/or property rooms.

Disposal of Clothing

In the event that an employee's duty clothing (plainclothes or uniform) is contaminated with body fluids or of any other carrier of serious communicable disease, those items of clothing that are contaminated will be decontaminated, cleaned or disposed of (refer to guidelines above). Clothing that is disposed of will be replaced by the Department.

EXPOSURE LEVEL AND POST-EXPOSURE PROCEDURES

All employees must apply the following guidelines to any on-duty exposure to communicable diseases.

Level I Occupational Exposure

Level I exposure occurs when an employee is merely in the presence of a person suspected or known to have a communicable disease with no likely risk of being contaminated or infected. Level I exposure may also occur when contact is limited to possible contamination of protective equipment.

No special action is required for a Level I exposure. Any contaminated protective equipment must be decontaminated or disposed of consistent with this procedure.

Level II Occupational Exposure

Level II exposure occurs when there is contact between the healthy, unbroken skin of an employee and another person's blood, body fluids, or tissues, or when the employee is in the presence of someone known to have a communicable disease, but where the risk of being contaminated is minimal.

- The exposed employee must complete an Employee's Accident/Exposure Incident Report.
- The exposed employee may obtain counseling and evaluation for further testing from the City of Raleigh Employee Health Center.

Level III Occupational Exposure

Level III exposure occurs when an employee is in the presence of a person known to have a communicable disease with a high risk of being contaminated or infected. Level III Exposure includes contact between broken skin, open cuts, wounds, mucous membrane, or by intravenous or intramuscular injection (parenteral routes) of an employee and another person's blood, body fluids, or tissues regardless of whether the person is an unknown, suspected or known carrier of a communicable disease. Examples of Level III exposure include but are not limited to:

- Being stuck with a hypodermic needle, knife, or other sharp object which is likely to transmit a communicable disease; or,
- Having an open wound or a mucous membrane (eyes or mouth) exposed to the blood, saliva, or other body fluids of a person likely to be infected with a communicable disease such as hepatitis, AIDS, or infection caused by the AIDS virus; or
- Being bitten by another person.

Upon receiving a Level III exposure, exposed employees must immediately notify their supervisor of the incident and seek a medical evaluation to determine if the exposure falls within the parameters of the Public Health Department's definition of significant exposure risk. The medical personnel are responsible for notifying the Public Health Department if they determine a significant risk of exposure occurred. The Public Health Department is then responsible for contacting the suspect and obtaining blood for testing.

- If the exposure occurs when the City Nurses Office is open, or will open within a reasonable amount of time to allow for a medical evaluation and testing within the 24-hour hold period, the employee will report to the City Nurses Office for a medical evaluation.
- If the exposure occurs when the City Nurses Office will not open within a reasonable amount of time to allow for a medical evaluation and testing within the 24-hour hold period, the employee will report to the nearest hospital or medical facility for an evaluation from medical personnel.

The employee must make every effort to identify the person that is the source of the exposure, obtain the person's address and telephone number, and determine the person's place of employment.

If the source person is under arrest, the employee or the employee's supervisor should appear before the judicial official who is conducting the initial appearance to provide probable cause that an employee was exposed to the defendant in a manner that poses a significant risk of transmission of AIDS or Hepatitis B. Upon making such a finding of probable cause, the judicial official shall order that the defendant be held for a reasonable period of time, not to exceed 24 hours, for investigation by public health officials to determine if there should be testing for the AIDS virus infection or the Hepatitis B infection. The person presenting the facts needs to be prepared to discuss how the exposure occurred and why the employee believes that there is a risk. The body fluid that was transmitted and how it was transmitted must be specified. Any injuries of the employee or suspect must also be specified. Any facts that indicate that the suspect is a high risk person, such as a known drug user or prostitute, must be provided.

- In the event the exposure source person is not in custody the exposed employee will seek a medical evaluation at the City Nurses Office, if open, otherwise the medical evaluation should be conducted at a hospital or medical facility within 24 hours of the exposure. The police supervisor will provide information and assistance needed by the medical personnel and the Public Health Department to contact the suspect and obtain blood for testing through consent or court order.

- Law enforcement personnel should refrain from speaking with the source person about being tested. It is believed that health care providers will be more successful in obtaining consent.

- In the event an exposure source person volunteers to be tested, the employee should communicate this information to jail medical personnel as soon as possible if the person is in custody. If the person is not in custody the employee should contact the employee's supervisor who may provide assistance, in the form of transportation to the Wake County Health Department.

- If the exposure source person is not willing to provide an informed consent to be tested, the Health Department has the authority to review the facts of the case to determine if it is appropriate and necessary to request court ordered testing. Departmental employees and supervisors must be prepared to discuss the facts, how the exposure occurred and why the person may be a high-risk person. Any information about the person's medical condition may be shared with the Health Department. Any facts which indicate drug use or prostitution by the source person should also be shared with the Health Department.

- In the event an exposure source person is tested, the results of the test will be communicated to the exposed employee's physician.

An employee with a Level III exposure must complete an Employee's Accident/Exposure Incident Report (attachment D), and attach any other appropriate reports. These reports will be forwarded through official channels to the Chief of Police. The reports, when completed, will be maintained for the employee's duration of employment plus 30 years.

- The exposed employee must report to the City of Raleigh Employee Health Center as soon as possible for an exposure assessment. The employee will be referred to an approved health care professional for a confidential post-exposure evaluation, and be provided with the opportunity for any recommended counseling and testing.

- The health care professional will verify that the employee has received confidential written results of the post-exposure evaluation and the opportunity for appropriate counseling and testing. The health care professional will forward a confidential medical record to the City of Raleigh Employee Health Center. The record will be maintained in a confidential file.

Supervisory Post-Exposure Review and Supervisory Accident Investigation Report

All Level II and Level III exposure incident reports will be reviewed by the employee's immediate supervisor, who will complete the Supervisory Accident Investigation Report. The review will include the extent to which the incident included the effective use of any protective equipment.

TRAINING

This Department will monitor the most current information regarding the occupational risk to law enforcement personnel to communicable diseases, bloodborne pathogens and other infectious substances and make this information available to all personnel through regular and annually updated training.

Further information regarding AIDS may be obtained from the following agencies:

- North Carolina Health Services
- National AIDS Hotline, 1-800-342-AIDS (2437)

Training Content

The Department will provide basic, in-service, and roll call training at least annually to all employees addressing the following:

- The location of an accessible copy and explanation of OSHA standards and other regulatory text related to communicable diseases and bloodborne pathogens.
- A general explanation of the modes of transmission, epidemiology and symptoms of bloodborne and communicable diseases.
- An explanation and review of this written directive as the Department's exposure plan.
- A review of potential occupational exposure incidents and situations, the practice of general safety precautions, handling, decontamination or disposal of contaminated items, and the use of protective equipment.
- A review and explanation of the procedure, reporting and medical follow-up required in the event of an exposure, and post-exposure information on emergencies that relate to blood or other potentially infectious materials, follow-up procedures, and medical counseling.
- A review and explanation of warning signs, labels, and color coding.

Training Records Maintained

The training content and personnel receiving the training will be documented and maintained by the Police Training Center.

OFF-DUTY EMPLOYMENT

Any officer or employee working an off-duty job must ensure that if the job represents an Occupational Exposure risk, the employer is in compliance with all OSHA safety and bloodborne pathogen standards.

The basic exposure control guidelines of this procedure must be adhered to during any off-duty work with an Occupational Exposure risk. Officers may use issued protective equipment, when feasible, while working an off-duty job.

BLOODBORNE PATHOGEN EXPOSURE DETERMINATION		
TITLE: JOB CLASSIFICATIONS WITH ALL EMPLOYEES EXPOSED TO BLOODBORNE PATHOGENS		
Organization: City of Raleigh	Facility: Police Department	Location: 6716 Six Forks Rd
JOB CLASSIFICATION	GENERAL EXPOSURE DESCRIPTION	OTHER COMMENTS
Chief of Police - 3231	Law Enforcement First Responder	
Deputy Chief of Police - 3228	Law Enforcement First Responder	
Police Majors - 3226	Law Enforcement First Responder	
Police Captains - 3221	Law Enforcement First Responder	
Police Lieutenants - 3216	Law Enforcement First Responder	
Police Sergeants - 3211	Law Enforcement First Responder	
Police Detectives – 3210, 3241, 3242	Law Enforcement First Responder	
Police Officers - 3206, 3207, 3208, 3266	Law Enforcement First Responder	
Police Training Officers - 3239	Law Enforcement First Responder	
Police Attorney - 0436	Law Enforcement First Responder	
Police Equipment Mechanics - 4616	Law Enforcement First Responder	
Auto Service Attendants - 4611	Law Enforcement First Responder	
Auto Service & Parts Manager - 4636	Law Enforcement First Responder	
Staff Support Specialist - 0003 Evidence	Law Enforcement First Responder	
Evidence Specialist - 0226	Law Enforcement First Responder	

Effective: 05-12-14

Attachment B DOI 1106-8

The following listing of diseases and conditions have been declared to be dangerous to the public health by 15A NCAC 19A.0101 Pursuant to G.S. 130A-139.

1. ACQUIRED IMMUNE DEFICIENCY SYNDROME (AIDS)
2. ANTHRAX
3. BOTULISM
4. BRUCELLOSIS
5. CAMPHYLOBACTER INFECTION
6. CHANCROID
7. CHALAMYDIAL INFECTION
8. CHOLERA
9. CREUTZFELDT-JAKOB DISEASE
10. CRYPTOSPORIDIOSIS
11. CYCLOSPORIASIS
12. DENGUE
13. DIPHTHERIA
14. ESCHERICHIA COLI
15. EHRILICHIOSIS
16. ENCEPHALITIS
17. ENTEROCOCCI
18. FOODBORNE DISEASE, INCLUDING BUT NOT LIMITED TO CLOSTRIDIUM PERFRINGENS STAPHYLOCOCAL AND BACILLUS CEREUS
19. GONORRHEA
20. GRANULOMA INGUINAL
21. HAEM0OPHILUS INFLUENZA
22. HANTAVIRUS INFECTION
23. HEMOLYTIC-UREMIC SYNDROME
24. HEMORRHAGIC FEVER VIRUS INFECTION
25. HEPATITIS A
26. HEPATITIS B
27. HEPATITIS B CARRIAGE
28. HEPATITIS C
29. HUMAN IMMUNODEFICIENCY VIRUS INFECTION (HIV) CONFIRMED
30. LEGIONELLOSIS
31. LEPTOSPIROSIS
32. LISTERIOSIS
33. LYME DISEASE
34. LYMPHOGRANULOMA VENEREUM
35. MALARIA
36. MEASLES (RUBEOLA)
37. MENINGITIS, PHEUMOCOCCAL
38. MENINGOCOCCAL DISEASE
39. MUMPS
40. NONGONOCOCCAL URETHRITIS
41. PLAGUE
42. PARALYTIC POLIOMYELITIS
43. PSITTACOSIS
44. Q FEVER
45. RABIES, (HUMAN)
46. ROCKY MOUNTAIN SPOTTED FEVER
47. RUBELLA
48. RUBELLA-CONGENITAL SYNDROME
49. SALMONELLOSIS
50. SHIGELLOSIS
51. SMALLPOX
52. STREPTOCOCCAL INFECTION
53. SYPHILIS
54. TETANUS
55. TOXIC SHOCK SYNDROME
56. TOXOPLASMOSIS
57. TRICHINOSIS
58. TUBERCULOSIS
59. TULAREMIA
60. TYPHOID
61. TYPHOID CARRIAGE (SALMONELLA TYPHI)
62. TYPHUS, EPIDEMIC (LOUSE-BORNE)
63. VACCINIA
64. VIBRO INFECTION (OTHER THAN CHOLERA)
65. WHOOPING COUGH
66. YELLOW FEVER

Attachment C DOI 1106-8

CONSENT TO RECEIVE HEPATITIS B VACCINATION

I acknowledge that I have been counseled regarding my described exposure to potentially infectious materials. I have been informed about the clinical course of Hepatitis B and the risks and hazards of receiving the vaccination.

I have been given an opportunity to ask questions which have been answered to my satisfaction.

I understand that I must receive all three injections to be properly immunized and there is no guarantee that vaccination will be effective or free of side effects.

I acknowledge that I have read and understand the City of Raleigh, and my Departmental Policy and Procedures for Management of Blood Borne Pathogens, HIV and HBV exposure.

I voluntarily consent to receive the Hepatitis B Vaccination in 3 doses beginning today. The second dose to be received one month from today. The third dose to be received six months from today.

_____	_____	_____
Signature of Employee	Date	Signature of Health Care Professional

Hep. B #1: Arm_____ Lot #_____ Exp._____

I reaffirm my consent for the second dose of Hepatitis B Vaccine.

_____	_____	_____
Signature of Employee	Date	Signature of Health Care Professional

Hep. B #2: Arm_____ Lot #_____ Exp._____

I reaffirm my consent for the third dose of Hepatitis B Vaccine.

_____	_____	_____
Signature of Employee	Date	Signature of Health Care Professional

Hep. B #3: Arm_____ Lot #_____ Exp._____

Attachment C DOI 1106-8

DECLINATION OF HEPATITIS B VACCINE

I understand that due to my occupational exposure to blood or other potentially infectious materials I may be at risk of acquiring Hepatitis B Virus (HBV) infection. I have been given the opportunity to be vaccinated with Hepatitis B vaccine, at no charge to myself. However, I decline Hepatitis B vaccination at this time. I continue to be at risk of acquiring Hepatitis B, a serious disease. If in the future I continue to have occupational exposure to blood or other potentially infectious materials and I want to be vaccinated with Hepatitis B vaccine, I can receive the vaccination series at no charge to me.

_____	_____
Employee Signature	Witness
_____	_____
Date	Date

Attachment D DOI 1106-8

CITY OF RALEIGH

EMPLOYEE'S ACCIDENT/EXPOSURE INCIDENT REPORT

This form must be completed in Triplicate by the injured/exposed employee

Department:_____Division #:_____Date Reported Out From Work:_____

Name:_____SSI#:_____Code#:_____

Job Classification_____Address, Zip:_____Phone_____

Check Type Of Accident:_____Injury_____Exposure Incident

Date:_____Time:_____Location:_____

Details Of Accident/Exposure Incident:_____

_____

_____

Injury/Exposure Location:

__Head __Face __Eyes __Mouth __Arms __Hands __Chest __Abdomen __Legs __Back

Injury/Exposure Type:

(Identify Injury, Bloodborne Pathogen Exposure)_____Level II _____Level III Injury Only

___Injury & Exposure

Accident/Exposure Incident Witness(es):_____

Accident/Exposure Incident Reported To:_____Date:_____Time:_____

Source Individual of Injury or Exposure (Provide Unless Unknown or Prohibited by Law)

Name:_____Address:_____Other:_____

Source Testing: Consent_____GS 15A-5343:_____Other:_____

Medical Facility Attended:_____Doctor:_____Date/Time_____

Have you had a similar Accident/Injury/Exposure:_____Yes_____No

What would you do to prevent a similar Accident/Exposure from occurring in the future?_____

_____

Have you previously received Workman's Compensation _____Yes _____No

Post-Exposure Evaluation/Counseling_____Requested _____Required Appointment:_____

This_____Day of _____, 20_____

Witness as to Signature_____

Employee Signature_____

STATEMENT OF WITNESS

The undersigned was or were witnesses to the accident/exposure incident referred to on the reserve side of this form, and the accident/incident referred to occurred in substantially the manner set out by the injured/exposed employee except that:_____
_____
_____
_____
_____
_____

THIS_____DAY OF_____, 20_____

Witness_____
Witness_____
Witness_____

SUPERVISORY REVIEW

If an exposure incident, was issued protective equipment used?_____Yes____No_____Exempt_____N/A
If no, explain_____
_____
_____
_____

I have reviewed the accident information on this form and will utilize this information in completing a Supervisory Accident Investigation Report. (Form SOF-2)

This_____Day of _____,20_____

Supervisor_____

DEPARTMENT HEAD REVIEW

I have reviewed the Accident/Exposure incident information on this form.

This_____Day of_____, 20_____

Department Head_____

THE RALEIGH POLICE DEPARTMENT

1106-09

RESPIRATORY PROTECTION PROGRAM (GAS MASK)

PURPOSE

To establish procedures and policies for a Respiratory Protection Program (Gas Mask).

VALUES REFLECTED

This directive reflects our values of *Service, Courage, and Integrity*. Our commitment to officer safety and excellence in policing demands that we make available to our officers the best technology available for keeping them safe on our streets.

UNITS AFFECTED

All Divisions/Sworn Officers

REFERENCES/FORMS

City Procedure SP 101-9 "Respiratory Protection Program"
Form #1 "OSHA Respirator Medical Evaluation Questionnaire"
Form #2 "Medical Certification for Use of Respirator"
Form #3 "Record of Officer Fit Testing"

GENERAL POLICIES

Respiratory protection is required whenever the employee is in an environment that consists of combinations of gas, vapor, and particulate contaminants.

Respiratory protection is required for both routine and non-routine operations in which the employee has the potential to be exposed to high concentrations of a hazardous substance; including training exercises.

HAZARDS IDENTIFICATION

The Department shall keep a list of OC and CS gas inventory. This list will be updated monthly stating the quantity and location of the substances.

The Special Operations Division Captain is responsible for monthly inspections of the Department's supply of chemical agents and will maintain Material Safety Data Sheets (MSDS) of chemical agents.

EVALUATION OF HAZARDS

Hazardous substances will be characterized into one of four categories of atmospheric contamination:

- Oxygen deficient atmosphere
- Gas and vapor contaminants
- Particulate contaminants (including dust, fog, fumes, mist, smoke and spray)
- Combinations of gas, vapor, and particulate contaminants

SELECTION AND USE OF RESPIRATORS

The Department will provide respirators for use by officers. The Department will select respirators that are NIOSH approved in accordance with current OSHA standards.

Full Face Mask

- Used for the breathing protection of officers during drills and actual events that warrant the need for full-face protection. These masks are not to be used in atmospheres that are immediately dangerous to life and health where self-contained breathing apparatus is required.
- Types of Masks

  The MSA Advantage 1000 Riot Control Agent Gas Mask with canister is designed for use when OC and CS agents may be deployed.

  The Scott AV2000 (PPE) is rated for more serious airborne threats such as radiological, biological, and chemical agents.

- The canister will be replaced after each use or exposure, not to exceed 8 hours of use.
- Corrective lenses can be used as long as a qualified individual fits them and they do not interfere with the respirators' ability to seal to the face.

MEDICAL SCREENING

Medical screening is required for all employees required to wear respirators.

Employees will complete Form #1 "OSHA Respirator Medical Evaluation Questionnaire." This confidential questionnaire will be completed every two years and can be discussed with the City Nurse on an appointment basis.

Form #2, "Medical Certification for Use of Respirator," will be used by the City Physician and City Nurse to certify the employee's ability to wear a respirator. The original form will be kept on file at the Employee Health Center and a copy will be provided to the Department to be filed in each officer's training file.

Employees will not be assigned to a job function requiring a respirator until they have been medically evaluated and fit tested.

A physical examination will include a pulmonary function test and medical history test which will be used to determine if an employee is physically capable of wearing respirator protection.

Employees will have their medical status reviewed every two years including a physical and pulmonary function test.

The City Physician and City Nurse will make the final determination of an officer's ability to wear a respirator.

It is the Department's responsibility to ensure that no obstructions (mustaches, sideburns, etc.) prevent a tight face piece seal or valve function of a respirator.

FIT TESTING OF RESPIRATORS

Fit testing will be conducted according to the following schedule:

- Annually for each officer
- Whenever there is a change in model, make, size, or style of respirator
- Whenever there is a change in the wearer's physical state

Records of officer fit testing (form #3) will be maintained at the Departmental level in the employee's training file with a copy sent to the Employee Health Center and the City of Raleigh Safety Office.

CARE AND MAINTENANCE OF RESPIRATORS

Respirators will be stored in a convenient, clean and sanitary manner to ensure functionality.

All respiratory equipment will be inspected at least monthly and before and after each use or during cleaning. Each respirator will be inspected as follows:

- Signs of pliability
- Deterioration
- Distortion
- Proper cartridge
- Expiration date of cartridge
- Cracks in face shield
- Discoloration of face shields

Repairs will be made, if needed, according to the manufacturer's recommendations.

Replacement parts must be those of the manufacturer of the equipment and must be NIOSH approved.

ASSIGNMENT OF RESPIRATORY EQUIPMENT

Respiratory protective equipment is assigned to an employee for his/her exclusive use.

If employees have to use a protective device other than their own, they should use the same size mask for which they were fit tested.

TRAINING

- Each officer will be properly trained in the use and limitations of respirators. Training is required prior to the use of the respirator and annually whenever:
  - There are changes in the workplace
  - There are changes in respirator type
  - Employees' lack of knowledge or actions indicate a need for training

The Police Training Center will coordinate respiratory protection training and will maintain Departmental records concerning such training.

THE RALEIGH POLICE DEPARTMENT

1106-10

PURSUITS

PURPOSE

To provide regulations concerning the operation of Police Department vehicles under pursuit conditions and to establish policy and procedural guidelines for the implementation and deployment of tire deflation devices (TDD).

VALUES REFLECTED

This directive reflects our values of *Service, Courage, Fairness, and Integrity*. The safe operation of our vehicles will lessen the risk of injury and property damage. We recognize the risks inherent in vehicle pursuits and will take the necessary steps to minimize the risk to the public while still seeking to bring offenders to justice.

UNITS AFFECTED

All Sworn Officers

REFERENCES/FORMS

G.S. 20-145 “When Speed Limit Not Applicable”
G.S. 20-156 “Exceptions to Right-of-Way”
G.S. 20-135.2A “Mandatory Seat Belt Use”
City Policy 100-10A “Seat Belt Use Mandatory”

GENERAL POLICIES

A respect for human life shall guide officers in determining whether to engage in or terminate a vehicular pursuit. Officers will act within the boundaries of legal guidelines, good judgment, and accepted practices when engaging in or determining whether to engage in a vehicular pursuit or stopping tactic. Officers engaged in a vehicle pursuit shall operate their vehicle with due regard for safety of others at all times.

A pursuit is justified only when the necessity of immediate apprehension outweighs the level of danger created by the pursuit.

PURSUIT INITIATION

Vehicular pursuits are prohibited except under circumstances where there is probable cause to believe that an occupant of the vehicle has committed a felony involving the infliction, attempted infliction, or threatened infliction of serious physical harm to a person. Pursuits will be initiated only if one of the criteria listed above is met.

The Watch Commander may authorize a vehicular pursuit that does not meet the above criteria only in exceptional circumstances. In authorizing a pursuit that does not meet the criteria set out above, the Watch Commander shall carefully consider the seriousness of the suspected initial offense; the applicable speed limit, intersections, and traffic control devices; road conditions, congestion, and weather; type and condition of vehicles used; the speed of the vehicles; the experience and ability of the pursuing officer(s); the use of warning signals and lights; whether the suspect is known; the danger presented to the public by continuing the pursuit and the danger to the public presented by the suspect if he/she is not immediately apprehended.

A pursuit is defined as any attempt by a police officer to follow or apprehend a moving vehicle that is attempting to avoid apprehension or obstruct the authority of a police unit by ignoring the police officer's attempt to stop the vehicle. This definition applies regardless of the speed of the suspect or the police officer.

Violators who refuse to comply with a traffic stop for lesser offenses will not be pursued or followed regardless of speed. There is no distinction between a pursuit and a refusal to stop.

BALANCING OF RISKS

In deciding the degree of physical and legal risk which will be accepted in initiating a pursuit that meets the above criteria, it is necessary to balance the dangers associated with non-apprehension with the dangers to officers and the public associated with high-speed vehicle operation.

The appropriate balancing of risks shall include consideration of the following: seriousness of the suspected offense; the applicable speed limit, intersections and traffic control devices; road conditions, congestion, and weather; type and condition of vehicles used at high speeds; preparedness of the involved officer(s) condition to drive with reasonable safety at high speeds; and the use of warning signals and lights.

Officers will use their judgment to evaluate and assess the need to continue a pursuit. Consideration shall be given to the risks listed above in determining whether or not to continue a pursuit. Any officer or a supervisor will terminate the pursuit if unwarranted risks are present.

Pursuits shall be immediately terminated when: directed by a field supervisor; there is a clear and unreasonable hazard to officers, violator, or the public; the dangers created outweigh the necessity for immediate apprehension; or the emergency response vehicle experiences equipment failure or malfunction involving lights, siren, radio, brakes, steering or other essential equipment.

PURSUIT PROCEDURES

When engaged in vehicle pursuit, officers will utilize blue lights, headlights and sirens. Vehicles without this emergency equipment will not become involved in a pursuit. Any vehicle transporting non sworn personnel will not engage in a pursuit. Unmarked police units involved in a police pursuit will terminate their involvement once marked units are available.

An officer initiating a pursuit will immediately notify Emergency Communications. The officer will give the location, direction of travel, speed, the reason for the pursuit, and available suspect vehicle information, and the traffic and weather conditions then existing.

Emergency Communications will broadcast that a police pursuit is in progress and will assign a single secondary unit to assist the initiating officer. Communications will also notify the State Highway Patrol and surrounding jurisdictions when it appears as though the suspect may flee the City. Requesting another law enforcement agency to respond and take over a pursuit in our jurisdiction is prohibited.

A field supervisor will monitor all pursuits to ensure compliance with pursuit policy. A field supervisor will assess and evaluate the totality of the circumstances involved in a pursuit and take into consideration the risk factors listed above in determining whether or not the pursuit should continue. The supervisor may assign or withdraw units as the supervisor deems necessary.

No more than two police vehicles (a primary unit and a secondary unit) shall become actively involved in a pursuit, unless otherwise specifically directed by the supervisor assigned to direct the pursuit. The purpose of the secondary unit is to provide backup for the primary unit. The secondary unit will remain far enough behind the pursuing officer, so as not to become involved in any collision that might result. The assisting unit will act as a check in for securing the vehicle and persons in the event the suspect vehicle is stopped.

Once the secondary unit becomes actively involved in a pursuit that unit shall take over all radio communication, to the extent feasible. It shall be the responsibility of the secondary unit to continuously update Emergency Communications of location, direction of travel, traffic, speed, traffic violations committed by the suspect, weather and road conditions then existing. If there is no secondary unit, or it is not feasible for the secondary unit to update Emergency Communications, it shall be the responsibility of the primary unit to provide these notifications to Emergency Communications.

Police vehicles actively involved in a pursuit will come to a complete stop at all controlled intersections displaying a red light or stop sign in the officer's direction of travel. Officers should safely clear these intersections prior to continuing the pursuit. Officers will reduce the speed of

their police vehicle when confronted with traffic congestion. Officers will not follow behind any fleeing vehicle that is traveling into opposing traffic (e.g. suspect traveling north in the south travel lane of the roadway).

Only assigned units are to become involved in the pursuit. Other units should move to strategic locations. If the initiating officer drops out of pursuit and another officer assumes pursuit, Emergency Communications is to be notified.

Uncommitted Patrol Units

Uncommitted vehicles are all vehicles that are not directly involved in the pursuit as a primary or secondary unit.

Uncommitted patrol units may not engage in any pursuit that already has a primary and secondary unit unless authorized by the supervisor who is monitoring the pursuit.

Uncommitted patrol units will not make an emergency response towards an active pursuit in order to become a secondary unit in the pursuit unless authorized by a supervisor.

Uncommitted patrol units in the area may move toward the vicinity of the pursuit while obeying all traffic laws and not engaging emergency equipment.

All other uncommitted units will remain aware of the direction and progress of the pursuit, but will not actively participate unless specifically authorized as described above.

After a pursuit has been terminated any further attempt to follow or maintain visual contact with a violator or suspect vehicle is prohibited. All pursuing officers are to turn off all emergency equipment, pull off the roadway, come to a complete stop and not continue in the direction of the suspect vehicle.

Roadblocks, Ramming and Forcing a Vehicle Off the Roadway:

Roadblocks shall not be used.

Deliberately ramming or forcing a vehicle off the highway can be interpreted as a use of deadly force. Such actions may result in the activation of air bags and/or loss of vehicle control and shall not be undertaken.

USE OF TIRE DEFLATION DEVICES

The Raleigh Police Department recognizes that the proper use of tire deflation devices may result in the prevention of police pursuits. The use of this device seeks to increase safety to officers and the general public, the reduction of property damage, and a decrease in liability. For these reasons, guidelines have been established to assist officers in the proper utilization of Tire Deflation Devices (TDD).

Use Of TDD On Stationary Vehicles

Tire deflation devices may ONLY be used as a pursuit prevention measure for stationary vehicles.

TDD shall ONLY be assigned to select personnel within the Special Operations and the Detective Division.

They may be used for the following:

- Control at traffic/DWI checkpoints
- Suspect surveillance
- Buy/Bust drug operations
- Warrant Service
- Mental Suspects/Barricaded Suspects
- Other situations where movement of a vehicle must be prevented.

Officers Must Consider the Following Prior to the Deploying of the TDD

- The officer must predetermine an effective and safe location for the placement of the TDD.
- Deployment locations should have reasonably good sight distance to enable the officer deploying the TDD to observe the vehicle and other traffic as it approaches.
- Traffic congestion, special events, and/or activities may create situations where the use of the TDD would not be appropriate.
- The TDD will not be deployed on any vehicle with less than four tires; such as a motorcycle.
- Position and vulnerability of the public, private property, and other assisting units and equipment must be considered.

Deployment Procedures

- Decision to use the TDD **must** be approved by a supervisor/Watch Commander before the device is to be deployed.
- When the decision is made to deploy the TDD, at a predetermined location, perimeter units will be notified by the officer deploying the TDD as far in advance as possible.
- The officer deploying the TDD will be in position at the predetermined location in sufficient time for proper deployment.
- Prior to using the TDD, officers must have completed training for the use of the devices.

- The TDD will be deployed only according to the manufacturer's recommendations and Departmental training guidelines.
- After deployment of the TDD the officers at the scene should seek immediate protection.
- The officers deploying the TDD will be responsible for immediate removal after its use.

Post TDD Deployment Guidelines

Each use of the TDD shall be documented in a Use of Force Report and forwarded through the proper chain of command.

The report should include the following information: date, time and location of deployment: reason for deployment; damage to vehicles and/or TDD; and the name of the supervisor/Watch Commander authorizing use of the TDD.

Once used, the officer is responsible for restoring the TDD to operational condition.

PURSUIT BY OUTSIDE AGENCIES

Officers of this Department will not become directly involved in a pursuit being undertaken by a concurrent or adjacent police agency. Instead, they should move to strategic locations and be prepared to render assistance once the vehicle is stopped. Officers not directly involved in the pursuit shall follow the directives outlined above for Uncommitted Patrol Units.

VEHICLE PURSUIT REPORT

As soon as possible following a pursuit, each officer participating in the pursuit will submit a Vehicle Pursuit Report. The Watch Commander will evaluate each incident and forward a review to the Division Commander.

The Crash Reconstruction Unit Sergeant will conduct an annual analysis of these reports.

TRAINING

This policy will be reviewed annually with all sworn members of the Department.

THE RALEIGH POLICE DEPARTMENT

1106-11

TRAFFIC SAFETY AND CRASHES INVOLVING POLICE VEHICLES

PURPOSE

To provide a procedure regarding traffic safety and crashes involving police vehicles including disciplinary consequences for preventable crashes.

VALUES REFLECTED

This directive reflects our values of *Service, Fairness, and Integrity*. We recognize that the safe operation of our vehicles will lessen the risk of injury to our employees and the community we serve. Acting in accordance with these guidelines will demonstrate that we take care of expensive equipment, our vehicles

UNITS AFFECTED

All Divisions/All Personnel

REFERENCES/FORMS

City Policy 101-2 “Vehicle Accident Prevention Program”
City Policy 101-23 “Vehicle Accident Reports”
City Policy 101-25 “Personnel Safety Office”

GENERAL POLICIES

It is the policy of the Raleigh Police Department for all employees at all times to drive in a manner that is safe, lawful, and conscientious. All employees should seek to avoid all crashes, preventable as well as non-preventable.

To encourage employees to use proper driving habits, the following actions will be taken.

- Collisions classified as preventable in accordance with City Policy 101-25 will be taken into consideration when determining future assignments.
- Preventable collisions will be documented in performance evaluations and may affect the overall rating of performance evaluations.

CRASHES INVOLVING POLICE VEHICLES (ALL EMPLOYEES)

Each employee is responsible for reporting any collision resulting in damage or injury while the employee is operating or in charge of a Department vehicle. Reports required by City Policies 101-23, 101-24 and 101-25 will be completed in accordance with those policies. Preventable collisions will result in disciplinary action in accordance with City Policy 101-25(5.0).

Employees involved in traffic collisions may be required to consent to a post crash alcohol and controlled substance test as outlined in Management Policy 100-30 or 100-46.

Employees who are involved in a traffic collision and found to not be properly wearing their seat belt will be issued a citation for violation of "G.S. 20-135.2A Seat Belt Use Mandatory" as well as receive a written Disciplinary Action Form. Future violations of this General Statute will result in the next higher level of discipline.

Initial Reports

A member of the Department who is involved in an auto collision should notify Emergency Communications. Communications will notify an investigating officer and a police supervisor.

A N.C. Collision Report will be completed in all collisions involving City vehicles and property not owned by the City. A police "Exchange of Information" form will also be completed to be forwarded to the Safety Coordinator.

A N.C. Collision Report will be completed in all collisions involving personal injury.

Collisions involving only City vehicles and City property, with no personal injuries, and less than $1000 estimated damage do not require a N.C. Collision Report. City collision and damage reports will be completed.

Supervisor's Review

The immediate supervisor is responsible for seeing that the City Vehicle Collision Report, a Vehicle Damage Report and a Supervisor's Collision Investigation Report is completed for any incident of a police vehicle being involved in a collision. The Supervisor's Collision Investigation Report will

indicate whether the collision was preventable or non-preventable in accordance with City Policy 101-25 (4.3).

If a N.C. Collision Report or Information Exchange form was required, copies will be attached to the City reports and forwarded to the City Safety Coordinator's office. The supervisor's evaluation of the collision will also be included.

Preventable Collision Disciplinary Action

In accordance with City Policy 101-25, from the date of the employee's most recent preventable collision, the appropriate disciplinary action will be determined by reviewing the number of preventable collisions during the previous 24 months and by determining whether a violation of the North Carolina Motor Vehicle Laws (G.S. 20), by the employee, contributed to the collision.

- First Preventable Offense- counseling form for a personal injury requiring medical attention (other than first aid) or a vehicle collision where there is damage to a City vehicle/property and/or claimant's vehicle/property.

- Second Preventable Offense within 24 months- counseling form and remedial training when no injuries are present and monetary damages are less than $1000. Disciplinary action and remedial training when there is personal injury requiring medical attention (other than first aid) or a vehicle collision where there is damage to a City vehicle/property and/or claimant's vehicle/property totaling more than $1000.

- Third Preventable Offense within 24 months- disciplinary action and remedial training with the option of a one day suspension without pay for a personal injury requiring medical attention (other than first aid) or a vehicle collision where there is damage to a City vehicle/property and/or claimant's vehicle/property. The discipline will be based upon the severity and the nature of the collision as well as previous preventable collisions.

- Fourth Preventable Offense within 24 months- a fourth consecutive personal injury requiring medical attention (other than first aid) or a fourth consecutive vehicle collision where there is damage to a City vehicle/property and/or claimant's vehicle/property will result in the next appropriate level of discipline based on the circumstances at the direction of the Department Head.

- Fifth Preventable Offense within 24 months- any combination of personal injuries requiring medical attention (other than first aid) or a vehicle collision where there is damage to a City vehicle/property and/or claimant's vehicle/property resulting in the fifth offense, the employee will be subject to the next level of discipline based on the circumstances up to and including dismissal at the discretion of the Department Head.

The guidelines set forth above may be set aside and more significant disciplinary action can be given if the facts of the case justify such action. In cases where officers have engaged in severely poor driving that has led to personal injury or property damage, the appropriate disciplinary action could include, but is not limited to, days without pay, demotion or termination of employment.

THE RALEIGH POLICE DEPARTMENT

1106-12

INFORMATION SYSTEMS AND RECORDS MANAGEMENT

PURPOSE

The purpose of this directive is to identify the process and responsibility for coordinating and supporting a complex public safety information and records repository system.

VALUES REFLECTED

This directive reflects our value of *Service and Integrity*. We recognize the importance of securely storing records we generate as well as having the ability to retrieve and analyze this information. This directive establishes the process and procedures for storing and safeguarding this information and providing us with the ability to access it quickly.

UNITS AFFECTED

All Personnel

REFERENCES/FORMS

DOI 1106-1 "Confidentiality, Release of Information"
DOI 1106-3 "DCI/NCIC Security and Access"
DOI 1108-5 "Submission of Police Reports"
"Municipal Records Retention and Disposition Schedule," Division of Archives and History, N.C. Department of Cultural Resources

GENERAL POLICIES

A critical function of police support operations is to provide accurate and timely information that can be used by employees at all levels to better perform their jobs. The Raleigh Police Department places a high value on information systems that can help improve our performance both operationally and administratively. We recognize our responsibility to use the resources available in the most effective and efficient manner possible and to ensure that information safeguards be maintained to protect the information that we receive.

INFORMATION SYSTEMS ADMINISTRATION

The primary function of the Information Services Unit is the administration of the Raleigh Police Records Management System (RMS) and the management of Police Department personal computers, including Mobile Computer Terminals (MCTs).

The Information Services Unit will also serve as a liaison with other City and County departments who share the City's computer resources or the information generated from those resources.

The Information Services Unit is commanded by the Information Systems Manager.

Police Records Management System

Calls-for-service information is automatically transferred to the Police Records Management System for all Raleigh Police and Animal Control calls. Information from crime reports and officer daily activity is included. Reporting provides daily summaries of calls, officer activity, and monthly UCR reporting. Additionally, the Police Records Management System will provide around the clock on-line query and crime analysis information.

Systems Security

The Information Systems Manager will assign authorized users a code number. The supervisor will monitor transaction logs and perform inspections to ensure that unauthorized access to CAD or the Police Records Management System is not attempted.

Information Systems Maintenance

The Information Systems Manager is responsible for monitoring CAD and RMS to ensure that they are functioning properly. The supervisor will coordinate activities with the Communications Center Director and the Central Records Supervisor and respond to hardware or software problems as needed.

- Routine Backups

  The Information Systems Manager is responsible for maintaining secure storage of current backups of the RMS databases, other automated files, and software; to the extent that a hardware failure would not result in a data or software loss which would render RMS inoperable for an extended period of time.

- Scheduled Maintenance

  The Information Systems Manager will schedule routine maintenance of the RMS hardware and/or software in such a way as to minimize disruption of processing.

- Emergency Maintenance

  Emergency maintenance will be performed as needed to the RMS system.

Liaison with Other Agencies

The Information Systems Manager will meet with the Emergency Communications Center Director on a regular basis to ensure that the needs of all agencies are being met.

User Training

The Information Systems Manager will develop orientation training for police personnel to ensure effective and efficient use of computer resources.

Police PC Inspections

Police personnel are prohibited from installing unlicensed software or programs on Police Department personal computers. The Information Systems Manager will conduct periodic unannounced inspections of Police Department computer equipment to ensure compliance with legal and Departmental regulations.

CENTRAL RECORDS

The Central Records Supervisor is designated as custodian of public records in possession of the Raleigh Police Department. This supervisor is responsible for ensuring that a proper repository of records is maintained in conformity with State standards. The Central Records Supervisor manages the Central Records Unit and reports to the Administrative Services Division Lieutenant. In the Central Record Supervisor's absence, the Police Records Technicians and Lieutenant, in that order, are authorized to act as Central Records Supervisor.

All records or information which are not specifically designated as "public access" are confidential and must be handled in a secure manner (refer to DOI 1106-01 "Confidentiality and Release of Information").

Access and Security

The Central Records Supervisor is responsible for preventing unauthorized access to information or secured areas within the Central Records Unit.

Files Excluded from Central Records

The following types of records will be excluded from Central Records:

- Criminal History files

  Arrest data in Central Records is maintained for investigative and statistical purposes only. Criminal histories are maintained by the City-County Bureau of Identification.

- Juvenile Disposition records

  Information on juveniles is contained within individual case reports and is maintained for investigative purposes only. Juvenile arrest and disposition records are maintained by City-County Bureau of Identification.

- Confidential informant and intelligence files

- Internal Affairs investigative files

- Personnel files

Records Retention and Destruction

The Central Records Supervisor will maintain a repository of records under the supervisor's control that meets State standards. The supervisor will arrange for the proper destruction of obsolete records according to a schedule approved by the N.C. Archives and History Division and the Raleigh City Council (refer to "Municipal Records and Retention and Disposition Schedule", Division of Archives and History).

- Collision reports will remain in active files for three years. Afterwards, files will be microfilmed and transferred to secure storage.

- Investigative reports on completed cases will remain in active files for two years. They will then be microfilmed and transferred to secure storage.

- DWI records will be maintained in Central Records for five years. DWI records will then be transferred to secure storage.

The Downtown District Desk personnel will maintain vehicle storage reports for two years, at which time they will be transferred to secure storage.

Juvenile Records

All records related to juveniles and investigations conducted that involve juvenile victims or suspects will be filed separately from other cases. Investigation reports in hard copy form will be physically separated from adult records. A placeholder inserted among the adult investigation reports will indicate the existence of an investigation report involving a juvenile. Electronic investigation reports will be flagged when the case involves a juvenile. Access to specific cases involving juveniles is provided on a need-to-know basis.

Central Records Operations

The Central Records Supervisor is responsible for the appropriate management of the records function to permit report control, records maintenance, and record retrieval.

- Complaint Control

  The Central Records Supervisor will see that a computer-generated Daily Dispatch Log is run daily and that all complaint numbers for a 24-hour period are accounted for. Designated Central Records personnel will match complaint numbers against reports to ensure that each case is assigned a unique number. The CAD system assigns a unique, sequential number for each reported incident. Those numbers do not repeat and each year on January 1 at 00:01 hours the numbering system begins again, prefixed by the year. Discrepancies will be reported to line units for correction. Corrected data will be entered into the computerized complaint system.

- Master Name Index

  The names of victims, witnesses, and arrestees will be obtained from investigative case and traffic collision reports and entered into the computer system. Suspects' names will be entered into the suspect file. Arrestee names from citations will also be entered.

- Uniform Crime Reports

  The Crime Analysts will review investigative case reports to ensure they have the proper UCR codes. Any crime classifications or UCR code changes will be coordinated through the Senior Staff Analyst.

- Property Files

  Information from case reports and evidence control cards will be used to enter data on stolen, found, recovered, and evidentiary property into the computer system.

- Paper Citations

  Central Records will receive the original copy of citations that officers have issued. Information from the citations will be entered into the master name and arrest indices. Citations must then be forwarded to the Clerk of Court's office within 72 hours of the time of issuance, weekends and holidays excluded.

- E-Citations

  Central Records will download a copy of every E-Citation from the program. The information from the citation will be entered into the master name and arrest indices. The citations are sent to the Clerk of Courts office immediately after the officer submits the citation.

- Records Distribution

  The Central Records Supervisor will ensure that copies of reports are distributed as needed. Case reports are available electronically for all officers.

  Traffic collision data is transmitted to affected components and to appropriate State and local agencies as may be required.

Workload and Productivity Reports

The Central Records Supervisor will see that sufficient data is acquired and entered in order to produce useful activity reports. These reports should include at a minimum:

- An index of complaints by location
- An index of complaints by type
- An index of officer activity

EVALUATIONS OF INFORMATION SYSTEMS

Complaint System Review

Annually, the Information Systems Manager will examine system passwords. Crime Analysts will review the receipt and coding of initial calls on a weekly basis.

Information Systems Review

Forms and management reports used by the Department will be reviewed on an ongoing basis for usefulness and continued need.

THE RALEIGH POLICE DEPARTMENT

1106-13

POLICE SERVICE CENTER

PURPOSE

The purpose of this directive is to provide regulations for the Police Service Center in maintaining police vehicles and in operating repair facilities.

VALUES REFLECTED

This directive reflects our value of *High Caliber Service*. We strive to provide our employees with the best possible tools to perform their jobs. A well maintained vehicle fleet will both demonstrate our professionalism to the public and in high morale for our employees.

UNITS AFFECTED

Police Administrative Services Division
City Public Works Department/Vehicle Fleet Services

REFERENCES/FORMS

DOI 1106-04 “Care of Equipment and Uniforms”
City Procedure 458.1 “Vehicle Accident Repair”
City Procedure 458.3 “Requisitioning Parts and Services”
City Procedure 458.4 “Equipment Management Information System”

GENERAL POLICIES

The activities of the Police Service Center are directly supervised by the Police Garage Supervisor who reports to the Administrative Services Division Lieutenant in charge of the service center.

The Police Service Center is responsible for placing new police vehicles in service and for performing minor repairs that require less than one day to perform. All other vehicle issues should be referred to Vehicle Fleet Services.

DAILY OPERATIONS

Working Hours

The Auto Service Technicians and the mechanics will work day shifts Monday through Friday. The Police Garage Supervisor may temporarily change working hours to meet unforeseen circumstances, but permanent changes must be approved by the Administrative Services Division Commander.

Safety Requirements

The Police Garage Supervisor will maintain a record and report to the Fire Department all hazardous materials stored by the Service Center. The supervisor is responsible for seeing that all new employees are instructed in applicable O.S.H.A. regulations and in the placement and use of first aid and emergency equipment. The supervisor, in coordination with the City Safety Office, is further responsible for insuring that all safety regulations are carried out.

PLACING NEW VEHICLES IN SERVICE

Receiving New Vehicles

New vehicles will be inspected by personnel from Vehicle Fleet Services who will complete a vehicle data sheet on each vehicle [City Procedure 458-4(5.0)]. The vehicle will then be inspected by the Police Garage Supervisor to verify that the vehicle meets Police Department bid specifications.

Equipping New Vehicles

The Police Garage Supervisor will receive all new police vehicles and prepare a vehicle upfit sheet for each vehicle. Parts and equipment that are placed in a vehicle or that are transferred from one vehicle to another are to be recorded on the upfit sheet.

Non-supervisory patrol vehicles used for transporting prisoners are to be modified to minimize opportunities for escape by placing a protective shield between the front seat and rear passenger area, by removing door locks and handles or by disarming the internal locking system from the rear area, and by disconnecting window switches or cranks from the rear passenger area.

CONTROL OF INVENTORIES

Vehicle M&O Stock

Annually, the Police Garage Supervisor will establish inventory levels for items to be maintained in the Police Service Center stock. The Administrative Services Division Commander, after approving the proposed inventory, will direct that the required parts are ordered (refer to City Procedure 458-3). Prior to July 5 of each year, the Police Garage Supervisor shall complete an inventory of all remaining automotive parts and will forward an information copy to the City Auditor.

Departmental copies of parts requisitions must be retained from the date of the last audit plus eighteen months.

Fuel Supplies

Fuel supplies are monitored electronically. The Police Garage Supervisor will order fuel tank refills as needed.

Fixed Assets

The Police Garage Supervisor is responsible for accounting for all fixed assets assigned to the Service Center. The Police Assets Manager must be notified prior to deleting, scavenging, or transferring to another unit any fixed asset assigned to the Service Center.

VEHICLE MAINTENANCE, REPAIR, AND REPLACEMENT

Mechanical Maintenance and Repair

The Police Garage Supervisor will check vehicles needing repair against warranties. The supervisor will receive monthly printouts from the Vehicle Fleet Services indicating vehicles scheduled for maintenance.

The Police Garage Supervisor will record parts drawn against VFS stock. The parts will be shown on a VFS work order which lists the specific vehicle being repaired.

A special purchase order will be completed by VFS for parts not held in stock by either VFS or the Police Service Center. The part will be picked up by Service Center Personnel and charged against a work order to the correct vehicle.

Vehicle Collision Repair

When a police vehicle is involved in a crash, the Police Garage Supervisor will receive copies of the accident and damage report. The supervisor will then schedule repairs through VFS (refer to City Procedure 458-1).

Vehicle Replacement

The Police Garage Supervisor will receive from VFS an annual printout on vehicle mileage and M&O. The supervisor will then schedule replacement of old vehicles with new ones.

THE RALEIGH POLICE DEPARTMENT

1106-14

SCHOOL SAFETY PROGRAM

PURPOSE

To establish procedures for the operation of the School Safety Program and to describe the duties of School Crossing Guards and the administration of the programs coordinated with schools by the Raleigh Police Department.

VALUES REFLECTED

This directive reflects our values of *Service, Fairness, Integrity, and Compassion* to safeguard our youth as they travel to and from school. We want to keep them safe from injury, harm and danger, thereby contributing to community well-being.

UNITS AFFECTED

All Divisions/ Sworn Officers
Youth Services Unit
School Crossing Guards

REFERENCES/FORMS

DOI 1109-09 "Traffic Direction and Control"
DOI 1106-4 "Care of Equipment and Uniforms"
NCGS 20-114.1c Training Requirements for Traffic Control Officers
NCDOT Division of Bicycle and Pedestrian Transportation/School Crossing Guard Training
Attachment A: Permit to Park School Bus on Public Streets Overnight

GENERAL POLICIES

The School Crossing Guard Program, the School Safety Program and the LEADER Program will be administered by the Detective Division Youth Services Unit. The crossing guards will be trained in traffic direction and control and will ensure the safety of the pedestrian traffic at their school crossing. The Youth Services Unit will be responsible for conducting school pedestrian safety programs and monitoring conditions at all public schools having elementary age students.

YOUTH SERVICES UNIT

The Youth Services Unit is assigned to the Detective Division. The Youth Services Unit is responsible for controlling the activities of School Crossing Guards engaged in safely guiding children across street crossings near public schools, the School Safety Patrol Program, Pedestrian and Vehicular Safety Program, LEADER Program, and the Gang Outreach Coordinator.

SCHOOL CROSSING GUARDS

The School Crossing Guard program will be administered by the Youth Services Unit. School crossing guards do not possess any regulatory or enforcement powers. School crossing guards should not direct traffic in the usual sense. Their role is to expedite the movement of children to and from school by creating gaps in traffic.

Assessing the Need for School Crossing Guards

The Raleigh City Council will determine which schools have a school crossing (a portion of a roadway near a school that is designated as a pedestrian crosswalk) and are to be staffed by school crossing guards as part of the annual budget process. School principals, P.T.A. officials, or other representatives will contact the School Crossing Guard Coordinator to request adult crossing guards at a particular school. The request for a School Crossing Guard will be forwarded through the chain of command to the Detective Division Commander.

At the request of the Chief of Police, the Public Works Department will conduct a school crossing guard evaluation at the location and provide the written evaluation to the Youth Services Unit. When the review process is complete, the Chief of Police will forward a recommendation to the City Manager for further review.

The Youth Services Unit will conduct an independent annual survey of traffic collisions and enforcement data in the vicinity of all elementary schools to determine what controls might be most appropriate. This study will be forwarded through the chain of command to the Detective Division Commander.

Selection of School Crossing Guards

When there are school crossing guard vacancies, the Police Human Resources Sergeant will notify the City Human Resources Office. The Youth Services Unit will screen applicants and verify the following:

- The applicant is at least 21 years of age.
- The applicant is physically able to perform the work, has vision correctable to 20/20, and has normal hearing.
- The applicant has never been convicted of a felony or Class A misdemeanor.
- The applicant is reliable; as demonstrated by interviews with a past employer and three references.
- The applicant is reliable; as demonstrated by an interview with the Youth Services Unit.
- The applicant is able to furnish transportation to the school site.

The Raleigh Police Recruitment Unit will process all applicants. They will make recommendations from among the qualified applicants, to participate in an oral interview with the Youth and Family Services Unit personnel. Upon completion of the oral interview, the final recommendations will be forwarded to the Chief of Police who will make the necessary selection of candidates to participate in the School Crossing Guard program.

The School Crossing Guard Coordinator will coordinate and assist with training, issuance of equipment, generating the necessary Personnel Action Form, etc.

School Crossing Guard Procedures

- Crossing guards will be assigned to and held responsible for specific locations.
- School crossing guards will utilize all issued safety equipment; stop paddle, whistle, and reflective vest or fluorescent raincoats while directing traffic at a school crossing.
- Crossing guards shall be on duty at their assigned post(s) at the assigned times and stay on post during scheduled times.
- Crossing guards shall not direct any traffic, even if requested to do so by the school. Guards have no authority to direct vehicular traffic other than to stop vehicles for children to cross at the designated crosswalk.
- The guard will stand on the sidewalk on the side of the street of which the children are expected to approach. The guard will wait until a small group of children has assembled and will keep them grouped there on the sidewalk away from the street.
- The guard will wait until there is a gap/break in traffic. When it is safe for the guard to enter the street, the guard will walk into the street holding the stop paddle so that it can be clearly seen by approaching traffic.
- Once traffic is stopped in both directions, the guard is to walk to the center of the crossing and stand near the line facing traffic and, when they see that the street is safe, the guard will motion for the children to walk across the street in the designated crossing area.
- The guard will stay in the middle of the crossing and watch all traffic to make sure that all vehicles remain stopped.

- The guard will wait until the last child of the group has exited the street and is on the sidewalk walking away from the street before they leave the crossing area.
- The guard will hold the stop paddle so that it can be clearly seen by approaching traffic until safely off the street. The guard will then lower the stop sign and normal traffic flow will resume.
- Crossing guards will report all violations which constitute a hazard.

Conditions of Work

School Crossing Guards will wear uniforms furnished by the Department. While in uniform, crossing guards are governed by the same Rules of Conduct specified in the Department Operating Instructions that apply to all personnel. They are to be on their post for the entire duration of the hours assigned to them by the Youth Services Unit.

School Crossing Guards are covered by Worker's Compensation, but are not entitled to the fringe benefits of full-time employees.

Reporting Out Sick or Tardy

School Crossing Guards are required to notify the Headquarters Police Information Desk and the School Crossing Guard Coordinator of illness or anticipated tardiness at least 45 minutes prior to the time they are scheduled to be on duty. Due to the nature of their work, School Crossing Guards are not granted excused absences.

When a crossing guard calls out sick a Raleigh Police Department School Crossing Guard Replacement Form will be used. It will be filled out and filed in the CRC for 1 year before being destroyed. The personnel taking the sick call, or their supervisor, will contact ECC to have a RPD Officer assigned to the assignment at the regular scheduled hours of the crossing guard. The personnel taking the sick call, or their supervisor, will then contact the Watch Commander to keep them aware of the crossing guard change and location. The Officer will remain at the assignment for the entire scheduled shift.

The School Crossing Guard Coordinator (a designated member from the Youth Services Unit) will notify ECC and the Watch Commander if additional future days off are necessary.

Re-notifications

At least four weeks prior to the first day of school, the Youth Services Unit will contact each school crossing guard and verify continued employment for the forthcoming school year. Crossing guards who cannot be contacted or who fail to contact their supervisor within 20 days prior to the first day of the school year will be considered to have terminated their employment with the City.

Terminations

School Crossing Guards are required to return all uniforms and equipment immediately upon termination of employment. They will be held liable for any property lost or damaged out of negligence (refer to 1106-4 "Care of Equipment and Uniforms").

Personnel Records

The Police Human Resources Sergeant will maintain on file the applications, background checks and personnel records of applicants and those hired for part-time School Crossing Guard positions. Records on applicants who are not accepted will be maintained for two years from the date of rejection. Records of persons who are hired will be retained for a period of five years from the date that employment ends.

Supervision of Crossing Guards

The Youth Services Unit will coordinate and monitor this program. Some of the duties of this unit include:

- Make on-site inspections of the crossing guards to insure they are working within the guidelines set forth by the Police Department.
- Interview, evaluate, and recommend candidates to maintain an adequate number of qualified crossing guards.
- Prepare and maintain accurate payroll, including substitutions or other changes in work schedules.
- Act as a liaison between the school system, Police Department, Raleigh DOT, and the public. Investigate complaints regarding the conduct of school crossing guards.
- Evaluate safety levels at street crossings and contact the appropriate city agency to assist in making improvements or changes to a crossing that has a hazard.

SCHOOL SAFETY PATROL

The Youth Services Unit will coordinate and monitor the activities of school safety patrols that handle locations not covered by School Crossing Guards.

Safety Patrol Coordinators

At least four weeks prior to the first day of school, the Youth Services Unit will contact school officials at each public elementary school for the purpose of designating a Safety Patrol Coordinator for that school. The Safety Patrol Coordinator will arrange selection and scheduling of student volunteers.

Management of the Safety Patrol Program

The Youth Services Unit will provide training and equipment to Safety Patrol members, monitor each location protected by a Safety Patrol member to ensure safety.

The Youth Services Unit will make preparations for the annual Safety Patrol activity that is normally held in May.

PEDESTRIAN AND VEHICULAR SAFETY

Elementary School Education Program

At the beginning of the school year, the Youth Services Unit will conduct informative presentations at each of the elementary schools within the City. The intent of these presentations is to promote pedestrian safety among school children.

School Bus Parking Permits

School bus drivers who wish to park school buses overnight, on public streets, must obtain a permit from the Youth Services Unit. Prior to issuing the permit, the Youth Services Sergeant will verify that the specified location does not cause a vision obstruction or other hazard. The parking permit must be affixed to the school bus whenever the school bus is parked on City streets.

Attachment A

Permit to Park School Bus on Public Streets Overnight

This permit authorizes the operator of this school bus to park upon the city streets of Raleigh, North Carolina at the below listed location. This permit must be affixed to the school bus whenever it is parked at this location and is valid for one year from date of issuance.

Location: _____

Permission granted by: _____ Date: _____

School Crossing Guard Coordinator

Raleigh Police Department

THE RALEIGH POLICE DEPARTMENT

1106-15

OPERATION OF THE CRIME PREVENTION/COMMUNITY RELATIONS PROGRAM

PURPOSE

To detail specific responsibilities and functions of the Crime Prevention/Community Relations Program

VALUES REFLECTED

This directive reflects our values of *Service, Fairness, Integrity, and Compassion*. Through the efforts described here we seek to take the lead in partnering with the community to design and implement initiatives to address crime and disorder. In this way we strive to maximize the benefits of our actions to contribute to community well-being.

UNITS AFFECTED

Police Department/Field Operations Division

REFERENCES/FORMS

DOI 1106-02 "News Media Relations"
Attachment A: Truancy Protocols and Guidelines
Attachment B: Truancy Report

GENERAL POLICIES

The Raleigh Police Department plays a vital role in maintaining the quality of life enjoyed by our community. Consistent with this ideal is our goal to prevent crime from occurring rather than simply arresting offenders for crimes that have already occurred.

To operate effectively, law enforcement agencies must have the support of their community. The Raleigh Police Department invites citizen input on ways we might improve our operations, and we will conduct various programs to inform the public of our goals and objectives.

PROGRAM ADMINISTRATION

The Department maintains the Crime Prevention (CP) Program, which is implemented via the Districts' CP Officer. They are responsible for administering the Community Watch program, as well as conducting public information programs and assisting in recruitment presentations. However, all personnel maintain the responsibility for achieving the Department's community involvement function.

Organization

Responsibility for conduct of the CP Unit is vested in the Districts' Community Oriented Policing Sergeant.

Annual Report

At the end of the fiscal year (June 30), each District Crime Prevention team will submit an evaluation of all crime prevention programs undertaken during the previous year to their District Commander. The evaluation will be based on community perceptions of crime and analysis of crime data. Each District Commander is responsible for making the decision regarding whether programs should be modified or discontinued for the upcoming year based on this evaluation.

Training Recommendations

Based on the CP Program's contact with the public, knowledge of community concerns, and contacts with beat officers and supervisors, each District Commander will make written recommendations that identify Departmental training needs. These recommendations will be submitted at the end of the fiscal year to the Field Operations Division Administrative Assistant and forwarded to the Training Director.

CRIME PREVENTION PROGRAMS AND RESOURCES

Community Watch

The District CP Officers will assist in organizing crime prevention groups upon request. They should assume the initiative in developing such groups in areas that have been designated for special crime prevention efforts.

The District CP Officers will ensure the chairperson of each community watch group is contacted at least quarterly.

Coordination with District Personnel

District CP Officers will advise District personnel on a timely basis of those areas that have been designated as crime prevention target areas. The District CP Officers should solicit information from beat officers and inform them of any scheduled Community Watch meetings.

COMMUNITY INVOLVEMENT

The District CP Officer is the person within the district who is primarily responsible for maintaining the Department's community involvement function and for maintaining liaisons with the contact persons from businesses, civic groups, and community groups throughout the City.

Public Information Presentation

The District CP Officer will maintain materials and information necessary to make community presentations, which cover a list of topics approved by the District Commander. The list of topics and materials will be reviewed annually to ensure they are both relevant and current. Each District Commander will ensure that sufficient personnel are trained in the presentations and that necessary audio/visual aids are maintained.

Police Community Recreational Youth Programs

As part of the CP Program, the CP Officers are responsible for maintaining an active Departmental leadership role in developing community recreational programs for juveniles designed to promote and enhance the perceptions of young people towards law enforcement. All interested Department personnel will coordinate efforts for advertising the existence of the Department's "Summer Athletic Programs" and other community recreational programs which complement the CP Program. All programs will encourage participation from parents and children and recruitment of coaches and managers. The CP Officers will actively seek community and Departmental volunteers to participate in these programs.

Community Barometer Reports

At least monthly, each Crime Prevention Officer will submit a report of current concerns of the community that may have been expressed through Community Watch meetings or other public contacts, as well as information received through the "Community Concerns Report" form to their supervisor. The report should also include a description of potential problems that have a bearing on law enforcement, any recommended solutions, and progress made towards previous community concerns. This report will be forwarded to the Chief of Police.

COMMUNITY RELATIONS PROGRAM

The Community Policing Programs Coordinator is assigned to the Chief's Office and is responsible for networking within business and residential communities, designing problem solving strategies in conjunction with police personnel and the community.

The Department's Crime Prevention and Community Policing Officer are responsible for maintaining the Department's community relations function. The Crime Prevention and Community Policing

Officer are assigned to the Field Operations Division. The officer's main emphasis is placed on programs and relations that affect their communities.

The Crime Prevention and Community Policing Officer is responsible for planning/conducting community relations programs designed to minimize or eliminate obstacles to harmonious relationships between the police and the community. Work involves preparing and delivering speeches and presentations on a variety of topics to acquaint citizens and community groups with police problems and procedures.

DELINQUENCY AND VICTIMIZATION PREVENTION PROGRAMS

District Commanders and the Youth and Family Services Lieutenant in the Detective Division are responsible for coordinating and sharing information with the CP programs in the planning, implementation, and evaluation of programs intended to prevent and control juvenile delinquency.

School Resource Officers

Specially selected and trained patrol officers are assigned to each of the high schools located within the City. They respond to all law enforcement related incidents originating on their assigned campus and assist in the follow-up investigation of all criminal offenses. They participate in the day-to-day operations of the school and deliver classroom presentations relevant to public safety, crime prevention, and criminal justice related materials. They are available to assist in resolving problems affecting student behavior and participate in the school's Parent Teacher Association.

Truancy Program

Truancy is a gateway to crime. High rates of truancy are linked to high daytime burglary and vandalism rates and other crimes. Truancy prevention efforts are a part of any community policing effort to prevent crime before it happens.

Officers should actively patrol areas where there is a high probability of locating juveniles during regular school hours.

The Detective Division's Youth and Family Services Lieutenant is responsible for overseeing the program; however, the District Commanders are the catalyst for assuring that the protocol and guidelines are implemented as a problem solving tool. A copy of the Department's Truancy Protocol and Guidelines (Attachment A) will be reviewed annually with all personnel.

The School Resource Sergeant should maintain a file for Truancy Reports (Attachment B), and is responsible for collecting these reports and producing a monthly Truancy Report.

DOI 1106-15
Attachment A

RALEIGH POLICE DEPARTMENT
TRUANCY PROTOCOL AND GUIDELINES

General Statutes and Definitions:

G.S. 7B-1501 *Undisciplined Juvenile:* a juvenile who, while less than 16 years of age but at least 6 years of age, is unlawfully absent from school; or is regularly disobedient to and beyond the disciplinary control of the juvenile's parent, guardian, or custodian; or is regularly found in places where it is unlawful for a juvenile to be; or has run away from home for a period of more than 24 hours…

G.S. 7B-1900 *Temporary Custody:* Temporary custody means the taking of physical custody and providing personal care and supervision until a court order for secure or non-secure custody can be obtained. A juvenile may be taken into temporary custody without a court order under the following circumstances:

1. By a law enforcement officer if grounds exist for the arrest of an adult in identical circumstances under G.S. 15A-401(b).
2. By a law enforcement officer or a juvenile court counselor if there are reasonable grounds to believe that the juvenile is an undisciplined juvenile.
3. By a law enforcement officer if there are reasonable grounds to believe the juvenile is an absconder from any residential facility operated by the Division or from an approved detention facility.

G.S. 7B-1901 *Duties of person taking juvenile into temporary custody:*
(a). A person who takes a juvenile into custody without a court order under G.S. 7B-1900 (1) or (2) should proceed as follows:

(1) Notify the juvenile's parent, guardian, or custodian and advise the parent, guardian, or custodian of the right to be present with the juvenile until a determination is made as to the need for secure or nonsecure custody.
(2) Release the juvenile's parent, guardian, or custodian if the person having the juvenile in temporary custody decided that continued custody is unnecessary. *In the case of a juvenile unlawfully absent from school, if continued custody is unnecessary, the person having temporary custody may deliver the juvenile to the juvenile's school, if the local city or county government and the local school board adopt a policy, to place in the administrative unit.*
(3) If the juvenile is not released, request that a petition be drawn pursuant to G.S. 7B-1803 04 1804. Once the petition has been drawn and verified, the person shall communicate with the juvenile court counselor. If the juvenile court counselor approves the filing of the petition, the juvenile court counselor shall contact the judge or the person delegated authority for a determination of the need for continued custody.

(b) A juvenile taken into temporary custody under this Article shall not be held for more than 12 hours, or for more than 24 hours if any of the 12 hours falls on a Saturday, Sunday, or legal

holiday, unless a petition or motion for review has been filed and an order for secure or nonsecure custody has been entered.

(c) A person who takes a juvenile into custody under G.S. 7B-1900(3), after receiving an order for secure custody, shall transport the juvenile to the nearest approved facility providing secure custody. The person then shall contact the administrator of the facility from which the juvenile absconded, who shall be responsible for returning the juvenile to that facility.

Initial Response of Field Operations Division

- Field Operations Units will actively patrol areas where there is a high probability of locating juveniles during regular school hours (malls, parks, amusement centers, video arcades, fast food restaurants, neighborhood streets, etc.).

Duties and Responsibilities:

- Wake County Public School personnel will be responsible for seeking petitions on the truant juveniles.
- If the juvenile is only being detained for the act of being truant from school, no juvenile petition will be filed be the officer.
- If the juvenile has committed a criminal act along with being truant, the officer will seek a juvenile petition for the criminal act.
- Raleigh Police Officers will return juveniles to schools if it is in the city limits of Raleigh.
- Wake County Public School Security will transport juveniles to other public schools in the county and in other municipalities.
- Raleigh Police Officers will complete a Departmental truancy report on all truant juveniles. Initially, this will be available as a one page form, with implementation to KOPS Mobile as an electronic form.
- Officers will attempt to contact the juvenile's parent or guardian by phone after returning the juvenile to their school.
- Officers will follow-up with the parent or guardian by sending a letter.
- Youth and Family Services Lieutenant will:
    1. Oversee the Departmental truancy program
    2. Maintain a file for truancy reports
    3. Maintains a file on monthly reports of truancy violations
    4. Provide truancy information to:
        a) Wake County Public School System
        b) Wake County Sheriff's Department (SRO Supervisor)
        c) Wake County Office of Juvenile Justice

Location of a Juvenile 16 Years or Older

- Upon locating a juvenile the officer believes to be truant (unlawfully absent from school), he or she should attempt to briefly detain the juvenile in order to determine if he/she is actually unlawfully absent from school.
- A brief detailed interview with the juvenile is critical at this point to determine whether or not you have cause to continue detaining the juvenile. During this interview the officer

should obtain the child's name, age, date of birth and school they attend, at a minimum. If the juvenile indicates he or she is 16 or older, ask to see some form of identification. Oftentimes, they will at least have a school ID. If he/she has a school ID or some form of identification indicating that they are 16, this will end your encounter with them unless you have detained them for some other purpose (larceny, burglary, or any other criminal offenses).

- After officers encounter any juvenile who is above the age of 16 and who is believed to be enrolled in school, the officer will still make a call to the school and speak with a principal, school counselor, or school resource officer to let them know that there was an interaction with the juvenile during school hours. They may not be a truant by the general statutes definition, but the school will still appreciate a call if the student is supposed to be in school.
- A Field Interview Report (FIR) will be completed by the officer for students 16 years and older who are encountered and are absent from school.

Location of a Juvenile Above The Age of 6 But Less Than 16:

- When officers encounter a juvenile who they determine is less than 16 years of age but at least 6 years of age, they must then determine if the child is unlawfully absent from school.
- Due to year round school schedules, traditional calendar, charter schools and numerous private schools, it is imperative that officers make every effort to ascertain whether or not the juvenile is lawfully or unlawfully away from school.
- If the officer learns that the juvenile attends a Wake County Public School, then the officer can call the Wake County Security Officer assigned to that school and find out whether or not the juvenile should be in school. If the security officer is unavailable, a call may be made to the security secretary for verification. (Phone numbers are attached).
- When officers call either the security officer or the secretary, they will provide their first and middle initial and last name along with their code number. This is a security measure to ensure that the Wake County Public School System is not giving out information to just anyone over the phone.
- If the officer is able to ascertain that the child is "tracked out" or on a school holiday, then the juvenile is lawfully away from school and will no longer be detained.
- If the officer determines that the juvenile is unlawfully absent from school, the officer should then transport the juvenile back to his/her school within the city limits of Raleigh.
- If the juvenile attends a public school in another jurisdiction, Wake County Public School Security will transport the juvenile back to that school. Arrangements should be made with the security officer during the initial conversation for a meeting location.
- If the juvenile attends a private or charter school in the county or in another municipality, the officer will transport the juvenile to his/her stationhouse and contact the juvenile's parent or guardian for them to come and pick up the child.
- If the officer will be transporting the juvenile, the officer will contact his/her supervisor and advise that they are transporting a juvenile to school.
- The officer will also advise communications and give their starting/ending mileage and receive beginning and ending times from communications for all juveniles transported. This information will be reflected in the truancy report that will be filed.
- After returning the juvenile to school, a truancy report will be completed.

- The truancy report will contain the juvenile's demographic information, as well as information indicating where the juvenile was located, whether or not any criminal violation as associated with this juvenile, the name and title of the person you release the juvenile to at school, and any other information that might later be needed concerning this juvenile.
- After releasing the juvenile to the school, the officer will attempt to speak with a parent or guardian by phone.
- A follow-up letter will be mailed to the juvenile's parent or guardian.

Additional information:

- There are numerous students who attend private schools, charter schools and home schools. A limited list of private schools has been included as an attachment to this protocol. Obviously, if a student indicates that he/she attends a private or charter school, there is no reason to contact Wake County Public Schools.
- If the juvenile attends a private school or charter school, the officer may have little to no success in trying to ascertain information over the phone. The officer will generally have to appear in person at the school in order to receive verification concerning their students.
- If a juvenile indicates that he/she is home schooled, the officer will make every attempt to locate the parent or guardian responsible for home schooling. A quick check with Wake County Public Schools should also be completed.
- If the parent or guardian cannot be reached by phone and they cannot be located at the residence, the juvenile should be taken to the closest stationhouse and additional attempts should be made to reach a parent or guardian.
- Once a parent or guardian has been contacted, they should be requested to come to the stationhouse to pick up their child.
- When the parent arrives, the officer will speak with the parent in order to verify whether or not the juvenile is being home schooled.
- If the child is not being home schooled and is not enrolled in school, the family should be refereed to the Wake County Juvenile Court System and the Department of Social Services by the officer taking the truancy report.
- A Truancy Report will be completed even if the child is truant from one of the non-public schools.

DOI 1106-15
Attachment B

RALEIGH POLICE DEPARTMENT
TRUANCY REPORT

_____ _____
CASE NUMBER TODAY'S DATE

_____ _____ _____ _____
LAST NAME FIRST NAME MIDDLE NAME RACE SEX DATE OF BIRTH

_____ _____
STREET ADDRESS CITY STATE ZIP CODE HOME PHONE

_____ _____
SCHOOL ATTENDING GRADE

_____ _____ _____
PARENT/GUARDIAN NAME WORK NUMBER PLACE OF EMPLOYMENT

_____
ADDRESS WHERE THE JUVENILE WAS PICKED UP

_____
TYPE OF LOCATION (PARK, MALL, RESIDENTIAL NEIGHBORHOOD, STORE, RESTAURANT, ETC.).

Were there any criminal charges associated with this juvenile relating to this offense? _____

If yes, what were the charges? _____

Has a juvenile petition been signed or a warrant served? _____

_____
NAME OF PERSON THE JUVENILE WAS RELEASED TO

ADDITIONAL INFORMATION:

_____

_____

_____

_____

THE RALEIGH POLICE DEPARTMENT

1106-16

LIMITED ENGLISH PROFICIENCY

PURPOSE

The purpose of this directive is to establish guidelines for Department personnel when they deal with persons with limited proficiency in English.

VALUES REFLECTED

This directive reflects our values of *Service and Fairness*. We recognize the City of Raleigh has a diverse population and that not all people have proficiency with English. By creating ways to more effectively communicate with all those whom we contact, we work toward a standard of excellence that helps us to serve and protect the entire community.

UNITS AFFECTED

All Divisions/All Employees

REFERENCES/FORMS

GENERAL POLICIES

To help overcome language barriers, the Department uses interpreters of varying levels of proficiency, as needed, when performing law enforcement or public service functions.

If necessary, an interpreter with greater proficiency may be used to assist the Department in communicating with the Limited English Proficiency (LEP) person. These Departmentally-sanctioned interpreters may be employees or private individuals. This is normally accomplished by locating and using employees with interpreting/translating skills in the language of the LEP person.

AVAILABLE INTERPRETING/TRANSLATING SKILLS

A listing of employees and their language skills is available 24-hours a day at the Headquarters Police Desk. If an employee cannot be located that has the necessary language skills or greater proficiency is needed, then a skilled interpreter can be contacted from a list of local interpreters.

- The Department's Victim Advocate is responsible for maintaining these interpreter lists.
- The lists are updated annually and are provided to the Headquarters Police Desk and the Emergency Communications Center.

When dealing with an LEP person on the telephone the Department and the City's Emergency Communication Center will utilize the interpreting services of the Language Line to communicate with the individual. This service provides interpreters for approximately 186 languages. Language Line interpreters determine the language spoken by the LEP person and provide interpreter services.

MIRANDA WARNINGS AND IMPLIED CONSENT FORM

When dealing with LEP persons, officers shall make contact with an interpreter to assist with the translation and documentation of the Miranda warnings during interviews and implied consent rights form for driving while impaired incidents.

Officers may also use the Consular Notification and Access Booklet issued by the Department of State. This booklet contains thirteen different language translations of a statement that can be shown to a foreign national who has been arrested or detained. A copy of this booklet is available at the Headquarters Police Desk and each District Police Desk.

STOPPING INDIVIDUALS AND VEHICLES, ISSUING CITATIONS, INTERVIEWING SUSPECTS, AND BOOKING SUSPECTS

Initially employees familiar with the language of the LEP person will assist by interpreting for the individual. If necessary, a Departmentally-sanctioned interpreter may be used to assist the Department in communicating with the LEP person.

INFORMAL INTERPRETERS

Officers may occasionally rely on informal interpreters to provide language assistance in emergency situations, such as life safety issues when there is a need to provide medical care or arrange for medical care or there is a need for immediate information to apprehend a suspect.

In such circumstances officers should arrange for a Departmentally-sanctioned interpreter as soon as possible to insure that the communication is accurate.

Such circumstances may include:

- Tending to the health and safety needs of persons in custody
- Interviewing witnesses or victims
- Handling grievances and complaints from members of the public
- Offering emergency assistance

CONDUCTING PUBLIC MEETINGS AND COMMUNICATING WITH NEIGHBORHOOD GROUPS

Employees involved in these sessions shall determine in advance the potential for persons of limited English proficiency to be in attendance. If necessary, they will arrange for an interpreter with the necessary language proficiency to attend.

THE RALEIGH POLICE DEPARTMENT

1106-17

PLANNING AND OPERATIONAL ANALYSIS

PURPOSE

The purpose of this directive is to identify the process and responsibility for coordinating and supporting an information analysis system to provide Departmental employees with accurate and timely information needed to support their day-to-day, tactical, and strategic decisions.

VALUES REFLECTED

This directive reflects our value of *Innovative Leadership*. We recognize the importance of using available information to help manage our operations so that we can best utilize our resources to guide our organization. This directive establishes the process and procedures to provide us with the best available information and analysis to accomplish these ends.

UNITS AFFECTED

All Personnel

REFERENCES/FORMS

DOI 1106-1 "Confidentiality, Release of Information"
DOI 1106-3 "DCI/NCIC Security and Access"
DOI 1106-10 "Submission of Police Reports"
City Procedure 500-7 "Receipt Book Issuance"
"Municipal Records Retention and Disposition Schedule", Division of Archives and History, N.C. Department of Cultural Resources.

GENERAL POLICIES

The primary functions of the Planning Unit are crime analysis, multi-year planning, operations planning, manpower allocation alternatives, Uniform Crime Reporting, traffic accident and enforcement analysis, and forms control. The Planning Unit will be managed by the Senior Staff Analyst, who also coordinates the crime analysis functions. The Department's crime analysis function is decentralized with individual crime analysts assigned to specific Divisions and Districts.

CRIME AND TRAFFIC ANALYSIS

Police enforcement actions should be geared towards prevention. This applies to both traffic and criminal offenses. Analysis plays a vital role in achieving this goal by suggesting the most efficient deployment of resources. Analysis should be conducted with the intent of providing pattern recognition, suspect identification, and long term planning.

Case Report Reviews

The Crime Analyst will be responsible for reviewing case reports from the previous shift and providing the correct Uniform Crime Reporting code for data entry. Any significant report should be noted for Crime Analysis Bulletin purposes.

Crime Analysis Bulletins

The Crime Analyst will be responsible for reporting any significant trends detected from case report reviews and daily contacts with all Divisions. These Crime Analysis Bulletins will be distributed to all Divisions to include the Chiefs, Majors, District Commanders, and Watch Commanders as well as all squad rooms. Whenever appropriate, bulletins will include:

- Frequency by Type of Crime
- Geographical factors
- Chronological factors
- Victim and target descriptors
- Suspect and suspect vehicle descriptors
- Modus operandi factors
- Physical evidence information
- Problem oriented or community policing strategies

Monthly and Annual Reports

The Records Supervisor will complete monthly Uniform Crime Reports and submit them to the Research and Planning Sergeant for verification. The Records Supervisor will be responsible for tabulating the Raleigh Police Monthly Report according to the established format.

The monthly reports will be summarized and will provide comparative data and statistics from previous years in an Annual Yearly Summary.

Officer Activity Reports

Each District Crime Analyst will be responsible for providing their District Commander with Officer Activity Reports. These periodic print outs will contain pertinent information on officer activity drawn from the CAD system for supervisory and management use.

Traffic Planning

The District Crime Analysts will provide a compilation of enforcement activities and traffic accidents to include temporal and geographic factors. This will be included in the Annual Police Report and provided to the District Commander for comparison/review and implementation of selective traffic enforcement activities. The Analysts will also provide recommendations on causative factors or changes in accident reporting.

The Analysts should compile monthly accident summaries and produce temporal and geographic distributions of traffic related calls for service.

Source Documents

The Senior Staff Analyst will specify the source documents or computer programs from which data elements are extracted. This is to include offense and motor vehicle accident reports, arrest reports, plus sources from the City Planning and Transportation Departments.

WORKLOAD ANALYSIS

Thorough workload analyses can have an important impact on the effective and efficient use of resources within the Department. The Planning Unit will be responsible for conducting a periodic workload analysis.

Analysis should include the temporal and geographic distribution of selected crimes. In addition, trends for major categories of activities should be tracked to assist in long-range planning. The workload analysis should include at a minimum:

- A trend line analysis of calls for service over the most recent five-year period.
- A trend line analysis for response times to calls for service.
- A summary of calls for service by reporting area for the current one year period.
- A statistical summary of calls for service for the current year based upon beat, day of week, and hour of day.
- Number of cases assigned for active follow-up investigation over the most recent five-year period.
- The average time required for patrol officers to handle incidents.

- A calculation of the available and unavailable time for service for the various patrol shifts.
- The average personnel availability factor for Field Operations and Investigative Divisions.
- A projection of anticipated increases in calls for service and Part I crimes based upon current trends and anticipated annexations.

ANNEXATION STUDIES

The Planning Unit will receive proposed annexations from the City Planning Department. Cost estimates will be calculated on the cost of providing police services to the new areas. Following annexation, the District Crime Analyst will be directed to incorporate the newly annexed area into reporting and patrol maps.

MANAGEMENT ACTION PLANS

Management Action Plans are a key mechanism in planning, budgeting, and review, and will be completed on all new programs or expansions of existing programs. Approved Management Action Plans will be forwarded to the Planning Unit for inclusion into multi-year plans.

MULTI-YEAR PLANS

The Planning Unit, in conjunction with the Planning Review Committee (refer to DOI 1101-02 "Department Organization and Management") will be responsible for incorporating Management Action Plans into the Two Year Strategic Plan and for preparing recommendations for the Five Year Capital Improvements Plan.

The multi-year plan will be completed in conjunction with the workload analysis and will include goals and operational objectives, anticipated workload and population trends, anticipated personnel levels, and anticipated capital improvements and equipment needs.

DISSEMINATION OF INFORMATION

Opportunities for beneficial organization change are facilitated by the dissemination of information and feedback from those affected by planning activities.

Dissemination of Analytical Reports

Finalized copies of multi-year plans, the approved annual budget, and periodic workload analysis will be provided to Division offices. Copies of applicable sections will be provided to program supervisors and will be available for examination by all members of the Department.

The Planning Unit will further see that any special analytical studies are provided to affected units.

Public Dissemination of Information

Members of the Planning Unit as well as District Crime Analysts receive frequent requests for information from the news media and others. They are authorized to provide statistical information, but they are to avoid policy statements.

- They may disseminate information on changes in crime rates, but should not infer causes for changes.

- To promote public safety, they may report an area where a particular type of crime is occurring. They should not infer that one area is higher in crime than another.

- They may release UCR arrest statistics, but shall avoid inferring that any class of persons has a heavier involvement in crime than others.

- Suspect descriptions must be released by the Watch Commander or the Detective Division prior to being reported by members of the Planning Unit and District Crime Analysts (refer to DOI 1106-02 "News Media Relations").

FEEDBACK AND EVALUATION

The Senior Staff Analyst will review and evaluate the utilization and effectiveness of information supplied to operating units.

THE RALEIGH POLICE DEPARTMENT

1106-18

COMMUNITY POLICING

PURPOSE

To define the community policing philosophy and policies, provide guidelines for the exercise of problem-solving in the community and to give an overview of the organization and operations of the program in an effort to enhance community engagement and build sustainable relationships.

VALUES REFLECTED

This directive reflects our values of *Fairness, Integrity, Compassion and Service*. Through the efforts described here, we seek to take the lead in designing and implementing initiatives to address crime and disorder through community partnerships, problem-solving and organizational transformation. In this way, we strive to maximize the benefits of our actions to contribute to community well-being.

UNITS AFFECTED

All Personnel

REFERENCES/FORMS

U.S. Department of Justice, Community Oriented Policing Services (COPS), "Community Policing Defined"
U.S. Department of Justice, "Implementing Community Policing: Lessons from 12 Agencies"
City of Raleigh Strategic Plan
The Community Policing Consortium
Final Report of the President's Task Force on 21st Century Policing
New Jersey State Police, "Practical Guide to Intelligence-Led Policing"
Attachment A: Problem Solving Partnerships Using the S.A.R.A. Model

May be Released to the Public

Effective Date:	04-18-19	Supersedes:	N/A
Prepared By:	C.L. Deck-Brown Chief of Police	Approved By:	Ruffin Hall City Manager

GENERAL POLICIES

The Raleigh Police Department believes that effective policing is dependent upon a partnership with the residents of the city and collaborative problem solving. We empower residents of our city to take ownership of safety and work with us to ensure that it is maintained. We will strive to always seek out opportunities to strengthen these working relationships as we continue to build trust and nurture legitimacy. Procedural justice will guide our interactions with our communities as we will promote a vibrant, healthy and engaged community environment where people feel safe and enjoy access to community amenities that support a high quality of life. We will formally partner with other City departments to help provide a full range of services that preserve our neighborhoods, fortify our homes and businesses and give our citizens positive outlets for the energy they bring to life in Raleigh.

COMMUNITY POLICING PHILOSOPHY

It is essential to the overall operation of the Raleigh Police Department that all departmental personnel understand and apply the community policing philosophy.

Community policing is an organization-wide philosophy and management model that promotes proactive problem solving and community engagement by addressing the causes of crime, social disorder, fear of crime and other community issues through strategic and collaborative partnerships with public, private and community stakeholders.

While the Raleigh Police Department utilizes Community Policing Units as one aspect of its community policing program, the beat officer plays a fundamental role and is the foundation of our community policing efforts. Furthermore, all Raleigh Police Department personnel contribute, directly or indirectly, to the overall success of these efforts.

Some communities may experience systemic crime as one of the symptoms of a more complex problem. The RPD community policing philosophy goes beyond attempts to solely reduce and manage criminal activity. Community policing maximizes city resources and utilizes other county, state and federal entities to empower communities to address the underlying causes of crime and allow these communities to improve the quality of life. The philosophy reinforces beat officer interoperability by supporting and empowering all officers to engage the community as another resource for problem solving and crime prevention. This hybrid philosophy serves as the foundation for the RPD community policing operations.

INTELLIGENCE-LED POLICING AND THE RALEIGH INTELLIGENCE CENTER (RIC)

"Intelligence-led policing is a collaborative philosophy that starts with information gathered at all levels of the organization that is analyzed to create useful intelligence and an improved understanding of the operational environment. This will assist leadership in making the best possible decisions with respect to crime control strategies, allocation of resources and tactical operations." (Practical Guide to Intelligence-Led Policing, p.3)

Raleigh Police personnel must focus not only on being a consumer of intelligence, but also a provider of information to be transformed into intelligence. Community and beat officers are the most comprehensive source of area-specific knowledge and information. The community and beat officer should be the major source for criminal leads for a given area and should participate in regular information sharing with investigators and specialized units. This

intelligence allows the Raleigh Police Department to disseminate information to the public in a timely manner to foster engagement strategies that improve collaboration with the community and public safety outcomes.

The community policing teams and beat officers seek to gather useful information provided by residents in their communities and share this information with the Raleigh Intelligence Center (RIC) for additional analysis and dissemination. This information sharing is critical to improved communication leading to a coordination of efforts for more effective policing.

PROBLEM SOLVING

Problem solving is the core of effective community policing. Problems can be identified by Community Officers, residents, community stakeholders, command staff and beat officers, to name a few.

A four-step comprehensive, proactive and systematic approach to problem solving will be a guide for Community Officers to utilize after a problem is identified. An in-depth problem-solving guide should be utilized and documented (see Appendix A: The S.A.R.A. Model) for cases requiring extensive resources and time.

The four-step S.A.R.A. model, which includes the elements of scanning, analyzing, responding and assessing, serves as a logical guide to most significant long-term problems.

Furthermore, the RPD S.A.R.A. model includes a maintenance phase of the assessment subsection that allows for stakeholders to take control and manage their community.

COMMUNITY PARTNERSHIPS

Building effective partnerships and networks with constituent groups, educational institutions, businesses and other agencies is a crucial dimension of community policing. Community partnerships increase police problem-solving capabilities and effectiveness. The City of Raleigh utilizes a variety of partnerships to address many community issues. These partnerships will increase stakeholder participation and community relations. Collaboration with other City of Raleigh departments is also essential in providing services that address and target community problems.

COMMUNITY POLICING UNITS ORGANIZATION AND OPERATIONS

Organization/Operation

The Community Police Unit is designated as a specialized unit assigned to the Field Operations Division. A Community Policing Sergeant and a designated number of Community Officers will be assigned to each Field Operations district based upon needs and staffing availability.

Decentralization and decision-making authority given to Community Officers is vital to effective and timely problem solving. For this reason, the conduct and operation of the community policing teams are directed and managed by each district commander and the Community Policing Sergeant.

A base schedule for Community Officers should be designed to maximize their ability to conduct projects, make new contacts, maintain networks and have substantial availability to businesses, institutions and residents. Flexibility to change or adjust this schedule in a timely manner is necessary to facilitate problem solving and provide convenient service to the public. This may be different from area to area due to crime trends, geography and other factors. In order for Community Officers to develop and maintain a high degree of area knowledge, intelligence and effectiveness, they should be operating in their assigned areas a majority of their available time.

Annual Report

All community partnerships and problem-solving techniques should be utilized with the utmost transparency. At the end of each fiscal year (June 30), the specialized unit annual report will be completed. This report should be compliant with DOI 1101-1 Planning, Budgeting and Resource Management ("Review of Specialized Assignments" section). It should also be compliant with CALEA standard 16.2.1 which requires an annual documented review of each specialized assignment for the purpose of determining whether it should be continued.

Field Operations Major or Designee

The Field Operations Major or designee will complete the community police annual report. Other duties will be to ensure that all district community policing squads are being utilized within policy guidelines and to facilitate assistance between districts and other departmental divisions. The Field Operations Major or designee will coordinate community police training as well as special events involving community policing units.

Community Policing Program Coordinator

The Community Policing Program Coordinator meets with various organizations, community leaders and City officials and departments to discuss sustainable long-term goals. This person will also facilitate meetings and gather information that directs strategies and resources. The Community Policing Program Coordinator will assist in creating a team approach to community initiatives and is the liaison for the Chief's Office.

District Commander

The District Commander has the discretion to approve changes to the base schedule to allow for project facilitation, meetings, events and training for Community Officers and Sergeants. The District Commander is given the authority to approve community policing projects and initiatives within that Commander's district and to ensure that these projects or initiatives are conducted within policy. The District Commander also has the authority to select Community Officer assignment areas or change them based upon intelligence-led policing justification.

Community Policing Sergeant

The Community Policing Sergeant is the first-line supervisor of the Community Officers. The sergeant ensures that all assigned Community Officers are given required specialized training. Schedule changes and project submissions are reviewed prior to approval by the District Commander. The Community Policing Sergeant provides mentoring and leadership on the Department's community policing philosophy to assigned Community Officers. Assessing the effectiveness and performance of assigned Community Officers is the responsibility of the Community Policing Sergeant.

Community Officer

Guided by the community policing philosophies, the community policing teams will operate to effectively address crime and quality-of-life issues through community partnerships and collaborative problem-solving.

The Community Officer will devise and develop community partnerships and problem-solving plans tailored to each individual community. These issues include, but are not limited to, criminal gang related activity, drugs, crime patterns such as burglaries and larcenies from vehicles, traffic and speeding complaints, quality-of-life violations and trespassing. Officers will develop these plans in congruence with policy and under the guidance of the Community Policing Sergeant and District Captain.

Community Officers should be assigned to specific communities and neighborhoods based on a needs assessment. A needs assessment should be based on information gathered and analyzed by the Raleigh Intelligence Center, beat officers and district command staff. The area of assignment should not be so large as to make it impractical for the Community Officers to become highly knowledgeable regarding all aspects of their assigned area.

Since Community Officers will have a large network of contacts in their assigned areas and must possess good communication skills, their value in improving community relations is an integral part of effective community policing. District Crime Prevention Officers will assist Community Officers with crime prevention programs and events within assigned areas. Any crime prevention or community relations event or project initiated by a Community Officer must be vetted by the Crime Prevention Officer to ensure de-confliction with the overall crime prevention/community relation strategy.

Community Officers must be proficient long- and short-term problem solvers and must be able to provide analytical solutions to complex problems while using the multitude of resources available to them. Additionally, Community Officers must be proficient at conflict resolution and have excellent public communication skills.

Problem Solving Partnerships Using the S.A.R.A. Model

BACKGROUND

Research shows that a relatively small number of locations and offenders are involved in a relatively large amount of crime. Similarly, a small number of victims account for a relatively large amount of victimization. For example, research has found that more than 50% of calls for service in some areas come from only 10% of the locations. According to one study, approximately 50% of crime victims in England had experienced repeat victimization and 4% of victims, the "chronically victimized," accounted for 44% of all reported crime. For that reason, there is broad agreement that police and community members can more effectively address crime problems by focusing their efforts on analyzing the patterns of repeat calls relating to specific victims, locations and offenders, gathering information about the problems from a wide variety of sources, and then working together to address the underlying causes of the more persistent problems.

The emphasis on problem-solving as a key element of community policing stems from pioneering work on problem-oriented policing done by Herman Goldstein in the late 1970s and experiments in Newport News, VA in 1984. There, police practitioners, working along with researchers and community members, demonstrated that crime and disorder could be significantly reduced through tailored responses developed as a result of comprehensive analyses of the targeted problems. Police and community members in Newport News were able to reduce burglaries in a targeted apartment complex by 34%, reduce prostitution-related robberies by 39%, and reduce thefts from vehicles by over 50%.

The S.A.R.A. model is a problem-solving approach to recurring problems. The information provided here is intended to stimulate thinking about creative problem-solving, not to limit options to a standardized process that is appropriate for every problem.

THE PROBLEM SOLVING MODEL

The problem solving process developed to build problem-solving partnerships consists of a 4 step, decision making model known as S.A.R.A. (**S**canning, **A**nalysis, **R**esponse, and **A**ssessment).

SCANNING - Individuals determine problems through:

- Personal experience with location, activity, or the behavior that has come to the police/community attention; and,
- Communication with residents, businesses, other public or private agencies, other officers, or other employees

A problem is defined in this context as two or more incidents which are similar in nature, are causing harm or have the potential to cause harm, and the public expects the police agency to handle the problem. Similarities among incidents include:

- Person
- Location
- Behavior
- Time

ANALYSIS - Involves learning everything possible about the players, incidents, and actions already used to try to deal with the problem. Analysis should be as thorough, creative, and innovative as the response because the characteristics of each problem vary.

Comprehensive analysis of a problem is critical to the success of a problem-solving effort. Effective tailor-made responses cannot be developed unless you know what is causing the problem.

The nature of a problem may seem obvious at first glance; there may be tremendous internal and external pressure to solve the problem immediately; the pressure of responding to calls does not seem to allow time for detailed inquiries; there may be uncooperative stakeholders; or there may be the assumption that there is nothing that can be done since the problems will occur regardless.

The purpose of analysis is to learn as much as possible about a problem to identify what is causing it. The actions and interactions of offenders, victims and the environment must be understood.

Generally, 3 elements are required to constitute a crime in the community: an offender, a victim, and a crime scene. Visualizing that link has proved useful in understanding a problem.
The analysis phase is an in-depth study of the "who, what, where, when, why, and why not."

RESPONSE - Based on the scanning and analysis phases, a goal which can be reached using a custom-made response. Solutions can be designed to:

- Eliminate the problem
- Reduce the problem
- Reduce the harm created by the problem
- Deal with a problem better
- Remove the problem from police consideration

By removing the problem from police consideration, the invested party gives the problem to the individual or agency that can better handle the problem.

ASSESSMENT - Evaluating the effectiveness of your response. It may include:

- Total elimination of the problem
- Less serious or harmful incidents
- Better handling of the incidents / an improved response to the problem
- Reduced calls for service or reported crime
- Satisfied residents or businesses
- A more manageable problem
- Policy makers (elected representatives, chief, captain) notice a difference in complaints

A number of non-traditional measures will shed light on whether a problem has been impacted. These include:

- Increased citizen satisfaction regarding the handling of a problem, which can be determined through surveys, interviews, focus groups, etc.
- Reduced citizen fear related to the problem

- Neighborhood indicators:
  - Increased profits for local businesses
  - Increased usage of area/increased or reduced foot and vehicular traffic Increased property values
  - Improved neighborhood appearance
  - Increased occupancy in problem buildings
  - Less loitering
  - Fewer abandoned cars
  - Less truancy
- Reduced instances of repeat victimization
- Decrease in related crime and incidents
- Decreased levels of injuries / accidents associated with the problem

For the purpose of assessing effective problem-solving in regards to apartment complexes and safe, crime-free housing, we should look to non-conventional methods. Neighborhood and delivery driver perceptions, management attitudes and proactive tenant screening, resident involvement, types and number of calls and education of management and residents should all be looked at carefully.

Assessment allows us to look at what effect the response had on a problem. If the response had little or no effect, more analysis can be completed so that a more appropriate response can be applied. If the response resulted in a positive change, it can be determined what, if anything is needed to maintain the change.

THE RALEIGH POLICE DEPARTMENT

1107-01

EMERGENCY MOBILIZATIONS

PURPOSE

This policy establishes procedures and protocols to mobilize police personnel during emergency situations. This general description needs to be readily available to all personnel so that they may immediately respond during major emergencies. Detailed plans and telephone call lists are included in the City of Raleigh Emergency Plan.

VALUES REFLECTED

This directive reflects our values of *Service and Courage*. By following these instructions we will be prepared to act effectively during major emergencies to protect the community and the well-being of all. These actions will help us keep the people in our community safe from injury, harm and danger.

UNITS AFFECTED

All Police Personnel

REFERENCES/FORMS

Emergency Plan - Raleigh Police Department
DOI 1107-2 “Response to Disasters”

GENERAL POLICIES

Progressive levels of mobilization have been devised to insure that field commanders have sufficient personnel quickly available. Watch Commanders are authorized to exercise flexibility so that valuable resources are not wasted.

A signal 1000 alert may be initiated by the Watch Commander. A request for a Signal 2000 or 3000 alert will be made by the Watch Commander to the Duty Major. A Signal 2000 or 3000 alert will be initiated by the Chief of Police, or designee.

SIGNAL 1000

A signal 1000 is characterized by situations which severely overburden routine patrol response and assistance from other divisions and/or the limited call-back of selected units is required.

Initial Alert

The Watch Commander will notify Emergency Communications to broadcast a Signal 1000 alert over all channels. Communications will then:

- Notify the on-duty supervisors for each Division.
- Cancel all meal and coffee breaks.
- If instructed by the Watch Commander, Communications will delay dispatch of all Priority 3, 4 and 5 calls-for-service.

Watch Commander

Immediately after initiating the Signal 1000 alert, the Watch Commander should:

- Inform Emergency Communications of any staging area, and assign a supervisor to the staging area.
- Acquire any specialized equipment needed.
- Contact the on-duty supervisor for each Division and advise that supervisor of the anticipated number of personnel needed.
- As soon as possible, brief the Duty Major and obtain authorization for a limited call-back of selected personnel. The Duty Major may authorize the implementation and activation of a Departmental multi-unit task force if necessary.

On-Duty Personnel

On-duty personnel should take the following steps immediately upon a Signal 1000 broadcast:

- Division supervisors will determine the location of available division personnel and deliver, either electronically or manually, a list of available personnel to the Watch Commander and/or the command post, who will direct assignments as needed.

- On-duty personnel with the exception of patrol officers and patrol supervisors will report to their district or division assembly room, unless otherwise directed.

- Patrol officers and patrol supervisors will remain in the field at shift change unless otherwise instructed by the Watch Commander.

Off-Duty Personnel

Following a Signal 1000, the Chief of Police, or designee, may direct that selected officers, squads, or units be placed on standby status. Personnel placed on "standby" must remain available at all times. If an off-duty officer leaves home for any reason, the officer must call and leave a phone number where the officer can be reached. The officer must again notify the department upon returning home. Personnel assigned to districts will call their district station. All other personnel will call the headquarters police desk.

SIGNAL 2000

A Signal 2000 is a severe emergency in which an extensive call-back of off-duty personnel is required. A Signal 2000 may be initiated by the Chief of Police, or authorized designee.

Initial Alert

Upon notification from the Chief, or designee, Emergency Communications will broadcast a Signal 2000 alert over all channels. Communications will then:

- Notify all Division Commanders.

- Notify the City Manager.

- Notify the Fire Department.

- Notify other agencies of the alert status as directed.

- If instructed by the Watch Commander, Communications will delay the dispatch of Priority 1 and Priority 2 calls for service.

Watch Commander/Incident Commander

If the Signal 2000 has not followed a Signal 1000, the Watch Commander should perform activities listed under the Signal 1000. The Watch Commander should then:

- Activate the Central Command Post and procure the necessary situation maps.

- Confer with the command staff concerning the number of off-duty personnel that will need to be called in.

- Inform each division of the number of personnel that need to be called in or placed on standby.

Field Operations Division

District command staff will be contacted and advised to conduct a call-back of their personnel. They should report to their district station to coordinate the call-back.

- Command posts and staging areas will be designated as needed.
- A supervisor should also be assigned to coordinate each of the staging areas in use.
- Increase critical infrastructure security as necessary.

Detective Division

Detective Division command staff will conduct a call-back of their centralized personnel. They should report to headquarters to coordinate the call-back. Detective Division personnel will assist the Field Operations Division as needed.

Special Operations Division

Special Operations Division command staff will conduct a call-back of its personnel. Command staff should report to headquarters to coordinate the call-back. Special Operations Division personnel will assist the Field Operations Division as needed.

Administration Division/Chief's Office

Administrative Division command staff will conduct a call-back of their personnel. They should report to headquarters to coordinate the call-back.

- The Administration Division Commander will assume responsibility for building security and logistics of the Police Facility.
- A roll call of available Administration Division personnel, including Academy students, should be transmitted or delivered to the Watch Commander as soon as possible.
- In the event that the Quartermaster is unavailable, the Administrative Services Division should be assigned to issue equipment as necessary.
- The Administration Division Commander will also have the primary responsibility to provide staff support to the central command post.

SIGNAL 3000

Signal 3000's are characterized by emergencies which are so severe that all available personnel are required, and the assistance of other agencies may be required. A signal 3000 may be initiated by the Chief of Police, or authorized designee.

Initial Alert

Upon notification from the Chief, or designee, Emergency Communications will broadcast a Signal 3000 alert over all channels. Communications will then:

- Notify personnel listed in the Raleigh Emergency Plan for first phase of notification for Signal 3000's.

- Notify other agencies of the alert status as directed.

- Upon instructions from the Watch Commander, Communications will delay dispatch of all but Priority 0 calls-for-service.

Watch Commander/Incident Commander and Division Commanders

The Watch Commander/Incident Commander should confer with the command staff concerning the number of personnel needed. If the Signal 3000 was not preceded by a Signal 2000, the Watch Commander/Incident Commander and Division Commanders should take actions listed under Signal 2000.

Outside Law Enforcement Agencies

The Chief of Police, or designee, will determine, in collaboration with the Mayor and the City Manager, the necessity of requesting assistance from outside agencies. Requests for assistance from the State Highway Patrol or the National Guard must be initiated by the Mayor of Raleigh or the next in line of succession.

When the situation permits, personnel from outside agencies should be assigned to critical security or traffic control locations. Response to calls and law enforcement should be performed by Raleigh officers whenever possible.

ANNUAL REVIEW OF EMERGENCY PLANS

The Special Operations Captain is responsible for planning a response to critical incidents by initiating a review and update of the Raleigh Emergency Plan prior to March 1 of each year. Part of the review is to ensure that all units assigned responsibilities under the Plan are aware of their responsibilities.

THE RALEIGH POLICE DEPARTMENT

1107-02

RESPONSE TO DISASTERS

PURPOSE

Detailed responsibilities for commanders are included in the Raleigh Emergency Plan and Wake County Disaster Plan involving specific incidents, such as plane crashes. General guidelines are needed for all employees, however, to prepare them in responding to a variety of situations.

VALUES REFLECTED

This directive reflects our values of *Service and Courage*. By following these instructions we will be prepared to act effectively during disasters to protect the community and the well-being of all. These actions will help us keep the people in our community safe from further injury, harm and danger.

UNITS AFFECTED

All Divisions/All Personnel

REFERENCES/FORMS

City Code 1-1051 "State of Emergency"
City SOP 100-25 "Telephone Network Failures"
DOI 1100-3 "Jurisdiction/Mutual Aid"
DOI 1107-1 "Emergency Mobilizations"
Raleigh Police Department Emergency Plan

GENERAL POLICIES

Although the types of emergencies vary, the initial steps taken are very similar. Officers should take what steps are possible to rescue those in imminent danger. Supervisors should try to establish perimeter and traffic control points. A field command post and a staging area should be identified. The resources and tactics necessary to bring the situation under control can then be efficiently employed.

Mutual aid agreements provide for the loaning or borrowing of officers or resources between agencies during emergencies. To the extent possible, the integrity of working units should be maintained and instructions to outside units should be relayed from a Raleigh supervisor to a supervisor of the other agency.

EMERGENCY PREPAREDNESS

The Special Operations Captain is responsible for planning a response to critical incidents by initiating a review and update of the Raleigh Emergency Plan prior to March 1 of each year. Part of the review is to ensure that all units assigned responsibilities under the Plan are aware of their responsibilities.

Equipment Availability

The Special Operations Events and Planning Sergeant will assume primary responsibility for maintaining an inventory listing of police equipment designated for use in civil and natural disasters and the equipment's location. The Sergeant will verify that this equipment is inspected on at least a monthly basis for operational readiness.

Mobile Command Post Operators

The personnel authorized to operate the functions of the mobile command post are listed in the Raleigh Police Department Emergency Plan.

Task Force Assignment

The Special Operations Captain serves on the Inter-Departmental Domestic Preparedness Task Force and completes any after-incident reports that may be required of the Department.

PRELIMINARY DISASTER RESPONSES

The Chief of Police, or designee, may appoint an Incident Commander for prolonged disaster events. Until that time, the Watch Commander is responsible for coordinating all police responses.

Establishing a Perimeter

Establishing a perimeter is necessary to limit the public from involvement in civil disorders or to prevent sightseers or looters from hampering rescue efforts in natural disasters. Both an inner and outer perimeter should be established. Fire Department and Public Works personnel may be utilized at non-hazardous traffic control points on the outer perimeter.

Field Command Post

A field command post or the mobile command post should be established at a safe distance from the incident site. Every effort should be made to locate the field command post upwind, from the incident site, to avoid hazardous material or chemical agent exposure. One officer should be assigned to perform the duties of Recorder, one officer should be assigned security duties, and the Public Affairs Officer or another designated officer should be assigned to act as media liaison officer.

SHEARON HARRIS NUCLEAR PLANT EMERGENCY/INCIDENT GUIDELINES

These guidelines are established to provide assistance (traffic control and site security) for persons required to evacuate the area surrounding the Shearon Harris Nuclear Plant. The Raleigh Police Department Emergency Plan contains specific information concerning managing predetermined traffic control points along the evacuation route and security at Reception Centers within the Raleigh city limits.

Initial Notification

The Wake County Emergency Management Agency will alert the Manager/Chief (or designee) of a situation that requires Raleigh Police to notify personnel to standby when an emergency classification of Alert is issued from the Shearon Harris Nuclear Plant. At this time, all equipment specified in the Emergency Plan should be picked up at the Wake County Emergency Operations Center (EOC) and checked. Police personnel will be on standby for escalation or cancellation of the emergency.

Termination of Alert Status

Upon notification from the Wake County EOC that the emergency has been canceled and Raleigh Police personnel are no longer required, the Police Chief (or designee) may release all personnel assigned to the situation. All equipment obtained from the Wake County EOC is to be accounted for and returned.

CIVIL DISORDERS

Police enforcement action involving civil disturbances must be within the scope of the “Riots and Civil Disorders” article of the North Carolina General Statutes G.S. 14-228.1 to G.S. 14-228.20).

Crowd Control

Before taking crowd control actions, adequate warning must be given to the crowd as specified in G.S. 14-288.5. Techniques for controlling crowds include use of prominent leaders who are respected by the crowd, removing agitators quickly from the crowd, and fragmenting the crowd into smaller groups. The decision to activate the Mobile Field Force is the responsibility of the Duty Major. Authorization must be obtained from the Duty Major prior to utilizing chemical agents.

Mass Arrests

For situations involving mass arrests, a temporary detention area may be designated, pending transport to jail facilities. Confusion regarding the identity of arrestees and arresting officers must be avoided.

- Sufficient security must be provided for the detention area or vehicle. One of the officers assigned security will be made responsible for logging in arrestees, the name of the arresting officer, and the charge.

- A booking slip should be completed at the time an arrestee is placed in the detention area.

- A photograph of the arrestee with the arresting officer should be taken and retained by the officer in charge of the detention area. The arrestee's name and arresting officer's name should be written on the back of the photo.

FLASH FLOODS

Emergency Communications will notify the Watch Commander upon receipt of a flash flood alert from the National Weather Service.

Flood Monitoring

The Watch Commander will assign officers to the command post in Emergency Communications to record water level readings from the flood gauges and to provide a record of events.

- Water level readings should be taken at approximately 30-minute intervals. The Duty Major is to be notified if the alert stage is reached for a particular location.

- Lake Raleigh Dam will be monitored by Public Utilities during business hours. Police personnel should be assigned to monitor the dam during non-business hours.

- Remote flood alarms are located at Ebenezer Church Rd., Crabtree Valley, and at the Lake Raleigh Dam. When one of these alarms is activated, an officer should be dispatched to report the water level reading. The Duty Major, Chief of Police, and the City Manager or Assistant City Manager on-call should be notified in the event of an authentic activation.

Flood Evacuations

In the event that a flood alarm or gauge reading indicates that flooding is imminent, the Watch Commander should take the following actions:

- Emergency Communications should be directed to contact the director of Wake County Emergency Management.

- The Public Works Emergency crew will be contacted and will carry barricades to locations specified by the Watch Commanders.

- If flood notification calls need to be made, Wake Emergency Management should be contacted through the Emergency Communications Center. The specific call or evacuation area should be provided.

- The Public Affairs Officer or the Watch Commander will prepare an alert statement, indicating the anticipated extent of the flash flood, exit routes, and the location of shelters. Officers should be assigned to ride through threatened areas and broadcast the statement over their public address system. A copy of the statement should be provided to the City Manager/Assistant City Manager on call for release to the news media.

- The Watch Commander will have the Director of Public Utilities contacted if Lake Raleigh Dam appears threatened.

POWER OUTAGES

In the event of a major power outage or a prolonged outage in a specific area the Watch Commander will be responsible for establishing security. The primary concern will be visible patrols, traffic control, and observation points if necessary. The Watch Commander should refer to guidelines in the Emergency Plan.

TELEPHONE NETWORK FAILURES

In the event of a telephone network failure, the Watch Commander will be responsible for providing citizens a means of accessing the Emergency Communications Center. The most expedient process is to disperse units to central locations. The Watch Commander should refer to priority locations listed in the Emergency Plan.

If a major outage occurs that requires coordination with other city departments, the Watch Commander should notify the Duty Major who will coordinate activities with the Assistant City Manager.

The Public Affairs Officer should be contacted and requested to make a news release advising locations where citizens can easily find the officers.

EMERGENCIES AT CORRECTIONAL AND JAIL FACILITIES

The Wake County Jail and several other correctional institutions operated by the N.C. Department of Corrections are located within Raleigh. During emergency situations or disturbances at these locations, requests for assistance beyond traffic and crowd control outside the facility must originate from the proper authority and be approved by the Chief of Police. The Chief of Police, or designee, shall also define the scope of such assistance. Raleigh Police Department personnel will be supervised directly at all times by Raleigh Police Department supervisors. The Watch Commander or other Incident Commander designated by the Chief of Police shall refer to guidelines in the Emergency Plan.

THE RALEIGH POLICE DEPARTMENT

1107-03

MUNICIPAL COMPLEX / POLICE FACILITIES – BOMB THREATS, FIRES AND EVACUATIONS

PURPOSE

To establish courses of action to be taken by Police personnel in the event that a bomb threat, fire, or other emergency requires the evacuation of the Municipal Complex or Police facility.

VALUES REFLECTED

This directive reflects our values of *Service, Courage, and Integrity*. By following these procedures, we will be prepared to act effectively during threats to the City's municipal and police facilities to protect them, the employees who work in them, and visitors. These procedures will help us keep the people in these facilities safe and assist in protecting vital municipal and public safety infrastructures necessary to continue to provide high caliber service.

UNITS AFFECTED

Police Department/All Personnel
Raleigh-Wake Central Communications Center

REFERENCES/FORMS

City Procedure 101-18: "Bomb Threats"
City Procedure 101-19: "Building Fire Evacuation"
Appendix A: "Floor Monitors for Police Facilities"
Appendix B: "Bomb Threat, Fire or Other Emergency Checklist"

GENERAL POLICIES

In the event of a bomb threat against a building in the City's Municipal Complex, the Raleigh-Wake Central Communications Center or any Police facility, the Duty Major will be in charge of operations. The Duty Major will determine the need for response by a member of the Raleigh Police Hazardous Devices Unit. The S.B.I. Hazardous Devices Unit will be notified if a member of the Raleigh Police Hazardous Devices Unit is not available.

During normal working hours, the City Manager or an Assistant City Manager will decide whether building(s) in the Municipal Complex should be evacuated. The Director of the Raleigh-Wake Central Communications Center will decide whether to evacuate the Central Communications Center. The Police Chief, or designee, will decide whether to evacuate any police facility.

Department and Division Heads and supervisors are responsible for ensuring the evacuation of areas under their authority.

REPORTS OF BOMB THREATS OR FIRE

Reports of fire or bomb threats should be immediately reported to the Central Communications Center by dialing 9-1-1.

Employees Receiving Bomb Threats

Any City employee receiving a bomb threat should remain calm and note the time the threat is received. The call taker should then:

- Advise the caller that the building is occupied;
- Ask what time the bomb is set to explode and where it is located;
- If possible, have another employee notify the Central Communications Center;
- Note in detail what the caller is saying, and try to keep them talking;
- Try to obtain a description of the bomb;
- Ask who is calling;
- Note any caller identification information from telephone display;
- Note the attitude of the caller (calm, excited, etc.) and try to identify any background noises;

When initial contact with the subject making the threat has ended, the person receiving the threat should immediately notify the Central Communications Center by calling 9-1-1 if another employee has not already done so. Additionally, the person receiving the threat should remain available to be interviewed.

Raleigh-Wake Central Communications Center Procedures

Upon receiving a report of a bomb threat, fire, or other emergency, the Central Communications Center will:

- Notify the Police Watch Commander;
- Notify the Fire Department;
- Notify the Assistant City Manager on-call;
- Notify the Duty Major; and,
- Notify the floor monitors listed in Attachment A if the affected building is occupied

Bomb Threat Command Post

The Watch Commander will establish a bomb threat command post in the Central Communications Center facility. If an alternate command post or the mobile command post is used due to the nature of the threat or location, the Watch Commander must notify the Central Communications Center of the alternative location. The Duty Major will report to the command post. The person receiving the bomb threat should be escorted to the command post. All unnecessary persons should remain clear of the command post.

BUILDING SECURITY

The Watch Commander will be in charge of operations pending arrival of the Duty Major or Deputy Chief. If a decision is made to evacuate a building, all personnel should proceed to the designated assembly area for that facility (see Appendix A) and the Watch Commander should take preliminary actions to secure the buildings and prevent unauthorized entry. If the person making the bomb threat does not specify the location of the bomb and a decision to evacuate is made, the Municipal Complex building(s) or police facility should be secured immediately.

If a decision is made to evacuate a building, the Watch Commander should assign officers to secure the outer perimeter and prevent unauthorized entry.

FACILITY SEARCHES

In the event of a bomb threat, the affected Municipal Complex building(s) or police facility will be searched, regardless of whether or not a decision is made to evacuate. Police canine units may be called to assist in searches of the buildings.

Should a threat be received against any police vehicle, that vehicle should be evacuated and secured. The Hazardous Devices Unit will be called to search that vehicle due to special considerations involved in vehicle searches.

Searches During Normal Office Hours

Floor monitors should instruct employees to search their immediate work areas since they can more easily recognize suspicious items not belonging in the area. Employees are not to touch suspicious

items. Instead, they are to report such items to a floor monitor. The floor monitor will relay the information to the bomb threat command post. During normal working hours, a police canine unit should be called to the scene.

Search During Non-Office Hours

During non-office hours, the Duty Major or Watch Commander may request that the Fire Department send personnel to assist in the search. The Duty Major must authorize call-backs of police canine units.

For a bomb threat situation involving the Municipal Building located at 222 W. Hargett St, the City Council chambers will be checked, regardless of the time of day.

Suspicious Objects

Suspicious objects are not to be touched, and the immediate area is to be cleared. The location of the suspicious object must be reported to the Command Post. If the building is not completely evacuated, a floor monitor should post an alternate monitor at the entrance to the area until the building can be cleared. A member of the Hazardous Devices Unit will then investigate the object.

EVACUATIONS

In the event that an evacuation of a building in the Municipal Complex is required, all personnel not involved in security or searching will exit and assemble on the south side of Nash Square. If evacuation is required for other police facilities, all personnel not involved in security or searching will exit and assemble at the designated assembly area for that facility. These assembly areas are identified in Attachment A. All personnel should proceed quickly to their assembly area and report in to their floor monitor. Floor monitors should ensure that all personnel are accounted for.

Decisions to Evacuate

For bomb threats or fire alarms, the Assistant City Manager on-call will decide whether to evacuate any building in the Municipal Complex.

The Director of the Raleigh-Wake Central Communications Center will decide whether to evacuate the Central Communications Center.

The Chief of Police, or designee, will decide whether to evacuate any police facility. Should evacuation of a Police facility be necessary, the Duty Major will notify the Watch Commander and the Field Operations Division Commander. The Watch Commander will be responsible for notifying the floor monitors affected by the evacuation.

Exiting the Building

In the event of a bomb threat, floor monitors should instruct employees to carry briefcases, satchels, and other personal items with them as this will simplify subsequent searches.

- Employees are to calmly exit using the nearest stairwell. **Elevators must not be used.**

- Floor monitors will verify that everyone has left the floor and then notify the bomb threat command post.

All Clear

During bomb threat situations, once the search of an area within the affected facility has been completed, the person in charge will report "All Clear" to the Command Post. After all areas of the affected building(s) have been cleared, the Duty Major will notify the Assistant City Manager.

The Assistant City Manager in charge will determine when re-occupancy of any building in the Municipal Complex is permitted.

The Chief of Police, or designee, will determine when re-occupancy of any police facility is permitted.

EVACUATION DRILLS AND PRACTICES

The Office of Professional Standards, Inspections Unit will conduct, supervise and evaluate a building evacuation drill semi-annually to ensure all personnel are familiar with the evacuation procedures.

All building evacuation drills will be documented by memorandum and submitted to the Accreditation Manager.

DOI 1107-03
Appendix A

Floor Monitors for Police Facilities

Police Headquarters Building
(6716 Six Forks Rd)

Assembly Area: North Haven Church parking lot

1st Floor

* Desk Officer
* Inspections Sergeant
* Records Supervisor

2nd Floor (North District)

* FO Administrative Assistant
* NOD District Commander
* NOD Staff Support Specialist

3rd Floor

* Polygraphist
* Administrative Assistant to the Chief
* Information Services Manager

Detective Division Complex
(5240 Greens Dairy Rd)

Assembly Area: Parking lot in front of building

* Desk Officer
* Investigative Support Sergeant

Special Operations Division
(1221 Front Street)

Assembly Area: Northeast Corner Parking Lot

* Staff Planning & Logistics Sergeant
* Staff Support Specialist
* Police Service Center Supervisor

Northeast District Substation
(5230 Greens Dairy Rd)

Assembly Area: Parking lot on north side of building near flag poles

* Desk Officer
* Staff Support Specialist
* Youth Services Sergeant

Northwest District Substation
(8016 Glenwood Ave)

Assembly Area: Parking lot on northeast side of building

* Desk Officer
* Staff Support Specialist

Southeast District Substation
(2800 Rock Quarry Rd)

Assembly Area: Parking lot on south side of building

* Desk Officer
* Staff Support Specialist

Downtown District Substation
(218 West Cabarrus St)

Assembly Area: Northeast corner of rear parking lot

* Desk Officer
* Staff Support Specialist
* Evidence Supervisor

Southwest District Substation
(601-104 Hutton St)

Assembly Area: Parking lot north side of building

* Desk Officer
* Staff Support Specialist

Raleigh Police Training Academy
(4205 Spring Forest Rd)

Assembly Area: Grassy area behind rear parking lot

* Senior Staff Support Specialist
* Academy Commandant

Battle Bridge Training Facility
(8401 Battle Bridge Rd)

Assembly Areas:
Modular classrooms – Driving pad
Firing Range Support Building – Rear (staff) parking lot

* Police Armorer
* Training Sergeant

Mobile Command Post

* Staff Planning & Logistics Sergeant

F.O.C.U.S. Bus

* Staff Planning & Logistics Sergeant

BOMB THREAT, FIRE OR OTHER EMERGENCY CHECKLIST

STAY CALM

- Avoid panic and confusion.

KNOW THE LOCATION OF EXITS

- Be sure you know the safest way out of the building no matter where you are.

KNOW HOW TO REPORT A FIRE OR OTHER EMERGENCY

- Phone in the alarm without delay to the Emergency Communications Center (9-1-1).

FOLLOW EXIT INSTRUCTIONS

- Stay at your work place until signaled or instructed to leave; complete all emergency duties assigned to you and be ready to march out rapidly according to plan.

IN CASE OF BOMB THREAT

- Search your work area thoroughly. **DO NOT TOUCH** suspicious items; report them immediately to the floor monitor.

WHEN EVACUATING THE BUILDING

- Take all parcels (i.e. brief cases, handbags, coats, automobile keys, and other personal belongings) with you.

WALK TO THE NEAREST EXIT

- Maintain order and quiet; stay calm.

PROCEED TO THE DESIGNATED ASSEMBLY AREA

- Stand by to assist if needed and await further instructions.

THE RALEIGH POLICE DEPARTMENT

1107-04

TORNADO ALERTS INVOLVING POLICE FACILITIES

PURPOSE

To prescribe alert procedures for the Municipal Building, District Stations, and other buildings occupied by police personnel in the event of a tornado alert.

VALUES REFLECTED

This directive reflects our values of *Service, Courage and Integrity*. By following these instructions we will be prepared to act effectively during weather related threats to police facilities to protect those who work in them and as well as visitors to them. By keeping people in these facilities safe we will not only protect them but also help maintain our capacity to provide high caliber service to the people we serve.

UNITS AFFECTED

Police Department/All Personnel
Emergency Communications Center

REFERENCES/FORMS

City Procedure 101-11 “Tornado Watch/Warning - Municipal Building Complex”

GENERAL POLICIES

The Desk Officers assigned to each police facility are charged with ensuring that warning and evacuation procedures are properly followed.

TORNADO WATCHES

A Tornado Watch means that conditions are favorable for a tornado but that no tornado has been observed. The Emergency Communications Center will notify the Watch Commander any time a tornado watch is in effect.

Following activation of a tornado watch, the Watch Commander will instruct Desk personnel to alert personnel in their perspective facilities and advise them that a tornado watch is in effect.

When notified that a tornado watch is in effect, Desk Officers are responsible for warning persons, in their area of responsibility, of the tornado watch. They are also responsible for monitoring the police radio until the watch is lifted.

TORNADO WARNINGS

A Tornado Warning means that a tornado has been sighted or detected on radar. Emergency Communications will immediately notify the Watch Commander of a tornado warning and broadcast an alert on all channels. When a tornado warning is broadcast, personnel should move to safer locations as specified below.

Desk Officers

If a tornado watch is upgraded to a tornado warning, the Desk Officer will again be responsible for alerting personnel in their perspective facilities and informing them of the upgrade. The Desk Officer will inform persons within their assigned areas of the evacuation steps to be followed, and will instruct persons within their facility to close and lock all office doors as they leave. They will check their facilities to make sure they are clear of all personnel before leaving themselves. Once the alert is over, they will be notified to have persons return to their work areas. If a tornado warning occurs after regular business hours, the Desk Officer will, as rapidly as possible, check all floors of the police facility for occupants. The front door will be left unlocked for the benefit of passersby who may require emergency shelter. The Desk Officer will take a post that shields them from the immediate danger of flying glass, but will allow them to continue to observe the front lobby. If necessary, the Desk Officer may seek shelter in an interior room for added protection.

Police Facilities

Occupants will be directed to an interior room where they will remain until the warning is rescinded.

Police Vehicles and Mobile Facilities

Occupants will be directed to immediately exit the vehicle and seek shelter in the interior room of a nearby building or in a low lying area where they will remain until the warning is rescinded.

Police Training Center

Occupants will be directed to the locker/shower rooms where they will remain until the warning is rescinded.

Battlebridge Training Facility

Occupants will be directed to seek shelter in a low lying area where they will remain until the warning is rescinded.

THE RALEIGH POLICE DEPARTMENT

1107-05

SEVERE WEATHER PROCEDURE

PURPOSE

Motor vehicle collisions and other calls generated by severe weather can overburden available police resources. Special procedures are necessary to screen minor collisions to ensure that police units are available for emergencies.

VALUES REFLECTED

This directive reflects our values of *Service, Courage, and Integrity*. By following these instructions we will be prepared to act effectively during severe weather. We will seek to protect the public, understand the stress people will be under during severe weather, and provide the best service we can at all times.

ORGANIZATIONS AFFECTED

Police Department/All Divisions
Emergency Communications
Public Affairs

REFERENCES/FORMS

City Code 11-2125 “Driving Under Hazardous Conditions”

GENERAL POLICIES

During periods of severe weather, the dispatch of police units to minor traffic collisions will be restricted, and alternate reporting practices will be implemented.

Detective Division personnel will be mobilized to respond to non-traffic related calls for service. Marked police units will handle traffic related and high risk calls.

DEPLOYMENT OF PERSONNEL

If severe weather is imminent, the Watch Commander is responsible for assigning additional officers to the Command Post if activated. Emergency Communications and the Police Public Affairs Specialist should be notified when these officers are in place.

Emergency Transport

Police officers are authorized to transport civilians in police vehicles when life threatening conditions exist.

To avoid depleting available units, the distance transported should be limited. Civilians should be transported to the closest safe location and encouraged to arrange for themselves whatever further transportation they might need.

News Media Notification

The City Public Affairs Department is responsible for advising the media of emergency procedures. If no one from Public Affairs can be contacted, the Police Public Affairs Specialist or designee is responsible for notifying the media.

Salting of Specific Locations

Beat officers will notify the Command Post of locations that may need salting. A Public Works salt spreader will be assigned to the Police Department and dispatched by the Command Post. The Field Operations Division will furnish a walkie-talkie or spare radio to the Public Works salt truck driver so that effective communications can be maintained.

COLLISION INVESTIGATIONS

During severe weather, Emergency Communications will attempt to screen auto collision calls and dispatch police units to only the more serious incidents.

Dispatch to Collisions

A police unit should be dispatched to a collision scene if personal injuries are involved or the vehicles are creating a hazard and cannot be moved. If the vehicles are disabled, but not blocking the roadway, Communications should simply telephone a wrecker of the driver's choice.

Reporting Options

In cases where dispatch of a unit is not required, Communications should advise the parties of extended delays and suggest other options, such as:

- The parties may simply exchange driver and insurance information and leave the scene.
- If a police report is desired for insurance purposes, a delayed report may be made by calling the Police Desk or Crime Reporting Center (919-996-3335).

Delayed Reports of Collisions

Under G.S. 20-166.1, an at-the-scene investigation is not required in all auto collisions. Investigations may be conducted after the parties involved have left the scene.

- An NC Collision Report (DMV-349) is required for all collisions involving personal injuries or apparent property damage in excess of $1000. If officers are not able to accurately complete the diagram, they should draw a reasonable reconstruction, and indicate "for information purposes only" on the diagram.
- All vehicles involved in a collision might not be present at the time of a delayed report, and the amount of damage may be unknown. If it is later determined that the damage exceeds $1000 or there are personal injuries, a NC Collision Report (DMV-349) is required.

Follow-Up Investigations

Should problems or complaints arise in delayed reports of collisions, line supervisors are responsible for assigning the cases for follow-up investigation.

If the initial delayed report was taken by a Police Desk Officer or the Crime Reporting Center and the complainant requests follow-up to their case, Central Records will forward a copy of the report to the appropriate district for follow-up investigation. If the initial report was taken by a line patrol officer, referral will be made to that officer's district for follow-up investigation.

A due date should be assigned to the follow-up investigation and the amended report should be returned to Central Records as quickly as possible.

THE RALEIGH POLICE DEPARTMENT

1108-01

USE OF FORCE AND WEAPONS

PURPOSE

To provide guidelines governing the use of force and issued weapons of the Department.

VALUES REFLECTED

This directive reflects our values of *Service, Courage, Fairness, Integrity, and Compassion*. By acting in concert with these instructions, we will demonstrate that we are accountable for our actions and that we have the highest possible regard for safeguarding life; including the lives of those persons we come into contact with, of innocent people, and of ourselves.

UNITS AFFECTED

All Divisions/Sworn Personnel

REFERENCES/FORMS

N.C. General Statute 15A-401(d) "Use of Force in Arrest"
DOI 1108-03 "Prisoners and Restraints"
DOI 1105-03 "Officer Involved Shootings and In-Custody Deaths"
Attachment A: Field Euthanization on Undomesticated Animals Report

GENERAL POLICIES

Force should be used only when all other means of resolving a situation have been exhausted or are clearly inapplicable. Officers should take all reasonable steps to avoid having to use physical force. Force will be used only to the degree reasonably necessary to control the situation. The extent of force in terms of degree and level will vary according to the situation. The nature of the offense, the physical make-up of the parties involved, actions of third parties who may be present, potential for injury to officers, citizens or suspects, the risk of escape, the availability of alternatives and other exigent circumstances are factors to be considered.

Officers are required to make split second decisions in quickly evolving circumstances. Officers must continuously evaluate the need for force and be prepared to respond to changing circumstances which could include the need to escalate the force used, de-escalate the force used or to disengage from the use of force. It must be stressed that the use of force is not left to the unfettered discretion of the involved officer. This is not a subjective determination. The use of force must be objectively reasonable. The officer must only use that force which a reasonably prudent officer would use under the same or similar circumstances.

DE-ESCALATION

De-escalation is defined as taking action or communicating verbally or non-verbally prior to or during a potential force encounter in an attempt to stabilize the situation and reduce the immediacy of the threat so that more time, options, and resources can be called upon to resolve the situation without the use of force or with a reduction in the force necessary. De-escalation may include, but is not limited to, the use of such techniques as presence, verbal commands, warnings, verbal persuasion, and tactical repositioning.

Whenever feasible, prior to using physical force, officers must use de-escalation techniques in an attempt to gain voluntary compliance and reduce or avoid the need for force.

Whenever possible, and when such delay will not unreasonably compromise the safety of the officer or other individuals, result in the destruction of evidence, escape of a suspect, or commission of a crime, officers shall allow an individual time and opportunity to submit to verbal commands before force is used.

Agency personnel must demonstrate proficiency in the use of agency authorized weapons prior to approval to carry such weapons. Only authorized weapons will be carried by personnel.

“OBJECTIVELY REASONABLE” STANDARD

The term “Objectively Reasonable” means that, in determining the necessity for force and the appropriate level of force, officers shall evaluate each situation in light of the known circumstances, including, but not limited to, the seriousness of the crime, the level of threat or resistance presented by the subject, and the danger to the community.

Nothing in this policy shall be construed as approving the unwarranted, reckless or excessive use of force.

DUTY TO INTERVENE

Officers have an ethical and legal duty to protect and preserve the constitutional rights of all individuals. If an officer observes a clear violation of an individual’s constitutional rights, and has the ability to

intervene, that officer is required to do so, regardless of the rank or agency of the individual committing the violation.

The duty to intervene includes, but is not limited to, the duty of every officer of this agency to attempt to prevent any other officer from using unwarranted, reckless, or excessive force. Additionally, any officer who witnesses or has knowledge of unwarranted, reckless, or excessive force by another officer shall immediately report the incident to a supervisor or the Internal Affairs Unit.

NON-DEADLY FORCE

Justification for Using Non-Deadly Force

Non-deadly force may be used by law enforcement officers in the performance of duty under the following conditions:

- In self-defense, or defense of another against unlawful violence, or to prevent suicide or self-inflicted injury; or,
- In overcoming resistance to a lawful arrest or search, or to prevent an escape from custody

DEADLY FORCE

"Deadly force" means force likely to cause serious physical injury or death. "Serious physical injury" means bodily injury that causes serious permanent disfigurement, or which causes permanent or protracted loss, or impairment of the function of any bodily member or organ.

Officers shall only use deadly force as a last resort, when all attempts to de-escalate the situation or use lower levels of force have failed or are clearly inapplicable.

The premeditated use of non-lethal items may be considered a use of deadly force if death or serious physical injury occurs. For example, the deliberate ramming of another vehicle by a police vehicle could be considered a use of deadly force.

Justification for Using Deadly Force

Although N.C.G.S. 15A-401(d)(2)(c) permits the use of deadly force to prevent the escape of a person from custody imposed upon him as a result of a conviction for a felony, it is the policy of our Department that this authority is primarily intended to be exercised by NC Department of Corrections personnel, and that Raleigh police officers will use deadly force only as permitted under the following circumstances:

- In self-defense or defense of a third person from what the officer reasonably believes to be the use or imminent use of deadly physical force;
- To arrest or prevent the escape of a person whom the officer reasonably believes is attempting to escape by the use of a deadly weapon; and,
- To arrest or prevent the escape of a person who, by his conduct or any other means, indicates that he presents an imminent threat of death or serious physical injury to others unless apprehended without delay

The use of deadly force against an animal is justified for self-defense or defense of a third person.

Deadly force should not be used to prevent an individual from self-harm where the individual does not pose an imminent threat of death or serious bodily injury to officers or other third parties.

If feasible, an officer will issue a verbal warning before resorting to deadly force. If there is time and opportunity to provide a verbal warning, the officer should identify him/herself and inform the suspect that he/she is preparing to use deadly force. A verbal warning may not be possible in split second decisions or when the officer believes that giving a verbal warning would place the officer or others in jeopardy.

LINEAR USE OF FORCE CONTINUUM

Officers will assess the totality of the circumstances to determine the level of force that is reasonable in each case. Officers may consider the following use of force continuum as a guide when deciding when to use force and how much force to use. A continuum of force is a tool to assist an officer in understanding force options. With all encounters, officers should make reasonable efforts to de-escalate situations whenever it is feasible to do so. Officers shall attempt to avoid having to use force to the extent possible. When force is required, officers should use the lowest level of force that is appropriate and likely to be effective given the totality of the circumstances. During a force encounter officers must constantly evaluate the threat posed by the individual and level of force being used by the officer. This may mean decreasing or increasing the level of force during an encounter as necessary. The levels of force, progressing from lower to higher, are defined as follows:

- Physical Presence: In general, officers should strive for numerical superiority and mere presence to control low threat situations.

- Verbal Commands: Verbal commands must be given in a concise manner likely to be understood by the subject. The subject must be allowed an opportunity to comply with verbal commands unless violence or other circumstances are already occurring which would make total reliance on verbal commands inappropriate.

- Restraining Techniques: The use of restraining techniques consists of come-along holds or other grabbing techniques that do not involve striking the subject being controlled and where the risk of injury is minimal. A chokehold or Lateral Vascular Neck Restraint is a significant use of force and could be considered a use of deadly force; therefore, for the purposes of the force continuum, it is not considered a restraining technique. Chokeholds, strangleholds, Lateral Vascular Neck Restraints, Carotid Restraints or any other tactics that restrict oxygen or blood flow to the head or neck are prohibited.

  Anytime an arrestee or other subject who is being restrained indicates, whether verbally or by other means, that he/she/they cannot breathe, the officer or officers who are restraining the individual shall immediately take all reasonable steps to reposition themselves and check on the condition of the individual.

- Pepper Gas: The use of pepper gas consists of the use of departmentally approved, handheld chemical aerosols that are not likely to cause injury (Refer to Pepper Gas Guidelines below). Pepper gas is a non-lethal weapon that shoots a pattern of microscopic droplets that inflame the respiratory tract, eyes, mucus membranes, and produce a burning sensation to contaminated skin. Pepper gas does not render a subject powerless. Rather, it creates a temporary sense of discomfort and disorientation that may cause the person to cease violent acts.

- Striking Techniques: Striking techniques involve the use of the police baton, riot baton, or parts of the body, such as the hands or feet. Striking techniques may be used both offensively and defensively. Striking techniques involve physical force where some risk of injury is likely. Officers are to make efforts to avoid striking the vital areas of the body (i.e. temples, eyes, and throat). (Refer to Police Baton Guidelines below).

- Less Lethal Weapons: The use of specialty impact munitions or conducted energy devices by authorized and trained personnel is acceptable when force is necessary to incapacitate or control an individual.

  Specialty impact munitions, specifically the Exact Impact 1006, a foam projectile, may be used when it is not safe for an officer to leave cover and get close to a suspect. The Exact Impact 1006 may be used when there is active resistance to legal custody, to prevent imminent injury to an officer or third person, or to stop serious self-injury from occurring. Active resistance is defined as the use of personal weapons (i.e. hands, feet, or other body parts) or other weapons in order to assault or gain a positional advantage from which an assault is or would be likely.

  Examples of when specialty impact weapons may be utilized include, but are not limited to, the following:

  - Subduing mentally ill persons who pose an imminent threat of harm to themselves or others;

  - Persons under the influence of drugs or alcohol who pose an imminent threat of harm to themselves or others; or

  - Crowd control encounters where there is an imminent threat to officer safety.

  Officers need to be prepared to utilize deadly force prior to using a less lethal weapon to incapacitate an armed suspect in the event the suspect poses a threat of death to the officer or others. Conducted energy devices may be used when it is necessary to incapacitate or gain compliance from a person who is actively resisting, exhibiting active aggression, or to prevent individuals from harming others or seriously injuring themselves. (Refer to Conducted Energy Device Guidelines below).

- Deadly force: That level of force that can cause death or serious physical injury.

PEPPER GAS GUIDELINES

Pepper Gas is authorized when:

- There is non-compliance to a lawful command and the suspect has begun to make aggressive actions toward or against the officer or a third person; or

- When the suspect continues his/her refusal to comply with the officer's lawful efforts to affect an arrest and the continued physical resistance presents an increased threat.

A half-second burst that accurately encompasses the face area produces the most effective results. Additional bursts may be necessary if it becomes apparent from the suspect's continued aggression that the facial area has not been effectively targeted by the initial spray. To prevent pressure injury, do not spray directly at the eyes at distances less than thirty-six (36) inches.

Whenever possible and to the extent it is feasible to do so, officers should be aware of their surroundings and take reasonable steps to avoid using pepper gas on subjects who are in enclosed areas containing non-involved persons who could become contaminated.

The issuance and carrying of pepper gas is mandatory for all uniformed officers, detectives and humane officers working in the field. It must be used according to prescribed training and procedures.

Pepper Gas should NOT be used:

- Unless less forceful means of control have failed or are clearly inapplicable;
- As punishment;
- In defense of verbal threats alone;
- On handcuffed persons unless they are aggressively resisting, violent and likely to harm themselves or others;
- On protestors or involuntary mental commitments when the only non-compliance displayed is passive and there is no immediate threat to officer(s) or others;
- On pregnant women, elderly persons, young children, or visibly frail persons except when necessary to prevent an imminent threat of physical injury to themselves or others;
- For crowd dispersal unless authorized by the Chief of Police or designee;
- When a subject is in physical control of a vehicle in motion/gear; or
- In a location where an officer would be unlikely to prevent an elevated fall or prevent a sprayed subject from unintentionally going into traffic.

Post Exposure Cleansing

A subject sprayed with pepper gas will be transported to the nearest fire station for post exposure cleansing. This cleansing consists of rinsing with large quantities of cold water as soon as possible. A non-oil-based soap will help remove the resin from the skin. The affected area should be patted dry with a cloth towel. DO NOT RUB dry since rubbing will worsen the discomfort. A wet towel or ice packs may be used to reduce inflammation.

If the subject is wearing contact lenses, have EMS or EMT-trained fire personnel remove the contact lenses. To prevent accidental injury due to stress, do not allow the exposed subject to remove the contacts.

Further medical assistance must be summoned if the subject displays excessive symptoms, such as respiratory distress, bleeding from the nose, or excessive redness. Medical attention must also be sought if normal symptoms of exposure persist more than forty-five (45) minutes after exposure.

A supervisor will be notified, and a Use of Force Report filed whenever pepper gas is used. The owner of an animal sprayed with pepper gas should be notified if the owner is known.

POLICE BATON GUIDELINES

While the courts have generally held that a police baton is not a deadly weapon, per se, it can be considered a deadly weapon depending on the manner and intent with which the baton is used.

A police baton should not be used unless a situation is violent and injury to the officer or a third party is likely.

When using the police baton to subdue a subject, an officer will avoid using a chokehold or applying pressure to the throat with the baton. Officers should only use a chokehold in those situations where it appears the officer would be authorized to use deadly force.

Striking blows should be aimed at areas where pain and minor injury may result, but critical injury is unlikely. When possible, blows to the head will be avoided.

When working in uniform officers shall carry a collapsible baton.

CONDUCTED ENERGY DEVICE GUIDELINES

Conducted energy devices are less lethal weapons that use battery energy to affect the sensory and/or motor systems.

A conducted energy device shall only be used in response to active resistance, which is defined as the use of personal weapons (i.e. hands, feet, or other body parts) or other weapons in order to assault or gain a positional advantage from which an assault is or would be likely. A conducted energy device must be used according to prescribed training and procedures.

When deploying conducted energy devices, officers should give warning to the suspect and other officers if feasible.

Officers should avoid firing darts at a subject's head, neck and genital areas. Deployment to the chest area that cross vectors the heart should be avoided whenever possible.

When activating a conducted energy device, officers should use it for one standard cycle (five seconds) and stop to evaluate effectiveness. Physical control of the suspect or increasing the affected area may be needed if effectiveness is less than complete. If subsequent activations are necessary, the officer(s) should attempt to gain physical control or positional advantage of the subject during subsequent activation(s) unless approach would place the officer(s) at risk of serious physical injury or death. Exposure should be no more than the duration necessary to secure physical control of the subject. Each activation must be justified.

The drive stun technique is authorized in order to increase the affected area when there is a small probe spread or to complete a circuit when only one probe is connected. The drive stun technique may also be used to stop an active assault.

The drive stun technique by itself is not an effective pain compliance tool against active resistance and may escalate the level of resistance. Therefore, the drive stun technique shall not be used as a pain compliance tool.

After activation of a conducted energy device, medical assistance will be provided for anyone who is subjected to the electrical discharge. Anyone exposed to device activation will receive on-scene medical attention by EMS. Darts that penetrate the skin should be treated as a biohazard. Law enforcement officers who have been trained in dart removal will remove darts unless darts are in a vital or sensitive area (i.e. eyes, genitals, groin, head, neck, nipple, or female breast).

Conducted energy devices should NOT be used:

- When the subject is only offering passive resistance, which is defined as simple non-compliance to a lawful command. Such resistance may include physical resistance which does not pose an imminent threat of assault or indicate escalating aggression;
- As punishment;
- In defense of "verbal" threats alone;
- Near potentially flammable, volatile, or explosive materials to include alcohol-based pepper gas;
- On pregnant women, elderly persons, young children, or visibly frail persons unless exigent circumstances exist;
- On handcuffed persons unless they are aggressively resisting, violent and likely to harm themselves or others;
- When a subject is in physical control of a vehicle in motion/gear;
- When a subject is operating a device that increases injury risk (bicycle, skate board, roller blades, etc.);
- When a subject is in a location where a fall may cause serious physical injury or death;
- To affect an investigative stop/detention; or,
- Simply because a suspect is running away from an officer. However, a conducted energy device may be used if a subject is escaping by means of active resistance or the officer has probable cause to believe the subject is wanted for a violent felony.

Discharge of Conducted Energy Device Documentation

The discharge of a conducted energy device by an officer, either deliberate or unintentional, is to be reported immediately to a supervisor (except during approved training). A detailed memo regarding the circumstances of the discharge is to be forwarded to the Internal Affairs Unit and the Taser Training Coordinator for incidents involving the unintentional discharge of a conducted energy device.

The Internal Affairs Unit will conduct an investigation for review by Office of Professional Standards Major. A Use of Force Report will be completed for any other discharge of a conducted energy device. The conducted energy device is to be brought to the Internal Affairs Unit on the next business day for download. The used cartridge and AFID tag will be collected as evidence and stored as such. In cases where there is a death or serious physical injury, a supervisor will secure the device and provide it to Internal Affairs.

Supervisors are required to respond and will ensure that photographs of the activation area and officer/suspect injuries are taken. The officer is to visually inspect the darts to ensure the complete dart was removed. A photograph of the darts shall be taken and submitted with the Use of Force Report. The darts should be disposed of as a biohazard. Disposal and inspection of the darts should be documented in the case report. The cartridge and at least one (1) AFID is to be submitted as evidence until such time that Internal Affairs releases the items for destruction. If an animal is subjected to the electrical

discharge, the owner of the animal should be notified, if known. A Use of Force Report will be completed when the laser of a conducted energy device is directed on a person.

In the event that death or serious physical injury occurs, a supervisor will secure the device and ensure the scene is secure. The AFID tags are not to be picked up or disturbed in any manner. Departmental procedures for a death or serious physical injury will be followed.

KNIFE GUIDELINES

Folding Knives

Officers are permitted to carry a tactical folding knife attached to their pant pocket.

- For the purposes of this policy, a tactical folding knife is defined as a pocket knife that is single-edged, has a pocket clip, can fold inside of its handle, and is equipped with a locking mechanism once the blade is extended. The blade length will not exceed 4 inches.

- Tactical folding knives are equipped with a variety of opening mechanisms. Fully automatic openers (folding knives that feature a single button which is depressed to fully extend and lock the blade) are not legal to carry in North Carolina by either sworn personnel or civilians. Therefore, officers shall not carry such knives.

- Tactical folding knives are carried for use as a utility tool for officers and may be carried at the officer's discretion.

Fixed Blade Knives

Officers are permitted to carry a fixed-blade knife in a low profile manner, meaning the character and intent of the fixed-blade knife is not immediately apparent. Within the parameters described below, a fixed blade knife may be carried in the belt, vest, or boot area.

- For purposes of this policy, a fixed blade knife is defined as any knife with a blade and handle permanently joined and incapable of folding. One or both edges are sharpened for cutting and/or puncturing.

- Officers should use a fixed-blade knife as a weapon only and as a last resort, when other means have failed or are inapplicable.

- The fixed-blade knife, unlike the tactical folding knife described above, may only be used in deadly force encounters when the officer's primary deadly weapon (his/her firearm) has been compromised, is inaccessible, or will not function.

- The fixed-blade knife shall not exceed (5) five inches in overall length (tip of the handle to tip of the blade). The fixed-blade knife must be secured in a retention device (sheath) designed specifically for the fixed-blade knife. The retention device with the fixed-blade knife may be attached to the under belt, duty belt, boot, or vest. The retention device with the fixed-blade knife must also blend in color, size, and overall proportions with departmentally issued duty gear, so as to maintain the "low-profile" mandate.

- If the fixed-blade knife is worn on the belt, it shall be worn on the front portion of the body, between the hips. It cannot extend above the height of the magazine pouches on the officer's duty belt, nor below the bottom of the belt itself. If worn on the ballistic vest, it must not interfere

with the proper fitting and wearing of the vest. If worn on the boot, the fixed-blade knife must be secured to the boot through the laces or an attachment specifically designed for the boot. Regardless of where the fixed blade knife is worn, it must be easily accessible to the officer in a deadly force encounter in which the fixed-blade knife's use would be justified.

- Drawing the fixed-blade knife from its sheath will be considered a use of force, thus the applicable Use of Force Reports shall be completed.

- Fixed-blade knives are optional for officers. However, those who choose to carry a fixed-blade knife are required to attend a mandatory training class at the Raleigh Police Training Center.

FIREARMS GUIDELINES

Officers should use a firearm as a last resort, when other means have failed or are inapplicable.

Each discharge of a firearm must be justified under this policy and N.C.G.S § 15A-401(d)(2). Officers shall continually reassess the situation to determine whether the subject continues to pose an imminent threat of death or serious bodily injury to the officer or third parties.

- Officers may not discharge their firearms except where the use of deadly force would be justified or during approved firearm training.

- Warning shots are not permitted.

- Firing a weapon from a moving vehicle is prohibited.

- Firing a weapon while running is prohibited except where the officer reasonably believes that there is an imminent threat of serious bodily injury or death to him/herself or to a third party if the officer does not use deadly force. Before discharging a firearm while running, an officer must believe that the only reasonable means of protecting him/herself and/or a third party is the use of deadly force.

Discharging a firearm at a moving vehicle involves a possible risk of death or serious injury to innocent persons. The safety of innocent people is jeopardized when a suspect is disabled and loses control of his or her vehicle. There may be a risk of harm to occupants of the suspect vehicle who may not be involved, or involved to a lesser extent, with the actions of the suspect creating the threat.

Due to the risks, and considering that firearms are not generally effective in bringing a moving vehicle to a rapid halt, officers shall not fire at a moving vehicle.

This restriction shall not apply when the use or imminent use of deadly force other than the vehicle itself is being used against the officer or another person by the driver or occupant of a vehicle.

An officer should not intentionally position himself or herself in the path of an oncoming vehicle. Officers should take all reasonable steps to get out of harm's way if a vehicle is moving towards them.

DISCHARGE OF FIREARMS REPORT

The discharge of any firearm by an officer, either deliberate or unintentional, is to be reported immediately to a supervisor (except during approved firearms training). For incidents involving the discharge of a firearm, a Discharge of Firearms Report is to be forwarded to the Internal Affairs Unit, which will conduct an investigation for review by the Office of Professional Standards Major.

If a firearm is discharged as a result of an undomesticated animal euthanization, the officer will complete the Field Euthanization of Undomesticated Animal Report in lieu of the Discharge of Firearms Report, which will be reviewed by the Division Commander and forwarded to the Internal Affairs Unit.

EUTHINAZATION OF ANIMALS

If a domesticated animal is badly injured and requires relief from suffering, an animal control officer should be notified. The animal will be transported to the after-hours clinic.

If an undomesticated animal is badly injured and requires relief from suffering, the watch commander may authorize an officer (at or above the rank of First Class) to euthanize the animal with the officer's departmentally issued handgun. When euthanizing the animal, the officer will ensure a safe line of fire and take care to avoid the possible deflection of projectiles. The officer shall attempt to minimize civilian exposure to the euthanization. Officers shall complete the "Field Euthanization of Undomesticated Animal Report" (Attachment A) any time a firearm is used to euthanize an undomesticated animal.

USE OF FORCE/COMPLAINT OF INJURY INCIDENTS

Incidents involving use of force or complaint of injury by civilians shall be reported to a supervisor as soon as possible. An electronic, web-based Use of Force/Complaint of Injury Report should be completed by the involved officer when required by this policy. When such a report is required, digital photographs should be attached which shall, at a minimum, depict the involved officer and the civilian(s) involved in the incident. Any and all MVR and Body Worn Camera video of the incident should be tagged as Use-of-Force/IA and referenced in the report. A supervisor who was not involved in the use of force, usually a sergeant, shall electronically review the report, along with associated video and photographs, make a recommendation, and forward the report as prescribed below.

Use of Force/Complaint of Injury Reports are not public records or records of a criminal investigation. They are considered part of an employee's personnel file in accordance with N.C.G.S. § 160A-168. They are used to document and evaluate employee performance. These reports are evaluated to determine whether the use and level of force was appropriate under the totality of the circumstances, was done for a lawful purpose, and was consistent with departmental training and policy.

Use of Force Up to and Including Restraining Techniques

Use of force reports for incidents up to and including restraining techniques shall be forwarded from the involved officer who completed the report through the chain of command utilizing the web-based reporting system known as BlueTeam. The supervisors in the officer's chain of command shall evaluate the incident to ensure the level of force was appropriate under the totality of the circumstances, was done for a lawful purpose, and was consistent with RPD training and policy. This report shall be forwarded up the chain of command and a lieutenant or a captain may forward the report directly to the Division Commander. The Division Commander shall make a recommendation as to the appropriateness of the use of force and forward to the Office of Professional Standards Major. Once approved, these reports will be maintained by the Internal Affairs Unit.

Use of Force Above Restraining Techniques

Use of force reports for incidents above restraining techniques shall be completed by the involved officer in accordance to DOI 1108-05 "Submission of Police Reports." The report will be reviewed by the appropriate supervisor for completeness and forwarded to the Internal Affairs Unit Captain. The report may be forwarded the next day but shall not be held over weekends or scheduled time off without

approval from the Internal Affairs Unit Captain or Lieutenant. These incidents will be evaluated by a team consisting of the following:

- The Internal Affairs Unit Captain or Lieutenant
- Two (2) divisional captains (on a rotating basis)
- A Police Attorney
- A representative from the Training Staff
- The Sergeant or Lieutenant overseeing the primary officer involved in the use of force.

This team shall convene as often as necessary, but no less than once every month, unless no use of force incidents above restraining techniques are pending review. This team shall evaluate the incident to ensure the level or force was appropriate under the totality of the circumstances, was done for a lawful purpose, was consistent with RPD training and policy. Based on its evaluation of the incident, the team will form a recommendation, which will be forward to the Office of Professional Standards Major. A copy of the recommendation shall be sent to the primary officer's Captain and Major. After review by the Office of Professional Standards Major, these reports will be maintained by the Internal Affairs Unit.

Completing Use of Force/Complaint of Injury Reports

Generally, Use of Force/Complaint of Injury Reports should be completed whenever there is a greater than normal amount of force required in subduing a subject. Use of Force/Complaint of Injury Reports should be completed for, but not limited to, the following occurrences:

- Whenever an officer discharges a firearm or points his/her weapon at a subject. Officers who un-holster their firearm and maintain it in a low ready position or at their side, in a non-threatening manner, are not required to complete a Use of Force/Complaint of Injury Report.

- Whenever restraining techniques are used that exceed the mere touching of a suspect in order to handcuff or to guide to a new location. For example, taking a suspect to the ground in order to complete an arrest will require a Use of Force/Complaint of Injury Report.

- Whenever pepper gas is used.

- Whenever an individual who is not under arrest, or not subject to involuntary commitment is handcuffed. (This does not include when a juvenile is taken into temporary or secure custody based on probable cause that he/she/they committed a crime.)

- Whenever a fixed-blade knife is removed from its sheath, other than during Departmental authorized training.

- Whenever striking techniques are used on a subject.

- Whenever a conducted energy device is activated or when the conducted energy device is directed on an individual.

- Whenever there is an injury or complaint of injury to a subject regardless of the level of physical force used. This includes inadvertent injuries caused by proximity exposure to noise and flash distraction devices. Although not considered a use of force, a Use of Force/Complaint of Injury report would be applicable when injury results from departmental canines that are protecting their handler or conducting off-lead building searches.

Injuries Resulting from Use of Force

If injury to a subject occurs from the use of lethal or non-lethal force, the officer is responsible for seeing that medical attention is made available to the arrestee prior to his/her incarceration.

Bleeding, vomiting, unconsciousness, complaints of dizziness or blurred vision are some of the apparent signs of injury that should prompt an officer to seek medical assistance. Officers should be attentive to signs of excited delirium and, if observed, seek immediate medical attention.

Temporary Removal from Line Duty

Any employee whose actions or use of force results in death or serious bodily injury will be temporarily removed from line duty pending the completion of an administrative review (See 1105-03 “Officer Involved Shootings and In-Custody Deaths”).

FIELD EUTHANIZATION OF UNDOMESTICATED ANIMAL REPORT

Euthanization can be conducted by police personnel at the rank of First Class Officer and above. The Watch Commander will authorize all such actions. Police personnel conducting euthanization by the discharge of a departmentally issued primary handgun (only) will ensure a safe line of fire and consider the possible deflection of projectiles from the pavement. Every attempt will be made to minimize civilians from witnessing the action. **The euthanization policy applies to undomesticated animals only.**

Incident Date:	Incident Time:	Case Number:
Name/Rank of personnel euthanizing animal:		
Code #	Division:	
Weapon Make and Model:	Serial Number:	

Name/Rank of other police personnel present:

1)	Code #	Division:
2)	Code #	Division:
3)	Code #	Division:
Location:		
Beat:		
Number of shots fired:	Weapon (make and model):	
ECC Notified to remove carcass:	Serial Number:	
Watch Commander authorizing:	Date:	Time:

Narrative: (briefly describe circumstances surrounding the need to euthanize the animal and the manner in which action was completed):

Report filed by:	
Date filed:	Time filed:
Signature of Supervisor:	
Watch Commander Review:	

Major: _____ Date: _____ Rev. 6/1/07

THE RALEIGH POLICE DEPARTMENT

1108-02

LEGAL PROCESS

PURPOSE

To provide written guidelines concerning the use of arrest, citations, or warrant and criminal summons service in fulfilling the Department's law enforcement responsibilities.

VALUES REFLECTED

This directive reflects our values of *Service, Fairness, Integrity, and Compassion*. The power vested in our officers to enforce the laws and ordinances of the State of North Carolina and the City of Raleigh demands close observance of the constitutional rights of citizens. We will hold ourselves accountable to citizens and be governed by the highest professional standards in all of our enforcement actions.

UNITS AFFECTED

All Divisions/Sworn Officers

REFERENCES/FORMS

North Carolina G.S. 14-33(c)(1)(2) "Assaults, Battery's, and Affrays"
North Carolina G.S. 14-34 "Assault by Pointing"
North Carolina G.S. 15A-401 "Arrest by Law Enforcement Officer"
North Carolina G.S. 15A-402 "Territorial Jurisdiction"
North Carolina G.S. 15A-301 to 15A-305 "Criminal Processes"
North Carolina G.S. 15A-501 "Police Processing and Duties upon Arrest"
North Carolina G.S. 15A-505 "Notification of Parent and School"
North Carolina G.S. 15A-534 "Conditions of Pretrial Release"
North Carolina G.S. 50B-1 "Domestic Violence"
DOI 1101-3 "Jurisdiction/Mutual Aid"
United States Constitution, Amendment IV

GENERAL POLICIES

It is the duty of the investigating officer to initiate enforcement action where there is an obvious, clear-cut, and substantial violation of the law or ordinance.

Enforcement of misdemeanor violations may take several forms. The option selected should be the one that maintains the safety of the public, discourages a repetition of the violation, and creates the least inconvenience to those involved.

Arrests are not to be made by officers who have a personal interest in the case. In such cases, the arrest should be made by another officer. The original officer may be used to identify the suspect. Exceptions are to be made only in extreme emergencies and with immediate notification to a supervisor.

PREREQUISITES FOR POLICE ACTIONS

Jurisdiction

Raleigh Officers may make arrests or serve legal processes within the City limits or upon any property owned or leased by the City that may be situated outside the City. Raleigh officers may also exercise arrest powers within the one-mile extra-territorial limits of the City or while engaged in hot pursuit.

Officers will return all paper legal process documents which require service outside of Raleigh's jurisdiction to the Police Headquarters Front Desk. Any process located in NCAWARE which requires service outside of Raleigh's jurisdiction shall be forwarded to purge in the NCAWARE system at which time the process will be forwarded to the appropriate agency or returned to the Clerk of Courts Office.

Officers are authorized to transport a person, in custody, to or from any place within the State for the purpose of criminal court proceedings. Officers may arrest at any place within the State for offenses occurring in connection with and incident to the transportation of persons in their custody.

Proper Identification

Upon making an arrest or serving a legal process, Raleigh officers must identify themselves as police officers unless they are in uniform or their identity is otherwise apparent.

Informing the Arrestee

Officers must inform the arrested person that they are under arrest, and as promptly as is reasonable under the circumstances, inform the arrested person of the charges.

Civil Processes

Generally, civil processes are directed to the Wake County Sheriff's Department for service in the City of Raleigh. Raleigh police officers may serve civil subpoenas and may serve other civil processes which are specifically directed to the Raleigh Police Department and approved by the Chief of Police.

ARREST PURSUANT TO A WARRANT

Raleigh Officers are required to attempt to serve all warrants directed to them. Officers should be reasonable in reference to the time of day or night, place of serving, or the manner of serving the warrant.

North Carolina Warrant Repository (NCAWARE)

The Raleigh Police Department utilizes the North Carolina Warrant Repository "NCAWARE" for all warrants. The function of NCAWARE is to provide real-time statewide warrant and summons access to all law enforcement and court officials from any location with web access and to provide the ability to print and serve outstanding processes from any participating county in the state. It also allows law enforcement to perform automatic searches for outstanding processes on any person entered on a process. Only copies of NCIC warrants obtained by the Raleigh Police Department are kept in the Warrant Control as required by NCIC regulations.

Officers attempting to serve a warrant or order for arrest shall verify the status of the Process Service in NCAWARE for each attempted service. The Officer shall document additional information in the Process Service that shall include but is not limited to:

- Date and time of attempted service,
- Location of attempted service,
- Name and code number of Officer attempting service,
- Any comments regarding the outcome or status of the attempted service.

When encountering subjects and making inquiries for active processes such as; Orders for Arrest, Warrants for Arrest, and Criminal Summons, officers should be aware that out-of-state processes are not included in NCAWARE. Therefore, officers should also check NCIC as well for active processes.

NCIC Warrants

If a subject has a confirmed NCIC entry Hit, the following procedures shall be followed:

- The officer shall ensure the warrant is still valid in NCAWARE,
- NCAWARE special instructions should also be checked prior to service and after service,
- An investigative supplement documenting the details of the arrest shall be completed by the arresting officer,
- Emergency Communications Center personnel who receive a NCIC Hit Request and subsequent Hit Confirmation will ensure that the NCIC Clear is done,
- Emergency Communications Center personnel will forward all NCIC data (Hit Request, Confirmation & Clear) via email to the investigating officer prior to the end of their tour of duty.

The investigating officer, after being notified by Emergency Communications, shall complete an investigative supplement detailing the circumstances which resulted in the removal from NCIC.

Warrant in Possession of the Officer

An officer, who has confirmed the existence of a valid warrant or order for arrest in NCAWARE, may arrest the person named or described at any time and at any place within the territorial jurisdiction of Raleigh Officers.

- Force may be used to enter the premises of the person charged if the officer reasonably believes the person is inside, notice of identity and purpose has been made, entry into the premises has been denied or unreasonably delayed, and the officer has the printed copy of the valid warrant from NCAWARE in his/her possession. Notice of identity and purpose can be withheld if giving notice would present a clear danger to human life.
- A search warrant, in addition to an arrest warrant, must be obtained for entry into a third party's premises unless consent is given or exigent circumstances exist [G.S. 15A-401(e)].
- Forcible entry may not be used to enter a premise to serve a criminal summons or a citation.
- Any officer who intends to force entry into the premises of the person charged, to serve an arrest warrant, must ensure that a police supervisor is present. The supervisor will notify the Watch Commander prior to making entry.

Paper Warrant Not in NCAWARE and Not in Possession of the Officer

An officer, who has knowledge that a warrant or order for arrest has been issued but not executed, may arrest the person named even though the officer does not possess the warrant.

- The officer must inform the person arrested that the warrant has been issued and serve the warrant upon him/her as soon as possible.
- This section applies even though the warrant may have been returned to the Clerk of Court's Office. As a practical concern, officers should confirm access to the warrant prior to affecting an arrest. An officer is not required to have access to a warrant that is in NCIC from another jurisdiction.

ARRESTS BASED ON PROBABLE CAUSE

Offenses Committed in the Presence of Officers

Officers may arrest an individual without a warrant if they have probable cause to believe the person has committed a criminal offense in their presence.

Offenses Out of the Presence of Officers

Officers may arrest without a warrant for an offense that did not occur in their presence, if they have probable cause to believe:

- The offense committed was a felony;
- The offense committed was a misdemeanor, and the officer feels the suspect will not be later apprehended unless arrested immediately, or the officer feels the suspect may cause physical injury or damage to property unless arrested immediately;
- The suspect violated a provision of G.S. 14-72.1 (Unlawful Concealment), G.S. 14-134.3 (Domestic Criminal Trespass), G.S. 20-138.1 (DWI), or G.S. 20-138.2 (Commercial DWI);
- The suspect has committed a misdemeanor under G.S. 14-33(a), G.S. 14-33(c)(1), G.S. 14-33(c)(2), or 14-34 when the offense was committed by a person with whom the alleged victim has a personal relationship as defined in G.S. 50B-1;
- The suspect has violated a 50B Order; or,
- The suspect has violated a pretrial release order entered under G.S. 15A-534 (General Pre-Trial Release) or G.S. 15A-534.1(a)(2) (Pretrial Release for Domestic Case).

Officers may not arrest for violations of an infraction.

Domestic Violence Orders

Officers shall arrest and take a person into custody, if the officer has probable cause to believe that the person has been served and has violated a court order excluding the person from the residence or household occupied by a victim of domestic violence or directing the person to refrain from doing any or all of the following:

- Threatening, abusing or following the other party;
- Harassing the other party, including by telephone, visiting the home or workplace, or other means; and/or,
- Otherwise interfering with the other party.

The officer will need probable cause to believe that a domestic violence order exists and probable cause to believe it has been violated as specified above. If the suspect is not physically present so that a full custody arrest can be made, the officer will apply for an arrest warrant.

DUTIES OF THE OFFICER UPON EFFECTING AN ARREST

Completion of Arrest

An arrest is completed when the person submits to the control of the arresting officer who has indicated an intention to arrest, or the arresting officer takes a person into custody by the use of physical force.

Presentation Before a Judicial Official

Once a subject is taken into custody, the officer must bring the arrestee before a Magistrate without unnecessary delay. The officer must present the arrestee with a copy of the warrant or order from the Magistrate's Office.

Procedure for Immediate Release Following Warrantless Arrest When Probable Cause No Longer Exists

Although North Carolina statutory law requires an officer to bring an arrestee before a Magistrate without unnecessary delay for processing, the Fourth Amendment of the United States Constitution does not allow an officer to keep a person in custody once the officer realizes that there is no longer probable cause to justify the custody.

If an officer makes a full custody, warrantless arrest and then discovers that there is no longer any legal justification for keeping the person in custody the officer should do the following.

- A supervisor should be called to the scene immediately to review the facts which led to arrest and the facts which make the officer believe that continued custody is no longer authorized.
- If the supervisor agrees that there is no longer legal justification for maintaining custody, the person in custody will be informed of the situation and will be informed that they have the option of going before the Magistrate voluntarily for processing or to be immediately released by the officer.
- If the person chooses immediate release, the officer should release the person in a safe place. It is preferable to release persons in a place of their choosing if their request is reasonable.
- The officer is to make an Information Report carefully documenting the facts which originally appeared to justify the arrest and the facts which justify the reason for immediate release. The report should include the name of the supervisor who reviewed the facts.
- The supervisor that oversees this process will make immediate notification to the Watch Commander and the Police Attorney.

Special Considerations with Arrest Warrants

- If an officer takes a person into custody with an arrest warrant which appears to be valid on its face and then determines that the wrong person has been arrested, the procedures for immediate release should be followed.
- If, after an arrest with a warrant has been completed, the officer learns of facts that cause the officer to believe that probable cause has vanished, then the officer should contact the District Attorney's Office immediately so that a review can be made to determine if the charges should be dismissed. In the event the person arrested remains in jail, the officer should waste no time in contacting the District Attorney's Office. During non-business hours, the Magistrate or Police Attorney will be able to provide the officer with an emergency 24 hour contact.
- If an arrest warrant has been issued, but not yet served, and an officer learns that there is no longer probable cause for the arrest, the officer should contact the District Attorney's Office to have the charges dismissed and recalled from NCAWARE. During non-business hours, the Magistrate or Police Attorney will be able to provide the officer with an emergency 24 hour contact.

Notification of a Minor's Parents and School (G.S. 15A-505) only applies to criminal charges in the adult system on juveniles who are 16 or 17 years of age.

- Criminal Arrest

  An officer who charges a non-emancipated minor (under eighteen years of age) for any criminal offense must, as soon as practicable, notify the minor's parents or guardian in charge either in person or by telephone. If the minor is taken into custody, the officer or their immediate supervisor shall notify a parent or guardian in writing that the minor is in custody within twenty-four (24) hours of the minor's arrest. The written notification may be by mail or delivered in person. If the parent or guardian cannot be found, the officer or their immediate supervisor shall notify the Minor's next-of-kin as soon as practicable.

- Citation Issued

  An officer who cites a non-emancipated minor (under eighteen years of age) must notify the minor's parents or guardian as soon as practicable in person or by telephone. Written notification is not required since the minor has not been taken into custody.

- Exceptions

  Notification is not required if the minor (under eighteen years of age) is emancipated.

  Notification is not required if the minor (under eighteen years of age) is not taken into custody and has been charged with a moving motor vehicle violation for which three or fewer points are assessed under G.S. 20-16(c), except an offense involving impaired driving.

  Notification is not required if the minor (under eighteen years of age) has been charged with a motor vehicle offense that is not a moving violation.

- School Notification

  An officer who charges a person with a criminal offense that is a felony, except for a criminal offense under Chapter 20 of the General Statutes, shall notify the principal of any school the person attends of the charge as soon as practicable, but at least within five (5) days. The notification may be made in person or by telephone. If the person is taken into custody, the officer or their immediate supervisor shall notify the principal of any school the person attends. This notification shall be made in writing and shall be made within five (5) days of the person's arrest.

Foreign Nationals

United States Treaty Obligations require that foreign nationals may request that their government be notified upon arrest or detention. The arresting officer should in all cases immediately inform the foreign national of this right.

Some countries require such notification regardless of whether the foreign national so requests. Since individual officers may be uncertain of which countries require notification, they should notify a supervisor upon the arrest or detention of any foreign national, and indicate whether the arrestee requested embassy notification. The supervisor is then responsible for taking appropriate action.

CITATIONS

Paper Citations

An officer may issue a citation to any person when the officer has probable cause to believe the person has committed a misdemeanor or an infraction. Paper citations shall only be used when making a physical arrest for a Chapter 20 violation. The officer will still be required to complete a Magistrates Order for Arrest Based on General Citation thru NCAWARE when processing the defendant at C.C.B.I.

Electronic Citations

The Raleigh Police Department utilizes the E-Citation program for the issuance of any citations that an officer is going to cite and release for. An officer may issue a citation to any person when the officer has probable cause to believe the person has committed a misdemeanor or an infraction. Officers will log into E-Citation with their RACF User ID and Password in order to access this program. Any electronic citation issued by an officer during their tour of duty shall be transmitted to A.O.C. prior to the end of their scheduled shift.

Appropriate Use of Citations

Whenever possible, an offender should be issued a citation in lieu of a physical arrest for clear-cut misdemeanor violations. Physical arrest may not be used for infraction violations. Situations where use of a citation would be inappropriate include:

- A continued breach of the peace is likely.
- A driving while impaired offense is involved.
- All firearms offenses except violations of N.C. Gen. Stat. § 14-415.11 and §14-415.21(a) (Concealed Carry Permit).
- All sex offenses.
- Any violation of a Domestic Violence Protection Order
- The identity of a misdemeanor offender is uncertain.
- Where misdemeanor suspects give indications they are unlikely to appear in court unless taken into custody.

Delivery of Citations

Violators are not required to sign the original copy of a citation, acknowledging receipt. In order for a citation to be valid, the officer must deliver a copy to the violator, and the violator must accept delivery. The officer must explain the charge, indicate the court date, and explain the violator's options as indicated on the defendant's copy. Officers are not permitted to give legal advice.

A citation can be issued to charge a parking offense if the violation is a misdemeanor or infraction according to state law. Most parking violations are City Ordinances with civil penalties and not chargeable by citation. An officer's discretion in choosing between issuing a parking ticket or a citation for a parking offense will be guided by the policy statement in 1108-2. If a citation is issued for a parking offense, a copy shall be delivered to the operator of a vehicle who is present at the

time of service, or shall be delivered to the registered owner of the vehicle if the operator is not present by affixing a copy of the citation to the vehicle in a conspicuous place.

- Non-resident motorists who are licensed by states that subscribe to the "non-resident violator compact" may not be arrested or required to post bond for violation of an infraction to which the compact applies.
- Residents of non-compact states may be required to post bond for violation of an infraction.
- If a resident refuses delivery of a citation for an infraction, the officer may go to the Magistrates' Office and seek a criminal summons to be served on the violator at a later time.

Voiding Citations

If a paper citation is to be voided, the officer who issued the citation will mark "void" on all copies, and indicate a reason for the void. All copies will be included with the goldenrod copy at the time the officer turns the completed citation book into the Police Desk. If the defendant's copy is not available, or if the original has already been submitted to the Clerk of Courts Office, a District Attorney must void or amend/dismiss the citation.

An E-Citation can be voided by utilizing the "VOID" procedures outlined in the E-Citation Program User Manual which can be found on RPDNet, so long as the citation has not already been transmitted to A.O.C.

Lost or Stolen Citations

Officers are to notify their supervisor immediately upon becoming aware of lost or stolen paper citation books issued to them. The employee's supervisor will conduct an inquiry and forward a report, through the chain of command, to the Field Operations Administrative Assistant.

Accounting for Citations

The Field Operations Administrative Assistant will maintain logs of issued and returned citation books. Used citation books must be returned to the District Front Desk with all goldenrod copies enclosed. Desk officers will verify the return of all goldenrod copies of issued citations. District desk officers will notify an officer's supervisor when missing goldenrod copies of citations are noted. The supervisor is then responsible for completing a memo and report.

The Clerk of Courts Office will perform additional audits, as it sees fit, and will report any discrepancies to the Raleigh Police Department. Supervisors in our Department may perform spot checks, as required through the Clerk of Courts Office, to verify appropriate handling or disposition.

CRIMINAL SUMMONS

A criminal summons is similar to a citation in that it is a written notice to appear, and must be served by a law enforcement officer having authority to make an arrest for the offense charged. A criminal summons does not authorize the person charged to be taken into custody.

Forcible Entry

Unlike an order for arrest, a criminal summons cannot be used as justification for forcible entry into the suspect's residence in order to serve the summons.

Delivery of A Summons

Force cannot be used in the delivery of a summons. If the person summoned refuses to accept delivery of a summons, it should be returned to the Clerk of Courts Office with a notation that delivery was refused. A judicial official then has the option of changing the summons to an order for arrest.

Juvenile Legal Process

Juvenile petitions and summons will be forwarded to the proper District to be maintained at the Front Desk. Once a petition or summons is received, the Desk Officer for the District where the juvenile resides will enter the juveniles name into a "Juvenile Legal Process" database that will be accessible on Polshare in "Main Division Folders, Field Operations." The desk officer will maintain the database, updating and tracking the status of these papers. A tracking sheet will be attached to the process by the Desk Officer. The tracking sheet will be completed and returned to the Desk Officer upon service of the paper. The Desk Officer will then update the database to reflect the new status of the process.

It is important that these papers be served in a timely manner as to not adversely affect court proceedings as detailed in DOI 1109-13 "Response to Juvenile Incidents."

Once a summons is obtained from the Juvenile Intake Counselor, this process should be personally served upon the parent, the guardian, custodian, or caretaker, and the juvenile or counsel, no less than 5 days prior to the date of the scheduled hearing.

Juveniles Listed in NCIC

When a juvenile petition has been granted and the juvenile has been entered into NCIC as wanted, these legal processes will not be in NCAWARE. The process will be maintained at the front desk of the Main Station, so the process is available 24 hrs a day as required by NCIC regulations. The front desk officer will follow NCIC/DCI regulations regarding the hit confirmation procedures as detailed in DOI 1106-03 "DCI/NCIC Security and Access."

The desk officer at headquarters will maintain these papers. A tracking sheet will be attached by the desk officer and completed by the officer serving the process. The arresting officer shall contact communications and have the wanted subject removed from NCIC. The desk officer will update the status of the process in the "Juvenile Legal Process" database on Polshare.

OFFICER'S RETURN

Officers shall properly document the service or attempts to serve all legal processes.

Service of a Legal Process

Officers shall indicate the date of return for all legal documents and note the method of service. Officers will provide the CCBI processing agent with the location of arrest for the service of warrants.

Attempts at Service

An officer who unsuccessfully attempts the service of a legal process should indicate the time, date, and location of the attempt of the process service.

THE RALEIGH POLICE DEPARTMENT

1108-03

PRISONERS AND RESTRAINTS

PURPOSE

After making an arrest, an officer must safely control the prisoner and insure that criminal procedures are properly followed. This procedure provides guidelines pertaining to the correct handling of prisoners.

VALUES REFLECTED

This directive reflects our values of *Fairness and Integrity*. We understand that an arrest does not equate to guilt and that guilt is up to the courts to determine. Therefore we are mindful that we must treat those we take into custody with the highest moral and ethical standards. We must also treat them with dignity and respect to the greatest extent possible in often trying circumstances.

UNITS AFFECTED

All Divisions/Sworn Officers

REFERENCES/FORMS

N.C. General Statutes 15A-501 to 15A-505 “Police Processing and Duties Upon Arrest”

GENERAL POLICIES

Officers should never assume that a prisoner has been searched by someone else. Whenever a prisoner is to be transported, the officer assuming custody will search the prisoner immediately prior to transport.

Vehicles used to transport prisoners or detainees must be searched for contraband and weapons at the beginning of the shift. The prisoner areas of transport vehicles are to be searched immediately prior to and after transporting a prisoner.

The age or gender of a prisoner should not be the determining factor in an officer's decision to use restraining devices.

RESTRAINTS AND SEARCH OF PRISONERS

Officers must take adequate precautions to provide for the security and protection of persons in custody, the transporting officers, and the public. Persons in custody remain the responsibility of the arresting officer or the officer assigned to guard the prisoner until that responsibility is explicitly assumed by another.

Use of Restraining Devices

Restraining devices are to be used in transporting persons in custody.

Handcuffs

Prisoners should be handcuffed behind their back prior to and during transportation unless extreme circumstances exist. The handcuffs should be double-locked.

Flex Cuffs

Flex cuffs are intended as temporary, emergency restraining devices. The officer should replace flex cuffs with alternate restraining devices as soon as practical. Care should be taken in removing the flex cuffs to avoid accidentally cutting the arrestee. Pocket-knives should not be used to remove flex cuffs.

Leg Hobble Restraints

Leg hobble restraints have been placed in all marked patrol vehicles. These restraining devices may be safely used to prevent a prisoner from kicking. A prisoner should be secured with a seat belt and the car door should be closed on the loose end of the leg hobble device. At no time is the leg hobble to be tied or secured to any part of the vehicle or to handcuffs.

Spit Hoods

When a prisoner's behavior indicates the probability of spitting on the officer or other person is imminent, a spit hood may be used. The use of a spit hood is not a use of force.

Violent Mental Subjects

Mentally unbalanced persons or those reacting violently to drugs may seriously injure themselves by struggling against handcuffs. Metal cuffs should be used only temporarily, and a supervisor should be contacted as soon as possible to obtain leather, padded restraints.

Pending the arrival of the padded restraints, bed sheets or similar items can be tied around the subject's arms to take pressure off the metal cuffs.

Restraining Injured, Handicapped or Special Needs Prisoners

Restraining and transporting injured or handicapped persons presents varied problems and common sense must dictate. Supervisors have access to padded restraints which may be useful in some circumstances. Flexcuffs or other alternate restraining devices may also be used.

Some prisoners may not be able to put their arms behind them. They may be handcuffed in the front with palms out and the chain passed through the suspect's belt, after sliding the belt buckle around to the subject's back.

If it is necessary to transport an injured prisoner in an ambulance, an officer shall also ride in the ambulance.

Keeping Prisoners in Sight

For safety reasons, an officer should keep prisoners within sight at all times. Prisoners are not to be left unattended in the rear of vehicles equipped with self-locking door mechanisms. Prisoners are also not to be handcuffed to any portion of a vehicle or a fixed object within a building unless the object is designed and intended for such use.

If an officer loses sight of a prisoner for any reason, the prisoner should again be searched.

Searching Prisoners

The safest approach in searching a prisoner is to first handcuff the prisoner's hands behind his/her back and then pat down the area around the small of the back that is still accessible to his/her hands. A complete search of the prisoner and area readily available to the prisoner may then be conducted. An extensive search of a prisoner will be conducted by an officer of the same gender. Officers should pat down the outside of the clothing of prisoners of the opposite gender.

- A search of a prisoner is required prior to transporting a prisoner to a hospital or any other building where public contact is likely.

- A search of a prisoner is required prior to incarceration in the Wake County Detention Center.

Prisoners Requiring Medical Treatment

Officers are, at times, required to transport prisoners to medical treatment facilities prior to their commitment to jail. The prisoner should be kept in sight, whenever possible, while receiving

treatment. EMS has agreed to transport restrained prisoners to medical or mental facilities. An officer shall ride with EMS in the ambulance.

If the prisoner is to be admitted to the hospital, a Police supervisor should be contacted in order to make provisions for security or to arrange transport to Central Prison (see below).

If the prisoner cannot be transferred to Central Prison, the supervisor should arrange for additional security. The supervisor should consider the type and period of treatment, degree of risk, isolation, 24-hour coverage, continued use of restraints, meals and utensils, the need for monitoring all personal contacts with the prisoner, etc. when determining the level of security needed. Visitors should be prohibited, including telephone contact with the prisoner. Supervisors will ensure that officers providing security are frequently rotated.

TRANSFERING PRISONERS TO CENTRAL PRISON HOSPITAL

Transporting a prisoner to the Central Prison Hospital is preferable to providing security at a local hospital. The process of prisoner transfer involves coordination with Central Prison, the local hospital, the Magistrate's Office, the District Attorney's Office, the Detective Division, and Emergency Medical Services (EMS).

Contact Central Prison

If the attending doctor will authorize medical release of the arrestee, contact the Central Prison Receiving Unit and establish the proper protocol for the transfer of the patient/prisoner to take place.

Serve the Warrant on the Suspect

If the patient/prisoner is incapacitated, contact the Chief Magistrate who will arrange for a Magistrate to accompany the officer to complete the booking and custody transfer process.

Contact the Career Criminal Unit

Make contact with the Secretary to the Career Criminal Unit in the District Attorney's Office and provide the Secretary with the name of the suspect, charge, and brief description of the crime. The Secretary will then obtain a court safekeeping order.

Local Hospital

Arrange with the local hospital facility a time and date for the transfer to take place. Request that the attending physician write his/her authorization for transfer on the patient's/prisoner's chart to go with him/her to Central Prison Hospital.

Request EMS for Transportation

Notify an EMS supervisor and advise him or her of the existence of the court order for the transfer. Make a request for EMS to transport the patient/prisoner, providing the location, date and time the transfer is to take place.

Court Safekeeping Order

Copies of the court safekeeping order shall be distributed as follows:

- Original to Central Prison upon delivery of patient/prisoner.
- Copy to Secretary of Career Criminal Unit, District Attorney's Office.
- Copy to Wake County Magistrate's Office.
- Copy to EMS supervisor.
- Copy for Raleigh Police Department case report.

Notification of the Detective Division

The Detective Division is to be notified of the date and time of the transfer.

PRISONER TRANSPORT

Locations to Which Prisoners May Be Transported

Once a person is taken into custody, the officer must bring the arrestee before a judicial official without unnecessary delay. Officers, though, are authorized to transport prisoners to other locations (G.S. 15A-501).

- Officers may transport prisoners to medical treatment facilities.
- Prisoners may be transported to another location if reasonably necessary to have the person identified.
- If the prisoner requests, he/she may be taken to some other location. This might be necessary to obtain appropriate clothing or medication. Medication should be retained by the officer and submitted to the jail intake staff.
- For an Implied Consent Offense, an officer may transport a prisoner to a location(s) for chemical analyses, impairment evaluations, to complete a collision report or any other lawful purpose.

  Officers should transport a prisoner to a residence only with the consent of a supervisor. A back-up officer shall be requested.

Transport in Police Vehicles with Shields

A police vehicle equipped with a protective shield should be used whenever one is available and when more than one prisoner needs to be transported. Whenever possible, seat belts should be placed around prisoners.

Transport in Vehicles without Shields

Prisoners may be transported in a vehicle without a shield only when two officers are available. Prisoners are not to be transported in the front seat of a police vehicle. The use of a vehicle with a protective shield is preferable for transporting a prisoner. In those cases where a prisoner is being transported in a vehicle without a shield, the prisoner will be handcuffed and placed in the right rear seat. The second officer will sit in the left rear seat.

All prisoners must be handcuffed behind their back, unless extreme circumstances exist.

Transporting Prisoners Over Long Distances

On rare occasions, Raleigh officers may be required to transport prisoners over a long distance or time period. For long distance transportation, waist chains, handcuffs, and belt will be used. The selection of meal locations and other stops should be done on a random basis. The prisoner should not be allowed an opportunity to talk to anyone other than the transporting officers. This is to prevent the prisoner from obtaining outside assistance in effecting an escape.

Notification to Emergency Communications

When transporting prisoners of the opposite gender, officers are required to radio their location, destination, and odometer mileage to Emergency Communications. Upon arrival, officers are required to give their ending odometer reading.

Unconscious Prisoners

If an arrestee becomes unconscious or semiconscious or is located in that condition, the officer must obtain medical assistance.

Prisoners Having Medical Risks

Some prisoners may present added medical risks due to extreme drug or alcohol impairment, mental illness, or the degree to which they are restrained. Some of the physical signs of increased medical risk include profuse sweating for no apparent reason, dilated pupils, or uncontrolled shaking.

Prisoners who constitute added medical risk should be kept under observation at all times. The officer observing must monitor the person's color, breathing, and level of consciousness. Intoxicated or other persons who cannot sit erect should be placed on their side so as to avoid "positional asphyxia" or other respiratory problems (i.e. choking on vomit).

Stopping to Render Aid

The primary duty of the transporting officer is the safe delivery of the prisoner. Officers should stop to render assistance to third parties only when the risk to others is both clear and grave and the risk to the prisoner is minimal. Officers should inform the person requesting assistance that they have someone in custody and have Emergency Communications dispatch another unit.

Escape of Prisoner While Inside Raleigh

In the event that a prisoner escapes while being transported within the City limits, the officer will immediately notify Emergency Communications and give the location, direction of travel, and the charges against the prisoner. A supervisor is to respond to the scene and will coordinate a search to recapture the escapee. The supervisor should consider requesting a K-9 unit. A Raleigh offense report will be completed.

Escape of Prisoner Outside of Raleigh

In the event that a prisoner being transported by a Raleigh officer escapes while outside Raleigh's jurisdiction, the officer will immediately notify the agency having jurisdiction and request assistance. The transporting officer will assist local authorities in securing an escape warrant and submitting offense reports prior to leaving that jurisdiction.

The transporting officer will notify his/her Division Commander or the on-duty Watch Commander as soon as practical. The Division Commander or Watch Commander may dispatch a supervisor to conduct an administrative inquiry or may wait for the return of the transporting officer to conduct an inquiry. A Departmental information report will be completed.

Transfer from One Facility to Another

On rare occasions, Raleigh officers transport prisoners from one jail or holding facility to another. On such occasions, Raleigh officers will:

- Secure firearms for safekeeping in the lock-boxes provided.
- When receiving a prisoner, confirm the identity of the person being transported by booking slips and ID number and establish the existence of any escape or suicide attempts, unusual illnesses, or tendencies toward violence.
- Verify that the appropriate paperwork is completed. Appropriate paperwork may include a court order permitting removal from jail, an order for arrest, an arrest warrant, a commitment order or an extradition order or waiver of extradition. When transporting a prisoner from one facility to another, the prisoner's medical records and property inventory should be included with the transfer papers. Interstate transfers require a properly executed extradition order or waiver. Officers will have to comply with the procedures of the custodial facility.
- Upon delivery of a prisoner, restraining devices will not be removed until just prior to turning the prisoner over to the jailer or placing the prisoner in the cell. The prisoner remains the responsibility of the transporting officer until custody is officially assumed by another official.
- Deliver the proper documentation on the prisoner to the receiving officer.
- Obtain documentation from the receiving officer acknowledging receipt of the prisoner.
- Make the receiving officer aware of any medical treatment received or needed by the prisoner.

- Make the receiving officer aware of any indications given by the prisoner that they may attempt escape or may be violent or suicidal.

PROCESSING PRISONERS

Once a person is taken into custody, officers must insure that the arrestee's constitutional and other rights are adequately protected.

Informing Prisoners

Once taken into custody, prisoners must be informed of the charge against them or the cause for their arrest. The prisoner must be advised of the prisoner's rights concerning interrogations, line-ups, or tests prior to engaging in such activities (refer to DOIs 1110-9 "Non-Testimonial Identification" and 1110-10 "Interviews and Interrogations").

Wake County Detention Center Prisoner Intake

Officers are to secure their weapons in the trunk of their vehicle or in one of the lock boxes prior to entering the facility. After entering the intake area, the officer must check the prisoner with a metal detector. If an officer loses sight of a prisoner at any time during the booking process, the prisoner should again be searched and passed through the metal detector prior to presenting him/her to the intake deputy.

Appearance Before a Magistrate

Once the prisoner is secured, officers will present their probable cause to the Magistrate.

- If the Magistrate finds "no probable cause", the officer may be instructed by the Magistrate to transport the arrestee back to the place of arrest. This should be avoided if an affray or similar incident occurred where transport back to the scene might lead to a reoccurrence (G.S. 15A-504).

- Officers are required to complete a "Felony Investigative Report" before a Magistrate will issue a felony warrant. The Felony Investigative Report will be turned over to the Magistrate and forwarded to the District Attorney's Office to be kept on file.

Photographs and Fingerprints

The officer will present the arrestee to City-County Bureau of Identification personnel for fingerprinting and photographing (G.S. 15A-502).

- It is vital that all felons be processed by C.C.B.I., regardless of whether they intend to post bail.

- Persons charged with traffic offenses for which the authorized penalty does not exceed $500 or six months imprisonment should not be photographed or fingerprinted.

- A person that cannot be identified by a valid form of identification and has been charged with an impaired driving offense, or Driving While License Revoked when the revocation is due to an impaired driving offense, must be fingerprinted and photographed.

Commitment to Jail

The officer will present the booking photograph of the prisoner to the intake deputy. If the intake deputy refuses to accept the prisoner due to injury or illness, it is the officer's responsibility to see that medical assistance is obtained. In such instances, officers must notify their supervisor. The prisoner remains the responsibility of the officer up until such time as the intake deputy accepts custody.

Temporary Removal from Jail

On occasion, an officer will need to remove a prisoner from the jail temporarily for the purpose of conducting an identification procedure, an interview or for some other investigative purpose. The officer must satisfy the particular jail's release policies.

Prisoners under Suicide Watch

If an officer takes custody of a prisoner who is under a suicide watch, the prisoner must remain under the constant supervision of a Raleigh officer.

TEMPORARY DETENTION FOR INVESTIGATIVE AND TESTING PURPOSES

When an officer needs to question, interview, or interrogate a person before the person is arrested or booked, the interview rooms located in the Detective Division or District Stations are to be used. When an officer needs to perform a DWI breath test, he/she will have the option of utilizing the DWI testing facility located at the Northeast District Substation. If the DWI testing room is not available for any reason or the detainee is immediately determined to be non-compliant, officers should transport detainees for the purpose of breath testing to the Wake County Detention facility. In order to provide a location conducive to conducting an interview these rooms are minimally furnished with a desk/table, several chairs, and bare walls.

Separation of Suspects

Males, females, and juveniles are to be segregated when being temporarily detained for investigative or DWI breath testing purposes.

Evacuations

The rooms being used as interview rooms and DWI breath testing rooms will, at a minimum, contain a seating arrangement for the person being detained and the arresting officer. Fire extinguishers are available throughout the facilities if the need arises to extinguish a fire or assist in the evacuation of the facility. Each room will also have a fire escape route map showing the proper escape route to be followed in the event of a fire or other incident. It is the officer's responsibility to maintain control of the person in the event of an evacuation for fire, bomb, or other incident threat. Such evacuations are to be conducted as directed in the appropriate policy (see DOI 1107-3 "Municipal Complex-Police Facilities, Bomb Threats, Fires and Evacuations" and 1107-4 "Tornado Facilities Involving Police Facilities").

Access to Restrooms, Water, or Comfort Breaks

Persons being detained will be provided access to water and restroom facilities. Comfort breaks such as smoke breaks, opportunity to stretch one's legs or other basic requests which do not unnecessarily hinder or interrupt the interview will be allowed based on the officer's discretion. The detainee shall be continuously monitored by the officer assigned to guard the person(s).

Control of Detainees

All persons detained in an interview room or DWI breath testing area will be under the continuous control or supervision of the arresting officer or the officer assigned to guard the person(s). At no time will any person be left unattended except in exigent circumstances. Sufficient personnel will be assigned to the supervision or guarding of the persons being detained to maintain eye contact with each detainee. The interview room may be locked or unlocked in the officer's discretion.

Officers utilizing the DWI testing room shall guard against escape attempts during the testing process. Officers will exercise due care and diligence in order to prevent detainee escapes by maintaining constant supervision during the testing procedures. All movement of detainees will be under escort of at least one sworn officer. Detainees shall not be placed near or closest to the exit door. A detainee will remain secured in handcuffs with their hands behind their backs, palms facing outward with the handcuffs double locked. If a detainee exhibits any signs of non-compliance, they can be secured to one of the authorized detainee benches with the handcuff ring in order to maintain control of them. Officers shall not secure detainees to any chair, desk, or fixed object that is not designed for that purpose.

The detainee's handcuffs may be temporarily removed prior to the breath test so that signatures for required forms can be completed. If necessary, the handcuffs may be temporarily removed for the detainee to make a phone call, use the rest room or for any other necessary purpose that, in the opinion of the officer, requires the removal of the handcuffs. Any deviation from this procedure must be justified by the arresting officer and will be documented in the report narrative.

Video cameras have been installed throughout the DWI breath testing facility for the protection of the officer and detainee. Videos will be kept on file for a period of 60 days before being deleted. If an officer requires a copy of a video for court purposes, a copy can be obtained from the Information Technology Unit with a memo signed by the officer's immediate supervisor explaining the date, time, and reason for needing the copy.

The officer remains responsible for the security of the detainee and must take all steps necessary to avoid escape.

Number of Officers Conducting Interview or DWI Breath Testing

Generally, no more than three officers should be present in the interview room. If additional personnel have a need to observe the interview, they should utilize the observation room.

The number of officers permitted in the breath testing area is limited to those necessary to conduct the test and ensure the safety of the officers and other persons present, however a minimum of two officers are required when a detainee is present for the purposes of testing. Officers certified

to operate a breath testing instrument will follow all rules, regulations and laws that pertain to the testing instrument.

Smoking

Smoking is not allowed in the interview rooms or DWI breath testing facility.

Weapons Control

Security is of the utmost importance during the detention of persons for interview or interrogation purposes. Officers are allowed to maintain their weapons according to proper safety rules.

Officers utilizing the DWI breath testing area will secure their firearm to ensure officer and detainee safety. Their firearm will be secured in a mounted handgun lockbox located in the facility or in their vehicle trunk. Authorized less lethal weapons are permitted within these areas.

Detainee Contact

Panic or duress alarms are not available to persons being questioned or tested. Therefore, officers are to maintain vigilant contact with those persons to insure that prompt aid is provided to those having a need. Visual observation of a detainee every 30 minutes is required during an interview or interrogation. Visual observation of a detainee is required at all times during a DWI testing process.

If the interview room or DWI testing area does not have a panic alarm, officers are required to carry their portable radio when conducting an interview. In the event that an emergency arises the officer will use the radio to call for immediate assistance.

Access to Interview Rooms

Persons being detained in the interview rooms or DWI breath testing rooms that have been placed under arrest are to be considered high flight risks. For this reason, access to the interview rooms other than law enforcement officers will require supervisory approval. Access to the DWI testing rooms will be limited to law enforcement officers, their detainees, and witness or attorney. The persons being detained or tested will be searched thoroughly before being placed in an interview room or DWI breath testing area whether or not they are under arrest. When utilizing the DWI breath testing rooms, officers will document the detainee's information into the log book detailing their name, reason for detainment, date, time in, and time out. These logs will be maintained by the Office of Professional Standards Inspections Unit. The room itself should be searched before and after it has been occupied to insure that no weapon or item that could be used as a weapon has been left behind by the previous occupant.

Any attorney or witness who is called to witness a breath test pursuant to applicable North Carolina General Statutes will be allowed access to the DWI testing room upon request of the detainee. Upon arrival, the witness or attorney will push the intercom button located on the front door in order to notify the officer of their presence. One of the officers will respond to the front door, to allow the witness entry to the facility. Any person called to witness a test is subject to being searched before entering into the facility.

Guidelines for Use of Breath Testing Area by Outside Agency

Any law enforcement agency requesting to use the breath testing area will contact the Emergency Communications Center to make the request.

A Raleigh Police Officer will be dispatched to respond to the facility, will allow access to an authorized law enforcement officer who is certified to operate the breath testing machine, and will remain in the facility until the breath testing is finished and the other agency officer and detainee leave the facility. At no time will access be granted to this facility without a Raleigh Police Officer present.

Training

This policy will be reviewed annually with all sworn members of the Department.

THE RALEIGH POLICE DEPARTMENT

1108-04

EVIDENCE AND FOUND PROPERTY

PURPOSE

To establish procedures for the collection, storage, and release or destruction of evidence and found property.

VALUES REFLECTED

This directive reflects our values of *Service and Integrity*. By following these procedures we not only demonstrate our adherence to the rule of law but also our search for justice. It is vital to our community that we gather, process and store evidence and property in a manner that enables us to demonstrate utmost honesty. Following these procedures will help convict those guilty of crimes and will help maintain community trust.

UNITS AFFECTED

All Divisions/Sworn Officers
Evidence Control Unit
Information Response Technicians

REFERENCES/FORMS

DOI 1104-5 Malfeasance
DOI 1110-08 Searches and Seizures: Investigative Stops and Frisks
N.C.G.S. 8-C, Rules 1001-1008 "Contents of Writings, Recordings and Photographs"
N.C.G.S. Chapter 15-11 to Chapter 15-16, "Records and Disposition of Seized Articles"
N.C.G.S. 14-269.1 "Confiscation and Disposition of Deadly Weapons"
Attachment A: Property Owner Notification Form Letter
Attachment B: Evidence Disposition Court Order
Attachment C: Currency Reconciliation Form
Attachment D: Buccal Swab Instruction Sheet

May be Released to the Public

Effective Date:	10-09-17	Supersedes:	01-09-16
Prepared By:	C.L. Deck-Brown Chief of Police	Approved By:	Ruffin Hall City Manager

GENERAL POLICIES

All officers must collect and handle evidence in a manner that ensures the "chain of custody," so that the evidence may be properly introduced in court.

Officers shall submit evidence and found property to Evidence Specialists as soon as possible and prior to the end of the officer's shift. Any evidence that is submitted shall be documented on the Incident Report for which the evidence was collected. They are prohibited from converting evidence or property to their own use, or disposing of evidence or property in any manner contrary to established procedures (refer to DOI 1104-5 "Malfeasance").

Officers should use good judgment when making the initial decision to place an item into evidence. Once property has been admitted into the evidence room, then it becomes the officer's responsibility to keep track of the property and the case. When evaluating a piece of property in an effort to determine the feasibility of keeping the property, the officer should consider the elements of the crime under investigation and think carefully about what evidence is necessary to prove the elements of the crime and the identification of the suspect.

The Evidence Control Supervisor is responsible for the security and care of all evidence, found or recovered property, or confiscated property held by the Department. In the supervisor's absence, one of the Evidence Specialists or the Administrative Services Division Lieutenant may be designated to function as Evidence Control Supervisor. The Evidence Control Supervisor will report directly to the Administrative Services Division Lieutenant.

The receipt of all money collected through auctions of found property or evidence, disposed of by the courts, is to be coordinated through the City of Raleigh Finance Department.

SECURITY OF FACILITIES

Unauthorized Access

Evidence Specialists will not permit access by unauthorized officers or personnel into the secured areas of property storage rooms. They will deactivate the alarm system for the rooms and storage lockers at the beginning of their shift and activate the alarm at the end of the shift. Alarms are tested quarterly during the staff inspections conducted by the Office of Professional Standards/Inspections Unit.

All keys associated with evidence control will be accounted for and assigned. No duplicates will be made without authorization from the Administrative Services Commander or the Internal Affairs Captain. Evidence Specialists will verify that keys for the temporary storage lockers are properly logged out.

COLLECTION AND PACKAGING

Use of City-County Bureau of Identification

Officers may request the assistance of City-County Bureau of Identification (CCBI) technicians in collecting latent evidence or where photographs, to be used in court, are required. In those instances, CCBI will be responsible for packaging and submitting evidence that they collect.

Although CCBI may be called to assist, the individual officer remains in charge of the crime scene. The officer is responsible for determining whether significant evidence is present and for deciding whether CCBI should be called. The officer is also responsible for any crime scene sketches, and notations concerning the location from which evidence was collected.

Packaging Evidence

Each separately identifiable item or items must be individually numbered and packaged so as to avoid confusion or contamination with other items.

- Clothing or other items containing blood or fluids must be dried properly, packaged in paper bag, and labeled with biohazard labels. These items should be turned over to CCBI for drying before being submitted to the Evidence Unit. Evidence personnel will ensure the items are properly packaged before accepting them.

- Items submitted as evidence or found property such as suit cases, book bags, purses etc. should be searched and contents itemized. Items such as drugs, money, weapons, valuables, etc. should be packaged in separate envelopes unless doing so would unnecessarily expose the officer to a dangerous substance.

- Firearms must be unloaded prior to submission into evidence. When a firearm cannot be cleared due to a malfunction, notations should be made under "evidence description" on the Evidence Control Form that the weapon is loaded. The weapon is to be tagged with a RED "Danger" evidence tag. An exposed hammer that is cocked should be secured to prevent it from falling. It should then be handled as any other loaded weapon.

  Firearms are not to be placed in sealed packages prior to inspection by an Evidence Specialist.

- Drug samples and evidence must be packaged in separate containers so as to avoid contamination unless doing so would unnecessarily expose the officer to a dangerous substance. This includes drug paraphernalia, pipes, money, etc.

  Samples should be counted and weighed. A notation must be made on the evidence control card indicating the kind of wrapper the substance was in at the time of weighing (i.e. aluminum foil wrapper). Samples are then to be securely sealed in an evidence envelope. The envelope should be taped across the bottom of the flap and then the two sides of the flap should be taped. The officer should then initial across the tape and the envelope so that if the seal is broken it will be apparent.

- Forged checks or other documents are occasionally sent out to be fingerprinted. Documents should be protected by double-sealing them inside another envelope.

Money Totaling $5,000 or More

All money, evidence or found property, totaling $5,000 or more will be hand delivered to an Evidence Specialist. If an Evidence Specialist is not on duty, one will be notified by the Police Desk Officer. Officers whose tour of duty ends at 7:00 A.M. will have an Evidence Specialist called at 5:00 A.M. in order to meet the officer prior to the officer's end of tour. The officer may secure the money in an evidence locker at the Downtown District Station until the Evidence Specialist arrives.

- Both the officer and the Evidence Specialist will count the money. A Currency Reconciliation Form (Attachment C) will be completed by the officer/investigator submitting the currency, and signed by both the officer/investigator and the receiving Evidence Specialist.

- The money and the Currency Reconciliation Form will be placed in an envelope, sealed, initialed, and dated by both the officer and Evidence Specialist.

- The Evidence Specialist will verify that the correct amount of money is recorded on the evidence envelope and the evidence control form.

- After signing for the money, the Evidence Specialist will secure it in the vault.

- When money is checked out for court or other purposes, the officer and Evidence Specialist will open the envelope and verify that it contains the correct amount.

- If the money is returned, it will again be counted by the officer and Evidence Specialist, sealed, initialed by both, and returned to the vault.

Money Totaling Less Than $5,000

All money, either evidence or found property, totaling less than $5,000 will be counted by the officer and an on-duty supervisor prior to being placed into evidence.

An officer may place money totaling less than $5,000 in a district evidence locker.

- The money will first be counted by the officer and a supervisor. A Currency Reconciliation Form will be completed and signed by both the officer/investigator and the supervisor verifying the amount being placed into evidence.

- Both the officer and the supervisor will initial and seal the evidence envelope verifying the amount of money. The evidence and the Currency Reconciliation Form will then be placed in an Evidence Locker as usual.

- Once the currency is received into evidence, two Evidence Specialists will verify the amount of currency submitted is correct and matches the Currency Reconciliation Form. The envelope will then be sealed and initialed by both Evidence Specialists and secured appropriately in the evidence vault. Any discrepancies will be referred to the Internal Affairs Unit.

- If the money is checked out for court or other purpose, it will be handled the same as for money totaling more than $5000 as described above.

OPIOIDS and SIMILAR DANGEROUS DRUGS

When seizing a dangerous opioid or suspected opioid such as fentanyl, carfentanyl, and heroin, the following steps should be taken:

Evidence Packaging

All items will be handled with protective gloves and/or clothing as feasible. Precautions should be taken to properly secure the container without exposing the contents.

- The evidence should be left in its current packaging and then double bagged in a separate ziplock bag, which should then be taped.

- The evidence will then be placed into a CLEAR evidence envelope.

- The evidence container shall be clearly marked "CONTAINS SUSPECTED FENTANYL/OPIOID" and labeled with "Fentanyl/Opioid" symbols.

- If the evidence is placed into an evidence locker, a locker magnet marked "FENTANYL/OPIOID SEIZURE" will be placed on the outside of the locker.

BIO-HAZARDOUS MATERIALS

When the situation dictates the seizure of evidence that has been exposed to human body fluids, excretions, or secretions, the following steps will be taken:

Evidence Packaging

All contaminated items will be handled with protective gloves and/or clothing as feasible. Precautions should be taken to properly secure the container without exposing the contents.

- Tangible evidence items such as knives, bricks, guns, etc. which have been exposed to body secretions and/or body tissue must be decontaminated prior to packaging and storage unless the body secretions or tissue have evidentiary value. The cleaning solution will be provided by the Quartermaster and available when needed. The officer should indicate on the evidence card whether the evidence has been decontaminated.

  (Note: Emergency use of one part Clorox diluted with nine parts of water will destroy the AIDS virus).

- All evidence exposed to blood, semen, or other body fluids shall be packaged and clearly marked with biohazard labels. These containers must be sealed with evidence tape rather than stapled.

- All needles and syringes will be packaged in puncture-resistant containers and clearly marked. Knives and other sharp instruments are to be packaged in a manner that will protect the handler(s) from exposed blades or sharp edges.

Labeling Contaminated Evidence with Biohazard Symbols

A completed identification tag must be affixed to evidence containers containing contaminated evidence.

- The evidence container shall be clearly marked "CONTAINS POSSIBLE CONTAMINATED ITEMS" and labeled with fluorescent orange or red "Biohazard" symbols.

- The Evidence Specialist will be notified of the location of this evidence.

BIOLOGICAL EVIDENCE (DNA)

DNA or biological evidence that is collected from a crime scene can be pivotal in linking a suspect to a crime scene. In addition, DNA can be used to identify a victim. Extreme care should be taken when collecting, transporting or storing DNA evidence.

Buccal Swab Collection

Buccal swab collection shall only be performed under the direction of or in cooperation with a Detective Division Supervisor.

All officers who collect evidence in the form of a buccal swab shall utilize a buccal swab collection kit. Officers shall follow the instructions contained within the kit; including procedures for collection and storage of the evidence.

Unopened buccal swab test kits will be stored at the Main Headquarters Front Desk and can be signed out as needed. Completed kits should be placed into an evidence envelope, labeled with a biohazard sticker and submitted into Evidence.

Biological Evidence (other than buccal swabs)

Biological evidence shall be packaged in a paper bag or paper envelope for each submission. Seal the bag with evidence tape and properly label, using biohazard stickers on the bag.

Once the evidence has been secured in paper bags or envelopes, it should be sealed, labeled and transported in a way that ensures proper identification of where it was found and proper chain of custody.

The biological evidence should be stored in dry conditions and at room temperature. Biological evidence should not be placed in plastic bags as moisture can cause damage. Sunlight and warm conditions can also damage potential DNA evidence, so it should not be stored in a room or police car that does not have air conditioning.

All personnel who collect or handle biological evidence will be trained in proper techniques for the collection and preservation of DNA evidence during basic recruit training.

COLLECTING FOUND PROPERTY

Property Retained by the Finder

A person who reports found property to the police may elect to retain the property for a reasonable period of time (180 days on most items, 60 days for bicycles), provided they make it available for inspection during that time and agree to release it to the owner, if located. The officer should indicate the storage location on a case report and instruct the complainant to notify the Detective Division if an owner is found.

Property Collected by Officers

Officers should attempt to locate the owner and return found property prior to storing it at police facilities. Officers will not retain property beyond their tour of duty.

The finders of property may request that unclaimed property be returned to them after an appropriate period of time (60 days on bicycles and mopeds, 180 days for everything else). Officers should so advise complainants and refer them to the Evidence Control Unit.

SUBMITTING EVIDENCE OR FOUND PROPERTY

Officers will log evidence and found property into agency records and place it under the control of the Evidence Specialist prior to the end of the officer's shift. The officer will complete an Evidence Control Form for each case, detailing the property being stored into evidence.

During Normal Working Hours

During normal working hours, officers will complete a property/evidence control form and submit the items directly to an Evidence Specialist or place the items into a secured district evidence locker.

After Normal Hours

After normal business hours or anytime an Evidence Specialist is unavailable, officers will complete a property/evidence control form and store the evidence or found property in one of the secured district evidence lockers.

- The locker for storing flammable items is located in the rear of the Downtown District Station. Officers will sign out the keys, for the flammable locker, from the Police Desk Officer and return them to the key drop on locker #9 in the hallway.

- The large room for temporary bicycle storage is located in the Downtown District station. Officers will use the back entrance when bringing bicycles to this storage room and will not bring bicycles into the lobby area. The key to this room will be available for sign-out from the Police Desk Officer. The officer must then return the key to the Police Desk Officer after securing the room.

- Mopeds or other large items (i.e. motorcycles, vehicles, large gas powered equipment, etc.) will be stored inside the secure evidence storage area at 1210 Corporation Parkway. An evidence custodian will be contacted by the Downtown District Desk Officer for storage of these items regardless of the time of day. The evidence or found property control form is to be turned over to the evidence custodian.

    - Vehicles will not be stored outside of the secured vehicle storage area located at 1210 Corporation Parkway.

Items too large to be placed in the evidence lockers, but not requiring off-site storage, may be secured in one of the Downtown District evidence or found property rooms. Keys to the found property room will be signed out and returned to the Downtown District Desk Officer. The large evidence storage room will be closed and secured after placing the items in the room. Once the door to this room is closed, only the Evidence Unit staff can re-open it. The supervisor in charge may contact an off-duty Evidence Specialist when items of high value dictate that they not be placed in an evidence locker. An Evidence Specialist should be notified in instances involving drugs or property having an estimated value in excess of $10,000. Toxic, flammable, or explosive substances are not to be placed in the district evidence lockers.

Toxic and flammable materials will be stored in the flammable storage locker behind the Downtown District Station if not immediately disposed of by the Fire Department. An Evidence Specialist will make arrangements for proper disposal of any stored flammable material.

Explosive materials will be disposed of by Hazardous Devices Unit personnel.

Refrigerated Lockers

Blood samples and other perishable forms of evidence will need to be stored in one of the refrigerated lockers pending lab analysis. During normal hours, the evidence should be submitted directly to an Evidence Specialist after indicating that the evidence is perishable. After normal hours, officers will utilize evidence lockers 18-23 in the Downtown District Station which contain 6 refrigerator units for items that need to be refrigerated.

District Evidence Lockers

District evidence lockers are equipped with an automatic locking system. Once items are placed into the evidence locker, the officer will remove the carabineer, place it inside the locker and secure the evidence locker door. Personnel are authorized to secure evidence using the drop box in cases where the size of the evidence is small enough to fit through the drop box. Additionally, the Districts are equipped with a locker capable of holding long guns. This locker will remain unlocked until an officer places an item in the locker and closes it; at which time it will automatically secure. When an officer places evidence or found property in the district evidence lockers, a copy of the evidence card or found property card will be faxed to the Evidence Unit.

Downtown District Evidence Lockers

Evidence lockers located in the Downtown District are equipped with a "key drop" on each locker. Once items are placed into these evidence lockers, the key will be removed, the locker secured, and the key dropped into the "key drop" assigned to that locker. Personnel are authorized to secure evidence using the drop box in cases where the size of the evidence is small enough to fit through the drop box.

Items Required to be Stored in Downtown District Evidence Lockers

- Firearms that cannot be unloaded.
- Blood or any item that requires refrigeration.
- Evidence or found property that is to be released to the owner or investigator on the same business day.
- Toxic, flammable, or explosive substances.

Evidence in Alcohol Possession Cases

Officers will not be required to submit opened or unopened containers of alcohol seized as a result of underage possession (GS 18B-302) or similar city ordinance violations where mere possession is prohibited. Opened containers may be disposed of by pouring out the alcohol at the location where seized. Unopened containers may be opened and the alcohol may be poured out at the location

where seized. Officers should specifically describe the type and amount of alcohol disposed of in their notes.

STORING EVIDENCE OR FOUND PROPERTY

Initial Receipt

Evidence Specialists will receive evidence or found property directly from officers or remove it from the temporary storage lockers. They will then check the property control form information, labels, and packaging for accuracy and completeness.

Notice will be sent to the officer for immediate corrections on any incomplete items. Narcotics must be sealed in tamper proof packages. Any indication of tampering will be reported immediately to Internal Affairs.

Logging in Evidence or Found Property

Evidence Specialists will assign a sequential control number to the property/evidence control form and a storage bin location for the items. They will note the bin location and case number on the items and property/evidence control form. Money, jewelry, precious metals, weapons, and narcotics require additional security and therefore will be stored in secured vaults. Information from each property/evidence control form is entered manually into the computer system and then filed in active officer's files according to the control number (red number).

Storage of Evidence Needing Processing

Occasionally, City-County Bureau of Identification may be unable to process pieces of evidence at a crime scene. The officer may place such items in an evidence storage locker with the required CCBI Lab Request paperwork and tape a note with instructions on the outside of the locker. An Evidence Specialist will submit items to CCBI on the next lab day.

SEIZED VEHICLES

Officers will complete a property/evidence control form and submit the keys of the seized vehicles that are being held as evidence or are subject to forfeiture. These vehicles will be stored at the Raleigh Police Department secured vehicle storage area at 1210 Corporation Parkway. Only after CCBI has shown up to process the vehicle, will the officer contact an Evidence Specialist for storage of the vehicle regardless of the time of day. Vehicles will not be stored outside of the secured vehicle storage area located at 1210 Corporation Parkway.

Officers will complete the Seized Vehicle Inspection and Review Form (see DOI 1110-08, Attachment A) whether the vehicle was seized as evidence or for forfeiture. A Vehicle Inventory List and photographs of the interior and exterior of the vehicle will also be submitted into evidence. Items which are inside the vehicle and have a substantial monetary value (i.e. jewelry, computers, cell phones, currency, etc.) shall be removed and placed into Found Property or returned to the owner prior to vehicle storage. Items documented on the Vehicle Inventory List, which are not being used as evidence or stored into Found Property, will remain inside the vehicle when being stored in the secured vehicle storage area. The vehicle's keys will be packaged in an evidence envelope and submitted with the copies of any towing bills. The officer will complete a separate evidence control form for only the vehicle.

The officer will check the status of the court case at least every sixty (60) days and document this on the form. Upon final disposition, the officer will provide copies of the court orders pertaining to the vehicle to the Evidence Control Unit.

Vehicles Subject to Forfeiture

(See 1110-08 Searches and Seizures for additional information on vehicles subject to seizure).

The Evidence Control Unit will forward a copy of the Seized Vehicle Inspection and Review Form to the Administrative Services Division Lieutenant on all vehicles subject to forfeiture. The Administrative Services Division Lieutenant will confirm the vehicle's lien status and will have it inspected by the Police Service Center to determine its mechanical condition. The Administrative Services Division Lieutenant will then consult with the Drugs and Vice Lieutenant to determine if the vehicle should be kept for police use. If not, the officer seizing the vehicle will be contacted to immediately obtain a court order returning the vehicle to the owner.

If the forfeiture is due to drug violations, before obtaining a court order to return the vehicle, an agent from the NC Department of Revenue should be contacted regarding any outstanding controlled substance taxes owed by the vehicle owner or defendant. The State may confiscate the vehicle and sell it at auction to pay the controlled substance taxes.

Vehicles Seized Pursuant to Drug Violations

Vehicles seized pursuant to drug violations must be inspected by a member of Drugs and Vice who has specialized training in the detection of hidden compartments. The Drugs and Vice Lieutenant will coordinate the movement of the vehicle to the Police Service Center and the use of a vehicle lift for the inspection.

PROCESSING EVIDENCE

Evidence that requires laboratory analysis or special processing should be boxed or packaged separately from other evidence in the same case. These items should be sealed and initialed prior to submitting to evidence.

Laboratory Analysis

Prior to submitting evidence for analysis, Evidence Specialists will verify that the laboratory request for examination forms have been properly completed and signed. Evidence that is improperly packaged will not be submitted for analysis and the officer's supervisor will be notified.

Evidence Specialists will carry drugs, DWI evidence, finger prints, and raised firearm serial numbers evidence, requiring analysis, to the CCBI laboratory. All other evidence requiring analysis (i.e. DNA, IBIS, etc.) will be carried to the State Bureau of Investigation (SBI) laboratory. All evidence being taken to the SBI laboratory must be electronically entered into the SBI database by RPD Evidence Staff for a "barcode" to be generated prior to submission to the SBI laboratory.

- The officer requesting lab analysis must complete either a CCBI "Laboratory Examination Request" form or a SBI "Request for Examination of Physical Evidence" form requesting written results of the laboratory analysis. The form must be completed using the same item numbers that appear on the evidence control card.

- Any officer who personally collects spent ballistic shell casings from a scene will submit this evidence along with an SBI-5 "Request for Examination of Physical Evidence" form and notate "**IBIS Only**" on the completed form and evidence envelope. This activity will then be documented in the accompanying incident report for investigative purposes.

- IBIS submitted spent ballistic shell casings will be maintained for a minimum of 36 months and can only be destroyed via the assigned detective's authority.

- Only the following calibers of spent ballistic shell casings can be uploaded into IBIS:

    - 25 auto
    - 32 auto
    - 380 auto
    - 40 auto
    - 45 auto
    - 9mm
    - 10mm
    - .223
    - 5.56 x 45mm
    - 7.62 x 39mm

- Occasionally, processed evidence is returned by mail in a sealed envelope. Under no circumstances is this envelope to be opened prior to returning the evidence to an Evidence Specialist. If the lab report needs to be examined, this will be done after returning the evidence to the Evidence Control Unit.

Evidence is to be returned immediately upon receipt. If an Evidence Specialist is not available, evidence may be secured in one of the evidence lockers. A new evidence control form is not necessary.

Processing of Recovered Stolen Vehicles

The preferred procedure is to have CCBI process recovered stolen vehicles at the scene of recovery and to then release the vehicle directly to the owner so as to avoid towing. Inclement weather or other conditions may dictate that the vehicle be towed prior to processing by CCBI. Under such circumstances, the investigating officer will instruct the towing contractor to tow the vehicle either to the Raleigh Police Department's secured vehicle storage area at 1210 Corporation Parkway, where the officer will remain with the vehicle until the processing has been completed or to the CCBI secure storage area until the vehicle can be processed. When the vehicle or its contents are considered to be of possible evidentiary value, the investigating officer must accompany the towed vehicle so as to maintain the chain of custody. The officer may follow the tow truck keeping the towed vehicle under continuous observation or the officer may ride with the tow truck driver. The investigating officer remains responsible for advising the owner and noting on the Towing Form when the vehicle may be released.

If the vehicle is suspected of being involved in a felony hit and run, it will be necessary to examine the tires, undercarriage, bumpers, and lights for evidence prior to moving the vehicle.

CHECKING OUT EVIDENCE

When checking out evidence for presentation in court or lab analysis, Evidence Specialists will ensure that appropriate notations are made on the property control cards to ensure the chain of custody.

Officers Authorized to Check Out Evidence

Evidence Specialists will only check-out evidence to officers whose names appear on the property/evidence control form or to an investigator assigned to case follow-up. Any other release will require authorization by the requesting officer's supervisor.

Carrying Evidence to Court

Any officer needing to obtain evidence for court or other purposes must sign out the items on the property/evidence control form. The signed out items must remain in the officer's possession at all times or be secured in the lockers provided in the Court Liaison's office. If the case is not tried in court, the evidence must be checked back into the Evidence Room immediately.

Presentation in Court

Sealed evidence envelopes or packages are not to be opened unless directed by the court. If the case is not tried in court, the Evidence Specialist will inspect the evidence container to ensure it is still intact. A receipt from the District Attorney or Clerk of Court must be obtained for evidence turned over to the courts.

The District Attorney must be notified when evidence is a dangerous opioid or suspected of same. If the District Attorney requests that the evidence envelope be opened in court, Officer's should don proper PPE gear to include gloves and a mask.

Out of Town Court

If the officer attends an out of town court, the officer will obtain a copy of the property/evidence control form. When the officer stores the evidence at the out of town location, the printed copy of the property/evidence control form must be signed by the Evidence Specialist receiving the evidence. The officer will maintain possession of the signed control form until the officer returns to the Raleigh Police Department. The signed copy of the evidence card will then be turned over to the Raleigh Police Evidence Specialist who will attach it to the original printed control form.

Returning Evidence

Evidence must be returned immediately upon completion of court or return from lab analysis. If one of the Evidence Specialists is unavailable, evidence may be placed in one of the temporary evidence storage lockers. A new evidence control form is not necessary.

DISPOSING OF EVIDENCE OR FOUND PROPERTY

All evidence or found property will be disposed of according to court order or Departmental procedure. At no time will evidence or found property be disposed of in garbage cans or dumpsters.

Evidence or found property should be disposed of within six months of a final disposition of the case, unless legalities prevent such disposition. Officers are also required to complete an evidence review/purge every twelve months.

Property Turned Over to the Courts

When evidence or other property is turned over to the courts, the officer or Evidence Specialist must receive a receipt from the District Attorney, Clerk of Court, or other court official who receives the property. This receipt is to be attached to the property/evidence control form.

Property Returned to the Owner

Once a case is disposed of, evidence may be returned to the owner. Officers must authorize the release of the evidence prior to notifying the owner. When evidence or found property is returned, the owner must sign the control form or a police supplement acknowledging receipt of the property. Property may be returned at court by having the owner sign and the Clerk of Court witnessing the court order.

The owner will be sent a certified letter (Attachment A) which includes a description of the property and indicates the deadline for retrieving the property. If the owner cannot be located, or if the owner will not come to retrieve the property, then the Department will treat the property as "found property" and dispose of it according to the following sections. All efforts to locate the owner must be documented. Safe and unaltered firearms will be sold according to NCGS 15-11.

Release of Weapons from Evidence

Due to safety issues for Evidence Staff and the Downtown District the following protocol for the release of all weapons (firearms, knives, air pistols) from Evidence and Found Property will be adhered to:

- The owner or other authorized recipient must present a court order or authorization for the release of firearm to the Evidence Unit.
- The owner must complete a Firearm Release Packet providing the following documentation:
    - Valid photo ID
    - Social Security Verification
    - Proof of Ownership (if available)
- Evidence Staff shall complete a background check prior to release of all firearms. The background check is to be completed within 2 (two) business days after documentation for release has been provided. Background checks will consist of:
    - Criminal History Report
    - ATF Trace Check
    - Insurance Verification (if reported stolen)

    - IBIS test completed

- Evidence Staff and a uniformed officer shall be present at the time of release of the weapon to the owner.
    - Contact the Desk Officer or any other Officer available within the Downtown District,
    - Verify the case number, make, model, and serial number,
    - The recipient signs for the property that is being released,
    - A gun tie shall remain on the weapon for safety,
    - Magazines and bullets will be packaged separately in clear plastic bags,
    - The recipient shall pull into the circle drive in front of the Downtown District.
- Safety Instructions (to be given at time of release)
    - Provide the recipient with instructions to safely transport a weapon in their vehicle
        - Leave the gun tie in the firearm for safety
        - Secure in trunk of vehicle or in plain view if vehicle has no trunk
        - Immediately notify Law Enforcement that you have a weapon in the vehicle if stopped

<u>Release of Other Weapons (knives, air-pistols/rifles, etc.) from Evidence</u>

- Evidence Staff and a uniformed officer shall be present at the time of release.
    - Contact the Desk Officer or any other Officer available within the Downtown District:
- Safety Instructions (to be given at time of release)
    - Provide the recipient with instructions to safely transport a weapon in their vehicle
        - Secure in trunk of vehicle or in plain view if vehicle has no trunk.
        - Immediately notify Law Enforcement that you have a weapon in the vehicle if stopped.

<u>Destruction of Evidence</u>

Firearms that need to be destroyed in accordance with G.S. 15-11.1(b1) will require a Petition and Order Disposing of Firearm upon Prosecutor's Petition which can be found on RPDnet (RPD Forms). Any other deadly weapon needing to be destroyed in accordance with G.S. 14-269.1 will require a Petition and Order Disposing of Deadly Weapon upon Conviction which can also be found on RPDnet (RPD Forms).

Upon receiving the proper court order, the Evidence Control Supervisor will notify the Internal Affairs Unit when he/she intends to destroy evidence held by the Department. Internal Affairs personnel or authorized designee, together with an Evidence Specialist will verify the number and quantity of items to be destroyed. Where appropriate, quality checks will be made to ensure against unlawful substitution. The Evidence Specialist and Internal Affairs personnel or authorized designee will cosign the destruction of the contraband.

Evidence and Internal Affairs personnel should refrain from opening evidence packages containing Fentanyl/Opioids. Verification of Opioid evidence should be done visually through the clear evidence envelope and then destroyed without opening the package. Office of Professional Standards personnel will periodically conduct spot checks of evidence containing controlled substances to ensure compliance with evidence packaging protocols.

Disposal by Public Auction

Found property held by the Police Department in excess of 180 days (with the exception of bicycles) may be advertised for sale at auction and disposed of 30 days after posting of the advertisement. Confiscated property held by the Department may also be sold if specifically approved by court order. The officer is responsible for obtaining the court order on evidence that the officer has confiscated that is to be sold at public auction. Funds derived from such sales will be turned over to the Wake County Public School System (G.S. 15-15).

Unclaimed Bicycles

- Pursuant to G.S. 15-12(b), unclaimed bicycles that have been in the Department's possession for a period of 60 days will be donated to a charitable organization exempt under section 501(c)(3) of the Internal Revenue Code. A public notice will advertise that the bicycles will be donated if unclaimed. This notice will be advertised two weeks prior to the date of donation.

- The Evidence Supervisor will maintain the list of eligible charitable organizations that wish to receive donated bicycles.

  Bicycles will be donated to these agencies on a rotational basis as bicycles become available for donation after the 60-day waiting period. Agencies will be allowed 48 hours to pick up the available bicycles after notification by the Evidence Supervisor. If the bicycles have not been picked up within 48 hours the next agency will be notified.

- All bicycles disposed through the donation process will be receipted by the accepting agency. The Evidence Supervisor will keep the receipt on file.

Property Retained for Use by the Department

Upon specific court order, confiscated property may be released to the Department for use in its official duties. Any such requests to the courts will originate from the Chief's Office. Any officer who seizes evidence that may be of use to the Department should forward a memo through the usual channels describing the particulars of the case and the intended use of the property. The Evidence Control Supervisor will prepare a list of any such property and submit it to the Internal Affairs Captain. Following issuance of the court order, the Internal Affairs Captain will maintain a file listing property turned over to the Department. The Evidence Specialist will have the Evidence Control

Supervisor sign for receipt of the property. The Evidence Control Supervisor will then arrange to have the property added to the Fixed Assets Inventory, if required.

Due to the considerable amount of evidence that the Department uses for training, the Office of Professional Standards/Inspections Unit will be present when drugs, cash and/or weapons are turned over for use by any Unit. A baseline audit will be conducted at the time the items are released for training.

Each Unit who maintains drugs, cash and/or weapons will be responsible for ensuring that the items are stored in a locked safe at all times unless being used for training. A ledger will be maintained when the items are removed and returned to the safe. The Unit Supervisor will sign each ledger entry. The Unit Supervisor will be responsible for all evidence assigned to the Unit.

The Office of Professional Standards/Inspections Unit will conduct announced and unannounced quarterly audits and inspections of any Unit of the Raleigh Police Department that uses evidence in the form of drugs and/or weapons for training. This will be done in conjunction with other audits such as Evidence & Found Property, Informant Funds, Police Property and Cash Fund audits.

The audit and inspection will consist of the following:

- Accounting for drugs, weight of drugs and proper storage of the drugs
- Accounting for weapons and proper storage of the weapons
- Accounting for cash and proper storage of cash
- Proper ledger keeping and data entry

Unclaimed found property may be released to the Department for use by submitting a memo up the chain of command.

Responsibility for Disposition of Property

Officers are responsible for seeing that evidence or found property they collect receives proper disposition. Officers will review evidence submitted to ensure prompt disposition. This review will occur every twelve (12) months. An Evidence Specialist will update the electronic spreadsheet on Polshare, that the annual review has been completed.

- A case report will be completed on all cases involving seizure of physical evidence or found property. The reverse of the property control card is to be completed once the appropriate disposition has been made.
- To expedite the disposition of the evidence, officers are encouraged, when attending court, to have a prepared court order for the particular case, available for the judge to sign for disposal (see Attachment "B").
- When an investigator assumes responsibility for a case, the investigator also assumes responsibility for seeing that evidence receives the correct disposition once the case is disposed of.

- Evidence should receive a disposition immediately upon completion of the trial. This is to ensure that excessive quantities of property are not retained in storage.

- Officers should use the guidelines below when evaluating cases to determine disposition of evidence.

Separation from Employment with Department

- Prior to separation from the Department, officers should meet with the Evidence Supervisor at least one month before leaving to review each evidence card. The officer should then utilize an available computer terminal to review each case to determine if the case has been disposed of in court. The officer should obtain an order to dispose of the evidence in the cases that are no longer open.

  The officer should evaluate each of the remaining cases using the guidelines set forth below to determine if, and when, the case is going to be prosecuted. If a case cannot be disposed of prior to leaving the Department, the evidence in the case will be transferred to the officer's present supervisor who will assume responsibility for disposition of the property at the appropriate time.

- If an officer fails to dispose of evidence as indicated above then the evidence will be transferred to the officer's present supervisor.

Guidelines Used to Evaluate Cases for Evidence Disposition

Officers will use the following guidelines when evaluating open cases upon retirement, resignation, termination, transfer, or during annual evidence reviews.

- Evidence will be maintained indefinitely in certain serious cases. These cases include:
  - Murder
  - Rape or sexual offense
  - Assault with a deadly weapon with intent to kill inflicting serious physical injury
  - Armed robberies
  - Kidnapping
- If evidence is seized in other felonies (not including drug cases), then it will be the responsibility of the initial officer to meet with the investigator assigned to the case to determine the feasibility of keeping the case open. If necessary, supervisors and the District Attorney's Office can be contacted for guidance. If after two years, there does not appear to be the possibility of obtaining a warrant for the suspect, then the officer who placed the items into evidence and the investigator assigned to the case may consent to a disposition of the items seized.

- If a misdemeanor amount of drugs has been seized but a criminal process has not been issued for a suspect within six months of the seizure, then the drugs can be destroyed at the request of the officer who placed the drugs into evidence.

  If a felony amount of drugs has been seized but a warrant has not been issued for a suspect within six months of the seizure, then the drugs can be destroyed at the request of the officer who placed the drugs into evidence and the investigator assigned to the case. If the officer/investigator believe that there are facts that justify maintaining the drugs in evidence, then an explanation should be attached to the evidence card and initialed by the officer's supervisor.

Even though there is a two-year statute of limitations for misdemeanors, the time stops running once criminal process has been issued. For those cases where a warrant or criminal summons has been issued, but not yet served, the evidence will be maintained until such time as the warrant/summons is dismissed or recalled.

Officers should review their misdemeanor cases carefully. If at least twelve months has passed and it is clear to the officer that a case cannot be developed, then the officer should request disposal of the associated evidence. Because the case has been assigned to an investigator, it is imperative that the officer meets with the investigator who will also need to sign off for the disposition of the evidence.

INSPECTIONS

Quarterly Inspections

At least quarterly, the Administration Division Captain will conduct a spot check of the Evidence Control Unit to ensure that storage facilities are properly maintained and that evidence procedures are being followed.

Unannounced Inspections

Unannounced inspections of the Evidence Control Unit will be conducted by the Office of Professional Standards/Inspections Unit at least semiannually as directed by the Chief of Police. These inspections will include a random comparison of records with physical property.

Annual Audit

The Evidence Control function will be audited annually. This audit is to be conducted by the Office of Professional Standards Inspections Unit. This audit does not require a physical count of every item on hand, but should be sufficiently detailed to ensure the integrity of the system.

Audit Upon Exchanges of Custody

Whenever a new Evidence Control Supervisor is appointed, an audit will be conducted jointly by the incoming and outgoing supervisor. The audit does not require a physical count of every item on hand, but a sufficient number of property records should be examined to the satisfaction of the newly appointed Evidence Supervisor.

REPORTING ERRORS

It is to the Evidence Specialists' advantage to promptly report any inaccuracies or discrepancies in the handling of evidence or found property.

Clerical Errors

Mere clerical errors in labeling or filling out forms should be reported to the officer's supervisor. If the errors are corrected within a brief period of time, no further action is necessary.

Mishandling of Evidence

Instances of improper handling or contamination of evidence are to be reported to the officer's commanding officer. Evidence Specialists should log the error for future reference.

Breaches in Security

Instances of lost or stolen evidence or found property are to be reported directly to the Internal Affairs Unit. Similar incidents would include indications of evidence tampering or substitution.

EVIDENCE CONTROL RECORDS AND RETENTION

Evidence Specialists will maintain sufficient records to establish the status of all evidence or found property held by the Department.

Record of Disposition

A case report will be completed on all cases involving seizures of physical evidence or found property. The Evidence Specialists will verify that property/evidence control forms are properly completed. Property/evidence control forms will be retained for a period of 20 years after disposition of the case in court.

Disposition of Property

Evidence Specialists will maintain a computer log displaying the disposition of all evidence or found property held by the Department. These records will be held for a period of three years from the date of the last annual audit.

DOI 1108-04: Attachment A

CERTIFIED
MAIL

<Date>

<Name>
<Address>
<City, State & zip code>

Dear <Name>:

RE: <Property description>

According to Raleigh Police Department records, you are listed as the owner of the above referenced property. This property is now available for you to reclaim. Please come to the Raleigh Police Department Evidence Control Unit between the hours of 9:00 AM and 4:00 PM during normal business days. You must come in person and produce a photographic identification, such as a driver's license, to take possession of this property. The Evidence Control Unit is located at the Raleigh Police Department Downtown District, 218 W. Cabarrus Street, Raleigh, NC.

If you have any questions you may contact the Evidence Control Unit at:

ATTN: Evidence Control Unit
Raleigh Police Department
Post Office Box 590
Raleigh, North Carolina 27602
(919) 996-3395

If you do <u>not</u> reclaim this property within 180 days from the date of this letter then the Department will dispose of it in accordance with governing legislation or court order.

Sincerely,

<Evidence Supervisor>
Evidence Control Unit
Raleigh Police Department

Case Number: P_____
Evidence Number: _____

DOI 1108-04: Attachment B

Evidence Disposition Court Order

STATE OF NORTH CAROLINA **IN THE GENERAL COURT OF JUSTICE**
COUNTY OF WAKE **DISTRICT / SUPERIOR COURT**

STATE OF NORTH CAROLINA **File / CR #** _____

VS **Raleigh Case #** _____

_____

The defendant stands charged with the offense of:

_____

And a disposition of the case has been entered:

_____
(If convicted, state the crime)

IT IS ORDERED:

That the evidence: _____

_____

( ) be destroyed according to the law and Departmental policies [Illegal contraband such as drugs, drug paraphernalia, fireworks, etc.]

( ) be used by Raleigh Police Department for training or internal use,

( ) sold at police auction with revenue generated forwarded to Wake Co. Public Schools

( ) be retained by the court for _____

( ) be returned to _____

If not claimed after 180 days, dispose of according to the law and Raleigh Police Departmental policies.

( ) be destroyed pursuant to successful completion of a deferred prosecution

( ) other (describe) _____

This the _____ day of _____ , 20 _____

DA's Consent _____ _____
( ) District Judge ( ) Superior Judge

Officer's Name & Code #: _____ **City Mobile #:** _____

Officer's Signature: _____ **Supervisor's Office #:** _____

DOI 1108-04: Attachment C

RALEIGH POLICE DEPARTMENT
CURRENCY RECONCILIATION FORM

OFFENSE:		CASE #:		DATE:	

COIN CURRENCY: (A)	PAPER CURRENCY: (B)
$0.01 x _____ = _____	$1.00 x _____ = _____
$0.05 x _____ = _____	$2.00 x _____ = _____
$0.10 x _____ = _____	$5.00 x _____ = _____
$0.25 x _____ = _____	$10.00 x _____ = _____
$0.50 x _____ = _____	$20.00 x _____ = _____
$1.00 x _____ = _____	$50.00 x _____ = _____
	$100.00 x _____ = _____
TOTAL COIN AMOUNT $_____	**TOTAL PAPER AMOUNT $_____**

TOTAL AMOUNT COLLECTED (A + B) $ _____

INSTRUCTIONS: Multiply the total number of coin currency and/or paper currency by the corresponding denomination. Add Column A to Column B in order to determine the total amount of currency collected.

SIGNATURE VERIFICATION	
OFFICER/INVESTIGATOR:	
REVIEWING SUPERVISOR:	
EVIDENCE SPECIALIST:	

INSTRUCTIONS: If the total amount of currency is under $5000, then the submitting officer/investigator and the reviewing supervisor must sign this form. When the officer is next scheduled to work business hours, the officer will contact an evidence specialist to recount the money. If the amount is $5000 or greater, then the submitting officer/investigator and the receiving evidence specialist must sign the form. In both cases, the completed form should be placed into the evidence envelope along with the currency.

DOI 1108-04: Attachment D

Buccal Swab Instruction Sheet

THIS PROCEDURE IS TO BE COMPLETED BY RPD OFFICER

Buccal Swab Instructions

1. Open package.
2. Remove gloves and put them on.
3. Remove swab from the kit.
4. Place swab in the mouth of the person to be swabbed, moving it up and down one cheek while rolling the swab.
5. Repeat with the second swab on the opposite cheek.
6. Allow swabs to air dry before placing in the air dry box.
7. Place the swabs into the air dry box included in the kit.
8. Seal the swabs, air dry boxes, and original Buccal Swab Kit envelope inside an evidence envelope and place bio hazard sticker on the envelope.
9. DO NOT PLACE SWABS FROM MORE THAN ONE PERSON IN AN EVIDENCE ENVELOPE. ONE EVIDENCE ENVELOPE PER PERSON ONLY.
10. Submit evidence envelope into evidence as required by DOI 1108-4.

THE RALEIGH POLICE DEPARTMENT

1108-05

SUBMISSION OF POLICE REPORTS

PURPOSE

Police reports are official documents that detail the Department's actions. Information from these reports is used by a number of different agencies, as well as the public. Standards in reporting are necessary to insure accurate and timely submission of information.

VALUES REFLECTED

This directive reflects our values of *Service and Integrity*. By following the guidelines of this order we demonstrate our adherence to the highest ethical standards in dealing with information that is not available to the public at large. We will safeguard information entrusted to us as a result of our special role in society and will be accountable for the wise and judicious use of such information.

UNITS AFFECTED

All Divisions/Sworn Officers/Information Response Technicians/Animal Control Officers

REFERENCES/FORMS

DOI 1109-11 "Traffic Investigation"
DOI 1108-02 "Legal Process"
NCGS 143B-903 "Collection of Traffic Law Enforcement Statistics"
Raleigh Police Department Report Writing Guide
N.C. Department of Transportation "DMV-349 Instruction Manual"

GENERAL POLICIES

Officers are responsible for submitting the appropriate report on any police action they take, regardless of whether the officer is on or off duty.

Only the information on the public information copy of an incident report may be released to the public. Officers are responsible for seeing that adequate confidentiality is maintained (refer to DOIs 1106-01 "Confidentiality and Release of Information" and 1106-02 "News Media Relations").

COMPLETION OF REPORTS

All reports are to be completed according to the guidelines specified in the Raleigh Police Department Report Writing Guide or the NC Department of Transportation DMV-349 Instruction Manual.

Due Dates

All initial reports are to be completed as soon as possible and turned in by the end of the officer's tour of duty. Unless an extension is granted, supplements and follow-up reports must be turned in by the assigned due date.

Legibility

All non-electronic reports must be written or typed in black ink and must be legible and easily readable.

Reports that are not sufficiently dark enough to be microfilmed will be reported as errors, and the officer will have to re-submit the report.

Addresses and Telephone Numbers

Officers should make every effort to include zip codes as part of the address on all reports. As appropriate, home, cellular and work telephone numbers, as well as, e-mail addresses should be included.

Identification Numbers

Any personal financial and identity numbers such as social security numbers, checking/savings account numbers, credit card numbers, ATM card numbers, driver's license numbers or any other personal numbers that may lead to identity theft or fraud shall be omitted from the property description field of the report since this report section may be released to the public. Such cards/documents will be listed in the property description field as "Social Security Card", "Credit/Debit Card", etc. The actual card/document number will be listed in the narrative (either of the report itself or the 'narrative' tab of the property section of the report) for example: "Social Security Card" followed by the actual number or "Bank of America Visa Card" followed by the actual number, etc.

Supervisor Review

All reports, electronic or handwritten, are to be submitted to a supervisor, who will review the reports certifying their correctness.

REQUIRED REPORTS

Incidents Requiring a Case Report

A case report is required on each incident involving all National Incident-Based Reporting System (NIBRS) Group A offenses (i.e. murder, robbery, etc.) and most Group B offenses. Case reports are also required if evidence or found property is collected.

Additionally, a case report is required any time an officer attempts a life-saving procedure on a victim. Life-saving procedures include but are not limited to: cardio-pulmonary resuscitation (CPR), the Heimlich maneuver, the administration of an automated external defibrillator (AED), the application of a tourniquet, the administration of Naloxone, and direct pressure to control serious bleeding.

Supplements

During the investigation of more serious events (i.e. murder, robbery, death investigations, etc.), officers should document their actions in a supplement, if another officer completed the main case report.

If an arrest involves a Raleigh Police Department case, officers should also complete a supplement using the Raleigh case number.

Traffic Crash Reports

State law requires the Department to investigate and report auto crashes involving death, physical injury, or apparent property damage in excess of $1000. It is the policy of the Department to investigate and report any crash upon request of either party involved, regardless of the amount of damage involved. This includes crashes which occur on private property (refer to 1109-11 "Traffic Investigation").

Stolen and Recovered Vehicle Reports

An incident report should be completed on all vehicles reported stolen. If a vehicle is recovered and was reported stolen in Raleigh's jurisdiction, a supplementary report using the same case number as the original theft report must be completed.

If a recovered vehicle was reported stolen in a jurisdiction other than Raleigh, a recovered stolen vehicle incident report must be completed. The recovered stolen vehicle incident report must document the city where the vehicle was stolen and, if available, the jurisdiction's incident number.

All reports detailing the recovery of a stolen vehicle should indicate what processing was done to the vehicle prior to release, whether the owner was notified, whether the vehicle was released or stored, and if the vehicle was removed from NCIC.

Felony Investigative Reports

A "Felony Investigative Report" will be completed and turned into the Magistrate anytime an officer obtains a felony warrant. The Magistrate will forward the Felony Investigative Report to the District Attorney's Office to be filed.

If, through a criminal history check or other means, the officer determines the arrestee may be a habitual felon, the officer will inform the Magistrate and notify the District Attorney's Office Liaison Detective to ensure proper charges are pursued. This will be documented in the officer's case report or supplemental report.

Open Discovery

In all cases, all officers are to transfer all relevant information from their personal notes to their official police supplemental report which will be maintained in the Records Division.

A defendant in a felony prosecution will have the right to examine all original notes taken during a felony investigation and misdemeanors that are tried with felony cases. In compliance with the Open Discovery Law any notation made, no matter in what form, is discoverable. For this reason the following practice must be followed by all officers.

- All original notes, tapes and records, must be maintained by the Department and not by the officer.
- If an officer prepares a supplement from handwritten notes, the handwritten notes must be maintained.
- All original officer notes and records will be placed in an envelope and maintained by the Department. The case number and the officer's name will be placed on each note page and the outside of the envelope. Envelopes will be forwarded to Records along with other paperwork. Instead of following this process, all detectives will place their notes in the case jacket. When the investigation is completed the case jacket will be forwarded to Records.
- Officers must not place a confidential informant's name in personal notes or on supplements that are subject to discovery.
- In the event there is information that should not be disclosed to a defendant, the prosecutor will have to apply for a protective order from a superior court judge. It will be our responsibility to advise the prosecutor of sensitive information. The prosecutor will have to determine if the request for a protective order is appropriate.
- It is important to remember that every note or record that an officer creates is going to be seen by other stakeholders, so it is vital to maintain a professional work product. Officers should refrain from placing personal opinions and other notations not relevant to an investigation on any investigative notes or reports.

Traffic Stop Forms

In accordance with NC General Statute 143B-903, any officer performing a traffic stop for a violation motor vehicle law shall complete a "Traffic Stop Form." This form will be completed by the officer prior to the end of the officer's shift.

When working a checking station, officers issuing verbal warnings, written warnings, uniformed traffic citations, or making physical arrests, or conducting searches will be required to complete the Traffic Stop Form. For the purposes of generating an electronic Traffic Stop Form, officers should select

"Checkpoint Profile" in the report writing system. The Traffic Stop Form requires the officer to submit a "purpose" for the stop. Officers will indicate "Checkpoint" as the reason for the stop.

BlueTeam Reports

DOI 1108-01 "Use of Force and Weapons" and DOI 1106-10 "Pursuits" require officers to submit BlueTeam reports following use of force/complaint of injury incidents and vehicle pursuits. Unless otherwise directed by the Office of Professional Standards Major, these reports will be completed by all involved officers prior to the end of the shift and forwarded to the appropriate supervisor for review. Officers working off-duty employment shall complete these reports prior to going home. The deadline for the completion of these reports may be extended by the Commander of the district in which the incident occurred or the Watch Commander, but the extension may not span the officers' RDOs or scheduled time off. Blue Team reports are considered personnel files under NCGS 160A-168 but are not records of criminal investigation as defined by NCGS 132.1.4.

UPDATING REPORTS

NIBRS Offense Updates

Personnel that are aware of any changes that need to be made in a NIBRS offense classification will notify their supervisor. The supervisor shall then notify the Raleigh Intelligence Center (RIC). The RIC is responsible for reviewing and enacting the recommended change.

Status/Disposition Updates

When a detective supervisor receives information concerning a change in status on a case, they are responsible for updating the status or disposition of the case.

Errors on Reports

Notice of errors on an incident report or traffic crash report will be sent to the employee's supervisor. Upon receipt of the notice of error, the employee's supervisor will ensure the employee is made aware of the error and that it is corrected within five (5) days upon receipt of notification.

THE RALEIGH POLICE DEPARTMENT

1108-06

FIRST AID

PURPOSE

To provide general guidelines to officers who arrive on the scenes of severe injuries prior to the arrival of emergency medical personnel.

VALUES REFLECTED

This directive reflects our values of *Service and Compassion*. Our highest priority in the cases of severe injury is to offer comfort and aid to the victim, to protect them from further injury, and to save lives.

UNITS AFFECTED

All Divisions/Sworn Officers

REFERENCES/FORMS

G.S. 20-166(d) "Aid at Collision Scenes"
G.S. 90-21.14 "Good Samaritan Law"
G.S. 15A-503 "Police Assistance to Unconscious Arrestee"
G.S. 90-12.7 "Treatment of Overdose with Opioid Antagonist; Immunity"
DOI 1106-08 "Communicable Disease/Bloodborne Pathogens"

GENERAL POLICIES

The first officer arriving on a scene must determine whether an ambulance is needed and should then apply reasonable first aid pending arrival of emergency medical personnel. Officers should not attempt to transport injured persons unless no other reasonable alternative is available (see DOI 1106-5 "Operation of Police Vehicles").

In cases of severe injury, the officer should check for breathing and control severe bleeding unless life threatening hazards necessitate immediately moving the victim to a safe location.

LEGAL IMPLICATIONS

Consent

In cases where the victim is conscious and coherent, officers should try to obtain consent prior to rendering first aid.

If a victim is unconscious or incoherent, consent is implied. However, if a parent or next of kin is present, consent should be obtained from that person.

Unauthorized Practice of Medicine

Officers should be careful not to exceed the scope of their training or responsibility. They should not attempt techniques for which they have not received instruction or certification. If the assistance of a third party is requested by an officer, the level of assistance should be within the assisting person's level of competence.

Abandonment

If an officer responds to a medical emergency, the officer should not leave the patient until relieved by other competent personnel.

EFFECTING A PROMPT RESCUE

Where a life threatening hazard exists, such as a fire or poisonous gases, the victim shall be moved to safety. Otherwise, the victim should not be moved.

Moving the Victim

If a victim must be moved, dragged or pulled to safety, the victim should be pulled in the direction of the long axis of the body, preferably by the shoulders. If at all possible, pulling the victim sideways should be avoided.

Temporary Stretchers

At times, blankets or other items may be available for use as a stretcher. Use of such temporary stretchers is generally more preferable than dragging victims by their clothing.

CHECKING FOR PULSE AND BREATHING

Quick Check

Officers should look and listen for signs of breathing or breathing obstructions. Officers should check to determine if the victim is a laryngecomee (has an air inlet stoma in the throat). Also, officers should feel for a pulse at the wrist or throat artery.

Cardio-Pulmonary Resuscitation (CPR)

The officer should attempt to dislodge any obstruction of the mouth or throat if this can be done without risk of pushing the obstruction further down the throat. If appropriate, the officer should perform rescue breathing or CPR using a mouth-to-mask resuscitator.

CONTROLLING SEVERE BLEEDING

Direct Pressure

Placing a dressing over the wound and applying direct pressure is the preferred method of controlling bleeding. A pressure bandage may be used to hold the compress in place, so that the officer's hands may be freed. If a dressing is not available, the hand or fingers may be used, but only until a compress can be applied.

Elevation

Unless there is evidence of a fracture, a severely bleeding open wound may be controlled by elevating the affected part above the level of the victim's heart. Direct pressure over the wound must be continued.

Pressure on the Supplying Artery

If the previous techniques are unsuccessful in stopping the bleeding, pressure may be applied to the main artery that supplies blood to the damaged limb. Direct pressure to the wound and elevation should be continued.

Use of a Tourniquet

A tourniquet should be used only for severe, life threatening bleeding that cannot be controlled by any other means. A note should be attached to the victim's clothing indicating the location of the tourniquet and the time it was applied. Once a tourniquet is applied, it should not be loosened except on the advice of a physician.

POISONING

If the victim is unconscious and poisoning is suspected, the officer should check for stains or burns about the victim's mouth. The officer should check the area for a source of the poisoning.

Conscious Victims

If the victim is conscious, the officer should attempt to dilute the poison by having the victim drink water or neutralizing liquids. The poison container will usually suggest liquids that are to be given. Vomiting must not be induced if corrosives or petroleum distillates are involved.

Unconscious Poison Victims

If the victim is unconscious or having convulsions the officer should maintain respiration and treat him/her for shock. In this instance, the officer should not attempt to administer liquids.

BURN VICTIMS

Covering Burned Areas of the Body

Burns should be covered as quickly as possible with a clean, sterile dressing. In emergencies, a clean sheet or an unused plastic bag may be used. The officer should not remove adherent particles of charred clothing.

Elevating Burned Areas

If the hands, feet or legs are involved, the officer should keep them elevated above the level of the victim's heart. The officer should have victims with face burns sit up or they should be propped up. Burn victims should be kept under continuous observation for breathing difficulty.

Chemical Burns

Chemical or acid burns should be flushed with water for at least five minutes. Clothing contaminated with chemicals or acids should be removed.

Ice Packs

A cold pack may be applied to the face, hands or other limited areas to reduce pain. Officers should not immerse or apply ice water over extensively burned areas, since this may induce shock.

EPILEPSY AND SEIZURE VICTIMS

Preventing Injury

Officers should keep a seizure victim lying down and push away nearby objects. Efforts should be made to prevent the victim from banging their head, but other restraint should be avoided. A victim may injure themselves by tensing against the restraint.

Maintaining an Airway

The officer should not force blunt objects between the victim's teeth. The officer should prevent the victim from inhaling mucus by rolling them on their side or by having them lie on their stomach. If breathing stops, the officer should give CPR if appropriate.

GUNSHOTS, STABBINGS, OR IMPALINGS

Sucking Chest Wounds

The officer should apply an airtight dressing as the person exhales and secure it with overlapping strips of tape. The officer should lay the person on the injured side as this will help seal the wound and assist the uninjured lung.

Impaled Objects

If a person is impaled by a knife, ice pick, etc., the foreign object should not be removed. Bulk dressings should be placed on either side of the object to stabilize it. If the cheek is impaled, the victim's head should be positioned to allow drainage from the throat.

Eviscerations

At times, organs or intestines may be protruding from the wound. The officer should cover the wounded area with a non-adhering dressing, such as aluminum foil or plastic wrap. The officer should then cover the non-adhering dressing with a sheet or towel. If the proper dressing is unavailable, no action should be taken.

STABILIZING VICTIMS

Once emergency measures have been taken, efforts should be made to reduce the traumatic shock associated with serious accidents.

Avoid Moving the Victim

Shock may be increased by any rough handling of the victim and should be avoided. The victim should not be moved unless necessary for safety reasons. The officer should keep the victim in a position best suited to the victim's condition, they should not be allowed to get up or walk about. The officer should loosen constrictive clothing, but the officer should not pull on the victim's belt in case spinal injuries are present.

Keeping the Victim Warm

The officer should maintain the victim's body temperature by placing blankets or additional clothing over the victim. If the victim is exposed to cold or dampness, additional blankets or clothing should be placed under the victim.

RESPONDING TO AN OPIATE OVERDOSE / NALOXONE USE AND DEPLOYMENT

Calling for Medical Assistance

If an officer has reason to believe that a person is suffering from exposure to an opiate, the officer should immediately notify Raleigh-Wake Emergency Communications Center that they have a possible opiate overdose and request Fire and EMS.

Indications of Opiate Overdose

- Restricted breathing (less than 10 breaths per minute)
- Purple or blue skin color, especially around lips and/or fingernails.
- Making loud, uneven snoring or gurgling noises
- Loss of responsiveness
- Loss of consciousness
- No pulse
- Presence of opioid-based narcotics and/or paraphernalia

Precautions

Sudden opiate overdose reversal can lead to vomiting. Officers should use universal precautions to include gloves and a face mask if available. The officers should also be aware that the subject who overdosed may awaken and be confused and unpredictable in their behavior.

Training

Officers will not be provided Naloxone for use by the Department unless they have completed the mandated training. The training course will cover patient assessment, signs/symptomology of overdose, universal precautions, G.S. 90-12.7 and instruction on the use of intra-nasal Naloxone. After receiving the initial training, officers will be required to attend annual refresher training.

Naloxone Use and Continuing Care

The responding officer should obtain the Naloxone kit and follow the instructions for use that were covered in the training course and annual refresher training. The administering officer should remain with the patient until relieved by EMS or Fire personnel. Responding medical personnel should be told that Naloxone was administered and how many dosage units were delivered.

Scene Decontamination / Evidence Handling

If an opiate exposure occurs that results in medical care being required for involved police personnel, the area of exposure should be evacuated and secured. The Drugs and Vice Lieutenant will be notified and will contact personnel who have completed and maintain current certification for dealing with clandestine labs so that they may respond and coordinate further scene/evidence processing.

Any evidence recovered at the scene of an overdose will be properly secured, documented and placed into RPD evidence. Officers should refer to General Statute 90-96.2 prior to making any drug charges related to an overdose call for service. In general, persons experiencing or reporting an overdose are immune from prosecution if they possess less than 1 gram of cocaine or heroin.

Follow-up Reporting

Upon completing a medical assist, the assisting officer will complete an incident report detailing the nature of the incident, the care the patient received and the details surrounding the administration of Naloxone. The report will be forwarded to the Department Naloxone Coordinator who will then forward the data to North Carolina Harm Reduction's Overdose Prevention Program Coordinator.

Naloxone Storage

All personnel that are assigned to carry Naloxone will be responsible for its proper storage. Naloxone should be kept at normal room temperatures and should not be exposed to extreme temperatures for any extended period. For this reason, Naloxone should not be stored in vehicles during extreme temperatures or that may become susceptible to extreme temperatures for any extended period of time.

Maintenance / Replacement

Naloxone assigned to personnel should be checked during routine monthly inspections. Supervisors will ensure that the kits are in good condition and have not reached their expiration date.

Missing, damaged, used or expired Naloxone kits will be reported to the Police Quartermaster for replacement. An Equipment Request Form will be filled out, signed by the appropriate supervisors and submitted to the Quartermaster at the time of replacement.

Naloxone Coordinator

The Drugs & Vice Lieutenant will be designated as the Naloxone Coordinator for the Department. The coordinator will keep statistics on usage and effectiveness of the Naloxone program. The Police Quartermaster will dispense and track Naloxone kit deployment.

GATHERING INFORMATION

Once the victim's condition is stabilized, officers should obtain information about the victim and the accident which may be useful to medical personnel.

Medical Alerts

If a victim is unconscious, officers should check for any medical alert bracelets or necklaces that might be worn by the victim. Other identification carried by the victim may provide clues to the victim's condition, or may provide the names of relatives. If possible, have a witness present prior to searching a person's wallet or purse.

Information Concerning Injuries

Officers should attempt to determine from the victim or witnesses, precisely what happened. Any medicines or chemicals that might be involved should be collected. The officer should try to determine how long the victim was unconscious or in the present condition.

NOTIFYING NEXT-OF-KIN

Officers should gather whatever information is available so that next-of-kin can be notified. In most cases, notification should be left to hospital personnel. Officers, though, are responsible for identifying unknown victims and should assist hospital personnel when requested in difficult notifications. In making notifications, officers should not try to diagnose illnesses or the extent of injuries. They should simply indicate that contact with the hospital is requested.

REQUIRED REPORTS

A case report is required if an officer attempts a life-saving procedure on a victim. Life-saving procedures include, but are not limited to: cardio-pulmonary resuscitation (CPR), the Heimlich maneuver, the administration of an automated external defibrillator (AED), the application of a tourniquet, the administration of Naloxone, and direct pressure to control serious bleeding.

THE RALEIGH POLICE DEPARTMENT

1108-08

FIREARMS

PURPOSE

The purpose of this directive is to establish guidelines for firearms training and qualification and for the carrying of firearms.

VALUES REFLECTED

This directive reflects our values of *Service, Courage, and Integrity*. We place the highest value on the life and safety of our officers and our citizens. We will hold ourselves accountable for the power vested in us to carry and use firearms. We will demonstrate competency and proficiency in all aspects of firearms use.

UNITS AFFECTED

All Divisions/Sworn Officers

REFERENCES/FORMS

G.S. 15A-401(d) "Use of Force by a Law Enforcement Officer"
DOI 1103-02 "Training"
DOI 1105-2 "Internal Affairs Investigations"
DOI 1106-4 "Care of Equipment and Uniforms"
DOI 1106-7 "Off-Duty Employment of Police Officers"
DOI 1108-1 "Use of Force and Weapons"
Attachment A: Declaration to Carry Form
Attachment B: Approved Off-Duty / Secondary Weapons & Ammunition Manufacturers

GENERAL POLICIES

The authority to carry and use firearms is based on the trust placed in our officers to carry out the basic duty to protect life and must be balanced by strict accountability. All of the Department's policies, rules, regulations and procedures regarding the use of firearms are designed to safeguard our officers and citizens and to reduce the probability of criminal and civil liability that could arise from questions of competency, training and standards. To assure their ability to perform and to protect themselves and the public, officers are required to demonstrate reasonable proficiency in all aspects of firearms use. Officers will receive ongoing training in the use of firearms, use of force, firearms safety, and basic marksmanship.

Inappropriate use of firearms may subject the officer to criminal charges, and may leave both the Department and the officer open to civil liability. Violation of firearm regulations will be handled as serious rule infractions. Failure to comply with firearms policies will result in disciplinary action that may include the revocation of any privilege to carry firearms and dismissal.

In carrying out day-to-day duties, officers are expected to be conscious of their firearms at all times, to avoid conspicuous display of their firearms and to carry and use weapons in a manner which is safe and legal. Any firearm and ammunition carried on or off-duty must be of the type and specification approved by the Department.

When carrying weapons into airports or onto air carriers, officers must abide by all regulations issued by the Transportation Safety Administration.

SERVICE WEAPONS

With the exception of non-uniformed administrative personnel assigned to full time duty in a Police Department facility, all officers are required to carry their issued service weapon at all times while on-duty and are required to observe the following:

- All officers, while wearing the police uniform and carrying the service weapon will wear their shield or police identification in obvious view on the outermost garment.
- All officers will carry at least one fully loaded extra magazine. The service weapon will be fully loaded with ammunition issued by the Department and carried according to Department procedure.
- No modifications or alterations in factory specifications are allowed to be made to the police service weapon. Any service weapon that malfunctions will be submitted to the Armorer.
- An officer will not remove the service weapon from the holster while on-duty or in uniform, except for supervised firearms training, equipment inspection, or when otherwise justified.
- Service weapons will be cleaned at Police Training Facilities or while officers are off-duty and away from any police installation.
- Officers are required to exercise reasonable care to prevent unnecessary loss, wear or damage to Departmental weapons.

Officers are restricted from carrying a service weapon under any of the following circumstances:

- The officer is placed on administrative duty, under suspension, or subject to a specific disciplinary action prohibiting the carrying of the service weapon.
- The officer is assigned to light duty because of an injury or illness which renders the officer unable to perform the essential functions of the job of a police officer, unless granted an exception from the Division Commander.
- The officer has been granted a leave of absence from the Police Department.

Officers subject to an N.C.G.S. 50-B Domestic Violence Protection Order may carry their service weapon only when on-duty with the Police Department or when traveling to and from law enforcement employment.

Discharge or Pointing of Firearms On-duty

A Discharge of Firearms Report is to be completed in Blue Team and forwarded to the Internal Affairs Unit any time a firearm is discharged by an officer, either intentionally or accidentally, except during Department training.

A Use of Force Report is to be completed in Blue Team when a firearm is discharged or pointed at a suspect. A supervisor is also to be notified.

A Field Euthanization of Undomesticated Animal Report (Attachment A to DOI 1108-01 "Use of Force and Weapons") is to be completed in lieu of the Discharge of Firearms Report if the firearm is discharged as a result of euthanizing an undomesticated animal.

Training

Officers will receive annual Departmental training on the proper use, carry and operation of firearms (Refer to DOI 1103-02 "Training").

Repair and Maintenance

Officers are obligated to clean issued firearms, including issued shotguns, and any other firearm carried on and off-duty, after each use and at other times to maintain serviceability. Once a year, officers should schedule a cleaning of the internal parts of their issued service weapon by the Police Armorer. Officers are not to attempt any internal cleaning or adjustments themselves (Refer to DOI 1106-4 "Care of Equipment and Uniforms"). Ammunition for personal and off-duty weapons will be supplied by the officer.

Shotgun Ammunition

On-duty ammunition for shotguns must be approved by the Department. Selective Enforcement Units may use other specialty ammunition for shotguns previously approved by the Chief of Police.

Patrol Rifles

The patrol rifle is intended to be utilized as an additional tool available to authorized officers in situations where the service pistol would not be optimal. Officers should use discretion when deciding to deploy the rifle.

Only trained and qualified sworn personnel may be issued a patrol rifle. Officers shall complete a training course specific to the patrol rifle weapon system and meet the requirements set forth by the Firearms Training Staff (Refer to DOI 1103-02 "Training"). The Chief of Police reserves the right to rescind an officer's authority to carry a rifle on-duty.

Only departmentally issued rifles and ammunition are authorized for carry by officers. No modification may be made nor accessories added to Department rifles without the authorization of the Firearms Training Staff.

Inspections

Supervisors will conduct inspections of ammunition and weapons, including shotguns, rifles and any declared secondary weapons, following firearms re-qualification and at other times to ensure that maintenance and safety regulations are being followed.

Custody of Weapons

Officers will safeguard their weapons to prevent theft or unauthorized use.

When the officer is on-duty, all long weapons (i.e. shotguns and rifles) will be stored in the interior departmentally approved locking gun rack of the assigned patrol vehicle. If no rack is available, long weapons shall be stored in the trunk.

If a vehicle is not equipped with a specialized weapons vault, the following procedures apply when the officer is off-duty:

Fleet vehicles

- Long weapons will be removed from the vehicle and stored in the officer's assigned District Station locker.

Personal police vehicles

- The shotgun will be stored in the approved locking gun rack of the vehicle.
- The rifle must be removed from the rack and stored in the officer's assigned District Station locker.

Weapons are not to be left in vehicles parked at the City garage, radio shop, or other locations where non-police personnel have access to the vehicle. It is the responsibility of the officer(s) assigned to a vehicle to remove all weapons and secure them in the appropriate designated location prior to placing a vehicle out-of-service for repair or maintenance.

Proper Cruiser Ready Status

Shotguns will be loaded with ammunition in the magazine only.

Rifles shall be transported in the following condition:

- Chamber empty
- Action closed / dust cover closed
- Safety engaged
- Loaded magazine inserted/locked in magazine well

Officers are responsible for inspecting their vehicles at the beginning of each shift to ensure that shotguns and rifles are secured and loaded appropriately.

Purchase of Issued Weapons at Time of Replacement

Officers in good standing with the Department may purchase handguns that have been issued to them. Officers may purchase only those handguns which were worn or carried by them. The City Purchasing Agent will determine the price of the weapon.

The Armorer will notify the Division Commander of those officers whose handguns are to be replaced. The Division Commander will determine if the officer is eligible to purchase the old handgun and will see that the necessary notifications are made.

Officers who are eligible to purchase their old handgun will have 30 days from the date of notification to do so. Guns that are not purchased within the 30 day time limitation cannot be purchased at a later time by the officer. To purchase the handgun, the officer must obtain a permit from the Wake County Sheriff's Office and remit payment for the gun to the City of Raleigh. Upon presentation of the permit and a receipt for payment, the Armorer will release the gun to the officer.

OFF-DUTY LIMITATIONS AND PERSONAL WEAPONS

Carrying Personal Weapons On-Duty and/or Off-Duty

Officers must carry their Departmental issued handgun while on-duty. In addition to their issued handgun, on-duty officers may carry one declared secondary duty weapon. This election will be made at the time of qualification. An officer who intends to carry a personal weapon on-duty and/or off-duty must sign a Declaration to Carry Form, stating the manufacturer, model and serial number of the personal weapon. The form will be kept on file with the officer's F-9A Qualification Form.

Under certain circumstances, officers on a special assignment may be authorized to carry only the declared secondary duty weapon. This exception is intended to allow officers on special assignments to carry their own handguns which may be more easily concealed than the Departmental issued handgun. An officer with responsibility for a special assignment must first receive permission from their Division Commander to carry only a personal handgun on-duty. The Division Commander will be responsible for verifying that the officer has qualified with the weapon

and has a Declaration to Carry Form on file. Officers carrying personal handguns on-duty will comply with the following:

- Personal weapons and ammunition used on-duty are limited to those handguns and ammunition that are on the "Approved Off-Duty/Secondary Weapons & Ammunition Manufacturers" list. The holster used must be approved by the certified firearms instructor in charge of firearms training.
- Officers will receive annual Departmental training on carrying personal and concealed weapons.
- The officer must qualify semi-annually with the approved handgun and ammunition. The officer will demonstrate proficiency with the weapon, including operation and nomenclature.
- Officers will not carry any weapons on-duty that they have not qualified with and that are not listed as their declared weapon on the Declaration to Carry Form.
- Officers who fail to qualify with a personal weapon will not be allowed to carry the personal weapon concealed, on or off-duty.

Officers carrying any weapon on-duty, other than their issued weapon, must personally notify their supervisor of their weapon at the beginning of each shift.

Off-Duty Within Raleigh's Territorial Jurisdiction

While off-duty and inside Raleigh's jurisdiction, officers shall carry a handgun except when, in the officer's reasonable judgment, it is impractical to do so.

- The handgun and ammunition carried off-duty must be on the "Approved Off-Duty/Secondary Weapons & Ammunition Manufacturers" list. The list will be reviewed annually or as directed by the Chief. The final list will be approved by the Chief of Police.
- Officers are not to carry handguns while consuming alcohol, while under the influence of alcohol, while impaired due to alcohol or when unfit for duty due to alcohol or drugs at any time.

Off-Duty Within the State But Outside of Raleigh's Territorial Jurisdiction

While off-duty within the State of North Carolina, but outside of the territorial jurisdiction of Raleigh, officers may carry concealed handguns except when, in the officer's reasonable judgment, it is impractical to do so.

The authorization to carry concealed handguns, off-duty, beyond the officer's jurisdiction is a privilege and not a right. The Department has the authority to place restrictions on this privilege as necessary.

Any violation of the restrictions set forth in this procedure, or any of the following regulations, may result in the termination of the privilege to carry a concealed handgun while off-duty and could result in disciplinary action including termination.

- The handgun and ammunition carried off-duty must be on the "Approved Off-Duty/Secondary Weapons & Ammunition Manufacturers" list. The weapon and ammunition

will be inspected annually by a certified Raleigh Police Department firearms instructor or by the police Armorer.

- Officers are not to carry handguns while consuming alcohol, under the influence of alcohol, impaired due to alcohol or unfit for duty due to alcohol or drugs.
- Off-duty officers who carry concealed handguns within the State of North Carolina but beyond Raleigh's jurisdiction will have no law enforcement authority beyond the Raleigh Police Department's jurisdiction.
- Officers must qualify semi-annually with any personal handgun carried in a concealed manner, whether working in an off-duty capacity or not. Officers are granted this privilege by the Department, and any officer failing to receive training and qualify with personal handguns will lose the privilege to carry concealed weapons.

Other Requirements When Carrying a Weapon Off-Duty

When carrying a handgun off-duty, officers are required to carry their police identification and badge.

When carrying a handgun off-duty, officers will notify on-duty officers who address or approach them, that they are police officers and that they are carrying a concealed handgun as authorized by a Police Department procedure. Officers will make their identification available upon request.

Use of Deadly Force Off-Duty or Outside Raleigh Police Department Jurisdiction

When officers carry handguns within the State of North Carolina but beyond their territorial jurisdiction they are legally restricted to the same standard on the use of deadly force as if they were a private citizen.

Prior to carrying a concealed handgun beyond the officer's territorial jurisdiction, as allowed under this procedure, officers must satisfactorily complete special training provided by the Department on the legal standards for use of deadly force by private citizens.

If an officer discharges a handgun when off-duty, other than for recreational or training purposes, the officer shall immediately notify the Police Department and will be responsible for completing a Discharge of Firearm report.

When officers carry handguns within their territorial jurisdiction, officers are authorized to use deadly force as set forth in DOI 1108-1 "Use of Force and Weapons."

Liability for Use of Force Beyond Territorial Jurisdiction

Officers who choose to carry a concealed handgun beyond their territorial jurisdiction do so at their own risk. The City of Raleigh will not assume liability, pay judgments, or represent officers sued for actions arising out of incidents that occur off-duty and outside of the officer's territorial jurisdiction.

Prohibited Locations for Concealed Carry

Officers who choose to carry a concealed handgun beyond their territorial jurisdiction are prohibited from carrying the handgun into buildings owned or leased by the federal government (18 USC 930).

Prohibitions on Carrying Concealed Handguns Off-Duty

Officers are prohibited from carrying a concealed handgun off-duty either within or beyond the territorial jurisdiction when they are prohibited from carrying a service weapon on-duty or if the officer is subject to a N.C.G.S. 50-B Domestic Violence Protection Order which prohibits an officer from carrying a handgun except when on-duty with the Police Department or traveling to and from law enforcement employment.

1108-08
Attachment A

DECLARATION TO CARRY

I, (Name & Code #) _____ have received firearms training and have qualified according to Departmental standards with the weapon(s) listed below. I have read and understand DOI 1108-08 "Firearms" regarding the carrying of weapons, both on and off-duty.

(**Only one weapon may be designated as the secondary personal duty weapon per officer. Officers are required to declare the designated weapon at the semi-annual qualification**).

I intend to use the following weapon as a secondary duty weapon while on-duty:

1. WEAPON: Manufacturer _____
   Model Number _____
   Serial Number _____

In addition, I have qualified with the following weapons and may use them in an off-duty capacity. I understand I cannot carry these weapons on-duty:

2. WEAPON: Manufacturer _____
   Model Number _____
   Serial Number _____

3. WEAPON: Manufacturer _____
   Model Number _____
   Serial Number _____

4. WEAPON: Manufacturer _____
   Model Number _____
   Serial Number _____

_____
Officer Signature

_____ Certification # _____
Certified RPD Firearms Instructor

_____
Date

Revised 09/2016

RALEIGH POLICE DEPARTMENT

APPROVED OFF-DUTY / SECONDARY WEAPONS &

AMMUNITION MANUFACTURERS

The below listed companies have proven to manufacture weapons that are safe and reliable. As such, their products have been approved for carry both off-duty and as secondary weapons.

Approved Weapons Manufacturers:

Beretta
Colt
Glock
Heckler & Koch (H&K)
Kahr Arms
North American Arms
Para Ordnance
Ruger
Sig Sauer
Smith & Wesson
Springfield Armory
Walther

In addition to selecting an approved manufacturer, the following criteria must be met when selecting an off-duty or secondary weapon (applies to both revolvers and semi-automatic weapons):

- Double action required (single action only weapons are prohibited)
- Safe Action trigger system allowed
- Barrel length may not exceed 6 inches
- Caliber shall range from .38 special or .380 to .45
  - .44 magnum, .50 caliber and .32 caliber are prohibited
- Must have front and rear sights
- Incapable of "cocked and locked" carry

Approved Ammunition Manufacturers:

Factory loaded hollow point ammunition from the following manufacturers has been approved:

CCI/Speer
Federal
Remington
Winchester

Note: Aluminum cased ammunition is prohibited.

THE RALEIGH POLICE DEPARTMENT

1108-09

PERSONAL POLICE VEHICLE PROGRAM

PURPOSE

The purpose of this directive is to establish the criteria for the assignment of take home vehicles and to specify officer responsibilities for the use of vehicles in the Personal Police Vehicle Program.

VALUES REFLECTED

This directive reflects our values of *Service, Fairness and Integrity*. We will be inventive in applying the use of all of our resources to improve our response to public safety emergencies and to enhance our effectiveness by establishing the community contact necessary for problem-oriented policing

UNITS AFFECTED

All Divisions/All Personnel

REFERENCES/FORMS

DOI 1106-5 “Operation of Police Vehicles”
DOI 1109-2 “Radio Communications, Response to Calls”

GENERAL POLICIES

It is the policy of the Raleigh Police Department to provide take home vehicles to sworn personnel who meet the criteria for participation in the program. Permanently assigned units are intended to promote high visibility, deter crime by vigilant patrol, allow quick response, reduce vehicle maintenance costs, increase morale and enhance community relations through more public contact.

Participation in the PPV Program should be considered a responsibility. Use of this vehicle is a privilege, not a right for officers. The officer must meet and maintain eligibility requirements and abide by all guidelines for continued use of the vehicle. The privilege of participation in the program may be revoked at any time for disciplinary reasons.

ELIGIBILITY REQUIREMENTS FOR PARTICIPATION IN THE PPV PROGRAM

Issuance of a vehicle is contingent on the availability of a vehicle. Officers in specialized units and the command staff may be assigned personal vehicles at the discretion of the Chief of Police or the Deputy Chief. To be eligible for participation in the PPV program, officers must meet the following criteria:

- The officer must have rendered two (2) years of unbroken service to the Department.
- Obtained the classification of First Class Officer or above.
- The officer must reside within the Raleigh city limits.
- The officer must have a safe and approved area for parking the vehicle at home.

Participation in the PPV program is voluntary. Any officer eligible for an assigned vehicle in the PPV Program may decline to accept the vehicle.

LIMITATIONS AND RESPONSIBILITIES

All policies governing the use of police vehicles shall apply to the use of assigned vehicles in the PPV Program.

Approved Uses

Officers may not use any police vehicle for personal use, including but not limited to, the transportation of non-city employees, except as specified by DOI 1106-05. Use of the assigned vehicle is restricted to transportation to the following:

- Departmental facilities for meetings, duty, administrative work, etc.
- Off-duty court appearances
- Vehicle maintenance and cleaning at city facilities

- Staff activities

- Out-of-town training courses upon approval of the Chief of Police

Assigned vehicles will not be driven outside the city limits without prior approval of the Watch Commander except when in hot pursuit of a violator.

Maintenance and Care Of Assigned Vehicles

Officers who participate in the PPV Program are responsible for the care, cleanliness, and maintenance of the assigned vehicle.

Officers will comply with notification from the Police Service Center and/or Vehicle Fleet Services (City Garage) if the vehicle is required for service. Failure to comply with such notification will subject the officer to disciplinary action, including removal as a participant of the PPV Program.

No repair work will be conducted on an assigned vehicle except by city personnel or outside vendors at the direction of the appropriate city personnel. Officers will not allow anyone to repair, alter, or change the mechanical function or physical appearance of an assigned vehicle. No equipment is to be added to the assigned vehicle without prior approval by the Administrative Services Division Commander, or designee.

Vehicle Reassignment

Officers who are on sick leave for ten or more days, light duty, or any leave of absence will be required to relinquish the assigned vehicle until such absence from duty is ended.

The Watch Commander may recall assigned vehicles in order to meet staffing demands in exigent circumstances.

OFF-DUTY LIMITATIONS AND RESPONSIBILTIES

Officers who participate in the PPV Program must agree to park their assigned vehicle during normal off-duty hours at their residence. Reasonable measures shall be taken to ensure that the vehicle is secured and parked in a non-hazardous, highly visible location.

When operating assigned vehicles while off-duty, officers will comply, in all cases, with the following general rules:

- Off-duty officers must be attired in the uniform appropriate to their current job assignment and in a position to take police action if necessary.

- Off-duty officers must be properly armed and equipped to take enforcement action if necessary.

- Off-duty officers must monitor the police radio at all times.

- Off-duty officers are prohibited from transporting alcoholic beverages in an assigned vehicle.

- Off-duty officers are prohibited from driving an assigned vehicle after the consumption of any alcoholic beverage or impairing drug.

Response to Calls

Whenever off-duty officers in assigned vehicles become aware of a call for service to which their immediate response may prevent loss of life or serious injury or would assist in securing the scene of a serious crime in progress, officers will respond to the call after notifying the Emergency Communications Center and an on-duty supervisor of their proximity to the call. The following limitations and responsibilities will apply:

- Off-duty officers, in an assigned vehicle, whose response to a call for service has been cancelled by the Watch Commander will not respond to the scene.

- Off-duty officers in an assigned vehicle who encounter a traffic collision, stranded motorist, traffic violations and/or any other incident requiring a police response will notify the Emergency Communications Center and the Watch Commander. Officers will render whatever assistance is required until an on-duty officer arrives on the scene.

- Officers who respond to any call for service must submit the appropriate overtime in ERP for their involvement in the incident. The comments for the overtime will include the name of the Watch Commander notified and the incident and/or case report number.

Off-duty officers using the police radio will follow all normal police procedures. (DOI 1109-02 "Radio Communications, Response to Calls.")

Nothing in this policy shall relieve an off-duty officer from compliance with all appropriate directives contained in the Departmental Operating Instructions and relevant City policies when operating an assigned vehicle or responding to any call for service whether dispatched or initiated by the officer.

If an assigned vehicle becomes disabled at the residence of an officer prior to the beginning of the officer's tour of duty, the officer will immediately notify the appropriate supervisor of the disablement. Vehicle disablement does not excuse an officer from tardiness unless prior notification to a supervisor has been made.

Securing Weapons and MCTs When Off-Duty

Officers shall not leave any weapon of any type unattended in the passenger area of the assigned vehicle.

Officers shall store the shotgun in the locked gun rack of the vehicle unless the vehicle is equipped with a specialized weapon vault. When off-duty, Officers assigned a rifle must remove the rifle from the rack and store them at their assigned District Station unless the vehicle is equipped with a specialized weapon vault.

MCTs are required to be stored in the vehicle's trunk.

THE RALEIGH POLICE DEPARTMENT

1108-10

MOST WANTED LISTS

PURPOSE

Raleigh's Most Wanted Lists are tools available to alert law enforcement officers and to assist citizens in identifying dangerous fugitives. These lists also encourage citizens to contact the Raleigh Police Department or CrimeStoppers with any information that may lead to the fugitive's apprehension.

VALUES REFLECTED

This directive reflects our values of *Service and Integrity*. By following these guidelines we demonstrate our commitment to seeking justice by all legitimate means.

UNITS AFFECTED

All Divisions/Sworn Officers

REFERENCES/FORMS

North Carolina G.S. 15A-301 to 15A-305 "Criminal Processes"
North Carolina G.S. 15A-401 "Arrest by Law Enforcement Officer"
DOI 1110-7 "Surveillance"
DOI 1108-2 "Legal Process"
Attachment A: Raleigh's Most Wanted List Submission Form

GENERAL POLICIES

Each Police District Crime Analyst will complete a District Most Wanted List. Most Wanted Lists are published for each Police District and include the fugitive's picture, name, aliases, and last known location of all persons meeting the criteria outlined below.

Each updated list will be distributed through the internal communication channels and referred to the Public Affairs Officer if distribution to external communication channels is required.

The detective assigned to the case will coordinate with the Fugitive Squad on the search for and apprehension of the fugitive.

CRITERIA FOR FUGITIVE SQUAD CASE ASSIGNMENT

The Fugitive Squad will normally pursue persons with outstanding warrants that meet any of the following criteria:

- Accused of committing a shooting, violent sex offense and/or rape, or violent assault on a law enforcement officer.
- Qualifies as a Habitual Felon under NC General Statutes
- Designated by the Detective Division Commander (or designee)

The Fugitive Squad may also be assigned cases concerning persons with an outstanding warrant with approval of the Detective Division Commander (or designee) if at least two of the following criteria are met:

- Multiple convictions for possessing with intent to sell/distribute illegal narcotics involving a significant quantity of contraband
- Validated as a gang member by a law enforcement agency
- Charged with a firearm violation

The Fugitive Squad may also be utilized to locate other subjects wanted for questioning when approved by the Detective Division Commander (or designee).

CRITERIA FOR REMOVAL

A person will be removed if any of the following criteria are met:

- The warrant is served
- The person is not extraditable
- The person is deceased

INTERNAL COMMUNICATIONS

The updated Raleigh's Most Wanted Lists will be communicated to officers through daily roll-call briefings, via RPDnet BOLO system, Email, and MCTs. BOLOs will be posted on RPDnet and will be accessible to all officers.

EXTERNAL COMMUNICATIONS

The Public Affairs Office will develop and coordinate external communication strategies on an as-needed basis. Such strategies may involve the use of the Department's web portal, social media, and other communication tools in addition to new releases distributed to the media.

FUGITIVE SQUAD

The purpose of the Fugitive Squad is the aggressive pursuit and apprehension of dangerous fugitives identified on Raleigh's Most Wanted Lists.

Officers assigned to the Fugitive Squad will be required to work together as part of a team to apprehend fugitives. These officers will be required to adjust their work hours, as needed, based on intelligence relating to the location of known fugitives. Fugitive Squad officers will receive specialized training in surveillance and fugitive apprehension, as well as investigative techniques.

The Fugitive Squad officers will keep case notes on the process and results of their search for these fugitives on Warrant Investigative note sheets. The Fugitive Squad Sergeant will sign-off on all note sheets.

Members of the Raleigh Police Department's Fugitive Squad will work with District Officers, assigned Detectives and other local, state and federal law enforcement agencies to pursue and apprehend persons on a Most Wanted list.

ACCOUNTABILITY AND EVALUATION

For accountability, the Fugitive Squad Sergeant will assign a Fugitive Squad officer to each fugitive appearing on a Most Wanted list or assigned by the Detective Division Commander or his/her designee. It will be the responsibility of the Fugitive Squad officer to coordinate the effort to locate their assigned fugitives and to update the Fugitive Squad Sergeant on the status of each fugitive, including a summary of all efforts every 30 days.

The Fugitive Squad Sergeant (or designee) will prepare weekly, 28-day, year-to-date, and previous year comparison statistics, including the number of persons appearing on Raleigh's Most Wanted Lists that have been added or captured, indicating the number of fugitives captured as a result of CrimeStoppers tips. In addition, the Fugitive Squad Sergeant or his/her designee will calculate the number of days a captured fugitive was on the list. These statistics will be distributed department-wide.

PROCESS TO SUBMIT NAMES FOR CONSIDERATION FOR RALEIGH'S WEB-BASED MOST WANTED LIST

The officer or detective that secures a warrant on a person that meets the criteria outlined on the "Raleigh's Most Wanted List Submission Form" will complete and submit the form to a Detective Division Captain or his/her designee for consideration.

The Detective Division Commander or his/her designee has final approval of who appears on this list.

RALEIGH POLICE DEPARTMENT

Raleigh's Most Wanted List Submission Form

Instructions: Attach the fugitive's photo and criminal history to this completed form. Deliver the completed form to the Headquarters' Front Desk – Attn: Fugitive Squad Sergeant.

Fugitive's Name:	

Option A: A person **with an outstanding warrant** will be placed on this list with approval of the Detective Division Commander or his/her designee if <u>any</u> of the following criteria are met. Please check all that apply to this fugitive:

- ☐ Accused of committing a shooting, violent sex offense and/or rape, or violent assault on a LEO.
- ☐ Qualifies as a Habitual Felon under NC General Statutes.
- ☐ Approved by the Detective Division Commander or his/her designee.

Option B: A person **with an outstanding warrant** will be placed on this list with approval of the Detective Division Commander or his/her designee if <u>at least two</u> of the following criteria are met. Please check all that apply to this fugitive:

- ☐ Multiple convictions of PWISD illegal narcotics involving a significant quantity of contraband.
- ☐ Validated gang member by a law enforcement agency.
- ☐ Charged with a firearm violation.

Submitted by:		Date:	

Assignment/District:	

☐ **Approved by Detective Division Commander or his/her designee**

☐ **Declined by Detective Division Commander or his/her designee**

_____ **Date:** _____

THE RALEIGH POLICE DEPARTMENT

1109-01

PATROL OPERATIONS

PURPOSE

The purpose of this directive is to establish guidelines and procedures regarding patrol operations.

VALUES REFLECTED

This directive reflects our values of *Service, Courage, Fairness, Integrity, and Compassion*. We are committed to preserving life, peace and property through conscientious, dedicated and professional attention to our patrol duties.

UNITS AFFECTED

All Divisions/All Personnel
Emergency Communications Center

REFERENCES/FORMS

DOI 1100-2 “Departmental Organization and Management”
DOI 1109-2 “Radio Communications and Response to Calls”

GENERAL POLICIES

The Field Operations Division is responsible for the initial delivery of police services. The Division is charged with responsibilities for, but not limited to:

- Preventive patrol
- Rapid response to emergencies and unusual events
- Maintenance of public order and safety
- Preliminary investigations
- Enforcing criminal laws, traffic laws and ordinances
- Assisting citizens with crisis intervention
- Improving community relations by the quality and quantity of contacts with citizens

All sworn Departmental personnel share in this responsibility regardless of their assignment.

Service delivery is distributed across six Districts and each is under the separate command of a District Commander. The allocation of officers to each District is based on calls for service, additional time for proactive and preventive patrol, and Departmental needs.

Patrol officers are the most visible component of the Department and an integral part of police operations. The manner in which patrol officers carry out their duties affects not only the quality of justice but also citizens' perceptions of law enforcement. In order to provide continuous high quality service, the patrol component will operate in accordance with the guidelines contained in this directive.

PATROL STRUCTURE

Patrol Officers are assigned to one of the six Districts. The command staff for each District is comprised of a District Commander who is assisted by lieutenants. Sergeants are responsible for direct field supervision.

Patrol Beats

District supervisors are authorized to regulate approval of leaves so that adequate staffing levels are maintained. District supervisors are further authorized to approve the dispatch of officers to other Districts to answer high priority calls.

Lunch Periods and Breaks

When working an eight hour day, meal periods are limited to 30 minutes, inclusive of travel time, and must be taken within the city limits. Meal periods for ten and twelve hour work days are limited to 45 minutes. Coffee breaks are limited to 15 minutes in length (no more than 2 per tour) and must be taken within the officer's assigned beat area.

Officers must request their meal break from Communications. Officers will only be allowed out of service for a meal break if at least three officers are available for calls within their district. No meal or coffee breaks shall be allowed during the weekday rush hours of 0700-0900 and 1630-1830. Officers requesting meal or coffee breaks must be back in service during the last 30 minutes of any shift.

No more than two marked police units, with a maximum of four officers, may be allowed out for meal or coffee breaks at the same location during the day shift. No more than three marked police units, with a maximum of six officers, may be allowed out for meal or coffee breaks at the same location during night shift.

Officers are not guaranteed a meal break. The restrictions on meal or coffee breaks shall apply to all uniformed officers.

The Watch Commander shall have the discretion to make exceptions to the conditions placed on meals and coffee breaks, as listed above, as may be necessary in unusual situations.

Field supervisors will be held responsible for enforcing restrictions on meals and breaks.

WATCH COMMANDER

Designated Captains and Lieutenants shall serve as the Watch Commander on a rotating basis. During their tour of duty, the Watch Commander shall be responsible for the delivery of all patrol services. The Watch Commander is further responsible for notifying the news media of major hazards, alerts, or lookouts for dangerous persons; notifying the on-call Public Affairs Office personnel of certain events; notifying the Duty Major of certain events; and maintaining the Watch Commander's log.

Duty Major Notification

Notification of the Duty Major, by the Watch Commander, is required for events where there may be a question as to the Department's liability or those which may result in heightened community interest. This includes, but is not limited to the following events:

- Incidents involving police personnel or equipment resulting in serious injury.
- Any use of firearms against an officer or by officers in the line of duty.
- Hostage or barricaded subject situations.
- Major traffic problems, fires, or flooding.
- Pickets, parades, or other events that are anticipated or without the required permit.
- Occurrences that could possibly attract wide spread coverage by the news media, or local occurrences of something that has already received wide spread news coverage.
- Rapes involving unusual brutality or multiple victims and all murders.

- Traffic fatalities involving multiple victims, prominent persons, or City employees.
- Any injury to an officer that requires hospitalization or relief from duty.
- Any serious citizen injury caused by an officer.
- Any call-out of SEU personnel for tactical deployment

The Duty Major, as appropriate, will notify the Deputy Chief of Police and the Chief of Police of the more severe events or those that require immediate attention.

Watch Commander's Log

Watch Commanders are responsible for ensuring that all noteworthy or unusual occurrences are recorded in the Watch Commander's log prior to the completion of their tour of duty. The following are events which should be noted in the log:

- Unusual occurrences specified as requiring notification of the Duty Major and listed above.
- All robberies involving commercial establishments or personal injury to the victim.
- Rapes and first-degree burglaries.
- Automobile fatalities.

In reporting unusual occurrences, the Watch Commander shall make sure that the names, ages, sex or address of juveniles or sex offense victims are not included in the log (refer to DOI 1106-01 "Confidentiality and Release of Information").

SUPERVISION OF LINE UNITS

District Commanders are responsible for ensuring that personnel under their command are properly equipped and instructed in carrying out all the functions of their assignment.

Roll-Call and Line Inspections

The Watch Commanders and/or District Commanders are responsible for seeing that their personnel are properly briefed and assigned prior to beginning their tour of duty and that regulations regarding appearance and equipment are complied with. Other responsibilities of the District Commander include, but are not limited to, the following:

- Informing personnel coming on duty of unusual occurrences, any relevant crime patterns, or directives issued to them.
- Directing firearms inspections following each qualification and conducting spot inspections as necessary to encourage compliance with Departmental firearms maintenance regulations, and ensuring that only department-approved firearms and ammunition are carried.

- Directing vehicle and equipment inspections as required by the Division Commander, including the inspection of any personal property brought into Departmental facilities or vehicles.

- Ensuring that individual officers meet requirements to have sufficient reports, citations, and accident investigation supplies on hand prior to their tour of duty. Ensuring that individual officers are held accountable for inspecting their assigned vehicles for damage and that supplies and equipment assigned to the vehicle is functional.

Incidents Requiring a Police Supervisor

A police supervisor shall respond to any incident that would require notification to the Duty Major, the Division Commander, or that would require an entry in the Watch Commander log. In addition, a police supervisor shall respond to the following incidents:

- Deceased persons, even if the death is believed to be natural. The supervisor should then confirm that the next-of-kin has been notified.

- Bomb threats

- Incidents requiring forcible entry

- Incidents requiring use of force by police officers

- High speed pursuits or auto collisions involving police or City vehicles

- Emergency "officer needs assistance" calls

- Service of all search warrants

- Any call to which four or more officers are assigned.

Identifying Potential and Actual Police Hazards and Community Concerns

Knowledge of police hazards and community concerns helps officers perform more effectively. All sworn officers will be alert for potential and actual hazards and concerns.

Hazards that could affect dispatch, such as downed power lines or blocked streets, should be immediately relayed to Emergency Communications.

Hazards requiring further attention should be communicated to the Watch Commander. The Watch Commander should ensure that this information is disseminated at roll call.

Officers should document information describing potential problems that have a bearing on law enforcement activities, within a community, and forward the information to the District Crime Prevention Officer for inclusion in the Community Barometer Report.

PRELIMINARY INVESTIGATIONS

The patrol officer first assigned to a call by Emergency Communications has the responsibility to conduct a thorough preliminary investigation when it appears that a crime has been committed. A thorough initial investigation may eliminate the need for a follow-up investigation. Although the Detective Division may conduct a follow-up investigation, the initial investigation by the patrol officer forms the basis for any follow-up and is often crucial for a successful conclusion.

Conducting the Initial Investigation

Patrol officers must conduct thorough initial investigations and complete case reports on all cases assigned to them. In conducting the investigation, the officer shall gather information to clarify the circumstances surrounding the reported crime. Particular questions should be where, what, who, how and when. Officers should proceed using the following preliminary investigative techniques:

- Secure and contain the scene. The officer shall observe the crime scene before stepping into the crime scene unless there is an injured person needing assistance. The investigation should not be rushed.

  The officer shall prevent access to the scene by interested or curious onlookers, including news media personnel. The officer shall document identification of all persons who enter and depart the scene. All officers who enter a crime scene shall write a supplemental report documenting their actions.

- The officer shall preserve the integrity of the crime scene to prevent contamination or evidence from being altered in any way.

- The officer shall observe and report all conditions, events, and statements; accurately and fully.

- The officer shall locate and interview the complainant, the victim, and any witnesses. The single most important factor in solving a crime is the information supplied by the complainant, victim or any witnesses to the initial investigating officer.

- The officer shall locate, interview or interrogate, and arrest (if applicable) all known suspects.

- The officer shall arrange for the collection, preservation, and examination of evidence, collecting the most fragile first. The officer or investigative unit in control of the scene shall determine whether the City-County Bureau of Identification will be requested to respond to the scene. If CCBI is not responding, the officer shall take the following steps as is appropriate:

  - Photograph the scene before evidence collection, if possible. Articles removed, to prevent destruction, should never be placed back in the scene to be photographed where they were before they were removed.

  - Collect materials and substances from a known source, whenever possible, for submission to the laboratory for comparison with physical evidence collected.

- Seal all packages in accordance with DOI 1108-04 “Evidence and Found Property.”
- Ensure the chain of evidence is maintained and all evidence is properly stored.

- The officer shall report the incident fully and document the following:
  - Date and time of arrival at the scene.
  - Location of the crime.
  - Name(s) of complainant(s), witness(es), victim(s), and suspect(s), if known.
  - Description of property stolen with serial numbers and identifying marks, if available.
  - Actions taken at the scene (investigation).
  - Report number.
  - Observations of the crime scene that would assist Detectives in establishing a motive and/or M.O.

Information Provided to Victims and Witnesses

Officers conducting initial investigations will provide the victim/witness with a calling card that provides telephone numbers where the person may call to report additional information or receive information on the status of the case. The investigating officer shall immediately provide the victim/witness with the following information:

- The case number and information on subsequent steps in the investigative process;
- Advice about what the victim/witness should do if the suspect or associates of the suspect threaten or otherwise attempt to intimidate the victim/witness;
- Information regarding applicable services, counseling, or other crisis assistance (DOI 1101-4 “Victim/Witness Services”) that is available;

Review of Investigation

An officer’s immediate supervisor will review each case to determine if the investigation was adequate and the proper reports were submitted.

NOTIFICATION OF THE DETECTIVE DIVISION

Watch Commanders have the responsibility of contacting the Detective Division when additional personnel or expertise is needed. If a call-back of Detectives is needed, the Watch Commander shall contact the Detective Division supervisor on call. The supervisor is responsible for determining the number of people to be called in.

The Detective Division shall be contacted anytime the following occurs:

- All reported rapes, sexual assaults and child molestation cases.
- Any other case where the Watch Commander feels immediate follow-up is important.

Violent Crimes Unit Notification

The Violent Crimes Unit shall be notified anytime the following occurs:

- All homicides and suspicious deaths.
- Where injuries of an assault victim are so severe that recovery is unlikely (life threatening).

Assignment of Responsibilities

During serious crimes, the highest ranking Field Operations supervisor present will be in charge at the scene until that responsibility is assumed by the Detective Division. The Watch Commander will maintain overall responsibility of the investigation until relieved by a Detective Division supervisor.

Once Detectives have been notified, the Watch Commander shall ensure that a clear understanding of responsibilities (i.e. crime scene, interrogation of suspects, etc.) exists on the part of all involved parties. The Watch Commander shall maintain overall responsibility for crime scenes until relieved by a Detective Division Supervisor.

This policy is not a public record pursuant to

N.C. General Statute §132-1.4

and

N.C. General Statute §132-1.7

THE RALEIGH POLICE DEPARTMENT

1109-03

RESPONSE TO URGENT AND HIGH RISK CALLS

PURPOSE

This procedure is intended to provide general guidelines to officers responding to such calls as "officer needs assistance", confirmed bank and burglar alarms, assaults, incidents involving barricaded suspects or snipers and other high risk situations. Major assaults, such as active shooter incidents in highly populated areas, may require immediate deployment of police resources. Immediate, but coordinated action by the first responding officers may be required to stop shootings, a homicide, or series of homicides, in progress. Although it would be impossible to specify a detailed plan to cover all possible contingencies, this directive is intended to provide as much guidance as possible to officers who deal with these hazardous incidents.

VALUES REFLECTED

This directive reflects our value of *Service and Courage*. By observing the guidelines that are presented here we strive to deal with very high risk circumstances in ways designed to protect the lives of all of those involved in such episodes – officers, victims, observers, and suspects – to the greatest extent possible.

UNITS AFFECTED

All Divisions/Sworn Officers
Emergency Communications

REFERENCES/FORMS

DOI 1106-5 "Operation of Police Vehicles"
DOI 1109-2 "Radio Communications, Response to Calls"
DOI 1110-1 "Initial Investigation of Major Crimes"
DOI 1109-08 "Canine Units"
Listing of Hostage Negotiators (Raleigh Police Emergency Plan)
Mobile Command Post/Flood Light Operators (Raleigh Police Emergency Plan)

GENERAL POLICIES

The total circumstance of any call is seldom evident at the time of dispatch. Officers receiving calls such as assault, shots fired, or subject down calls must be alert and prepared for a broad range of possibilities. The incident should never be assumed to have already concluded, and the possibility of arriving at an in-progress call should be expected.

Regardless of the call nature provided by dispatch, officers should respond and approach with caution. The pressure to stop an on-going assault should not cause officers to place themselves in needless danger. Officers should take reasonable actions to protect those in immediate danger and then coordinate a team approach to stop the violence and to apprehend perpetrators.

Officers should not feel obligated to take quick actions which may endanger them or a hostage's safety. Officers should endeavor to seal avenues of escape and assume positions of cover. Where action is required to protect persons in immediate danger, officers have the responsibility to take reasonable actions to stop on-going threats without waiting for further authority.

When responding to urgent calls, high risk calls, and hazardous incidents as well as unknown risk calls, officers must drive with due regard for the safety of others and in a manner cognizant of traffic conditions at the time.

RESPONDING TO HIGH RISK CALLS

When responding to urgent calls, high risk calls, and hazardous incidents, officers should assume that the incident is still in progress until it has been clearly established that it is not. Only units assigned by Emergency Communications or a police supervisor are authorized to engage in emergency response.

Response Routes and Fleeing Suspects

When possible, officers responding to the scene should select different approach routes along likely avenues of escape. Officers should also be mindful of any suspicious vehicles or persons which may be fleeing the scene and relay pertinent information to other responding officers.

At times, officers may observe suspects fleeing from the scene of reported assaults. Unless the perpetrator is moving directly toward other potential victims, the officer's first responsibility is the life of the known victim(s), even if this results in the suspect escaping.

If it appears that the victim does not need immediate medical assistance, the suspect should be pursued. When practical, a witness or the victim should be instructed to protect the crime scene.

Use of Emergency Warning Equipment

When responding to most high risk calls, officers should discontinue use of their siren and blue lights once they are within hearing distance of the location. Exceptions might be "officer needs assistance" or serious assaults in progress where the sound of an approaching siren might encourage perpetrators to discontinue the assault.

Once the use of emergency warning devices is discontinued, officers must adjust their speed and give proper regard to all traffic control devices (refer to DOI 1106-5 "Operation of Police Vehicles").

Arrival on the Scene

The first officer to arrive on the scene should try to determine if the incident is still in progress, and should direct responding units so that they are not placed in a dangerous position. If the incident is still in progress, steps should be taken to halt any violence. This may involve immediate action on the part of the first responder, if the officer reasonably believes such action is necessary and will not expose the officer or others to needless risk.

Securing the Crime Scene

If the assailant has already fled the scene and the incident is determined to no longer be in progress, the first officer arriving should render necessary first aid to the victim and activate medical assistance and crime scene procedures. At the same time, the officer should obtain from the victim any available information concerning the suspect or the offense. The Major Crime Scene Checklist or Patrol Resource Guide should be followed.

The second officer on the scene should assume responsibility for securing the crime scene and detaining available witnesses until additional manpower arrives.

Establishing a Perimeter

For many high risk calls which involve a building, a perimeter may need to be established to protect the safety of officers and those involved. The first unit to arrive at the scene should be positioned so as to cover the main entrance or the point of entry. The first officer should direct the approach of other units until a supervisor arrives. The second officer at the scene should take up a position to observe as much of the rest of the building as possible. When possible, officers should utilize cover and position themselves so as not to be easily seen from the building.

The first officer on the scene has the responsibility of requesting additional units to secure the perimeter if necessary. Additional units should position themselves so as to maintain eye contact with the initial units. Officers should use a triangular deployment so as to avoid cross fires and to provide cover for other responding units.

ROBBERY OR BANK ALARMS

Upon receiving an armed robbery or bank alarm, the Emergency Communications Center will attempt to contact that location by phone, and will ask a manager or other responsible person to step outside to meet the responding officers.

Arrival on the Scene

Officers responding to the scene should establish a defensive perimeter as specified above. If an employee does not go outside to meet the officers, the officers should remain outside and determine from Communications if the business has been notified. If contact has been made by Communications and there is still no response, the initial officer on the scene should contact a supervisor and await further instructions.

Robberies in Progress

If a robbery is in progress, officers should allow the robbers to leave the premises and then take the necessary action. Efforts should be taken to avoid a hostage situation.

Robberies Which Have Already Occurred

If the suspect has fled the scene of a robbery, the first unit to arrive on the scene of a robbery should first check for any injuries that may have occurred. If there are no injuries, the first officer should assume responsibility for relaying suspect information as rapidly as possible.

The second officer to arrive should assume responsibility for securing the crime scene. Officers should then proceed according to guidelines recommended for major crimes (DOI 1110-01 "Initial Investigation of Major Crimes").

BURGLARIES AND PROWLERS

Burglaries may involve either unoccupied or occupied buildings. Prowler calls may involve Peeping Toms, persons attempting to break in, or merely unidentified noises. In all cases, Emergency Communications should endeavor to determine the location of the reporting party.

Occupied Buildings

In instances where a victim is believed to be trapped inside a premises, the first responding officer should secure the apparent point of entry and await the arrival of a backup unit. Once a backup unit arrives, the first responsibility is the safety of the victim.

- In most cases, Emergency Communications should advise the victim to remain inside the building in a secure location (i.e. a bathroom with an inside door lock.) The victim should be further advised to remain in a prone position.

- Once the building is secured, victims that are trapped inside the building should be removed prior to initiating a complete search if they can be removed safely. This step can more easily be accomplished by having Emergency Communications pinpoint the victim's location inside the building.

Building Searches

Most building searches require a minimum of 5 officers to execute a search safely: two for the outside perimeter, one to cover the point of entry, and two to conduct the actual search. If sufficient personnel are not available, officers should concentrate on securing the perimeter until the necessary personnel are available.

- Upon approaching the building, officers should avoid congregating in a group. Officers should take advantage of existing cover and utilize a triangular approach. Officers should be conscious of noise and should be aware of lighting conditions to avoid silhouetting themselves as a target.

- Prior to entering the building, officers should announce their presence and request that persons inside surrender, even if they suspect that the building is empty. Officers should then wait a few moments and listen for noise or movement.

- One officer should cover the point of entry. Other members of the entry team should utilize the contact and cover concept.

- If suspects are encountered, they should be restrained and removed from the building. The suspect(s) should be debriefed prior to resuming the search.

- Once the building has been completely searched, officers should go back through it again while exiting.

- Upon notification of the Watch Commander, a canine can be utilized to assist with a building search.

Prowlers

The initial response to Prowler calls would be identical to that of burglaries in progress. Officers should use a silent approach. The first officer should assume a position at one of the front corners of the house, and await the arrival of a backup unit prior to initiating a search.

- Once backup support has arrived, officers should verify that persons inside the residence are safe.

- A search of the outside of the premises should include all outbuildings, roofs, refuse containers and shrubbery. Officers are to offer to search the attic and interior of the premises, to insure that someone has not gained entry without the complainant's knowledge.

OFFICER NEEDS ASSISTANCE

Officers calling for emergency assistance may request as many units as they reasonably feel are needed. If the officer does not specify the number of units, Communications will initially dispatch the two closest units and a supervisor.

Responding to Assistance Calls

Units responding to officer needs assistance calls will use all emergency warning devices until they arrive on the scene. The sound of approaching police vehicles may discourage offenders.

Units other than those assigned will not respond to officer assistance calls. This is to minimize the public danger of large numbers of emergency vehicles responding to one location.

Arrival on the Scene

The first assisting unit to arrive on the scene will advise the Emergency Communications Center whether they should send additional units or cancel the request. As soon as possible, the supervisor should advise Communications of the situation and indicate the number of units required.

RESPONSE TO ASSAULT CALLS

The Emergency Communications Center will attempt to obtain as much information as possible concerning weapons, persons involved, and whether the assault is in progress. At least two officers will be dispatched to assaults in progress.

Specific Assaults

Although the general procedures to be followed in all assaults are similar, specific steps are to be followed in selected offenses.

- Affrays: If an affray occurs in the officer's presence, the officer should take what steps are necessary to halt the violence. This may involve arresting either one or both parties.

- For affrays not occurring in the officer's presence: The officer may suggest to the parties that they may sign warrants against each other, if the magistrate will allow them to do so.

- Someone Shooting: Emergency Communications will dispatch two units upon receiving a call that someone is discharging a firearm within the City. Officers should use a silent approach and take precautions to protect themselves.

  If it appears as though the back-up unit is not needed, that unit will return to their assigned work area. The unit originally receiving the call will remain in the area until it is apparent that the call was unfounded.

DISPATCH TO CALLS REQUIRING RAPID DEPLOYMENT

Rapid Deployment may be defined as, "The swift and immediate deployment of law enforcement resources to an on-going, life threatening situation where delayed deployment could otherwise result in death or serious bodily injury to innocent persons."

Emergency Communications will attempt to obtain as much information as possible concerning weapons, persons involved, and the exact location. At least four officers will be dispatched to the incident.

The initial officer will take all reasonable steps to determine whether or not the incident is still in progress. A coordinated and orderly response is generally the safest option for the public and all involved officers.

Identifying the Incident

The incident may be determined to be, or have become, a barricaded subject or hostage situation. DOI 1109-5 provides clear guidelines for handling such incidents. If first responders determine that the incident is still in progress and conclude that additional casualties are imminent, then rapid deployment procedures are appropriate.

Initial Responders

Initial responding officers will have a great deal of responsibility for evaluating the scene and initiating the proper response. Typically, the first responding officer or school resource officer will establish Incident Command (IC) and will remain in charge until relieved by supervisory personnel.

- Officers should attempt to gather information to determine the true nature of the incident. Indicators of a mass casualty incident include, but are not limited to:

  - Location - Such as a school, office building, pedestrian mall or other heavily occupied area.

  - Suspect Information – Student, disgruntled employee, number of suspects, type of weaponry, number of weapons, booby traps and explosive devices and carrying additional bags or backpacks.

  - Time of Day – Action initiated at the most crowded times for the particular location.

- Initial responding units should call for, and direct in the appropriate units. If possible, a safe approach route and staging location will be established for arriving officers. The need for direct action against the perpetrator(s) should continually be evaluated as additional intelligence is acquired.

- If information is developed that reasonably indicates a three to four officer rapid deployment "contact team" could take successful overt action to stop the violence, the first officers to arrive on the scene will have that responsibility/authority.

- Officers intending to engage in a rapid deployment action shall notify emergency communications and supervisory personnel, on a primary channel, of their situation, location, and intended action. This is necessary to alert other responding officers and supervisors to the deployment of the initial contact team. It also provides a last known location and direction of travel for the contact team in the event additional assistance is required. Continued communication should be maintained as the incident evolves.

- Additional responding units will coordinate actions with the first responders. They may form a rescue team to deploy as requested by the contact team or the on scene commander. Rapid deployment priorities will be:

  1. Locate, isolate and stop the shooter

  2. Treat and evacuate the injured

  3. Establish containment with inner and outer perimeters

Supervisory Responsibilities

Supervisors monitoring or otherwise made aware of an incident requiring rapid deployment must be mindful of the time-critical nature of such events. It may not be possible to have a supervisor on the scene prior to the initial responders taking action to halt the violence.

- Unless the supervisor has compelling information otherwise, the officers on the scene must be afforded the opportunity to use their own judgment and training to determine the reasonable need for immediate action against the perpetrator(s).

- Supervisors shall evaluate and direct the need for additional units, and evaluate the progress and actions of the initial contact team via radio communication, if at all possible. They will request and prepare for the arrival of S.E.U. and other appropriate support personnel.

- The first supervisor on the scene will evaluate the enforcement response underway, and direct additional units to assist as required. This supervisor will verify the need for continued action to stop on-going violent acts, and the need for rescue teams

- The first responding supervisor is also responsible for verifying that rapid deployment priorities are being met:

  - Locate, isolate and stop the shooter

  - Treat and evacuate the injured

  - Establish containment with inner and outer perimeters

- In the past, immediate evacuation was an initial priority. Supervisors should evaluate the need and the safety of evacuating any subjects, once the threat has been isolated or neutralized. In school settings, the schools may be in a lock down mode, and evacuation of individual classrooms may be delayed until the overall scene is somewhat safe. If the suspect(s) movement has been limited and the incident has become isolated, time will enable command or tactical personnel to formulate a structured and deliberate plan.

- Supervisors will establish a field command post, and implement procedures outlined in DOI 1109-5.

<u>Supporting Units</u>

If the initial officers determine that deployment of a contact team is an immediate necessity to halt the violence, the first three to four officers will assume this role. Additional responders should coordinate their efforts via radio communication with the contact team and responding supervisors.

- The next three to four officers to arrive on the scene should not immediately enter the crisis site, but should await direction from the contact team or supervisory personnel. Insertion of additional contact teams to enter a structure should be controlled by supervisory personnel. The dangerous possibility of multiple contact teams confronting each other must be considered. These next responders should be prepared to act as a rescue team, in the event the contact team requires immediate support, or identifies victims in need of rapid evacuation.

- Additional responding units will move to perimeter positions. This initial perimeter may be called upon to both isolate the incident from outside interference (parents, media, etc.), and provide containment to apprehend fleeing suspects. The need to allow large numbers of

fleeing victims to escape the violence must be weighed against the possibility of allowing a suspect to escape. When possible, perimeter units will control and direct fleeing victims to a safe holding area.

- Supplemental officers will respond as directed to staff the expanded outer perimeter, and form search and evacuation teams. The fact that the crisis site will become a crime scene cannot be overlooked. Once the violence has been halted, traditional crime scene procedures should be followed.

- Specialty units such as S.E.U., Hazardous Devices Unit and Sniper/Observer Unit will takeover appropriate portions of the response as they arrive. If S.E.U. officers happen to be among the first responders, they will assume the contact or rescue team roles.

In the event that this incident involves Mutual Aid support, this will be handled in accordance with the established mutual aid agreements and through the Incident Command System.

AFTER-ACTION REPORT

A detailed final report shall be submitted to the Chief of Police by the Special Operations Division Commander which will include a synopsis of the operation, resources/equipment required, strategies/tactics employed, evaluation, officer injuries, man-hours expended, index of use of force incidents, evidence, and information released to the media.

This policy is not a public record pursuant to

N.C. General Statute §132-1.4

and

N.C. General Statute §132-1.7

This policy is not a public record pursuant to

N.C. General Statute §132-1.4

and

N.C. General Statute §132-1.7

THE RALEIGH POLICE DEPARTMENT

1109-07

GENERAL RESPONSE TO BOMB THREATS

PURPOSE

To provide guidelines to officers who respond to bomb threats at locations other than the Municipal Building complex. The procedure may also assist other parties who wish to coordinate their response to bomb threats with the Police Department.

VALUES REFLECTED

This directive reflects our values of *Service, Courage, and Integrity*. By following these instructions we will be prepared to act effectively during risks to the community posed by bomb threats. These actions will help us keep the people, in at-risk areas, safe while we work to secure areas and search for any suspect devices.

UNITS AFFECTED

All Divisions/Sworn Officers
Emergency Communications Center
Bomb Technicians

REFERENCES/FORMS

DOI 1107-03 “Municipal Complex / Police Facilities - Bomb Threats, Fires and Evacuations”

GENERAL POLICIES

Locations which are subject to receive bomb threats should be encouraged to develop response plans for dealing with such threats.

Police officers should not assume authority for evacuating a premise. Officers may advise the owner on procedures to be followed in conducting evacuations or searches, but authority for carrying out those procedures remains with the owner.

RESPONSE TO BOMB THREATS

Upon report of a bomb threat, Emergency Communications will immediately return the call to confirm the initial call.

As a recommended guideline from the FBI Bomb Data Center, if a specific time is given for detonation, the *two hour* and the *thousand foot minimum safe distance* rules apply. Responding officers should establish appropriate perimeters and maintain a safe distance for a period of one hour before and until one hour after the specified time of detonation.

Dispatch of Units

Upon receipt of a bomb threat, Emergency Communications will dispatch the closest available unit and a police supervisor. They will also alert the Fire Department of the situation.

- Responding units may utilize radios, cell phones, and MCT's during a search, however if a suspected package is identified, all radio, cell phone, and MCT transmissions should stop within one (1) block of the suspected package. Radio transmissions can detonate electronic explosive devices.

- As soon as possible, after a suspected package is identified, the police supervisor should provide Emergency Communications with a land line telephone number through which further communications can be conducted.

Validity of the Threat

The person receiving the bomb threat should be interviewed immediately to determine the validity of the threat.

- The supervisor present should contact the Watch Commander by phone concerning the perceived validity of the threat.

- A decision to evacuate the premises should be left to the person in charge of the business or institute. A decision to evacuate may be made by the Watch Commander when the threat appears valid.

- If evacuations are necessary then the appropriate perimeter should be established.

SEARCHING FOR SUSPECT DEVICES

Unless a detonation is imminent, officers should offer to assist the property owner in searching the premises, regardless of whether an evacuation is ordered.

Buildings

Persons who are familiar with the building are more likely than police to spot foreign objects. The person in charge of the property should be asked to assist in coordinating the search.

- Personnel should check the exterior of the building first, including the ground adjacent to the building, window sills, stairs and fire escapes.
- Personnel should execute the search from the basement first, working upwards. All areas available to the public, including hallways, toilets, stairways, elevators and shafts, lockers, unsecured offices, storage areas, and removable ceiling tiles should be searched. Also, search personnel should check around and under vehicles.
- Workers should search their own areas thoroughly. They should not handle any suspicious object, but should report its location to the floor monitor.
- In conducting the search, personnel should first search the area from the floor to the waist, then from the waist to the head.
- Once an area has been searched and cleared, it should be secured to prevent re-entry.
- If necessary, Fire Department personnel may be requested to assist in extensive searches.

Vehicles

Patrol officers should not attempt to search vehicles. Instead, they should notify one of the bomb technicians. Many car bombs are wired to explode once a hood or door is opened. Vehicle searches should, therefore, only be conducted by properly trained persons.

Use of Canine Units

The Watch Commander should be contacted prior to utilizing on-duty canine units for bomb searches. Bomb technicians should be deployed in conjunction with explosive detection canine teams. The Watch Commander can authorize call-backs of off-duty canine units.

Locating Suspect Devices

If a suspect device is found, it must not be touched or disturbed. An accurate description of the device should be obtained and a bomb technician contacted.

If a suspect device is found, police security should be provided for the area of the device, and further evacuation should be conducted as required. The search should be continued for additional devices.

THREATS TO THE WAKE COUNTY COURTHOUSE

The Wake County Sheriff's Office will handle all bomb threats against the courthouse or jail and will determine the extent of any evacuation. Emergency Communications should dispatch one officer to the Sheriff's Department to file a case report for Uniform Crime Reporting purposes.

Upon request of the Sheriff's Office, the Watch Commander will deploy officers according to the Emergency Fire Evacuation Plan for the Wake County Detention Center.

THE RALEIGH POLICE DEPARTMENT

1109-08

CANINE UNITS

PURPOSE

The purpose of this directive is to establish procedures governing the responsibilities and deployment of the Canine Unit.

VALUES REFLECTED

This directive reflects our values of S*ervice and Integrity*. We are committed to protecting the lives and well-being of our citizens by using the most efficient and effective tools available to us

UNITS AFFECTED

All Divisions/Sworn Personnel

REFERENCES/FORMS

DOI 1109-03 “Response to Urgent and High Risk Calls”
DOI 1109-07 “General Response to Bomb Threats”
DOI 1109-15 “Initial Response to Missing Persons”
DOI 1110-03 “Sexual Assault”

GENERAL POLICIES

When properly utilized, the police canine can be a valuable asset in: criminal apprehension; the detection of explosives, evidence and contraband; locating missing persons; and, in public relations activities. The use of the canine requires adherence to procedures that properly control their "use of force" potential and direct their specialized capabilities into legally acceptable crime prevention and control activities.

While canines can provide invaluable assistance, the use of police dogs in law enforcement attracts public scrutiny. Canines shall not be used to control civil disorders, disturbances, or public demonstrations.

RESPONSIBILITIES OF CANINE HANDLERS

Police canine handlers are assigned to the Special Operations Division and serve as a support unit for general enforcement. Each canine handler is considered to be uniquely specialized by virtue of having received extensive canine handler training. It is the responsibility of the handler to know the capabilities of the dog and to read or understand changes in the dog's demeanor. For these reasons, the decision to apply a canine in a particular situation will be solely that of the handler.

Housing and Food

Police canines will be housed and maintained at the handler's residence. Equipment, food, and medical costs will be the responsibility of the Department. Feeding of dogs and cleaning of pens will be the responsibility of the handler. Dispensing the required medication for the dogs will be the responsibility of the handlers.

Injury, Illness, or Escape of Canines

Canine handlers shall report all injuries and illnesses suffered by their dog(s) to the Canine Unit supervisor, detailing the nature of the injury or illness and any medical attention required or received. Escapes shall be immediately reported to a supervisor.

Bites or Injuries Caused by Canines

Handlers shall immediately notify the on-duty Watch Commander and Canine Unit supervisor if a canine bites or otherwise injures any person, regardless of whether such incident occurred on-duty or off and regardless of the location of the incident.

Canine Documentation

Canine handlers shall be responsible for filing and maintaining all pertinent reports, and training logs, certificates, health records, and all documentation with regard to their dog(s).

TRAINING

Canines shall be trained in accordance with United States Police Canine Association standards. Each canine team will attend a Police Dog 1 and a Police Dog 2 certification trial yearly.

Training

The canine trainer designee will be responsible for training the handlers and canines. The canines will be selected by the Unit's trainer. The trainer will match the canine and handler. The canine trainer will conduct a fifteen week training course that must be successfully completed before responding to calls.

In-Service Training

Handlers and their assigned canines will undergo 12 hours of training every two weeks. The unit trainer will conduct this training. Training records shall be maintained by the canine handler and include details of the training time, location, type, and amount. A training memo will be sent to the Raleigh Police Academy for each training session, for inclusion in the handlers training record.

USE OF CANINES

The canines were acquired to trail or track missing persons and suspects, to detect the presence of illegal drugs and explosive devices, locate evidence, and conduct building/area searches.

Trailing/Tracking Missing Persons or Suspects

Bloodhounds and Labrador Retrievers are scent discrimination dogs and trail one scent. These dogs are not cross-trained and require a scent article to be effective. They can be utilized to trail missing persons or suspects if a scent article is available.

Belgian Malinois and German Shepherd Dogs are trained to track missing persons or suspects by the location of last disturbance. Scent articles are not required, but to be effective, their use requires an uncontaminated search area. Therefore, it is important that officers make certain that no one, including officers, enters the tracking area.

It is also important to locate the exact spot where the missing person or suspect was last seen. Certain weather conditions (heavy rains and high winds) and environmental factors may inhibit the canine's ability to track and should be considered prior to use.

Article Searches

Canines can be utilized in the search for evidence or missing property.

Drug Detection

Canines may be utilized in the search for controlled substances which may be concealed in vehicles, buildings, residences, packages, parcels, luggage, and other locations. Such searches shall be performed in accordance with laws applicable to the use of trained dogs.

Explosives Detection

Specially trained canines may be used in the search for explosives. These canines will work in conjunction with the Hazardous Devices Unit and assist as needed to locate both primary and secondary devices in bomb related calls. They may also assist in dignitary protection sweeps.

Building/Area Searches

Request to use canines to conduct building/area searches for suspects shall be approved by the Watch Commander.

The deployment of the police canine to locate suspects hiding in buildings will be at the discretion of the handler. The handler will be responsible for playing the pre-recorded (Spanish and English) warning over the loud speaker of a patrol vehicle. The warning will be given twice before the police canine is deployed. All officers assisting with the search should use extreme caution and adhere to all commands given by the handler. These searches may be conducted on or off-lead at the discretion of the handler.

The deployment of the police canine to conduct area searches off-lead, for hiding suspects, will be at the discretion of the handler. The handler will be responsible for playing the pre-recorded message over the loud speaker of a patrol vehicle when practical. The warning will be given twice before the police canine is deployed. Area searches are best conducted when the scene has already been contaminated or where it would be safer for the handler and other officers to allow the dog to search off-lead. All officers assisting with the search should use extreme caution and adhere to all commands given by the handler.

Handler Protection

The police canine is trained to defend the handler if assaulted. The handler, if able, should warn suspects that the dog is trained to and will defend its handler if assaulted.

Apprehension

The police canine is trained to apprehend suspects when given the command by the handler. The police canine may be used to apprehend suspects who have committed serious crimes of violence. The deployment of the police canine will be at the discretion of the handler. The handler will evaluate each situation and use sound judgment when deploying the police canine.

Riot Control/Crowd Control

Police canines will not be used for riot or crowd control unless an extreme emergency exists and only with the explicit authorization of the Chief of Police or his/her designee.

SCHEDULE OF CANINE HANDLERS

The Canine Unit's supervisor will be responsible for designing and implementing a schedule that will provide the City of Raleigh with the most coverage. Each handler will be given one hour per day (28 hours per cycle) to attend to the grooming, maintenance and feeding of the police canine. The time given each day will be included in the handler's duty time, so that it will not be necessary to provide the handler with overtime for the care of the canine. The Unit's supervisor will be responsible for locating and providing a canine team in the event that a canine is needed and one is not on duty.

CALL OUT PROCEDURES

The Police Canine is available for assistance on a 24 hour basis. If a Canine Unit is on-duty, that unit should be contacted first and additional units notified as needed. The Watch Commander should take into consideration the circumstances involved in a particular situation prior to calling out a canine to determine which is most suitable for a specific situation.

Supervision

When a canine handler arrives on the scene, the handler should consult with the Watch Commander or the ranking supervisor on the scene for the purpose of evaluating the situation. Handlers will, at their sole discretion, determine how and if the dog is to be used.

UNIT RECORDS

Unit records will be maintained by the unit supervisor and will include training records, bite reports, seizure and arrest statistics, etc.

RETIREMENT AND DEATH OF POLICE CANINES

Retirement of a Police Canine

When it becomes necessary to retire a police canine from active duty due to health reasons, age, etc., the Department may transfer ownership of the animal to the last handler, so long as the last handler is no longer a City of Raleigh employee at the time of the transfer. When the canine is retired, a contract releasing the City of Raleigh from all liability will be signed by the City Manager and the handler receiving the canine.

If the last handler is a current City of Raleigh employee, the Department may transfer the maintenance and control of the animal to that handler. When the canine is retired, a contract requiring the City of Raleigh to maintain ownership, but allow the handler the maintenance and control of the animal shall be signed by the City Manager and the handler receiving the canine. As part of the contract, the handler will indemnify and hold the City of Raleigh harmless for any acts of gross negligence by the handler.

Should the handler decline to accept the canine, the Canine Unit supervisor will attempt to locate a suitable home for the canine.

Death of a Police Canine

In the event of the death of a police canine, the handler will immediately contact the Canine Unit's supervisor, who will notify the Watch Commander and Special Operations Division Commander. The unit's supervisor, or designee, will conduct an investigation of the incident. If the Unit's supervisor determines a necropsy is necessary, it will be conducted by a qualified veterinarian chosen by the Department. If the death is a result of criminal activity, an investigation will be conducted. The Special Operations Division Commander will authorize cremation or burial arrangements.

THE RALEIGH POLICE DEPARTMENT

1109-09

TRAFFIC SERVICES

PURPOSE

To provide regulations for the control of vehicles and pedestrians, and for various traffic services provided by the Department, including towing of vehicles and transporting persons.

VALUES REFLECTED

This directive reflects our value of *Service and Integrity*. By following these guidelines, we strive to protect and serve the community. Our observance of this directive will help us shield the people of our community from injury, harm, and danger. Furthermore, following these guidelines will help safeguard our employees.

UNITS AFFECTED

All Divisions/Sworn Officers
Citizen Patrol Volunteers

REFERENCES/FORMS

DOI 1106-05 "Operation of Police Vehicles"
DOI 1109-10 "Traffic Enforcement"
Notice of Towing Form
Vehicle Storage Report
Vehicle Lockout Request and Release
"Traffic Control Manual for Construction and Maintenance," City of Raleigh Transportation Department
"Manual on Uniform Traffic Control Devices for Streets and Highways," Federal Highway Administration

GENERAL POLICIES

Although duties associated with traffic control might be considered routine, the potential for accidental injury is high. Officers must exercise every safety precaution in performing these duties.

All officers of the Department are responsible for reporting and taking appropriate corrective action for whatever highway hazards exist. Street hazards are to be reported to Emergency Communications so that the appropriate agency can be notified.

TRAFFIC CONTROL FUNCTIONS

Safety

When directing traffic, officers should position their police vehicle so that it provides sufficient warning to the public. Whenever possible, the vehicle's lighting should be used to illuminate the officer during hours of darkness.

Officers must wear reflector vests or fluorescent raincoats when directing traffic or when repeatedly exposed to moving traffic, such as when investigating a collision, regardless of the time of day.

Officers should take any necessary added precautions during periods of adverse weather and road conditions, taking into consideration the possibility of motorists' limited visibility and/or increased stopping time.

Manual Traffic Control

Officers are expected to direct traffic at collision scenes, fires, where automatic control devices have malfunctioned, or at locations where hazardous traffic conditions exist.

As a general policy, officers will not provide traffic control to assist motorists entering or exiting private property, such as shopping centers.

Manual Operation of Traffic Lights

On occasion, officers may need to place a traffic light on flash due to a malfunction or to alleviate a traffic problem. Keys are available from police supervisors or traffic light repair.

Prior to changing the light cycle of a traffic light, an officer should bring traffic in all affected directions to a standstill. Emergency Communications should be notified that the light was placed on manual, even if a malfunctioning light recycles correctly. Emergency Communications will in turn notify traffic light repair and traffic computer personnel.

Traffic Control at Critical Incidents

When directing traffic at the scene of a critical incident, officers should divert vehicle and pedestrian traffic away from the scene. An on-scene supervisor or the Watch Commander may establish a planned detour route to expedite the flow of traffic. Only authorized vehicles and personnel should be allowed to approach the incident scene.

Emergency Communications will dispatch a police unit if the critical incident is a working fire scene. This unit will provide traffic assistance to Fire Department personnel as required, and will request additional units if needed.

- No vehicles, other than rescue vehicles, should be allowed to drive into the block where fire apparatus is operating.
- No vehicles will be allowed to cross fire hoses without the approval of the on-scene fire commander.
- A police supervisor and the Watch Commander should be notified for extensive fires or those involving fatalities [refer to DOI 1109-01 "Patrol Operations"].

NON-EMERGENCY ESCORTS

Non-emergency escorts are confined to funerals, parades, house moving's, heavy or over-sized equipment, vehicles carrying explosives, or special conditions which present unusual hazards. Funeral escorts are the only non-emergency escorts that will be provided without prior supervisory approval [referral to 1106-05 "Operation of Police Vehicles" for emergency escorts].

Funeral Escorts

Officers must obey all traffic laws while providing funeral escorts. Officers will utilize all emergency warning devices, except the siren.

Dignitary Escorts

The Special Operations Division Commander should be notified of requests made to our Department for assistance with dignitary escorts. Officers of our Department will then provide traffic assistance according to contingency plans agreed upon between the cooperating agencies.

Hazardous Vehicle Escorts

In general, police escorts should only be provided where movement of an unusual vehicle would completely obstruct the roadway, or cause significant traffic problems. An example would be a house moving. In other instances, persons with oversized vehicles should be encouraged to provide their own escorts. In all cases, the party will be required to obtain the necessary State or City permits beforehand (refer to G.S. 20-356 to G.S. 20-372 "Housemovers" and City Ordinance 11-2133 "Oversized Loads").

TOWING VEHICLES

This section relates to the towing of illegally parked or abandoned vehicles. Officers are encouraged not to tow such vehicles unless necessary. Refer to DOI 1108-04 "Evidence and Found Property" for seizure of vehicles subject to legal forfeiture.

Officer's Duties Prior to Towing

- If a vehicle is illegally parked but does not create a hazard, a parking ticket should be issued in lieu of towing.

- Police officers will not tow vehicles in civil cases, such as repossessions.

- The officer must remain with the vehicle to be towed until the tow truck arrives. If it is necessary for the officer to leave, another unit should be called to remain with the vehicle.

- The officer must obtain sufficient information to complete a Vehicle Storage Report and a Notice of Towing Form.

- Officers will inventory the contents of unlocked vehicles prior to having them towed. Forcible entry should not be used to enter trunks, glove boxes or containers. The result of the inventory should be written on the reverse side of the Vehicle Storage Report. Locked areas of the vehicle also should be noted.

- Officers will describe, on the reverse side of the Vehicle Storage Report, any visible contents in a locked vehicle prior to towing.

Illegally Parked Vehicles Creating A Hazard

Illegally parked vehicles may be towed by police officers without prior notice to the owner if:

- The vehicle is obstructing or blocking a travel lane, public alley, or sidewalk (City Ordinance 11-2171).

- The vehicle is parked on a bridge or overpass, on a railroad grade crossing, within or too close to an intersection, or at one of the other hazards defined in City Ordinance 11-2171(b).

- The vehicle is blocking a driveway and a complainant requests that the vehicle be towed.

- The vehicle is in a bus zone, no stopping or standing zone (City Ordinance 11-2178 and 11-2173).

- The vehicle is improperly parked or obstructing any City owned or controlled parking lot (City Ordinance 11-2175).

- The vehicle is in violation of temporary parking restrictions issued by the Chief of Police or his/her designee (City Ordinance 11-2181).

Towing from Private Property

As a general policy, police officers are to refrain from towing vehicles off private property in those instances where State law authorizes the property owner to remove the vehicle (G.S. 20-219.2). This law applies to commercial lots which have appropriate signs posted at each entrance and individually marked spaces.

Police officers may have vehicles towed from private property, upon written request of the owner or lessee of the property, in those instances where State law does not apply.

- Examples of private property from which officers may tow include residential yards, business property which is not designated for parking or where vehicles are parked outside of designated parking areas.

- The vehicle must have remained parked without consent for at least two hours (City Ordinance 12-7002).

- Prior to having a vehicle towed from private property, officers will have the property owner sign a Request for Towing Form. The officer will then include a complaint number on the Request for Towing Form and attach a Notice of Towing form.

Abandoned Vehicles

The Police Department will assume responsibility for vehicles abandoned on public streets or City controlled property. Nuisance vehicles on private property should be referred to the City Inspections Department.

- For vehicles that are suspected of being abandoned on the street or on City controlled lots, officers will attempt to contact the registered owner and will place a notice of towing sticker on the vehicle (City Ordinance 12-7002, 12-7005). The sticker is to be placed on a non-painted surface.

- No sooner than seven days after a notice of towing sticker is placed on the vehicle abandoned on a street or 24 hours after a notice of towing sticker is placed on a vehicle abandoned on City controlled property, a police officer will request a rotation wrecker and have the abandoned vehicle removed. The officer will then complete a post-towing notification form as specified below. If possible, the notice of towing sticker should be removed from the vehicle and attached to the reverse side of the vehicle storage report.

Post-Towing Notification

Immediately following a police initiated towing, the officer will submit a Vehicle Storage Report and a Notice of Towing Form to the Downtown District Police Information Desk.

- The officer should attempt to telephone the last registered owner of the towed vehicle, if no personal contact was made at the scene. Any attempts at contact should be noted on the Notice of Towing Form.

- If the towing officer fails to notify the owner, Desk Operations personnel will make a second attempt within twenty-four hours.

STRANDED MOTORISTS OR PEDESTRIANS

Protection of the public requires that officers provide reasonable assistance to motorists or pedestrians stranded in hazardous locations or environments.

Transporting Stranded Persons

Officers are authorized to transport civilians upon supervisory approval. However, they should first seek other alternatives prior to transporting persons in City vehicles.

- In no event will officers transport gasoline in the passenger area of their vehicle or in a non-approved container.
- When transporting any person, officers shall give their starting odometer reading, starting location and destination. The ending odometer reading must be given upon destination arrival.
- Officers are not authorized to transport civilians beyond the City's one-mile extra-territorial limit. Under such circumstances, adjacent police agencies may agree to meet officers at the City limits. Otherwise, RPD officers shall transport the party to a police facility or other place of safety until outside assistance can be obtained.
- Officers shall not transport juveniles or intoxicated persons to a residence unless a responsible adult is present at that location.

Escorts of Lost Motorists

Officers are discouraged from providing escorts to motorists unless an emergency condition exists [refer to DOI 1106-5 "Operation of Police Vehicles"]. Officers should refrain from providing escorts to motorists who are simply lost. They should instead provide directions to the location that the motorist is seeking.

Assisting Motorists with Keys Locked in Vehicle

Officers will assist motorists who have locked keys in their vehicle in life threatening situations and only after the "Vehicle Lockout Request and Release" waiver form has been completed and signed by the motorist. Life threatening situations include, but are not limited to, the following situations:

- Child or animal locked in vehicle.
- Vehicle is running.
- Motorist is located in an unsafe location.

TRAFFIC ENGINEERING

The Crash Reconstruction Unit (CRU) will lead the Department's efforts to coordinate and cooperate with City and State traffic engineering authorities, and other agencies associated with traffic safety and engineering. Such efforts are essential to the maintenance and improvement of a safe and efficient traffic system in the City of Raleigh.

Department's Engineering Responsibility

Although traffic engineering is not a sole responsibility of the Department, the Department has a unique opportunity and responsibility to contribute to traffic engineering. The compilation and

analysis of traffic law enforcement and traffic collision management data provides an excellent groundwork for identifying traffic engineering problems. The elimination of traffic engineering problems is in the interest of the Department and of the community at large.

Traffic Engineering Duties

The Department recognizes its responsibility to contribute to improving traffic engineering in the community. To this end, the Crash Reconstruction Unit will coordinate Departmental efforts to:

- Collect and compile traffic-related data relevant to identifying engineering problems and solutions.
- Conduct traffic surveys and studies as appropriate at high collision locations and to investigate potential problems.
- Analyze collision and enforcement data to discern trends and relationships symptomatic of engineering problems.
- Prepare special reports and make recommendations concerning detected traffic engineering deficiencies.
- Participate in the City's transportation management system, when requested, to ensure proper consideration of enforcement needs and service demands.

Individual Officer's Role in Traffic Engineering

The Crash Reconstruction Unit will forward a request to each Field Operations District and the Special Operations Division, each month, asking for officers to report any of the following observations:

- A traffic control device which is obscured, damaged or missing.
- The need for no parking zones near an intersection to facilitate traffic flow.
- A street which needs new lane markings to facilitate traffic flow and prevent collisions.
- A malfunctioning or inoperative traffic light. These malfunctions should be reported immediately to the Emergency Communications Center.
- The need to increase or decrease the intervals of a traffic light to aid in clearing a problematic intersection.

Officers may coordinate any suggested improvements through their supervisor. Those suggestions approved through the chain of command will be forwarded to the City's Traffic Engineering Office.

This process does not preclude officers from taking the necessary action to eliminate an immediate traffic hazard at any time.

THE RALEIGH POLICE DEPARTMENT

1109-10

TRAFFIC ENFORCEMENT

PURPOSE

The purpose of this directive is to establish uniform policies, procedures and practices related to traffic enforcement.

VALUES REFLECTED

This directive reflects our values of *Service*, *Courage, Fairness, Integrity, and Compassion*. We will engage in preventive and proactive traffic enforcement activity in a fair, impartial, professional and courteous manner to earn community confidence and support, to promote the safety of the community and to gain voluntary compliance with motor vehicle law.

UNITS AFFECTED

All Divisions/Sworn Officers

REFERENCES/FORMS

DOI 1108-02 "Legal Process"
DOI 1109-11 "Traffic Investigations"
DOI 1109-25 "Vehicle Checking Stations"
DOI 1104-02 "Deportment, Appearance and Wearing of Police Uniforms"
G.S. 20-4.19 "Issuance of Citations to Non-Residents"
G.S. 20-8 "Persons Exempted from Licensing"
G.S. 20-16.2 to G.S. 20-16.5 "Enforcement of DWI Offenses"
Waiver of Liability Form
G.S. 8050.2 "Results of Speed-Measuring Instruments; Admissibility"
N.C. Administrative Code 1C-6 "Powers of North Carolina Criminal Justice Education and Training Standards Commission"
N.C. Administrative Code Chapter 9 "North Carolina Administrative Code Rules Relevant to Speed-Measuring Instrument Programs of the North Carolina Criminal Justice Education and Training Standards Commission"
N.C. Justice Academy "RADAR Operator's Manual"
A Manual of Model Police Traffic Services, Policies and Procedures, U.S. DOT/NHTSA
Police Traffic Services, Basic Training Program, Vol. 3, U.S. DOT/NHTSA

May be Released to the Public

GENERAL POLICIES

Traffic enforcement will be directed toward reducing or eliminating specific problems that adversely affect the safety of the community and advancing the Department's overall objective of gaining community support and confidence.

All enforcement action will be conducted in a courteous and impartial manner. We recognize that traffic stops are often the only contact a citizen has with the police. We will strive to make each contact educational and leave the violator with the impression that the officer has performed a necessary task in a professional manner.

Officers will apply professional and impartial discretionary judgment in situations involving traffic law violations. However, Driving While Impaired violations will be strictly enforced. Officer discretion in felony violations is sharply limited. Traffic stops have two objectives; the first is to take enforcement action and the second is to favorably alter the driver's future behavior.

NON-RESIDENT VIOLATORS

Both state and federal law dictate special provisions for non-resident traffic violators.

Out-of-State Residents

Motorists bearing a valid operators license from another state will not be required to post an appearance bond, except for violations of those offenses that would result in suspension or revocation of an operator's license in this state (G.S. 20-4.19).

Non-resident foreign nationals who bear a valid international license or a license from their home country are not required to be licensed in this state. They are required to post an appearance bond. Officers should consider the use of warnings for non-hazardous violations.

Military Personnel

Military personnel are exempt from licensing requirements while operating a vehicle of the armed forces. Military personnel and their spouses are not required to be licensed in this state if they bear a valid operators license from their home state (G.S. 20-8).

Diplomatic Officials

Foreign diplomats, bearing the diplomatic identification issued by the State Department, are immune from arrest or detention. Officers should contact a supervisor and the State Department for guidance when presented with diplomatic credentials.

Other Government Officials

There is no North Carolina law which exempts any state or local official, either appointed or elected, from compliance with federal, state, or local laws. The Constitution prohibits the incarceration of a Congressman en-route to or from Congress, but the limited detention of a Congressman for Driving While Impaired has been upheld by the courts.

JUVENILES

A juvenile who is 16 or 17 years of age can be charged as an adult for any violation of Chapter 20 of the North Carolina General Statutes. Officers should consult the Juvenile Court Counselor for all offenses other than those found in Chapter 20.

If a minor, 16 or 17 years old, is cited for reckless driving, hit and run, or any other offense carrying 4 or more points as listed in G.S. 20-16(c), the officer must make a reasonable effort to notify the minor's parents (DOI 1108-2 "Legal Processes").

Officers may not issue a Uniform Traffic Citation to a juvenile below the age of 16. Officers are required to utilize the petition and intake process established for juvenile proceedings. Officers will notify the juvenile's parent or guardian and release the juvenile into their custody unless the conditions for "secure custody" are present (refer to 1109-13 "Initial Response to Juvenile Calls").

TRAFFIC ENFORCEMENT GUIDELINES

Enforcement of traffic regulations may take several different forms, including verbal or written warnings, issuance of traffic citations, or physical arrests. The enforcement option selected should be one that maintains the safety of the public, discourages a repetition of the violation, and causes the least inconvenience to the violator.

Verbal Warnings

Recognizing that a properly administered warning can be more effective than any other type of enforcement, officers may elect to use a verbal warning in cases when the violation is minor and any threat to public safety is minimal, or when the violation may be due to ignorance of a unique local ordinance.

Written Warnings

Written traffic warnings may be issued by officers in lieu of a traffic citation for non-hazardous traffic violations, or where the evidence present would weigh against the officer obtaining a conviction in court. Officers must be certain to explain to the violator that a criminal summons may be issued if proof of compliance for equipment violations is not demonstrated within the specified time.

Uniform Traffic Citations

Uniform traffic citations should only be issued for clear and substantial violations. The violator is not required to sign the citation, but officers should be certain to explain the violator's rights and obligations listed on the defendant's copy.

As a general policy, officers should not issue citations for new traffic control devices or traffic regulations that have been in effect for less than 14 days. During this period, officers should issue written warnings instead.

Officers may void citations for clerical errors that would render the citation invalid. Voids for any other reason must be approved by a supervisor. The District Attorney's Office must approve the

voiding of a citation once the original is turned in to the Clerk of Court's office or if the defendant's copy is unavailable (DOI 1108-02 "Legal Process").

Physical Arrest of Motorists

Issuance of a citation is inappropriate for traffic offenses related to death by motor vehicle, driving while impaired, or attempting to elude arrest. An officer may elect to arrest an offender if a misdemeanor has been committed and the offender gives indications the offender will not comply with a citation. Refusing to sign a citation is not sufficient to justify arrest.

An officer may not arrest for a violation of an infraction.

State law does not permit an officer to impound the vehicle of an arrested motorist if the vehicle is legally parked and not subject to seizure (DOI 1110-08 "Searches and Seizures – Investigative Stops and Frisks"). The driver may release custody of the vehicle to another person. In such cases, the officer should record the name of the other person, and request that the driver sign a "waiver of liability" form. Refusal to sign the waiver does not authorize the officer to tow the vehicle.

The officer may request that the driver allow the officer to drive the vehicle off the roadway. Officers should obtain verbal permission or a signed waiver of liability prior to doing so. If the vehicle is obstructing the roadway and cannot be moved, the officer should complete a vehicle inventory and tow the vehicle according to procedure (DOI 1109-9 "Traffic Services").

If the Magistrate finds "no probable cause" for the arrest, and the motorist requests assistance, the motorist should be returned to their vehicle.

Multiple Violations

In the event of multiple violations, officers may choose to issue a uniform citation for the most serious offense and warn on the others.

Hazardous Violations

Hazardous violations are serious moving violations (i.e. red light, stop sign, speeding, tailgating, careless and reckless, etc.). The Department seeks enforcement practices which further public support, which encourages voluntary compliance and which may be successfully prosecuted. Officers must take into account the totality of circumstances surrounding the violation and use their discretion as to the issuance of a citation, a written warning, or a verbal warning.

Parking Violations

Officers should allow violators a reasonable opportunity to move their vehicle prior to issuing a parking citation. Officers may void parking citations if the owner returns, a parking meter controlling a space is found to be inoperable, or the citation contains a clerical error that would render it invalid. Officers will write the reason for the void on the ticket, and turn all copies into their supervisor.

Police supervisors may void parking citations issued by officers within 48 hours of issuance for the following reasons.

- The violator can demonstrate that his/her vehicle was disabled and that he/she was in the process of having it removed.
- The area was improperly posted, or the signs were obscured.
- The ticket was issued in error, such as for a vehicle that already had a ticket on it or for an incorrect charge.

After 48 hours, the parking enforcement contractor must be advised prior to voiding a parking citation to insure that a summons has not been issued.

School Bus Violations

When an officer issues a citation or written warning to a school bus driver, the officer should report the violation, the bus number, and the school to which the driver is assigned to their supervisor. Supervisors should forward a memo and a copy of the citation to the Field Operations Administrative Assistant who will notify the Wake County Public School System.

Off-Road Vehicles

Officers may occasionally encounter off-road vehicles (dirt bikes, ATVs, etc.) being operated on public streets. Off-road vehicles shall be held to the same legal standards as other vehicles (requiring registration, insurance, inspection, and a licensed driver).

Driving While License Revoked

Driving while license revoked is a misdemeanor. Although officers have the discretion to make an arrest when they deem necessary, they should normally abide by the following guidelines.

A traffic citation may be issued for a Driving While License Revoked violation where the subject can be positively identified and Driving While Impaired issues are not present or a motor vehicle collision involving personal injury has not occurred. Officers will not allow violators to continue operation of a motor vehicle after a Driving While License Revoked citation has been issued.

Officers will make a physical arrest when enforcing driving while license revoked violations when a subject's license is:

- Revoked as a result of a DWI conviction
- Suspended by NC DMV as a result of a 30 day civil revocation or as a result of a willful refusal of a chemical test.
- Revoked and they are involved in a motor vehicle collision involving personal injury
- Revoked and they cannot be positively identified

- Revoked and they have been previously issued a traffic citation for Driving While License Revoked, but are later observed operating a motor vehicle

Bicycle and Pedestrian Violations

Officers have considerable discretion in the enforcement of laws pertaining to the safe operation of bicycles and movement of pedestrians. The following guidelines will result in a more consistent application of the law.

In those areas where congestion and the frequency of traffic collisions involving bicycles is high, those laws pertaining to the safe operation of bicycles should be strictly enforced.

On streets with a substantial flow of vehicular traffic and where hazardous moving violations involving bicycles are observed, the applicable laws regarding the safe operation of bicycles should be enforced. North Carolina law allows for the arrest of a bicycle operator for Driving While Impaired, and officers who suspect a bicyclist of Driving While Impaired should follow the same protocol as if the suspect were operating a motor vehicle, omitting clearly non-applicable procedures.

Officers may use discretion when enforcing pedestrian violations unless there is an extreme violation which may result in serious injury.

Commercial Vehicle Violations

With few exceptions, commercial vehicle violations will be considered in the same manner as private vehicles. In some cases, officers should consider that the type of vehicle or cargo may create a situation that is significantly more hazardous than a passenger vehicle under similar conditions. Some conditions apply only to special vehicles such as the State law requiring an alcohol concentration of 0.04 for a DWI charge against a driver of a commercial vehicle.

Felony Speeding to Elude Arrest

Under GS 20-141.5, (felony speeding to elude arrest) the officer shall seize the vehicle the defendant is driving. Officers will use the following protocol when considering a vehicle seizure for felony speeding to elude:

- Establish probable cause the speeding to elude offense has occurred, and, if possible, effect the arrest of the offender,

- Seize the vehicle,

- Contact ECC and request that the appropriate towing agency be dispatched to your location for a felony speeding to elude seizure. If necessary, have another officer stand by with the vehicle so the arrestee can be processed. Ensure that the vehicle's keys are given to the towing agency. The towing agency will impound the vehicle until it is released or forfeited. The officer does not complete a Notice of Towing Form or a Vehicle Storage Report in a felony speeding to elude seizure,

- Prepare the Affidavit of Impoundment (top half of AOC-CR-323B) and present it to the Magistrate when probable cause for felony speeding to elude is presented,

- If the Magistrate does not find probable cause for the felony speeding to elude charge, then the vehicle will be released,

- If the Magistrate finds probable cause for the felony speeding to elude, the the Magistrate will review the Affidavit of Impoundment and if impoundment is proper, the Magistrate will issue an Order to Hold the Vehicle (bottom half of AOC-CR-323B),

- If the vehicle is ordered to be held, then the officer must take the completed and signed AOC-CR-323B form to the Headquarters Police Desk/Crime Reporting Center (CRC). This must be done immediately after processing the arrestee. The Police Desk/CRC shall transmit the information to the NC DMV within 24 hours of the arrest. NC DMV has the responsibility of contacting the vehicle owner(s), lien holders, and the insurance company (if damaged).

The form that the officer is required to complete should be available at the Magistrate's Office.

There will be situations where an officer does not have a chance to seize the vehicle at the time of the offense. The officer should still complete the Affidavit and apply to the Magistrate for the Seizure Order. The vehicle can be seized pursuant to the Order. The officer can enter the property of the defendant to seize the vehicle, however consent or a search warrant is preferred if probable cause exists that the vehicle is located inside the defendant's residence/garage. If the vehicle, subject to seizure, is on the property of another person, not the defendant, then consent or a search warrant will be necessary to enter the property and seize the vehicle.

SPEED ENFORCEMENT

Although speeding is a serious violation, the Department seeks enforcement practices which further public support, which encourages voluntary compliance and which may be successfully prosecuted.

Allowable Speed Tolerances

The Police Department does not have a speed tolerance before a motorist is cited for speeding. Officers must take into account the totality of circumstances surrounding the violation and use their discretion as to the issuance of a citation, a written warning, or a verbal warning.

RADAR, LIDAR, TD/SMI Operators

Both RADAR, LIDAR, and Time Distance/Speed Measurement Instrument operators must maintain continuous certification for the type of instrument utilized. They will operate speed measurement instruments in compliance with guidelines issued by the N.C. Criminal Justice Training and Standards Commission. Operators must be able to demonstrate that they can properly set up, test, and read the RADAR, LIDAR, or TD/SMI instrument to enhance obtaining a conviction in court.

- Operator Training: The Department shall conduct periodic speed-measurement instrument operator training courses, for certification and recertification purposes, on an as needed basis. These course offerings shall meet the standards established by the North Carolina Criminal Justice Education and Training Standards Commission and shall be coordinated by the Administration Division, Training Unit.

Speed Measurement Equipment

The speed-measuring instrument employed by certified operators shall be one approved for use by the North Carolina Criminal Justice Education and Training Standards Commission in conjunction with the Secretary of Crime Control and Public Safety, pursuant to 17C-6.

Operational Procedures

The RADAR Operator's Manual contains the statutory authority sheets for operator calibration and testing for accuracy and operating procedures for each type and model of speed-measuring instrument on the Commission's approved listing. Each certified operator shall ensure compliance with these procedures when operating speed-measuring instruments.

Programmed Maintenance

All speed-measuring instruments employed by the Department shall be tested annually for accuracy by a technician possessing at least a second class or general radiotelephone license from the FCC or a certification issued by an organization or committee endorsed by the FCC.

Sergeants are responsible for ensuring that the above maintenance is conducted as part of the monthly inspections of vehicles assigned to their officers. The District Commander's designee for Field Operations and Traffic Enforcement Unit Sergeant for Special Operations are responsible for ensuring that the maintenance is conducted for handheld radar devices within their Division that are not assigned to a vehicle.

Maintenance and Calibration Records

Individual Districts/Divisions shall be responsible for ensuring the proper maintenance and calibration records for each Departmental speed-measuring instrument that is assigned to them.

Proper Care and Upkeep

Each District Commander shall, on a District level, ensure that all Departmental speed-measuring instruments are properly cared for.

- The District Commander's designee shall be responsible for inspecting each speed-measuring instrument and maintaining the RADAR sign out/in log at the Districts. All units shall be inspected to verify that the required components are present and appear to be functional and not damaged. All speed-measuring instruments assigned to the substations shall be checked out/in by a District supervisor.

- Radar Repairs: Any unit needing repair or parts replacement shall be taken to the City radio shop for necessary repairs or replacement of lost parts. Any loss or damage to the units shall be addressed as is the loss or damage of any other piece of equipment.

SAFELIGHT CAMERAS

The Safelight Program is an automated process by which civil citations are issued for vehicles that run red lights at specific intersections in the Raleigh city limits. Certain intersections which have been identified by Raleigh DOT and the Police Department, as having a significant number of

collisions caused by red light violations, are equipped with cameras which monitor these intersections and identify offending vehicles. The following enforcement procedures will be observed at these intersections:

- Officers will not issue uniform citations for red light violations that occur at intersections monitored by a camera system since the program generates civil citations.

- If the officer observes a red light violation at an intersection monitored by a camera, the officer may, however, stop and take appropriate enforcement action for any other violation noted.

With the approval of an immediate supervisor, officers may review Safelight photographs taken during a specific time of day, at a Safelight intersection, to aid in a criminal investigation.

In cases where Safelight citations are issued to Police vehicles, the Department will investigate the reason(s) for the violation. Officers that believe they have run through a red light monitored by a Safelight camera should immediately notify their immediate supervisor and indicate the date, time, vehicle and license plate number, location, and reason for running the red light, in memo form. The immediate supervisor will forward the memo to the Office of Professional Standards.

DRIVING WHILE IMPAIRED

It is the policy of the Department to aggressively enforce DWI violations. All enforcement actions, must comply with G.S. 20-16.2 through G.S. 20-16.5, and G.S. 20-138.1 through G.S. 20-139.1.

Determining Sobriety

Officers should develop sufficient evidence, independent of chemical analysis, to demonstrate impairment of a driver. If the driver appears dazed or incoherent, the officer should check for medical alert identification. If the driver appears ill, the officer should first obtain medical assistance. When possible, DWI suspects should be asked to submit to a roadside preliminary breath test to determine the relevance of alcohol to observed impairment.

Pre-Arrest Chemical Analysis

Where there is suspicion of Driving While Impaired, G.S. 20-16.2(i) entitles a person to request a chemical analysis for alcohol prior to being arrested. The following conditions apply to requests for pre-arrest chemical analysis:

- The request does not prohibit the officer from arresting the driver for another violation unrelated to driving while impaired.

- The driver must request the test prior to being arrested. The officer is not required to inform the driver that this request may be made.

- The driver is required to ride in the police vehicle and may be searched by the officer. If the driver refuses either, the driver is deemed to have withdrawn the request for the pre-arrest test.

- The officer must inform the chemical analyst performing the chemical test that a "pre-arrest" analysis is being requested. The chemical analyst will then provide the driver with a request form.

- If the driver refuses to submit to the test or otherwise comply with restrictions attached to the test, the request is deemed to have been withdrawn. At the point when the driver withdraws their request for the pre-arrest test, or after the driver has completed the pre-arrest test, the officer may proceed with DWI arrest procedures. Any valid breath sample submitted for a pre-arrest test is admissible in court.

Duties upon Arrest

Once an arrest for driving while impaired is made, the driver must not be allowed to eat or smoke. Vomiting or other signs of illness must be reported to the chemical analyst.

- The officer shall secure the arrestee's vehicle.

- Officers shall transport the arrestee to the Wake County Jail testing facility for a breath test for alcohol. See the section below for blood test procedures and for procedures concerning drug impairment cases.

- Officers shall refrain from attempting to determine if the arrestee will submit to an analysis until they are in the presence of the test operator.

- Officers will secure their weapons, in the storage lockers or their vehicles, while at the Wake County Jail testing facility.

- Upon arrival at the testing facility, the arrestee will be allowed an opportunity to telephone an attorney or a witness to view the testing procedures. The testing will not be delayed more than 30 minutes from the time the arrestee is notified of their implied consent rights.

- The officer must present the arrestee to a chemical analyst for analysis.

- Following the test, the officer must present probable cause to the Magistrate and complete the booking process.

- Under G.S. 20-139.1(d), an officer must assist an arrestee who wishes to obtain additional chemical testing. The statutory requirements are met when an officer obtains access to a telephone for the arrestee to arrange for any additional test. The officer is not required to contact a qualified person for the arrestee and any additional testing will be at the arrestee's expense. An officer is not required to assist a person in obtaining testing if the person refused the chemical analysis requested by the officer.

- If the arrestee refuses the test, the officer and chemical analyst must indicate the refusal on the Affidavit and Implied Consent Form. The officer should be certain to note if the offense involved death or critical injury. A search warrant may be requested in cases where a subject refuses to submit to a breath sample. Officers should follow the guidelines listed below in the section titled "Blood Samples".

Extreme Readings

An arrestee should be provided with medical attention if either of the two breath samples shows an alcohol concentration of 0.30 or above.

If any breath sample shows a low alcohol concentration inconsistent with observed impairment, a Drug Recognition Expert (DRE) should be called to evaluate the arrestee. Medical attention should be obtained if no DRE is available. A blood sample should be obtained if there is probable cause to believe that the arrestee is impaired by drugs.

Blood Samples

If blood sampling is to be administered on the basis of implied consent and the arrestee has been taken to a hospital emergency room, the officer should contact Emergency Communications and request that a chemical analyst meet them at the hospital. The chemical analyst will oversee the test procedure. Hospital staff will draw blood specimens and turn them over to the officer.

When an arrestee is not an emergency room patient, the officer should contact Emergency Communications and request that a chemical analyst meet them at the Wake County Jail. The chemical analyst will oversee the test procedure. The Jail Nurse will draw blood specimens and turn them over to the officer. Upon completion of the blood draw, the officer should receive the Statement of Blood Withdrawal and Chain of Custody form from the Jail Nurse (Wake County Sheriff's Department Form). The form should be attached to the officer's DWI paperwork for court purposes.

A search warrant may be requested to obtain a blood sample in cases where an arrestee refuses to provide a sample of breath or blood for chemical analysis. Whether an officer applies for a blood search warrant should be based on the totality of the circumstances. Factors that may be considered include:

- Whether field sobriety tests were conducted,
- If the case involves injury or death,
- The number of other observed signs of impairment.

A chemical analyst need not be present when an officer serves a search warrant to obtain a blood sample as the service of a search warrant does not trigger implied consent rights.

Once the blood samples are drawn, the officer must store the samples in one of the refrigerated evidence lockers and complete required Request for Analysis forms [DOI 1108-4 "Evidence and Found Property"].

Drug Recognition Experts

Officers trained and certified as Drug Recognition Experts (DREs) enhance the Department's efforts to reduce impaired driving. Drug Recognition Experts are specifically trained to complete a Drug Influence Evaluation and determine the following:

- If a subject is impaired

- If the impairment is due to alcohol, drugs, or a medical condition
- If the impairment is due to drugs, the category of drugs causing the impairment

An officer should call a DRE if the officer arrests a driver that is suspected of being impaired by drugs. The DRE will advise the arresting officer on how to proceed with the investigation. Under normal circumstances, the DRE will meet the officer and the driver to conduct a Drug Influence Evaluation. A DRE that completes a Drug Influence Evaluation should provide a copy of their report to the charging officer and the Departmental DRE Coordinator within five days of evaluation.

Driving While Impaired and Under the Age of 21

It is unlawful for a person under the age of 21 to operate a motor vehicle on a highway, street or public vehicular area while consuming alcohol, or while any alcohol remains in the driver's body, or while any controlled substance, with the exception of those prescribed by a physician, remains in the driver's body. The odor of alcohol on the driver's breath is insufficient evidence to prove this offense (G.S. 20-138.3) beyond a reasonable doubt, unless the driver refuses to provide a breath or blood sample.

A person less than 21 years of age may be charged with both G.S. 20-138.3 (Driving after consuming) and G.S. 21-138.1 (Impaired driving); G.S. 20-138.3 is NOT a lesser included offense of G.S. 20-138.1.

Fifteen year old drivers, with a learners permit, can be taken into temporary custody and transported to the Wake County Jail testing facilities for breath alcohol testing. In cases where the odor of alcohol and other significant evidence is present, officers may forego the use of a calibrated preliminary breath tester to prove the presence of alcohol. If there is sufficient evidence, officers will obtain a juvenile petition and the juvenile will be released to a responsible adult. Officers may transport the juvenile home if necessary. While it is lawful to take a juvenile to the Wake County Jail testing facility, juveniles under the age of 16 will not be booked into the jail.

DWI Vehicle Seizures

Officers are required by law to seize vehicles being driven by an impaired driver who is driving with a license that was revoked for a previous impaired driving or related conviction and meet certain criteria (vehicle seizure, impoundment and forfeiture law is found in NCGS 20-28.3).

Officers MUST seize a vehicle when the vehicle is being driven by a person who is violating GS 20-138.1 (impaired driving) or GS 20-138.5 (habitual drunk driving) or GS 20-138.2 (impaired driving in a commercial vehicle) or GS 20-141.4 (felony death by vehicle) or other homicides arising out of impaired driving AND when the driver's license has been revoked as an "impaired driving license revocation" as defined in GS 20-28.2(a). Impaired driving license revocation includes:

- A person under 21 driving with any alcohol or controlled substance in their body or for the refusal to submit to a test
- Impaired driving on a military base
- Willful refusals

- Failure to pass a breath or blood test, or refusal of a chemical analysis under the immediate pretrial civil revocation statute
- Impaired driving convictions or impaired driving of a commercial vehicle
- Probation conditions, in impaired driving cases, that prohibit driving
- Pretrial impaired driving revocations
- Second or subsequent convictions under GS 20-138.7 (transporting open container)
- Involuntary manslaughter if impaired driving involved
- Felony death by vehicle
- Conviction for habitual impaired driving
- Conviction of assault with a motor vehicle involving impaired driving
- Conviction in another state of impaired driving
- Revocations in other states for conduct that would support one of the other covered revocations if committed in North Carolina

Additionally, officers MUST seize a vehicle when the vehicle is being driven by a person who is violating GS 20-138.1 (impaired driving) or GS 20-138.5 (habitual drunk driving) or GS 20-138.2 (impaired driving in a commercial vehicle) or GS 20-141.4 (felony death by vehicle) or other homicides arising out of impaired driving AND when the driver does not have a valid license AND when the driver is not covered by an automobile liability policy.

There are two instances when a vehicle is NOT subject to seizure even though the driver is impaired and the license is revoked for one of the above reasons. If the officer knows that the vehicle being driven is stolen or is a rental vehicle and the person driving is not an authorized driver on the contract then the vehicle is not to be seized for forfeiture.

<u>Procedure for DWI Seizures</u>

Officers will use the following protocol when considering a vehicle seizure for DWI:

- Establish probable cause that the DWI offense has occurred and affect the arrest.
- Check the driving record of the arrestee.
- If driving while license revoked, check the reason(s) for the revocation.
- If their license is revoked for one of the reasons listed above, then
    - Seize the vehicle

- Contact ECC and request that the appropriate towing agency be dispatched to your location for a DWI seizure. If necessary, have another officer stand by with the vehicle so the arrestee can be processed. Ensure that the vehicle's keys are given to the towing agency. The towing agency will impound it until it is released or forfeited. The officer does not complete the Notice of Towing Form or the Vehicle Storage Report in a DWI seizure.

- Prepare the affidavit of impoundment (top half of AOC-CR-323A) and present it to the Magistrate when probable cause for the DWI is presented.

- If the Magistrate does not find probable cause for the DWI charge, then the vehicle will be released.

- If the Magistrate finds probable cause for the DWI, then the Magistrate will review the Affidavit of Impoundment and if impoundment is proper, then the Magistrate will issue an Order to Hold the Vehicle (bottom half of AOC-CR-323A).

- If the vehicle is ordered to be held, then the officer must take the completed and signed AOC-CR-323A form to the Headquarters Police Desk/Crime Reporting Center (CRC). This must be done immediately after processing the arrestee. The Police Desk/CRC shall transmit the information to the NC DMV within 24 hours of the arrest. NC DMV has the responsibility of contacting the vehicle owner(s), lien holders, and the insurance company (if damaged).

The form that the officer is required to complete should be available at the Magistrate's Office.

There will be situations where an officer does not have a chance to seize the vehicle at the time of the offense. The officer should still complete the Affidavit and apply to the Magistrate for the Seizure Order. The vehicle can be seized pursuant to the Order. The officer can enter the property of the defendant to seize the vehicle, however consent or a search warrant is preferred if probable cause exists that the vehicle is located inside the defendant's residence/garage. If the vehicle, subject to seizure, is on the property of another person, not the defendant, then consent or a search warrant will be necessary to enter the property and seize the vehicle.

Generally the vehicle will be impounded until there is a forfeiture hearing or the underlying DWI is disposed of without a conviction. There is a process to allow a non-driver owner to apply for either the temporary or permanent pre-trial release of the vehicle. A lien holder or the defendant owner may apply for a permanent pre-trial release of the vehicle. Because storage fees can accumulate quickly and exceed the value of the vehicle, the DWI trial must be scheduled on the arresting officer's next court date or within thirty days of the offense, whichever comes first. Arresting officers must schedule a DWI case, with a vehicle seizure, differently than a DWI without a seizure.

Record Keeping for DWI Cases

Officers should send copies of the Affidavits, test tickets, Implied Consent Rights Forms, and DWIR Forms to Records as soon as possible. Records personnel will review the forms. Any errors found on the Affidavits should be corrected by the appropriate officer as soon as possible. In most cases, the officer should fill out a new Affidavit and write "Amended" across the top. The amended Affidavit must be properly witnessed by a notary or other person authorized to administer oaths.

Officers should ensure that in-car video for DWI cases are properly tagged to avoid unintentional routine deletion. Subpoenas for in-car video should be routed to the Office of Professional Standards Unit. The Office of Professional Standards personnel will follow their procedures for making copies of the videos and providing the videos to the requesting officers. Any in-car video in a DWI case is considered evidence and should be handled as such.

Driving While Impaired cases can be complicated and are usually carefully scrutinized by the court. A case report should be completed when a subject is charged with DWI. Additional information may need to be collected post-arrest, including a driving record and criminal history. Officers are encouraged to use "DWI Case Jackets" to organize their paperwork and track their cases through the court system.

TRAFFIC PATROL AND SURVEILLANCE

Traffic patrol is considered a part of an officer's activity where they move about within a designated geographical area or given roadway for the general purpose of traffic surveillance and enforcement of observed violations.

Objective of Patrol and Surveillance

The basic objectives of traffic patrol are to deter would-be traffic violators. Additional goals include:

- Detect and enforce traffic law violators.
- Report traffic problems, handle emergencies, and facilitate the smooth flow of traffic.
- Report road conditions which need attention.
- Render aid and assistance to motorists where necessary.

Moving Traffic Patrol

The basic types of traffic patrol that may be conducted are:

- Area patrol: patrol in an area or beat which may include several streets, roads, or highways.
- Line patrol: patrol on a designated route between two points, usually on a street or section of highway where violations have been observed by officers, reported by citizens, or where traffic statistics indicate a problem exists.
- Directed patrol: assignments or requests for increased traffic patrol coverage which comes from a supervisor or Emergency Communications throughout a shift. This does not include pre-determined selective enforcement activities.

Stationary Traffic Observation

In addition to the various forms of moving patrol, stationary observation constitutes another form of traffic surveillance. It is observation by officers at selected places, usually a location that experiences a high collision rate or chronic traffic problems. There are three basic ways to conduct stationary traffic surveillance:

- Conspicuous surveillance: officers attract attention by remaining in full view of traffic with a marked patrol vehicle.

- Visible surveillance: officers are located in full view of traffic, but in such a manner as to require some scrutiny by a person to be discovered (i.e. unmarked patrol vehicles, or patrol vehicle parked inconspicuously on a side street). All unmarked vehicles shall be equipped with blue lights and sirens and such vehicles shall be operated in accordance with DOI 1106-5, Operation of Police Vehicles.

- Concealed surveillance: officers are not visible to persons on the roadway during the course of their normal observation of the roadway. This form of surveillance can be utilized to conduct speed surveys, traffic studies, or in combination with marked patrol vehicles with the covert officer observing violations for the officer in a marked vehicle for enforcement action.

TRAFFIC STOP GUIDELINES

The Department recognizes the inherent risk in all traffic stops both to the officer and to the public. All traffic stops will be conducted with due consideration to the safety and well-being of officers and the public.

Officers shall conduct traffic stops in a professional manner and as the situation allows should utilize the eight step method during the stop.

The eight step procedure for vehicle stops should be administered as follows:

1. Greeting- Such as "Good Morning"

2. Identify Self and Department

3. Give the reason for the vehicle stop

4. Inquire as to any justification for the offense

5. Obtain identification from the driver

6. Obtain any additional needed information such as registration and proof of insurance

7. Evaluate the information and make a decision as to the most appropriate action to be taken

8. Close – end the stop with phrase such as "Drive Safely"

Officers should make reasonable efforts to employ the above verbal tactics when conducting vehicle stops. Should an investigative report be required as a result of the stop or any subsequent actions taken, then the above steps should be included in the report.

Known Risk Stops and Roadblocks

Officers should be conscious of traffic congestion, pedestrian traffic, surrounding terrain, and nighttime illumination. The officer should closely coordinate the stop with assisting units, using prescribed known-risk stop techniques.

No roadblocks, including a running block, are to be undertaken. Deliberately ramming or forcing a vehicle off the highway can be interpreted as a use of deadly force and is not to be undertaken.

Traffic Stops

Any traffic stop carries the risk of injury. When making a traffic stop, the officer should seek a location that affords the greatest degree of safety and causes the least inconvenience to the public. Both blue lights and four way flashers are to be utilized as long as the vehicles are in the roadway. Traffic stops should be conducted as follows:

- The officer should report the license plate number of the violator, the location of the stop, and a brief description of the vehicle according to standard radio procedures (DOI 1109-02 "Radio Communications, Response to Calls").

- The officer should obtain identification from the driver, briefly explain the purpose of the stop, and if necessary, have the driver pull onto a side street or off the roadway to conduct further conversations provided the reasonable suspicion for the stop was not for Driving While Impaired.

- Having the driver and occupants remain in the vehicle is preferable to having them outside the vehicle when observation is difficult and doing so creates a hazard to the officer, driver, or occupants. However, an officer may use discretion in allowing a driver or occupant to exit the vehicle, particularly if the driver has been properly identified. Officers should further explain the purpose of the stop and the action they intend to pursue.

- The officer will politely explain any further obligations the motorist may have in connection with any enforcement action taken. If necessary, the officer will assist the motorist in safely re-entering traffic.

Vehicle Checking Stations

Refer to DOI 1109-25 "Vehicle Checking Stations"

ORGANIZATION AND RESPONSIBILITIES FOR THE TRAFFIC FUNCTION

The Department's traffic control function is not centralized. It involves cooperation among Divisions and Districts. Primary responsibility for operation of the Department's Police Traffic Service Program resides with the Special Operations Division and the Field Operations Division.

Field Operations Division

The Field Operations Division is one of the Department's traffic control components. Responsibilities for the Traffic Services Program include:

- Traffic direction and control, including expediting the safe movement of vehicular and pedestrian traffic, relieving congestion on the streets and highways, and securing compliance with traffic laws.

- Traffic law enforcement, including promoting sustained compliance with traffic laws, preventing hazardous traffic situations from occurring and preventing or reducing traffic collisions.

- District Commanders have access to a crash mapping program that shows high crash locations within the City of Raleigh and should assign personnel to enforce violations at these high collision locations.

- Selective traffic enforcement may be implemented as a result of complaints from citizens or other sources. District supervisors are to ensure that personnel are assigned to address specific complaints, that appropriate enforcement action is taken, and that the proper reports are maintained at the District level.

- Collision management, including rendering or obtaining first aid to victims of a traffic collision, establishing safe passage for roadway traffic at collision scenes, documenting the facts surrounding a traffic collision, determining the causes of a collision, taking any warranted law enforcement action, and normalizing the roadway environment (refer to DOI 1109-11, Traffic Investigation).

- Services for motorists, to include providing or making arrangements for assistance to disabled or distressed motorists.

- The Field Operations Division will initiate and promote programs to inform and educate the public as to the conditions adversely affecting the safe movement of traffic and the countermeasures to combat them.

Special Operations Division

The Special Operations Division will be responsible for the following:

- Selective traffic enforcement projects. Efforts will be directed at hazardous traffic violations and will be based on the analysis of traffic collision experience and complaint locations. Projects will also be based on the review of traffic collision data and traffic enforcement data. The data will be provided in the monthly report that is compiled by the Records Division.

- Selective traffic enforcement personnel shall be deployed to areas having the greatest concentration of collisions and/or calls for traffic services, and at the times experience has shown these to occur. The deployment of selective traffic enforcement personnel shall be based on an analysis of traffic collisions and traffic related calls for service.

- The purpose of selective traffic enforcement assignments is to take enforcement action against those violations determined to cause collisions and will involve countermeasures ascertained to be the most effective for the specific enforcement problems involved.

- Prior to July 1 of each fiscal year, the Special Operations Division Commander or designee will prepare an annual evaluation on the effectiveness of selective traffic enforcement activities.

- The Special Operations Division will develop a liaison with traffic safety groups including the Transportation Division of the Raleigh Public Works Department and the Governors Highway Safety Commission.

- The Special Operations Division will develop a liaison with the City of Raleigh's Bicycle Pedestrian Advisory Committee. Traffic safety education and information and bicycle and pedestrian safety programs will be routed through the Special Operations Division, although many of these programs may be conducted by the District Community Officers and School Resource Officers.

Administrative Services Division

The Administrative Services Division provides technical and data information to the Police Traffic Services Program.

- Providing academy and in-service training on selected topics concerning traffic related functions.

- Compiling monthly collision summaries.

Detective Division

The Youth Services Unit, of the Detective Division, will be responsible for:

- Supervision of the School Safety Patrol Program (see DOI 1106-14 "School Safety Program.")

THE RALEIGH POLICE DEPARTMENT

1109-11

TRAFFIC INVESTIGATION

PURPOSE

To set forth the conditions under which traffic investigations and reporting are required. Included are special steps to be taken in the event of traffic fatalities and hit and run collisions.

VALUES REFLECTED

This directive reflects our values of *Service, Integrity, and Compassion*. By following these guidelines we demonstrate that we are providing high quality service by gathering information that assists individuals who are involved in a collision. We also demonstrate our concern by conducting high quality collision investigations.

UNITS AFFECTED

All Divisions/Sworn Officers

REFERENCES/FORMS

DOI 1107-5 “Severe Weather Procedures”
DOI 1109-10 “Traffic Enforcement”
DOI 1109-16 “Response to Hazardous Materials”

GENERAL POLICIES

State law requires the Department to investigate and report motor vehicle crashes that result in death or injury to human being, total property damage of $1000 or more, or property damage of any amount to a vehicle seized pursuant to NCGS 20-28.3. It is the policy of the Department to investigate and report any collision upon request of either party involved, regardless of the amount of damage involved. This includes collisions which occur on private property.

RESPONSE TO TRAFFIC COLLISIONS

Dispatch of Units

Emergency Communications will attempt to determine the extent of injuries when receiving reports of traffic collisions. Where injuries, fire, or hazardous materials are involved, officers are authorized to use emergency response.

At least two officers and a supervisor will be dispatched to auto collisions where hazardous materials are reportedly involved (refer to DOI 1109-16 “Response to Hazardous Materials”).

Arrival at Collision Scenes

The first officer to arrive should position the police vehicle to prevent further damage to vehicles or injury to persons. Once parked, the first priority is to check for injuries and to summon any additional assistance that may be required. Officers should next check for any witnesses and mark or preserve any short-lived evidence. In non-serious collisions, vehicles should be moved from the roadway as soon as possible.

Responsibility for Collision Investigations

The initial unit assigned by Emergency Communications will be responsible for collision investigations unless properly relieved by another officer. At times, the Crash Reconstruction Unit (CRU) may be assigned to investigate a collision and will be responsible for the case. A member of the CRU will complete a DMV-349 Crash Report.

Towing Wrecked Vehicles

Officers may tow disabled vehicles from collision scenes. If the owner/driver is present, and it will not unduly delay clearing the roadway, the owner/driver should be allowed to specify a towing company such as AAA, and direct them where they want their vehicle towed. A rotation wrecker will be called if the owner/driver is not present and a Vehicle Storage Report will be completed. If a City rotation wrecker is used and the owner/driver is present, the officer should allow them, if they choose, to designate a repair facility for their vehicle to be towed provided the distance to the facility is reasonable. If the owner/driver is injured and transported to a hospital, the officer may notify him/her of the location of the vehicle without completing a Vehicle Storage Report.

In instances where the owner/driver is not present, the officer should remove purses and other easily stolen items from a vehicle prior to having it towed. If the property cannot be returned to the owner/driver prior to the end of the officer’s shift, the items are to be secured in found property storage (refer to DOI 1108-4 “Evidence and Found Property”).

Contributing Factors and Enforcement Action

Any determination of contributing factors on the part of either driver will be indicated on the collision report. It will be left to the officer's discretion to determine if charges will be made based on the totality of the circumstances.

Removing Debris from the Roadway

If a tow truck is called to the scene, it is the tow truck driver's responsibility to remove glass fragments or other debris from the roadway. If a tow truck is not called, the officer is responsible for removing any debris.

FATAL/SERIOUS COLLISIONS

Traffic fatalities and other serious collisions require additional specialized investigation. Responding officers must minimize traffic congestion while securing the scene to protect evidence. These investigations should be handled similar to any death investigation. These scenes should be treated as crime scenes. On-duty CRU members and a supervisor should respond to the scene. The City-County Bureau of Identification should be called to photograph the scene.

Major Crash Investigations

After tending to the injured and securing the scene, identification of impairment, short-lived evidence and witnesses should be the primary purpose of the Crash Reconstruction Unit.

Since the true causes of crashes sometimes require days to determine, all drivers should be checked for impairment. If possible, a Drug Recognition Expert should conduct this examination. If impairment is suspected, the suspect should be charged with DWI and a blood sample should be obtained from the suspect. If the suspect refuses to submit a blood sample, a search warrant should be written to obtain the blood.

Vehicles in these crashes provide critical information. Drivers and passengers should be removed as soon as possible and the vehicle and area around the vehicle should be secured as a crime scene. The names of anyone, including EMS, fire, and police personnel, who came in contact with the vehicles, should be documented. Vehicles involved in the crash should not be powered up until all of the vehicles' lights have been examined and/or removed. Examination of filaments in light bulbs can reveal if headlights were on, if braking was occurring, if turn signals were activated, or if a vehicle was in reverse. Sending an electrical current through the lights can damage the filaments before this evidence is collected.

Anti-lock brake skid marks, yaw marks, debris, fluids, and other short-lived evidence should be identified, documented and photographed as quickly as possible.

Witnesses should be separated and their statements should be taken. One of the most important items to document is the exact location of the witness when the crash occurred.

As with any death investigation, all responding officers should document their duties on a Supplemental Report form.

Crash Reconstruction Unit

Crash Reconstruction Unit members have specialized training in the area of traffic collision investigation. The CRU should be called if the following incidents occur:

- Collisions resulting in death
- Collisions resulting in life-threatening injuries
- Collisions resulting in serious personal injuries (amputation of a limb, brain damage, paralysis, etc.).
- Any event where the Watch Commander deems that the training and experience of the CRU may assist in the documentation and explanation of an event (public safety vehicles involved in emergency response, etc.).

The CRU will be responsible for obtaining charges in all cases they investigate, after consultation with the District Attorney's office if necessary.

Medical Examiner Notification

The Medical Examiner must be contacted and authorize the removal of any deceased person from the scene.

HIT AND RUN COLLISIONS

It is a policy of the Department to investigate and file reports on all complaints of hit and run, regardless of the time frame in which the offense is alleged to have occurred.

Unknown Locations

Occasionally, the owner of a parked vehicle may be uncertain of the location where a hit and run occurred. In those instances, officers should use the address where the report is taken, and indicate in parentheses "unknown location".

Follow-up Investigations

Officers are responsible for the timely notification of complainants on case status and disposition of the investigation. Such notification shall take place within 30 calendar days of the date of the report. Citizen contacts, investigative efforts, and a disposition will be documented in supplementary reports.

Supervisory Review

First Line Supervisors will insure proper assignment of cases for follow-up investigations and timely completion of investigations with proper notification of complainants on case disposition.

COLLISION REPORTS

Officers are obligated to submit collision reports by the end of their tour of duty. If required items of information are currently unavailable, an initial report should be completed and a supplemental report should be filed as soon as the additional information is obtained.

E-CRASH REPORTING

Officers will document all collisions that meet any of the following criteria:

- Anyone in the collision is killed, injured, or has a complaint of injury.
- Property damage from the collision totals $1000 or more.
- Damage of any amount has occurred to a vehicle being seized.
- One of the parties involved requests a collision report.

If an officer responds to a collision that does not meet any of the above criteria, the parties involved can simply handle the incident as a private matter if they both request no report be taken. The officer should add comments to the call that the collision was non-reportable and that neither party wanted a report. The call will then be coded out as “C” Completed.

THE RALEIGH POLICE DEPARTMENT

1109-12

ITINERANTS, INEBRIATES, AND MENTAL HEALTH CONSUMERS

PURPOSE

To detail the special procedures required in providing police assistance to itinerants, or persons who are unable to provide for themselves due to intoxication or mental illness.

VALUES REFLECTED

This directive reflects our values of *Service, Integrity, and Compassion*. We strive to display patience and sympathy for those in distress as we work to alleviate harm and the suffering of those with no shelter or those with special problems brought on by intoxication or mental illness.

UNITS AFFECTED

All Divisions/Sworn Officers

REFERENCES/FORMS

G.S. 14-444 "Intoxicated and Disruptive in Public"
G.S. 122C-251 "Transportation (of a Respondent)"
G.S. 122C-262 "Emergency Procedures for Immediate Hospitalization"
G.S. 122C-282 "Emergency Procedure for Violent Individuals"
G.S. 122C-301 "Assistance to Person Intoxicated in Public"

GENERAL POLICIES

Officers should be especially cautious in their dealings with intoxicated or mentally ill persons.

Necessary force may be used to prevent serious physical injury or death to persons believed to be dangerous to themselves or others.

RECOGNITION OF PERSONS WITH MENTAL ILLNESS

Outward appearances may be deceiving as some people with mental illness are indistinguishable from the general population. This is especially true when they are dealing with situations completely unrelated to their mental health condition. The major characteristics of a mentally ill person include drastic changes in behavior; loss of memory; paranoia; grandiose ideas; hallucinations/delusions; visions, strange odors, and peculiar tastes; exaggerated or bizarre physical ailments; PTSD; and extreme fright or anxiety.

ITINERANTS

Officers are authorized to transport persons in need of food, clothing, or shelter to a place of safety.

Emergency Shelters

When officers encounter someone in need of aid, they should contact Emergency Communications and request the location to which the person is to be taken. Emergency Communications will provide available shelter locations.

- Officers are to transport persons in need to the facility, as opposed to providing directions to the location.
- Caretakers at the shelters are responsible for making periodic rounds. If officers fail to get a response at the door, they should wait 15 minutes and make a second attempt.
- Inebriated persons should not be transported to shelters.

INEBRIATED PERSONS

Officers are authorized to transport inebriated persons, who are unable to care for themselves, to treatment facilities or private residences within the City.

Inebriates Needing Medical Assistance

Emergency Medical Services are to be summoned for inebriates who are unconscious and/or unresponsive. Officers may use a reasonable amount of force to transport an inebriate, who is in need of immediate medical care, to an appropriate medical facility (G.S. 122C-301). Transportation for medical purposes should be provided by EMS unless circumstances mandate otherwise.

Inebriates Not Needing Medical Assistance

Officers are authorized to transport inebriates, who are unable to care for themselves, to a place of safety.

Officers may transport inebriates, who are unable to care for themselves, to their residence or the residence of another person within the City who is willing to provide care for them. Officers should verify that a responsible adult is present prior to transporting an inebriate to a residence.

Inebriates are not to be transported to itinerant shelters. Inebriates who are in danger due to extreme weather, but who refuse transport to a treatment facility, may be taken into protective custody. A special commitment form must be obtained from the Magistrate.

INVOLUNTARY COMMITMENT PROCESS

To be involuntarily committed, a person must be mentally ill or inebriated to such an extent that they are a danger to themselves or others, as defined by G.S. 122C-262.

Custody Orders

Any person having knowledge of a mentally ill or inebriated person may petition a Magistrate for an involuntary commitment order. This order must be served on the person named within 24 hours, or returned to the Magistrate's office.

- Although police officers may act as the complainant on involuntary commitment affidavits, a relative should be encouraged to act as the complainant whenever possible.
- If the commitment affidavit is signed by someone other than a qualified physician, the subject must be taken to the UNC Wakebrook Recovery Center.
- If the affidavit is signed by a licensed physician, the officer must transport the respondent directly to the treatment facility specified.

Transporting Respondents

Raleigh officers will handle transportation of all involuntary commitments within the City. The officer assigned to the beat area in which the respondent's residence is located shall normally be assigned the call, regardless of the actual location or the sex of the patient. Once a respondent is taken into custody, under an involuntary commitment order, an officer of the same sex as the respondent should transport the patient unless a family member accompanies the respondent or the respondent is recorded on the patrol vehicle's Digital Patroller throughout the entire transport.

It is the policy of the City of Raleigh to recover the costs of transporting subjects to 24 hour treatment facilities for mental commitments. GS 122C-251(h) authorizes that a transportation fee be charged to the respondent or other individual liable for their support.

Raleigh officers may handle transportation of voluntary commitments within the City. The officer assigned to the beat area in which the respondent's residence is located shall normally be assigned the call, regardless of the actual location or the sex of the patient. Officers are asked to consider the following regarding voluntary commitments:

- Voluntary commitments can be traumatic for the respondent. Officers are encouraged to explain transport procedures to the respondent, including search and restraint policies if the respondent will be transported in a police vehicle.

- Officers should refer to D.O.I. 1108-3 for restraining injured, handicapped and special needs prisoners. This provides alternatives to standard restraint techniques if required due to special circumstances.

- Officers must remember a voluntary commitment is <u>not</u> custody. The respondent is free to change their mind at any point in the process of transport. If this occurs, officers should take the respondent to a place of their request within the city limits or to the place where the transport originated.

- If the respondent does not want to be searched and cuffed, officers should suggest alternate methods of transportation, including family members, friends, taxi cabs or a ride-sharing service. If requested, the officer should follow the respondent to UNC Wakebrook and accompany the respondent into the facility.

- Officers should be aware that a respondent could transition from a voluntary commitment to an emergency commitment if their language or behavior indicates they are an immediate danger to themselves or others. If this occurs, officers should follow the emergency commitment procedures outlined below.

- Officers need to complete a UNC Wakebrook CIT form for all voluntary drop-offs. The form can be found in the patrol resource guide on RPDnet.

<u>Completion of Commitment Procedures</u>

In all cases, custody orders must be signed by the officer and returned to the Magistrate after commitment proceedings.

- The original copy of the examining physician's statement should be attached to the custody order and returned to the Magistrate. A copy should be left with the respondent at the treatment facility.

- If the subject does not meet the criteria for commitment, the officer will transport the subject to the place where he/she was taken into custody or their residence (if within the city limits) and release them.

- A case report will be submitted on all involuntary mental commitments. The supplement should begin with the name and complete mailing address (include zip code) of the respondent. The officer's name should follow, with the time the call was received and the time the call was completed beside the officer's name.

<u>Emergency Custody</u>

When an officer reasonably believes that a person who is apparently mentally ill, inebriated or temporarily deranged is acting in a manner which the officer reasonably believes is likely to result in a serious injury to the disturbed person or others, that person may be taken into custody by the

officer without having to first obtain a custody order. Under such circumstances, the officer must immediately transport the subject to the UNC Wakebrook Recovery Center for evaluation.

ESCAPEES FROM MENTAL HEALTH FACILITIES

The Raleigh Police Department is responsible for notifying the N.C. Center for Missing Persons of escapees or walk-offs from private treatment facilities within the City.

Private Treatment Facilities

A Raleigh officer will be dispatched upon notification of an escapee or walk-off from a private mental health facility. The officer shall contact the Emergency Communication Center to enter the escapee into NCIC/DCI, using the appropriate caution indicators.

A missing person case report will also be submitted (refer to DOI 1109-15 "Initial Response to Missing Persons").

TRAINING

The Police Department will provide training to sworn officers and other employees who, during the course of performing their duties, may have to assist or deal with persons who are mentally ill or developmentally disabled. This training will be provided at the entry level during Basic Law Enforcement Training, with documented refresher training provided at least every three (3) years.

Crisis Intervention Team (CIT) Training

The Raleigh Police Department offers its employees the opportunity to participate in the Crisis Intervention Team (CIT) training on a voluntary basis. Employees who are interested in participating in this program should submit a memo of interest to their immediate supervisor. Once approved, the employee is required to complete a 40-hour course which will provide additional training on dealing with individuals who suffer from mental illness and/or intellectual disabilities.

THE RALEIGH POLICE DEPARTMENT

1109-13

RESPONSE TO JUVENILE INCIDENTS

PURPOSE

Due to the unique legal status of juveniles, special procedures are needed for incidents involving juveniles who are delinquent, undisciplined, or who may be the victims of abuse, neglect, or exploitation. The purpose of this directive is to establish guidelines and procedures for police contacts with juveniles.

VALUES REFLECTED

This directive reflects our values of *Service and Compassion*. We are committed to the protection of juveniles who are victims of abuse, neglect or exploitation and to the prevention of delinquency. We will act with a sensitive and caring attitude in all juvenile proceedings and in a manner that both accomplishes our law enforcement goals and safeguards the welfare of juveniles.

UNITS AFFECTED

All Divisions/Sworn Officers

REFERENCES/FORMS

G.S. 7B-1700 to G.S. 7B-1808 "Delinquency and Undisciplined Petitions"
G.S. 7B-300 to G.S. 7B-407 "Abuse and Neglect Complaints"
G.S. 7B-500 to G.S. 7B-508 "Non-Secure Custody"
G.S. 7B-1701 "Preliminary inquiry"
G.S. 7B-1900 to G.S. 7B-1907 "Secure and Non-Secure Custody"
G.S. 7B-2100 to G.S. 7B-2109 "Law Enforcement Role in Delinquency Proceedings"
G.S. 7B-2900 to G.S. 7B-3001 "Juvenile Records"
G.S. 7B-2800 to G.S. 7B-2827 "Interstate Compact on Juveniles"
G.S. 15A-505 "Notification of Parent and School"

GENERAL POLICIES

The responsibility for participating in or supporting the agency's juvenile operations function is shared by all agency components and personnel. The goal of all officers should be to prevent juvenile delinquency, rather than rely on corrective sanctions. Officers should attempt to detect and remedy conditions that lead to delinquency or victimization. Several alternatives are available to officers in dealing with delinquent or undisciplined juveniles, including:

- Releasing the juvenile to a parent or guardian with no further action;
- Releasing the juvenile to a parent or guardian and seeking juvenile petitions at a later time; and,
- Taking the juvenile into temporary custody for protective purposes or while seeking non-secure or secure custody orders

The alternative selected should be the most appropriate course of action to the situation, the needs of the juvenile, and the protection of public safety.

A number of factors must be considered in diversion decisions relating to juvenile offenders including but not limited to, the nature of the alleged offense, the age and circumstances of the alleged offender, the alleged offender's past record, if any, and the availability of community-based rehabilitation programs. Officers should also consider whether a recommendation for diversion was made by the complainant or victim.

CLASSIFICATION OF JUVENILES

There are several classes of juveniles under State law.

Delinquent Juveniles

Any juvenile who, while less than 16 years of age but at least 6 years of age, commits a crime or infraction under State law or under an ordinance of local government, including violation of the motor vehicle laws, or who commits indirect contempt by a juvenile as defined in G.S. 5A-31.

Any juvenile who, while less than 18 years of age but at least 16 years of age, commits a crime or an infraction under State law or under an ordinance of local government, excluding violation of the motor vehicle laws, or who commits indirect contempt by a juvenile as defined in G.S. 5A-31.

Undisciplined Juvenile

An undisciplined juvenile is any person who, while less than 16 years of age but at least six years of age, is unlawfully absent from school; or is regularly disobedient to and beyond the control of the juvenile's parent, guardian, or custodian; or is regularly found in places where it is unlawful for a juvenile to be; or has run away from home for a period of more than 24 hours; or

An undisciplined juvenile is any person who is 16 or 17 years of age and who is regularly disobedient to and beyond the disciplinary control of the juvenile's parent, guardian, or custodian; or is regularly found in places where it is unlawful for a juvenile to be; or has run away from home for a period of more than 24 hours.

Neglected Juvenile

A neglected juvenile is a person under 18 years of age who has been abandoned; or who does not receive proper care, supervision or discipline from the juvenile's parents; or who does not receive proper medical or other remedial care; or who lives in an environment injurious to the juvenile's welfare; or placed for adoption in violation of law.

Abused Juvenile

An abused juvenile is a person under 18 years of age whose parents, guardian, caretaker or other responsible person inflicts or allows sexual acts or injury to be inflicted, creates the risk of injury or emotional damage, or encourages delinquent acts involving moral turpitude by the juvenile; uses or allows grossly inappropriate or cruel procedures to modify behavior.

Dependent Juvenile

A dependent juvenile is a person under 18 years of age who is in need of assistance or placement because the juvenile has no parent or guardian responsible for the juvenile's care or supervision, or whose parents are unable to provide such care or supervision and lacks an appropriate alternative child care arrangement.

Emancipated Juvenile

An emancipated juvenile is a juvenile at least 16 years of age but under 18 years of age who is either married, serving as a member of the armed forces, or has been legally emancipated by court order.

PRELIMINARY INVESTIGATION OF JUVENILE COMPLAINTS

Field Operations Division officers will respond to and conduct preliminary investigations involving juveniles.

Notifying the Detective Division

The Detective Division should be notified immediately when juveniles are implicated in the following non-divertible offenses:

- Any felony which involves the willful infliction of serious bodily injury, or which was committed by use of a deadly weapon.
- The felonies of murder, rape, arson, robbery, first degree burglary, or crime against nature.
- Any drug violation that would constitute a felony if committed by an adult.

The Detective Division should also be notified in cases of incest or sexual assault against a juvenile.

Parental Notification and Notification of School Principal

The parent or guardian of an un-emancipated minor (16 or 17) must be notified if the minor is taken into custody as an adult for a criminal offense, or charged on a citation as required in G.S. 15A-505 and set forth in DOI 1108-02.

If an officer takes a juvenile (under 18) into temporary custody because the juvenile has committed an offense that would be a crime if committed by an adult, or because there are grounds to believe the juvenile is undisciplined, or because the juvenile is an absconder from a residential facility or from an approved detention facility, then the officer must notify the juvenile's parent, guardian or custodian that the juvenile is in custody and that they have a right to be present with the juvenile until the determination is made as to the need for secure or non-secure custody.

If an officer charges a juvenile 16 years of age or older with a felony as an adult, except for felony offenses under motor vehicle laws, then the principal of any school that the student attends will be notified. The term school means any public or private school. When the student, who is age 16 or older, is charged with a felony, whether or not there is custody, the officer shall notify the principal in writing, using a form letter approved by the Department within five days of the felony charge. Officers will need to ask students, ages 16 or older and charged with a felony, where they attend school. Officers should document their efforts to determine what school the student attends. A copy of the written principal notification is to be sent to the Field Operations Division Administrative Assistant.

Interviewing Juveniles

Questioning of juveniles must be consistent with Departmental Operating Instructions 1110-10 "Interviews and Interrogations" as follows:

- If a juvenile is not in custody, then an interview may be conducted without providing any juvenile Miranda warnings. An interview may be conducted without the presence of a parent or guardian.
- If a juvenile under 18 years of age is in custody, then juvenile Miranda warnings must be provided. A juvenile under 16, who is in custody, may not waive the right to have a parent, guardian or attorney present during an interview. An admission from a juvenile under 16 years of age is not admissible unless the child has waived their right indicating a willingness to talk and the juvenile's parents, guardian or attorney are present.
- A juvenile under 18 years of age, who is in custody, will be provided with the juvenile Miranda warnings. Juveniles who are between 16 and 17 may waive their right to have a parent, guardian or attorney present.

Identification Procedures

Juveniles may be placed in a show-up if the show-up is conducted close in time and proximity to the crime and the juvenile is suspected of committed common law robbery or a non-divertible offense as defined by N.C.G.S. 7B-1701. (see DOI 1110-09 "Non-Testimonial Identification, Line-Ups").

Juveniles under the age of 18, who are taken into custody, are to be photographed and fingerprinted, under the direction of a Juvenile Detective, as set forth in G.S. 7B-1701, which requires that officers shall fingerprint and photograph a juvenile who is ten years of age or older at the time the juvenile allegedly committed a non-divertible offense when a complaint has been prepared for filing as a petition and the juvenile is in the physical custody of an officer.

A 16 or 17-year-old who is arrested and charged with a Chapter 20 offense is to be fingerprinted and photographed as an adult would be for the Chapter 20 offense.

A 16 or 17-year-old who is arrested and charged with a non-Chapter 20 offense based on a previous qualifying conviction is to be fingerprinted and photographed as an adult would be.

If an officer did not fingerprint or photograph the juvenile while in custody, then the officer shall fingerprint and photograph the juvenile, under the direction of a Juvenile Detective, when the juvenile has been adjudicated delinquent if the juvenile was ten years of age or older at the time the juvenile committed an offense that would be a felony if committed by an adult.

When the juvenile is bound over for prosecution as an adult in Superior court, the juvenile shall be fingerprinted and photographed as an adult.

Unless transferred to Superior Court to be prosecuted as an adult, a juvenile under the age of 18 cannot consent to provide non-testimonial evidence. Therefore, a non-testimonial identification order must be obtained as required under G.S. 7B-2103 - 7B-2109 and described in DOI 1110-9 "Non-Testimonial Identification, Line-Ups."

Juvenile Petitions

Field Operations Division officers should conclude juvenile investigations, including obtaining juvenile petitions within (30) thirty days, whenever possible.

The issuance of a citation by a law enforcement officer to a juvenile less than 16 years of age is not allowed by law. Officers may issue a citation to a 16 or 17-year-old for any offense found in Chapter 20 of the North Carolina General Statutes. Officers may NOT issue a citation for a non-Chapter 20 violation to a 16 or 17-year-old unless the officer has confirmed with the Department of Juvenile Justice that the juvenile has a prior conviction which would exclude him from the jurisdiction of the juvenile court.

Where secure or non-secure custody is not necessary, the officer should release the juvenile to a parent or guardian, and file a petition with the Juvenile Court Intake Counselor during business hours. Once a summons is obtained from the Juvenile Court Intake Counselor, this process should be personally served upon the parent, the guardian, custodian, or caretaker, and the juvenile or counsel, no less than 5 days prior to the date of the scheduled hearing.

The juvenile should be presented to the Juvenile Court Intake Counsel if secure custody is required. If secure custody is required at night, the Magistrate's office will contact the Juvenile Court Counselor on call.

If a juvenile under the age of 18 is charged with a felony, then the case will be handled similarly to adult felony cases. A probable cause hearing will be scheduled within fifteen (15) working days of the juvenile's first appearance. A felony investigative report will have to be completed and filed with the District Attorney's office at the same time a juvenile summons is issued. It is important to note on the report that it is for a juvenile case and it should be forwarded to the Juvenile Court Intake Counselor.

Case Reports

Case reports are to be made on all offenses and missing person complaints involving juveniles.

For reasons of confidentiality, the identity of juveniles will not be disclosed on the public copy of the report.

Juvenile suspects should be completely described in a supplement. This description should include the parent or guardian's home and business address as well as the school attended by the juvenile.

TAKING JUVENILES INTO TEMPORARY CUSTODY

Once a juvenile under the age of 18 is taken into temporary custody, the juvenile's parent or guardian should be notified as soon as possible. A juvenile taken into temporary custody shall not be held for more than 12 hours, or for more than 24 hours if any of the 12 hours falls on a Saturday, Sunday, or legal holiday unless an order for secure or non-secure custody has been issued.

Secure Custody

The following are grounds for requesting a petition for secure custody:

- The juvenile is charged with a felony and has demonstrated a danger to property or persons.
- The juvenile is charged with a misdemeanor and at least one element is assault on a person and the juvenile is a danger to persons.
- The juvenile has willfully failed to appear on pending charges or has a record of failures to appear at court proceedings.
- There is reasonable cause to believe the juvenile should be detained for the juvenile's own protection because the juvenile has recently suffered or attempted self-inflicted physical injury. In such cases, the juvenile must have been refused admission by one appropriate hospital and the period for secure custody is limited to 24 hours to determine the need for inpatient hospitalization. If the juvenile is placed in secure custody, the juvenile shall receive continuous supervision and a physician shall be notified immediately.
- The juvenile is alleged to be undisciplined by virtue of the juvenile being a runaway and is inappropriate for non-secure custody placement or refuses non-secure custody, and the court finds that the juvenile needs secure custody.
- The juvenile is alleged to be undisciplined and has willfully failed to appear in court after proper notice; the juvenile shall be brought to court as soon as possible and in no event should be held more than 24 hours, excluding Saturdays, Sundays, and State holidays or where circumstances require for a period not to exceed 72 hours.
- When a juvenile has been adjudicated delinquent, the court may order secure custody pending placement.

Non-Secure Custody

A juvenile may be taken into temporary custody without a court order when the juvenile's health or welfare is in jeopardy. A juvenile may also be taken into temporary custody without a court order, by a law enforcement officer, if there are reasonable grounds to believe that the juvenile is delinquent or undisciplined.

Delinquent or undisciplined juveniles should be referred to the Intake Counselor. Abused or neglected juveniles should be taken into custody and the Wake County Department of Human Services contacted. After normal business hours, the on-call social worker will be notified. A copy of this on-call list is available at the Wake County Magistrate's office. A social worker will make a determination on placement of the juvenile in these cases.

Non-secure custody is appropriate when one or more of the following conditions exists:

- The juvenile is a runaway and consents to non-secure custody.
- The parents or guardian are unable to provide adequate supervision or protection, and consent to non-secure custody.
- The juvenile is in need of medical treatment to prevent serious physical harm and their parents are unwilling or unable to provide the proper aid.
- The juvenile has been abandoned, abused, or is dependent; and placement with a parent or guardian is inadvisable.

Parental Care

When the conditions for secure or non-secure custody are not met, officers should consider releasing the juvenile to a parent, guardian, or relative. Referral will then be made to the Juvenile Court Intake Counselor or the Department of Social Services during business hours.

RUNAWAYS

Classifications for juveniles vary among states. When locating juveniles, it is necessary to differentiate between those reported missing in this state and those missing from other states.

In-State Runaways

A runaway, who resides in this state, can be detained if they are neglected, dependent or undisciplined, or subject to a court order. Any juvenile at least six years of age but less than 18, who runs away from home for a period of more than 24 hours, is considered to be undisciplined.

Officers locating a runaway should attempt to return the runaway to their parent or guardian.

In no event, will officers detain juveniles in excess of 12 hours. If reunion with parents cannot be arranged within that time, officers are to seek either secure or non-secure custody..

Out-of-State Runaways

North Carolina is a member of the Interstate Compact on Juveniles and is obligated to abide by juvenile classifications used by other states when locating out-of-state runaways. In most states, 16- and 17-year-old runaways can be detained as undisciplined juveniles. A requisition for return will usually be made on the NCIC/DCI entry. Upon locating an out-of-state runaway, the following procedure should be followed.

- Officers should notify the reporting agency and attempt to establish contact with the parents.
- If both parents and the juvenile consent to voluntary return, the officer should provide whatever assistance possible. The interstate bus company may be contacted regarding their "home free" program.
- If the parents or juvenile refuse voluntary return, the Juvenile Court Intake Counselor should be notified.
- If reunion cannot be facilitated within 12 hours, secure or non-secure custody must be sought.

Reported Runaways

Juveniles who are reported to our Department as runaways will be investigated in the same manner as any missing person (DOI 1109-15 "Response to Missing Persons").

JUVENILE FOLLOW-UPS AND REFERRALS

Any case needing follow-up will be assigned to a detective who will be responsible for conducting the appropriate investigation into the incident and making supplemental reports as required.

- Detectives will coordinate with the appropriate juvenile court personnel in all cases requiring their attention.
- Detectives will abide by procedures and laws regarding the detention and interrogation of juveniles. They will endeavor to inform parents or guardians of procedures and stages in the juvenile justice system.

MISSING JUVENILES

Missing juveniles or runaways may be or may soon become victims of serious crimes. Every effort should be utilized in locating these juveniles as rapidly as possible.

Assignment of Cases

Cases involving missing juveniles will be assigned to follow-up investigation, regardless of the degree-of-seriousness or solvability factors present.

Tracking Missing Juveniles

Detectives must verify that the missing juvenile has been entered in N.C.I.C. The detective will update the alert indicators as required (refer to DOI 1109-15 "Response to Missing Persons").

Detectives will conduct a background investigation on the juvenile and determine whether the juvenile is missing, or is a willful runaway. All cases involving missing or runaway juveniles should be brought to the immediate attention of a supervisor.

Locating Missing Juveniles

A detective locating or being notified of the return of a missing juvenile should first verify the information. The detective will then notify Emergency Communications to have the subject removed from DCI/NCIC. Emergency Communications will notify the N.C. Center for Missing Persons.

DETECTIVE DIVISION JUVENILE RECORDS

Detective Sergeants will be responsible for maintaining the confidentiality of juvenile records held by the division.

Records Separated from Adult Cases

All records related to juveniles, and investigations conducted that involve juvenile victims or suspects, will be filed separately from other cases.

Expunging Records

Detective Sergeants will be responsible for purging records of juveniles held in the Division upon notification of court orders.

ANNUAL REVIEW OF PROGRAMS

The Youth and Family Services Detective Lieutenant will be responsible for conducting an annual review and evaluation of enforcement and deterrent programs relating to juveniles. The review will include background information on the programs, an evaluation of each program's effectiveness, address improvements in the working relationships with other agencies involved in the protection and diversion processes, and seek input and comment by those agencies in the development of the agency's policies and procedures.

THE RALEIGH POLICE DEPARTMENT

1109-14

DOMESTIC AND FAMILY VIOLENCE

PURPOSE

Successful police intervention in domestic and family disputes is vital in reducing the level of violent crime. At the same time, response to these disputes is one of the most hazardous of all police activities. This procedure is meant to provide specific guidelines in responding to such calls.

VALUES REFLECTED

This directive reflects our values of *Service, Fairness, Integrity, and Compassion*. These guidelines are intended to enhance our ability to work with people who are undergoing trying circumstances. By following them, we seek to shield members of our community from injury, harm, and danger.

UNITS AFFECTED

All Divisions/Sworn Officers

REFERENCES/FORMS

G.S. 14-134.3 “Domestic Criminal Trespass”
G.S. 15A-534.1 “Crimes of Domestic Violence, Bail, and Pre-trial Release”
G.S. 50B-1 to 50B-9 “Domestic Violence”
G.S. 14-33 “Assaults”
G.S. 15A-401 “Arrests by Law Enforcement Officer”
G.S. 14-184 “Fornication and Adultery”

GENERAL POLICIES

In domestic and family disputes, the officer's first responsibility is to prevent an outbreak or recurrence of violence. The officer's next goal is to determine if there is adequate probable cause that an offense has been committed. If such probable cause exists, the officer shall make an arrest, even if the victim declines to prosecute.

If there is not sufficient probable cause, officers will assist the parties involved in finding solutions and resolving the conflict. At their discretion, they may contact the Family Violence Intervention Unit to mediate.

As a standard practice, two police officers will be dispatched to domestic and family disputes.

APPROACH AND ENTRY

Officers should respond to domestic and family disputes using a silent, high-risk approach. Officers should utilize as much cover as possible, and listen briefly before knocking.

Entering Premises

Officers should stand to either side of the door when knocking. They should not enter the premises on a voice invitation only, unless it is apparent that someone is in distress.

- A person who owns or is in apparent control of the premises may consent to the officer's entry into the premises (G.S. 15A-222).
- If entry into the premises is refused, officers will not leave. Officers will explain to the person that they are required to make sure there is no one injured and that they have no intention of invading the occupants' privacy.
- If there is no response at the door, officers will check windows for signs of recent activity. Officers shall check with neighbors and seek to confirm that the call is false before leaving.
- In order to enter, officers will need consent or the authority to make a forcible entry under the section on Forcible Entry below.

Forcible Entry

An officer may use force to enter a building or vehicle when the officer reasonably believes that doing so is urgently necessary to save life or prevent serious bodily harm (G.S. 15A-285 "Urgent Necessity").

An officer may use force to enter a building or vehicle when the officer has probable cause to believe that a crime is occurring and there is an emergency which justifies a forcible, warrantless entry.

Officers may take whatever steps are reasonably necessary to protect victims of domestic violence from harm under the authority of G.S. 50B-5(a). This includes making an immediate warrantless entry into private premises if the facts indicate domestic violence victims may be inside and need help.

Failure to receive a response upon knocking is, by itself, not sufficient justification for using forcible entry.

POLICE ACTIONS FOLLOWING ENTRY

Restoring Calm

An officer's first responsibility, following entry, is to restore calm and separate the disputants. In doing so, the officer may exercise reasonable control over persons and property.

- An officer's first responsibility is to determine who is involved in the dispute.
- Officers need to separate the disputants if they are engaged in a physical altercation.
- To the extent possible, officers should restore calm to the situation.
- Officers need to determine if any party is in need of medical attention, and if so, they should call E.M.S.
- Officers may use that amount of force reasonably necessary to restrain aggressors.
- An officer may use that amount of force that is reasonably necessary to defend the officer or a third person from the use, or imminent use, of force by a person that the officer is attempting to arrest. An officer may use that amount of force that is reasonably necessary to effect an arrest.
- An officer may limit or restrict the presence of persons in premises or areas if the officer reasonably believes that it is necessary to save life or prevent serious bodily harm or to complete an arrest.
- An officer may remain on the premises as long as is reasonably necessary to determine that police presence is not needed to save life or prevent bodily harm.
- If an officer has entered the premise upon the consent of the owner or the person in apparent control, the officer may remain on the premise as long as reasonably necessary to investigate the incident unless the consent is revoked. If consent is revoked, the officer must leave the premise unless their presence is justified under the section on Forcible Entry above or unless the officer is investigating a crime.

Surveying the Premises

- Officers should inquire about the location of other persons on the premise.
- If it is not readily apparent who is involved in the dispute or if the officer has reason to believe that a disputant or victim is in another part of the residence, the officer may conduct a brief, protective sweep of the premises to locate the disputant or victim.
- The officer should note any evidence of alcohol or drug use that is observed.

- Through a visual survey of the room and parties present, the officer should locate any weapons that are in plain view. The officer may temporarily take control of any weapons observed, while present, to ensure the safety of the officer and the disputants.

- If the officer has reason to believe that one of the disputants is armed or presents a threat to the officer's safety, the officer may conduct a pat down for weapons. Even though persons may carry a concealed weapon on their own premises, the officer may take control of the weapon, while the officer is present, for the officer's own safety.

- The officer should observe whether there is other evidence of violence, such as broken furniture or thrown objects.

INTERVIEWING DISPUTANTS

The purpose of interviewing the disputants is to both gather facts and to allow the parties an opportunity to cool down.

Separating Disputants

Once a semblance of order has been established, the officers will separate the disputants. This will allow the officers to interview the parties without re-instigating the argument.

- Officers should use their bodies and voice to get each disputant to face an officer and break eye contact with the other disputant. Officers should maintain visual contact with their backup at all times.

- In separating disputants, officers should avoid kitchens, bedrooms, and bathrooms since these locations may contain hidden weapons or be too confining.

Vital Information

The officers are there to listen, and should not talk too much. Certain facts, though, are essential in determining further courses of action, and the officer should direct the interview to include especially those facts which will support establishing probable cause that an offense has been committed.

- Officers shall determine if an assault has occurred or if weapons were used. Officers shall determine what weapons are kept in the home, and where they are located.

- The officer shall determine the existence of any court orders. Prior to making an arrest, based on a court order, the officer shall be sure to check the effective date and whether an extension has been granted.

- The officer shall determine the legal status and living arrangements of the parties involved. The domestic violence laws found in G.S. 50B apply to people who are current or former spouses; are persons of opposite sex who live together or have lived together; are parents, grandparents, or others acting in loco parentis to a minor child, or children and grandchildren; or have a child in common.

- Evidence of having "lived together as if married" might include the clothing of both parties at a residence, the sharing of living expenses at that residence, the length of time the residence was shared, whether either person maintains a separate residence, or whether both parties receive mail at the residence.

ARREST OR WARRANT

If the officer has probable cause to believe that an offense has been committed, and circumstances permit, a physical arrest shall be made.

Warrantless Arrest

Officers should evaluate the facts and determine who is the primary aggressor. If necessary, officers should contact their supervisors for assistance. Every effort should be made to avoid cross warrants. A very thorough investigation must be conducted so there can be an effective prosecution, even without the victim's assistance.

- Assault Arrests

  An officer has the authority to make a warrantless arrest when there is probable cause to believe that there has been a violation of 14-33(a) simple assault or simple affray; 14-33(b)(1) assault inflicting serious physical injury or assault with a deadly weapon; 14-33(b)(2) assault on a female by a male over 18 years of age; provided these offenses occur between people who are alleged to have a personal relationship as defined in NCGS 50B-1.

- Domestic Criminal Trespass

  An officer may arrest an offender for trespassing or remaining on the property of a spouse, former spouse, or another person with whom they have lived with as if married, once the couple has separated. (G.S. 14-134.3).

  - Evidence that the couple is now separated and living apart includes a court ordered separation, a court order telling the trespasser to stay away, or a separation agreement between the two parties, or a verbal or written agreement that they should live apart and are in fact apart, or separate places of residence.

  - An offender may be in violation of Domestic Criminal Trespass and a (G.S. 50B-3) Protective Order simultaneously. In such a case it is preferable to charge for Domestic Criminal Trespass (G.S. 14-134.3). The officer should advise the Magistrate of the violation of the Protective Order.

  - A person will not be found guilty of domestic criminal trespass if they enter the premises pursuant to a court order or a written separation agreement to visit minor children.

  - Under 15A-401, an officer has the authority to and will make a warrantless arrest if there is probable cause to believe that a domestic criminal trespass has occurred.

- Felony Arrests

  Officers also have the authority and will make a warrantless arrest when there is probable cause to believe that a felony has been committed.

- Violation of 50B Order

  Violation of a 50B order is a class A1 misdemeanor. Officers shall make a physical arrest for such violations that occur in their presence.

  If the officer cannot determine whether or not there is probable cause to believe the order has been violated, then the officer may refer the complainant to the Magistrate's Office.

Arrest Warrants

If an officer cannot make a warrantless arrest, for instance, where the violator has left the scene, and there is probable cause to believe that a crime has occurred, then the officer must make a complete report and shall go before the Magistrate to obtain an arrest warrant. Officers are authorized to transport complainants to the Magistrate's Office to obtain an arrest warrant for domestic violence offenses in those cases where the victim's presence is necessary or where the victim has requested to go before the Magistrate.

- Upon notification, an Interact advocate will come to the Magistrate's Office to assist the victim.

Protective Orders

Under the Domestic Violence statute, the court may grant a protective order or approve a consent agreement to bring about an end to domestic violence (50B-3).

- The protective orders or agreements may direct parties to refrain from violence, grant possession of the residence to one party and exclude the other, provide alternate housing, award temporary custody of minor children, provide for support of children or spouse, provide for possession of personal property, order a party to refrain from threatening, abusing or following the other party, refrain from harassing the other party, including by telephone, visiting the home or workplace, or other means, or to refrain from otherwise interfering with the victim, and prohibit a party from purchasing a firearm for a time fixed in the order. The Judge also has the authority to include additional requirements which the court deems necessary to protect any party or minor child.

- An ex parte or temporary order is usually valid for ten days or until a hearing with both parties can be scheduled after the defendant has been served. An ex parte order can be extended if the defendant has not been served with legal process.

  After a hearing, a Judge may issue a protective order or approve a consent agreement which is valid for a fixed period of time, not to exceed one year. At the end of the year the order can be renewed by the Judge for one more year.

- A copy of the order shall be issued to each party and is maintained by the Wake County Sheriff's Office (WCSO). Verification of the order can be accessed 24 hours a day by contacting WCSO Communications at 919-856-6911.

- A person may be held in contempt violation of a Chapter 50B order.

- A law enforcement officer shall arrest and take a person into custody without a warrant if the officer has probable cause to believe that the person has violated a court order excluding the person from the residence or household occupied by a victim of domestic violence or directing the person to refrain from threatening, abusing, or following the victim; harassing the victim, including by telephone, visiting the home or workplace, or other means; or otherwise interfering with the victim. The officer must first ascertain that there is a valid protective order in place. There is no requirement that these violations occur in the officer's presence.

  If the violator has left the premises and the officer cannot make the mandatory arrest on the scene, then the officer should go before the Magistrate and present the facts to establish that there is probable cause to believe that a 50B order has been violated and that arrest is mandated. Violation of a 50B order is a class A1 misdemeanor.

Conditions of Release

If a defendant is charged with assault on or communicating a threat to a spouse or former spouse or a person with whom the defendant lives or has lived as if married; or domestic criminal trespass; or with a violation of a 50B Order, then a Judge will determine the condition of release. The defendant may be held for a reasonable amount of time to determine the conditions of release. If after 48 hours from the time of arrest a Judge has not heard the matter, then a Magistrate may determine conditions of release under G.S. 15A-534.1.

ADVISING THE DISPUTANTS

The officer shall inform the parties of the options and resources that are available to them.

- The officer shall explain the limits of police authority.

- The officer shall indicate social service agencies that are available for referral.

- The officer shall describe "Interact", a non-profit social service agency designated to assist battered women. Interact can assist women in obtaining shelter, counseling and other services at no expense to the victim.

- The officer shall advise victims that officers will assist them in obtaining warrants and provide transportation to the Magistrate's Office, if requested.

INTERVENTION STRATEGIES WHEN NO PROBABLE CAUSE EXISTS

Once the officer has gathered sufficient information, the officer should be in a better position to select a course of intervention when no probable cause exists. In some instances, the officer's presence alone is sufficient to restore calm, and no action is necessary. This option should be limited to those situations where both parties have agreed that no action should be taken, where

no physical violence was involved, and there is no probable cause to indicate another offense was committed.

Non-Verbal Communication

In conducting interviews and calming the individuals, the officer's demeanor is usually more important than the words used. Officers should downplay their authority, and avoid resting their hands on their pistols or police batons.

One Party Leaves

In some instances one party may be willing to leave for the night. The officer can reinforce this decision but cannot force someone to leave their home unless they are under arrest.

- The officer should attempt to determine which party is more likely to leave. Also, the officer must determine if individuals are in a condition to transport themselves.

- Police officers are authorized to transport victims of domestic violence to hospitals, the Magistrate's Office, or public or private shelters within the Raleigh City limits. (G.S. 50B-5 "Emergency Assistance").

- If transport outside the City limits is required, the officer will first transport the victim to the police station and contact Interact for assistance.

- Officers are also authorized to accompany complainants to their residence for the purpose of removing food, clothing, medication, or other personal items necessary for the victim or minor children to remain elsewhere pending further proceedings. (G.S. 50B-5).

- Removal of television sets, stereos, or other non-essential items would not be authorized under this section.

Family Violence Intervention Unit

The Family Violence Intervention Unit provides alternative solutions to family violence through enforcement, counseling, and intervention services both on an emergency or call-out basis and on a more long-term basis.

- Emergency Response and Call-Outs

  Members of the Family Violence Intervention Unit are available to assist officers and Detectives by responding to dispute scenes to perform short term counseling and intervention services. An officer shall remain at the scene with civilian unit members. If no Family Violence Intervention Unit member is on-duty, the Watch Commander will determine the need for a call-out. A member of the Family Violence Intervention Unit may assist the officer by contacting one of the 24 hour community service agencies such as Interact, Rape Crisis, or Family Services to assist. Because of their special training and expertise, the Family Violence Intervention Unit should be contacted by the Watch Commander for unusual requests and matters which cannot be addressed through ordinary channels.

- Counseling Services

The Department's Crisis Counselors are assigned to the Family Violence Intervention Unit. They will not counsel individual victims beyond what is necessary during the initial stages of the victimization process. This counseling will deal primarily with confidence and esteem-building which will enable the victims to proceed with counseling through referral agencies.

- Victim Advocate Services

  The Victim Advocate is available to assist all members of the Department in determining what resources are available to family violence victims. The Victim Advocate is responsible for serving as a liaison between victims and outside agencies, and the Department and the City Community Services Department. The Victim Advocate will keep an updated list of both the services offered, and the contact person and phone number of agencies which provide services to crime victims in our area. Additionally, every other year, the Victim Advocate will conduct an analysis of victim/witness needs and available services within our service area, as well as a list of foreign language and sign language interpreters.

Wake County Domestic Violence Court

The Wake County Domestic Violence Court will handle all cases which stem from family or domestic violence situations. These include domestic assaults and spousal abuse cases. Additionally, the issuing Magistrate may flag any case as a Domestic Violence Court matter if it meets the criteria set by the Chief District Court Judge and District Attorney. Since many of these cases may be prosecuted without the victim being present, it is incumbent upon the investigating officer to complete a through incident report and to photograph victims on all cases of domestic violence incidents making a special note of all witnesses who were present during the offense.

EXITING THE PREMISES

Regardless of what action is taken, officers need to be conscious of safety when exiting the premise.

Instructions to Disputants

If the officers are planning to transport a victim to a shelter or the Magistrate's Office, officers will not tell the other disputant where or when the victim may be located.

Covering the Exit

Upon exiting, one officer should move to the doorway, and watch while the second officer exits.

The second officer should then observe the inside of the premise as the first officer exits. The first officer should then firmly close the door after exiting.

After Exiting

The officers should stand and listen for a few seconds before moving away from the doorway, for any movement towards the door or for any re-escalation of violence.

REQUIRED REPORTS IN DOMESTIC DISPUTES

Domestic disputes frequently result in serious injury to either police officers or other persons. It is to the benefit of officers and the Department to identify locations where domestic violence is frequent or severe.

A case report will be required in all family and domestic cases. If victims of family/domestic violence have visible injuries, officers are also required to photograph the victim for evidentiary purposes. If more than one call is given out to the same address during an officer's tour of duty, the officer may refer all subsequent calls to the original report.

Officers are required to complete a Domestic Violence Supplemental Report whenever an offense report, concerning domestic violence, is completed.

THE RALEIGH POLICE DEPARTMENT

1109-15

RESPONSE TO MISSING PERSONS

PURPOSE

The purpose of this directive is to establish guidelines and procedures for responding to reports of missing adults or juveniles.

VALUES REFLECTED

This directive reflects our values of *Service, Integrity, and Compassion*. We will respond to events which threaten the life and safety of any of our citizens.

UNITS AFFECTED

All Divisions/Sworn Officers
Emergency Communications Center

REFERENCES/FORMS

DOI 1106-03 "DCI/NCIC Security and Access"
G.S. 143B-495 et seq. "North Carolina Center for Missing Persons"
Attachment A: NCIC Missing Person Entry Form

GENERAL POLICIES

It is the policy of the Raleigh Police Department to immediately investigate reported missing persons. There is no waiting period before an adult can be reported missing. Every missing juvenile will be considered "at risk" until significant information to the contrary is confirmed.

The N.C. Center for Missing Persons has been designated as the State coordinating agency for missing person information. Their regulations require timely submission of missing person information to the Emergency Communications Center so that proper DCI/NCIC entries can be made.

INITIAL INVESTIGATIONS

The Emergency Communications Center will not delay the dispatch of missing person calls. Officers should respond as expeditiously as possible and gather all available information. All persons under the age of 21 must be entered into NCIC within 2 hours of collecting the minimum mandatory criteria.

Area Searches

Where appropriate, officers should contact a supervisor to initiate an area search. High-risk locations, such as swimming pools or creek beds, should be identified and checked as soon as possible. The supervisor may contact a K-9 officer if the supervisor feels it would be helpful.

A District Supervisor will coordinate initial searches that are expected to be of short duration. For searches that extend beyond a normal tour of duty, an Incident Commander will be designated by the Watch Commander, Field Operations Division Commander, or the Duty Major.

In wide-area searches, where there is an immediate danger, the N.C. Center for Missing Persons may be of assistance [1-800-522-KIDS (5437)]. The Center has access to statewide resources and will respond 24 hours a day.

Local Police Broadcasts

Once a sufficient description of the missing person has been obtained, a local police radio broadcast should be made pending a DCI/NCIC broadcast.

AMBER ALERT

An Amber Alert will be activated to enlist the assistance of the local broadcast media when there is a confirmed child abduction. The Amber Alert provides rapid response to the most serious child abduction cases by providing emergency broadcasts to the public via television and radio and electronic emergency notification systems directed to the traveling public.

Amber Alerts are intended for serious cases of child abduction, where the child's life is in imminent danger of serious bodily harm or death. Amber Alerts are not intended for all missing child incidents, runaways, or child custody situations. All officers must ensure that Amber Alerts are not abused. For the Amber Alert to be activated, the following criteria must be met:

- The child is 17 years old or younger.

- The child is believed to have been abducted, not taken by a parent (unless the child is in danger) and the abduction has been reported to and investigated by a law enforcement agency.

- The child is not believed to be a runaway or voluntarily missing.

- There must be enough descriptive information to believe an Amber Alert will help locate the child.

- There must have been a short enough delay between the time the child was last seen and the time the child was reported missing to believe an Amber Alert would help locate the child.

When an officer believes that an abducted child may fit the criteria for activating an Amber Alert, the officer will immediately gather all relevant information and contact the Watch Commander. The Watch Commander will be responsible for activating the Amber Alert.

Deactivation Procedure

Upon locating the abducted child, the investigating officer will immediately contact the Watch Commander advising them of the cancellation. The Watch Commander will immediately cancel the alert utilizing the same method previously used to send the alert. The locating officer will contact communications to cancel the Amber Alert and to have the person removed from the DCI/NCIC system. The officer will then contact the NC Center for Missing Persons/National Center for Missing Children and request the Amber Alert be cancelled. Information on the person who has been removed will then be forwarded to the Raleigh Police Department's DCI Clerk by the removing officer.

SILVER ALERT

A Silver Alert will be activated to enlist the assistance of the local broadcast media when there is a missing endangered adult who suffers from dementia or other cognitive impairment. The Silver Alert provides rapid response by providing emergency broadcasts to the public via television and radio and electronic emergency notification systems directed to the surrounding community.

Silver Alerts are intended for cases of missing adults who suffer from mental ailments that leave them confused and disoriented. Silver Alerts are not intended for all missing adult incidents. All officers must ensure that Silver Alerts are not abused. For the Silver Alert to be activated, the following criteria must be met:

- The person is 18 years or older.

- The person is believed to be suffering from dementia or other cognitive impairment.

- The person is believed to be missing – regardless of circumstance.
- A legal custodian of the missing person has submitted a missing person's report.
- The missing person incident must be reported to the NC Center for Missing Persons.

When an officer believes that an abducted person may fit the criteria for activating a Silver Alert, the officer will immediately gather all relevant information and contact the Watch Commander. The Watch Commander will be responsible for activating the Silver Alert.

Deactivation Procedure

Upon locating the missing adult, the investigating officer will immediately contact the Watch Commander advising them of the cancellation. The Watch Commander will immediately cancel the alert utilizing the same method previously used to send the alert. The locating officer will contact communications to cancel the Silver Alert and to have the person removed from the DCI/NCIC system. The officer will then contact the NC Center for Missing Persons/National Center for Missing Children and request the Silver Alert be cancelled. Information on the person who has been removed will then be forwarded to the Raleigh Police Department's DCI Clerk, by the removing officer.

Preliminary Reports

Officers should complete an incident report utilizing all available information and attempt to obtain a photograph of the missing person.

The complainant should be instructed to telephone the Emergency Communications Center if the missing person returns during the officer's tour of duty. Otherwise, the Detective Division should be contacted.

STATE NOTIFICATIONS

DCI/NCIC entries will be made on all missing juveniles and adults. The N.C. Center for Missing Persons will be notified in all instances.

Officers should prepare a NCIC Missing Person entry form (attachment A), making reference to the below listed classifications. Officers should make certain to complete all mandatory fields.

Classification of Missing Person

DCI/NCIC has a number of different classifications for missing persons. Most of the special alert classifications require written verification.

- The "Disabled" indicator should be used for missing persons of ANY age who are missing and under proven mental or physical disability or are senile, thereby subjecting themselves or others to personal and immediate danger.
- The "Involuntary" indicator is used for a person of ANY age who is missing under suspicious circumstances indicating that the disappearance was not voluntary. Written verification

should be obtained from the parent, next-of-kin, or similar person indicating the disappearance was not voluntary.

- The "Endangered" indicator is used for ANY missing person who is believed to be in the company of another person under circumstances indicating the person's safety is in danger (for example, ex-wife/ex-husband). Written verification of the circumstances is required.

- The "Juvenile" classification is ANY person under the age of 21 who is missing and is un-emancipated. The "juvenile" should not meet one of the previous classifications. Written verification of the juvenile's status and date of birth is required by the parent, guardian, or similar person.

- The "Catastrophe" classification is used primarily for identifying persons who are missing following a disaster. No written verification is required.

- An "Other" is a person 21 years of age and older not meeting any of the previous categories who is missing and:

    - For whom there is a reasonable concern for his/her safety, or

    - A person who is under the age of 21 and declared emancipated by the law.

Complainant Information

Officers should enter the name, address, home and business phone number of the complainant on the Miscellaneous (MIS) line of the NCIC entry form. The officer should also include their name and assignment on this line.

Notifying the Emergency Communications Center

All persons under the age of 21 must be entered into NCIC within 2 hours of collecting the minimum mandatory criteria. As soon as practical, the investigating officer should telephone Emergency Communications DCI Channel and provide them with information from the NCIC entry form. When the missing person is entered into DCI/NCIC, the officer should obtain the name and code number of the telecommunicator as well as the entry number (NIC#) and include that number on both the police report and NCIC form. The Emergency Communications Center will then complete the DCI/NCIC entry, make local broadcasts, and notify the N.C. Center for Missing Persons as required.

The NCIC entry form should be forwarded to the Detective Division to be attached to the police report.

Clearing DCI/NCIC Entries

An officer locating or being notified of the return of a missing person should verify the information and then contact the Emergency Communications Center. Communications will notify DCI/NCIC to have the person removed. The officer will file the appropriate supplementary reports, indicating the person was located and cleared from the system.

NCIC ENTRY FORMAT- MISSING PERSON

Date of Entry:	
File No. (OCA):	
Officer:	
Telecommunicator Entering:	
Type of Entry:	

					Space Limit
*(MKE)	Message Keys:	EMD-	Enter Missing Person-	Disability	4
		EMDC-	Enter Missing Person-	Disability-Caution	
		EMI-	Enter Missing Person-	Involuntary	
		EMIC-	Enter Missing Person-	Involuntary-Caution	
		EME-	Enter Missing Person-	Endangered	
		EMEC-	Enter Missing Person-	Endangered-Caution	
		EMJ-	Enter Missing Person-	Juvenile	
		EMJC-	Enter Missing Person-	Juvenile-Caution	
		EMV-	Enter Missing Person-	Catastrophe Victim	
		EMVC-	Enter Missing Person-	Catastrophe Victim Caution	

*(ORI)	Originating Agency	Raleigh Police Department	7
*(NAM)	Name		30
*(SEX)	Sex		1
*(RAC)	Race		1
(POB)	Place of Birth (State)		2
(DOB)	Date of Birth		6
*(DOE)	Date of Emancipation		6
*(HGT)	Height		3
*(WGT)	Weight		3
*(EYE)	Eye Color		3
*(HAI)	Hair Color		3
(FBI)	FBI #		8
(SKN)	Skin Tone (Complexion)		3
(SMT)	Scars, Marks, Tattoos, etc.		10
(FPC)	Fingerprint Classification		20
(MNU)	Miscellaneous		15
(SOC)	Social Security #		9
(OLN)	Operator's License #		20
(OLS)	Operator's License State		2
(0LY)	OL Year of Expiration		2
*(MNP)	Missing Person Field	(Must be MP)	2

(DLC)	Date of Last Contact		6
*(OCA)	Originating Agency Case #		9
(MIS)	Miscellaneous		121
(LIC)	License Plate Number		8
(LIS)	License Plate State		2
(LIY)	License Plate Year		2
(LIT)	License Plate Type		2
(VIN)	Vehicle Identification #		15
(VYR)	Vehicle Year		2
(VMA)	Vehicle Make		4
(VMO)	Vehicle Model		3
(VST)	Vehicle Style		2
(VC0)	Vehicle Color		7
(BLT)	Blood Type		5
(CRC)	Circumcision		1
(FPA)	Footprints		1
(BXR)	Body X-Rays		1
(VXR)	Corrective Vision Rx		40
(JWT)	Jewelry		50
(JWL)	Jewelry Description		89
(NIC)	NCIC #		10

MANDATORY FIELDS

MKE, ORI, NAM, SEX, RSC, HGT, WGT, EYE, HAI, MNP, DLC, OCA, AND ONE OR MORE OF THE FOLLOWING: COMPLETE DOB, FBI, MNU, SOC, OLN, LIC, OR VIN.
IF OLN IS USED, OLS AND OLY MUST BE USED.
IF LIC IS USED, LIC, LIY, AND LIT MUST BE USED.
IF VIN IS USED, VYR, VMA, VMO, AND VST MUST BE USED.
IF MESSAGE KEY EMJ IS USED, DOE AND COMPLETE DOB IS MANDATORY.
IF MESSAGE KEY EMV IS USED, DOE MUST BE BLANK.

Date Cleared: _____ Authority of: _____
Telecommunicator Clearing: _____

THE RALEIGH POLICE DEPARTMENT

1109-16

RESPONSE TO HAZARDOUS MATERIALS

PURPOSE

To provide general guidelines for the initial responding officer(s) in emergencies involving explosives, toxic, radioactive or other hazardous materials.

VALUES REFLECTED

This directive reflects our values of *Service* and *Courage*. By following these instructions we will be prepared to act effectively during hazardous materials incidents to protect the community and the well-being of all. These actions will help us keep the people in our community safe from injury, harm and danger.

UNITS AFFECTED

All Sworn Officers
Fire Department

REFERENCES/FORMS

DOI 1107-02 “Response to Disasters”
DOI 1109-07 “General Response to Bomb Threats”

GENERAL POLICIES

The Fire Department is the City agency primarily responsible for handling hazardous materials emergencies. The senior fire official present is responsible for the overall direction of operations, and police officials should coordinate their activities through that official.

All emergency services will adhere to the National Incident Management System (NIMS), to include the Incident Command System (ICS) and a Unified Command Structure.

Persons in the immediate vicinity of a hazardous materials accident should be cleared at once by police officers. Decisions concerning wide area evacuations should be deferred to fire officials.

INITIAL RESPONSE

While the specific details will vary in each case depending on the material and type of hazard involved, some fundamental guidelines apply.

Dispatch of Units

Upon report of a hazardous materials incident, Emergency Communications will dispatch the two closest police units and a police supervisor, in addition to any fire and rescue units that are required.

When dispatching the initial units, Communications should indicate the class of material involved (i.e. EXPLOSIVE, POISON, etc.), and the nature of the emergency (i.e. FIRE, SPILL, etc.).

After dispatching the initial units, Emergency Communications should contact the Watch Commander and the City Safety Coordinator.

Arrival on the Scene

Units should approach the scene from a direction that is, preferably, upwind and shielded from a direct blast. Officers should observe the following instructions:

- Do not approach the ends of a tanker truck or railway car.
- Do not operate a vehicle within 150 feet of any spill, debris, or gas cloud. Also, do not park near any manhole cover or sewer drain. Many chemicals create explosion hazards when spilled into sewer drains, and the blast will vent through whatever openings exist.
- Use the public address, bullhorn, or any other means to clear persons in the immediate vicinity.
- Render aid to those in immediate danger if this can be done without unduly jeopardizing your own safety. The nature of the hazardous materials may be unknown, and if the initial officers are seriously injured before additional information can be relayed to Emergency Communications, rescue attempts will be delayed.
- Should a tanker car or container start emitting a rising sound from a venting safety device, withdraw or seek substantial cover immediately.

- Utilize Personal Protective Equipment (PPE) as needed.

INITIAL ASSESSMENTS

As soon after arrival as possible, the first officer should perform a quick assessment and relay this information to Emergency Communications.

Location and Approach Route

The officer conducting the assessment should give the address and exact position of the hazard (i.e. center of the block, corner of the block). The officer should provide a suggested route and location for fire and rescue personnel. This location should be upwind and shielded from the scene.

Identifying the Hazard

The officer should give the class of hazardous material involved (EXPLOSIVE, POISON, RADIOACTIVE, etc.). This can normally be determined by the markings on the vehicle or containers. The officer should state the nature of the problem (FIRE, CHEMICAL SPILL, RADIATION LEAK, etc.). If there is a possibility of chemicals spilling into storm drains, this should also be reported.

Locating the Driver or Operator

The driver or person in charge of hazardous materials should have a CHEMCARD and shipping manifest in their possession. Unless this person requires medical treatment, they should be escorted to the field command post.

When not in the driver's possession, the CHEMCARD should be in the driver's door pouch or on the seat. In the case of railroad accidents, this information will be located in the engine car and should be within reach of the engineer and conductor at all times.

If the CHEMCARD is not available, this information can be obtained from the Department of Transportation, Hazardous Materials Emergency Action Guide, by using the chemical name or ID number.

AREA EVACUATIONS

The immediate scene should be cleared by the first responding officers. The nature of the hazard, though, may dictate that a wider area be evacuated.

Areas to be Evacuated

Decisions concerning the area and extent of the evacuation should be deferred to Fire Department officials.

Guidelines can usually be obtained from the CHEMCARD carried with the hazardous materials. CHEMTREC can be contacted at 800-424-9300 to obtain additional information.

Unless otherwise directed by the senior Fire officer in charge, the City Manager, or designee, all persons except emergency personnel will be evacuated from the exclusion area.

Only the City Manager or designee may instruct the Emergency Communications center to activate the Civil Defense sirens or the Emergency Broadcast System.

Unified Field Command Post

The Watch Commander is responsible for establishing a police command post in coordination with the unified field command post established by the senior Fire official. The Watch Commander is then responsible for coordinating evacuation efforts with fire, rescue, or civil preparedness personnel.

An officer, designated as incident reporter, should be assigned to the police command post. This officer is responsible for recording times, events, assignments, and activities performed by police personnel.

Staging Area

The Watch Commander is responsible for designating a police staging area at a safe location. A supervisor should be assigned to the staging area to provide information and assignments.

Emergency Treatment Post

Persons evacuated by the Police should be directed to this emergency treatment site.

Officers should try to obtain the names, addresses, and phone number of persons who object to being detained. The effects of many toxic substances are not immediately apparent.

Mass Transportation

Arrangements have been made with Capital Area Transit and the Wake County School bus system in the event that mass transportation is needed. In addition the Public Works Department maintains a list of extra City vehicles that are available in emergencies. These extra vehicles and their drivers are listed in Raleigh's Emergency Plan, and are kept on file in the Emergency Communications Center.

EMERGENCIES INVOLVING RADIOACTIVE MATERIALS

Many of the same general principals apply when dealing with radioactive materials as with other hazardous materials. Some special considerations, though, are needed.

Dispatch

After receiving a call where radioactive materials are possibly involved, the Emergency Communications Center will dispatch the nearest police and fire unit, a police supervisor, and the nearest officer trained in the use of a radiation dosimeter.

The Emergency Communications Center should then notify the Radiation Protection Center, 919-571-4141 or 1-800-858-0368, and establish an open line.

Arriving on the Scene

Officers should approach the scene from an upwind direction, and render aid to those in immediate danger, if this can be done without unduly jeopardizing the safety of the officer.

Few radioactive substances authorized for shipment are lethal unless exposure occurs over an extended period of time. Officers should, nonetheless, avoid unnecessary contact with persons, spills or debris, and avoid inhaling any fumes.

If exposure becomes necessary, officers should utilize their Personal Protective Equipment. Officers should cover all exposed areas of the skin, if possible.

As soon as possible, inform the Emergency Communications Center of the type of placard posted on the vehicle or container (WHITE, YELLOW II, or YELLOW III).

Confirming Radiation Leaks

If either a visual observation or dosimeter reading leads an officer to suspect that a leakage has occurred, the Emergency Communications Center should start notifying all available dosimeter operators.

The Emergency Communications Center should also notify the Watch Commander, the City Safety Coordinator, the N.C. Radiation Protection Center, and other officials in accordance with City Standard Procedure 101-6.

Moving the Injured

Injured persons should be moved from the accident area with as little physical contact as possible, and held in an area shielded from the scene until emergency aid is received.

If the injured need to be transported to a hospital, Emergency Communications should notify Wake Medical Center that they will be receiving patients with possible radiation contamination. The estimated number of patients should also be included.

Evacuations Involving Radioactive Materials

Police officers are to rely on the advice of the Radiation Protection Team Chief concerning safety measures and possible dangers.

In general, an exclusion area of 3,000 feet should be established, or until buildings or terrain shields the radiation source. Vehicular and pedestrian traffic should be stopped at the edge of the exclusion area.

A decontamination station will be established by emergency medical personnel. Officers should attempt to segregate those persons who may have been exposed to radioactive materials and direct them to the decontamination station.

Decontamination

All officers and equipment involved in clean-up operations will be checked for dosimeter readings and should not be returned to normal patrol until approved by the Radiation Protection Emergency Team.

- Police officers should not attempt to clean up a collision area involving radioactive materials, except under specific instructions from the Radiation Protection Emergency Team.

- Officers are to avoid entering the exclusion area unless directed to do so. Upon leaving the area, both officers and their equipment must be checked for dosimeter readings.

- Officers who have been exposed to radioactive contamination should discard exposed clothing as soon as possible. The discarded clothing should be isolated until it can be examined by the Radiation Protection Emergency Team.

- If surface decontamination is needed, the Public Works emergency crew on call will be alerted to respond.

- If radioactive materials have spilled into storm drains, the Raleigh Public Utilities Director and the N.C. Department of Natural Resources and Community Development must be contacted.

REPORTING HAZARDOUS MATERIALS EMERGENCIES

The City is legally required to report accidents involving hazardous materials to various State and Federal agencies.

Legal Notifications

The agencies that are required to be notified vary according to the material involved and the type of accident. The agencies to be notified are specified in City procedure 101-6.

The City Safety Coordinator is responsible for notifying the Wake County Emergency Management Office for emergencies requiring coordination with State and other local agencies.

The designated incident commander will be responsible for preparing any after incident reports required of the Police Department.

News Releases

The Public Affairs Officer is authorized to give releases concerning areas to be evacuated and exit routes. Questions concerning the type of materials involved, hazards, etc., should be deferred to Fire officials, the City Manager, or designee.

THE RALEIGH POLICE DEPARTMENT

1109-17

MOBILE COMPUTER TERMINALS (MCT)

PURPOSE

To provide regulations and procedures governing the use and security of Mobile Computer Terminals.

VALUES REFLECTED

This directive reflects our values of *Service and Integrity*. By observing these guidelines we demonstrate that we adhere to the highest standards for using the best technology available to us. We recognize that with the privileges and work improvements brought to us through technology come the responsibility to use these resources wisely and to everyone's benefit.

UNITS AFFECTED

All Divisions/All Personnel
Emergency Communications Center

REFERENCES/FORMS

DOI 1101-06 "Police Computer Equipment and Software"
DOI 1101-08 "Internet Access, Usage, and Email Standards"
DOI 1106-01 "Confidentiality and Release of Information"
DOI 1106-03 "DCI/NCIC Security and Access"
DOI 1109-01 "Patrol Operations"
DOI 1109-02 "Radio Communications, Response to Calls"

GENERAL POLICIES

Communication over the Mobile Computer Terminal (MCT) is not intended to replace radio communication, rather to reduce it and make it more efficient. As such, all traffic sent over the MCT must be business related and conform to FCC rules and regulations.

Only personnel who have been trained in the operation of the MCT and have completed a "Raleigh Police Department Personal Computer User Agreement" may attempt to operate the terminal. Additionally, only those personnel who have been certified by the Division of Criminal Information (DCI) may log onto DCI.

Information received from inquiries into DCI, CAD, or any other databases is confidential and may be released to criminal justice personnel only.

Any violation of this policy will result in disciplinary action, up to and including dismissal.

MANAGEMENT OF MOBILE COMPUTER TERMINALS

All MCTs in the Department will be the administrative responsibility of the Police Information Services Manager. The user has the responsibility of promptly reporting malfunctions of the terminal hardware or software to the Police Information Services Manager in person or by memo, telephone, or E-mail.

Staff/Line Inspections

The Information Services staff will conduct periodic inspections of all MCTs. This inspection will cover the physical condition and operational soundness of the terminal.

Additionally, supervisors will inspect each MCT during vehicle inspections for obvious signs of damage.

Training

The Information Services staff will ensure that all affected personnel are trained in the use of the MCT before giving security clearance or access to operate the terminal to any person.

Maintenance

Maintenance to be performed on any terminal will receive prior authorization from Information Services staff. This includes any repair or movement of the terminal itself (hardware) or the installation, deletion, or modification of any interior/exterior components or software.

TERMINALS

Security and Care of Equipment

In order to protect the confidential nature of the accessible information available through the MCT, as well as safeguard the security of our patrol communications systems, officers must always exercise care with the terminal.

- Upon beginning a tour of duty, all officers must inspect the MCT in their vehicle for evidence of obvious tampering.

- Officers must properly log onto both CAD and DCI upon beginning a tour of duty.

- Whenever officers can predict that they will be out of sight of their vehicles, they must secure their vehicles to prevent unauthorized access to the terminal. In addition, the officer must enter a status update of "Not on MCT" with an appropriate location to notify the responsible telecommunicator. When returning to the vehicle, the officer must enter a status of "Return to MCT".

- If an officer is to be away from the vehicle and will not return to the vehicle, they must log off of DCI and CAD. The power switch for the MCT should be turned off also.

- Food and liquids must be kept away from the MCT at all times.

- The power switch to the MCT must be turned off before any attempt is made to "jump start" a vehicle.

General Terminal Operation

Due to the obvious risks associated with attempting to operate a computer terminal, while in a patrol environment, officers must exercise the utmost care while using the MCT. Officers should not attempt to read the MCT screen or conduct digital commands while the vehicle is in motion.

DCI ACCESS

The MCT affords officers the opportunity to access certain information stored by the North Carolina Division of Criminal Information (DCI), the National Crime Information Center (NCIC), and various state agencies. The limited certification program for MCTs does not allow officers to operate any other DCI terminal.

DCI Log On

Immediately upon logging onto CAD, officers should log onto DCI. The information which officers will be allowed to access through the MCT will be determined by the Chief of Police, upon approval by the DCI Policy Board.

Inquiries

All inquires made through DCI should be properly formatted and related to official business. Inquiries of a personal nature are specifically prohibited.

COMPUTER-AIDED DISPATCH

The ability of the officer to communicate directly with the telecommunicator through their MCT is often a tactical asset. However, this feature of the MCT is designed to augment, not replace, the police radio.

Call Assignment

Upon receiving a digitally dispatched call, the officer should send an acknowledgment message to CAD by depressing the “ACK” key. High priority calls that are verbally dispatched will also be digitally dispatched and will require the same “ACK” response from the officer. The 10-23 key (arrived on scene) should be depressed upon arrival.

Upon returning to service, officers are responsible for checking their message/call queue and responding appropriately.

Self-Initiated Calls

Any self-initiated call, which is not of an emergency nature, will be initiated by the officer through the appropriate MCT command. The officer will make every effort to include all pertinent information into the entry.

Car to Car Messages

Officers may use the MCT to communicate with other officers and the Emergency Communications Center. The MCT will not totally preempt voice communications. Rules of conduct governing radio transmissions are applicable to any digital messages.

- All car to car messages will be maintained for 90 days.
- Periodic reviews of MCT traffic will be conducted at the direction of the Chief of Police or by personnel in the Office of Professional Standards.

THE RALEIGH POLICE DEPARTMENT

1109-18

BODY WORN CAMERAS AND MOBILE VIDEO RECORDING

PURPOSE

To establish departmental policy regarding the use of body worn cameras and mobile video recording equipment.

VALUES REFLECTED

This directive reflects our value of *Fairness and Integrity*. By following these guidelines we will have direct evidence that we live up to the highest standards of behavior. These recordings will demonstrate to other criminal justice system agencies, and the public we serve, that we expect review of our actions and will stand by them.

UNITS AFFECTED

All Personnel

REFERENCES/FORMS

DOI 1106-01: "Confidentiality and Release of Information"
DOI 1106-07 "Secondary Employment"
DOI 1108-1: "Use of Force and Weapons"
DOI 1108-04: "Evidence and Found Property"
N.C.G.S. § 132-1
N.C.G.S. § 132-1.4
N.C.G.S. § 132-1.4A
N.C.G.S. § 160A-168
Attachment A: "Internal Affairs Digital Patroller Copy Record"
Attachment B: "Recording Disclosure Request" (English)
Attachment C: "Recording Disclosure Request" (Spanish)

GENERAL POLICIES

Body Worn Cameras (BWC) and Mobile Video Recording (MVR) equipment have proven to be a valuable law enforcement tool in the prosecution of criminal violations, for evaluation of officer tactics and performance, and for training purposes. Additionally, this technology serves to enhance accountability and promote public trust. In order to maximize the utility and benefit of this specialized equipment, officers will follow the procedures set forth in this policy.

The City of Raleigh Police Department recognizes that while recording police interactions with the public is of great value to the citizens, officers, and the community as a whole, it can also raise concerns for protection of privacy interests, especially when dealing with religious, family and health issues. With those concerns in mind, officers who are issued BWCs shall be sensitive to privacy considerations of individuals, as well as any third parties who may be present, at all times. While the Raleigh Police Department recognizes and respects privacy interests of all individuals, there will be times when the need to record an encounter outweighs those privacy interests. In those situations, officers who are issued BWCs and MVR equipment shall operate the equipment in accordance with this policy.

As with all departmental policies, the Raleigh Police Department shall regularly review this policy and update it as needed.

Both BWC and MVR equipment shall be used only for legitimate law enforcement purposes in accordance with applicable laws and departmental policy.

Every time an officer uses a level of force that would require completion of a Use of Force Report in accordance with DOI 1108-1, and the incident is or may likely have been captured by a BWC or MVR equipment, the following steps shall be taken:

- The officer who was involved in the incident shall notify his/her supervisor about the possible existence of a recording;
- The supervisor shall determine how many devices, both BWC and MVR equipment, captured or possibly captured the incident;
- The supervisor is responsible for ensuring that all relevant recordings are properly preserved as set forth in the policy;
- The supervisor shall review all relevant recordings as part of the use of force evaluation required by DOI 1108-1; and,
- Any and all recordings of the incident shall be referenced in the required Use of Force Report.

All video and audio recordings captured by BWC and/or MVR equipment are considered records of criminal investigations and are not public records or personnel records. Disclosure and release of these recordings shall be governed by N.C.G.S. §132-1.4A.

DEFINITIONS

Body Worn Camera (BWC) - A recording device capable of both audio and video recording that is designed to be worn on the officer's body.

Critical Incident – A critical incident includes, but is not necessarily limited to, the following types of encounters:

- An officer-involved shooting
- An in-custody death
- A motor vehicle crash involving a police vehicle that results in death or serious physical injury
- Any action on the part of an officer that results in the death or serious physical injury of a citizen

Disclosure – As set forth in N.C.G.S § 132-1.4A, this is the process through which a person, or that person's personal representative, is allowed to review a video or audio recording in which that individual is captured.

Disclosure does not allow for a copy to be made by or given to the individual who is eligible for disclosure.

Mobile Video Recording Equipment (MVR) – A recording device capable of both audio and video recording that is designed to be physically installed in a patrol vehicle.

Personal Representative – A parent, court-appointed guardian, spouse, or attorney of a person whose image or voice is in the recording. If a person whose image or voice is in the recording is deceased, the term also means the personal representative of the estate of the deceased person; the deceased person's surviving spouse, parent, or adult child; the deceased person's attorney; or the parent or guardian of a surviving minor child of the deceased.

Recording – A visual, audio, or visual and audio recording captured by a BWC, an MVR, or any other video or audio recording device operated by or on behalf of a law enforcement agency or law enforcement agency personnel when carrying out law enforcement responsibilities. This term does not include any video or audio recordings of interviews regarding agency internal investigations or interviews or interrogations of suspects or witnesses.

Release – As set forth in N.C.G.S § 132-1.4A, this is the process through which the department may release a copy of any audio or video recording.

System Administrator – This shall be a member of the Police Department, as appointed by the Chief of Police, to oversee the day-to-day technical operations and functionality of BWC and MVR operations.

MOBILE VIDEO RECORDING EQUIPMENT (MVR) OPERATIONAL PROCEDURES

The following procedures shall be used by officers operating departmental vehicles with MVR equipment:

- Prior to beginning a tour of duty, the officer shall determine if the MVR equipment installed in their assigned vehicle is working properly, and shall promptly notify their supervisor of any malfunction or problem.

Officers should observe the following general procedures to ensure that the MVR equipment will properly record traffic stops or other enforcement actions undertaken in the field:

- The MVR shall be properly positioned and adjusted at the correct viewing angle to visually record the events.
- The MVR should not be deactivated until the vehicle stop or other enforcement action is completed (may include prisoner transport).
- If the MVR is equipped with a wireless microphone, it shall be turned on and worn by the officer during MVR activation in order to provide audio recording to accompany the video recording.

Any activation of the MVR will require the completion of the electronic log entry detailing at a minimum:

- Reason for the activation (tag);
- Identity/Code number of the officer operating the vehicle; and,
- Case report number (if applicable).

MVR-recorded video will be stored and retained on a secure video storage server. Video will be reviewed by the employee's supervisor and the Office of Professional Standards/Inspections Unit periodically to assess officer performance; to determine whether MVR equipment is functioning properly and being fully and properly used; and to ensure compliance with policy and laws.

Guidelines for MVR-Equipped Vehicles

Officers will record all traffic stops, pursuits, and any emergency response situation. Officers may also use their MVR equipment to record the reason for their current or planned enforcement action, such as DWI observations. Where possible, officers may use their MVR equipment to:

- Record the actions of suspects during interviews, sobriety checks, or when placed in custody;
- Record sobriety tests during DWI investigations, ensuring that they are being performed in view of the MVR to the extent feasible; and,
- Record the circumstances at crime and crash scenes or other events, such as the collection and documentation of evidence or contraband.

Officers will note in offense, arrest, and related reports when video recordings were made during the incident in question.

Additionally, officers are encouraged to inform their supervisors of any recorded sequences that may be of value for training purposes.

Training and Assignment

BWCs will be assigned to uniformed personnel at the rank of Sergeant and below by the Chief of Police or her designee based on staffing resources, available equipment, and the needs of the Department.

BWCs will only be utilized by designated personnel who have been properly trained in their use. The BWCs issued by the Department will be the only BWCs authorized for use. Any and all use of BWCs will conform to current methods and techniques approved by the Training Staff.

Use of the Body Worn Camera (BWC)

Officers assigned a BWC will wear it on the front of the uniform in a manner that provides a view from the officer's perspective.

The BWC shall be activated to record as soon as feasible during all contacts involving actual or potential violations of the law including, but not strictly limited to:

- Traffic stops
- Suspicious vehicles or persons
- Arrests
- Voluntary encounters of an investigative nature

Officers working a checking station shall not activate their BWCs until they have reason to believe that a criminal violation has occurred, is occurring, or is about to occur.

The BWC shall also be activated in the following situations:

- "In progress" calls for service;
- Unlawful disturbances or disorders;
- Calls involving subjects experiencing an emotional or mental health crisis;
- Incidents involving weapons or violence;
- When obtaining consent to search a person, vehicle, residence, building or other location, property or personal item **(Recording of consent is not a substitute for the written Consent Form required by DOI 1110-08)**;
- During all warrantless searches of individuals, vehicles, buildings, and other places;
- During the initial inventory of seized money; and,
- When directed to do so by a supervisor.

Prior to conducting a strip search, officers shall record a 360-degree video of the location where the strip search will be conducted.

If not already activated, the BWC shall be activated to record any encounter that becomes adversarial after initial contact or in any situation that the officer believes its use would be appropriate or valuable to document the incident or encounter.

Officers shall have discretion with respect to providing advance notice to persons that a BWC is recording. However, if a citizen inquires as to whether a BWC is in use or whether a recording is being made, officers shall provide a prompt and truthful response.

Several factors shall be taken into consideration when an officer decides whether or not to proactively inform a citizen that he/she is recording an encounter. Such factors include, but are not limited to:

- The safety of the officer, involved subject(s), or any other third parties
- Rapidly evolving events
- The promotion of public trust and transparency

Restricted Uses

BWCs shall be used only for legitimate law enforcement purposes in accordance with applicable law and departmental policy. Use of BWCs is **specifically prohibited** in certain situations:

- Officers **shall not** use BWCs to record fellow Departmental or City employees, except during situations that would require recording of a citizen in accordance with this policy;
- Officers **shall not** use BWCs in places where a heightened expectation of personal privacy exists, such as locker rooms, dressing rooms, or restrooms, unless there is a need to capture criminal activity or a physical arrest. In such instances, officers should make every attempt to avoid recording when uninvolved parties are present;
- Officers **shall not** use BWCs to record strip searches. However, prior to conducting a strip search, the officer will record a 360-degree video of the location where the strip search will be conducted;
- Officers **shall not** use BWCs to record known confidential informants or undercover officers unless they are the subject of a criminal investigation;
- Officers **shall not** use BWCs to record judicial proceedings in courtrooms and magistrate's offices unless express permission is given beforehand by the presiding judicial official;
- Officers **shall not** use BWCs to record privileged communications between a defendant and his/her attorney;
- Officers **shall not** use BWCs to record peaceful and lawful assemblies, pickets, parades or protests;
- Officers **shall not** use BWCs to record individuals attending peaceful and lawful assemblies, pickets, parades or protests, except as specifically required by this policy;
- Officers **shall not** use BWCs to record activities that are not law enforcement functions;
- Officers **shall** either completely power off their BWCs or remove them from their uniform prior to entering Wake County Detention Center facilities and **shall not** use BWCs to record activities within Wake County Detention Center facilities;

- Officers **shall not** use BWCs in the patient area of a health care facility, including mental health care facilities, other than to document injuries for official law enforcement purposes or to capture criminal activity or a physical arrest. In these situations, officers should take special care to record only parties involved in the incident being investigated; and,

Recordings of matters related to the investigation of suspected criminal activity which are either not required, or are restricted from recording by this policy, but which nonetheless have been created, shall be tagged and retained according to the nature of the incident.

Deactivation

Once the BWC is activated by an officer, the BWC shall remain on, and not be turned off or placed in standby mode, until the conclusion of the officer's involvement in an event. This will occur when the incident that required activation has stabilized, concluded, or the officer has left the scene.

An incident shall be considered stabilized when the initial police response or exchange of communication related to police enforcement activities has transitioned to a controlled and orderly investigation by the primary officer.

BWC recordings may also be stopped at the request of a non-suspect. Should the officer choose to honor such a request to stop recording, said request shall be captured on the officer's BWC prior to doing so. The officer shall maintain the discretion to resume recording at any time during the encounter should he or she deem it necessary. If an officer decides to resume recording, he/she shall consider the factors set out above in deciding whether to proactively inform the individual that he/she is recording. Additionally, the officer shall have the discretion to deny such a request if he or she reasonably believes continued recording is necessary.

Officers shall make all reasonable efforts to avoid recording interviews with citizens who are:

- Victims of a criminal act
- Victims of a sexual assault

An officer shall deactivate a BWC when given a lawful order to do so by a supervisor.

The BWC may be deactivated if an officer is on a perimeter or assigned to a static post where he/she is not in contact with citizens or actively participating in the investigation. The BWC will be reactivated if either of these conditions ceases to apply.

The BWC may be deactivated if it is necessary to discuss issues or concerns regarding an individual's mental or physical health condition. As soon as the private conversation is completed, the BWC shall be returned to record mode so long as the situation falls under the definition of required use.

Anytime an officer deactivates his or her BWC other than when the call has concluded, stabilized or the officer has left the scene, the officer will document the reason the BWC has been deactivated in the form of a recorded announcement on the BWC prior to deactivation.

COLLECTION, STORAGE AND MANAGEMENT OF MVR AND BWC DATA

Officer Review of Recordings

Officers are permitted to view recorded video to the extent allowed by and in accordance with NCGS § 132-1.4A prior to completion of an incident report.

To the extent feasible, officers may use video captured via the BWC or MVR equipment to assist with an investigation and to aid in the completion of official reports.

The viewing of any recording for anything other than approved Departmental purposes is prohibited.

No officer shall make any attempt to erase, edit or otherwise alter any data captured by a BWC or MVR.

Any redaction or editing of a recording shall be completed by the Office of Professional Standards after consulting with the Police Attorney. In the event that editing or redaction of a recording is necessary to protect the privacy interests of individuals or to comply with a court order, the Department shall keep a copy of both the original and redacted recording for the time required under this policy based on the type of event captured.

The downloading or converting of any recording captured by a BWC or MVR for any type of personal use is strictly prohibited.

Only recording devices issued and approved for use by the Department may be utilized by departmental employees. **Officers shall not attempt to erase, alter, or tamper with recorded data.** Employees are prohibited from making and/or distributing copies, in any form, of BWC or MVR video except in strict compliance with this policy. Only the Chief of Police, or the Chief's designee, may authorize additional methods for making or distributing copies of BWC and MVR data at their discretion as necessary.

All videos will be labeled in a manner that allows efficient identification and retrieval.

Officers are responsible for tagging **all** digital recordings at the end of their associated events. It is critical that officers select the most accurate tag to ensure that the video is maintained for the appropriate length of time. If an officer believes that evidence may have been captured prior to activation of a camera, he/she shall review any existing recording and take appropriate steps to mark and preserve any relevant recordings. Digital videos will be stored and retained on a secure video storage server according to the following classifications:

Event Type	**Retention Period**
Default/Infractions/Traffic Stop	90 Days

DWIs	3 Years
Misdemeanor Cases	3 Years
Felony Cases	20 Years
Consent Search	3 Years

Any officer operating a vehicle equipped with an MVR who makes an arrest or issues a citation for any criminal violation resulting from a traffic stop or is otherwise captured on MVR equipment shall properly tag the event using the most appropriate designation from the list above. When tagging the event, the officer shall electronically document their identity/code number and the associated case report number, if applicable.

The officer shall ensure that all video from the MVR in their patrol vehicle has been uploaded to the secure video storage server by the end of their shift.

Officers shall ensure that recorded events related to a criminal charge are provided to the District Attorney's office in a timely manner.

The method of delivery will vary depending on the model of MVR and/or BWC used. If a recorded event is stored on physical media (CD, DVD or flash memory drive), the officer shall pick them up from Internal Affairs and submit them into evidence. Other recorded events may be delivered electronically.

The Evidence Control Section and the Internal Affairs Unit will store physical media as listed below:

- The Evidence Control Section will receive and store all media being held as evidence as required in DOI 1108-4 (Evidence and Found Property).
- The Internal Affairs Unit will store all media concerning alleged officer misconduct.
- In the event that the recording media involves both a criminal and an internal investigation, a copy will be given to the Internal Affairs Unit.

The second copy of all MVR recordings on physical media related to impaired driving cases shall be delivered to the District Attorney's Office as soon as is practical. The employee delivering these copies shall obtain a receipt from the District Attorney's Office indicating they have taken possession of the copies. This receipt shall be forwarded to the Internal Affairs Section, which will maintain the receipt.

In the event that any member of the Department receives a subpoena for recorded BWC or MVR data from anyone other than the District Attorney's Office, that member shall notify the Police Attorney **without delay** and shall provide the Police Attorney a copy of the subpoena.

At the conclusion of the duty day, an officer who is assigned a BWC shall dock the BWC in an available BWC docking station at a police station in order to allow recorded video to offload and the BWC to recharge. If there is not an available BWC docking station, the officer shall notify a

supervisor. The supervisor should attempt to locate a fully offloaded BWC and remove it from the BWC docking station to allow another BWC to charge and offload video. If the supervisor cannot find an available slot on a BWC docking station, he/she should notify the System Administrator.

At the conclusion of the duty day, an officer who is operating an MVR shall ensure that any recorded video is offloaded completely to the police video storage server. If there are technical problems offloading the video, the officer shall notify a supervisor, who will notify the System Administrator.

Officers shall note in call comments, incident reports and/or citations that there is a BWC or MVR recording of the incident, to include a brief description of what was captured by the BWC or MVR and the MVR vehicle number, if applicable.

Record after the Fact (RATF)

If an officer or supervisor needs to retrieve a RATF video from a BWC, the BWC that was in use during the desired time period should be located and powered off. RPD Information Services Unit or the Office of Professional Standards can assist with retrieving the desired video.

If an officer needs to retrieve a RATF video from a MVR and the officer is still logged in to the MVR, the officer should use the RATF menu option to select the desired time period, and the video will be uploaded to the storage server in the normal manner.

If the officer has logged out of the MVR, a supervisor may select the RATF menu option on the MVR, select the desired time period, and enter the supervisor password. The video will be uploaded to the storage server in the normal manner.

Retention

Uploaded recordings will be retained on the secure video storage system based upon the retention schedule established for each category of recording as set out in this policy.

It shall be the responsibility of the investigating officer to ensure that all recordings that constitute evidence, or are required to be included in the case file, are properly tagged, downloaded, and stored within the Department's designated video storage system.

Officers who fail to select an appropriate event type prior to uploading or who inadvertently select the wrong event type shall contact the System Administrator and request that the event type be properly adjusted.

When an incident arises that requires the immediate retrieval of BWC recordings for chain of custody purposes, including, but not limited to, serious crime scenes or critical incidents, a supervisor will respond to the scene and ensure that the BWC remains affixed to the officer(s) in the manner it was found and that the BWC data remains uncompromised. Once the officer's involvement in an event has ended, the supervisor should ensure the recording is ended and the BWC is powered off. Through direct and uninterrupted observation, the supervisor is responsible for the care and custody of the BWC until it has been removed and secured by the lead investigator, CCBI, the State Bureau of Investigation, or Professional Standards personnel.

In the event of an unintentional activation of the BWC, an officer should request that the recording be deleted. A memorandum detailing the circumstances of the unintentional recording will be forwarded to the officer's Division Commander or designee for review. If approved, the deletion will be made by the System Administrator, who will maintain a record of the deletion that includes the date, time and duration of the deleted recording as well as the reason for the deletion. The System Administrator will then forward the approved memorandum to the Office of Professional Standards.

SUPERVISOR RESPONSIBILITIES

Personnel who supervise officers assigned to utilize BWC or MVR equipment are responsible for the following:

- Ensuring all officers follow established procedures for the use and maintenance of BWC and MVR equipment, handling of recordings and the completion of any necessary BWC and MVR documentation;
- Conducting a periodic review of BWC and MVR media to assess officer performance, determine whether BWC and MVR equipment is being fully and properly used, and to identify material that may be of value for training purposes. This review shall occur by Lieutenants at the Division level on a monthly basis and shall be forwarded to the Office of Professional Standards once completed;
- In addition to the monthly audits conducted by Division Lieutenants, the Office of Professional Standards shall conduct an annual review of BWC and MVR recordings to ensure compliance with policies;
- Ensuring appropriate discipline is issued for officers who fail to comply with the rules and regulations governing the use of BWCs and MVR equipment;
- Ensuring that repairs and replacement of damaged or nonfunctional BWCs and MVR equipment is properly performed; and,
- Ensuring that the following types of events are properly categorized:

Event Type	**Retention Period**
Vehicle Crashes Involving City Vehicle	4 years
Professional Standards Case	Indefinite
Critical Incident	Indefinite

USE OF AUDIO/VIDEO RECORDING MEDIA FOR TRAINING PURPOSES

Any employee who wishes to use a recording for official law enforcement training purposes shall submit a written request to the Major of the Office of Professional Standards. This request shall include sufficient information to identify the recording in question, as well as a justification of why the recording would be a good training tool.

All such requests shall be reviewed by the Major of the Office of Professional Standards, who will consult with the Police Attorney and the Administrative Services Division Major. Only the Chief or Deputy Chief is permitted to authorize use of a recording for official training purposes.

AUDIO/VIDEO RECORDING MEDIA DISCLOSURE AND RELEASE

Pursuant to N.C.G.S. § 132-1.4A, recordings made by departmental personnel must be disclosed and/or released to requesting individuals in certain circumstances. The term "recording" is defined by the statute as "a visual, audio, or visual and audio recording captured by a body-worn camera, a dashboard camera, or any other video or audio recording device operated by or on behalf of a law enforcement agency or law enforcement personnel carrying out law enforcement responsibilities." However, the statute states that for the purposes of disclosure and release, the term "recording" **DOES NOT** include any video or audio recordings of interviews pertaining to agency internal investigations or interviews/interrogations of suspects and witnesses.

The Office of Professional Standards will be responsible for handling requests for disclosure and/or release of any recordings made by Raleigh Police Department personnel.

Disclosure Procedures

Any person requesting disclosure of a recording must submit a completed "Recording Disclosure Request" form to the Chief of Police. These forms may be obtained online through the Raleigh Police Department's website, in person at any Raleigh Police Department District station, or from any sworn member of the Department. Completed forms may be delivered in person, sent by email or delivered by U.S. Mail to the Office of Professional Standards. The identity of the requesting party will be confirmed prior to disclosure of the requested video.

The Chief of Police or his/her designee may only authorize disclosure of a recording to the following entities:

- A person whose image or voice is in the recording;
- A personal representative of an adult person whose image or voice is in the recording, if the adult person has consented to the disclosure;
- A personal representative of a minor or of an adult person under lawful guardianship whose image or voice is in the recording;
- A personal representative of a deceased person whose image or voice is in the recording;
- A personal representative of an adult person who is incapacitated and unable to provide consent to disclosure.

When disclosing the recording, only those portions of the recording that are relevant to the petitioner's request will be disclosed. Any person who receives disclosure of a recording is prohibited from recording or otherwise making a copy of the recording.

There shall be a presumption in favor of disclosure to the entities authorized above.

Upon receipt of properly completed "Recording Disclosure Request" form, the Office of Professional Standards will review the request and determine if disclosure of the recording will be denied to the requesting party. The following factors will be taken into consideration when determining whether to deny a properly submitted disclosure request:

- If the person requesting disclosure is a person authorized to receive disclosure as described above;
- If the recording contains information that is otherwise confidential or exempt from disclosure or release under state or federal law;
- If disclosure would reveal information regarding a person that is of a highly sensitive personal nature;
- If disclosure may harm the reputation or jeopardize the safety of a person;
- If disclosure would create a serious threat to the fair, impartial, and orderly administration of justice;
- If confidentiality is necessary to protect either an active or inactive internal or criminal investigation or potential internal or criminal investigation.

Decisions regarding disclosure will be made as soon as possible, and if approved, disclosure should occur no more than 3 business days after the request is received. When a decision is made to grant disclosure, a representative of the Office of the Chief of Police will contact the requesting party to schedule a date, time and location where the disclosure will take place. If a disclosure request is denied, the requesting party will be given written notification in person, by email, and/or by certified mail. The requesting party will then have the option of petitioning the court for disclosure of the recording.

In any court proceeding resulting from the Department's denial of a disclosure request, the following persons shall be notified, and those persons or their designated representative shall be given an opportunity to be heard by the court:

- The Chief of Police or his/her designee;
- Any law enforcement personnel whose image or voice is in the recording and the head of that person's employing law enforcement agency; and,
- The District Attorney.

Release Procedures

Recordings maintained by the Raleigh Police Department shall only be released to non-law enforcement entities pursuant to a court order. If the Department wishes to release a recording to a non-law enforcement entity, the Chief of Police or his/her designee will be responsible for filing an action seeking a court order for the recording's release in the Superior Court of the county where the recording was made.

In any court proceeding related to the release of a recording maintained by the Department, the following persons shall be notified and those persons, or their designated representative, shall be given an opportunity to be heard by the court:

- The Chief of Police or his/her designee;
- Any law enforcement personnel whose image or voice is in the recording and the head of that person's employing law enforcement agency; and,
- The District Attorney.

The Department shall disclose or release recordings without a court order to the District Attorney for the following purposes:

- For review of potential criminal charges;
- In order to comply with discovery requirements in a criminal prosecution;
- For use in criminal proceedings in district court; and,
- For any other law enforcement purpose.

Additionally, the Department is authorized to disclose or release recordings without a court order for any other law enforcement purpose the Chief of Police deems necessary (e.g., training, administrative purposes, legitimate needs of another law enforcement agency, etc.).

In the event a court order directing the release of a recording is produced to the Department, it shall be delivered to the Police Attorneys' Office without delay. Upon direction from a Police Attorney, the Office of Professional Standards will be responsible for producing a copy of the recording and delivering it to the recipient identified in the court order. A receipt for the recording shall be completed and signed by the recipient and will be maintained in the Office of Professional Standards.

DISTRICT/SUPERVISOR:_____ FELONY CASE ☐ DWI CASE ☐ BOTH ☐

INTERNAL AFFAIRS

DIGITAL PATROLLER COPY RECORD

OFFICER:_____

DEFENDANT:_____

CASE #:_____VEHICLE#:_____

DATE OF INCIDENT:_____TIME OF INCIDENT:_____

REQUEST DATE:_____COPY DATE:_____

COPIED BY:_____

1109-18 MOBILE VIDEO RECORDING:

If a digital recording is required for court, officers will obtain a subpoena requesting the recording and will submit the subpoena to Internal Affairs. The Internal Affairs Unit will be responsible for providing the officer with the digital recording. The officer will then complete an evidence card and turn the recording into evidence.

RECEIVED BY:_____

DATE RECEIVED:_____CODE#_____

CITY OF RALEIGH
POLICE DEPARTMENT 6716 SIX FORKS ROAD • RALEIGH, NORTH CAROLINA 27615 • 919-996-3335

Recording Disclosure Request

Name: _____ Driver's License/ID #: _____

Current Address: _____

City: _____ State: _____ Zip Code: _____

Email Address: _____ Phone #: _____

Date of Incident: _____ Time of Incident: _____

Location of Incident: _____

Involved Vehicle Description [if applicable]: _____

Description of Incident: _____

_____

_____

Name(s) of Involved Officer(s) [if known]: _____

Raleigh Police Case # [if applicable]: _____

*****By signing below, I indicate my understanding that I may not video or audio record the incident I am requesting to review.***

Signature: _____ Date: _____

Witness Signature: _____ Date: _____

DOI 1109-18
Attachment B

***** Internal Use Only *****

Form Received By [Name & Code #]: _____ Date: _____

Identity Confirmation Method: ☐ Gov't Issued Photo ID ☐ CJLEADS/DMV ☐ Other: _____

Disclosure Request Review

Conducted by [Name & Code #]: _____ Date: _____

☐ Disclosure Approved

Notification Method: ☐ Phone ☐ Email ☐ Certified Mail

Notification Date/Time: _____

Date/Time of Disclosure Session: _____

☐ Disclosure Denied (Cause indicated below)

_____ Requesting party is not authorized for disclosure under NCGS 132-1.4A

_____ Contains information that is confidential or exempt from release under state or federal law

_____ Contains information that is confidential or exempt from disclosure under state or federal law

_____ Disclosure would reveal information about a person that is of a highly sensitive personal nature

_____ Disclosure may harm the reputation or jeopardize the safety of someone

_____ Disclosure would create a threat to the fair, impartial and orderly administration of justice

_____ Confidentiality is necessary to protect an active or potential internal or criminal investigation

_____ Other (describe): _____

Notification Method: ☐ Phone ☐ Email ☐ Certified Mail

Notification Date: _____

Disclosure Session

Date: _____ Time: _____ Location: _____

RPD Personnel Present [Name & Code #]: _____

_____

Citizen(s) Present: _____

_____

_____

I, _____, acknowledge that the recording requested on this form was disclosed to me by the Raleigh Police Department on the date and time indicated above.

_____ _____

Signature *Date*

CITY OF RALEIGH
POLICE DEPARTMENT 6716 SIX FORKS ROAD • RALEIGH, NORTH CAROLINA 27615 • 919-996-3335

Solicitud Para la Divulgación de la Grabación

Nombre: _____ Licencia/ID #: _____

Dirección: _____

Ciudad: _____ Estado: _____ Código Postal: _____

Correo electrónico: _____ Teléfono #: _____

Fecha del incidente: _____ Momento del incidente: _____

Lugar del incidente: _____

Descripción del vehículo implicado: _____

Descripción del incidente: _____

_____

_____

Nombres de los oficiales involucrados: _____

Número de caso de la Policía de Raleigh: _____

*****Al firmar a continuación, indico mi entendimiento que no puedo grabar video o audio del incidente que estoy solicitando para revisar.***

Firma: _____ Fecha: _____

Firma de testigo: _____ Fecha: _____

DOI 1109-18
Attachment C

***** Internal Use Only *****

Form Received By [Name & Code #]: _____ Date: _____

Identity Confirmation Method: ☐ Gov't Issued Photo ID ☐ CJLEADS/DMV ☐ Other: _____

Disclosure Request Review

Conducted by [Name & Code #]: _____ Date: _____

☐ Disclosure Approved

Notification Method: ☐ Phone ☐ Email ☐ Certified Mail

Notification Date/Time: _____

Date/Time of Disclosure Session: _____

☐ Disclosure Denied (Cause indicated below)

_____ Requesting party is not authorized for disclosure under NCGS 132-1.4A

_____ Contains information that is confidential or exempt from release under state or federal law

_____ Contains information that is confidential or exempt from disclosure under state or federal law

_____ Disclosure would reveal information about a person that is of a highly sensitive personal nature

_____ Disclosure may harm the reputation or jeopardize the safety of someone

_____ Disclosure would create a threat to the fair, impartial and orderly administration of justice

_____ Confidentiality is necessary to protect an active or potential internal or criminal investigation

_____ Other (describe): _____

Notification Method: ☐ Phone ☐ Email ☐ Certified Mail

Notification Date: _____

Disclosure Session

Date: _____ Time: _____ Location: _____

RPD Personnel Present [Name & Code #]: _____

_____

Citizen(s) Present: _____

_____

_____

I, _____, acknowledge that the recording requested on this form was disclosed to me by the Raleigh Police Department on the date and time indicated above.

_____ _____

Signature *Date*

Choose an assignment

Squad or Team

Year
Month

BWC/MVR Video Audit Summary

	Code Number	BWC / MVR	Date Reviewed	Call Class	Video Length	Follow-up Required
1.	####	Select item	Date	Call Class	HH:MM:SS	☐
2.	####	Select item	Date	Call Class	HH:MM:SS	☐
	Code Number	BWC / MVR	Date Video Reviewed	Call Class	Video Length	Follow-up Required
3.	####	Select item	Date	Call Class	HH:MM:SS	☐
4.	####	Select item	Date	Call Class	HH:MM:SS	☐
	Code Number	BWC / MVR	Date Video Reviewed	Call Class	Video Length	Follow-up Required
5.	####	Select item	Date	Call Class	HH:MM:SS	☐
6.	####	Select item	Date	Call Class	HH:MM:SS	☐
	Code Number	BWC / MVR	Date Video Reviewed	Call Class	Video Length	Follow-up Required
7.	####	Select item	Date	Call Class	HH:MM:SS	☐
8.	####	Select item	Date	Call Class	HH:MM:SS	☐
	Code Number	BWC / MVR	Date Video Reviewed	Call Class	Video Length	Follow-up Required
9.	####	Select item	Date	Call Class	HH:MM:SS	☐
10.	####	Select item	Date	Call Class	HH:MM:SS	☐

Reviewed By:	Code #	Audit Submitted :
Rank, Initials, Last Name	Code #	Enter a date.

VIDEO REVIEW #1

Officer:	Last Name, Initials	**Code #:**	####

Video

MVR #:	MVR #	**BWC #:**	BWC #	**Vehicle #**	Veh #
Date:	Select Date	**Time:**	24 Hour ##:##		
Call Class:	Type of Call	**Length of Video:**	HH:MM:SS		

Technical Issues

Video Works:	**Yes** ☐ **No** ☐	**Microphone Works:**	**Yes** ☐ **No** ☐
Video Tagged Properly:	**Yes** ☐	**No** ☐	
I.T. Department Notified:	**Yes** ☐	**No** ☐	

Notes: Explain technical issues, if I.T. was NOT notified please explain why

Observation Notes:

Notes: Enter observations and notes

Follow-Up Required:

Notes: Describe the follow-up that is required

Follow-Up Assigned To:	Rank, Initials, Last Name
Follow-Up Due Date:	Date

Follow Up Completion:

(Do not fill-out this section prior to the follow-up being completed)

Has the Follow-Up Been Completed: **Yes** ☐ **No** ☐

Verified By:	Rank, Initials, Last Name
Verified On:	Date

THE RALEIGH POLICE DEPARTMENT

1109-19

CLANDESTINE DRUG LABS ("CLAN LABS")

PURPOSE

To provide general guidelines for police officers on the scene of a suspected or confirmed clandestine drug lab (clan lab).

VALUES REFLECTED

This directive reflects our values of *Service and Courage*. Clandestine drug labs represent a threat to the health and safety of those in the vicinity and to public safety personnel. We must deal with clan labs to keep people safe from injury and harm while processing the location as crime scenes to meet our commitment to seek justice.

UNITS AFFECTED

All Divisions/All Personnel
Emergency Communications Center
Fire Department

REFERENCES/FORMS

DOI 1109-16 "Response to Hazardous Material"

GENERAL POLICIES

Clandestine drug labs usually come to the attention of police officers by one of three ways:

- When an emergency occurs, either fire or medical, which requires immediate response by public safety personnel.
- A police officer discovers a clandestine drug lab while conducting normal police duties.
- A concerned citizen or confidential informant provides information about a clandestine drug lab.

Officers will not knowingly enter a suspected clan lab with the exception of those personnel designated as clan lab specialists who have received advanced training regarding clan labs and are outfitted with gas masks containing the appropriate filters and other protective gear.

Regardless of how a clan lab is discovered, officers should detain all evacuated persons, as appropriate, for proper debriefing by a Drugs and Vice Detective.

The Drugs and Vice Lieutenant (or designee) is responsible for supervising all actions taken related to a suspected or confirmed clan lab, and will notify the SBI Clan Lab Team Supervisor prior to a clan lab investigation, if possible.

CLAN LAB INDICATORS

The following items are signs or indicators of a clan lab:

- Large amounts of Pseudoephedrine or Ephedrine or empty containers (blister packs or bottles) for these medications.
- Red Devil lye (Sodium Hydroxide) in combination with other indicators listed.
- Large amounts of matches or matchbooks with the striker pads removed.
- Any solvent (Acetone, Xylene, Alcohols (Isopropyl, Denatured)).
- Starter fluid (for ether) or Camping Fuel in combination with other indicators listed.
- Freon
- Lithium batteries that have been cracked open.
- Rock salt or regular salt in combination with other listed indicators.
- Acids like sulfuric or muriatic in combination with other listed indicators.
- Glassware such as flasks, burners, mantles and general laboratory equipment when seen with listed items.
- Pill washes (containers with clear liquid on top and whitish or reddish substance on bottom).

- Anhydrous ammonia containers.
- Any propane container with a robin egg blue valve.
- Strong smell of ammonia (similar odor to cat urine) or solvents from a location.
- Strong chemical smells coming from tubes or vents not of original construction on a home.
- Large amounts of Iodine, Iodine stains on hands and feet of subject in a home, around kitchen, bathrooms, etc.

Officers should be extremely cautious of any fire scene with the above items.

RESPONSE TO A CLAN LAB DISCOVERED BY PUBLIC SAFETY PERSONNEL

When public safety personnel, such as Fire or EMS, responding to an emergency discover a clandestine drug lab, the Watch Commander will be notified by the Emergency Communications Center.

A clandestine drug lab discovered during an emergency will be treated as a hazardous materials incident.

The Watch Commander will coordinate with the on-scene public safety personnel and notify the Drugs and Vice Lieutenant (or designee), who will then initiate and supervise all further actions taken regarding the call, including contacting the SBI Clan Lab Team Supervisor.

RESPONSE TO A CLAN LAB DISCOVERED BY POLICE PERSONNEL

If an officer discovers a suspected clan lab, the officer should immediately evacuate everyone at the scene to a safe distance in case of fire or explosion, preferably upwind and at a distance where odors emanating from the location cannot be detected.

Due to the potentially explosive nature of a clan lab, the officer should not touch, change, or alter anything at the scene. This includes turning on/off light switches or heat sources, or using the police radio or cellular phone; these actions could create an unintended and potentially dangerous spark.

- If the suspected clan lab is in the manufacturing process (or “cooking”) – the officer should not attempt to shut off the heat source or stop the cooking process – the officer should evacuate the location immediately.
- The officer should not open or break windows or doors to ventilate the scene; this action may cause contamination of a greater area.

Once at a safe distance, the officer should immediately contact their supervisor and advise them of a suspected clan lab. The officer should be prepared to supply detailed information concerning the scene and measures taken thus far.

The field supervisor will notify the Watch Commander, who will ensure the clan lab scene is secure. The Watch Commander will notify the Drugs and Vice Lieutenant (or designee), who will then initiate and supervise all further actions taken regarding the call.

The Drugs and Vice Lieutenant will contact personnel who have completed and maintain current certification from the NCSBI or the DEA for Clandestine Laboratory investigations. An initial assessment of a suspected lab site may be made by certified individuals and this information will be passed on to the NCSBI Clan Lab Response Team and to the Drugs and Vice Lieutenant. A listing of currently certified personnel and their contact information will be maintained in the Department's Emergency Plan.

RESPONSE TO CITIZEN INFORMATION OF A REPORTED CLAN LAB

When an officer or the Emergency Communications Center receives citizen information of a clan lab, the Watch Commander will be notified. The Watch Commander will immediately contact the Drugs and Vice Lieutenant (or designee).

When a citizen provides the initial information on a lab, detailed information about the stage of the lab, potential booby-traps, bombs, weapons, fortifications, or other imminent dangers should be obtained. If possible, a Drugs and Vice Detective should interview the citizen.

The Drugs and Vice Lieutenant (or designee) will initiate an investigation to determine the validity of the information and contact the SBI Clan Lab Team Supervisor.

CLAN LAB CRIME SCENE INVESTIGATION AND CLEAN UP

Once the presence of a clan lab is confirmed, the Drugs and Vice Lieutenant (or designee) will immediately notify other agencies as appropriate (i.e. Fire, EMS, SBI, DEA). The Watch Commander and appropriate District Commander will also be notified.

The SBI Clan Lab Team Supervisor will lead all evidence collection and disposal activities.

If a child was evacuated from a confirmed clan lab scene, a Special Victims Unit Detective will initiate a child endangerment investigation and make a referral to Child Protective Services.

Anyone that may have been exposed to dangerous chemicals, gases, or waste during the investigation will be checked by EMS for possible hazmat decontamination.

FOLLOW-UP ON CONFIRMED CLAN LAB

The Drugs and Vice Unit Lieutenant (or designee) will notify the City Inspections Department and Fire Inspectors so that proper actions can be taken to prevent further exposure to hazardous materials. The City Attorney may choose to take action against the property owner, if appropriate.

If City Inspectors determine the property will be posted as "Unsafe for Habitation", the Drugs and Vice Lieutenant (or designee) will notify the District Commander of the posted clan lab.

- Arrests can be made if people are found inside a structure that has been posted as unsafe.
- Officers should not enter posted property without proper training and equipment.

The Drugs and Vice Lieutenant (or designee) will maintain contact with the Wake County District Attorney and/or U. S. Attorney concerning case preparation activities.

THE RALEIGH POLICE DEPARTMENT

1109-20

SPECIAL PURPOSE VEHICLES AND PATROL

PURPOSE

To establish guidelines for the operation of special purpose vehicles.

VALUES REFLECTED

This directive reflects our values of *Service and Integrity*. These instructions guide how we use specialty equipment to provide the best service possible to protect the public.

UNITS AFFECTED

All Sworn Officers

REFERENCES/FORMS

DOI 1106-05 "Operation of Police Vehicles"
DOI 1107-01 "Emergency Mobilizations"
DOI 1107-02 "Response to Disasters"
DOI 1109-05 "Response to Hostage, Barricaded Suspect, and Sniper Incidents"

GENERAL POLICIES

The Department has a variety of special purpose vehicles designed for specific purposes and may require authorization for use.

In addition, qualified and trained personnel may be required to operate a particular vehicle or the equipment associated with it.

Not withstanding any written selection procedure, all sworn officers are eligible for appointment to operate a special purpose vehicle upon demonstration of proficiency, licensing, and/or completion of any required training.

MOBILE COMMAND POST AND FIELD OPERATIONS COMMAND UNIT ON SCENE (F.O.C.U.S.) BUS

These vehicles provide mobile, self-contained communications and command centers for incident commanders/supervisors during natural or civil disasters and special police situations. The Mobile Command Post and F.O.C.U.S. Bus are assigned to the Special Operations Division.

Use of the Mobile Command Post and F.O.C.U.S. Bus

These vehicles are available for use on a call-out basis, 24 hours a day. A designated driver/operator from the Raleigh Police Department must accompany the vehicle anytime it is activated.

A listing of operational guidelines for each vehicle is maintained in a notebook, which is kept in the cab portion of the vehicle. These guidelines are to be followed anytime the vehicle is activated.

Authorization for Use of Mobile Command Post and F.O.C.U.S. Bus

The expensive and complicated nature of these vehicles dictates that they be used only under proper authority and by trained operators.

- Use of these vehicles by Raleigh Police Department personnel requires authorization through the appropriate Division's chain-of-command.

- These vehicles are also available for use by other City of Raleigh Departments/Divisions and outside governmental agencies for special situations requiring coordination of effort involving multiple jurisdictions. Use of these vehicles, under these circumstances, requires the authorization of the Chief of Police.

Mobile Command Post/F.O.C.U.S. Bus Operators

Any designated officer may drive the vehicle to the scene. The driver should take into consideration the lack of maneuverability when selecting routes and destinations. Only trained employees are authorized to set up and operate the equipment in the vehicle. Operators will receive specific instructions on the operation of cellular and land-line telephone systems, FAX machine, VCR/camcorder/CCTV, hostage telephone system, radios, generator, water/sanitation, and heat and air systems.

Maintenance of the Mobile Command Post/F.O.C.U.S. Bus

The Special Operations Division Commander shall designate specific officers qualified as operators of the Mobile Command Post. These operators are responsible for the maintenance and upkeep of the Mobile Command Post, including a monthly inspection for operational readiness.

A designee from the Special Operations Division is responsible for the maintenance and upkeep of the F.O.C.U.S. bus including a monthly inspection for operational readiness.

Operators will also be responsible for adhering to the operational guidelines as they apply to checking the vehicles' general status when it is activated and when the use of the vehicle is completed.

Listing of Equipment Associated With Mobile Command Post/F.O.C.U.S. Bus

The Mobile Command Post is equipped with cellular and land line telephones, two-way radios and scanner, video gear, public address system, outside lights, FAX machine, closed circuit phone system, hostage negotiator phone system, assorted maps and other miscellaneous supplies. A complete listing of all equipment is maintained in the Mobile Command Post notebook.

The F.O.C.U.S. Bus is equipped with two-way radios and other miscellaneous supplies. A complete listing of all equipment is maintained in the F.O.C.U.S. Bus notebook.

POLICE EQUIPMENT VAN

The Police Equipment Van is intended as a mobile equipment vehicle for use by field commanders/supervisors when traffic control devices, such as barricades, traffic cones, portable signs, flares, etc., are needed to facilitate traffic direction and control during the course of police operations.

Authorization and Use of the Police Equipment Van

The Police Equipment Van is available on a 24-hour basis for the delivery of equipment and devices for traffic control purposes. Field commanders/supervisors are authorized to approve the use of this vehicle and its equipment for traffic control purposes.

Maintenance of the Police Equipment Van

A designee from the Field Operations Downtown District is responsible for inspecting the vehicle and its contents monthly to ensure the vehicle is in operational order and contains the proper equipment. The Police Equipment Van is equipped with barricades, flashing lights, traffic cones, flares, portable detour and stop signs. An inventory sheet of this equipment is maintained in the Vehicle Log Book.

Police Equipment Van Operators

Field commanders/supervisors may designate any officer to drive/operate this vehicle and make the necessary distribution and retrieval of its equipment as may be required during the course of police operations. Personnel assigned to operate the van shall be familiar with the Equipment Control Sheet and all required log entries.

Any officer distributing equipment from the van will properly record the distribution on the Equipment Control Sheet. In addition, all distributed equipment, when no longer needed on a scene, shall be retrieved, replaced in the vehicle, and properly noted by the officer making the retrieval.

POLICE BUS

The Police Department's bus provides field commanders/supervisors with a vehicle capable of transporting a large number of officers and people to or from scenes of special events or incidents.

Authorization and Uses of the Police Bus

The Police Bus shall be used to transport officers and other people as may be required during police functions. Prisoners shall not be transported in this vehicle. The use of this vehicle requires the authorization of a Lieutenant.

Police Bus Operators

Police Bus operators should possess the required commercial driver's license as required by G.S. 20-7, except during an emergency, and shall be familiar with and experienced in the operation of this type of vehicle.

Maintenance of the Police Bus

The Training Director will designate a driver for the bus who shall be responsible for conducting inspections once each month to ensure it is in operational condition.

Each time the bus is used, the driver is responsible for ensuring the vehicle is left in a clean condition and filled with gas.

POLICE MOTORCYCLES

Police motorcycles may be used for traffic enforcement, as an escort vehicle, and as a traffic vehicle for use in special events.

Authorization and Use of Police Motorcycles

Police motorcycles may be used with the authorization of the Special Operations Division Commander for special events such as parades, concerts, etc., requiring escorts or special traffic control. All operators of police motorcycles shall wear a safety helmet of a type approved by the Commissioner of Motor Vehicles as required by G.S.20-140.4, "Special Provisions for Motorcycles." No passengers shall be transported on a police motorcycle.

Police Motorcycle Operators

Personnel assigned to operate police motorcycles must be licensed by the Division of Motor Vehicles indicating they have passed special road and written tests demonstrating competence to operate a motorcycle as required by G.S.20-7(a1), "Drivers' License."

Police motorcycle operators are selected by the Special Operations Division Commander with the approval of the Chief of Police. Selected operators are required to successfully complete the approved police motor operators course.

Maintenance of Police Motorcycles

The Traffic Unit Enforcement Sergeant is responsible for making sure that police motorcycles are maintained in a state of operational readiness.

SEU VEHICLES AND EQUIPMENT (TACTICAL TRUCK AND BEAR)

SEU vehicles are used to provide storage and transportation of supplies, specialized equipment, and personnel in special operations.

Authorization and Use of SEU Vehicles

SEU vehicles and equipment are available for use on an as needed basis for special operations 24-hours a day. Activation of the vehicles or the use of its equipment must be authorized by the Watch Commander or an SEU supervisor.

Maintenance of SEU Vehicles

SEU supervisors shall be responsible for the condition and maintenance of the vehicles and conducting the monthly inventory of all equipment and supplies stored in the vehicles.

SEU Vehicle Operators

The Watch Commander shall assign an officer to operate an SEU vehicle when required. No special certification is required.

Ballistic Extraction and Rescue Vehicle (BEAR)

This vehicle is used as a mobile shield during high risk operations.

Authorization and Use of the BEAR

The Watch Commander or the Special Operations Division command staff may authorize the use of this vehicle and its equipment.

Maintenance of the BEAR

SEU supervisors are responsible for the maintenance of this vehicle and ensuring monthly inspections of the vehicle and equipment.

BEAR Operators

Each SEU supervisor will assign a primary and secondary officer to operate this vehicle. In an emergency situation in which no SEU officer is available, the Watch Commander or Special Operations Division command staff may assign a vehicle operator.

PRISONER TRANSPORT VAN

The Prisoner Transport Van provides field commanders/supervisors with a vehicle capable of securely transporting prisoners.

Authorization and Use of the Prisoner Transport Van

Any field supervisor may authorize the use of the Prisoner Transport Van when there is a need or potential need to transport numerous prisoners.

Prisoner Transport Van Operators

Any officer may operate the van at the direction of a field supervisor. No special certification is required.

The following guidelines should be followed when the prisoner transport van is in use:

- When transporting prisoners, a second officer will be assigned to act as a security officer. They should sit in the front passenger seat when prisoners are in transport. This officer should maintain constant visual observation of the prisoners in the van.
- All prisoners transported in the van will have their hands restrained and be secured in a seat in the prisoner area of the van.
- No more than five prisoners will be transported at a time.
- The gate separating the passenger area from the prisoner area should remain closed and locked unless an officer requires access from one area to the other. When the van is in the process of transporting prisoners, the gate will remain closed and locked.

Maintenance of the Prisoner Transport Van

A designee from the Special Operations Division is responsible for conducting monthly inspections to ensure it is in operational condition.

BOMB DISPOSAL VESSEL

The Bomb Disposal Vessel and Bomb Disposal Trucks provide Hazardous Devices Unit (HDU) personnel with equipment to assist in rendering hazardous devices safe.

Authorization and Use of the Bomb Disposal Vessel and Equipment

Only Hazardous Devices Unit personnel are authorized to use this equipment and vehicles. The Bomb Disposal Vessel will be used when there is the possibility of a hazardous device that needs to be rendered safe as determined by HDU personnel.

Maintenance of the Bomb Disposal Vessel and Bomb Disposal Truck

Hazardous Devices Unit personnel are responsible for the maintenance of the Bomb Disposal Vessel and ensuring monthly inspections of the equipment.

ALL TERRAIN VEHICLES

The objective of using police All Terrain Vehicles (ATVs) is to increase the Department's effectiveness in detection and prevention of crime in and around the City's parks and greenways. ATVs may also be used for search and rescue efforts of lost or missing persons, for the search and apprehension of suspects, for public relations purposes and special events.

ATVs are equipped with a front end winch and rear locking storage compartment. These items should remain on the vehicle at all times and remain in proper working order. ATV helmets and goggles must be kept with the ATV or in a location accessible to the operator. The helmets and goggles should not be used for other purposes.

Authorization and Use of ATVs

ATVs are equipped with 4-wheel drive and may be operated in any type of weather and under a variety of conditions. They are designed for one operator therefore passengers should not be transported on any part of the ATV. All operators must wear an approved DOT helmet and ANSI Z87.1 approved goggles. The ATV headlight must be on at all times during operation.

ATVs will be primarily used for patrol of Raleigh City parks and greenways as well as other areas where the use of a patrol vehicle would not be practical. ATVs will not be driven on public streets or roadways unless specifically authorized.

An approved ATV lesson plan will be kept on file with the Police Training Center. The lesson plan and training will include instruction for ATV use.

The appropriate District Commander must authorize the use of an ATV. Special uses, other than normal patrol, searches for missing and lost persons, or for suspects, require approval by a Division Commander or the Duty Major.

All Terrain Vehicle Operators

All ATV operators must posses a valid North Carolina Driver's License and a City of Raleigh driver's license in addition to a certificate or card issued to authorized operators. Personnel authorized to ride the ATVs must successfully complete the Raleigh Police Department's ATV safety course as outlined by the ATV Safety Institute. A certificate or card stating the operator's name and date of successful completion of the course will be issued to authorized operators.

Failure to meet the prescribed guidelines for operation and use of an ATV may result in suspension of driving privileges for the ATV and other disciplinary procedures deemed appropriate.

In addition to the initial training course, at least four hours of in-service training for ATV operators will be conducted on an annual basis, according to a schedule prescribed by the Training Center and a certified instructor. A certified operator must attend annual training in order to keep the ATV certificate or card valid.

Maintenance of the ATV

ATV operators are responsible for an inspection of the ATV prior to each use. This inspection will include checking the oil levels, fluid levels, tires and for damage. The operator will be responsible for cleaning and removal of any debris or mud from the ATV after each use.

A monthly inspection should also be completed and recorded in the monthly vehicle inspection log completed by the assigned District. Any damage or missing items will be recorded on the inspection log and reported immediately to the appropriate supervisor.

In order to ensure the front end winch is maintained properly, it should be inspected and maintained monthly. The winch should be unwound, inspected for damage, cleaned, lubricated and rewound.

The engine oil, oil filter, and transmission oil should be changed every 100 hours of operation or annually, whichever comes first. The Police Garage Supervisor will be responsible for transporting the ATV for service and returning it to the appropriate location.

ATVs must be transported by trailer from one location to another if they cannot be reached by the Raleigh City greenways. The ATV transport trailer will be maintained by the Police Service Center.

The ATV must be stored at a secure facility that protects it from the weather and theft. Helmets and goggles will also be stored in a secure facility. The District Commander and the City of Raleigh Safety Office will approve the storage location for the ATV and any equipment associated with it.

SPECIAL OPERATIONS EQUIPMENT TRANSPORT VEHICLE AND TRAILERS

The Special Operations Equipment Transport Vehicle and trailers are used to move equipment to sites such as protests, athletic events, traffic checkpoints, political events and other large scale events. Interlocking barricades, cones and other crowd and traffic control equipment are stored in trailers for events that require area security.

Authorization and Use of the Special Operations Equipment Transport Vehicle

Authorization for deployment and use of this vehicle and equipment requires approval through the Special Operations Division chain-of-command. The operator of this vehicle should take into consideration the lack of maneuverability when selecting routes and destinations.

Semi Truck Operators

Any employee possessing a CDL Class A driver license with a combination trailer and airbrake endorsement is authorized to operate this vehicle.

Maintenance of the Special Operations Equipment Transport Vehicle and Trailers

A designee from the Special Operations Division is responsible for the maintenance and upkeep of this vehicle including a monthly inspection for operational readiness.

BICYCLES

This vehicle is used to provide access to areas that would not be feasible in a motor vehicle.

Authorization and Use of Bicycles

The primary responsibility of bicycle patrol shall be to provide high visibility police presence, and patrol downtown parks, other selected areas, and parking decks.

Bicycle officers are assigned to the Field Operations Division. The immediate supervisors of these units shall be responsible for assignments, changes in assignment, leaves and other changes in work schedules.

Maintenance of Bicycles

Bicycle Squad Officers shall be responsible for maintaining all equipment and ensuring that it is in working order.

Bicycle Operators

Bicycles officers will undergo training specific to bicycle law enforcement.

HORSES

Horses are used to provide access to areas that are not feasible in a motor vehicle or that require a highly visible presence. The use of horses also provides positive interaction between police and citizens.

Authorization and Use of Horses

The primary responsibility of the Mounted Patrol Unit shall be to provide high visibility police presence, patrol downtown parks and parking lots.

The Mounted Patrol Unit is assigned to the Special Operations Division. The Canine Sergeant shall be the immediate supervisor of this unit and shall be responsible for assignments, leaves, and changes in schedules.

The Mounted Patrol Unit shall normally patrol the immediate downtown area. This shall include the parks, parking lots, and City Market. Mounted Patrol Officers shall not be sent on calls. Although they enforce laws, they are to call for a primary response unit when needed.

Horses shall not be used in large crowd situations and shall not be used for crowd control purposes unless authorized by the Chief of Police, or designee. Horses shall not work in inclement weather, such as ice and snow or thunder and lightning.

Maintenance of Horses

Mounted Patrol Officers shall be responsible for maintaining all equipment and ensuring that it is in working order. Officers are expected to complete a monthly checklist of care and maintenance of horses, equipment, horse trailers, and other pertinent items.

Mounted Officers

Mounted officers receive training specific to using a horse for law enforcement purposes.

SEGWAYS

Authorization and Use of Segways

The Segway is a vehicle designed to enhance foot patrol. The primary purpose for using Segways is to provide officer transportation, and access to areas where normal patrol vehicles are prohibited.

Segways are to be occupied by the operator only. Prisoner transport on these vehicles is prohibited.

In addition, Segways shall not be used as pursuit or emergency response vehicles.

Segway use shall be at the discretion of the District or Division Commander in which the Segway is assigned. Segway operation without official assignment from supervisory personnel is expressly prohibited.

Maintenance of Segways

The Administrative Division's Fleet Manager will coordinate maintenance for Segways. Officers operating Segways should report any problems to the Sergeant of Fleet Management.

Segways Operators

The Segway shall be operated in strict conformance to the equipment owner's manual and established RPD training, policies and procedures. Personnel are prohibited from operating the Segway in a manner which places the operator, pedestrians or motoring public at risk of safety, injury or death. Officers shall not operate the Segway in a manner which exceeds the scope and specific use of the unit.

The Segway shall only be operated by officers who have successfully completed the training curriculum set forth by the RPD Training Division.

No special licensing is required to operate a Segway. However, a working knowledge of pedestrian and vehicle laws is required and all operators shall comply with all applicable laws.

All Segway operators are responsible for ensuring a pre-use and post-use check is performed; before and after operation of their assigned Segway.

All Segway operators shall wear department-issued equipment necessary for the safe operation of a Segway (i.e.: Helmet and other safety equipment necessary for the assignment).

This policy is not a public record pursuant to

N.C. General Statute §132-1.4

and

N.C. General Statute §132-1.7

THE RALEIGH POLICE DEPARTMENT

1109-22

ANIMAL CONTROL UNIT

PURPOSE

The Animal Control Unit is given specific responsibility for enforcement of the City's Animal Control ordinances. This procedure provides regulations for the Unit in carrying out that function.

VALUES REFLECTED

This directive reflects our value of *Service and Integrity*. By following these guidelines we will deal effectively with stray and wild animals in the community and facilitate the return of lost pets to their owners. These actions will help contribute to the well-being of the community we serve.

UNITS AFFECTED

All Personnel
Special Operations Division/Animal Control
City Finance Department

REFERENCES/FORMS

City Ordinances 12-3001 to 12-3074
DOI 1106-04 "Care of Equipment and Uniforms"
DOI 1106-05 "Operation of Police Vehicles"

GENERAL POLICIES

Responsibility for the conduct of the Animal Control Unit is vested in the Animal Control Supervisor, who reports directly to the Special Operations Lieutenant.

Animal Control Officers are considered sworn officers for the purposes of enforcing animal control ordinances only and do not possess the full powers of police officers under North Carolina statutes. They are bound by the same Departmental regulations that apply to uniformed personnel.

ORGANIZATION AND OPERATIONS

Supervision

The Animal Control Supervisor is responsible for:

- Providing daily work assignments to animal control officers;
- Making vehicle assignments;
- Reviewing the performance of animal control personnel; and,
- Accounting for all property and equipment assigned for use by the Animal Control Unit.

Hours of Work

Animal Control Officers will work a schedule approved by the Special Operations Division Commander that complies with the Fair Labor Standards Act. The Animal Control Supervisor may temporarily alter working hours to meet specific needs but must be sure that any such modifications comply with FLSA. Permanent changes in working hours must be approved by the Division Commander.

Maintaining Patrol

Animal Control Officers will patrol an area designated by their supervisor. They will remain on patrol in their area until relieved, unless they are on authorized breaks or on official business. Animal Control Officers will respond to any complaint referred to them by proper authority.

Uniforms

Animal Control Officers will wear uniforms issued by the Department. Pins, insignias, or accessories which are not specifically authorized are prohibited.

RESPONSE TO CALLS

All Animal Control Officers will respond to calls for service as promptly as possible.

Animal Bites

Reports of animal bites will be documented on a police incident report, which is to be filed at the completion of the officer's tour of duty. Officers are to make every effort to locate the animal.

- The animal must be confined 10 days, even if it has a rabies tag. Should the owner fail to provide suitable confinement, the animal control officer will place the animal in the Wake County Animal Shelter. The owner will bear expenses for confinement. (G.S. 160-380).

- If any officer receives an animal bite call when animal control officers are off-duty, and the animal cannot be captured, a supervisor will assess the call and determine whether an on-call animal control officer should be contacted.

- An Animal Control Specialist will be assigned to follow-up on all animal bite cases. The Animal Control Specialist will ensure that the animal remains in confinement. If an abnormality appears in the confined animal, the Animal Control Specialist will contact the bite victim immediately. The specialist will also contact the victim at the end of the confinement period. The Animal Control Specialist will file a supplement to the original case report.

- In the case of a bite by non-domesticated animals, Wake County Animal Shelter personnel will euthanize the animal, remove the head and transport the head to the N.C. Division of Health Services to be examined for rabies.

Nuisance Animal Complaints

Upon receipt of a public nuisance animal complaint, the Animal Control Officer should first attempt to contact the owner and issue a verbal warning. If the owner fails to take appropriate actions, the following steps shall be taken (City Ordinance.12-3021):

- The Animal Control Officer shall conduct an investigation and solicit neighborhood witnesses who are willing to sign a complaint. The owner will be notified of the written complaint and request to abate the nuisance.

- If the owner does not comply within seven days, the Animal Control Supervisor will forward a report of non-compliance through the chain of command to the Special Operation Division Commander. After review, the Special Operations Division Commander will direct that a citation be issued to the owner. The Commander will direct that the citation and a letter ordering the owner to abate the nuisance within seven days be sent via registered mail.

- If the nuisance is still not abated within seven days, the Animal Control Supervisor will direct that the animal or animals be impounded in the Wake County Animal Shelter kennels.

- The owner may appeal the findings within the seven-day period by giving written notice to the Chief of Police. The Animal Control Supervisor will suspend enforcement until a final determination is made by the City Council.

ENFORCEMENT ACTIONS

Catch Poles

Catch poles are placed in animal control vehicles and should be used whenever the safety of the officer is in question. Animal Control Officers will use them in a reasonable and humane manner at all times.

Protective Gloves

Animal Control Officers shall wear protective gloves whenever they pick up an animal.

Setting Traps

Animal Control Officers should close traps during periods when an officer is expected to be unavailable to remove an animal from the trap within a reasonable period of time. Animal Control Officers must inform the supervisor of the location of all set traps whenever they go off-duty.

If it is necessary to set a trap over a period when the officer is off-duty, the supervisor will assign an officer to check the trap at regular intervals. Any officer that sets a trap will record the information on the trap log located in the Animal Control Office.

Pepper Gas and Collapsible Batons

Animal Control Officers are issued pepper gas and collapsible batons. The use of these tools is strictly limited to their duties in controlling and apprehending dangerous and/or violent animals. Under no circumstances shall either gas or collapsible batons be used against a person.

Chemical Immobilization and Chemical Euthanasia

- Guidelines for Use of Chemical Immobilization

  It shall be the policy of the Raleigh Police Department to utilize chemical immobilization agents on animals as a last resort to all other animal control measures. The Special Operations Division command staff shall approve chemical immobilization efforts prior to use. The officer shall provide the following information when requesting approval:

  - Chemical immobilization shall be considered only after all other efforts have failed. Only animal control officers who are trained and certified in the use of chemical immobilizers are authorized to administer them.
  - Documentation that shows that a trap has been set for the animal and the trap has failed to restrain the animal. This requirement may be bypassed if the animal being sought is too large to be trapped with the Department's existing equipment or if trapping is not a viable option.
  - Evidence that indicates there is no known ownership of the animal or evidence that the known owner refuses or is unable to restrain the animal.
  - Documentation that illustrates the failure of all other efforts to capture the animal.

- Guidelines for Euthanasia of Injured Wildlife Animals

  It shall be the policy of the Raleigh Police Department to utilize chemical euthanasia on any wildlife animal that is injured and requires relief from suffering or has presented itself as a risk of having rabies. The Special Operations Division Commander or his/her designee shall approve chemical euthanasia prior to use.

- Only Animal Control Officers who have received training approved by the Chief of Police or his/her designee are authorized to utilize chemical euthanasia on wildlife animals.
- Chemical euthanasia is not authorized for use on any type of domesticated animal. If a domesticated animal is injured and requires relief from suffering, the Animal Control Officer will transport the animal to the Wake County Animal Shelter or any other designated veterinarian facility.
- Officers shall attempt to maintain privacy from the public during the euthanasia of an injured animal.
- The injured animal will be restrained by use of the catch pole neck harness.
- The injured animal will initially be chemically immobilized for stress reduction.
- Animal Control Officers will wear issued protective equipment.
- Once the animal is confirmed deceased, the Animal Control Officer will immediately remove the carcass and transport it to the Wake County Animal Shelter for proper disposal.
- Anytime chemical euthanasia is utilized, an incident will be filed.

- Security and Handling of Controlled Substances

  - All controlled substances will be kept in a secured locker. Only the animal control supervisor and those trained to use the immobilization equipment will have access to the locker. When the controlled substances are in an animal control vehicle, the controlled substances will likewise be secured in the lock boxes in the vehicle, and the vehicle itself will be locked if unattended.

  - Anytime a controlled substance is used, an incident report will be filed and a copy forwarded to the Special Operations Division Captain. The report will state what methods have previously been used to capture the animal and other requirements referred to above. Additionally, the animal control supervisor will maintain a log which will include the amount of controlled substance used, the case number of the report, and the initials of the animal control supervisor. That log will be submitted as part of the monthly inspection report, regardless of whether any controlled substance was used.

  - Every three months, the Office of Professional Standards/Inspections Unit shall conduct an inspection of the storage locker used to store the controlled substances and forward a copy of findings to the Office of Professional Standards Commander.

  - The Animal Control Supervisor will destroy outdated controlled substances in the presence of a representative from the Raleigh Police Department Internal Affairs Unit and either the North Carolina Department of Health and Human Services or the United States Drug Enforcement Administration. The supervisor will note each destruction incident on the usage log.

  - The Animal Control Supervisor will immediately report loss or theft of any controlled substance to the Internal Affairs Unit and the Drug Regulatory Branch of the North Carolina Department of Health and Human Services.

IMPOUNDING ANIMALS

Animal Control Officers should make every effort to locate owners prior to impounding animals.

Animals Bearing Valid Pet Data

If the animal bears Pet Data tags, the officer should request that the Emergency Communications Center check for ownership information. If the animal has only a rabies tag, the officer should check with Wake County Animal Control for ownership information.

If the officer can get ownership information then the animal should be transported home. If the owner is not at home, the officer should leave a contact notice indicating the animal is at the shelter.

Transporting Animals to the Shelter

If an owner is unknown or cannot be reached, the officer will transport the animal to the Wake County Animal Shelter. All animals must be returned to the owner or placed in the shelter.

The Animal Control Officer must completely fill out the pickup slip and indicate which animal pen the animal was placed in.

The Department copy of pickup slips must be retained and used as verification for City reimbursement to the Wake County Animal Shelter. The animal control supervisor will retain the pickup slips for a period of three years from the date of the last audit.

Sick or Injured Animals

Upon locating a sick or injured animal, officers should first attempt to locate the owner and let the owner assume responsibility for the animal. The owner may sign the animal over to the Wake County Animal Shelter for disposition by signing on the bottom of the pickup slip. If the owner cannot be contacted, the officer will contact the Wake County Animal Shelter kennel supervisor and follow the kennel supervisor's directions. After normal business hours (9 am -5 pm weekdays) injured animals will be transported to the after-hours clinic on Glenwood Avenue.

After Hours

Domesticated animals picked up by RPD officers after Animal Control Officers are off duty will be placed in the drop-off box located in the warehouse at Special Operations. This drop-off box is located near the lockers within the warehouse. RPD Officers are to contact the Watch Commander to make entry into the Special Operations building. Officers then must contact communications and advise them to generate a call for Animal Control to pick up the animal in the drop-off box. The first Animal Control Officer arriving at work will be notified by ECC that the call is holding. This notification must be made in order for the Animal Control Officer to be aware there is an animal waiting at the beginning of the shift. Paperwork regarding the stored animal will be attached to the drop-off box and must be completely filled out and left with the animal at the cage. This paperwork is absolutely necessary in order for the Animal Control Officer to process the animal. If questions arise regarding the use of the drop-off box, the on-call Animal Control Officer should be

contacted through communications. Animal control trucks and other cages previously used for impounding animals will no longer be used.

The drop-box is not to be used for any injured, sick, or wildlife animals. Domesticated animals (cats and dogs) are the only animals to be placed in the boxes. In the event RPD Officers respond to injured or sick animal calls after hours, the on-call Animal Control Officer should be contacted through communications for advice or call-out. Animal Control Officers will be responsible for the daily maintenance and upkeep of the after-hours drop-off box. The box will be kept clean, sanitized, and free of any debris or clutter.

CITATIONS

Animal Control Officers will be required to fully account for all citations dispensed to them. At no time will officers receive money for payment of penalties.

Citation Control Logs

Officers shall be required to sign a log indicating receipt of citation booklets. The animal control supervisor is responsible for retaining this log for a period of three years from the date of the last audit. All copies of voided citations must be returned to the animal control supervisor.

Issuing Citations

An Animal Control Officer will issue a citation to any person known by the officer to have committed a definite, clear-cut, and substantial violation of the animal control ordinances of the City of Raleigh.

Officers shall be impartial and reasonable. If there is a question as to whether a citation should be given, no citation should be issued. This does not preclude the officer from conferring with a supervisor for advice. However, such officer-supervisor conferences should be done as quickly as possible to avoid subjecting the person involved to undue delay.

Voiding Citations

Officers may void citations at the time of issuance if the citation contains a clerical error that would make it invalid on its face. All copies of the citation must be returned.

The Animal Control Supervisor may void a citation for sufficient cause, if a complaint is received within 72 hours of issuance. The Animal Control Supervisor will maintain a log of all voided citations from the date of the last audit plus three years.

Clearing Citations

The Animal Control Supervisor will receive Departmental copies of animal control citations, and maintain a log of unpaid citations. The City Collections Office will forward, directly to the supervisor, a list of citations paid. The Animal Control Supervisor will compare the list with citation payments received through the mail and will send warning letters to violators, who have not cleared their citations within 30 days. After 10 subsequent days a list of violators, who have still

not cleared their citations, will be returned to the Animal Control Officer that issued the citation. The Animal Control Officers will seek court summonses for violators.

Records of Citations

The Animal Control Supervisor is responsible for seeing that adequate records regarding the control of citations are maintained. Departmental copies of citations, citation sign-out logs, logs of voided citations, and records of paid and unpaid citations must be maintained in accordance with the Municipal Records Retention and Distribution Schedule issued by the NC Department of Cultural Resources.

THE RALEIGH POLICE DEPARTMENT

1109-23

POLICE DESK OPERATIONS

PURPOSE

The Police Desk is responsible for legal document control, telephone response to non-hazardous complaints, and a number of auxiliary functions.

VALUES REFLECTED

This directive reflects our values of *Service.* By following the guidelines described in this directive we help to serve and protect the community and our employees. Our desk operations encompass a wide range of vital functions including building security, assistance with report processing, telephone response, DCI queries, legal document control and tracking, and towed vehicle monitoring.

UNITS AFFECTED

All Personnel

REFERENCES/FORMS

1106-03 "DCI/NCIC Security and Access"
1107-03 "Municipal Complex/Police Facilities Bomb Threats, Fires, and Evacuations"
11070-4 "Tornado Alerts Involving Police Facilities"
1108-02 "Legal Processes"
1108-04 "Evidence and Found Property"
1108-05 "Submission of Police Reports"
1109-02 "Radio Communications, Response to Calls"

GENERAL POLICIES

All police employees who work at the Headquarters or District Police Desks must have excellent public relations skills since the job involves close interaction with other Divisions of the Department and frequent contact with the public and other government agencies.

DESK OPERATIONS

The Headquarters Police Desk and Downtown District Desk are the central reception points and are staffed 24 hours.

Supervision

The Headquarters or District Police Desk is supervised by Field Operations Sergeants, who report to their respective District Lieutenants.

- Field Operations Sergeants are responsible for scheduling work hours and leave requests so that the Desk is continually staffed.

- Field Operations Sergeants are responsible for verifying the correct handling of interactions between members of the public and Desk Officers; including the prompt and accurate completion of all forms and reports.

Working Hours

Headquarters Police Desk Officers will work schedules approved by the Field Operations Division Commander. The schedules will be based on the need to keep the desk operations functional on a twenty-four hour, seven days-a-week basis and will comply with the Fair Labor Standards Act (FLSA). The Field Operations Sergeant will have the authority to modify work schedules as needed, on a temporary basis, but must be sure that any such modifications comply with FLSA.

Headquarters Security

Headquarters Police Desk Officers are responsible for ensuring that unescorted persons are not to be allowed into the building without authorization. Should a person come to the Headquarters Police Desk seeking a particular officer, that officer will be called to the Police Desk to escort the party into the building.

Duties of Headquarters Desk Officers

- Headquarters Desk Officers will be responsible for service to the general public, whether through walk-in or telephone contacts. The public shall always be treated with courtesy and respect.

- Headquarters Desk Officers will immediately respond to, or have officers respond to, activated internal alarms within the building.

- Headquarters Desk Officers will alert building occupants to emergencies, as directed by emergency procedures.

- Headquarters Desk Officers will answer the Crime Stoppers telephone after-hours.

HEADQUARTERS WALK-IN/CRIME REPORTING CENTER (CRC)

Headquarters Police Desk Officers and Crime Reporting Center (CRC) personnel will interview and assist persons who walk-in or call Headquarters requesting police assistance. If necessary, appropriate reports will be completed. Vehicle collision reports will not be taken at the Police Desk, except in situations deemed necessary by the Watch Commander, such as inclement weather (refer to 1107-05 "Severe Weather Procedures"). Collisions involving personal injury and hit and runs should be investigated by a field officer.

Online Reporting System

When a citizen calls 911, or the non-emergency number to report a crime that may fit the criteria for online reporting, telecommunications should inform the citizen of their options for filing the report. The citizen will need to have access to the internet and must have a valid email account to report a crime online. The citizen must go to raleighnc.gov, select Police Department, then select Report a Crime. The following reports can be filed through the Online Reporting System.

- Stolen property (excluding license plates, guns, or firearms),
- Harassing telephone calls,
- Damage to property or lost property,
- Larceny from a vehicle,
- Damage to a vehicle,
- Hit and Run Collisions with no suspect information.

If the crime does not fit into one of these categories, the report shall be taken by phone or by a responding officer.

Once the completed report is submitted, the citizen will receive a temporary report number. Although the temporary report number is printable, this cannot be used for insurance purposes or to file a warrant. The official report number will be sent to the citizen, via email, within 5 days of reporting. The case will then be assigned to a detective based upon its solvability factors outlined in DOI 1110-14 "Investigative Case Management and Review."

Criteria for Telephone Response by the Crime Reporting Center (CRC)

In general, any call where there is an absence of physical evidence may be considered for telephone response. These include, but are not limited to:

- Larcenies that are not in progress and for which a report is being requested primarily for insurance purposes.
- Damage to property or lost property reports.

- Information or request for service reports.
- Talk with an Officer.
- Obscene, annoying, or harassing phone calls.
- Flim flam, forgery, or fraud not in progress.
- Indecent exposure or peeping tom not in progress.
- Missing person or habitual runaways when no on-scene investigation is required.
- Found property reports when the complainant holds the property.

Completion of Reports

Crime Reporting Center personnel will complete any necessary reports.

- All reports taken during a duty shift will be completed and submitted prior to the employee being relieved from duty.
- CRC personnel will prepare and distribute "Citizen Request" forms when information is brought to their attention that requires action by other Districts or Divisions.
- A police supervisor should be notified if the event is likely to affect patrol operations.

DCI Terminal Operations

DCI certified Desk Officers located in the Downtown District will be responsible for providing limited DCI functions to the Police Department and other agencies.

- Desk Officers will monitor the Front Desk radio channel and respond to radio and telephone requests for information, to include:
    - Criminal History Checks
    - Driver History Checks
    - Any DCI/NCIC function including "hit confirmation" requests by telephone, except "entry functions"
- Information will only be disseminated to authorized law enforcement officers or agencies. No driver's or criminal histories will be broadcast over unscrambled radio channels. Such information will be relayed over the phone only if the DCI operator is certain of the identity of the caller (refer to 1106-3 "DCI/NCIC Security and Access).
- The DCI terminal location is a secured area and only authorized personnel will be allowed to enter this area.

LEGAL DOCUMENT CONTROL

The Crime Reporting Center is the central intake point for juvenile summonses and subpoenas from the offices of the courts.

Juvenile Summonses and all Subpoenas

The Crime Reporting Center personnel shall receive juvenile summonses and subpoenas from the mail transporter who will also return legal documents to the Clerk of Courts office on days that court is open.

- CRC personnel shall stamp all documents with the date and time as they are received.
- CRC personnel will check the address of the juvenile summons or subpoena and assign it to the appropriate District. Processes that require service outside of Raleigh's jurisdiction will be returned to the Clerk of Court for transmission to the proper jurisdiction.
- CRC personnel will maintain a record of all juvenile summonses and subpoenas, and distribute them to the appropriate District for service. Generally, civil processes will be directed to the Wake County Sheriff's Department. Civil processes directed to the Raleigh Police Department should not be forwarded to a District unless it is a civil subpoena or other type of civil process that has been approved for service by the Chief of Police.
- If a juvenile summons or subpoena is recalled by the courts, the appropriate District Desk Officer shall be notified immediately during business hours. After business hours or if the District Desk Officer is not available, the beat officer assigned to the process will be contacted by CRC personnel. A recall log sheet will also be prepared in order to alert personnel that the process in question has been recalled.
- All subpoenas with telephone numbers listed will be sent to District Desk Officers for service. All subpoenas for Raleigh Police officers will be sent to their respective supervisors for service.
- All warrants and adult summonses will be maintained in the NCAWARE system.

Paper Citations

Police Desk Officers will issue citation booklets to all sworn personnel. They will indicate the numerical sequence of the citations in the log.

Once citation booklets are used, they will be returned to Headquarters or District Desk Officers. Desk Officers will verify that the yellow copy of all citations are accounted for, and return the citation booklets to the Field Operations Administrative Assistant.

TOWED VEHICLES

Immediately after towing a vehicle under police authority, the officer directing the towing will submit a Vehicle Storage Report. The officer will also submit a Notice of Towing form along with documentation of the officers attempts to contact the owner (refer to 1109-9 "Traffic Services").

Vehicle Storage Reports

The Vehicle Storage Report should contain all information called for on the report, including a complaint number. The Downtown District Desk Officers will immediately return incorrect storage forms to the officer for immediate correction. Any problems with the procedure are to be immediately referred to the Downtown District Sergeant or the officer's supervisor.

- Upon receiving properly completed storage forms, the Downtown District Desk will maintain the copies and make written notification to the registered owner.

- Yellow copies of Vehicle Storage Reports will be filed at the Downtown District Police Desk under the make of the vehicle until the vehicle is released or until there is notification that the vehicle was sold at auction.

Notification of Owner

If the officer directing the tow has not notified the registered owner, the Downtown District Police Desk Officer will make subsequent attempts prior to the completion of their tour of duty. They will indicate the results on the Notice of Towing form.

Waiver of Towing

When an officer submits a "Waiver of Towing" form to the Downtown District Police Desk, the Desk Officer will forward the original to Records.

Releasing Vehicles

All parking tickets and/or storage tickets should be attached to the yellow copy and given to the person signing for the release of the vehicle.

- If the owner (or their agent) comes by the Downtown District Police Desk on the same working day that towing occurs, the owner's signature must be obtained on the storage report.

- Downtown District Police Desk Officers will obtain identification prior to releasing towed vehicles, and note the identification number on the Storage Report. The date and time of release will also be noted on the Storage Report. Vehicles should be released to the registered owner (or their agent). Downtown District Police Desk Officers will indicate the person claiming the vehicle on the Storage Report.

- Owners should be given directions to the location where their vehicle is stored.

- If a vehicle is not released within three working days, the Downtown District Police Desk Officer will notify the owner by letter that their vehicle is being stored by the Department.

Problems with Towed Vehicles

If a problem arises in towing or releasing a vehicle, the Police Desk Officer should take the action necessary to resolve the problem at that time. Owners should not be directed to return at a later

date. If necessary, the Police Desk Officer should notify their supervisor, a Field Operations Division supervisor, or the Watch Commander.

- If the owner lacks proper identification, the Downtown District Police Desk Officer will explain that they need both identification and proof of ownership to release the vehicle. If the owner has a problem that cannot be corrected immediately, the Desk Officer will contact a supervisor.

- If the officer directing the tow, or another officer involved needs to be contacted, the Desk Officer will attempt to contact them immediately. If contact with the officer cannot be made, the Desk Officer will notify a supervisor.

Vehicle Storage Report Review

The Downtown District Community Policing Sergeant will inspect Vehicle Storage Reports weekly to determine what vehicles have not been released and to decide what follow-up action is necessary.

Privately Towed Vehicles

The CRC and the Headquarters Police Desk Officer will maintain a log of all non-consensual towed vehicles, reported by the towing company, as required by Raleigh City Code 12-7015. The CRC personnel and the Headquarters Police Desk Officer will check DCI to determine if the vehicle is stolen.

PULLING VEHICLES IN EMERGENCY SITUATIONS

Pulling is defined as the moving of a vehicle a short distance in order to clear the roadway.

In the event of a large scale emergency or weather-related event, vehicles that have been left abandoned on the roadway may need to be moved in order to allow emergency vehicles and/or street maintenance vehicles, safe passage. Officers will call for a rotation tow truck in order to clear the roadway of these abandoned vehicles.

Authorization to Pull Vehicles

Authorization to pull vehicles left abandoned in the roadway during large scale emergency or weather-related event will be made through an Emergency Command Post with authorization from the City Manager and/or Assistant City Manager.

Records of Pulled Vehicles

When an officer moves a vehicle from the roadway during an event, they will immediately notify the Command Post of the following:

- License plate number and vehicle description of vehicle being pulled,

- Location from which the vehicle is being pulled,

- Location where the vehicle is being pulled to.

Owner Notification

Once the Command Post has received the information from the officer regarding pulled vehicles, an officer assigned to record the pulled vehicles will attempt to notify the registered owner via telephone. This officer will notify the registered owner of the location the vehicle has been moved to and any predetermined costs accrued as a result of the vehicle being pulled.

When the Command Post is discontinued for the disaster, the record of towed vehicles will be transferred to the Downtown District Front Desk Officer, in order to assist with notifying the registered owner of the vehicle's location.

THE RALEIGH POLICE DEPARTMENT

1109-24

RESPONSE TO TRESPASSING COMPLAINTS

PURPOSE

To provide guidelines for handling complaints of trespassing.

VALUES REFLECTED

This directive reflects our values of *Service and Fairness*. We strive to treat people with dignity and respect while ensuring that we employ the best available practice. These guidelines will help us protect the rights of both parties who may be in conflict.

UNITS AFFECTED

All Personnel
Emergency Communications Center

REFERENCES/FORMS

G.S. 14-159.13 “Second Degree Trespass”
“Trespass Form”, Raleigh Police Department

GENERAL POLICIES

Trespassers are often notified in the presence of an officer not to return to a specific premise. The trespasser may later return to the premise when the original witnessing officer is unavailable to verify the trespass notification. A trespass form has been designed to record and verify a trespass notification.

TRESPASSING

Only the owner of a premises or person acting under the authority of the owner of a premises is vested with authority to invoke the trespassing laws. Officers may not assume such authority on their own. Officers cannot be so authorized by an off-duty employer.

An officer witnessing a trespass notification should complete a trespass form, have the complainant sign the form, and advise the complainant that his/her presence in court will be required if a trespass arrest is made later.

Officers must properly identify the person who is trespassing by name, age, sex, race, and other available descriptors. The person being given the trespass warning should be asked to sign the form but they cannot be required to do so.

The original will be forwarded to and filed at the Headquarters Police Front Desk. The complainant will be given the second copy of the trespass form to retain as verification that a subject has been given a previous trespass warning. The third copy of the form should be retained by the responding officer. Officers may verify a previous trespass warning by contacting the Headquarters Police Front Desk or by searching the Trespass file on RPDNet.

The arresting officer must list the original complainant, who signed the trespass notification, as a witness on the arrest warrant so that the original complainant will be subpoenaed to court.

The intent of the above procedure is to assist businesses or agencies protected by G.S. 14-159.13 “Second Degree Trespass.” This procedure does not replace or invalidate protective orders that are available under Chapter 50B (refer to DOI 1109-14 “Domestic and Family Violence”).

THE RALEIGH POLICE DEPARTMENT

1109-25

VEHICLE CHECKING STATIONS

PURPOSE

To establish uniform procedures related to fixed checking stations.

VALUES REFLECTED

This directive reflects our values of *Service and Integrity*. We will engage in preventive and proactive traffic enforcement activity in a fair, impartial, professional and courteous manner to earn community confidence and support, to promote the safety of the community and to gain voluntary compliance with motor vehicle law.

UNITS AFFECTED

All Divisions / All Personnel

REFERENCES/FORMS

N.C.G.S. 20-16.3A Checking Stations and Roadblocks
DOI 1109-10 “Traffic Enforcement”
DOI 1109-11 “Traffic Investigations”
Attachment A “Checking Station Authorization Form”

AUTHORIZED CHECKING STATIONS

A fixed checking station may be utilized as allowed by and under the provisions of the North Carolina Constitution, the United States Constitution and state law. Authorized purposes include: checks to determine compliance with motor vehicle law; informational checks; and emergency checks likely to result in the apprehension of a suspect who poses a danger to life or the rescue of a hostage or abducted person.

REQUIREMENTS FOR ALL CHECKING STATIONS

The site for every checking station shall be selected with due regard for the safety of motorists and the officers operating the checking station. Sufficient distance must be provided to allow a motorist, traveling at the speed limit, to stop his/her vehicle in a normal manner under the existing conditions. All checking stations will be conducted with at least four uniformed officers and one supervisor, of sergeant rank or higher, present and at least one marked police vehicle equipped with blue lights.

All checking stations shall be marked by signs and/or activated emergency lights, marked police vehicles parked in conspicuous locations, or other ways to ensure that motorists are on notice that a checking station is being conducted.

Blue lights, on at least one marked police vehicle, shall be in operation at all times while a checking station is being conducted.

Each checking station authorization form will designate, in advance, the pattern for stopping vehicles. Individual officers working at a checking station will not have discretion in deciding which vehicle(s) to stop. All officers involved in a checkpoint will be assigned to this duty and must maintain contact with ECC. Officers conducting a checkpoint must wear reflective traffic safety vests at all times. The officer in charge will notify ECC and the Watch Commander prior to beginning the checkpoint and when the operation of the checkpoint has concluded.

In accordance with General Statute 114-10.01, any officer performing a traffic stop shall complete a Racial Profile Form. This form will be completed by the officer prior to the end of the officer's shift.

When working a checking station, officers issuing verbal warnings, written warnings, or uniform traffic citations, making physical arrests, or conducting searches will be required to complete a Racial Profile Form. For the purposes of generating an electronic Racial Profile Form, officers are required to self-initiate a traffic stop for each enforcement action taken. The Racial Profile Form requires the officer to submit a "purpose" for the stop. Officers will indicate "Checkpoint" as the reason for the stop. Officers participating in checkpoints outside their jurisdiction should use "000" in lieu of the beat number.

CHECKING STATIONS FOR MOTOR VEHICLE LAW COMPLIANCE

All standard checking stations conducted for determining compliance with motor vehicle law shall be approved in writing by a Captain, or their designee, utilizing a Checking Station Authorization form.

The authorization form will designate the purpose, location and approximate time of the operation of the checking station. The placement of the checking station should be random or statistically

indicated. Supervisors shall avoid placing checking stations repeatedly in the same location or proximity.

The authorization form will designate whether drivers shall be asked to produce a driver's license, registration or insurance information. Officers working the checking station will have no discretion to deviate from the designation unless there is reasonable suspicion to investigate further.

If an officer determines that there is reasonable suspicion to believe that a driver or other vehicle occupant has violated a provision of NCGS Chapter 20 or other laws, then the officer may detain the driver or occupant for a reasonable period of time in order to investigate further.

Regardless of the designated purpose of the checking station, the operator of any vehicle stopped at a checking station may be requested to submit to an alcohol screening test under GS 20-16.3 if during the course of the stop the officer determines the driver had previously consumed alcohol or has an open container of alcoholic beverage in the vehicle. The officer will consider the results of the alcohol screening test, or the driver's refusal, to determine if there is reasonable suspicion to investigate further.

The authorization form will designate whether a checking station is being operated under another agency's policy.

Specific written directions may be provided for a particular checking station. Any additional directions must be approved by the supervisor in charge of the checking station, attached to the Checking Station Authorization form, and considered additional policy for that checking station.

INFORMATIONAL CHECKING STATION

An informational checking station may be conducted for the purpose of providing information to motorists and for the purpose of seeking assistance from motorists regarding crime.

A supervisor shall approve an informational checking station utilizing the Checking Station Authorization form to designate the purpose, location and approximate time of operation.

Because an informational checking station is not designed to determine compliance with motor vehicle law, the driver will not be asked to produce a driver's license, registration or insurance information. If, however, during the course of the stop, an officer determines that there is reasonable suspicion to believe that the driver or other occupant has violated a provision of the motor vehicle law or any other provision of law, then the officer may detain the driver or occupant for a reasonable period of time for the purpose of investigation. If at any time during the stop an officer determines that the driver has previously consumed alcohol or has an open container of alcohol in the vehicle then the officer may request the driver to submit to an alcohol screening test.

EMERGENCY CHECKING STATION

The Chief or designee may approve an emergency checking station when it is determined that it may likely result in the apprehension of a suspect who poses a danger to life or property or to the rescue of a hostage or abducted person. The authorization does not have to be in writing but must otherwise be conducted pursuant to this procedure.

MULTI-AGENCY CHECKING STATION

Checking stations involving other law enforcement agencies must be approved by the Chief, or his/her designee, and conducted pursuant to the provisions of this procedure or the regulations of another participating agency as designated.

DISPOSITION OF COMPLETED CHECKING STATION AUTHORIZATION FORMS

Completed Checking Station Authorization forms will be maintained by the Records Division of the Raleigh Police Department.

This policy is not a public record pursuant to

N.C. General Statute §132-1.4

and

N.C. General Statute §132-1.7

THE RALEIGH POLICE DEPARTMENT

1110-02

DEATH INVESTIGATIONS

PURPOSE

Officers are called upon to investigate deaths resulting from natural causes, traffic collisions, suicides, and criminal acts. This procedure provides regulations on removal of the body and other concerns involved in death investigations.

VALUES REFLECTED

This directive reflects our values of *Service Integrity, and Compassion*. We will display patience and sympathy for those close to the deceased while keeping in mind the need to preserve evidence that may be needed for a criminal investigation.

UNITS AFFECTED

All Divisions/Sworn Officers

REFERENCES/FORMS

DOI 1110-01 “Initial Investigation of Major Crimes”

GENERAL POLICIES

A police supervisor will be called to the scene immediately on all deceased person calls, including traffic fatalities. This supervisor will be responsible for ensuring that the Medical Examiner and the next-of-kin are properly notified.

All death investigations should be approached as a homicide investigation, until it is definitely demonstrated that no criminal offense occurred.

DECEASED PERSONS

Field Operations personnel will respond to all calls involving deaths. Detective Division personnel will be called to the scene only when there are unusual or unnatural circumstances or criminal acts are involved.

Requesting an Ambulance

Officers are not to presume that a person is deceased. An ambulance should be called to the scene unless there are obvious signs of death. Obvious signs of death include decapitation, dismemberment, and/or rigor mortis.

If an ambulance is already on the scene, officers must record the names of the attendants and note what they did to the body prior to an officer's arrival. Officers should limit the number of medical personnel present on the scene of the deceased person(s) so that a potential crime scene can be preserved.

Moving the Body

If it is necessary to move the body to check for signs of life, the officer will carefully note the position and placement of the body. The officer will also note the temperature of the body, as well as the room or outside air temperature. These circumstances must appear in the officer's report.

For victims of hangings, officers must not cut or untie the knots. The knot may be a vital aspect of evidence. Instead, officers should cut the rope near the top where it is tied, but not at the knot. If the victim is obviously deceased, the rope should be left in place to aid in the investigation.

NOTIFYING NEXT-OF-KIN

The supervisor present shall assume responsibility for notifying the next-of-kin in those instances where relatives are not already present. Death notification should be made in person and not over the telephone, if at all possible. To notify next-of-kin outside the jurisdiction of the Raleigh Police Department, a request should be made of the appropriate local law enforcement agency. Supervisors making such requests should ask that they be notified when the next-of-kin has been contacted. Officers should indicate in the case report the person who was notified.

Suicides

Investigation of apparent suicides poses difficulties for investigating officers due to the stigma attached. Relatives may attempt to conceal or destroy evidence.

In notifying the next-of-kin, supervisors should indicate that the cause of death is still under investigation, and that a final determination will be made by the Medical Examiner.

Unknown Next-of-Kin

In instances where the next-of-kin is unknown or unavailable, officers should place into evidence for safe keeping any money, jewelry, or other valuables that are on the decedent. An indication must be made on the case report concerning the disposition of property, and describing whatever leads are available for locating the next-of-kin.

NOTIFYING A PHYSICIAN

Prior to moving a deceased person, either the Medical Examiner or an attending physician must be notified.

Medical Examiner

The Medical Examiner will be notified under the following circumstances:

- All homicides, suspicion of homicide, or when death is apparently due to a criminal act or criminal negligence.
- All suicides or suspicion of suicide.
- All deaths due to traffic collisions, violence, accidents, or disasters.
- Death due to poison or suspicion of poisoning.
- All deaths that occur in police custody, jail, or prison.
- Deaths that occur during therapeutic or medical procedures (including any form of therapy by any licensed or unlicensed practitioner).
- Deaths occurring in unknown, unnatural or suspicious circumstances.
- Sudden and unexpected deaths not apparently related to a previously known illness or disorder.
- Deaths of migrant workers and/or their dependents.
- Deaths without medical attendance (This does not mean a physician must be present at the time of death, only that the deceased has not been under the care of a physician).

When none of the above circumstances clearly exist, but the cause of death is not certain or the officer has some doubts, the officer should notify the Medical Examiner. It will be the Medical Examiner's responsibility to determine if he/she should become involved.

Under the circumstances listed above, the Medical Examiner is in charge of removal of the body, and will specify how this is to be done. Although the Medical Examiner must be notified in the

above situations, he/she will determine if it is necessary to come to the scene. Under no circumstances may the body be moved until the Medical Examiner has been notified.

Information Provided to the Medical Examiner

When calling the Medical Examiner, the officer shall be prepared to give the following information:

- Name, age, and address of the deceased.
- Location where the body was found and location where the accident, injury, etc. occurred, if different from the location where the body was found.
- Name and address of any witness to the injury or attack.
- Name and address of any witness to the death.
- Name and address of the person finding the body and what time the body was found.
- Name and address of the last person to see the deceased alive and when the deceased was last seen alive.
- Name, address, and telephone number of the next-of-kin.
- Name, rank, and agency of the officer calling.

Attending Physician

An attending physician is a licensed physician who has treated or has knowledge of the medical history of the decedent, and who will agree to complete the death certificate. When the decedent does not have an attending physician or the attending physician cannot be located, the Medical Examiner shall be notified.

The attending physician will be notified in those instances where notification of the Medical Examiner is not required. If the attending physician is unwilling to sign the death certificate the officer will notify the Medical Examiner and ask the Medical Examiner to assume jurisdiction. The officer must be able to give the Medical Examiner a telephone number where the attending physician can be reached, within 30 minutes, in case the Medical Examiner needs to discuss the case with the attending physician.

THE RALEIGH POLICE DEPARTMENT

1110-03

SEXUAL ASSAULT

PURPOSE

The purpose of this procedure is to establish guidelines to be followed in the investigation of sexual assault cases.

VALUES REFLECTED

This directive reflects our values of *Service, Integrity, and Compassion*. In our response to victims of sexual assault, we will act with the utmost compassion and professionalism.

UNITS AFFECTED

All Divisions/Sworn Officers

REFERENCES/FORMS

DOI 1106-01 "Confidentiality and Release of Information"

GENERAL POLICIES

The physical well being of sexual assault victims is our first priority. The primary concern of the initial responding officer is to seek medical attention for the victim. Officers will remain sensitive to the victim's emotional trauma and will conduct the investigation in a manner that encourages cooperation and trust. The victim of a sexual assault has the right to report the crime through the process known as Anonymous Reporting without making a statement to law enforcement.

The initial investigation of sex offenses can be difficult due to the emotional state of the victim. Officers should avoid interviewing the victim alone or taking other actions which might place them in a compromising situation. At no time will the victim be asked questions beyond the scope of proving sexual assault.

Victims sometimes conceal information concerning sex offenses and will occasionally deny that any offense occurred. Officers should reassure the victim of the confidentiality of the investigation.

INITIAL RESPONSE

Sex offenses frequently occur at one location and are later reported by the victim at a different location. Establishing a crime scene, as quickly as possible, is important to prevent the destruction of evidence.

Sex offenses frequently involve a sequence of events involving several geographically separate locations. Investigations should be conducted in a manner to connect that sequence of events. For crime scenes involving fields or other open areas, the supervisor may request the assistance of the Canine Unit to discover evidence or the path used by the perpetrator.

Approaching the Victim

The victim's emotional state may range from calm to hysterical. Whenever possible, the officer should have another officer, friend, or relative present when they first approach the victim. The officer should proceed as follows:

- If necessary, summon medical assistance for the victim.
- Determine, as rapidly as possible, the location of the crime and the suspect's description.
- Offer to contact a friend, relative, or a support agency.
- Record the victim's emotional state and appearance.

Physical Evidence from the Victim

The victim's fingernails may contain skin scrapings. Do not allow victims to wash their hands, bathe, or change clothes. If the victim has already changed clothes, gather and package each article of clothing separately.

Encourage the victim to go to the Solace Center at Interact (1012 Oberlin Road, Suite 100, Raleigh NC 27605) if the sexual assault occurred within five days and the victim is at least 18 years of age. Victims who are less than 18 years of age must go to a medical facility or the Wake-Med Children's Emergency Department.

Victims with injuries should always be taken to the Emergency Department first. If the victim is transported to the hospital via an ambulance, be sure to retain the stretcher sheets as evidence.

The assigned City-County Bureau of Identification Field Agent is responsible for receiving the rape kit from the hospital and for obtaining whatever photographs, of the victim, that might be necessary. When CCBI is not requested for photographs, the officer assigned to the victim is responsible for receiving the rape kit from the hospital or the Solace Center. The officer accompanying the victim will still be responsible for obtaining a description of the victim's injuries.

Transporting the Victim

If the victim is transported to the hospital via ambulance, be sure to retain the stretcher sheets as evidence. If no medical treatment is needed for injuries sustained by the victim, the officer should transport the victim to the Solace Center for examination, interview, and evidence collection. When possible, a female officer should transport female victims. If a female officer is unavailable, a friend, relative, rape counselor, or second officer shall accompany the officer and the victim to the hospital. Arrangements should be made to bring a change of clothing, to the hospital, for the victim.

Notifying the Solace Center and the S.A.N.E. Nurse

Officers should notify the Emergency Communications Center to contact the Solace Center and the on-call S.A.N.E. (Sexual Assault Nurse Examiner). The Solace Center can be contacted at (919)-828-3067. A return number should be provided to the Solace Center's answering service. Upon their call back, provide the name and age of the victim, date and time of the assault, along with the officer's name and Department.

Notifying the Detective Division

The Watch Commander should notify the Detective Division when a rape, sexual assault, or child molestation is reported.

Interviewing the Victim

Interviews should be conducted in a private area. A female officer or a trained rape counselor should be present to assist while interviewing female victims.

- Certain questions that are pertinent to the investigation may invoke a feeling of renewed attack and should be postponed to a later time.
- Questions regarding lifestyle patterns or habits should not be asked.
- The interview should include questions concerning what the victim was doing prior to the offense, where the victim was coming from, and who the victim was with.

JUVENILE VICTIMS

The Special Victims Unit will assume preliminary responsibility for all rapes and sexual assaults involving persons age 18 or older. In all rape and sexual assault cases involving a victim under the age of 18 years, the Juvenile Unit should be notified and will assume primary investigative responsibility.

Consent to Examination.

An attempt to obtain consent from a parent or guardian should be made by medical personnel or the Department of Social Services (DSS). When a parent or guardian is unavailable, consent is implied. When a parent or guardian is present, but refuses consent, the examination will not be performed unless the parent is a suspect or DSS has custody of the juvenile. The officer's report should document how consent was obtained or refused and if the examination was conducted and by whom.

CONFIDENTIALITY

Only that information necessary to protect the public and to assist in identifying the perpetrator will be released during sex offense investigations. Names, ages, sex or addresses of sex offense victims will not be listed on the top portion of case reports or in the Watch Commander's Log or Case Updates. All arrest warrants obtained in sexual assault cases shall only identify the victim by initials and date of birth, unless directed otherwise by a judicial official or the District Attorney's Office. If the investigating officer/detective is directed to include additional identifying information about the victim, he/she shall note that in the report. This information will not be released to anyone other than law enforcement officers and the District Attorney's Office without approval of the Chief of Police.

ANONYMOUS REPORTING GUIDELINES

In some instances the victim of a sexual assault may not want law enforcement to conduct an investigation. Such victims can still report the crime, but may do so anonymously.

If the victim does not want to report a sexual assault, but still requests a rape kit, one will be completed. If a rape kit is completed and the victim wishes to remain anonymous or not to report the sexual assault, an officer will be dispatched to collect the rape kit.

Under no circumstances should a rape kit that is collected anonymously be placed in Raleigh Police Evidence. Anonymous rape kits should only be accepted for transport Monday through Friday between the hours of 8:30 am and 3:00 pm. Before accepting rape kits, officers must contact Law Enforcement Support Services (LESS) at (919)324-6461. Upon notifying "LESS", arrangements will be made to meet at their off-site storage facility located at 200 Leagan Drive, Raleigh, NC 27603. If after hours, the facility requesting transport will be instructed to secure the rape kit at their facility until "LESS" reopens. The anonymous rape kit will be in a box specially designed by the SBI. Anonymous rape kits should not be stored in RPD Evidence. Officers collecting the rape kit, for an anonymously reported sexual assault, shall not complete a report and should code the call "N".

If the victim reports the crime through "Anonymous Reporting", he/she will not have access to funds from the N.C. Crime Victim Compensation Program to help cover medical expenses and lost wages.

A victim who reports a sexual assault anonymously has one year, from the date of the assault, to contact law enforcement and request their assistance. If the victim contacts law enforcement within one year, officers will retrieve the rape kit from "LESS" and conduct an investigation.

According to North Carolina law, if the victim does not want to report the sexual assault but requests a rape kit to be done, **and** suffers from extensive injuries (doctor treats a person for injuries involving such items as guns, knives, poison, etc.) the doctor is mandated to report it to law enforcement. At this point, the option to report the sexual assault is not decided by the victim. The victim will have the rape kit paid for by the Rape Victims Assistance Program and may have medical expenses and lost wages paid for by the N.C. Crime Victim Compensation Program. Officers should complete a case report and initiate an investigation.

This policy is not a public record pursuant to

N.C. General Statute §132-1.4

and

N.C. General Statute §132-1.7

THE RALEIGH POLICE DEPARTMENT

1110-05

SEARCHES OF COMPUTERS AND ELECTRONIC DEVICES

PURPOSE

Investigations involving the use of computers or other electronic devices are specialized, and require technical processes to successfully resolve. The initial reporting, subsequent investigation, and collection or processing of evidence in these cases may be technical and complex. This procedure will provide guidelines to first responding officers and detectives to expedite the proper resolution of computer-related crime cases.

VALUES REFLECTED

This directive reflects our values of *Service and Integrity*. By following the guidelines contained here we will demonstrate our commitment to combat crimes in which computers and other electronic devices are involved. We will also demonstrate our use of the best available practices and maximize the use of available equipment and technology.

UNITS AFFECTED

All Units/All Personnel

REFERENCES/FORMS

DOI 1110-08 "Searches and Seizures: Investigative Stops and Frisks"
"Searching and Seizing Computers and Obtaining Electronic Evidence in Criminal Investigations," Computer Crime and Intellectual Property Section, Criminal Division, U.S. Department of Justice
Attachment A: Consent to Search Computer and Media, Consent by Owner
Attachment B: Consent to Search Computer and Media, Consent by Third Party with Access to Computer
Attachment C: Consent to Search Computer and Media, Consent by Additional Parties
Attachment D: Request for Computer Examination
Attachment E: Request for Video Forensic Exam

GENERAL POLICIES

The investigation of many crimes may ultimately involve computer-related evidence. First responding officers or detectives may continue to investigate most aspects of these crimes. However, analyzing computer systems for criminal evidence is a highly technical process requiring expert skills and a properly controlled environment. Because of this, a member of the Department's Technical Assistance Response Unit (TARU) who has completed a prescribed training process in Computer Forensics will complete the actual search of physical devices.

In the interest of regional problem-solving and inter-agency cooperation, personnel from the Department's TARU may also provide assistance to other local Law Enforcement agencies in computer-related investigations. However, such assistance must be approved by a Raleigh Police Department supervisor, and will always be secondary to RPD matters.

DEFINITIONS

Investigations involving computers or other electronic devices inescapably involve the use of technical jargon. The following common terms may be encountered during the initial or follow-up investigation of computer-related crimes. A basic definition is provided to assist officers and detectives in communicating with victims, suspects, or witnesses:

- Network – Two or more computers that are somehow connected to share resources. Networks may be large, such as the Internet, or very small, such as a home network.

- Server – A server is a computer that provides some service for other computers connected to it via a network. Any computer, including a laptop, can be configured as a server. A server provides shared resources such as e-mail, file storage, Web page services, and print services for a network.

- IP Address – Internet Protocol address. A numeric address assigned to a networked computer, which uniquely identifies that individual computer. Currently, the IP address is in a format consisting of four segments, with each segment containing one to three digits, for example 198.168.10.1

- ISP – Internet Service Provider. A company that provides a connection to the Internet for an individual computer user. Examples are America Online (AOL), AT&T, Time Warner, etc.

- Instant Messaging or IM – A service that allows live "chat" sessions between computer users. Examples of programs that provide this service are AOL Instant Messenger, Yahoo! Messaging, IRC, or MSN Messenger. IM sessions are not usually recorded, and therefore are not usually available for court order requests.

- Email – Electronic mail sent via the internet. These are not "live" communications, and the term should not be used in place of Instant Messaging. Emails are sometimes stored on some computers, and can be retrieved with a court order or search warrant.

- Email Header – The first section of an email message that documents the path the message made through the network. The header is, by default, not shown by most email programs. However, the program can be made to show the header. The header may show the IP

address of the originating computer and is instrumental in determining the sender of a message.

- Hard Drive – A physical device that stores information for a computer. Stored information is in a semi-permanent state. Most hard drives are within the computer's case (internal), but some may be external. Some computers may have more than one hard drive. Computer forensics is performed on the hard drive of a computer, making it the focus of a physical seizure.

SEARCH AND SEIZURE

Computers or other electronic devices may contain evidence of a crime. As such, they may be seized as physical evidence. The general requirements for the seizure of computers or other electronic devices are the same for other types of physical evidence. See RPD DOI 1110-8 "Searches and Seizures" for guidance in the legal aspect of computer seizures. Other specific considerations for computer-related investigations follow:

Search Warrants

The TARU can provide templates for computer-related search warrants or court orders to assist detectives. Generally, a court order is all that is required for subscriber information on ISP or email accounts. However, a search warrant is usually required for email content.

If a search warrant is required for the seizure of a computer, the following guidelines should be observed:

- In order for a Computer System's peripherals and storage media to be seized and searched, one or more of the following must be supported by the probable cause statement in the search warrant:
    - The computer itself is contraband, evidence or an instrumentality or fruit of a crime, or
    - The computer is a storage device for evidence of a crime
- If prior knowledge exists that a computer falls into one of the above described categories, then the computer, along with facts justifying seizure and forensic analysis, should be included in the original search warrant intended to gain entry into the house or building in which the computer is maintained. The computer can then be seized and later searched. In this case, a separate search warrant is not needed for the computer.
- If no search warrant exists, and officers are otherwise lawfully inside a structure and subsequently develop probable cause that a computer might be evidence, they should isolate the computer and obtain a search warrant for the computer. Once a search warrant is obtained, the computer may be seized and searched.
- Upon a return of service for a search warrant on a computer, the officer can simply record the computer's physical identification (model, serial number, etc.) and "digital evidence" (for anything that is subsequently retrieved from the analysis of the hard drive) on the

inventory. A listing of files that the examiner subsequently recovers from the hard drive is not necessary on the search warrant's inventory.

- Special care should be used when applying for a search warrant on a computer that may be used in legitimate publishing (authors, columnists, etc.). These are usually protected items that cannot be seized. Officers should check with the Police Attorney's Office if they have any questions.

- If during the actual forensic examination of a computer system, the examiner encounters evidence of a new crime not covered by the original search warrant, it is essential that analysis stop immediately and a supplemental search warrant be obtained to expand the scope of the search to include the newly discovered crimes.

Consent Searches

If a suspect or victim provides consent to search a computer, the following guidelines shall be followed:

- Written consent is preferred over oral consent.

- Consent search forms that are specifically designed for computer consent searches are available on Polshare (attachments A, B, C). A regular consent search form should not be used for this purpose.

- All computer searches shall be made in the RPD computer forensics lab. On-scene examinations are technically complicated, and create undesirable variables. On-scene examinations are not done except in special situations and then only by properly trained Forensic Examiners. Therefore, the person granting consent should understand that their computer must be retained by RPD for a period of time in order to properly examine it.

Collection of Evidence

The search scene should be secured for the officer's physical safety. Computers or other electronic devices are to be considered as evidence and treated the same as any other crime scene items such as fingerprints, blood or weapons. The following guidelines shall be followed:

- Suspect(s) must not be allowed to remain near any computers. A single keystroke could launch a program that would permanently destroy digital evidence. In addition, some computers can be controlled through remote devices, such as a wireless mouse. Therefore, suspects should not be allowed to retain any electronic devices during the search.

- Under no circumstances should officers turn on, boot up or attempt to conduct their own search of the contents of a suspect computer. Turning a computer "on" can alter hundreds of digital files, and possibly destroy digital evidence.

- In addition to written documentation, photographs should be made of the computer's original state, especially the cabling in the rear of the computer. If the computer is "on," a photograph should be taken of the monitor's screen before it is powered down.

- If the computer is “on,” the officer’s supervisor should contact the TARU supervisor for direction on proper collection.

- If a Computer Forensic Examiner is not available to assist in the seizure of the computer, the hardware should be photographed both front and back and the power plug should be pulled from the back of the computer, not the wall outlet. This abrupt power down method prevents any possible terminal programs that may destroy evidence from initiating. It also prevents certain temporary files from being deleted.

- If a computer remains “on” after pulling the power cord (usually due to an internal power source), the officer should push the computer’s power button and hold it in for about six to eight seconds. This should power off the computer, regardless of internal power sources.

- When seizing a computer system, all attached and wirelessly accessible components, including the monitor, keyboard, mouse and power cables, as well as any other attached peripherals should be seized. Software installation media and any paper documentation for hardware or software should be seized as well.

- Some computers may have unique devices used to read or store data. Examples are tape drives, ZIP drives and external hard drives. If these devices exist, they should be seized (including any cables or connectors) in addition to the computer case.

- Computers may contain physical evidence in addition to digital evidence. If fingerprints, DNA, etc. are a concern in an investigation, then the appropriate accessories should also be collected for physical processing.

- When collecting the computer, officers should be sure to look closely in the immediate area for additional information or evidence. Frequently, user names, passwords, and hardware security devices can be found hidden under keyboards, or otherwise stored near the computer.

- The internal components of computers are fragile. Computers and evidence within them can be damaged by physical trauma, static electricity, magnets, and moisture. Care should be taken to avoid exposing the computer evidence to these hazards during collection, transportation, and storage.

- Occasionally, other electronic storage devices may be seized for evidence. These devices may be mobile telephones, “palm” computers, pagers, etc. When these devices are seized, any associated power cords or docking accessories should be seized. If a laptop computer is seized, its power cord should always be collected.

- When seizing a laptop computer, remove the battery first then disconnect the power supply. This ensures complete disconnection of all power sources to the laptop. It is important that the power cord always be collected. Power supplies are often proprietary to the manufacturer and may be required to access the laptop for further analysis.

INVESTIGATION

Physical Data Examination

After collecting computer evidence, a detective will usually require a forensic exam on the recovered digital media. This can be accomplished by a Computer Forensic Examiner, who is attached to TARU. A "Request for Computer Examination" form should be completed and submitted to the Computer Forensic Examiner (see attachment D).

Generally, the examination technique used by the Computer Forensic Examiner is a two-step process. This process involves imaging the Original Digital Evidence, then reviewing the Duplicate Digital Evidence.

During the imaging process, an exact bit-for-bit copy is made of the subject's digital media. Detectives should understand that this imaging process may be a matter of hours, or days, depending on the size of the media involved and the type of imaging performed. The forensic examination is then completed on the imaged copy of the subject's media.

Different techniques are used to obtain pertinent evidence from the image of the suspect's media. However, the Computer Forensic Examiner is not the assigned case detective. For this reason, the examiner will only have the case details that are provided on the "Request for Computer Examination" form. Therefore, it is important that the case detective provide relevant case information on this form. After imaging, Original Digital Evidence will be returned to RPD evidence as soon as practical. Duplicate Digital Evidence created in the RPD forensic lab will be stored in the Computer Forensic lab's Duplicate Digital Evidence Storage Room.

Interviews

During suspect or victim interviews, it is important for officers to obtain and document certain technical information to aid in the successful resolution of a computer crime-related case. Some examples follow:

- Instant messaging usernames
- Email accounts
- Internet Service Providers
- Encryption software type and file passwords, if applicable
- Physical description of computer (Desktop, laptop, etc.)
- Operating system (Windows, Linux, etc.)

Officers should determine whether anyone else had access to the computer (children, spouses, etc.).

If a victim has an email message that needs to be collected for a police report, the victim should be instructed to not delete the email. If the victim is local and has the technical knowledge to do so, the original extended header information should be included with the printed email. If the victim

does not have the technical knowledge, or is reporting the crime over the telephone, he or she should be asked to await instructions from a member of TARU.

Attachment A
DOI 1110-05

Consent to Search Computer and Media

Consent by Owner

RALEIGH POLICE DEPARTMENT
CONSENT TO SEARCH

I, _____, hereby give my consent to the removal of the below indicated equipment and the complete forensic analysis of:

_____

_____

_____
(include general description of all items being submitted for analysis, including internal storage media and removable storage media)

This equipment was voluntarily provided by me to Raleigh Police Department personnel.

I am aware that the requesting officer does not have a search warrant. I am allowing this forensic analysis of my own free will. I understand that I am allowing access to all data present on this computer and related media. The above computer, computer equipment, and storage media is used:

☐ exclusively by me

☐ jointly by myself and _____

I am the owner of this equipment and, as such, have complete access and use of it.

Signed:		Date/Time:	

Witness: _____ Date/Time: _____

Attachment B
DOI 1110-05

Consent to Search Computer and Media

Consent by Third Party With Access to Computer

RALEIGH POLICE DEPARTMENT
CONSENT TO SEARCH

I, _____, hereby give my consent to the removal of the below indicated equipment and the complete forensic analysis of:

_____

_____

_____
(include general description of all items being submitted for analysis, including internal storage media and removable storage media)

This equipment was voluntarily provided by me to Raleigh Police Department personnel.

I am aware that the requesting officer does not have a search warrant. I am allowing this transfer of possession and forensic analysis of my own free will. I understand that I am allowing access to all data present on this computer and related media.

The above computer, computer equipment, and storage media is used:

☐ exclusively by me

☐ jointly by myself and _____

While I am not the owner of this equipment, I have complete access and use of it and its components.

Signed:		Date/Time:	

Witness:		Date/Time:	

Attachment C
DOI 1110-05

Consent to Search Computer and Media

Consent By Additional Parties

RALEIGH POLICE DEPARTMENT
CONSENT TO SEARCH

I, _____, hereby waive any privacy interests that I might have to any data that might be on:

_____

_____

_____

(owners personal computer, enter identifying information, including internal storage media & removable storage media).

I am aware that this equipment was voluntarily provided by

(owner)

to Raleigh Police Department personnel for the purpose of conducting a forensic examination of the equipment. I am aware that the requesting officer does not have a search warrant. I am executing this waiver of my own free will. I understand that it is possible that any data on this equipment may be accessed through the forensic examination.

The above computer, computer equipment, and storage media belongs to:

_____
(owner)

and is used jointly by myself and: _____
(other relevant parties)

Signed:		Date/Time:	

Witness:		Date/Time:	

Attachment D
DOI 1110-05

Raleigh Police Department
Computer Forensics Lab

Request for Computer Examination

Date Received in Lab	By (initials)

Today's Date	Agency Case #(s)	Computer Forensics Lab Case #

Examination Requested by	Agency	Rank / Position	PSN	Contact / Phone #'s
Name - PLEASE PRINT:				

SEARCH AUTHORITY : ATTACH COPIES OF DOCUMENTS AUTHORIZING SEARCH

Consent ☐ **Court Order** ☐ **Search Warrant** ☐ **Abandoned Property** ☐

Suspect(s) – Last, First, MI	DOB	Victim(s) Last, First, MI	DOB
PLEASE PRINT:		*PLEASE PRINT:*	

Offense	Date of Seizure

Please identify the types of evidence / information to be searched/ recovered:

	X		X	
Financial Records		Word Processing/Text Documents		
* Internet History & log files		Child Porn		
* Email Files		Check-writing programs, credit card info		[Other – Please be specific]

Item #	Evidence ID / Bar Code #	Item Description	Serial Number	Special Instructions

Upon completion of forensic examination, RPD evidence items will be returned to the RPD Evidence Room for secure storage. A detailed report of findings will be returned to submitting officer/detective.

Effective:

Evidence from outside agencies will be returned directly to submitting officer with detailed report of findings.

***Brief* Synopsis of case:**

_____

_____

_____

_____

_____

_____

_____

Requested keywords, numbers, or other data related to case (to aid in search process)
*** Note: For Internet- and email-related investigations, please identify any known screen names, ISPs (Internet service providers) and other pertinent information for suspects and victims.**

_____

_____

_____

_____

_____

_____

General Instructions – Completion of Request for Laboratory Examination Form

- All seized evidence must be appropriately processed through your agency's evidence division prior to submission to RPD Computer Forensics Lab.
- Please do not place evidence tape directly on Computers or any other seized media such as floppy disks, backup tapes, CD's, etc. These items should be bagged and labeled in accordance with crime scene / evidence handling guidelines.
- It is important to identify what you expect/hope to find as evidence on the computer; please be as detailed as possible when completing this form. Please attach additional sheets if necessary.
- **Please attach a copy of your search warrant, or consent search form and, if from any agency other than RPD, please attach a copy of your case report.**

RPD Supervisor:_____ **Date Approved/Assigned:_____** **PRIORITY NUMBER _____** **Due Date:_____**	
Assigned Examiner:	

Attachment E
DOI 1110-05

Raleigh Police Department Computer Forensics Lab **Request for Video Forensic Exam**	**Date Received in Lab**	**By (initials)**

AGENCY **Case Number:**		**Computer Forensics Lab Case #**

All tapes must be in RPD evidence prior to making this request - Submit all requests to Cyber Crimes Unit

Officer / Detective Making Request: _____ Crime / Class: _____

Date / Time that tape/CD was placed in evidence: _____ Date / Time of this request: _____

Physical description of tape / CD: _____

Tape/CD received from NAME: _____ BUSINESS: _____

Is tape damaged? ☐ Yes ☐ No

Is tape cued to event? ☐ Yes ☐ No

Type of Device recording Event _____

DATE / TIME of Recording Device _____/_____

Actual DATE/TIME Comparison _____
(Compare the date/time indicated on the recording device with the date/time on a cell phone or other reliable source, do they match or is the recording device using an incorrect date/time stamp?)

Describe significant event on tape (be specific, include date/ time of event):	

What service are you requesting (still pictures, video shorts, etc.)? _____

Effective:

Contact #s for assigned Detective:	(W):		District:	
	(C):			
Detective's Supervisor:				

Evidence Returned To:			Date / Time Returned:	

This section to be completed by TARU personnel

Digitize: ☐ 1:1

☐ 2:1

Products Produced:

☐ _____ Single Photos (tiff)

☐ _____ Sequenced Photos (tiff)

☐ _____ AVI Files

☐ _____ Power Point

☐ _____ VHS Tape (analog)

Date Completed: _____

Total time spent on assignment: _____ Hours _____ Minutes

RPD Supervisor:_____

Date Approved/Assigned:_____ **Due Date:** _____

Assigned Examiner:		

This policy is not a public record pursuant to

N.C. General Statute §132-1.4

and

N.C. General Statute §132-1.7

THE RALEIGH POLICE DEPARTMENT

1110-07

AUTOMATED LICENSE PLATE RECOGNITION AND INTERNET PROTOCOL CAMERA SYSTEM

PURPOSE

The purpose of this directive is to establish policies, guidelines and procedures for the use and retention of the Automated License Plate Recognition and Internet Protocol Camera Systems.

VALUES REFLECTED

This directive reflects our values of *Service, Fairness, and Integrity*. In carrying out all surveillance operations we will hold ourselves to the highest standards of integrity and professionalism and will act in such a manner that no infringement upon the statutory and constitutional rights of any individual shall occur

UNITS AFFECTED

All Divisions/Sworn Officers

REFERENCES/FORMS

DOI 1110-06 "Undercover and Surveillance Operations"
N.C.G.S. § 132-1.4

GENERAL POLICIES

The Raleigh Police Department is committed to reducing crime and maintaining order by aggressively investigating criminal activity that threatens public safety and diminishes the quality of life in our neighborhoods. The Automated License Plate Recognition (ALPR) and Internet Protocol Cameras are tools used to identify vehicles that have a specific interest to law enforcement and observing criminal activity. The use of these tools is consistent with the mission of the Raleigh Police Department in delivering the greatest measure of safety and the highest level of service to the community while still recognizing legitimate privacy interests held by citizens.

INTERNET BASED CAMERA SYSTEM

Internet Protocol Camera Systems (IPCS) is a surveillance option available to the Raleigh Police Department. IP cameras are closed-circuit cameras that use internet protocol to transmit data through a computer IP based network. The IP Camera System includes video monitoring cameras, a video encoder system, transmission device, and power control.

At all times, IP Cameras will be placed and utilized in accordance with all State and Federal laws protecting an individual's reasonable expectation of privacy.

CONTROL AND USE OF THE IP CAMERA SYSTEM

The Technical Assistance Response Unit (TARU) will be tasked with placement, maintenance, and removal of IP Camera Systems. The Technical Assistance Response Unit will also maintain all equipment associated with the IP Camera Systems.

Use of IP Cameras is strictly limited to legitimate law enforcement purposes. TARU shall not use IP Cameras in areas or in a manner that is designed to harass or intimidate citizens.

TRAINING AND RESPONSIBILITY FOR THE IP CAMERA SYSTEM

TARU members will comply with all regulations set forth by OSHA as it relates to the placement, maintenance and removal of cameras. TARU members will only place camera systems in locations which are safe. Only members of TARU, who have been certified through a High Voltage Environments class, will place cameras in areas where there are utility lines.

When installing, maintaining or removing a camera in a high risk environment, there must be at least two (2) members of the TARU present. Prior to installing a camera, a safety briefing will be conducted. The briefing shall include the following:

- any potential hazards associated with the job;
- work procedures involved;
- any special precautions to be taken;
- information on energy source controls; and
- personal protective equipment requirements.

TARU will be responsible for maintaining the database of personnel qualified to operate IP cameras. Qualified individuals are those persons working for the City of Raleigh who have been instructed in

the operation of the Internet Protocol Camera Systems and who have articulated the need for viewing real time images and/or archived images.

The Investigative Division Commander or their designee will be responsible for granting rights for viewing data images. Rights may include control of pan-tilt-zoom functions, archive review, and what specific cameras may be viewed.

RETENTION OF RECORDED IMAGES

All data obtained and stored through the use of IP Cameras is considered a record of a criminal investigation pursuant to N.C.G.S. § 132-1.4 and shall be used solely for the purpose of attempting to prevent, solve, or detect violations of the law.

Images gathered by the IP cameras will be maintained for a maximum period of 90 days. Specific events may be archived based on investigative needs and for use as prosecutorial evidence in criminal proceedings. Based on the need, some cameras will not record images unless there is motion detected by the camera software. This procedure will reduce the amount of hard drive space needed for the overall retention of images from all cameras.

Data obtained and/or stored through use of IP Cameras is not a public record and shall not be disseminated outside the Raleigh Police Department. However, data obtained and stored through use of IP Cameras may be shared with other law enforcement agencies that request access for a legitimate law enforcement purpose only upon approval by the Detective Division Commander.

Securing IP Camera Video Footage

Securing IP Camera Video Footage must be approved by a supervisor.

Prior to securing IP Camera video footage, the individual who is accessing the material must acknowledge:

- Securing IP Camera Video Footage is strictly limited to official law enforcement purposes only;
- Any and all information gathered by the IP Camera Video Footage is a confidential law enforcement record and shall not be considered to be a public record;
- Data obtained and/or stored through the use of the IP Camera Video Footage may be shared with other law enforcement agencies who request access for a legitimate law enforcement purpose only upon approval by the Detective Division Commander.

PLACEMENT OF INTERNET BASED CAMERA SYSTEMS

The IP Camera systems will **only** be placed for use by the Raleigh Police Department to deter criminal activity or to facilitate the advancement of a criminal investigation. The use of IP cameras is not intended to replace other crime reduction efforts but is intended to supplement the Department's efforts in the area of community policing. At no time will the camera systems be used for personal reasons or in such a way as to impede an individuals' right to privacy. The final decision for Internet Based Camera System placement will be made by the Detective Division

Commander based on the established criteria. The placement of IP Cameras will be based on the following:

- Public Safety Concerns
- Areas of known or projected criminal activities
- Requests from community citizen groups
- Requests from Divisions of the Raleigh Police Department
- Requests from outside agencies
- Rights of individuals within the monitored area
- Available power sources for camera operation
- Quality of the electronic signals from the transmitting antenna to the receiving antenna
- Safety of the personnel placing the camera systems

IP cameras are subject to limited availability. Any request for the placement of the IP Camera System will be reviewed in light of the above criteria and evaluated for practical application and crime deterrence. The decision to place IP Cameras will not consider race, national or ethnic origin, or other identifiable group descriptors.

AUTOMATED LICENSE PLATE RECOGNITION (ALPR)

Definition

An ALPR system consists of cameras connected to a computer processing unit that converts images of license plates into computer-readable data. These cameras can be mounted to a patrol vehicle or set up in a stationary location. The license plate data is compared against a database of license plates associated with stolen vehicles and plates, wanted and missing persons, and other databases designed to enforce laws or further criminal investigations. The images and associated data, such as date, time and GPS coordinates, are then stored in accordance with laws and departmental policy.

The Police Department utilizes three different types of ALPR systems. Mobile Platforms are attached to patrol cars that are assigned to various districts throughout the City and serve a regular patrol function. Temporary Fixed platforms are attached to a trailer or other mobile device and can be rapidly deployed as needed for active criminal investigations. Fixed platforms are attached to a fixed location such as a building or utility pole.

Training

Before operating the ALPR system, all personnel should familiarize themselves with the operating instructions provided on RPDnet. The instructions shall provide information on how to operate the system, and the steps personnel should take before taking action on an ALPR alert. If personnel have questions regarding the operations of an ALPR system, Information Services staff should be contacted before the ALPR system is operated.

Procedure when ALPR alerts on a vehicle

The ALPRs can sometimes misread a plate and does not recognize the state of origin. Additionally, the data against which the plates are compared are not updated in real time. Therefore, when the ALPR alerts on a plate officers should follow these procedures:

- DO NOT USE THE ALERT AS REASONABLE SUSPICION OR PROBABLE CAUSE.
- DO NOT TAKE ANY ENFORCEMENT ACTION BASED SOLELY ON THE ALPR ALERT.
- If the system alerts on a plate, Officers shall confirm the accuracy of the plate to ensure the characters and state of origin match the alert.
- After confirming the characters and state, Officers shall run the plate through DCI or other appropriate official database to confirm the accuracy of the alert.
- Before taking action, officers should confirm the alert is one that requires action. For example, the system may alert on a sex offender record, but depending on the location of the vehicle, no action may be required.
- OFFICERS MAY ONLY TAKE ENFORCMENT ACTION ONCE THEY HAVE CONFIRMED THE STATUS OF THE PLATE THROUGH DCI OR OTHER APPROPRIATE OFFICIAL DATABASE.

Use of ALPRs

Use of ALPR shall be used only for legitimate law enforcement purposes. The Raleigh Police Department utilizes three (3) types of ALPR platforms:

- **Mobile ALPR** - Use of Mobile ALPR, including routine patrol and response to calls for service is strictly limited to legitimate law enforcement purposes. Officers operating vehicles with a Mobile ALPR shall not do so in areas or in a manner that is designed or reasonably likely to harass or intimidate citizens.
- **Temporary Fixed ALPR** - Approval from a supervisor must be granted prior to deploying a Temporary Fixed ALPR. In deciding whether to grant approval for such a request, a supervisor must consider various factors which shall include, but are not limited to: the intended purpose of the deployment, the location of the deployment, the duration of the deployment, whether there exists a legitimate law enforcement need for deployment. A supervisor shall also take into account the impact the presence of the Temporary Fixed ALPR may have on the community into which it is deployed.
- **Fixed ALPR** - Prior to placing a Fixed ALPR the Chief of Police must approve the location, purpose and duration of the placement. In considering whether or not to approve a Fixed ALPR the Chief of Police shall consider various factors, which include, but are not limited to:
    - Public Safety Concerns
    - Areas of known or projected criminal activities
    - Requests from community citizen groups
    - Requests from Divisions of the Raleigh Police Department
    - Requests from outside agencies
    - Rights of individuals within the monitored area

- Available power sources for camera operation
- Quality of the electronic signals from the transmitting antenna to the receiving antenna
- Safety of the personnel placing the camera systems
- The intended purpose of the deployment
- The potential overall impact on the community

Data Recorded by ALPRs

All data obtained and stored through use of ALPRs is considered a record of a criminal investigation pursuant to N.C.G.S. § 132-1.4 and shall be used solely for the purpose of attempting to prevent, solve, or detect violations of the law.

Data obtained and/or stored through use of ALPRs is not a public record and shall not be disseminated outside the Raleigh Police Department. However, data obtained and stored through use of ALPRs may be shared with other law enforcement agencies that request access for a legitimate law enforcement purpose only upon approval by the Chief of Police or designee. All such requests from other law enforcement agencies shall be made in writing.

The use and effectiveness of the ALPR system shall be audited annually and the report submitted to the Chief of Police.

Use of data obtained from ALPR systems not operated by the Raleigh Police Department must be used in accordance to NC State General Statute and Raleigh Police Department DOI.

Storage of Data

All data obtained from ALPRs shall be deleted within 90 days from the date it was recorded except as specifically set out herein.

Data obtained by an ALPR may be preserved for more than 90 days under the following circumstances:

- A search warrant is issued pursuant to Article 11 of Chapter 15A of the General Statutes, or
- A federal search warrant is issued in compliance with the Federal Rules of Criminal Procedure, or
- A preservation request is made or received by a law enforcement agency. Such a request must be in the form of a written, sworn statement and must include all of the following:
    - The location of the particular ALPR(s) for which captured plate data must be preserved and the particular license plate(s) for which captured plate data must be preserved,
    - The date(s) and time frame(s) for which the captured plate data must be preserved,
    - Specific and articulable facts showing that there are reasonable grounds to believe that the captured plate data is relevant and material to an ongoing criminal or

missing persons investigation or is needed to prove a violation of a motor carrier safety regulation, and

- The case and identity of the parties involved in that case.

Preserved data must be destroyed no later than one year from the date of the preservation request. The year-long preservation period can be reset with the issuance of a refreshed preservation request from a law enforcement agency or a new state or federal search warrant.

Access to Stored Data

Stored ALPR data shall be protected from unauthorized access using standard Information Services practices. Prior to accessing stored data, personnel must complete training governing the handling of criminal intelligence information. This training shall be coordinated by the Raleigh Intelligence Center.

Prior to allowing access to the stored material, the individual who is accessing the material must acknowledge:

- Access to the ALPR (Automated License Plate Recognition) database is strictly limited to official law enforcement purposes only;
- Access to the ALPR database by personnel outside of the Raleigh Intelligence Center must be approved by a supervisor. Supervisory approval must be obtained in advance for each instance of access;
- Each access will be logged;
- Any and all information gathered by the ALPR system is a confidential law enforcement record and shall not be considered to be a public record;
- Data obtained and/or stored through the use of the ALPR system may be shared with other law enforcement agencies who request access for a legitimate law enforcement purpose only upon approval by the Chief of Police or his designee.

Mobile Station Direction Finder (MSDF)

The Raleigh Police Department's Mobile Station Direction Finder (MSDF) will be maintained by the RPD Technical Assistance Response Unit (TARU) unit. Only TARU and Fugitive unit members are authorized operators of the MSDF.

Authorized unit supervisors will determine the proper cases to utilize the MSDF. Consideration of the type of criminal violation, officer safety and life-threatening circumstances will be included in this evaluation. Before deployment, the team case officer/Detective and the unit supervisor will ensure proper court orders are obtained. When exigent circumstances exist, the case agent and supervisor will ensure proper probable cause exists to meet the threshold to obtain a court order and that all the applicable local, state, and federal laws are followed.

THE RALEIGH POLICE DEPARTMENT

1110-08

SEARCHES AND SEIZURES: INVESTIGATIVE STOPS AND FRISKS

PURPOSE

To provide general guidelines on the conduct of searches and seizures and on the authority of officers to initiate searches or seizures.

VALUES REFLECTED

The directive reflects our values of *Service and Integrity*. We recognize the importance of continually measuring our actions against the constitutions of North Carolina and of the United States. By following these guidelines we strive to always display ethical conduct. We further recognize the need for scrutiny of our actions regarding the constitutional rights of all those we come into contact with and expect to be held accountable for such actions.

UNITS AFFECTED

All Divisions/Sworn Officers

REFERENCES/FORMS

G.S. 15A-221 to 15A-223 "Consent Searches"
G.S. 15A-241 to 15A-258 "Search Warrants"
Arrest, Search and Investigation in North Carolina, Robert L. Farb, UNC School of Government
Attachment A: Seized Vehicle Inspection and Inventory Form
Attachment B: Raleigh Police Department Consent Search Form (English)
Attachment C: Raleigh Police Department Consent Search Form (Spanish)
Attachment D: Consent Search Form Submission Envelope

May be Released to the Public

Effective Date:	01-06-20	Supersedes:	03-26-19
Prepared By:	C.L. Deck-Brown Chief of Police	Approved By:	Ruffin Hall City Manager

GENERAL POLICIES

Searches may be conducted incident to arrest, with a search warrant, or by voluntary consent. Emergency searches without a warrant may be conducted if the officer has probable cause to search and an emergency exists. All searches are to be conducted in a reasonable manner and place.

Any property seized during a search is to be accounted for according to established procedures (refer to DOI 1108-04 "Evidence and Found Property") and state law.

CONSENT SEARCHES

Consent searches are a useful tool for law enforcement, but they must be conducted in a manner that is fair, reasonable, and in compliance with state and federal law. Accordingly, consent to search must be given freely and voluntarily and cannot be coerced. Officers shall not ask for consent to search an individual, vehicle, or premises based on race, religion, or ethnicity.

Granting Consent

Consent is a statement made voluntarily to an officer giving permission to search. When asking for consent to search, officers must inform the citizen that he/she has the right to refuse consent. The person granting consent must be: the person being searched; the registered owner or person in apparent control of a vehicle being searched; or a person who is in apparent control of the premises. The courts will consider the totality of the circumstances to determine the validity of a consent search.

Scope of Consent Search

The scope of the consent search must be objectively reasonable, given the totality of the circumstances.

A person has the right to refuse to give consent to search. A person giving consent may limit the scope or duration of the search. The consent may be withdrawn at any time during the search. If the consent is revoked, then the search must cease unless the officer has other authority justifying a search. If consent is obtained from a person to search a residence and another person with equal authority over the property is present and objects to the consent search, then the officer may not search pursuant to consent.

Consent Search Forms (Attachments B and C)

Prior to conducting a consent search of a vehicle, residence, business or building of any kind, officers shall have the consenting person sign a "Consent Search" form.

Prior to conducting a strip search that is based on consent officers shall have the consenting person sign a "Consent Search" form.

When asking for consent to search a person, if possible, officers should have the consenting person sign a "Consent Search" form prior to initiating the search. If written consent cannot be obtained for a consent search of a person, officers should document exactly what the consenting person said when giving verbal consent and note any witnesses that were present when the consent was obtained. Whenever possible, the dash camera of a vehicle (if applicable) or other recording device should be used to document consent.

All original "Consent Search" forms will be sealed in a "Consent Search Form Submission Envelope" (Attachment D) and maintained by the Department. Officers should ensure the following information is contained on the front of the envelope:

- Case number;
- Date;
- Officer's name; and
- Whether the area searched was a person, vehicle, residence, business, or other building

Consent Search Form Submission Envelopes will be forwarded to Police Records, along with other paperwork at the conclusion of the officer's shift. Officers may retain a copy of the Consent Search form for their records.

Completion of an Incident Report

Officers shall complete an incident report every time they conduct a consent search of a vehicle, residence, business or building of any kind. This report is to be completed whether evidence of a crime or contraband is recovered or not.

Preservation of Video Evidence

Officers shall tag and preserve an encounter in accordance with DOI 1109-18 when:

- The giving of consent is captured on a mobile video recorder (MVR) or Body Worn Camera (BWC); or,
- The consent search itself is captured on a mobile video recorder (MVR) or Body Worn Camera (BWC)

Inventory of Seized Items

Officers may seize the same type of evidence which may be seized pursuant to a search warrant (See G.S. 15A-242). When an officer seizes evidence pursuant to a consent search, the officer must fill out an inventory sheet listing the items seized. The officer must give a copy to the person searched and to the owner of the property if it is a different person.

SEARCH WARRANTS

A search warrant is a court order directing a law enforcement officer to search a designated person, place or vehicle for particularly described items that are subject to seizure. The laws regarding the issuance and execution of search warrants are set out in G.S. 15A-241 to 15A-259 and are listed on the following page.

G.S. 15A-241	Definition of search warrant
G.S. 15A-242	Items subject to seizure under a search warrant
G.S. 15A-243	Who may issue a search warrant
G.S. 15A-244	Contents of the application for a search warrant
G.S. 15A-245	Basis for issuance of a search warrant; duty of the issuing official
G.S. 15A-246	Form and content of the search warrant
G.S. 15A-247	Who may execute a search warrant
G.S. 15A-248	Time of execution of a search warrant
G.S. 15A-249	Officer to give notice of identity and purpose
G.S. 15A-250	Reserved for future use
G.S. 15A-251	Entry by force
G.S. 15A-252	Service of a search warrant
G.S. 15A-253	Scope of the search; seizure of items not named in the warrant
G.S. 15A-254	List of items seized
G.S. 15A-255	Frisk of persons present in premises or vehicle to be searched
G.S. 15A-256	Detention and search of persons present in private premises or vehicle to be searched
G.S. 15A-257	Return of the executed warrant
G.S. 15A-258	Disposition of seized property
G.S. 15A-259	Application of Article to all warrants, exception as to inspection warrants and special riot situations

Searches of Residences

Any officer who intends to execute a search warrant of a residence must ensure that a police supervisor is present. The supervisor will notify the Watch Commander prior to executing the warrant. A uniformed police officer shall be present if there is reason to believe that forcible entry may be required.

Time Limitations

Search warrants must be executed within 48 hours of issuance. If a warrant is not executed, it must be marked "not executed" and returned to the clerk of the issuing court.

After executing a search warrant, the officer must, without unreasonable delay, return the search warrant with a written inventory of the items seized to the office of the Clerk of Court.

EMERGENCY SEARCHES

Officers may conduct a warrantless emergency search where there is probable cause to search and an emergency (exigent circumstances) exists which denies the officer the time and opportunity to obtain a search warrant. In the event an officer seizes any evidence, the officer must prepare a list of the items seized and follow the procedures set forth in G.S. 15A-254 for preparing an inventory pursuant to a seizure with a search warrant.

Vehicles

If an officer has probable cause to search a motor vehicle that is lawfully stopped in a public place, such as a street, highway, or public vehicular area, then the officer may conduct a warrantless search anywhere in the vehicle that could contain the item(s) the officer has probable cause to believe are in the vehicle. If any doubt exists as to whether the vehicle is in a public place, the officer should obtain consent or a search warrant. The officer may conduct the search where the vehicle is stopped or move the vehicle to a different facility. The scope of the search is the same as could be authorized by a search warrant, generally only limited by the size of the item being sought.

If an officer's probable cause focuses on the vehicle and not on a particular container, then the entire vehicle, including containers, can be searched if the containers could conceal the evidence that is the subject of the search.

If an officer's probable cause to search focuses on a particular container which is within a vehicle, then the officer may search the vehicle for the specific container and may conduct a warrantless search of the container for the evidence. The vehicle must be lawfully stopped in a public place.

Probable cause to search a motor vehicle does not automatically provide probable cause to search an occupant of the vehicle. Absent consent or a search incident to arrest, officers must have independent probable cause to search the occupant(s) of a motor vehicle.

Residences or Other Premises

Generally, residences or other premises should not be searched without a search warrant or consent. If officers have probable cause to search and an emergency exists, then officers could make a warrantless emergency entry, secure the premises, eliminate the emergency, apply for a search warrant and conduct a search when the search warrant arrives.

Persons

A warrantless search of a person can be conducted if the officer has probable cause to search and exigent circumstances exist. Very often the same facts which create probable cause to search also provide probable cause to arrest. An officer has the option of searching based on probable cause plus exigent circumstances or making an arrest and then searching the person incident to the arrest (see below).

Crime Scene Searches

If an officer comes upon the scene of a crime, it is permissible for the officer to make a cursory search or walk through of the crime scene to look for persons who may need medical assistance or who may pose a threat to the officer. The officer should be as careful as possible to avoid contamination of the crime scene. Officers should document exactly where they walked and what they touched.

Once the cursory search is complete, the officer should secure the crime scene.

After additional officers arrive at the scene, authority will have to be obtained in order to conduct a thorough search of the crime scene by either obtaining a crime scene search warrant or by obtaining consent to search from a person who has the apparent authority to give consent.

In the event officers cannot determine who can give valid consent, then the officers should obtain a crime scene search warrant.

SEARCH INCIDENT TO ARREST

Persons Under Arrest

Upon making a full custody arrest, an officer may conduct a full search of the arrestee and the area within the arrestee's immediate control. Generally, the area within immediate control is considered that area within the arrestee's reach. If the arrestee is permitted to move from room to room or is given access to particular areas, such as a drawer or closet, then the area that can be searched incident to arrest is expanded. See special rules for strip searches.

MOTOR VEHICLE

Officers may search the passenger area of a private motor vehicle incident to a full custody arrest of an occupant or recent occupant of that vehicle at the time of arrest when:

- The arrestee is unsecured and within reaching distance of the passenger compartment at the time of the search; or
- The officer has reason to believe that evidence of the crime for which the person was arrested might be in the vehicle. Officers may search any part of the passenger compartment, including containers that could reasonably contain evidence relevant to the crime of arrest.

Officers may not purposefully leave an arrestee unsecured near a vehicle in order to search the vehicle. A full search of the person arrested can also be made as described in the "Persons Under Arrest" section above. See special rule for strip searches set out below.

SEARCHES OF PERSONS

On occasion, an officer will have facts that indicate that a strip search or a body cavity search is necessary in order to find evidence of a crime.

Strip Searches

A strip search is a search where a person is asked to remove all of that person's clothing for a visual inspection of the person's body or a search that exposes the suspect's private parts, such as breasts, buttocks, or genitals, and a search of the clothing that has been removed.

Strip searches shall only be conducted if:

- the officer has a search warrant for the person;

- the person is under arrest; or,
- the subject consents to be searched

Prior to conducting a strip search that is based on consent officers shall have the consenting person sign a "Consent Search" form.

Unless exigent circumstances exist that would justify the need to conduct a strip search without delay, a strip search of a juvenile shall only be conducted if the officer has a search warrant for the juvenile.

Strip searches are to be conducted in a manner that protects the privacy interests of the person to be searched and shall not be conducted in a public place unless the officer has both probable cause and an exigent circumstance. An officer of the same sex as the subject must conduct the search. A strip search is not to be conducted routinely, randomly or at the whim of an officer. Strip searches should only be conducted when the officer can articulate the facts establishing reasonable suspicion or probable cause to justify the need for a strip search. Officers should consider all of the facts, circumstances and the officer's experience to articulate why the person is suspected of concealing contraband, weapons, drugs, or some other prohibited substance or property. The nature of the crime being investigated should be considered, particularly if the crime involves weapons or contraband and the suspect has a prior history for concealing evidence on the suspect's body. The mere fact of arrest does not automatically justify a strip search.

Before a strip search is conducted the searching officer must obtain authorization from a supervisor.

After conducting a strip search, the searching officer will complete a supplement articulating reasons for the search; whether the search was incident to arrest, with a search warrant or by consent; the name of the supervisor authorizing the strip search; the location of the search; the manner in which the search was conducted; name of the officer(s) participating in the search; whether or not evidence was located and whether any charges were made. Any evidence seized must be described in detail.

Body Cavity Searches

If there is probable cause to believe that evidence of a crime is being concealed in a body cavity such as the rectal or vaginal cavity, then a search warrant which specifically orders a body cavity search must be obtained. The search will have to be conducted by appropriate medical personnel. A subject can consent to a body cavity search by medical personnel. The consent should be carefully documented. Prior to seeking a body cavity search warrant officers shall consult the police attorney.

DNA Collection

All biological evidence that is obtained directly from a person's body shall be collected lawfully - either pursuant to consent, search warrant, court order, or in compliance with N.C.G.S. §15A-266.3A.

All Raleigh Police Officers and/or Detectives are required to complete the CCBI DNA collection form in its entirety once CCBI completes the collection kit. The officer and/or detective will ensure that the RPD (agency) case number is on the form. After completion of the CCBI DNA collection form, the officer and/or detective must submit the form to Raleigh Police Department Records. RPD Records Personnel will then disseminate the collection form accordingly.

SEARCHES TO AFFECT ARREST

Often, an officer will have to enter a residence or premise to affect an arrest.

Arrestee's Residence

- Consent: Entry may be made by requesting consent to enter from a person who has the apparent authority to give consent. The officer may then arrest with a warrant or without a warrant if such authority exists.
- Exigent Circumstances: An officer could make a warrantless entry into the arrestee's premises to affect an arrest only when there is an emergency which justifies immediate action, authority to arrest and reason to believe that the arrestee is inside.
- Arrest Warrant in Possession: Unless an officer has consent or exigent circumstances to justify entry into the arrestee's residence, the officer must have an arrest warrant in the officer's possession to make a forced entry into the home. The officer must have reasonable grounds to believe that the person to be arrested is inside his/her residence. The officer must give notice of the officer's authority and purpose before entering. If admission is unreasonably denied or delayed then the officer is authorized to make a forced entry. If giving notice presents a clear danger to human life, entry may be made without notice.

Third Person's Residence

- Consent: An officer may enter a third person's residence with the consent from a person who has the apparent authority to give consent to effect an arrest of a person who does not live there.
- Exigent Circumstances: An officer can make a warrantless entry into a third person's residence to arrest someone, who does not live there, if there is authority to arrest and there is an emergency.
- Arrest Warrant and Search Warrant in Possession: To make a forced entry into a third person's residence to arrest someone who does not live there, the officer must have both a printed or paper arrest warrant and a search warrant in the officer's possession when there is no consent and no exigent circumstances.

Other Premises

If an officer needs to enter non-residential premises for the purpose of making an arrest, entry can be made if the property is generally open to the public. If the property is not open to the public then the officer should follow the rules discussed under "Third Person's Residence" stated above.

CONDUCTING SEARCHES

Control of the Search

When more than one officer is involved, the officer executing the search must be identified as the officer in charge of the search. This officer is responsible for ensuring that the search is properly executed, and that any evidence seized is properly maintained. A supervisor shall be present in any non-consent search of a residence.

Seized Items

The area or person to be searched must be searched thoroughly. In the event evidence is located, the officer in charge will be notified and that officer will collect the evidence and note the precise location of the discovered evidence.

The officer in charge will prepare and sign a receipt for all items seized during the search; to be left with the owner or person in charge of the premises searched.

Detention of Persons Present

An officer directing a search of a premise not generally open to the public, or of a vehicle other than a common carrier, may detain persons present for such time as is reasonably necessary to execute the search.

Officers may frisk persons present if they can articulate why they believe the person is armed or a threat to safety.

If the items listed on a search warrant are not found on the premises or vehicle, the officers may then search any person present at the time of the officer's entry to the extent reasonably necessary to find property described in the warrant which could be concealed upon the person.

Concluding the Search

At the conclusion of the search the officer in charge has a responsibility for making sure that the property that has been searched is secure or that the person in control of the property has had an opportunity to secure the property. In the event the officers caused any damage to the property while conducting the search, a supervisor must be notified and a record made of the damage.

SEIZURE OF VEHICLES SUBJECT TO FORFEITURE

Conveyances used in the commission of certain offenses related to drugs, alcohol, stolen property, and speed competition are subject to forfeiture and may be turned over by the Courts for use by the Department. If an officer seizes a vehicle which may be suitable for use by the Department, the usual towing procedures should not be followed. The below procedure should be followed instead.

Vehicles Subject to Forfeiture

Vehicles used in felony violations concerning the sale, delivery, or manufacture of controlled substances may be seized. Vehicles used to transport non-tax paid alcoholic beverages may be seized, as well as those used in felony violations concerning receiving or transporting stolen property. Vehicles used in armed robberies or pre-arranged speed competitions are also subject to forfeiture. (G.S. 90-112, G.S. 18B-504, G.S. 14-86.1, and G.S. 20-141.3).

The owner must be in possession of the vehicle at the time or have knowledge that the vehicle was being used in the violation. A Seized Vehicle Inspection and Inventory Form (Attachment A) must be completed whenever a vehicle is seized.

Common carrier vehicles are exempt unless the owner was aware of the violation.

Impounding Vehicles Subject to Forfeiture

Officers will not impound vehicles subject to forfeiture unless the following criteria are met and verified by a supervisor:

- Vehicle mileage is under 100,000;
- Vehicle body and mechanical condition appear to be good; and,
- There are no liens on the vehicle

A rotation wrecker should not be called for seized vehicles unless absolutely necessary. An officer should drive the vehicle to the designated storage area.

A Vehicle Inventory List and photographs of the interior and exterior of the vehicle will also be submitted into evidence. Items which are inside the vehicle and have a substantial monetary value (i.e. jewelry, computers, cell phones, currency, etc.) shall be removed and placed into Found Property or returned to the owner prior to vehicle storage. Items documented on the Vehicle Inventory List, which are not being used as evidence or stored into Found Property, will remain inside the vehicle when being stored in the secured vehicle storage area.

The officer must complete a Property/Evidence Voucher using the case number associated with the seizure. The officer will identify the vehicle and list the keys only on that voucher. The keys will be placed in an evidence envelope and entered into evidence.

The officer will complete the Seized Vehicle Inspection and Inventory Form (Attachment A) and turn it into the Evidence Control Section along with any towing bills. The officer will then check the court disposition on the case, at least every six months, and document this on the form. Upon final disposition the officer will provide copies of the court order, pertaining to the vehicle, to the Evidence Control Section.

After disposition of the case, the officer will notify the Evidence Control Section of the disposition and provide copies of the court orders pertaining to the vehicle.

Seizure of Vehicles Subject to DWI Seizure/Forfeiture

Officers have the authority to seize vehicles being driven by a drunk driver who is driving with a license that is revoked for a previous impaired driving or related conviction and meets certain criteria. Officers should refer to NCGS 20—28.3 and DOI 1109-10 "Traffic Enforcement." Officers who seize a vehicle in accordance with NCGS 20-28.3, shall complete the Seized Vehicle Inspection and Inventory Form (Attachment A) and turn it into the Records Unit with their DWI and Seizure paperwork.

Seizure of Vehicles Subject to Felony Speeding to Elude Seizure/Forfeiture

Officers have the authority to seize vehicles under Felony Speeding to Elude charges. Officers should refer to NCGS 20—141.5 and DOI 1109-10 "Traffic Enforcement." Officers who seize a vehicle in accordance with NCGS 20-141.5, shall complete the Seized Vehicle Inspection and Inventory Form (Attachment A) and turn it into the Records Unit with their Seizure paperwork.

INVESTIGATIVE STOPS AND FRISKS

Officers may stop citizens when the officer has reasonable suspicion that the person has committed, is committing, or is about to commit a crime.

The length of the investigative stop is determined by the facts and circumstances of each stop. Generally, more time is allowed for more serious crimes. Officers must conduct their investigation as efficiently as possible and must try to keep the stop as brief as possible.

An officer may use a reasonable amount of force to conduct an investigative stop as dictated by the facts of the stop. If it becomes necessary to restrain a subject with handcuffs, the officer will advise the subject that they are not under arrest but are being temporarily secured to protect the officer and that the handcuffs will be removed as soon as possible. Handcuffing subjects who are not under arrest shall only be done when it is the least intrusive means available that allows the officer to safely and efficiently conduct their investigation.

Officers must remember that pointing a weapon, handcuffing a suspect or placing the suspect on the ground or in a vehicle can be considered a more extraordinary use of force and restraint than normally required for an investigative stop. Such use of force and/or restraint will require justification. Officers must be careful not to inadvertently turn a stop into an arrest by using too much force. Officers must be able to articulate the facts upon which they based their decision to use force or restraints. Specifically, officers should consider the seriousness of the suspected crime, the suspect's demeanor, the number of officers present, the number of suspects present, the presence of weapons and the location of the stop.

Generally during an investigative stop, Miranda warnings are not needed to question the subject. If the suspect is handcuffed then Miranda warnings are required before interrogation.

Transportation of a subject being detained is by consent only since transporting without consent may be considered an arrest.

Officers may frisk a subject, when facts can be articulated, that leads the officer to believe that the subject is armed and a threat to the officer's safety.

If the subject is in a vehicle and the officer can articulate facts leading the officer to believe that the suspect is armed and is a threat to the officer's safety, then both the subject and the area of the vehicle in the subject's immediate control can be frisked for weapons. The "car frisk" is not an exhaustive search but is a very limited look just for weapons within the wingspan of the subject.

If, during a frisk of a person for weapons, the officer feels an object that might be a weapon, then the officer may retrieve the item and secure it. If the officer feels an object that is apparently seizable evidence, then the officer has probable cause to seize the item.

RAPID FINGERPRINT IDENTIFICATION DEVICE

Rapid Fingerprint Identification Devices (RFID) are portable devices designed to be used in the field. These devices will digitally capture one or more fingerprints from an individual and then will electronically search for them in the arrest fingerprint card files of the City-County Bureau of Identification (CCBI), the SBI/State of NC statewide arrest database, and the FBI's Repository for Individuals of Special Concern (RISC) database. If the search results in an identification of an arrest record, a photograph (if available), and demographic information of the identified individual is automatically transmitted to the officer's mobile data computer. Use of a RFID will not create a permanent record of the captured fingerprint image(s).

Purpose

RFIDs are designed to quickly and accurately determine the identity of an individual, in the field, in order to assist with official law enforcement purposes. It is important to understand that RFIDs are intended to be used as an investigative tool only and officers should not take enforcement action based solely on the results of an RFID inquiry. Any identification provided by an RFID should be further corroborated by other investigative means, not solely by the RFID identification received.

Usage

RFIDs are to be used only for law enforcement purposes and in compliance with State and Federal laws. RFIDs are not designed to take the place of fingerprinting that occurs, during the intake process, when a physical arrest is made.

RFIDs shall only be issued to supervisors. All uses of an RFID shall be documented in an incident report. RFIDs are only authorized in the following circumstances:

- When the individual is in custody, pursuant to a full custody arrest, and there is a genuine question about his or her identity.
- When the individual has given his or her consent. Officers shall not threaten or coerce the individual into submitting to the RFID. Prohibited coercion includes, but is not limited to, telling the individual that he/she will be arrested if he/she fails to give consent.

- When an individual is unconscious or deceased and use of the RFID is reasonably necessary to determine the identity of the subject. In the case of a deceased person, other than a traffic collision, RFIDs shall only be used on the deceased by CCBI or a Violent Crimes Unit detective.
- When authorized by a court order, search warrant or Non-Testimonial Identification Order.

RFIDs shall not be knowingly used on an individual who is determined to be less than 18 years of age. RFIDs shall not be used on a minor, except to the extent that the minor could be fingerprinted in compliance with N.C.G.S. § 7B-2102 and Raleigh Police Department Departmental Operation Instruction 1109-13 "RESPONSE TO JUVENILE INCIDENTS."

UNDER NO CIRCUMSTANCE SHALL AN OFFICER FORCE AN INDIVIDUAL TO SUBMIT TO USE OF A RFID AGAINST HIS OR HER WILL.

COMPUTERS AND DIGITAL MEDIA

Computers, personal digital assistants (PDAs) and other electronic devices are turning up increasingly in crime scenes, both as a tool as well as containers holding evidence of the offense. Officers will follow the instructions in 1110-05 "Searches of Computers and Electronic Devices" when dealing with computers and digital media.

Under no circumstances should an officer turn on, boot up or attempt to conduct his/her own search of the contents of a suspect computer. This includes consent searches as well as during the execution of search warrants.

Computers are to be considered evidence and treated the same as any other crime scene items such as fingerprints, blood or weapons.

DOI 1110-08
Attachment A

RALEIGH POLICE DEPARTMENT
SEIZED VEHICLE INSPECTION AND INVENTORY FORM

Officer _____ Code# _____ Case Number _____ District _____

Registered Owner _____

Address _____ Phone#_____

Location of Seizure _____ Date: _____

Vehicle Year_____ Make _____ Model_____ Color _____

Odometer_____ VIN _____ Tag#_____

State_____ Keys to Vehicle ____Yes ____No Running Condition ___Yes ___No

Suspect 1: _____ Suspect 2:_____

Vehicle Equipment:

CD Player	___Yes___No___Unk	Spare Tire	___Yes___No___Unk
Tape Player	___Yes___No___Unk	Hubcaps	___Yes___No___Unk
Radio	___Yes___No___Unk	Tools in Trunk	___Yes___No___Unk

Other:_____

_____

_____

Trunk/Cabin Contents:

_____

_____

_____

_____

Vehicle Condition:

Paint: ___Poor___Fair___Good___Exc Tires:____Poor___Fair___Good___Exc

Body: ___Poor___Fair___Good___Exc Interior __Poor___Fair___Good___Exc

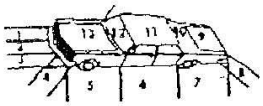
Items damaged/missing/dents etc: Broken Windows –Describe below

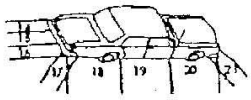
_____

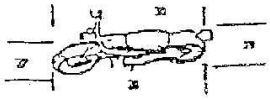
_____

_____

Indicate Damage







DOI 1110-08
Attachment B

RALEIGH POLICE DEPARTMENT

CONSENT SEARCH

I, _____ do knowingly and voluntarily consent to the search of
(Print Full Name)

_____ by a law enforcement officer.
(Describe person/property to be searched)

By signing below, I acknowledge the following:

- That I am giving my consent to search knowingly and voluntarily. No threats or promises have been made to me.
- That I have been advised and understand I have the right to refuse to give consent to search the above described location.
- That I have been advised and understand I have the right to limit the scope of the search. I can determine what specific areas of the above described location can and cannot be searched by law enforcement at this time.
- That I have been advised and understand I can change my mind, and revoke my consent to search at any time, even after the search has begun.

Signed: _____

Witness: _____

_____

Case Number: _____

Date: _____

Time: _____

rev. 8/1/16

DOI 1110-08
Attachment C

CIUDAD DE RALEIGH

DEPARTAMENTO DE POLICIA

CONSENTIMIENTO DE REVISO

Yo, _____ se y voluntariamente le doy consentimiento al reviso de
(Nombre completo en letra imprenta)
_____ por un official o agente de la ley.
(Describe la persona/propiedad de ser revisado)

Firmando abajo yo reconozgo lo siguiente :

- Que yo les doy mi consentimiento al reviso, sabeindo que es voluntario . No se me han hecho amenazas o promesas.
- Que yo he sido aconsejado y entiendo que tengo el derecho de negar el consentimiento del reviso, en la ubicacion que se describe, en este documento.
- Que yo he sido aconsejado y entiendo que yo tengo el derecho de limitar el alcance del reviso. Yo puedo determinar las areas especificas que han sido descrito y en la ubicacion de este documento para ser revisado. Yo determino que areas, en lo cual el official o el agente de la ley puede revisar y tambien no ser revisadas.
- Que yo he sido aconsejado y entiendo que yo puedo cambiar de opinion y revocar el consentimiento del reviso en cualquier momento, no importando que el reviso ha comenzado.

Firma: _____

Testigo: _____

_____

Numero de Caso: _____

Fecha: _____

Hora: _____

rev. 1 de agosto del 2016

DOI 1110-08
Attachment D

Consent Search

Original consent search form to be placed in this envelope

Case Number: _____**Date:**_____

Officer: _____**Code No:** _____

Consent search conducted of:

- ☐ Person
- ☐ Business
- ☐ Vehicle
- ☐ Other Building
- ☐ Residence

THE RALEIGH POLICE DEPARTMENT

1110-09

NON-TESTIMONIAL IDENTIFICATION, LINEUPS

PURPOSE

During an investigation, it may become necessary to obtain hair samples, blood samples, or other physical examinations of a suspect. The following procedure is intended to provide guidelines in such investigations. These procedures would not apply to the collection of blood samples associated with Driving While Impaired offenses, which are covered under a separate field procedure (DOI 1109-10 "Traffic Enforcement").

VALUES REFLECTED

This directive reflects our values of *Service, Fairness, and Integrity*. By following the guidelines in this directive we will demonstrate our adherence to the rule of law in our quest for justice. Furthermore, by using the procedures described here we demonstrate to our community our accountability in using all available tools in our efforts to fight crime and fear.

UNITS AFFECTED

All Divisions/Sworn Officers

REFERENCES/FORMS

G.S. 15A-271 to G.S. 15A-282 "Non-Testimonial Identification"
G.S. 15A-284.50 -284.53 "Eyewitness Identification Reform Act"
G.S. 7B-2103 to G.S. 7B-2109 "Non-Testimonial Identification of Juveniles"
G.S. 7B-1701. "Preliminary Inquiry"
G.S. 7B-2102 "Fingerprinting and Photographing Juveniles"
DOI 1108-04 "Evidence and Found Property"
Attachment A: "Eyewitness Identification Instructions"
Attachment B: "Eyewitness Identification Case Management Form"

GENERAL POLICIES

Non-Testimonial Identification Orders are applicable for adults who are not in custody. They may be issued on adults where an offense punishable by more than one year imprisonment has been committed, and where there are reasonable grounds to believe the person named in the order committed the offense (G.S. 15A-273).

A Non-Testimonial Identification Order may be issued for a juvenile prior to taking a juvenile into custody or after custody and prior to the adjudicatory hearing, for offenses that would be a felony if committed by an adult. Non-testimonial identification procedures will not be conducted on any juvenile without a Non-Testimonial Identification Order, unless the juvenile has been transferred to Superior Court for trial as an adult, in which case, procedures for adults will apply.

For an adult suspect, a search warrant should be used for obtaining blood samples, conducting medical examinations or other procedures where significant intrusion of the body is expected, whether or not the suspect is in custody. A suspect may consent to such a procedure unless the suspect is under 16 years of age (refer to the section "Juveniles" below).

A Non-Testimonial Identification Order for a juvenile suspect will be utilized to obtain a blood specimen from a juvenile when there is probable cause to believe that an offense has been committed that would be a felony if committed by an adult; and there is probable cause to believe that the juvenile named committed the offense; and there is probable cause to believe that obtaining the blood sample will be of material aid in determining if the juvenile committed the offense. Under G.S. 7B-2105, the non-testimonial identification order for blood will be issued only upon a showing of probable cause at the request of the District Attorney.

NON-TESTIMONIAL EVIDENCE

Non-testimonial identification refers to fingerprints, footprints, measurements, blood specimen, urine specimen, saliva sample, hair samples, or other reasonable physical examinations. It also refers to handwriting samples, voice samples, photographs, and lineups or similar proceedings requiring the presence of the suspect.

Adults Not In Custody

Unless an adult consents to providing the non-testimonial evidence, a Non-Testimonial Identification Order must be obtained for suspects who are not in custody. A person must be at least 18 years old in order to give consent.

Where the person consents to the non-testimonial identification, it is advisable to have the person sign a "Consent Search" form.

A Non-Testimonial Identification Order must be obtained from a Judge upon the request of a prosecutor. Unless the issuing Judge modifies the order, it must be served on the person named 72 hours prior to the examination (G.S. 15A-273, G.S. 15A-274).

The suspect is entitled to have legal counsel present during a Non-Testimonial Identification procedure conducted pursuant to an order. Any statement made by the suspect is inadmissible, unless the suspect's counsel is present [G.S. 15A-279(d)].

Non-Testimonial identification procedures may be conducted by any law-enforcement officer or other person designated by the Judge issuing the order. The extraction of any bodily fluid must be conducted by a qualified member of the health profession and the Judge may require medical supervision for any other test ordered pursuant to GS 15A-279 when the Judge considers such supervision necessary. In such cases, the suspect should be allowed to use their personal physician or other appropriately licensed health care professional. If no preference is indicated, officers will contact the City Nurse or City Physician to determine if they can complete the tests indicated in the order.

Officers should observe the collection of samples, and preserve the chain of custody the same as for any evidence as directed in DOI 1108-04 "Evidence and Found Property".

Within 90 days after the non-testimonial procedure, a return must be made to the issuing Judge listing an inventory of the items seized. If probable cause does not exist, the Judge may order the collected items destroyed. Unless good cause is shown to the Court, such items so ordered are to be destroyed in accordance with Departmental evidence control procedures. (G.S. 15A-280, refer to DOI 1108-4 "Evidence and Found Property").

Adults Who Are In Custody

Under case law, a Non-Testimonial Identification Order cannot be used for adults who are in custody following arrest:

- Where no substantial intrusion of a suspect's person is involved, non-testimonial evidence can be gathered without a search warrant or court order once a suspect is in custody.

  The arrestee can be compelled to provide fingerprints, submit to photographs or lineups, furnish hair samples and other unobtrusive evidence.

- DNA evidence shall only be collected as mandated by state law, with consent, or with a search warrant.

- A search warrant or written consent must be obtained for the collection of blood samples, skin samples, or other medical samples, which might be considered an invasion of the suspect's person. Persons under 18 years of age cannot give consent for non-testimonial procedures.

- If probable cause and exigent circumstances exist, a warrantless seizure of blood for alcohol or drug testing could be legally justified because foreign substances leave the blood rapidly. However, officers should obtain a search warrant if time and opportunity permit. It is unlikely that any health care professional will be willing to withdraw the suspect's blood without a search warrant or other court order (for blood testing related to DWI enforcement, refer to DOI 1109-10).

Juveniles

- A juvenile under the age of 18 cannot consent to non-testimonial procedures.

- A Non-Testimonial Identification Order may be used on a juvenile not in custody or in custody and prior to an adjudicatory hearing. A Non-Testimonial Identification Order may be used when there is probable cause to believe that the juvenile has committed an offense that would be a felony if committed by an adult.

- If a juvenile is bound over to Superior Court, then the procedures set forth in Articles 14 (Non-Testimonial Procedures) and 23 (Processing After Arrest) of Chapter 15A, of the North Carolina General Statutes, applicable to adults will apply.

- Officers shall fingerprint and photograph a juvenile who is ten years of age or older at the time the juvenile allegedly committed a non-divertible offense as set forth in G.S. 7B-1701, when a complaint has been prepared for filing as a petition and the juvenile is in the physical custody of an officer.

If an officer did not fingerprint or photograph a juvenile as described above, then the officer shall fingerprint and photograph the juvenile who has been adjudicated delinquent if the juvenile was ten years of age or older at the time the juvenile committed an offense that would be a felony if committed by an adult.

When a juvenile is bound over for prosecution as an adult in Superior Court, the juvenile shall be fingerprinted and photographed as an adult.

LINEUPS

General Information for All Lineups

An eyewitness is any person, including a law enforcement officer, whose identification by sight of another person may be relevant in a criminal proceeding.

All eyewitnesses should be separated and provided with instructions regarding the procedures being followed (see Eyewitness Instructions in Attachment A). Eyewitnesses should not be allowed to confer with one another either before, during or after the procedure.

An independent administrator who does not know which person/photo in the lineup is the suspect and who is not participating in the investigation of the criminal offense should be used. At no time should the administrator make any comment or take any action to signal the eyewitness or influence the eyewitness' selection. If possible, there should not be anyone present during the lineup procedure who knows the suspect's identity, except counsel, as required by law.

Only one suspect at a time should be placed in a lineup. The fillers should resemble the suspect. If using photos, there should be no writing or information on the photo. Eyewitnesses should not be told how many photos/suspects they will be shown.

If the eyewitness has previously viewed a lineup in connection with the identification of another person suspected of involvement in the offense, the fillers in the lineup in which the current suspect participates shall be different from the fillers used in any prior lineups.

If there are multiple eyewitnesses, the suspect shall be placed in a different position in the lineup for each eyewitness.

It is important to document the photos/persons placed in a lineup, and the order in which they were presented to the eyewitness, by photography or video recording.

- Eyewitnesses will be shown all individuals placed in the lineup even if they identify a suspect prior to viewing the complete lineup.

- If the eyewitness cannot make an ID after all photos/individuals are shown, the lineup administrator can ask, "Would you like to view the lineup again?" The fact that the eyewitness did not make an identification the first time and that the administrator asked the eyewitness if they would like to view the lineup again, as well as the outcome of the second display, must be documented in the record.

- It is important not to tell the eyewitness prior to the complete lineup presentation that they will be allowed to view the lineup a second time if they do not make an ID the first time.

- Identification results will be signed and dated by the eyewitness taking care that the eyewitness does not mark or write on any materials that will be seen by other eyewitnesses.

- The administrator shall seek and document a clear statement from the eyewitness at the time of the identification and in the eyewitness's own words, the eyewitness' confidence level that the person identified in a lineup is the perpetrator. No information shall be provided to the eyewitness regarding the person identified prior to receiving the confidence statement.

- The lineup administrator shall document:

  - The name of the lineup administrator;
  - The procedure employed;
  - The number of photos/ persons shown;
  - Sources of photos used;
  - Names of persons present during the lineup;
  - Number of times the lineup is viewed;
  - All identification and nonidentification results obtained during the identification procedure, signed by the eyewitness, including the eyewitness's confidence statement. If the eyewitness refuses to sign, the lineup administrator shall note the refusal of the eyewitness to sign the results and shall also sign the notation;
  - The words used by the eyewitness in any identification, including words that describe the eyewitness's certainty of identification;
  - The date, time and location of the lineup;
  - Any specific words, conduct or gestures required of lineup participants.

  - That the instruction sheet with the following information was reviewed and signed:

    - The perpetrator might or might not be presented in the lineup;

    - The lineup administrator does not know the suspect's identity;

    - The eyewitness should not feel compelled to make an identification;

- It is as important to exclude innocent persons as it is to identify the perpetrator, and;
- The investigation will continue whether or not an identification is made;
- The instruction sheet was signed by the eyewitness

Photographic Lineups

Neither the suspect nor legal counsel is required to be present during a photographic lineup.

- If necessary, officers should contact C.C.B.I. for assistance in compiling the photos for the lineups. At least 6 photographs must be used.
- An adult (18 or over) suspect may consent to be photographed.
- A Non-Testimonial Identification Order may be utilized as allowed by law to obtain a photograph for a lineup.
- A person under arrest may be photographed.
- The photographs are to be presented sequentially (photos shown one at a time) rather than simultaneously (all photos shown at the same time) to one eyewitness at a time.
- Eyewitnesses must be advised of the instructions on the "Eyewitness Identification Instructions". Otherwise, eyewitnesses should not receive any feedback during or after the identification process.
- The photograph of the suspect shall be contemporary and to the extent practicable, shall resemble the suspect's appearance at the time of the offense.

Physical Lineups

Physical lineups refer to lineups where the suspect is required to be present for identification. All participants in a live lineup must be out of view of the eyewitnesses prior to the lineup.

- Suspects that have been arrested may be compelled to appear in the lineup and to speak words similar to those used by the perpetrator.
- An adult suspect (18 or over) may consent to participate in a lineup.
- A suspect that has reached a critical stage of prosecution must be advised that they have the right to have counsel present during the lineup.
- If a formally charged suspect agrees to participate in a lineup and waives counsel, the suspect should be requested to sign a waiver and consent form.
- A Non-Testimonial Identification Order must be obtained for a suspect who is not in custody and who refuses to voluntarily participate in a lineup (refer to the Section "Adults Not In Custody" above). If participating pursuant to a Non-Testimonial Identification Order the suspect is entitled to the presence of counsel.

- At least six persons must be used in the lineup. Physical lineups are to be presented sequentially and not simultaneously using a double-blind procedure. Individual photographs of each participant should be taken and the sequence in which they appeared noted. Unless it is not practical, a video recording of live identification procedures shall be made. If a video record is not practical, the reasons shall be documented and an audio record shall be made. If neither a video or audio record is practical, the reasons shall be documented, and the lineup administrator shall make a written record of the lineup.
- Eyewitnesses must be given the instructions on the "Eyewitness Identification Instructions".
- Officers must not say or do anything that brings attention to an individual in the lineup.
- Any identifying actions, such as speech, gestures or other movements, shall be performed by all lineup participants.

SHOW-UPS

A show-up is a procedure in which an eyewitness is presented with a single live suspect for the purpose of determining whether the eyewitness is able to identify the perpetrator of a crime.

A show-up conducted by Raleigh Police Officers shall meet all of the following requirements:

- A show-up may only be conducted when a suspect matching the description of the perpetrator is located in close proximity in time and place to the crime, or there is reasonable belief that the perpetrator has changed his or her appearance in close time to the crime, and only if there are circumstances that require the immediate display of a suspect to an eyewitness.
- A show-up shall only be performed using a live suspect and shall not be conducted with a photograph.
- The investigating officer shall photograph the suspect at the time and place of the show-up to preserve a record of the appearance of the suspect at the time of the show-up procedure.

Show-ups should only be used when circumstances require the prompt display of a single suspect to an eyewitness. Such circumstances may include, but are not limited to, situations where there is insufficient information to establish probable cause for an arrest or there are public safety concerns.

If possible, officers should encourage the suspect to consent to a voluntary detention to participate in a show-up. If the suspect is not willing to consent to such participation, officers may still detain the suspect for a reasonable amount of time to conduct the show-up procedure if they have developed reasonable suspicion that the suspect has committed a criminal offense.

Officers should avoid exhibiting a suspect at the scene in handcuffs unless the eyewitness's or officer's safety is threatened.

If possible, officers should find a method by which the victim or eyewitness may view the suspect without the suspect being able to see the victim or eyewitness.

Show-ups may be conducted with adult suspects without a court order.

Show-ups may be conducted with juvenile suspects only in limited circumstances. In addition to all the criteria for an adult show-up, the investigating officer must believe the juvenile has committed a non-divertible offense as set forth in G.S. 7B-1701, or the offense of common law robbery.

The following offenses are non-divertible:

- Murder;
- First-degree or second-degree rape;
- First-degree or second-degree sexual offense;
- Arson;
- Any violation of Article 5, Chapter 90 of the General Statutes that would constitute a felony if committed by an adult;
- First degree burglary;
- Crime against nature; or,
- Any felony which involves the willful infliction of serious bodily injury upon another or which was committed by use of a deadly weapon.

A description of the perpetrator should be documented or recorded prior to conducting a show-up. This documentation can be written in the officer's notes or recorded in a radio transmission or telephone call to emergency communications. Officers should be sure to note the chronology of the events, including the time the description was obtained and recorded and the time the show-up was conducted.

If practical, officers should transport the eyewitness to the location of the detained suspect to limit the legal impact of the suspect's detention. Whenever possible, multiple eyewitnesses should be transported in separate vehicles to minimize discussion about the identification. If there is no option but to transport multiple eyewitnesses in a single vehicle, officers should ensure there is no discussion between the eyewitnesses about the identification. Officers should document steps taken to ensure the eyewitnesses did not discuss the identification.

Show-ups should not be conducted with more than one eyewitness present at a time. If there are multiple eyewitnesses and it is necessary to have more than one view the suspect, they should be separated and allowed to view the suspect individually. (See next provision)

If there are multiple eyewitnesses and one of them makes an identification during a show-up, the remaining eyewitness(es) should not participate in the show-up, but should be reserved for future identification procedures.

Officers should caution an eyewitness that the individual who has been detained may not be the perpetrator. Officers shall avoid any type of statements or conduct that may suggest to the eyewitness that the individual who has been detained is or may be the perpetrator.

Once a subject has been viewed by the victim/eyewitness during a show-up, feedback of any type by the officer or detective is prohibited.

Officers should document the details of the show-up procedures and results in their incident report. This documentation shall include, but is not limited to:

- The reason for the show-up;
- The manner and mode of transportation for each victim or eyewitness;
- The manner and mode of the detention of the suspect, including whether the suspect participated voluntarily in the show-up;
- Date, time and location of the crime and the show-up procedure;
- Instructions given to the victim or eyewitness prior to conducting the show-up;
- Statements from the victim or eyewitness expressing their confidence in their identification of the perpetrator; and
- The results of the show-up and that no feedback was given by the officer or detective upon completion;
- All other relevant details.

DOI 1110-09

Attachment A

Eyewitness Identification Instructions

1. Review wording on the Eyewitness Identification Form
2. Check one option under Section (b) of the form.
3. Read the language on the form to the eyewitness, including only the Section b option you have selected.
4. Ask the eyewitness to sign and date the form. The lineup administrator shall write the word "Refused" on the Eyewitness Signature line in the event the eyewitness refused to sign.
5. Sign and date the form yourself.
6. Maintain a copy of this form in the investigative file.

I am required by North Carolina General Statute to instruct you prior to viewing this lineup, that:

a. The perpetrator might or might not be presented in the lineup.

b. ___ The lineup administrator does not know the suspect's identity, or;

___ The lineup administrator knows the suspect's identity and is using an approved lineup method that does not require an independent administrator.

c. You, as the eyewitness, should not feel compelled to make an identification.

d. It is as important to exclude innocent persons as it is to identify the perpetrator, and;

e. The investigation will continue whether or not an identification is made.

I acknowledge receipt of the above instructions.

_____ _____

Eyewitness Signature Date

_____

Print Name

_____ _____

Lineup Administrator Date

DOI 1110-09

Attachment B

Eyewitness Identification Case Management Form

Suspect's Name: _____ fillers have been used to create this lineup. (At least five (5) shall be used).

These fillers resemble, as much as practicable, the eyewitness's description of the perpetrator in significant features, including any unique or unusual features.

Sources of photos used in the lineup: _____

Date of lineup: _____ Time of lineup: _____

Location: _____ Persons Present: _____

Location of other eyewitnesses (if any) during administration of lineup:

_____

(Other eyewitnesses should not be in the area when the lineup is being conducted)

Eyewitness Name: _____

Has the eyewitness been advised of the "Eyewitness Identification Instructions" and acknowledged same?
___ Yes

Any words used by the eyewitness in any identification:

_____

_____

Eyewitness Confidence Statement
Instructions: Ask the eyewitness to tell you, in their own words, their level of confidence that the person they have identified is the perpetrator. Document the statement below.

_____

_____

_____

_____

Eyewitness Signature: _____
In the event of a refusal to sign, note the refusal and sign yourself.

___ I have attached the actual photos used in the lineup to this form.

___ I have attached a photo or other visual recording of the lineup to the form.

DOI 1110-09

Attachment B

A video recording of the live lineup shall be made. If it is not practical, the reasons shall be documented below and an audio recording shall be made. If neither audio nor video is practical, then the administrator shall make a written record of the lineup and attach such written record as a separate page to this form, documenting the reasons that it was not practical below.

_____

_____

_____

_____

Administrator:
Print and sign name: _____

THE RALEIGH POLICE DEPARTMENT

1110-10

INTERVIEWS AND INTERROGATIONS

PURPOSE

To provide Departmental guidelines ensuring that an individual's rights under the law are protected during interviews and interrogations

VALUES REFLECTED

This directive reflects our values of *Service, Fairness, and Integrity*. By complying with the guidelines in this directive, we will demonstrate that we are forthright and honest and that we maintain the highest moral and ethical standards. Even in the sometimes difficult circumstances of interviews and interrogations, we will treat people with dignity and respect.

UNITS AFFECTED

All Divisions/Sworn Officers

REFERENCES/FORMS

G.S. 7B-2101 "Interrogation Procedures for Juveniles"
G.S. 8B-2(d) "Interpreters for Hearing Impaired"
G.S. 15A-211 "Electronic Recording of Interrogations"
Arrest, Search, and Investigation in North Carolina, Robert L. Farb, Institute of Government
Attachment A: English "Waiver of Rights" Form
Attachment B: Spanish "Waiver of Rights" Form

GENERAL POLICIES

It is beneficial for a victim, witness or suspect to have an opportunity to make a statement regarding knowledge of a crime. The community and criminal justice system are well served when a criminal suspect acknowledges voluntary participation in a crime and tells the truth about how a crime occurred.

In order for a confession to be admissible as evidence, the court will evaluate the "totality of the circumstances" to determine if a confession was knowingly and voluntarily made. In reviewing the "totality of the circumstances," the courts will review the following factors:

- the suspect's age, mental capacity, intoxication or drug use, physical attributes such as hearing impairment, ability to effectively communicate in English, experience in the judicial system, presence of family or friends of the suspect;
- length of questioning, access to food and restrooms, location of the interview, décor;
- number of police officers present, the interviewer's tone of voice, the use of deception by the police, the officer's actions before and during the interview, threats, inducements, physical abuse, and whether Miranda warnings were appropriately given if they were required

NON-CUSTODIAL INTERVIEWS

Whenever possible, officers should conduct non-custodial interviews of suspects. Because the suspect is not in custody, Miranda warnings are not required and should not be given. Officers will want to take steps to ensure that an interview is voluntary and non-custodial. The courts will consider the totality of the circumstances to determine if the suspect is in custody. Some of the factors considered by the courts include, but are not limited to:

- whether the person was told they were not under arrest;
- whether the person was told they were free to leave;
- how the person traveled to the site of the interview;
- where the interview took place;
- whether the person was handcuffed;
- whether the person was locked in a room;
- whether the person was guarded;
- whether the person left the police station after completing the interview;
- whether the person was permitted to move about freely to use the restroom or take a break; and
- Whether the person is a juvenile.

Voluntary Encounters

A voluntary encounter can occur anytime a citizen is willing to speak with an officer. Such an encounter could occur spontaneously, at the request of the officer or at the request of the citizen.

Investigative Detentions

With reasonable suspicion to believe a person may be involved in criminal activity, an officer may temporarily detain the person and conduct an investigation. Generally, an investigative detention is not considered to be custodial; therefore, it is not necessary to provide Miranda warnings prior to asking questions.

A detained person is not required to provide identity information or answer questions.

An officer is permitted to transport a briefly detained person only with the permission of the person detained.

If the field interview following an investigative detention or a voluntary encounter is conducted in reference to a specific crime, the interview should be recorded in a supplement and attached to the case. Otherwise, the interview should be documented on a Field Interview Report (FIR). Officers are not required to complete an FIR on an investigative stop that is solely traffic related, if they issue a citation, or if they make a full custody arrest.

CUSTODIAL INTERROGATIONS

Miranda warnings must be given anytime a suspect is in custody and being interrogated. Additional steps must be taken when dealing with juveniles, hearing impaired, or non-English speaking individuals. Hearing impaired and non-English speaking persons should be instructed to read the bottom portion of the waiver of rights form (attachment A).

Adults

For purposes of interrogation, an adult is a person who is 18 years old or older, emancipated, or a member of the armed forces. An adult should be read the Miranda warnings as stated on the Rights/Waiver of Rights form or the rights card.

Juveniles

Individuals who have not yet reached their 18th birthday, are not married, emancipated, or a member of the armed forces are entitled to the juvenile rights warnings. Juvenile rights warnings consist of the Miranda warnings plus an additional warning that the juvenile is entitled to have a parent, guardian or custodian present during questioning. This is applicable even though the suspect may be prosecuted as an adult.

Persons who have not reached their 16th birthday cannot be interrogated unless a parent, guardian, custodian, or attorney is present. Officers must also advise the parents or guardians of the juvenile's rights; but in all cases waiver of rights must be obtained from the juvenile.

The courts will carefully review interviews with juvenile suspects. Officers should be especially careful to create an atmosphere that is not coercive. In addition to the factors discussed previously,

officers should take into consideration the age of the juvenile, the juvenile's experience within the criminal justice system, the number of officers present at any one time, the length of the interview and the presence of non-law enforcement persons.

Hearing Impaired or Non-English Speaking Persons

Under North Carolina General Statute 8B-2(d), officers are required to provide court-approved interpreters to hearing impaired persons under arrest or in custody, prior to any questioning. The hearing impaired person may waive the right to an interpreter provided the waiver is approved in writing by the person's attorney or by the appointing authority (court) if there is no attorney (Refer to DOI 1110-11 "Use of Interpreters for Hearing Impaired").

Non-English speaking or hearing impaired persons should also be provided with an interpreter to facilitate notification of rights and interrogation. The suspect should not be coached on how to complete the form. Completion of the form can be used to demonstrate that the suspect could read and comprehend English at an acceptable level.

Waiver

Prior to interviewing an in-custody suspect, Miranda warnings must be given and a waiver of rights must be obtained. It is preferable to obtain a written waiver. When this is not possible, officers need to document how a suspect waived his/her rights with body worn cameras, mobile video recorders, or witnesses. In order for a waiver to be valid, it must be given knowingly and voluntarily by the person in custody. If a written waiver form is being used, the suspect should be advised to read the form. A suspect should not be coached on how to complete the form.

Invocation of Rights

After receiving Miranda warnings, an in-custody suspect may invoke one or more of their rights. It is crucial that officers document precisely which right is invoked.

If the suspect invokes his/her right to silence, all questioning must cease immediately. After honoring the suspect's right to silence; officers may, after a significant period of time (at least two hours), re-approach the suspect, repeat the Miranda warnings, and attempt to obtain a waiver.

If the suspect invokes their right to an attorney, then all questions must cease immediately. Officers may not question the suspect unless his/her attorney is present or until the suspect initiates communication with the police and indicates a willingness to talk and waives their right to counsel after being given Miranda warnings.

Officers must carefully document the suspect's statements. Suspects will be allowed private contact with their attorney, if requested.

If an in-custody suspect who has invoked their rights to silence or counsel is released from custody, officers may attempt to have a non-custody interview about any case except one where the suspect's Sixth Amendment rights have attached.

If a suspect's Sixth Amendment right to counsel has attached for a specific crime, and the suspect remains in custody, officers may attempt to conduct an in-custody interview about unrelated

charges. Miranda warnings must be given and a waiver obtained. There can be no interrogation about the crime for which the Sixth Amendment has attached except under the Section below titled "Attachment of Right to Counsel."

If the suspect, while in custody, has ever invoked his/her Fifth Amendment right to counsel, and there has been no break in custody or a break in custody of less than fourteen (14) days, the officers may not interrogate the suspect unless their attorney is present, or until the suspect initiates communication with the police, indicates a willingness to talk, and waives their right to counsel. It must be carefully documented that the suspect initiated the communication with the police.

ELECTRONIC RECORDING OF INTERROGATIONS

An officer, who conducts any custodial interrogation for any Class A, B1, or B2 felony, and any Class C felony of rape, sex offense, or assault with a deadly weapon with intent to kill inflicting serious injury, will make an electronic recording of the interrogation in its entirety. Additionally, any officer who conducts a custodial interrogation of a juvenile for any offense will make an electronic recording of the interrogation in its entirety. This applies to any interrogation that is conducted in a place of detention.

A place of detention is defined as a jail, police or sheriff's station, correctional or detention facility, holding facility for prisoners or other facility where persons are held in custody in connection with criminal charges.

An electronic recording is either an audio recording that is authentic, accurate, unaltered record, or a visual recording that is an authentic, accurate, unaltered record. A visual and audio recording shall be simultaneously produced whenever reasonably feasible.

The recording must be uninterrupted. An uninterrupted record begins at the first moment of the interrogation, and ends when the interview has completely finished, and clearly shows both the interrogator and the suspect throughout. If the suspect is in custody then the recording will include the officer's advice to the person of that person's constitutional rights. If the record is a visual recording, the camera recording the interrogation must be placed so that the camera films both the interrogator and the suspect. Brief periods of recess, upon request by the suspect or the law enforcement officer, do not constitute an "interruption" of the record. The record will reflect the starting time of the recess and the resumption of the interrogation.

Every electronic recording should be burned to a CD or DVD and placed into evidence. The recorded interrogation of a defendant convicted of any offense-related to the interrogation shall not be destroyed until one year after the completion of all State and Federal appeals of the conviction.

ATTACHMENT OF SIXTH AMENDMENT RIGHT TO COUNSEL

Once a suspect's Sixth Amendment right to counsel is triggered, officers may only interview the suspect about the pending charge if the suspect's lawyer is present or if the suspect initiates communication and waives their right to counsel. The Sixth Amendment right to counsel applies whether or not the suspect is in custody. The Sixth Amendment right to counsel can be waived

using a traditional Miranda waiver form or a waiver form created for a specific suspect that indicates specific charges and the name of counsel.

Felony Charges

A suspect's Sixth Amendment right to counsel is triggered for a felony when the suspect:

- Is physically arrested and appears before a magistrate;
- Is indicted by a Grand Jury;
- Has his/her first appearance in District Court (where a judge informs the defendant of the charges and determines whether he/she has counsel); or
- When the defendant is formally charged by the District Attorney's Office.

Misdemeanors Charges

For a misdemeanor charge, the triggering of Sixth Amendment right to counsel is at arraignment or other similar court appearance.

Officers have an affirmative duty to find out what rights have been previously invoked.

RALEIGH POLICE DEPARTMENT

TYPE CASE: _____ COMPLAINT NUMBER: _____

DATE: _____ TIME: _____

PLACE: _____

YOUR RIGHTS

Before we ask you any questions, you must understand your rights:

1. You have the right to remain silent and not make any statements.
2. Anything you say can and will be used against you in court.
3. You have the right to talk to a lawyer for advice before we ask you any questions and to have him or anyone else with you during questioning.
4. If you cannot afford a lawyer, one will be appointed for you by the court, before questioning if you wish.
5. If you decide to answer questions now without a lawyer present, you will still have the right to stop answering at any time until you talk to a lawyer.
6. If you are a person who has not reached his eighteenth (18th) birthday, is not married, emancipated, or a member of the armed forces, you have a right to have a parent or custodian present during questioning.

WAIVER OF RIGHTS

I am willing to make a statement and answer questions. I do not want a lawyer at this time. I understand and know what I am doing. No promises or threats have been made to me and no pressure or coercion of any kind has been used against me by anyone. I have read or had read to me this statement of my rights and the above waiver of rights and I understand what my rights are.

Signed: _____

IF YOU ARE A HEARING IMPAIRED OR NON-ENGLISH SPEAKING PERSON:

You may have a sign language or foreign language interpreter present during questioning. If you do not know or cannot afford an interpreter, one will be provided at no expense to you. If you understand all of your rights, please write on the line immediately below, “I have read and understand each of my rights.”

_____

Signed: _____

Witness: _____

Witness: _____

Witness: _____

RALEIGH POLICE DEPARTMENT

ESCRIBA el CASO: _____ El NUMERO de la QUEJA: _____

La FECHA: _____ La HORA: _____

El LUGAR: _____

SUS DERECHOS

Antes de hacerle preguntas, es preciso que usted comprenda sus derechos: INICIALES _____

1. Usted tiene derecho a permanecer en silencio y no hacer declaraciones. INICIALES _____

2. Cualquier cosa que usted diga puede ser usada en su contra en la corte/juicio. INICIALES _____
3. Usted tiene derecho a asesorarse por un abogado antes de que le hagamos preguntas y tenerlo a él o a otra persona presente durante el interrogatorio. INICIALES _____

4. Si usted no puede pagar un abogado, la corte le dará uno antes de ser interrogado, si usted así lo desea. INICIALES _____

5. Si usted desea responder algunas preguntas ahora, sin un abogado presente, usted tiene derecho de parar de responder en cualquier momento, hasta que hable con un abogado. INICIALES _____

6. Si usted es una persona que no ha llegado a su mayoría de edad (18 años), no esta casado, no es independiente o es un miembro de las fuerzas armadas, usted tiene el derecho de tener presente durante el interrogatorio a algún pariente, un guardián o custodio. INICIALES _____

RENUNCIA A LOS DERECHOS

Yo estoy dispuesto a hacer una declaración y responder preguntas. No quiero un abogado en este momento. Entiendo y sé lo que estoy haciendo. No me han ofrecido tratos ni me han amenazado, No se ha usado coerción o presión en mi contra. Yo he leído o me han leído mis derechos y la renuncia a mis derechos, y yo entiendo cuales son mis derechos.

FIRMA: _____

SI USTED ES UNA PERSONA QUE NO PUEDE OIR O NO HABLA INGLES:

Usted puede tener una persona que se comunique mediante el lenguaje de señas o un interprete de su lengua nativa presente durante el interrogatorio. Si usted no puede pagar un interprete, uno le será dado sin costo para usted. Si usted entiende todos sus derechos, por favor escriba en la línea de abajo “Yo he leído y entiendo cada uno de mis derechos.”

_____

FIRMA: _____

TESTIGO: _____

TESTIGO: _____

TESTIGO: _____

THE RALEIGH POLICE DEPARTMENT

1110-11

INTERPRETER SERVICES FOR THE HEARING IMPAIRED

PURPOSE

The purpose of this directive is to establish a procedure for obtaining interpreter services for the hearing impaired.

VALUES REFLECTED

This directive reflects our values of *Service, Integrity, and Compassion*. We are committed to ensuring that communications with the hearing impaired will be as effective as communications with others and that we will treat all our citizens with dignity and respect.

ORGANIZATIONS AFFECTED

All Divisions/Sworn Officers
Emergency Communications Center
City Public Affairs Office

REFERENCES/FORMS

N.C. General Statute 8B-2(d) "Appointment of Interpreters"
DOI 1101-04 "Victim/Witness Services"
DOI 1110-10 "Interviews and Interrogations"
City SOP 113-2 "Interpreter Services for the Hearing Impaired"
Attachment A: City of Raleigh Application for Interpreter Services for the Hearing Impaired

GENERAL POLICIES

Successful police contact with citizens is characterized by effective communication between the parties whether dealing with suspects, victims or complainants. The Raleigh Police Department will ensure that non-hearing or hearing impaired persons shall be provided with a qualified interpreter during interviews and during the arrest process. It is the policy of the Department to fully comply both in spirit and in substance with all laws governing reasonable accommodations for the hearing impaired.

GENERAL REQUEST AND PROCUREMENT PROCEDURES

The City Public Affairs Department will have responsibility for the procurement and payment of interpreters during normal working hours. The requesting officer should notify the City Public Affairs Department 48 hours in advance of the time the interpreter is needed. On weekends, holidays, and at times other than normal working hours, it shall be the responsibility of the Emergency Communications Center to procure interpreters.

The requesting officer will be provided a listing of both court approved and non-court approved interpreters. If an interpreter is required, the requesting officer will indicate whether a court approved or non-court approved interpreter is needed.

Non-court approved interpreters may be used in communicating with complainants or witnesses. If a non-court approved interpreter is needed, the officer should notify the City Public Affairs Department or the Emergency Communications Center and give the location at which the interpreter is needed. Court approved interpreters are required when interrogating suspects or arrestees or in any other action where criminal proceedings are likely to follow.

Police officers will not call interpreters to places where the interpreter's safety is in question. In emergencies, a police supervisor may transport an interpreter to a scene of potential danger. The supervisor should first explain the situation to the interpreter and take whatever reasonable precautions to insure the interpreter's safety.

When non-court approved interpreters are requested during normal business hours, the City Public Affairs Department should first try to locate City of Raleigh employees who possess interpreter skills. At times other than normal business hours, the Emergency Communications Center should contact an interpreter from a rotating list of private, on-call interpreters. The most recent version of this list can be found at the North Carolina Department of Health and Human Services website (http://www.ncdhhs.gov/document/sign-language-interpretertransliterator-directory).

If the interpreter is not a City of Raleigh employee, the requesting officer's supervisor should be sure to complete a payment voucher. The officer should be sure to include the starting and ending odometer readings from the interpreter's car. Also, the time that the interpreter arrives should be noted. The completed payment voucher will be forwarded to the City Public Affairs Department for payment.

QUESTIONING OF COMPLAINANTS OR WITNESSES

Non-court approved interpreters should be adequate in most situations where the hearing impaired person will not be charged with a criminal offense. If a witness's testimony is likely to be a key element of the prosecution, the officer may wish to re-interview the witness prior to the trial date using a court-approved interpreter.

INTERROGATION OF SUSPECTS WHO ARE NOT IN CUSTODY

Officers are not legally required to provide interpreters to suspects who have not been arrested or who are not in custody. However, the officer should weigh the following factors against the inconvenience of obtaining an interpreter:

- Due to their handicap, many hearing impaired persons have poorly developed reading skills.
- If suspects successfully contend that they could not adequately read their Miranda rights, all handwritten statements and other evidence will later be excluded from court.

Miranda Warnings

If an officer believes that Miranda warnings are required, the officer should proceed as follows:

- Request that the suspect read the "Waiver of Rights Form." The officer will not instruct the suspect on how to complete the form. The officer will simply allow the suspect to read the form and observe the response.
    - If the suspect completes the form correctly, this may later be used to demonstrate that the suspect is capable of reading at an appropriate level of comprehension.
    - If the suspect is not able to complete the form correctly, the officer will not proceed with the interrogation. The officer will notify a court approved interpreter and proceed only after the interpreter has translated the warnings to the suspect.
- The officer will request that the suspect give a statement in the suspect's own handwriting. These written statements can later be used to substantiate contentions that the suspect could read effectively.

INTERROGATION OF PERSONS UNDER ARREST

Officers are legally required to provide court approved interpreters to hearing impaired persons under arrest or in custody, prior to any questioning. The arrestee may not waive this right unless the arrestee's attorney is present.

Demonstrating Comprehension

The mere presence of an interpreter does not guarantee that evidence volunteered by the arrestee will be accepted by the Courts. The prosecution must demonstrate that the interpreter was able to communicate effectively with the arrestee.

The best demonstration of effective communication, with a hearing impaired arrestee, is a video tape of the interrogation.

Incarceration of Hearing Impaired Arrestees

If an officer does not intend to question a hearing impaired arrestee, the officer should inform the Magistrate of the arrestee's impairment at the time the arrestee is brought before the Magistrate.

The Magistrate will make a determination as to whether an interpreter will be required for a bond hearing.

If the Magistrate feels that an interpreter is necessary, the officer should not assume financial responsibility for procuring one nor should the supervisor forward a payment voucher to the City Public Affairs Department.

DOI 1110-11
Attachment A

CITY OF RALEIGH APPLICATION FOR INTERPRETER SERVICE FOR THE HEARING IMPAIRED

REQUEST FOR SERVICE

Requesting Entity:_____

Purpose:_____

Individual Requesting Service

Name:_____

Address:_____

City/State/ZIP:_____

Telephone:_____

Date Needed:_____Time Needed:_____# Hours Required:_____

……

INVOICE FOR INTERPRETER

Name:_____Certification Level:_____

Address:_____

City/State/ZIP:_____

Location Services Performed:_____

Time:_____Rate:_____Total:_____

Beginning Odometer:_____Ending Odometer:_____

(_____miles at current City mileage rate of_____) Total:_____

Total Due (Hours + Mileage):_____

Interpreter Signature:_____Social Security #:_____

Service Approved by:_____
(Head of Requesting Agency)

Payment Approved by:_____
(Director of Department Implementing Program)

THE RALEIGH POLICE DEPARTMENT

1110-12

USE OF TRUTH VERIFICATION INSTRUMENTS

PURPOSE

This procedure is intended to provide information to all officers concerning the use of truth verification instruments and to provide regulations for examiners.

VALUES REFLECTED

This directive reflects our values of *Service, Integrity, and Compassion*. We recognize that although truth verification examinations are not techniques accepted in court they do have value as investigative tools. It is important, therefore, that we treat those whom we ask to undergo these procedures with dignity and respect, demonstrating our compassion for them even if they are suspected of wrongdoing. In this manner we demonstrate our accountability for our actions. The use of these techniques further demonstrates our efforts to combat crime and disorder and that we will employ the best available practices in our service to the community.

ORGANIZATIONS AFFECTED

All Divisions/Sworn Officers
Truth Verification Instrument Operators

REFERENCES/FORMS

GENERAL POLICIES

Truth verification examinations should be considered a supplement to, and not a substitute for, a thorough investigation. The more complete the investigation, the better the chances are of a conclusive opinion from the examiner.

A truth verification examination will not be conducted on any subject if the examiner feels the subject is physically or mentally unfit, or if the examination may be detrimental to the subject's health.

USE OF TRUTH VERIFICATION EXAMINATIONS

Criminal Investigations

Truth verification examinations may be given to suspects, victims, or witnesses in any criminal investigation. The results, however, cannot be presented in court, and its use should be for the purpose of developing or eliminating investigative leads.

Internal Affairs Investigations

The Chief of Police may authorize truth verification examinations to be given to victims, witnesses, employees or suspects in any internal departmental investigation.

The Chief of Police may also require department employees to submit to a truth verification examination.

Personnel Selection

Applicants for Police Department job vacancies will also be required to submit to truth verification examinations as part of the selection process.

SELECTION CRITERIA IN CRIMINAL CASES

Not all persons involved in a criminal investigation are suitable candidates for truth verification examinations. Officers should verify the suitability of a subject prior to requesting an examination.

Voluntary Consent

Examinations will only be given to subjects who voluntarily agree to submit to the examination.

- Officers should be certain that employees of businesses are not agreeing to an examination out of fear of losing their job, or fear of not receiving wages until the test is taken. These are definitely coercive tactics, and could be considered civil rights violations.

- A test of a juvenile requires both the consent of the juvenile and of the juvenile's parent or guardian prior to the examination.

Presence of Key Facts

The reliability of the truth verification depends on the presence of key facts to which only the perpetrator might know or show sensitivity. Examples of such facts might include:

- The method or point of entry used in a crime, the amount of damage, and/or whether a key was used.
- The specific property that was taken. Examples might include the exact amount of currency and/or the denominations, unused articles, or unusual items.
- The precise location from which property was removed.
- The types of weapons or the type and level of force used in a crime.
- Any unusual acts that may have been committed by the suspect before, during, or after the crime.
- The means of exit or the escape vehicle that may have been used.

The officer should be careful that the above information is not made available to the public.

Subject's Relative Importance to the Case

During a criminal investigation, any number of people may falsify information for a variety of reasons. Persons scheduled for truth verification examinations should be those who form a crucial part of the investigation.

Emotional and Physical State of the Subject

Officers should evaluate the emotional and physical state of subjects being suggested for examination.

Some juveniles may be difficult test subjects due to their level of physical and emotional maturity. Prior to testing a juvenile, especially those under 14, the officer should consult with the truth verification examiner to determine the juvenile's suitability for testing.

SCHEDULING OF EXAMINATIONS

Approval

Requests for truth verification examinations must be reviewed and approved by a Detective Division supervisor at the rank of Lieutenant or above.

Appointments with the Examiner

Once approval for a truth verification examination is given, the officer should arrange a convenient time with the examiner. The officer must also ensure that the subject to be tested is informed and has a means of transportation to the test.

Previous Interrogations

Intensive interrogation of a subject immediately prior to the examination should be avoided. Prolonged interrogation of the person may result in a tired or antagonistic subject who would be unsuitable for testing.

Information Provided to the Examiner

At the time an examination is scheduled, the officer should provide the examiner with a copy of the case report along with any supplements. Any statements or denials made by the subject should also be included. Background information on the subject, including any criminal record, is vital.

Immediately Prior to the Examination

On the day of the examination, the officer should confer with the truth verification examiner in order to discuss the offense and possible routes of interrogation.

EXAMINATION PROCEDURES

Waivers

Prior to administering a truth verification examination, the examiner shall have the subject sign a truth verification consent form.

- The parent or guardian of a juvenile must sign the parental consent portion of the consent form prior to an examination being administered to a juvenile.
- Subjects who are in custody should also be read and asked to sign a Waiver of Miranda Rights (refer to DOI 1110-10 “Interviews and Interrogations”).

Previous Truth Verification Examinations

If the results of a truth verification examination are inconclusive, the subject may be re-tested at a later date.

If an examiner makes a conclusive determination as to truthfulness or lack of, the subject will not be re-tested.

Notification of Results

The examiner will notify the officer of the results of the examination once the entire examination is complete.

THE RALEIGH POLICE DEPARTMENT

1110-13

FACIAL RECOGNITION SYSTEMS

PURPOSE

The purpose of this directive is to establish policies, guidelines and procedures for the use of Facial Recognition Systems.

VALUES REFLECTED

This directive reflects our values of Service, Fairness, and Integrity. In carrying out these operations we will hold ourselves to the highest standards of integrity and professionalism and will act in such a manner that no infringement upon the statutory and constitutional rights of any individual shall occur.

UNITS AFFECTED

All Divisions/Sworn Officers

REFERENCES/FORMS

NCGS § 132-1.4: Criminal Investigations; Intelligence Information Records
28 CFR Part 23: Criminal Intelligence Systems Operating Policies
DOI 1110-09 Non-Testimonial Identification, Lineups
DOI 1110-15 Criminal Intelligence and Investigative Task Forces

GENERAL POLICIES

The Raleigh Police Department is committed to reducing crime and maintaining order by aggressively investigating criminal activity that threatens public safety and diminishes the quality of life in our neighborhoods. Facial Recognition (FR) Systems are tools used to assist law enforcement with identifying persons involved in investigations by comparing a suspect's photograph to photographs of known and unknown offenders. FR systems allow law enforcement agencies to save time and resources by providing investigative leads quickly, supplementing more traditional methods of policing. The use of these tools is consistent with the mission of the Raleigh Police Department in providing the highest level of service to the community while still recognizing legitimate privacy interests held by citizens.

FACIAL RECOGNITION SYSTEM

A facial recognition system is a computer based system that compares photographs from various sources to a database of photographs accessed by the facial recognition system. Various computer algorithms are used to analyze facial features which the system then compares against a database of photos. The facial recognition system will then identify possible matches to the photo. Facial recognition systems can compare one photo to a database of photos, called "one-to-many" comparison, and one photo to another photo, called "one-to-one" comparison. Facial recognition systems can also compare photos to previously searched photos that were not matched to the existing database at the time of comparison.

CONTROL AND USE OF THE FACIAL RECOGNITION SYSTEM

The facial recognition system will only be used for official law enforcement purposes and in accordance with all State and Federal laws protecting an individual's reasonable expectation of privacy.

Personnel assigned to the Video Forensic Analyst and Computer Forensic Analyst positions will be tasked with the operation and security of the facial recognition system. No other personnel are authorized to access the facial recognition system, excluding audits by supervisory personnel. When not in use, the system shall be locked and inaccessible to unauthorized personnel.

Comparisons of photos utilizing the Raleigh Police Department's facial recognition system will be made to a database of arrest photos maintained by the City-County Bureau of Identification (CCBI) of persons arrested in Wake County.

Photos to be compared utilizing the FR system must be lawfully obtained and may come from the following sources:

- Closed Circuit Television (CCTV) video from the scene of a crime;
- Photos of a suspect provided by the suspect, witnesses to, or victims of a crime;
- Photos obtained through a valid court order or search warrant;
- Photos or video taken during lawful surveillance that is a part of an active criminal investigation;

- Photos and video lawfully collected at a crime scene.

Photos to be compared utilizing the FR system cannot come from the following sources:

- CCTV video that is not directly related to an active criminal investigation;
- Social media sources, except for photos or videos that are obtained from the public domain and are directly related to an active criminal investigation;
- Photos or videos from pickets, protests, religious assemblies, funerals, or demonstrations unless such photos or videos were taken as a part of an active criminal investigation;
- Photos from the Department of Motor Vehicles.

The Raleigh Police Department's facial recognition system is a comparison tool only. It shall not be used to capture, gather, or compare photos or videos in real time.

In the event that a photo which has been obtained as outlined above is compared but not matched to an existing photo, that photo may be used at a later time to be compared to the database again, or it may be compared to other lawfully obtained photos of unidentified person(s) obtained during an investigation.

At no time should a photo match from the facial recognition system be relied upon as the sole basis for developing probable cause for an arrest. Specific and articulable facts beyond the results of the facial recognition comparison must exist to establish probable cause. Results obtained from FR System are considered investigative leads only.

An audit log shall be maintained by the operator(s) of the facial recognition system to include the following:

- Report Number
- Date of Request
- Type of Investigation
- Name of Person Requesting Comparison
- Name of Person Operating System

Audits may be performed at any time to ensure compliance with this directive.

TRAINING FOR THE FACIAL RECOGNITION SYSTEM

Personnel assigned to the operation of the Facial Recognition System will receive training concerning the use and operation of the Facial Recognition System, as well as continuing training covering State and Federal laws as they relate to the use of facial recognition technology, show ups and the Eyewitness Identification Reform Act.

THE RALEIGH POLICE DEPARTMENT

1110-14

INVESTIGATIVE CASE MANAGEMENT AND REVIEW

PURPOSE

To establish guidelines designed to ensure that follow-up investigations are assigned, conducted, and reviewed in an efficient manner.

VALUES REFLECTED

This directive reflects our values of *Service and Integrity*. Effectively managing and conducting investigations of crimes is one of our core responsibilities. By following the guidelines in this directive we strive to meet the highest standard of excellence in protecting and serving our community.

UNITS AFFECTED

All Divisions/Sworn Personnel

REFERENCES/FORMS

1108-04 "Evidence and Found Property"
1108-05 "Submission of Police Reports"
Raleigh Police Department Detective Division Case Management/Review Protocol

GENERAL POLICIES

Limited staffing and resources dictate that procedures be established to prioritize the assignment of cases for follow-up investigation. Management review of assigned cases is necessary to ensure that the goals of the Department are achieved.

Effective case management is related to more than the efficient use of resources. It also affects evaluation of personnel performance and management's ability to demonstrate that the objectives of the organization are being accomplished.

CASE ASSIGNMENT FOR FOLLOW-UP INVESTIGATIONS

Case assignment is determined based on the type of case and solvability factors. Cases requiring immediate follow-up investigation will be reviewed and assigned by a Detective Sergeant or his/her designee.

Solvability factors include the following:

- Suspects are known or arrested;
- There is an identifiable suspect vehicle and/or license plate number;
- There is a detailed suspect description;
- Investigative leads are listed/known;
- There is a witness to the crime;
- The monetary value of items stolen;
- There is significant physical evidence present;
- There have been multiple occurrences with the same victim or other victims, and there is information indicating follow-up investigation would be advantageous;
- Any combination of factors is present that would assist in solving the case or recovering the property; and
- The seriousness of a case would warrant immediate follow-up (e.g., homicides, rape, and child molestation).

Case Priority

Unless a supervisor directs otherwise, felony cases will always be given priority over misdemeanor cases for investigation.

CASE ASSIGNMENT

Case assignment is determined based upon the type of case and solvability factors.

The following types of cases will be assigned to a detective for follow-up:

- Murder
- Rape
- Robbery
- Burglary
- Aggravated Assault
- Firearms-related Incidents
- Vandalism
- Missing Persons
- Patterned Cases

Case assignment to detectives should be based on a system that ensures equitable distribution of cases among detectives. Patterned or cluster cases should be assigned to one detective or a team of detectives who work together.

All cases that are cleared by arrest by the officer who investigated the case will be assigned to that officer. For cases in which the officer indicates that he/she will be seeking warrants or a juvenile petition, the case should be assigned to a detective. The assigned detective will be responsible for making sure that petitions or warrants are in fact taken out prior to the case being closed.

Cases that have been cleared by Field Operations personnel should be reviewed by a detective as a closed case in the event there is a future need for investigation and for general information purposes. In cases that will/should be cleared by Field Operations personnel, the case should not be assigned to a Field Operations officer but to the Detective Sergeant to ensure proper follow-up.

Misdemeanor cases that did not occur in the presence of an officer, but the suspect is known to the victim and warrants have been advised should be assigned for a follow-up by phone call only. If a warrant was obtained by the officer or the complainant, detectives should keep the case open for 30 days or until the warrant is served. Detectives should make reasonable efforts to facilitate the service of the warrant.

Squad Sergeants will refer cases to detectives based upon solvability and the seriousness of the crime. Although a Detective will be assigned to the follow-up investigation, the Squad Sergeant retains responsibility for the investigation.

If a case appears to be part of a pattern of crimes, the Sergeant may assign the case regardless of the solvability factors present. All patterned cases will be assigned to one detective.

Motor Vehicle Thefts, Lost/Stolen Firearms

These reports need to be carried as pending and assigned, but unless there are solvability factors, the assignment is only to ensure the required DCI audit is completed when required. After 90 days and the initial audit by the detective, the audits will be tracked by the DCI Records Clerk.

Missing Persons

All missing persons' cases should be assigned to the North or South Property Crimes Detectives based upon where the case was initiated. All missing persons' cases should be assigned for investigation. In situations where the assigned detective gets reassigned out of the Unit, the cases will be transferred to the Detective Sergeant of the Unit the detective is leaving. Long-term missing persons' cases should be updated every six months at a minimum.

Domestic Violence Cases

Misdemeanor and felony family violence cases should be forwarded to the Family Violence Intervention Unit for follow-up investigation. Felony domestic violence cases will be assigned to a FVIU detective. In felony cases that have been cleared by arrest by the initial responding officer, the Detective Sergeant should review the case to ensure a proper investigation has been completed. If further investigation is needed, the case should be assigned to a detective. In Domestic Violence homicides, shootings, and sexual assaults in which the case is assigned to the Violent Crimes Unit, a referral should be made to the FVIU to ensure appropriate victim services are rendered.

In all domestic violence cases, regardless of the primary detective, sergeants should mark all the cases as "DOM" in the assignments field in KOPS.

The following general guidelines govern the assignment of cases to Detective Units:

Homicide Unit:

The Homicide Unit will assume the primary investigative responsibility for:

- Homicides;
- Deceased persons;
- Adult missing person cases of a suspicious nature; and,
- Shootings involving a Raleigh Police Officer

Aggravated Assault Unit:

The Aggravated Assault Unit will assume the primary investigative responsibility for:

- Aggravated assaults (all felony assaults that are not domestic violence related);
- Shooting cases in which a victim is injured as a result of the shooting, regardless of the classification of the offense;

- All arsons and fires to real property or personal property (Arson Detective);
- All kidnappings;
- All shots fired offenses;
- Sexual assaults and rapes involving persons age 16 or older;
- Domestic violence sexual assaults (notify Family Violence Intervention Unit);
- Indecent exposures; and,
- Peeping Toms

Robbery Unit:

The Robbery Unit will assume primary investigative responsibility for:

- All robbery cases (commercial and from person)

Shoplifting cases in which force is used subsequent to the shoplifting, resulting in a Robbery NIBRS classification, will be assigned to the Property Crimes Unit.

Drugs and Vice Unit:

The Drugs and Vice Unit will assume primary investigative responsibility for:

- All illegal drug cases, including prescription fraud;
- Prostitution cases;
- Gambling cases; and
- Forged Prescriptions

Criminal Enterprise Unit:

The CEU will assume primary investigative responsibility for:

- Money laundering;
- Long-term investigations on major drug organizations;
- Weighted drug cases;
- Drug cases that involve Federal prosecution;
- Organized Crime; and,
- Parcel packages (U.S. Postal Services, Fed Ex, UPS, etc.) that involve drugs or currency

Intelligence Unit:

The Intelligence Unit is responsible for gathering, analyzing and disseminating tactical and strategic intelligence on potential terrorists, extremist groups, gangs, and others (as determined by the Detective Division Major) that may have adverse effects on the City. The Intelligence Unit will act as the liaison between the Police Department and outside law enforcement agencies on terrorism and Homeland Security intelligence-related matters. When potential threats are identified, the Intelligence Unit will be responsible for:

- Assessing the level of the threat posed;
- Identifying potential targets within the City;
- Determining how vulnerable the potential targets are for attack; and,
- Reporting/relaying information to the proper task force or agency, as needed

The Intelligence Unit will also assume primary investigative responsibility for:

- Bomb threats;
- Hate crimes;
- Politically motivated incidents;
- Assaults on LEO and crimes against government officials;
- Impersonating officer cases;
- Dignitary protection; and,
- Human trafficking cases

When requested, the Intelligence Unit will assist primary detective squads by gathering intelligence information on violent crime incidents. In addition, the Intelligence Unit will be responsible for gathering and maintaining intelligence on gun-related incidents, a shooting log and the weekly/monthly calendar of events.

- The Intelligence Unit will assist in gathering and maintaining intelligence, the Gang Net database, and locating persons involved in investigations that have gang affiliations.

Cyber Crimes Unit:

Cyber Crimes fall under the Intelligence Unit and will assume primary investigative responsibility for:

- All Internet-facilitated crimes and any computer crime where the use of the computer in committing the crime is the most significant element of the offense;
- On-line predators (in conjunction with SBI ICAC);

- On-line auction fraud;
- E-mail facilitated fraud;
- Internet-facilitated on-line prostitution within RPD jurisdiction (in conjunction with Drugs and Vice);
- Internet stalking;
- Computer intrusion;
- Possession of child pornography; and,
- Solicitation of children over the Internet

Career Criminal Unit:

The Career Criminal Unit (CCU) is tasked with identifying high rate recidivists and violent offenders who adversely impact the community due to their propensity to engage in habitual criminal acts. Once these criminal elements are identified, CCU will employ various investigative measures to build a case against the individual and work in conjunction with both State and Federal prosecutors in a relationship that places emphasis on post-arrest sentence enhancement. Additionally, within CCU, there will be a component that specializes in firearms investigation. Each CCU firearms case will be evaluated for criteria that meet the standards for Federal prosecution.

Financial Crimes Unit:

The Financial Crimes Unit will assume the primary investigative responsibility for:

- Forgery;
- Counterfeiting, including currency, checks, financial documents, and other miscellaneous merchandise;
  - An exception to the above guidelines concerns the manufacture of merchandise or currency by means of computer-related technology, which will be handled by Cyber Crimes.
- Worthless Check (Felony: over $2,000, or on a closed account);
  - The Wake County District Attorney's Office has expressed a desire not to become involved in misdemeanor worthless check cases. They prefer that these matters be resolved in the designated Worthless Check Court. Therefore, worthless check cases that do not fall within the above guidelines will be inactivated.
- False Pretense;
- Flim-Flam;

- Credit Card Fraud, including those crimes that are facilitated by means of the victim's credit card number;
  - An exception to this guideline is if a computer is the most significant element in the commission of the crime. These cases will be handled by the Cyber Crimes Unit.
- Identity Theft;
  - If a computer is the most significant element in the commission of the crime, then detectives assigned to the Financial Crimes Unit will not possess the necessary technical skills required to complete the investigation. These types of identity theft crimes will be handled by the Cyber Crimes Unit.
- Embezzlement; and,
- Forged Prescriptions
  - The primary investigative responsibility will remain with the Drugs and Vice Unit. These cases will not be assigned to the Financial Crimes Unit.

Cases involving the theft and use of a financial instrument will be assigned based on the solvability factors. The Financial Crimes Unit will take cases where the primary event is the use of the instrument within our jurisdiction. In addition to accepting primary investigative responsibility for the above mentioned crime classifications, should any member of the Department, irrespective of Division or assignment, request the specialized assistance that members of the Financial Crimes Unit can offer, that request will be honored.

Technical Assistance Response Unit (TARU):

The Technical Assistance Response Unit will assume primary investigative responsibility for:

- Conducting computer forensic examinations to assist detectives from other units (Forensic Computer Analysis);
- Conducting video enhancements to assist detectives from other units (Video Analysis);
- Assisting any detective with the recovery of computers and preservation of computer files (Forensic Computer Analysis); and,
- Providing technical advice on any computer related issues

CASE JACKETS:

Case jackets should be color-coded based on the type of case or victim.

- Blue Jackets – District cases
- Red Jackets – Intelligence Unit cases
- Orange Jackets – Special Victims Unit cases

- Purple Jackets – Juvenile cases (all squads)
- Gray Jackets – Drugs and Vice Unit cases
- Green Jackets – Fraud and Forgery Unit cases

CASE FILES

The following types of records will be maintained within each investigative case file:

- The investigation report;
- All supplementary reports;
- Reports from the City-County Bureau of Identification and other evidentiary processing agencies;
- Status change reports;
- BOLOs;
- Victimology;
- Call history; and,
- Any other item pertaining to the case

TIME LIMITS

- Detectives shall read and review each case to which they are assigned within 24 hours from the date the case was assigned.
- Victims in all cases shall be contacted within three working days.
- All cases require written follow-up investigation within seven (7) days of being assigned and again within 21 days if a final disposition has not been made.

Supervisor Case Review Responsibilities

Supervisors will review all cases assigned to detectives under their supervision within seven (7) days of being assigned and again within twenty-one (21) days if a final disposition has not been made.

COLD CASE REVIEW

For the purpose of this policy, a cold case is defined as any criminal investigation involving a violent act such as murder, rape or a person missing for an extended period of time that is typically assigned to members of the Violent Crimes Unit for investigation. These types of investigations can not be officially closed through administrative measures and must remain listed as a pending case until a logical and successful conclusion has been achieved. No time limit is provided for the

completion of such investigations, so when a particular case becomes a year old and is still listed with a pending status it will be considered a "cold case."

Cold Case Evaluation Process

The Violent Crimes Lieutenant will be required to review all investigations obtaining the status of "cold case" and will continue a review of each case annually until the investigation has been logically and successfully closed. The Violent Crimes Lieutenant is required to complete a report to the Detective Division Major every two years upon completion of a "cold case" review.

The Violent Crimes Lieutenant will ensure continued investigation into the "cold case" by assigning it according to the Investigative Supervisors of the Violent Crimes Unit.

All listed "cold case" investigations will be logged, filed and secured within the offices of the Violent Crimes Unit. The case log and all related investigative materials will be maintained by the Violent Crimes Lieutenant.

Documenting Investigative Activities

Since a "cold case" is a pending investigation, all documentation and review procedures outlined in this policy and those within D.O.I. 1108-5 Submission of Police Reports will be adhered to.

FOLLOW-UP INVESTIGATIONS

In conducting follow-up investigations, detectives should utilize every available avenue. This includes a follow-up contact with principles in the case, uniformed officers, a review of crime analysis information, and efforts to develop informants, determining involvement of suspects in other crimes, and checking suspects' criminal histories. Detective Sergeants should utilize the case jacket checklist when assigning cases and detectives should make reference to the checklist when conducting their follow-up investigations.

- A follow-up contact of the complainant, witnesses, and/or suspect(s) is to be made on all cases assigned for active investigation. The detective will indicate, in the report, the date and manner of notification.

- The planning, organizing, conducting of searches, and/or collection of physical evidence is to be completed and documented in a supplementary report for all active investigations, when applicable.

- Supplementary reports, on the progress of the investigation, must be submitted by the due date unless an extension is granted.

- The detective is responsible for ensuring that any evidence or property receives the correct disposition once the case is concluded (refer to DOI 1108-04 "Evidence and Found Property").

- Detective will notify the Investigative Crime Analyst when there is a change in UCR offense classification of a case.

Supervisory Review

Supervisors retain responsibility for investigations assigned to their detectives to ensure that proper procedures and efforts are utilized.

A supervisor will review and oversee the execution of all search warrants.

CASE DISPOSITION

Final disposition of assigned cases should be made in accordance with Uniform Crime Reporting guidelines. The following are dispositions that should be used for cases which are closed or cleared:

Unfounded

Unfounded is used when it is determined that no crime has been committed.

Cleared by Arrest

Cleared by Arrest indicates that one or more offenders have been arrested, charged with the commission of the crime and have been turned over to the court system for prosecution.

Cleared by Arrest by Other Agency indicates that one or more offenders has been arrested by another agency, charged with the commission of the crime and will be turned over to the court system for prosecution.

Inactive – Not Assigned and Inactive – Assigned

Cases not having sufficient solvability factors or of a non-serious nature, to warrant a follow-up investigation, will be referred to detectives on an inactive status and will be reopened should additional information be obtained.

- Inactive – Not Assigned: These cases are not assigned to a detective to investigate but are maintained for informational purposes only.
- Inactive – Assigned: These cases have been inactivated after investigation by a detective but require additional follow-up by the detective.

Exceptionally Cleared

If the following questions can be answered "yes," an offense can be exceptionally cleared:

- Has the investigation definitely established the identity of the offender?
- Is there enough information to support an arrest, charge, and prosecution?
- Is the exact location of the offender known, so that the subject could be taken into custody now?

- Is there some reason outside law enforcement control that precludes arresting, charging, and prosecuting the offender?

Cases may also be exceptionally cleared under the following circumstances:

- Suicide of offender;
- Double murder (offender is deceased);
- Offender killed by police or citizen;
- Death bed confession;
- Confession of offender already in custody or serving a sentence;
- Offender prosecuted elsewhere for different offense or in another location for an offense that may be the same;
- Extradition denied;
- Victim refuses to cooperate in the prosecution (the answer must also be "yes" to the first three questions listed above);
- Warrant is outstanding for a felon, but offender dies before arrest;
- Juvenile diversion or written notice to parents of a minor offense; and,
- Non-criminal cases where the investigation has been completed

Administrative Closing/Warrant Pending

An "Administrative Closing/Warrant Pending" can be done on cases where no further investigation is needed and attempts to locate the suspect(s) with outstanding warrants have been unsuccessful. Sergeants will conduct a quarterly audit of all administratively closed cases to ensure that the status is still appropriate.

DETECTIVE DIVISION CASE RECORDS

Detective Division case files will be maintained as follows:

- The Homicide Unit will maintain records assigned to their Unit.
- Records of vice, drugs, and undercover operations will be held separately by Drugs and Vice until concluded.
- Detective Sergeants will be responsible for ensuring that juvenile records are maintained separately from all other records.
- Only Division personnel or authorized police personnel will be allowed access to Division files.

- The detective squads are responsible for maintaining open case files within their respective work areas.

Purging Files

Once a case is concluded, the Sergeant will make the appropriate change to the case status. Detective Division case files of inactive cases will be retained for a period of one year from the date of closure and then archived or destroyed.

This policy is not a public record pursuant to

N.C. General Statute §132-1.4

and

N.C. General Statute §132-1.7

THE RALEIGH POLICE DEPARTMENT

1110-16

LICENSING BACKGROUND INVESTIGATIONS

PURPOSE

To provide investigative personnel with guidelines to be used in conducting background investigations into applicants for certain licenses as required by City Code or State law.

VALUES REFLECTED

This directive reflects our values of *Service and Integrity*. By observing these guidelines, we will be better equipped to fight crime. By assuming these regulatory and investigative functions we seek to improve the overall well-being of our community.

UNITS AFFECTED

Detective Division/All Personnel

REFERENCES/FORMS

Raleigh City Code 2-2011 thru 2-2033 “Privilege Licenses”
Raleigh City Code 12-21131 thru 12-2145 “Massages”
Raleigh City Code 12-2115 thru 2161 “Precious Metal Dealers”
N.C. General Statutes 66-165 thru 66-167 “Regulation of Precious Metal Dealers”
N.C. General Statutes 91A-1 thru 91A-14 “Pawnbrokers Modernization Act”

GENERAL POLICIES

Licensing investigations conducted by the Department and other law enforcement agencies play an important part in deterring the infiltration of organized crime into the community. Investigations shall be conducted with diligence and in compliance with both State law and applicable City Codes.

The need to deter organized criminal activity must be balanced against the privacy rights of persons engaged in legitimate business. Licensing background investigations will be conducted discreetly and with the appropriate safeguards. The Leads and Pawn Detective is assigned to the Detective Division/Property Crimes and the License Review Technician is assigned to the Special Operations Division/Code Enforcement. These two positions are responsible for conducting the licensing background investigations.

TYPES OF INVESTIGATIONS CONDUCTED

Background investigations will be conducted by the License Review Technician on citizens making application to sell alcoholic beverages or to operate a massage business. The Leads and Pawn Detective will conduct the background investigation on citizens making an application to operate as a pawnbroker in the City of Raleigh. The City Revenue Collector's Office will forward applications for licenses covered in this procedure to the Police Department.

Applications for Alcoholic Beverage Sales

Normally, complete investigations into the background of these applicants and the locations where alcoholic beverages will be sold have been done by Alcohol Law Enforcement agents and other City Departments, such as Zoning and Inspections Departments.

- The Special Operations Division will receive from the Office of the Chief of Police, ALE Form "Local Government Opinion Form."

- The License Review Technician will conduct the appropriate check of criminal history, the files located at C.C.B.I., and the central records section of the Police Department on the applicant and forward the results to the Chief of Police.

- If the applicant is found to have a criminal history that would be the basis for denial of the license, a response will be forwarded to NC ABC Commission from the Special Operations Division Commander within fifteen (15) days of the receipt of the application by the Chief.

Applications for Massage Business License

Investigations into the character and background of those applying for licenses to operate a massage business will be conducted by the License Review Technician.

- "Applications for Massage Business License" and the "Police Information Report" will be forwarded to the License Review Technician by the City Revenue Collectors office. Included with these forms will be a photograph of the applicant.

- The License Review Technician will contact the applicant and verify the information provided on the application. A "License Application Form" will be completed and a check of police

calls and any ABC outlets within a three block radius of the location, from which the massage business intends to operate, will be included in this report.

- A criminal history check will be done through NCIC/DCI. The records maintained with the Clerk of the Superior Court, C.C.B.I. and the City of Raleigh Police Central Records Section will be checked.

- The results of this investigation will be forwarded to the Special Events and Secondary Employment Lieutenant for review. This report will contain copies of all pertinent documents and a memo summarizing the investigation into the employment history, any criminal history if applicable, neighborhood checks, business history and any other information related to the applicant. This report will be forwarded to the Chief of Police.

Applications for Pawnbrokers and Pawnshops

State law requires that the Police Department conduct investigations into the background of people applying to operate as a pawnbroker.

- An "Applications for Privilege License" form and the "City of Raleigh Police Investigation" form will be forwarded to the Leads and Pawn Detective by the City of Raleigh Revenue Department.

- The Leads and Pawn Detective will contact the applicant and instruct him or her to provide a photograph and fingerprint card to the detective. The detective will also verify that the necessary financial background information and bonding requirements have been filed with the City.

- A criminal history check will be done through NCIC/DCI. The records maintained with the Clerk of the Superior Court, C.C.B.I. and the City of Raleigh Police Central Records Section will be checked.

- The results of this investigation will be forwarded to the Detective Division Commander for review. This report will contain copies of all pertinent documents and a memo summarizing the investigation into the employment history, any criminal history if applicable, neighborhood checks, business history and any other information related to the applicant. This report will be forwarded to the Chief of Police.

RECORDS RETENTION

Records related to the investigations conducted into the backgrounds of those applying for licenses to sell alcoholic beverages or massage business licenses will be maintained in a secure location by the License Review Technician.

Records on investigations for Pawnbrokers will be maintained in a secure location by Leads and Pawn Detective.

Records of licensees who voluntarily cease business will be held for a period of five years from the termination of the license, and then destroyed. Records on licensees who have their licenses revoked will be held for a period of five years from the date of revocation.

THE RALEIGH POLICE DEPARTMENT

1110-17

TAXIS AND TOWING

PURPOSE

The purpose of this procedure is to govern the application, investigation and licensing for taxicab owners and drivers and for private towing companies that receive police dispatched calls and tow vehicles at Police Department request.

VALUES REFLECTED

This directive reflects our value of *Service*. By ensuring that taxis and tow trucks abide by the rules and regulations that have been established to govern them we seek to maximize the wellbeing of the community members who use their services.

UNITS AFFECTED

All Personnel
City Finance Department/Purchasing
Inspections/Zoning

REFERENCES/FORMS

Raleigh City Ordinances 12-2021 to 12-2093 “Vehicles for Hire”
City Procedure 502-4 “Purchasing Taxi Licenses”
N.C.G.S. 20-87 “Vehicle for Hire Registrations”
N.C.G.S. 160A-304 “Regulation of Taxis”
Raleigh City Code 10-2046(b) “Storage Yards for Wrecked Vehicles”
Raleigh City Code 10-2073 “Special Use Permit to Operate Storage Yards for Wrecked Automobiles”
Raleigh City Code 12-7001 “Removal and Disposition of Abandoned and Nuisance Vehicles”

GENERAL POLICIES

Police Taxi-Towing Inspectors are primarily responsible for enforcement of ordinances involving taxi owners and drivers. The Inspector reports directly to the Special Operations Code Enforcement Sergeant. Inspectors are responsible for processing applications, maintaining records, and investigating complaints regarding taxis and rotation tow trucks. This responsibility, though, is shared by all officers of the Department. Officers should familiarize themselves with definitions contained in City Ordinance 12-2022 and the driver's requirements contained in City Ordinance 12-2028 to 12-2046.

Inspectors are responsible for conducting appropriate investigations to ensure that the conditions of the tow truck contract are satisfied and will investigate complaints against rotation tow truck companies for vehicles towed under the City contract. Complaints of alleged breach of contract will be referred to the Police Attorney for evaluation.

Inspectors will conduct annual and unscheduled inspections of businesses and individual vehicles to ensure that City ordinances are complied with, and that the safety of the public is protected.

TAXI OWNERS AND FRANCHISES

Inspectors will accept initial applications (City Code 12-2052) and annual renewals (City Code 12-2055) from those persons wishing to operate taxi services within the City. All owners' permits expire on December 31 of each year (City Code 12-2055).

Applications

Persons wishing to establish a taxi business must submit a "Taxicab Owner's Permit" application form. Applicants must indicate the number of vehicles they intend to operate, vehicle identification numbers, liability insurance coverage, and intended service to be provided (City Code 12-2052).

- New taxi franchise operators must also submit a proposed color scheme (City Code 12-2030).
- Any changes in business ownership will void a current owner's permit, and application for a new permit must be made (City Code 12-2059).
- If vehicles to be operated under the franchise are owned by persons other than the franchise applicant, the owners of those vehicles must submit an additional application (Section II form).

Background Investigations

Inspectors will interview the applicant, ensure fingerprints are on file, and require a criminal history check on all new applicants for owner's permits. Inspectors will conduct a follow-up on renewal applicants as may be required, based on information and/or complaints received about the owner or drivers. Inspectors will also conduct an inquiry into debt and financial liability information provided by the applicant (City Code 12-2025 and 12-2052).

Inspector's Recommendation

Inspectors will prepare a written recommendation regarding the applicant's ability to provide safe and reliable service to the public. This recommendation will be forwarded through the Chief's Office to the City Manager. Applicants will receive a negative recommendation if the Inspector determines that:

- The applicant has not complied with all of the provisions of the City Code pertaining to "Vehicles for Hire" (Section 12, Article B).
- The criminal record of the applicant or company officers is such that it would be against the public interest.
- The applicant has made a deliberately false or misleading statement in the applicant's application.
- The applicant has been convicted of a felony, or of a Federal or State statute involving controlled substances, intoxicating liquors, or prostitution.
- That the applicant is a habitual user of intoxicating liquors or narcotic drugs.

Vehicle Inspections

Prior to issuing a permit, Inspectors will inspect each vehicle for which an owner's permit is requested. The vehicle must be of a body type specified by City Code 12-2027, and possess the equipment specified by City Code 12-2028, including a certified taximeter.

- Every owner will be required to file a description for each vehicle for which an owner's permit is held. No equipment will be substituted for that vehicle on the owner's permit until it has been approved by an Inspector (City Code 12-2029).
- Every owner shall institute a system of monthly inspections of vehicles. Records of these inspections must be kept and presented to an Inspector upon request (City Code 12-2032). Both the interior and exterior of vehicles must be kept clean (City Code 12-2033).
- No permit will be issued unless the owner can provide reliable service for the required number of hours per day as defined in City Code 12-2056.

Owner's Permits

If all the conditions for issuance have been met, an Inspector will issue a permit bearing the name of the owner, the vehicles, and type of operation authorized (City Code 12-2054). The Inspector will also issue "Memorandum Permits" for each vehicle covered under the owner's permit. They will be displayed at all times inside the vehicle for which it was intended (City Code 12-2058).

Following issuance of permits, an Inspector will complete a "Division of Motor Vehicles Certification of Taxi Operators" Form. This form will enable the owner to purchase their N.C. license plates and City of Raleigh taxi decals.

Annual Renewals

Owner's permits and franchise licenses will expire on December 31 of each year. Application for renewal must be filed with an Inspector prior to October 1 of that year. An Inspector will review complaints against the owner, and conduct an inspection to verify that all original conditions for the owner's permit are still being complied with. A permit will not be renewed in the event that civil penalties, imposed for violations of taxi ordinances, remain unpaid by the applicant or employee of the applicant (City Code 12-2024).

Suspension or Revocation

An owner's permit may be suspended or revoked by the City Council at any time if the Council determines that (City Code 12-2060):

- The past service record of the permit holder is unsatisfactory.
- The business was operated in violation of City Code pertaining to taxis.
- The taxis belonging to the owner have been operated at a rate of fare other than that approved by Council.
- The holder of the permit has failed to properly register with the State Division of Motor Vehicles.
- The permit holder has been convicted of a felony for Federal or State statutes relating to controlled substances, intoxicating liquors, or prostitution [City Code 12-2060(A)(5)].
- The holder of a permit has made a deliberately false or misleading statement on the holder's application.

An Inspector will review the conduct of the owner's permit holders in terms of the above conditions. An Inspector will notify the Special Operations Code Enforcement Sergeant of circumstances warranting suspension or revocation, and prepare a recommendation for submission to the Chief's Office.

SHARED TAXI SERVICE

Any person wishing to operate a shared taxi service as defined by City Code 12-2022(3) will first submit an application to an Inspector. A "Certificate of Convenience and Necessity" must then be granted by the City Council.

Shared Taxi Application

Applications for shared Taxi Service must include verification that the applicant already holds a owner's permit for premium taxi service. The application will also include a description of the vehicles to be used, and a complete description of the proposed operations (City Code 12-2073). Following initial application, an Inspector will submit their findings to the Special Operations Code Enforcement Sergeant. A recommendation will then be prepared and forwarded to the Chief's Office.

Annual Shared Taxi Survey

The Inspectors will prepare a survey at least annually, or at the will of the City Council, to determine the adequacy of shared taxi service in the City. This survey will include (City Code 12-2072):

- The number of operators and the number of vehicles in operation by the time of day.
- The number of filled and unfilled telephone requests for shared taxi services on average days.
- A percentage distribution of response time and travel time.
- Percentage of instances where arrival at origin exceeded estimated arrival time by more than 5 minutes.
- Percentage of instances in which arrival at the destination exceeded estimated time of arrival by more than 10 minutes.
- The average occupancy of vehicles along with the percentage of trips in which 3 or more parties share a trip.

TAXI DRIVER

All persons operating taxicabs within the City must have a Taxi Driver's Permit issued by an Inspector. An identification card, issued as evidence of the permit, must be displayed at all times the driver is on duty (City Code 12-2081).

Application

Upon paying an application fee to the City Revenue Collectors Office, persons may submit applications to an Inspector to obtain a driver's permit. This application must be notarized on forms provided by the Inspector. The application will include the items in City Code 12-2082 and will specifically include:

- A statement of criminal and driving history.
- A physician's statement and Board of Health certificate indicating that the applicant has no infectious diseases, has acceptable eyesight and hearing, and has no disabilities that would make them an unsafe driver.
- Affidavits from the applicant's last employer and two reputable citizens stating the applicant is of good character.
- Four passport-type photographs of the applicant.
- A letter of introduction from their prospective employer.

60-Day Probationary Permit

Following an initial interview and background check from locally available sources, an Inspector may in their discretion issue a 60-day temporary permit. This probationary permit may be issued pending receipt of a criminal history check (City Code 12-2083).

Background Investigations

Inspectors will obtain fingerprints on the applicant and initiate an investigation into the applicant's criminal and driving record. Inspectors will also conduct such investigations, as necessary, to determine if grounds for a denial of permit exists as stated in City Code 12-2084 to 12-2086. The applicant may be examined orally or in writing as to his/her knowledge of traffic regulations, taxi regulations, and the geography of the City.

Two (2) Year Taxi Driver's Permits

Following successful conclusion of the background investigation, Inspectors may then issue a full taxi driver permit to probationary licensees. This first permit will expire on the applicant's birthday following the date of issuance. Subsequent renewals would be for a 24-month period.

Applications for renewals of a Taxi Driver's Permit must be received no later than 10 days before expiration of the current permit.

Every taxicab, while in operation for solicitation for passengers, shall be attended by the driver (City Code 12-2042). Inspectors will periodically monitor the operation of taxis to ensure compliance with taxi ordinances.

- Each driver shall maintain a daily manifest of fares. These manifests will be retained by the owner for 180 days and will be subject to inspection (City Code 12-2034).

- Taxis offering premium service will not accept additional passengers unless the original passengers consent. If the original passenger is under 14 years of age, then the parent or guardian must consent to additional passengers. An excess number of passengers will also not be accepted (City Code 12-2035 and 12-2036).

- No driver shall refuse to carry orderly passengers, nor convey a passenger to a place other than that requested. No driver will charge a rate other than that approved by Council (City Code 12-2037 to 12-2039).

- Every driver will inspect their vehicle for lost articles following each fare. Lost articles are to be returned to the property owner, the taxi owner, or the Police Department within 24 hours (City Code 12-2041).

- No driver will smoke while a passenger is being carried in their cab.

Revocation of Driver's Permit

Inspectors will recommend to the Chief revocation of a driver's permit if at any time they discover (City Code 12-2091):

- The person holding the permit has made a material false statement in their application or attachments.

- The permit holder has had his/her State license or chauffeur's license revoked, or has accumulated enough points for revocation.

- The driver has become addicted to drugs or alcohol.

- The driver has been convicted of a felony or offenses related to drugs, vice, or liquor as described in City Code 12-2091(8).

Notification of revocations will be issued by the Chief of Police. Following revocation, the taxi driver will immediately surrender their permit to an Inspector.

Appeals

An applicant who is denied a driver's permit or a driver who has had their permit revoked may appeal the decision of an Inspector. Appeals will be initiated by submitting a written notice within 10 days of each successive administrative refusal. The chain of appeals shall be from the Inspector to the Chief of Police, to the City Manager, to the City Council (City Codes 12-2087 and 12-2091).

RECORDS RELATED TO TAXIS

Inspectors will maintain sufficient records and information concerning background and criminal history checks. These records and information shall be held secure

Active Records

Information on currently operating taxi owners or drivers will be held as long as they continue operation. These records will include:

- A master index of taxi owners and drivers, including those who were denied permits. The master index should include an application with attachments, complaints, and inspection reports.

- A suspension file showing the expiration date of current driver's permits.

- A log of complaints and findings against owners or drivers.

- A log showing the date and result of inspections performed by the Inspector.

Records Destruction

Records on owners or drivers who are no longer operating in the City of Raleigh will be retained for a period of two years from the expiration or denial date of their last permit. Thereafter, the Inspectors are responsible for the proper destruction of those records.

ROTATION TOW TRUCKS

All private towing companies wishing to receive police dispatched calls must agree to sign a contract with the City of Raleigh agreeing to provide a standard level of service.

Fees and Contracts

Agreements on fees, levels of service, and contracts will be coordinated through the City's Purchasing Office. Proposed agreements must be submitted to the City Council for approval.

Applications from Towing Companies

Those companies wishing to provide towing services under a rotating agreement must submit an application to the Purchasing Office. Purchasing will notify an Inspector of the application, and this Inspector will send a copy of the standard contract to the towing company.

TOWING COMPANY INSPECTIONS AND INVESTIGATIONS

Inspectors will conduct an initial interview with towing applicants to ensure that they are familiar with the requirements of the towing contract. The Inspectors will conduct background investigations and on-site inspections to verify compliance with the contract requirements.

Background Investigations

Towing company owners will be required to submit a list of vehicles and registration numbers as part of their application. Inspectors will then verify and document that:

- The required number and types of vehicles required by the City contract are operational and in good condition.
- The additional required equipment (dollies, fire extinguisher, etc.) is present.
- The owner has the required insurance coverage as specified in the City contract.
- The certificates of title and registration information on the vehicles.
- The names and addresses of the tow truck drivers. The Inspector shall also verify that provisions have been made to ensure that the trucks and a driver will be present at the place of business 24 hours per day.

On-Site Inspection

The towing service applicant will notify an Inspector when they are prepared for an on-site inspection of their ability to meet contract provisions. The Inspector, together with a Raleigh Zoning Inspector, will conduct an inspection of the facilities. The Inspector and the Zoning Inspector will examine the premises and equipment to determine if all contract and code provisions are properly met by the potential towing service company. The Inspector will then file a "Contract Towing Inspection" check-off sheet, indicating either approval or disapproval.

Recommendations

Once all inspections and investigations are completed, an Inspector will file a copy of the inspection report and insurance certification. A recommendation for approval or disapproval will be submitted to the Chief of Police along with all documentation.

AWARDING TOWING CONTRACTS

The Police Department's recommendation, along with all required documents, will be forwarded to the City Manager's Office and scheduled for Council hearing.

Final Approval

Following Council approval, signed and notarized contracts and required documents will be forwarded to the City Manager for signature and to the City Clerk for verification of final approval. The City Clerk will then send a completed, signed copy of the towing contract to persons awarded contracts. Copies will also be sent to the Chief of Police.

Police Notification

The Chief of Police will send by certified mail a letter of notification, along with a list of items of particular contractual concern to those who have been awarded contracts. The Emergency Communications Center will also be notified of those towing companies who are ready to receive rotation towing calls.

Monitoring Rotation Calls

Inspectors will receive daily rotation logs completed by Emergency Communications, and will review any comments made by ECC.

Records Maintenance and Retention

Inspectors will permanently maintain records pertinent to the monitoring of rotation towing companies having active contracts with the City of Raleigh. These records shall include:

- A master list of towing companies that were approved or disapproved along with inspection reports, copies of signed contracts, and vehicle certifications.
- A log of complaints and dispositions involving rotation tow trucks.
- A log of inspections showing the time, date, and outcome of on-site inspections.
- Rotation towing call logs provided by the Emergency Communications Center.
- Monthly Towing and Charges Report provided by the towing company.

Inspectors will retain records on companies no longer possessing valid contracts with the City for a period of two years from the date of expiration of their last contract. The Inspector will then verify the proper destruction of inactive records.

INVESTIGATION OF COMPLAINTS

Inspectors will receive all complaints involving the operation of taxis or rotation tow trucks.

Complaints Against Taxis

Inspectors will log and investigate complaints involving drivers or owners. Enforcement of violations may take the form of verbal warnings, written warnings, or citations for civil offenses (City Ord. 12-2024). The City Council will be notified through the Chief's Office of any violations which might warrant revocation of permits.

Complaints Against Rotation Tow Trucks

Inspectors will investigate and recommend actions involving complaints against rotation towing companies. Substantiated complaints will be referred to the Special Operations Code Enforcement Sergeant. Unresolved complaints shall be referred to the Police Attorney to evaluate in terms of breach of contract.

INSPECTIONS

Inspectors will conduct scheduled and unscheduled inspections of businesses and individuals under the Inspector's review to ensure they are operating within law or City ordinance.

Taxi Owners

Owners must submit renewal applications by October 1 of each year. Prior to October 31, a scheduled inspection will be conducted to verify conditions specified in City Ord. 12-2025 to 12-2034. This inspection should include:

- Accuracy of the trip meter.
- Verification of owner, driver, vehicle inventory, and insurance information.
- Verification of vehicle maintenance logs, which must be maintained for 180 days.
- Verification of driver manifests, which must be maintained for 180 days.

Inspectors will conduct unscheduled inspections to ensure that vehicles are clean, sanitary, and in a safe operating condition.

Drivers

Prior to granting a renewal of a Taxi Driver's Permit, an Inspector will review the driver's criminal and driving record together with the personal conduct of the driver, in terms of the conditions for revocation as stated in City Ord. 12-2091.

Rotation Tow Trucks

Contracts with rotation tow trucks must be renewed annually. Prior to renewal, an Inspector will conduct an unscheduled inspection of the towing company site to determine if provisions of the

current contract are being followed. The Inspector will make additional inspections as required to ensure that any changes in new contracts are adopted.

This policy is not a public record pursuant to

N.C. General Statute §132-1.4

and

N.C. General Statute §132-1.7

This policy is not a public record pursuant to

N.C. General Statute §132-1.4

and

N.C. General Statute §132-1.7

CITY OF RALEIGH
NORTH CAROLINA

INTER-OFFICE CORRESPONDENCE

To: All Personnel

From: Cassandra Deck-Brown CDB
Chief of Police

Date: April 11, 2018

Subject: **Special Memorandum # 2018 – 01: Reassignment of Responsibility**

MESSAGE:

Effective immediately, the responsibility for conducting the annual "Pursuit Analysis" as required by DOI 1100-02 "Departmental Organization and Management" and DOI 1106-10 "Pursuits" is reassigned from the Crash Reconstruction Unit Sergeant to the Inspections Unit Lieutenant.

This change will be incorporated into the aforementioned policies at the time of their next revision.

CITY OF RALEIGH
NORTH CAROLINA

INTER-OFFICE CORRESPONDENCE

TO: All Personnel

FROM: Cassandra Deck-Brown
Chief of Police

DATE: 04/25/2019

SUBJECT: Special Memorandum #2019 - 01: Change to DOI 1109-18 Body Worn Cameras and Mobile Video Recording

MESSAGE:

Effective immediately, the body worn camera device will record after the fact and DOI 1109-18 (Body Worn Cameras and Mobile Video Recording) Page 10, **Retention**, Paragraph 4 is amended to read as follows:

When an incident arises that requires the immediate retrieval of BWC recordings for chain of custody purposes, including, but not limited to, serious crime scenes or critical incidents, a supervisor will respond to the scene and ensure that the BWC remains affixed to the officer(s) in the manner it was found and that the BWC data remains uncompromised. **Once the officer's involvement in an event has ended, the supervisor should ensure the recording is ended and the BWC is powered off.** Through direct and uninterrupted observation, the supervisor is responsible for the care and custody of the BWC until it has been removed and secured by the lead investigator, CCBI, the State Bureau of Investigation, or Professional Standards personnel.

DOI 1109-18 (Body Worn Cameras and Mobile Video Recording) Page 9, **COLLECTION, STORAGE, AND MANAGEMENT OF MVR AND BWC DATA**, the following language is added to this section:

RECORD AFTER THE FACT (RATF)
If an officer or supervisor needs to retrieve a RATF video from a BWC, the BWC that was in use during the desired time period should be located and powered off. RPD Information Services Unit or the Office of Professional Standards can assist with retrieving the desired video.

If an officer needs to retrieve a RATF video from a MVR and the officer is still logged in to the MVR, the officer should use the RATF menu option to select the desired time period, and the video will be uploaded to the storage server in the normal manner.

If the officer has logged out of the MVR, a supervisor may select the RATF menu option on the MVR, select the desired time period, and enter the supervisor password. The video will be uploaded to the storage server in the normal manner.