IFPD CORE VALUES AND PHILOSOPHY

Core Values:

The Core Values of the Idaho Falls Police Department are Integrity, Honor, Trust, and Excellence. All of our actions and decisions should reflect back to these core values.

a. Integrity: is a concept of consistency of ethical actions, values, methods, measures, principles, expectations, and outcomes. In ethics, integrity is regarded as the honesty and truthfulness or accuracy of one's actions. Integrity can be regarded as the opposite of hypocrisy, in that integrity regards internal consistency as a virtue. Integrity means doing the ethical, moral, or correct thing even when no one else will know what you have done. Decisions and actions should be made under the “bright light of day” test which assumes that all of our actions and decision making process will one day be under public scrutiny. Everything we say and do should stand on its own when opened up to public scrutiny.

b. Honor: is a concept of honesty, fairness or integrity in one’s beliefs and actions. It is a source of credit or distinction which merits high respect and worth. Honor is the privilege of being associated with the great profession of law enforcement and the Idaho Falls Police Department. Honor as a code of behavior defines our duties and obligations to the people we serve. People who possess high moral values and show compassion and solidarity toward others exemplify honor.

c. Trust: is a willingness to show consideration, care and appreciation toward others with dedication to building relationships based on truth and authenticity. It is an action that denotes a positive regard or feeling of esteem for a person or other entity. Trust is both given and received. Trust cannot be imposed by suppression or flaunting of power. Trust is a deliberate action that must be earned and built over time, but that can be lost with one thoughtless or inconsiderate act. One can ask or beg for trust, but it will only be given based on others’ perceived treatment by us.

d. Excellence: is the quality of being outstanding or extremely good. It is a talent or quality which is unusually good and so surpasses ordinary standards that it distinguishes itself among its peers. Excellence can be pursued through acts of integrity, innovation, meeting all obligations and continually learning and improving in all aspects.

Philosophy

Crime and public safety are community problems. The community and the police must work together to solve these problems. Citizens, IFPD, community organizations and governmental agencies are equally responsible to help fulfill this mission. Each entity must be willing to work together, to become involved, to take initiative and to cooperate with each other to create an environment free from crime and the fear of crime.

Community policing is the heart of this direction and plan. Each member of IFPD is responsible for achieving its mission. The community shares in the same responsibility.

Leadership:

The principles of leadership for the Idaho Falls Police Department are to:

a. Believe in, foster and support teamwork.

b. Be committed to the problem-solving process; use it and let facts, not emotions, drive decisions.

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c. When possible, seek employees' input before making key decisions.
d. Believe that the best way to improve the quality of work or service is to ask and listen to the employees, who perform the work or service, promptly and fairly.
e. Strive to develop mutual respect and trust with employees, citizens, the media, and elected officials.
f. Have a service orientation with a focus toward employees and citizens.
g. Lead on the behavior of most employees, not on the few who cause problems. Deal with all employees promptly and fairly.
h. Encourage creativity through risk taking while continuing to improve systems and examine processes.
i. Be a facilitator and coach. Develop an open atmosphere that encourages both providing and accepting feedback.
j. Apply team-work, develop with employees agreed upon goals and plans to achieve them.

Employees' Obligations to Department Objectives:
a. Employees shall work to accomplish the Mission Statement of the Department. Employees are to work with citizens, other governmental agencies and community organizations to create an environment free of crime and the fear of crime.
b. Officers shall preserve the public peace, detect and arrest offenders, prevent crime, protect life and property, and enforce the ordinances and statutes of the City of Idaho Falls, the State of Idaho, and the United States.

Obligation to Abide by Policy and Orders:
a. Members of the Idaho Falls Police Department shall willfully obey the lawful verbal and written rules, policies, and procedures of the City of Idaho Falls and the Idaho Falls Police Department. Employees shall also subordinate their personal preferences and work priorities to the lawful verbal and written rules, polices, and procedures of the City and Department as well as to the lawful orders and directives of supervisory personnel.

Policy Manual

a. This Policy Manual is intended to serve as a guide to all employees of IFPD and provides an outline of Departmental objectives and policies. It serves as a foundation on which to base the sound judgment and discretion underlying the duties of each employee. It is not intended to cover every situation that may arise in the discharge of those duties.

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LAW ENFORCEMENT CODE OF ETHICS

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

I will keep my private life unsullied as an example to all; and will behave in a manner that does not bring discredit to me or to my agency. I will maintain courageous calm in the face of danger, scorn, or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed both in my personal and official life, I will be exemplary in obeying the law and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

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

I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of law enforcement service. I will never engage in acts of corruption or bribery, nor will I condone such acts by other law enforcement officers. I will cooperate with all legally authorized agencies and their representatives in the pursuit of justice.

I know that I alone am responsible for my own standard of professional performance and will take every reasonable opportunity to enhance and improve my level of knowledge and competence.

I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession . . . law enforcement.

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IFPD MISSION AND VISION STATEMENT

IFPD Mission Statement:

In partnership with the people of Idaho Falls, our mission is to create an environment free from crime and the fear of crime.

IFPD Vision Statement:

IFPD has a vision of how to accomplish the goals of the Mission Statement. The Idaho Falls Police Department is united in a spirit of teamwork to be an open, courteous, and community-minded organization devoted to quality public service. We are dedicated to live by values reflecting a genuine desire to care for the safety and well-being of the public we serve as well as the professionals who provide that service.

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Table of Contents

IFPD Core Values and Philosophy 1

Law Enforcement Code of Ethics 3

IFPD Mission and Vision Statement 4

Chapter 1 - Law Enforcement Role and Authority 9
100 - Law Enforcement Authority 10
101 - Chief Executive Officer 13
102 - Policy Manual 14

Chapter 2 - Organization and Administration 17
200 - Organizational Structure and Responsibility 18
201 - Departmental Directives 20
202 - Emergency Management Plan 21
203 - Training 23
204 - Email Use 26
205 - Administrative Communications 28
206 - Retiree Concealed Firearms 29

Chapter 3 - General Operations 31
300 - Use of Force 32
301 - Use of Force Review Boards 41
302 - Handcuffing and Restraints 44
303 - Control Devices and Techniques 49
304 - Conducted Energy Device 54
305 - Officer-Involved Shootings and Deaths 60
306 - Firearms 68
307 - Vehicle Pursuits 76
308 - Officer Response to Calls 88
309 - Canines 92
310 - Domestic Violence 101
311 - Search and Seizure 106
312 - Adult Abuse 109
313 - Discriminatory Harassment 114
314 - Child Abuse 119
315 - Missing Persons 125
316 - Public Alerts 131
317 - Victim and Witness Assistance 134
318 - Malicious Harassment 136
319 - Standards of Conduct 139
320 - Information Technology Use 146
321 - Report Preparation 150
322 - News Media Relations 154

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323 - Subpoenas and Court Appearances 157
324 - Outside Agency Assistance 159
325 - Major Incident Notification 161
326 - Death Investigation 163
327 - Identity Theft 164
328 - Private Persons Arrests 165
329 - Limited English Proficiency Services 167
330 - Communications with Persons with Disabilities 175
331 - Chaplains 183
332 - Child and Vulnerable Adult Safety 188
333 - Service Animals 191
334 - Volunteer Program 194
335 - Off-Duty Law Enforcement Actions 198
336 - Department Use of Social Media 200
337 - Community Relations 203
338 - Native American Graves Protection and Repatriation 207
339 - Mutual Aid and Other Agency Relationships 209

Chapter 4 - Patrol Operations 212

400 - Patrol Function 213
401 - Bias-Based Policing 215
402 - Roll Call Briefing Training 218
403 - Crime and Disaster Scene Integrity 219
404 - Special Weapons and Tactics Team 221
405 - Ride-Along Policy 230
406 - Hazardous Material Response 233
407 - Hostages and Barricade Incidents 235
408 - Response to Bomb Calls 239
409 - Crisis Intervention Incidents 244
410 - Civil Commitments 249
411 - Citation Releases 254
412 - Foreign Diplomatic and Consular Representatives 256
413 - Rapid Response and Deployment 260
414 - Immigration Violations 263
415 - Emergency Utility Service 266
416 - Field Training Officer Program 267
417 - Aircraft Accidents 270
418 - Contacts and Temporary Detentions 274
419 - Criminal Organizations 278
420 - Mobile Audio Video 282
421 - Mobile Data Terminal Use 288
422 - Portable Audio/Video Recorders 291
423 - Public Recording of Law Enforcement Activity 296
424 - Bicycle Patrol 299
425 - Foot Pursuits 301
426 - Homeless Persons 306
427 - Civil Disputes 309

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428 - Suspicious Activity Reporting 312
429 - First Amendment Assemblies 314
430 - Medical Aid and Response 320

Chapter 5 - Traffic Operations 324
500 - Traffic Function and Responsibility 325
501 - Traffic Collision Reporting 328
502 - Vehicle Towing Policy 330
503 - Vehicle Impound Hearings 333
504 - Impaired Driving 335
505 - Traffic Citations 341
506 - Disabled Vehicles 342
507 - Parked and Abandoned Vehicle Violations 343

Chapter 6 - Investigation Operations 345
600 - Investigation and Prosecution 346
601 - Asset Forfeiture 349
602 - Informants 355
603 - Eyewitness Identification 360
604 - Brady Material Disclosure 364
605 - Unmanned Aerial System (UAS) Operations 366
606 - Sexual Assault Investigations 369
607 - Warrant Service 373
608 - Operations Planning and Deconfliction 377

Chapter 7 - Equipment 383
700 - Police Department Owned and Personal Property 384
701 - Personal Communication Devices 386
702 - Vehicle Maintenance 389
703 - Vehicle Use 391
704 - Cash Handling, Security and Management 397
705 - Personal Protective Equipment 399

Chapter 8 - Support Services 404
800 - Crime Analysis 405
801 - Emergency Communications Center 406
802 - Property and Evidence Office 414
803 - Police Records 420
804 - Records Maintenance and Release 422
805 - Protected Information 427
806 - Animal Control 430

Chapter 9 - Custody 433
900 - Temporary Custody of Juveniles 434

Chapter 10 - Personnel 439

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1000 - Recruitment and Selection 440
1001 - Evaluation of Employees 444
1002 - Promotional and Transfer Policy 445
1003 - Grievance Procedure 446
1004 - Anti-Retaliation 447
1005 - Reporting of Employee Charges and Convictions 450
1006 - Drug- and Alcohol-Free Workplace 452
1007 - Sick Leave Reporting 456
1008 - Communicable Diseases 457
1009 - Smoking and Tobacco Use 462
1010 - Personnel Complaints, Employee Misconduct, and Discipline 463
1011 - Seat Belts 479
1012 - Body Armor 481
1013 - Peace Officer Personnel Files 483
1014 - Commendations and Awards 484
1015 - Fitness for Duty 489
1016 - Meal Periods and Breaks 492
1017 - Lactation Break Policy 493
1018 - Payroll Records 495
1019 - Overtime Payment Requests 496
1020 - Secondary Employment 497
1021 - Occupational Disease, Work-Related Injury and Illness Reporting and Prevention 508
1022 - Personal Appearance Standards 511
1023 - Uniform Regulations 514
1024 - Nepotism and Conflicting Relationships 521
1025 - Police Department Badges 522
1026 - Temporary Modified-Duty Assignments 524
1027 - Employee Speech, Expression and Social Networking 527
1028 - Line-of-Duty Deaths 531
1029 - Employee Mental Health Services 542
1030 - Early Warning and Intervention 548

Attachments 550
1OATH of OFFICE.pdf 551

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Chapter 1 - Law Enforcement Role and Authority

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Law Enforcement Authority

100.1 PURPOSE AND SCOPE

The purpose of this policy is to affirm the authority of the members of the Idaho Falls Police Department to perform their functions based on established legal authority.

100.2 POLICY

It is the policy of the Idaho Falls Police Department to limit its members to only exercise the authority granted to them by law.

While this department recognizes the power of peace officers to make arrests and take other enforcement action, officers are encouraged to use sound discretion in the enforcement of the law. This department does not tolerate abuse of law enforcement authority.

100.2.1 ADMINISTRATION OF THE OATH OF OFFICE

A. All newly appointed officers, prior to assuming sworn status, will take and abide by an Oath of Office (see attachment), to support the law, uphold, and defend the Constitution of the United States, the Constitution and Laws of the State of Idaho, and enforce the Laws of the City of Idaho Falls.

B. When officers are sworn in, they will also be administered the Law Enforcement Code of Ethics and will swear to abide by it.

100.3 PEACE OFFICER AUTHORITY

The authority of certified full-time peace officers of the Idaho Falls Police Department whose duties include and primarily consist of the prevention, investigation and detection of crime have the same authority when performing their assigned functions and duties outside the City when any of the following exist (Idaho Code 67-2337):

(a) When a request for law enforcement assistance is made by another law enforcement agency.

(b) When the officer has probable cause to believe a crime is occurring involving a felony or an immediate threat of serious bodily injury or death to any person.

(c) When the officer is in fresh pursuit as defined in and pursuant to Chapter 7, Title 19, Idaho Code.

(d) As authorized by this department pursuant to an existing mutual assistance compact with an outside jurisdiction.

Officers of this department will not routinely perform law enforcement duties outside of the City limits except as approved by the Bureau Commander.

100.3.1 PEACE OFFICER POWERS OF ARREST

An officer may make an arrest in obedience to a warrant, or may, without a warrant, make an arrest under any of the following circumstances (Idaho Code 19-603):

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(a) For a misdemeanor or felony committed or attempted in his/her presence.

(b) When probable cause exists to believe that a person has committed a felony not in his/her presence.

100.3.2 OTHER AUTHORITY

Sworn members of this department who enter the state of Oregon in order to provide or attempt to provide law enforcement assistance have Oregon peace officer authority within 50 miles of the Idaho-Oregon border (ORS 133.405). Such authority shall only apply when officers are acting:

(a) In response to a request for law enforcement assistance initiated by an Oregon sheriff, constable, marshal, municipal police officer, or member of the Oregon State Police.

(b) In response to a reasonable belief that emergency law enforcement assistance is necessary to preserve life and circumstances make it impractical for Oregon law enforcement officials to formally request assistance.

(c) For the purpose of assisting Oregon law enforcement officials with emergency assistance in response to criminal activity, traffic accidents, emergency incidents, or other similar public safety situations, regardless of whether an Oregon law enforcement official is present at the scene of the incident.

Idaho Falls Police Department officers have no authority to enforce Oregon traffic or motor vehicle laws.

Whenever practicable, officers should seek permission from a department supervisor before entering Oregon to provide law enforcement services. As soon as practicable, officers exercising law enforcement authority in Oregon shall submit any appropriate written reports concerning the incident to the Oregon agency having primary jurisdiction over the area in which the incident occurred.

100.4 INTERSTATE PEACE OFFICER POWERS

Peace officer powers may be extended to other states:

(a) As applicable under interstate compacts, memorandums of understanding, or mutual aid agreements in compliance with the laws of each state.

(b) When an officer enters the following states while in pursuit of a person who the officer has probable cause to believe has committed a felony:

1. Utah (Utah Code 77-9-1)
2. Nevada (NRS 171.158)
3. Oregon (ORS 133.430)

(c) When an officer enters Montana while in pursuit of a person who the pursuing officer has probable cause to believe committed a crime (§ 46-6-411, MCA).

(d) When an officer enters Washington while in pursuit of a person who the pursuing officer has probable cause to believe has committed a felony; or a violation related to driving while intoxicated, driving while under the influence of drugs or alcohol, driving while impaired, or reckless driving (RCW 10.89.010).

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Whenever an officer makes an arrest in Montana, Utah, Nevada, Oregon, or Washington, the officer shall take the offender to a magistrate or judge in the county where the arrest occurred as soon as practicable (Utah Code 77-9-2; NRS 171.158; ORS 133.440; § 46-6-411, MCA; RCW 10.89.020).

100.5 CONSTITUTIONAL REQUIREMENTS

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

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Chief Executive Officer

101.1 PURPOSE AND SCOPE

This policy provides guidelines for the appointment of the Chief Executive Officer of the Idaho Falls Police Department, who is required to exercise the powers and duties of the office as prescribed by state law.

101.2 POLICY

It is the policy of the Idaho Falls Police Department that the Chief of Police meets the minimum standards for exercising his/her authority granted by law.

101.3 CHIEF OF POLICE

All law enforcement Chief Executive Officers employed within the State of Idaho are required to meet Idaho Peace Officer Standards and Training Council (POST) certification requirements within the prescribed time periods (Idaho Code 19-5109; Idaho Code 20-603).

101.3.1 FUNCTION OF THE OFFICE OF THE CHIEF

A. The Chief of Police plans, organizes, staffs, directs, and administers the department in a manner consistent with the ordinances of Idaho Falls and laws of the State of Idaho.

B. The Chief of Police has the authority to issue, modify, and approve the department's written directives policies, procedures, and general orders.

C. All procedures, proposed policy additions or changes, new or revised rules and regulations will be reviewed by the Chief of Police and the Captains prior to official posting. Any amendments or proposed changes will be recommended or requested in writing through the chain of command.

D. The Captains, under the authority of the Chief of Police, are authorized to issue written directives not included in the manual to their individual divisions.

E. The Chief of Police develops short range goals as well as the department's multi-year long range goal and objective plan.

1. This comprehensive plan will be updated annually and will be distributed to all personnel.

2. Under the direction of the Chief of Police, each Bureau Captain will ensure that goals and objectives are developed and written into an annual work plan for their respective bureau, and distributed to their personnel.

(a) These goals and priorities will be taken into consideration and reviewed annually in preparation of budgets, strategic planning, and/or business plans.

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Policy Manual

102.1 PURPOSE AND SCOPE

The manual of the Idaho Falls Police Department is hereby established and shall be referred to as the Policy Manual or the manual. The manual is a statement of the current policies, rules and guidelines of this department. All members are to conform to the provisions of this manual.

All prior and existing manuals, orders and regulations that are in conflict with this manual are rescinded, except to the extent that portions of existing manuals, procedures, orders and other regulations that have not been included herein shall remain in effect, provided that they do not conflict with the provisions of this manual.

102.2 POLICY

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

102.2.1 DISCLAIMER

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

102.3 AUTHORITY

The Chief of Police shall be considered the ultimate authority for the content and adoption of the provisions of this manual and shall ensure compliance with all applicable federal, state and local laws. The Chief of Police or the authorized designee is authorized to issue Departmental Directives, which shall modify those provisions of the manual to which they pertain. Departmental Directives shall remain in effect until such time as they may be permanently incorporated into the manual.

102.4 DEFINITIONS

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

Adult - Any person 18 years of age or older.

CFR - Code of Federal Regulations.

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City - The City of Idaho Falls.

Civilian - Employees and volunteers who are not sworn peace officers.

Department/IFPD - The Idaho Falls Police Department.

Employee/personnel - Any person employed by the Department.

IDAPA - Idaho Administrative Procedure Act (Example: IDAPA 16.02.24.110).

ITD - The Idaho Transportation Department.

Juvenile - Any person under the age of 18 years.

Manual - The Idaho Falls Police Department Policy Manual.

May - Indicates a permissive, discretionary or conditional action.

Member - Any person employed or appointed by the Idaho Falls Police Department, including:

- Full- and part-time employees
- Sworn peace officers
- Reserve, auxiliary officers
- Civilian employees
- Volunteers

Officer - Those employees, regardless of rank, who are sworn peace officers of the Idaho Falls Police Department.

On-duty - A member's status during the period when he/she is actually engaged in the performance of his/her assigned duties.

Order - A written or verbal instruction issued by a superior.

POST - The Idaho Peace Officer Standards and Training Council.

Rank - The title of the classification held by an officer.

Shall or will - Indicates a mandatory action.

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

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

The term "supervisor" may also include any person (e.g., officer-in-charge, lead or senior worker) given responsibility for the direction of the work of others without regard to a formal job title, rank or compensation.

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When there is only one department member on-duty, that person may also be the supervisor, except when circumstances reasonably require the notification or involvement of the member's off-duty supervisor or an on-call supervisor.

USC - United States Code.

102.5 ISSUING THE POLICY MANUAL

An electronic version of the Policy Manual will be made available to all members on the department network for viewing and printing. No changes shall be made to the manual without authorization from the Chief of Police or the authorized designee.

Each member shall acknowledge that he/she has been provided access to, and has had the opportunity to review the Policy Manual and Departmental Directives. Members shall seek clarification as needed from an appropriate supervisor for any provisions that they do not fully understand.

102.6 PERIODIC REVIEW OF THE POLICY MANUAL

The Chief of Police will ensure that the Policy Manual is periodically reviewed and updated as necessary.

102.7 REVISIONS TO POLICIES

All revisions to the Policy Manual will be provided to each member on or before the date the policy becomes effective. Each member will be required to acknowledge that he/she has reviewed the revisions and shall seek clarification from an appropriate supervisor as needed.

Members are responsible for keeping abreast of all Policy Manual revisions.

Each Bureau Commander will ensure that members under his/her command are aware of any Policy Manual revision.

All department members suggesting revision of the contents of the Policy Manual shall forward their written suggestions to their Bureau Commanders, who will consider the recommendations and forward them to the command staff as appropriate.

102.8 LEGAL REVIEW

The adoption of General Orders, directives, and other types of formal communication shall be adopted in the same manner as the Policies and Procedures of this manual and, when appropriate, shall undergo a review by the City of Idaho Falls Legal Department prior to adoption.

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Chapter 2 - Organization and Administration

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Organizational Structure and Responsibility

200.1 PURPOSE AND SCOPE

This policy establishes the organizational structure of the department and defines general responsibilities of department members.

200.2 POLICY

The Idaho Falls Police Department will implement and maintain an organizational structure that provides clear and identifiable roles for command, control, and guidance of the department. Each position and assignment should have clearly identified responsibilities and a defined chain of command.

200.3 BUREAU

The Chief of Police is responsible for administering and managing the Idaho Falls Police Department. There are three bureaus in the department as follows:

- Patrol Bureau
- Investigations and Special Operations Bureau
- Professional Standards and Logistics Bureau

200.3.1 PATROL BUREAU

The Patrol Bureau is commanded by a Captain, whose primary responsibility is to provide general management, direction and control for the Patrol Bureau. The Patrol Bureau consists of Uniformed Patrol, Traffic, Neighborhood Police, Gang Unit, Citizens Watch Patrol, Desk Officers and Special Events.

200.3.2 INVESTIGATIONS AND SPECIAL OPERATIONS BUREAU

The Investigations and Special Operations Bureau is commanded by a Captain, whose primary responsibility is to provide general management direction and control for the Investigations and Special Operations Bureau. The Investigations and Special Operations Bureau consists of the Investigations Bureau, SIU (Special investigations Unit), SWAT, Bomb team, Crisis Negotiation Team (CNT), the Unmanned Air Support Unit (UAS), Records Division, Property and Evidence Office, Forensic Services, the Emergency Communications Center, and the coordination of juvenile operations.

200.3.3 PROFESSIONAL STANDARDS AND LOGISTICS BUREAU

The Professional Standards and Logistics Bureau is commanded by a Captain, whose primary responsibility is to provide general management direction and control for the Professional Standards and Logistics Bureau. The Professional Standards and Logistics Bureau consists of the Training Unit, Internal Affairs, Quartermaster,and Animal Control.

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200.4 ADMINISTRATIVE DIVISION

The Administrative Division consists of staff members and assignments that report directly to the Chief of Police. These include the Chief's Administrative Assistant, the Public Information Officer (PIO) and the Crime Analysis Unit.

200.5 EMERGENCY COMMUNICATIONS CENTER DIVISION

The Emergency Communications Center is under the direction of the Communications Manager, who reports directly to the Investigations and Special Operations Bureau Commander. The manager's primary responsibility is the management and control over all emergency and service communications.

200.6 COMMAND PROTOCOL

200.6.1 SUCCESSION OF COMMAND

The Chief of Police exercises command over all personnel in the Department. During planned absences, the Chief of Police will designate a Bureau Commander to serve as the acting Chief of Police.

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

(a) Senior Bureau Commander based on time in rank

(b) Duty Captain

(c) Shift Lieutenant

200.6.2 UNITY OF COMMAND

The principles of unity of command ensure efficient supervision and control within the Department. Generally, each employee shall be accountable to one supervisor at any time for a given assignment or responsibility. Except where specifically delegated authority may exist by policy or special assignment (e.g., K-9, SWAT), any supervisor may temporarily direct any subordinate if an operational necessity exists.

200.7 AUTHORITY AND RESPONSIBILITIES

Each member will be assigned duties and responsibilities. Each member is delegated the authority necessary to effectively execute those responsibilities. Each member will also be held accountable for the appropriate application of that delegated authority.

200.8 ALLOCATION OF PERSONNEL

The Chief of Police shall, at least annually, conduct and document an analysis of staffing levels to determine if changes are needed in the number of personnel assigned to each function sufficient to meet the organizational goals and objectives and the community needs.

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Departmental Directives

201.1 PURPOSE AND SCOPE

Departmental Directives establish an interdepartmental communication that may be used by the Chief of Police to make immediate changes to policy and procedure consistent with the current Police Personnel Manual. Departmental Directives will immediately modify or change and supersede sections of this manual to which they pertain.

201.1.1 DEPARTMENTAL DIRECTIVE PROTOCOL

Departmental Directives will be incorporated into the manual as required upon approval of the Chief of Police. Departmental Directives will modify existing policies or create a new policy as appropriate and will be rescinded upon incorporation into the manual.

All existing Departmental Directives have now been incorporated in the updated Policy Manual as of the below revision date.

Any Departmental Directives issued after publication of the manual shall be numbered consecutively starting with the last two digits of the year. For example, 09-01 signifies the first Departmental Directive for the year 2009.

201.2 RESPONSIBILITIES

201.2.1 POLICY MANUAL COMMITTEE

The Policy Manual Committee shall review and approve revisions of the Policy Manual, which will incorporate changes originally made by a Departmental Directive.

201.2.2 CHIEF OF POLICE

The Chief of Police shall issue all Departmental Directives.

201.3 ACCEPTANCE OF DEPARTMENTAL DIRECTIVES

All employees are required to read and obtain any necessary clarification of all Departmental Directives. All employees are required to acknowledge in writing the receipt and review of any new Departmental Directive. Signed acknowledgement forms and/or e-mail receipts showing an employee's acknowledgement will be maintained by the Training Lieutenant.

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Emergency Management Plan

202.1 PURPOSE AND SCOPE

This policy clarifies the role of the Idaho Falls Police Department and responsibilities of its members pertaining to large scale emergencies and the Idaho Emergency Operations Plan (IDEOP).

202.2 POLICY

The Idaho Falls Police Department will prepare for large scale emergencies within and outside its jurisdiction through planning and mutual cooperation with other agencies.

The City Emergency Operations Plan complies with IDEOP (Idaho Code 46-1006; Idaho Code 46-1009). This plan provides guidance for City emergency operations within and outside its borders, as may be required.

202.3 ACTIVATING THE EMERGENCY OPERATIONS PLAN

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

Upon activation of the plan, the Chief of Police or the authorized designee should contact the Bonneville County Office of Emergency Management to assist with mutual aid response from local, state and federal law enforcement agencies.

This department shall operate under the National Incident Management System (NIMS) and the Incident Command System (ICS).

202.3.1 RECALL OF PERSONNEL

In the event that the Emergency Operations Plan is activated, all employees of the Idaho Falls Police Department are subject to immediate recall to service. Employees may also be subject to recall during extraordinary circumstances as deemed necessary by the Chief of Police or the highest ranking on-duty supervisor.

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

202.4 LOCATION OF THE EMERGENCY OPERATIONS PLAN

Copies of the Emergency Operations Plan are available in Professional Standards and Logistics, the Shift Lieutenant's office and Emergency Communications Center. All supervisors should familiarize themselves with the Emergency Operations Plan and the roles members will play when the plan is implemented. The Professional Standards and Logistics Bureau Commander should ensure that department members are familiar with the roles they will play when the plan is implemented.

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202.5 EMERGENCY OPERATIONS PLAN REVIEW

The Chief of Police or the authorized designee shall review the Emergency Operations Plan at least annually and ensure that the plan conforms to any NIMS revisions. The Chief of Police or the authorized designee should appropriately address any needed revisions.

202.6 TRAINING

The Department should provide annual training on the Emergency Operations Plan for all supervisors and other appropriate personnel. All supervisors should familiarize themselves with the Emergency Operations Plan and personnel responsibilities when the plan is implemented. Training should incorporate a full or partial exercise, tabletop or command discussion.

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Training

203.1 PURPOSE AND SCOPE

It is the policy of this department to administer a training program that will provide for the professional growth and continued development of its personnel. By doing so, this department will ensure its personnel possess the knowledge and skills necessary to provide a professional level of service that meets the needs of the community.

203.2 POLICY

The Department shall administer a training program that will meet the standards of federal, state, local, and the Idaho Peace Officer Standards and Training (POST) Council training requirements. It is a priority of this department to provide continuing education and training for the professional growth and development of its members.

203.3 OBJECTIVES

The objectives of the Training Program are to:

(a) Enhance the level of law enforcement service to the public.

(b) Increase the technical expertise and overall effectiveness of our personnel.

(c) Provide for continued professional development of personnel in this department.

203.4 TRAINING PLAN

A training plan will be developed and maintained by the Training Lieutenant. It is the responsibility of the Training Lieutenant to maintain, review and update the training plan on an annual basis. The plan will address the following areas:

- Legislative changes
- State-mandated training
- Critical issues training

203.5 TRAINING NEEDS ASSESSMENT

The Professional Standards and Logistics Bureau will conduct an annual training-needs assessment of this department. The needs assessment will be reviewed by staff. Upon approval by staff, the needs assessment will form the basis for the training plan for the fiscal year.

203.5.1 STATE-MANDATED TRAINING AND CERTIFICATION

An officer must successfully complete the POST Basic Training Academy within one year of employment, unless granted a waiver under IDAPA 11.11.01.059 (IDAPA 11.11.01.057).

Unless exempted, an officer must be certified by POST within one year after being first appointed (IDAPA 11.11.01.057).

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203.6 TRAINING COMMITTEE

The Training Lieutenant shall establish a Training Committee, which will serve to assist with identifying training needs for the Department.

The Training Committee shall be comprised of at least three members, with the senior ranking member of the committee acting as the chairperson. Members should be selected based on their abilities at post-incident evaluation and at assessing related training needs. The Training Lieutenant may remove or replace members of the committee at his/her discretion.

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

(a) Any incident involving the death or serious injury of an employee.

(b) Incidents involving a high risk of death, serious injury or civil liability.

(c) Incidents identified by a supervisor as appropriate to review to identify possible training needs.

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

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

203.7 TRAINING PROCEDURES

(a) All employees assigned to attend training shall attend unless previously excused by their immediate supervisor. Excused absences from training should be limited to:

1. Court appearances
2. Previously scheduled leave
3. Sick leave
4. Physical limitations preventing the employee’s participation
5. Emergency situations

(b) When an employee is unable to attend training, that employee shall:

1. Notify his/her supervisor as soon as possible, but no later than at least one hour prior to the start of training.
2. Document his/her absence in a memorandum to his/her supervisor.

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3. Make arrangements through his/her supervisor and the Training Lieutenant to attend an alternate date.

203.8 DAILY TRAINING BULLETINS

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

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

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

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

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Email Use

204.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for employees' proper use and application of the electronic mail (email) system operated by this department. Email is a communication tool available to employees to enhance efficiency in the performance of job duties and is to be used in accordance with generally accepted business practices and current law (e.g., Idaho Public Records Act). Messages transmitted over the email system must only be those that involve official business activities or contain information essential to employees for the accomplishment of business-related tasks and/or communication directly related to the business, administration, or practices of this department.

204.2 EMAIL RIGHT OF PRIVACY

All email messages, including any attachments, that are transmitted over department networks are considered department records and therefore are the property of the department. The Idaho Falls Police Department reserves the right to access, audit or disclose for any lawful reason, any message, including any attachment, that is transmitted over its email system or that is stored on any department system.

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

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

204.3 PROHIBITED USE OF EMAIL

Sending derogatory, defamatory, obscene, disrespectful, sexually suggestive, and harassing or any other inappropriate messages on the email system is prohibited and will not be tolerated and may result in discipline.

Email messages addressed throughout the entire department are only to be used for official business related items that are of particular interest to all users. Personal advertisements are not acceptable.

It is a violation of this policy to transmit a message under another user’s name. Users are strongly encouraged to log off the network when their computer is unattended. This added security measure would minimize the misuse of an individual’s email, name and/or password by others.

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204.4 EMAIL RECORD MANAGEMENT

Email may, depending upon the individual content, be a public record under the Idaho Public Records Law and must be managed in accordance with the established records retention schedule and in compliance with state law.

The Custodian of Records shall ensure that email messages are retained and recoverable as outlined in the Records Maintenance and Release Policy.

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Administrative Communications

205.1 PURPOSE AND SCOPE

Administrative communications of this department are governed by the following policies.

205.2 E-MAIL

E-mail may be issued periodically by the Chief of Police to announce and document all promotions, transfers, hiring of new personnel, separations, personnel and group commendations, or other changes in status.

205.3 CORRESPONDENCE

In order to ensure that the letterhead and name of this department are not misused, all formal external correspondence shall be on Idaho Falls Police Department letterhead. All Idaho Falls Police Department letterhead shall bear the signature element of the Chief of Police. Personnel should use Idaho Falls Police Department letterhead only for official business and with approval of their supervisor.

205.4 SURVEYS

All surveys made in the name of this department shall be authorized by the Chief of Police or a Bureau Commander.

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Retiree Concealed Firearms

206.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the issuance, denial, suspension, or revocation of Idaho Falls Police Department identification cards to qualified former or retired law enforcement officers under the Law Enforcement Officers' Safety Act (LEOSA) (18 USC § 926C).

206.2 POLICY

It is the policy of the Idaho Falls Police Department to provide identification cards to qualified former or retired officers to facilitate the lawful carrying of concealed weapons by those individuals.

206.3 LEOSA

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

(a) Separated from service in good standing from this department as an officer.

(b) Before such separation, had regular employment as a law enforcement officer for an aggregate of 10 years or more or, if employed as a law enforcement officer for less than 10 years, separated from service after completing any applicable probationary period due to a service-connected disability as determined by this department.

(c) Has not been disqualified for reasons related to mental health.

(d) Has not entered into an agreement with this department where the officer acknowledges that he/she is not qualified to receive a firearm qualification certificate for reasons related to mental health.

(e) Is not prohibited by federal law from receiving or possessing a firearm.

206.3.1 LEOSA IDENTIFICATION CARD FORMAT

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

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

206.3.2 AUTHORIZATION

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

(a) In possession of photographic identification that identifies him/her as having been employed as a law enforcement officer, and one of the following:

1. An indication from the person's former law enforcement agency that he/she has, within the past year, been tested or otherwise found by the law enforcement

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agency to meet agency-established active-duty standards for qualification in firearms training to carry a firearm of the same type as the concealed firearm.

2. A certification, issued by either the state in which the person resides or by a certified firearms instructor who is qualified to conduct a firearms qualification test for active-duty law enforcement officers within that state, indicating that the person has, within the past year, been tested or otherwise found to meet the standards established by the state or, if not applicable, the standards of any agency in that state.

(b) Not under the influence of alcohol or another intoxicating or hallucinatory drug or substance.

(c) Not prohibited by federal law from receiving a firearm.

(d) Not in a location prohibited by Idaho law or by a private person or entity on his/her property if such prohibition is permitted by Idaho law.

206.4 IDAHO IDENTIFICATION CARD

The Chief of Police should issue an identification card to a qualified former officer of this department with 10 years of service if requested and is otherwise a qualified retired law enforcement officer under Idaho Code 18-3302H.

206.5 FORMER OFFICER RESPONSIBILITIES

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

206.5.1 RESPONSIBILITIES UNDER LEOSA

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

(a) Sign a waiver of liability of the Department for all acts taken related to carrying a concealed firearm, acknowledging both his/her personal responsibility as a private person for all acts taken when carrying a concealed firearm as permitted by LEOSA and also that these acts were not taken as an employee or former employee of the Department.

(b) Remain subject to all applicable department policies and federal, state, and local laws.

(c) Demonstrate good judgment and character commensurate with carrying a loaded and concealed firearm.

(d) Successfully pass an annual criminal history background check indicating that he/she is not prohibited by law from receiving or possessing a firearm.

206.6 FIREARM QUALIFICATIONS

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

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Chapter 3 - General Operations

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Use of Force

300.1 PURPOSE AND SCOPE

This policy provides guidelines on the reasonable use of force. While there is no way to specify the exact amount or type of reasonable force to be applied in any situation, every member of this department is expected to use these guidelines to make such decisions in a professional, impartial, and reasonable manner in adherence to all applicable federal, state, and local laws.

In addition to those methods, techniques, and tools set forth below, the guidelines for the reasonable application of force contained in this policy shall apply to all policies addressing the potential use of force, including but not limited to the Control Devices and Techniques and Conducted Energy Device policies.

Personnel will use only the force reasonable to affect lawful objectives in accordance with Idaho Codes 19-610 and 18-4011.

300.1.1 DEFINITIONS

Definitions related to this policy include:

Carotid Control Hold - A physical maneuver or technique designed to control an individual by temporarily restricting blood flow through the application of pressure to the side of the neck.

Choke Hold - A physical maneuver or technique that restricts an individual's ability to breath for the purpose of incapacitation. This hold is prohibited except in situations where the use of deadly force is allowed by law.

Deadly force - Force reasonably anticipated and intended to create a substantial likelihood of causing death or very serious injury.

Feasible - Reasonably capable of being done or carried out under the circumstances to successfully achieve the arrest or lawful objective without increasing risk to the officer or another person.

Force - The application of physical techniques or tactics, chemical agents, or weapons to another person. It is not a use of force when a person allows him/herself to be searched, escorted, handcuffed, or restrained.

Imminent - Ready to take place; impending. Note that imminent does not mean immediate or instantaneous.

Objectively Reasonable - The determination that the decision to use force, and the level of force used, is what a reasonable and prudent officer would use under the same or similar situation, based upon the officer's evaluation of the situation, experience, training, and the totality of the circumstances known to, or believed to, exist by the officer at the time the force is used, and is consistent with U.S. Supreme Court precedent.

Totality of the circumstances - All facts and circumstances known to the officer at the time, taken as a whole, including the conduct of the officer and the subject leading up to the use of force.

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300.2 POLICY

The use of force by law enforcement personnel is a matter of critical concern, both to the public and to the law enforcement community. Officers are involved on a daily basis in numerous and varied interactions and, when warranted, may use reasonable force in carrying out their duties.

Officers must have an understanding of, and true appreciation for, their authority and limitations. This is especially true with respect to overcoming resistance while engaged in the performance of law enforcement duties.

The Idaho Falls Police Department recognizes and respects the value of all human life and dignity without prejudice to anyone. Vesting officers with the authority to use reasonable force and to protect the public welfare requires monitoring, evaluation, and a careful balancing of all interests.

300.2.1 DUTY TO INTERCEDE AND REPORT

Any officer present and observing another law enforcement officer or a member using force that is clearly beyond that which is objectively reasonable under the circumstances shall, when in a position to do so, intercede to prevent the use of unreasonable force.

Any officer who observes another law enforcement officer or a member use force that is beyond that which is objectively reasonable under the circumstances should report these observations to a supervisor as soon as feasible.

300.2.2 PERSPECTIVE

When observing or reporting force used by a law enforcement officer, each officer should take into account the totality of the circumstances and the possibility that other law enforcement officers may have additional information regarding the threat posed by the subject.

300.3 USE OF FORCE

Officers shall use only that amount of force that reasonably appears necessary given the facts and circumstances perceived by the officer at the time of the event to accomplish a legitimate law enforcement purpose. Once it is objectively reasonable that a subject is fully in law enforcement's control, the use of force must cease.

The reasonableness of force will be judged from the perspective of a reasonable officer on the scene at the time of the incident. Any evaluation of reasonableness must allow for the fact that officers are often forced to make split-second decisions about the amount of force that reasonably appears necessary in a particular situation, with limited information and in circumstances that are tense, uncertain and rapidly evolving.

Given that no policy can realistically predict every possible situation an officer might encounter, officers are entrusted to use well-reasoned discretion in determining the appropriate use of force in each incident.

It is also recognized that circumstances may arise in which officers reasonably believe that it would be impractical or ineffective to use any of the tools, weapons or methods provided by the Department. Officers may find it more effective or reasonable to improvise their response to rapidly

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unfolding conditions that they are confronting. In such circumstances, the use of any improvised device or method must nonetheless be reasonable and utilized only to the degree that reasonably appears necessary to accomplish a legitimate law enforcement purpose.

While the ultimate objective of every law enforcement encounter is to avoid or minimize injury, nothing in this policy requires an officer to retreat or be exposed to possible physical injury before applying reasonable force.

300.3.1 USE OF FORCE TO EFFECT AN ARREST

Officers executing a warrant or who have probable cause to believe that a person has committed an offense may use reasonable force to effect the arrest if the person either attempts to flee or forcibly resists the arrest. The arresting officer should make clear his/her intent to arrest the person before using force (Idaho Code 19-610).

300.3.2 FACTORS USED TO DETERMINE THE REASONABLENESS OF FORCE

When determining whether to apply force and evaluating whether an officer has used reasonable force, a number of factors should be taken into consideration, as time and circumstances permit. These factors include but are not limited to:

(a) Immediacy and severity of the threat to officers or others.

(b) The conduct of the individual being confronted, as reasonably perceived by the officer at the time.

(c) Officer/subject factors (e.g., age, size, relative strength, skill level, injuries sustained, level of exhaustion or fatigue, the number of officers available vs. subjects).

(d) The effects of suspected drug or alcohol use.

(e) The individual’s mental state or capacity.

(f) The individual’s ability to understand and comply with officer commands.

(g) Proximity of weapons or dangerous improvised devices.

(h) The degree to which the individual has been effectively restrained and his/her ability to resist despite being restrained.

(i) The availability of other reasonable and feasible options and their possible effectiveness.

(j) Seriousness of the suspected offense or reason for contact with the individual.

(k) Training and experience of the officer.

(l) Potential for injury to officers, suspects, and others.

(m) Whether the individual appears to be resisting, attempting to evade arrest by flight, or is attacking the officer.

(n) The risk and reasonably foreseeable consequences of escape.

(o) The apparent need for immediate control of the individual or a prompt resolution of the situation.

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(p) Whether the conduct of the individual being confronted no longer reasonably appears to pose an imminent threat to the officer or others.

(q) Prior contacts with the individual or awareness of any propensity for violence.

(r) Any other exigent circumstances.

300.3.3 PAIN COMPLIANCE TECHNIQUES

Pain compliance techniques may be effective in controlling a physically or actively resisting individual. Officers may only apply those pain compliance techniques for which they have successfully completed department-approved training. Officers utilizing any pain compliance technique should consider:

(a) The degree to which the application of the technique may be controlled given the level of resistance.

(b) Whether the individual can comply with the direction or orders of the officer.

(c) Whether the individual has been given sufficient opportunity to comply.

The application of any pain compliance technique shall be discontinued once the officer determines that compliance has been achieved.

300.3.4 CAROTID CONTROL HOLD

A carotid control hold is a technique designed to control an individual by temporarily restricting blood flow through the application of pressure to the side of the neck and, unlike a chokehold, does not restrict the airway. Choke holds are prohibited except in situations where deadly force is allowed by law.

The proper application of the carotid control hold may be effective in restraining a violent or combative individual. However, due to the potential for injury, the use of the carotid control hold is limited to those circumstances where a subject is physically and violently resisting, and is subject to the following:

(a) The officer shall have successfully completed department-approved training in the use and application of the carotid control hold.

(b) The application of a carotid control hold on the following individuals should generally be avoided unless the totality of the circumstances indicates that other available options reasonably appear ineffective, or would present a greater danger to the officer, the subject, or others, and the officer reasonably believes that the need to control the individual outweighs the risk of applying a carotid control hold:

1. Females who are known to be pregnant
2. Elderly individuals
3. Obvious juveniles
4. Individuals who appear to have Down syndrome or who appear to have obvious neck deformities or malformations, or visible neck injuries

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(c) At all times during the application of the carotid control hold, the response of the individual should be monitored. The carotid control hold should be discontinued when circumstances indicate that the application no longer reasonably appears necessary.

(d) Any individual who has had the carotid control hold applied, regardless of whether he/she was rendered unconscious, shall be promptly examined by paramedics or other qualified medical personnel and should be monitored until such examination occurs.

(e) The officer shall inform any person receiving custody, or any person placed in a position of providing care, that the individual has been subjected to the carotid control hold and whether the individual lost consciousness as a result.

(f) Any officer attempting or applying the carotid control hold shall promptly notify a supervisor of the use or attempted use of such hold.

(g) The use or attempted use of the carotid control hold shall be thoroughly documented by the officer in any related reports.

300.3.5 USE OF FORCE TO SEIZE EVIDENCE

In general, officers may use reasonable force to lawfully seize evidence and to prevent the destruction of evidence. However, officers are discouraged from using force solely to prevent a person from swallowing evidence or contraband. In the instance when force is used, officers should not intentionally use any technique that restricts blood flow to the head, restricts respiration or which creates a reasonable likelihood that blood flow to the head or respiration would be restricted. Officers are encouraged to use techniques and methods taught by the Idaho Falls Police Department for this specific purpose.

300.3.6 ALTERNATIVE TACTICS - DE-ESCALATION

When circumstances reasonably permit, officers should use non-violent strategies and techniques to decrease the intensity of a situation, improve decision-making, improve communication, reduce the need for force, and increase voluntary compliance (e.g., summoning additional resources, formulating a plan, attempting verbal persuasion).

300.4 DEADLY FORCE APPLICATIONS

When reasonable, the officer shall, prior to the use of deadly force, make efforts to identify him/herself as a peace officer and to give a verbal warning that deadly force may be used, unless the officer has objectively reasonable grounds to believe the person is aware of those facts.

Use of deadly force is justified in the following circumstances involving imminent threat or imminent risk:

(a) An officer may use deadly force to protect him/herself or others from what he/she reasonably believes is an imminent threat of death or serious bodily injury.

(b) An officer may use deadly force to stop a fleeing subject when the officer has probable cause to believe that the individual has committed, or intends to commit, a felony involving the infliction or threatened infliction of serious bodily injury or death, and the officer reasonably believes that there is an imminent risk of serious bodily injury or death to any other person if the individual is not immediately apprehended. Under

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such circumstances, a verbal warning should precede the use of deadly force, where feasible.

Imminent does not mean immediate or instantaneous. An imminent danger may exist even if the suspect is not at that very moment pointing a weapon at someone. For example, an imminent danger may exist if an officer reasonably believes that the individual has a weapon or is attempting to access one and intends to use it against the officer or another person. An imminent danger may also exist if the individual is capable of causing serious bodily injury or death without a weapon, and the officer believes the individual intends to do so.

300.4.1 MOVING VEHICLES

Shots fired at or from a moving vehicle involve additional considerations and risks, and are rarely effective.

When feasible, officers should take reasonable steps to move out of the path of an approaching vehicle instead of discharging their firearm at the vehicle or any of its occupants.

An officer should only discharge a firearm at a moving vehicle or its occupants when the officer reasonably believes there are no other reasonable means available to avert the imminent threat of the vehicle, or if deadly force other than the vehicle is directed at the officer or others.

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

300.5 REPORTING THE USE OF FORCE

Any use of force by a member of this department shall be documented promptly, completely, and accurately in an appropriate report, depending on the nature of the incident. The officer should articulate the factors perceived and why he/she believed the use of force was reasonable under the circumstances.

To collect data for purposes of training, resource allocation, analysis, and related purposes, the department may require the completion of additional report forms, as specified in department policy, procedure, or law. See the Report Preparation Policy for additional circumstances that may require documentation.

300.5.1 NOTIFICATIONS TO SUPERVISORS

Supervisory notification shall be made as soon as practicable following the application of force in any of the following circumstances:

(a) The application caused a visible injury.

(b) The application would lead a reasonable officer to conclude that the individual may have experienced more than momentary discomfort.

(c) The individual subjected to the force complained of injury or continuing pain.

(d) The individual indicates intent to pursue litigation.

(e) Any application of the Conducted Energy Device or control device.

(f) Any application of a restraint device other than handcuffs, shackles, or belly chains.

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(g) The individual subjected to the force was rendered unconscious.

(h) An individual was struck or kicked.

(i) An individual alleges unreasonable force was used or that any of the above has occurred.

300.6 MEDICAL CONSIDERATIONS

Once it is reasonably safe to do so, medical assistance shall be obtained for any person who exhibits signs of physical distress, has sustained visible injury, expresses a complaint of injury or continuing pain, or was rendered unconscious. Any individual exhibiting signs of physical distress after an encounter should be continuously monitored until he/she can be medically assessed. Individuals should not be placed on their stomachs for an extended period, as this could impair their ability to breathe.

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

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

Individuals who exhibit extreme agitation, violent irrational behavior accompanied by profuse sweating, extraordinary strength beyond their physical characteristics, and imperviousness to pain (sometimes called "excited delirium"), or who require a protracted physical encounter with multiple officers to be brought under control, may be at an increased risk of sudden death. Calls involving these persons should be considered medical emergencies. Officers who reasonably suspect a medical emergency should request medical assistance as soon as practicable and have medical personnel stage away.

See the Medical Aid and Response Policy for additional guidelines.

300.7 SUPERVISOR RESPONSIBILITIES

A supervisor should respond to a reported application of force resulting in visible injury, if reasonably available. When a supervisor is able to respond to an incident in which there has been a reported application of force, the supervisor is expected to:

(a) Obtain the basic facts from the involved officers. Absent an allegation of misconduct or excessive force, this will be considered a routine contact in the normal course of duties.

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(b) Ensure that any injured parties are examined and treated.

(c) When possible, separately obtain a recorded interview with the individual upon whom force was applied. If this interview is conducted without the individual having voluntarily waived his/her *Miranda* rights, the following shall apply:

1. The content of the interview should not be summarized or included in any related criminal charges.
2. The fact that a recorded interview was conducted should be documented in a property or other report.
3. The recording of the interview should be distinctly marked for retention until all potential for civil litigation has expired.

(d) Once any initial medical assessment has been completed or first aid has been rendered, ensure that photographs have been taken of any areas involving visible injury or complaint of pain, as well as overall photographs of uninjured areas.

1. These photographs should be retained until all potential for civil litigation has expired.

(e) Identify any witnesses not already included in related reports.

(f) Review and approve all related reports.

(g) Determine if there is any indication that the individual may pursue civil litigation.

1. If there is an indication of potential civil litigation, the supervisor should complete and route a notification of a potential claim through the appropriate channels.

(h) Evaluate the circumstances surrounding the incident and initiate an administrative investigation if there is a question of policy noncompliance or if for any reason further investigation may be appropriate.

In the event that a supervisor is unable to respond to the scene of an incident involving the reported application of force, the supervisor is still expected to complete as many of the above items as circumstances permit.

300.7.1 SHIFT LIEUTENANT RESPONSIBILITY

The Shift Lieutenant shall review each use of force by any personnel within his/her command to ensure compliance with this policy and to address any training issues.

300.8 TRAINING

Officers will receive periodic training on this policy and demonstrate their knowledge and understanding.

Subject to available resources, officers should receive periodic training on:

(a) Guidelines regarding vulnerable populations, including but not limited to children, elderly, pregnant persons, and individuals with physical, mental, or intellectual disabilities.

(b) De-escalation tactics, including alternatives to force.

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(c) Legal updates related to the use of force.

300.9 USE OF FORCE ANALYSIS

At least annually, the Patrol Bureau Commander should prepare an analysis report on use of force incidents. The report should be submitted to the Chief of Police. The report should not contain the names of officers, suspects, or case numbers, and should include:

(a) The identification of any trends in the use of force by members.

(b) Training needs recommendations.

(c) Equipment needs recommendations.

(d) Policy revision recommendations.

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Use of Force Review Boards

301.1 PURPOSE AND SCOPE

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

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

301.2 POLICY

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

301.3 REMOVAL FROM LINE DUTY ASSIGNMENT

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

301.4 REVIEW BOARD

The Use of Force Review Board will be convened when the use of force by a member results in very serious injury or death to another.

The Use of Force Review Board will also investigate and review the circumstances surrounding every discharge of a firearm, whether the employee was on- or off-duty, excluding negligent discharges, destroying a dangerous or injured animal, training,or recreational use.

The Chief of Police may request the Use of Force Review Board to investigate the circumstances surrounding any use of force incident.

The Professional Standards and Logistics Bureau Commander will convene the Use of Force Review Board as necessary. It will be the responsibility of the Bureau Commander or supervisor of the involved employee to notify the Professional Standards and Logistics Bureau Commander of any incidents requiring board review. The Professional Standards and Logistics Bureau Commander will also ensure that all relevant reports, documents and materials are available for consideration and review by the board.

301.4.1 COMPOSITION OF THE BOARD

The Professional Standards and Logistics Bureau Commander should select the Use of Force Review Board members from the following:

- The Bureau Commander of the involved officer(s)

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- A Lieutenant
- A Training Supervisor
- A peer officer
- A Sergeant
- Three non-City employee Civilian members

The senior ranking command representative who is not in the same bureau as the involved employee will serve as chairperson.

The three non-City employee Civilian board members will be selected by the Chief of Police. Their selection will be presented to the Mayor and City Council for approval.

Before serving on the board, the Civilian members must complete an Idaho Falls Police Department training course.

For the initial selection, one Civilian member will have an initial term of one year, one Civilian will have an initial term of two years, and one Civilian member will have an initial term of three years. Thereafter, Civilian board members will serve a term of three years. Civilian board members may be reappointed for one additional three year term.

301.4.2 RESPONSIBILITIES OF THE BOARD

The Use of Force Review Board is empowered to conduct an administrative review and inquiry into the circumstances of an incident.

The board members may request further investigation, request reports be submitted for the board's review, call persons to present information and request the involved employee to appear. The involved employee will be notified of the meeting of the board and may choose to have a representative through all phases of the review process.

The board does not have the authority to recommend discipline.

The Chief of Police will determine whether the board should delay its review until after completion of any criminal investigation, review by any prosecutorial body, filing of criminal charges, the decision not to file criminal charges, or any other action. The board should be provided all relevant available material from these proceedings for its consideration.

The review shall be based upon those facts which were reasonably believed or known by the officer at the time of the incident, applying any legal requirements, department policies, procedures and approved training to those facts. Facts later discovered but unknown to the officer at the time shall neither justify nor call into question an officer's decision regarding the use of force.

Any questioning of the involved employee conducted by the board will be in accordance with the department's disciplinary procedures, the Personnel Complaints Policy, and any applicable state or federal law.

The board shall make one of the following recommended findings:

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(a) The employee's actions were within department policy and procedure.

(b) The employee's actions were in violation of department policy and procedure.

A recommended finding requires a majority vote of the board. The board may also recommend additional investigations or reviews, such as disciplinary investigations, training reviews to consider whether training should be developed or revised, and policy reviews, as may be appropriate. The board chairperson will submit the written recommendation to the Chief of Police.

The Chief of Police shall review the recommendation, make a final determination as to whether the employee's actions were within policy and procedure and will determine whether any additional actions, investigations or reviews are appropriate. The Chief of Police's final findings will be forwarded to the involved employee's Bureau Commander for review and appropriate action. If the Chief of Police concludes that discipline should be considered, a disciplinary process will be initiated.

At the conclusion of any additional reviews, copies of all relevant reports and information will be filed with the Chief of Police.

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Handcuffing and Restraints

302.1 PURPOSE AND SCOPE

This policy provides guidelines for the use of handcuffs and other restraints during detentions and arrests.

302.2 POLICY

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

302.3 USE OF RESTRAINTS

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

When deciding whether to use any restraint, officers should carefully balance officer safety concerns with factors that include, but are not limited to:

- The circumstances or crime leading to the arrest.
- The demeanor and behavior of the arrested person.
- The age and health of the person.
- Whether the person is known to be pregnant.
- Whether the person has a hearing or speaking disability. In such cases, consideration should be given, safety permitting, to handcuffing to the front in order to allow the person to sign or write notes.
- Whether the person has any other apparent disability.

Regardless of any of the preceding factors, all arrestees must be thoroughly searched and restrained prior to being transported in a Police Department vehicle.

302.3.1 RESTRAINT OF DETAINEES

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

302.3.2 RESTRAINT OF PREGNANT PERSONS

Persons who are known to be pregnant should be restrained in the least restrictive manner that is effective for officer safety. Leg irons, waist chains, or handcuffs behind the body should not be used unless the officer has a reasonable suspicion that the person may resist, attempt escape, injure self or others, or damage property.

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302.3.3 RESTRAINT OF JUVENILES

A juvenile under 14 years of age should not be restrained unless he/she is suspected of a dangerous felony or when the officer has a reasonable suspicion that the juvenile may resist, attempt escape, injure him/herself, injure the officer or damage property.

302.3.4 NOTIFICATIONS

Whenever an officer transports a person with the use of restraints other than handcuffs, the officer shall inform the jail staff upon arrival at the jail that restraints were used. This notification should include information regarding any other circumstances the officer reasonably believes would be potential safety concerns or medical risks to the subject (e.g., prolonged struggle, extreme agitation, impaired respiration) that may have occurred prior to, or during transportation to the jail.

302.4 APPLICATION OF HANDCUFFS OR PLASTIC CUFFS

Handcuffs, including temporary nylon or plastic cuffs, may be used only to restrain a person's hands to ensure officer safety.

Although handcuffs should be used for arrest situations, handcuffing is discretionary and not an absolute requirement of the Department. Officers should consider handcuffing any person they reasonably believe warrants that degree of restraint. However, officers should not conclude that in order to avoid risk every person should be handcuffed, regardless of the circumstances.

In most situations handcuffs should be applied with the hands behind the person's back. When feasible, handcuffs should be double-locked to prevent tightening, which may cause undue discomfort or injury to the hands or wrists.

In situations where one pair of handcuffs does not appear sufficient to restrain the individual or may cause unreasonable discomfort due to the person's size, officers should consider alternatives, such as using an additional set of handcuffs or multiple plastic cuffs.

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

302.5 APPLICATION OF SPIT HOODS/MASKS/SOCKS

Spit hoods/masks/socks are temporary protective devices designed to prevent the wearer from biting and/or transferring or transmitting fluids (saliva and mucous) to others.

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

Officers utilizing spit hoods should ensure that the spit hood is fastened properly to allow for adequate ventilation and that the restrained person can breathe normally. Officers should provide assistance during the movement of restrained individuals due to the potential for impaired or

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distorted vision on the part of the individual. Officers should avoid comingling individuals wearing spit hoods with other detainees.

Spit hoods should not be used in situations where the restrained person is bleeding profusely from the area around the mouth or nose, or if there are indications that the person has a medical condition, such as difficulty breathing or vomiting. In such cases, prompt medical care should be obtained. If the person vomits while wearing a spit hood, the spit hood should be promptly removed and discarded. Persons who have been sprayed with oleoresin capsicum (OC) spray should be offered decontamination prior to application of a spit hood.

Those who have been placed in a spit hood should be continually monitored and shall not be left unattended until the spit hood is removed. Spit hoods shall be discarded after each use.

302.6 APPLICATION OF AUXILIARY RESTRAINT DEVICES

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

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

302.7 APPLICATION OF LEG RESTRAINT DEVICES

Leg restraints may be used to restrain the legs of a violent or potentially violent person when it is reasonable to do so during the course of detention, arrest or transportation. Only restraint devices approved by the Department shall be used.

In determining whether to use the leg restraint, officers should consider:

(a) Whether the officer or others could be exposed to injury due to the assaultive or resistant behavior of a suspect.

(b) Whether it is reasonably necessary to protect the suspect from his/her own actions (e.g., hitting his/her head against the interior of the patrol unit, running away from the arresting officer while handcuffed, kicking at objects or officers).

(c) Whether it is reasonably necessary to avoid damage to property (e.g., kicking at windows of the patrol unit).

302.7.1 GUIDELINES FOR USE OF LEG RESTRAINTS

When applying leg restraints the following guidelines should be followed:

(a) If practicable, officers should notify a supervisor of the intent to apply the leg restraint device. In all cases, a supervisor shall be notified as soon as practicable after the application of the leg restraint device.

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(b) Once applied, absent a medical or other emergency, restraints should remain in place until the officer arrives at the jail or other facility or the person no longer reasonably appears to pose a threat.

(c) Once secured, the person should be placed on their side or in a seated or upright position, secured with a seat belt if feasible, and shall not be placed on his/her stomach for an extended period, as this could reduce the person's ability to breathe.

(d) The restrained person should be continually monitored by an officer while in the leg restraint. The officer should ensure that the person does not roll onto and remain on his/her stomach.

(e) The officer should look for signs of labored breathing and take appropriate steps to relieve and minimize any obvious factors contributing to this condition.

(f) When transported by ambulance/paramedic unit, the restrained person should be accompanied by an officer when requested by medical personnel. The transporting officer should describe to medical personnel any unusual behaviors or other circumstances the officer reasonably believes would be potential safety or medical risks to the subject (e.g., prolonged struggle, extreme agitation, impaired respiration).

302.8 REQUIRED DOCUMENTATION

If a person is restrained and released without an arrest, the officer shall document the details of the detention and the need for handcuffs or other restraints.

If a person is arrested, the use of handcuffs or other restraints shall be documented in the related report. Officers should document the following information in reports, as appropriate, when restraints other than handcuffs are used on a person:

(a) The factors that led to the decision to use restraints.

(b) Supervisor notification and approval of restraint use.

(c) The types of restraint used.

(d) The amount of time the person was restrained.

(e) How the person was transported and the position of the person during transport.

(f) Observations of the person's behavior and any signs of physiological problems.

(g) Any known or suspected drug use or other medical problems.

302.9 TRAINING

Subject to available resources, the Training Lieutenant should ensure that officers receive periodic training on the proper use of handcuffs and other restraints, including:

(a) Proper placement and fit of handcuffs and other restraint devices approved for use by the Department.

(b) Response to complaints of pain by restrained persons.

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(c) Options for restraining those who may be pregnant without the use of leg irons, waist chains, or handcuffs behind the body.

(d) Options for restraining amputees or those with medical conditions or other physical conditions that may be aggravated by being restrained.

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Control Devices and Techniques

303.1 PURPOSE AND SCOPE

This policy provides guidelines for the use and maintenance of control devices that are described in this policy.

303.2 POLICY

In order to control subjects who are violent or who demonstrate the intent to be violent, the Idaho Falls Police Department authorizes officers to use control devices in accordance with the guidelines in this policy and the Use of Force Policy.

303.3 ISSUING, CARRYING AND USING CONTROL DEVICES

Control devices described in this policy may be carried and used by members of this department only if the device has been issued by the Department or approved by the Chief of Police or the authorized designee.

Only officers who have successfully completed department-approved training in the use of any control device are authorized to carry and use the device.

Control devices may be used when a decision has been made to control, restrain or arrest a subject who is violent or who demonstrates the intent to be violent and the use of the device appears reasonable under the circumstances. When reasonable, a verbal warning and opportunity to comply should precede the use of these devices.

When using control devices, officers should carefully consider potential impact areas in order to minimize injuries and unintentional targets.

303.4 RESPONSIBILITIES

303.4.1 SHIFT LIEUTENANT RESPONSIBILITIES

The Shift Supervisor may authorize the use of a control device by selected personnel or members of specialized units who have successfully completed the required training.

303.4.2 QUARTERMASTER RESPONSIBILITIES

The Quartermastershall control the inventory and issuance of all control devices and shall ensure that all damaged, inoperative, outdated or expended control devices or munitions are properly disposed of, repaired or replaced.

Every control device will be periodically inspected by the Quartermaster or the designated instructor for a particular control device. The inspection shall be documented.

303.4.3 USER RESPONSIBILITIES

All normal maintenance, charging or cleaning shall remain the responsibility of personnel using the various devices.

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Any damaged, inoperative, outdated or expended control devices or munitions, along with documentation explaining the cause of the damage, shall be returned to the Quartermaster for disposition. Damage to City property forms shall also be prepared and forwarded through the chain of command, when appropriate, explaining the cause of damage.

303.5 BATON GUIDELINES

The need to immediately control a suspect must be weighed against the risk of causing serious injury. The head, neck, throat, spine, heart, kidneys and groin should not be intentionally targeted except when the officer reasonably believes the suspect poses an imminent threat of serious bodily injury or death to the officer or others.

When carrying a baton, uniformed personnel shall carry the baton in its authorized holder on the equipment belt or vest. Plainclothes and non-field personnel may carry the baton as authorized and in accordance with the needs of their assignment or at the direction of their supervisor.

303.6 TEAR GAS GUIDELINES

Tear gas may be used for crowd control, crowd dispersal or against barricaded suspects based on the circumstances. Only the Shift Lieutenant, Incident Commander or SWAT Commander may authorize the delivery and use of tear gas, and only after evaluating all conditions known at the time and determining that such force reasonably appears justified and necessary.

When practicable, fire personnel should be alerted or summoned to the scene prior to the deployment of tear gas to control any fires and to assist in providing medical aid or gas evacuation if needed.

303.7 OLEORESIN CAPSICUM (OC) GUIDELINES

Use of Oleoresin Capsicum is intended to prevent injury to the subject involved, the officer, and other persons present. As with other control devices, oleoresin capsicum (OC) spray and pepper projectiles may be considered for use to bring under control an individual or groups of individuals who are engaging in, or are about to engage in violent behavior. The governing factor in the use of OC is whether its use is reasonable. Use of OC may prevent the use of more severe physical force and may be used when:

(a) An officer is threatened with physical force and other means of controlling the offender are unreasonable or could cause injury to the offender, the officer, or others present.

(b) The officer is threatened by a dangerous animal.

(c) In cases where the size and demeanor of an offender indicates that the officer or the offender would be endangered by the use of other physical force.

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

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303.7.1 OC SPRAY
Uniformed personnel carrying OC spray shall carry the device in its holster on the equipment belt or vest. Plainclothes and non-field personnel may carry OC spray as authorized, in accordance with the needs of their assignment or at the direction of their supervisor.

303.7.2 TREATMENT FOR OC SPRAY EXPOSURE
Officers should assist persons who have been sprayed with or otherwise affected by the use of OC in decontaminating with clean water to cleanse the affected areas. This should only be attempted on compliant individuals. Those persons who complain of further severe effects shall be examined by appropriate medical personnel.

303.8 POST-APPLICATION NOTICE
Whenever tear gas or OC has been introduced into a residence, building interior, vehicle or other enclosed area, officers should provide the owners or available occupants with notice of the possible presence of residue that could result in irritation or injury if the area is not properly cleaned. Such notice should include advisement that clean up will be at the owner's expense. Information regarding the method of notice and the individuals notified should be included in related reports.

303.9 KINETIC ENERGY PROJECTILE GUIDELINES
This department is committed to reducing the potential for violent confrontations. Kinetic energy projectiles, when used properly, are less likely to result in death or serious physical injury and can be used in an attempt to de-escalate a potentially deadly situation.

303.9.1 DEPLOYMENT AND USE
Only department-approved kinetic energy munitions shall be carried and deployed. Approved munitions may be used to compel an individual to cease his/her actions when such munitions present a reasonable option.

Officers are not required or compelled to use approved munitions in lieu of other reasonable tactics if the involved officer determines that deployment of these munitions cannot be done safely. The safety of hostages, innocent persons and officer takes priority over the safety of subjects engaged in criminal or suicidal behavior.

Circumstances appropriate for deployment include, but are not limited to, situations in which:

(a) The suspect is armed with a weapon and the tactical circumstances allow for the safe application of approved munitions.

(b) The suspect has made credible threats to harm him/herself or others.

(c) The suspect is engaged in riotous behavior or is throwing rocks, bottles or other dangerous projectiles at people and/or officers.

(d) There is probable cause to believe that the suspect has already committed a crime of violence and is refusing to comply with lawful orders.

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303.9.2 DEPLOYMENT CONSIDERATIONS

Before discharging projectiles, the officer should consider such factors as:

(a) Distance and angle to target.

(b) Type of munitions employed.

(c) Type and thickness of subject's clothing.

(d) The subject's proximity to others.

(e) The location of the subject.

(f) Whether the subject's actions dictate the need for an immediate response and the use of control devices appears appropriate.

A verbal warning of the intended use of the device should precede its application, unless it would otherwise endanger the safety of officers or when it is not practicable due to the circumstances. The purpose of the warning is to give the individual a reasonable opportunity to voluntarily comply and to warn other officers and individuals that the device is being deployed.

Officers should keep in mind the manufacturer's recommendations and their training regarding effective distances and target areas. However, officers are not restricted solely to use according to manufacturer recommendations. Each situation must be evaluated on the totality of circumstances at the time of deployment.

The need to immediately incapacitate the subject must be weighed against the risk of causing serious injury or death. The head and neck should not be intentionally targeted, except when the officer reasonably believes the suspect poses an imminent threat of serious bodily injury or death to the officer or others.

303.9.3 SAFETY PROCEDURES

The department will issue 40 mm launchers specifically designated for use with kinetic energy projectiles. The deployment of a launcher should typically be used in concert with other resources, including additional officers for support.

Officers will inspect the launchers and projectiles at the beginning of each shift to ensure that the launcher is in proper working order and the projectiles are of the approved type and appear to be free from defects.

When it is not deployed, the launchers will be unloaded and properly and securely stored in the vehicle. When deploying the kinetic energy projectile launcher, the officer shall visually inspect the kinetic energy projectiles to ensure that proper rounds are being loaded into the launcher.

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303.10 TRAINING FOR CONTROL DEVICES

The Training Lieutenant shall ensure that all personnel who are authorized to carry a control device have been properly trained and certified to carry the specific control device and are retrained or recertified as necessary.

(a) Proficiency training shall be monitored and documented by a certified, control-device weapons or tactics instructor.

(b) All training and proficiency for control devices will be documented in the officer's training file.

(c) Officers who fail to demonstrate proficiency with the control device or knowledge of this agency's Use of Force Policy will be provided remedial training. If An officer cannot demonstrate proficiency with a control device or knowledge of this agency's Use of Force Policy after remedial training, the officer will be restricted from carrying the control device and may be subject to discipline.

303.11 REPORTING USE OF CONTROL DEVICES AND TECHNIQUES

Any application of a control device or technique listed in this policy shall be documented in the related incident report and reported pursuant to the Use of Force Policy.

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Conducted Energy Device

304.1 PURPOSE AND SCOPE

This policy provides guidelines for the issuance and use of the Conducted Energy Device.

304.2 POLICY

The CED is intended to control a violent or potentially violent individual, while minimizing the risk of serious injury. The appropriate use of such a device should result in fewer serious injuries to officers and suspects.

304.3 ISSUANCE AND CARRYING THE CED

Only members who have successfully completed department-approved training may be issued and carry the CED.

CEDs are issued for use during a member's current assignment. Those leaving a particular assignment may be required to return the device to the Department's inventory.

Officers shall only use the CED and cartridges that have been issued by the Department. Uniformed officers who have been issued the CED shall wear the device in an approved holster on their person. Non-uniformed officers may secure the CED in the driver's compartment of their vehicle.

Members carrying the CED should perform a spark test on the unit prior to every shift.

When carried while in uniform, officers shall carry the CED in a weak-side holster on the side opposite the duty weapon or on the support side of the external vest.

(a) All CEDs shall be clearly and distinctly marked to differentiate them from the duty weapon and any other device.

(b) Whenever practicable, officers should carry two or more cartridges on their person when carrying the CED.

(c) Officers shall be responsible for ensuring that their issued CED is properly maintained and in good working order.

(d) Officers should not hold both a firearm and the CED at the same time.

304.4 VERBAL AND VISUAL WARNINGS

A verbal warning of the intended use of the CED should precede its application, unless it would otherwise endanger the safety of officers or when it is not practicable due to the circumstances. The purpose of the warning is to:

(a) Provide the individual with a reasonable opportunity to voluntarily comply.

(b) Provide other officers and individuals with a warning that the CED may be deployed.

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If, after a verbal warning, an individual is unwilling to voluntarily comply with an officer's lawful orders and it appears both reasonable and feasible under the circumstances, the officer may, but is not required to, display the electrical arc (provided that a cartridge has not been loaded into the device), or the laser in a further attempt to gain compliance prior to the application of the CED. The aiming laser should never be intentionally directed into the eyes of another as it may permanently impair his/her vision.

The fact that a verbal or other warning was given or the reasons it was not given shall be documented by the officer deploying the CED in the related report.

304.5 USE OF THE CED

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

304.5.1 APPLICATION OF THE CED

The CED may be used in any of the following circumstances, when the circumstances perceived by the officer at the time indicate that such application is reasonably necessary to control a person:

(a) The subject is violent or is physically resisting.

(b) The subject has demonstrated, by words or action, an intention to be violent or to physically resist, and reasonably appears to present the potential to harm officers, him/herself or others.

Mere flight from a pursuing officer, without other known circumstances or factors, is not good cause for the use of the CED to apprehend an individual.

304.5.2 SPECIAL DEPLOYMENT CONSIDERATIONS

The use of the CED on certain individuals should generally be avoided unless the totality of the circumstances indicates that other available options reasonably appear ineffective or would present a greater danger to the officer, the subject or others, and the officer reasonably believes that the need to control the individual outweighs the risk of using the device. This includes:

(a) Individuals who are known to be pregnant.

(b) Elderly individuals or obvious juveniles.

(c) Individuals with obviously low body mass.

(d) Individuals who are handcuffed or otherwise restrained.

(e) Individuals who have been recently sprayed with a flammable chemical agent or who are otherwise in close proximity to any known combustible vapor or flammable material, including alcohol-based oleoresin capsicum (OC) spray.

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(f) Individuals whose position or activity may result in collateral injury (e.g., falls from height, operating vehicles).

Because the application of the CED in the drive-stun mode (i.e., direct contact without probes) relies primarily on pain compliance, the use of the drive-stun mode generally should be limited to supplementing the probe-mode to complete the circuit, or as a distraction technique to gain separation between officers and the subject, thereby giving officers time and distance to consider other force options or actions.

The CED shall not be used to psychologically torment, elicit statements or to punish any individual.

304.5.3 TARGETING CONSIDERATIONS

Reasonable efforts should be made to target lower center mass and avoid the head, neck, chest and groin. If the dynamics of a situation or officer safety do not permit the officer to limit the application of the CED probes to a precise target area, officers should monitor the condition of the subject if one or more probes strikes the head, neck, chest or groin until the subject is examined by paramedics or other medical personnel.

304.5.4 MULTIPLE APPLICATIONS OF THE CED

Officers should apply the CED for only one standard cycle and then evaluate the situation before applying any subsequent cycles. Multiple applications of the CED against a single individual are generally not recommended and should be avoided unless the officer reasonably believes that the need to control the individual outweighs the potentially increased risk posed by multiple applications.

If the first application of the CED appears to be ineffective in gaining control of an individual, the officer should consider certain factors before additional applications of the CED, including:

(a) Whether the probes are making proper contact.

(b) Whether the individual has the ability and has been given a reasonable opportunity to comply.

(c) Whether verbal commands, other options or tactics may be more effective.

Officers should generally not intentionally apply more than one CED at a time against a single subject.

304.5.5 ACTIONS FOLLOWING DEPLOYMENTS

Officers shall notify a supervisor of all CED discharges. Confetti tags should be collected and the expended cartridge, along with both probes and wire, should be submitted into evidence. The cartridge serial number should be noted and documented on the evidence paperwork. The evidence packaging should be marked "Biohazard" if the probes penetrated the subject’s skin.

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304.5.6 DANGEROUS ANIMALS
The CED may be deployed against an animal as part of a plan to deal with a potentially dangerous animal, such as a dog, if the animal reasonably appears to pose an imminent threat to human safety and alternative methods are not reasonably available or would likely be ineffective.

304.5.7 OFF-DUTY CONSIDERATIONS
Officers are not authorized to carry department CEDs while off-duty. Except when engaged in approved secondary employment.

Officers shall ensure that CEDs are secured while in their homes, vehicles or any other area under their control, in a manner that will keep the device inaccessible to others.

304.6 DOCUMENTATION
Officers shall document all CED discharges in the related arrest/crime report and the CED report form. Notification shall also be made to a supervisor in compliance with the Use of Force Policy. Unintentional discharges, pointing the device at a person, laser activation and arcing the device will also be documented on the report form.

304.6.1 CED FORM
Items that shall be included in the CED report form are:

(a) The type and brand of CED and cartridge and cartridge serial number.

(b) Date, time and location of the incident.

(c) Whether any display, laser or arc deterred a subject and gained compliance.

(d) The number of CED activations, the duration of each cycle, the duration between activations, and (as best as can be determined) the duration that the subject received applications.

(e) The range at which the CED was used.

(f) The type of mode used (probe or drive-stun).

(g) Location of any probe impact.

(h) Location of contact in drive-stun mode.

(i) Description of where missed probes went.

(j) Whether medical care was provided to the subject.

(k) Whether the subject sustained any injuries.

(l) Whether any officers sustained any injuries.

The Training Lieutenant should periodically analyze the report forms to identify trends, including deterrence and effectiveness. The Training Lieutenant should also conduct audits of data downloads and reconcile CED report forms with recorded activations. CED information and statistics, with identifying information removed, should periodically be made available to the public.

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304.6.2 REPORTS
The officer should include the following in the arrest/crime report:

(a) Identification of all personnel firing CEDs

(b) Identification of all witnesses

(c) Medical care provided to the subject

(d) Observations of the subject's physical and physiological actions

(e) Any known or suspected drug use, intoxication or other medical problems

304.7 MEDICAL TREATMENT

Consistent with local medical personnel protocols and absent extenuating circumstances, only appropriate medical personnel should remove CED probes from a person's body. Used CED probes shall be treated as a sharps biohazard, similar to a used hypodermic needle, and handled appropriately. Universal precautions should be taken.

All persons who have been struck by CED probes or who have been subjected to the electric discharge of the device shall be medically assessed prior to booking. Additionally, any such individual who falls under any of the following categories should, as soon as practicable, be examined by paramedics or other qualified medical personnel:

(a) The person is suspected of being under the influence of controlled substances and/or alcohol.

(b) The person may be pregnant.

(c) The person reasonably appears to be in need of medical attention.

(d) The CED probes are lodged in a sensitive area (e.g., groin, female breast, head, face, neck).

(e) The person requests medical treatment.

Any individual exhibiting signs of distress or who is exposed to multiple or prolonged applications (i.e., more than 15 seconds) shall be transported to a medical facility for examination or medically evaluated prior to booking. If any individual refuses medical attention, such a refusal should be witnessed by another officer and/or medical personnel and shall be fully documented in related reports. If an audio recording is made of the contact or an interview with the individual, any refusal should be included, if possible.

The transporting officer shall inform any person providing medical care or receiving custody that the individual has been subjected to the application of the CED.

304.8 SUPERVISOR RESPONSIBILITIES

When possible, supervisors should respond to calls when they reasonably believe there is a likelihood the CED may be used. A supervisor should respond to all incidents where the CED was activated.

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A supervisor should review each incident where a person has been exposed to an activation of the CED. The device's onboard memory should be downloaded through the data port by a supervisor or a CED Instructor and attached to the CED use of force form. The supervisor will complete the CED use of force form. The supervisor will ensure photographs of probe sites were taken and attached to the case report.

304.9 TRAINING

Personnel who are authorized to carry the CED shall be permitted to do so only after successfully completing the initial department-approved training. Any personnel who have not carried the CED as a part of their assignment for a period of six months or more shall be recertified by a department-approved CED instructor prior to again carrying or using the device.

Proficiency training for personnel who have been issued CEDs should occur every year. A reassessment of an officer's knowledge and/or practical skill may be required at any time if deemed appropriate by the Training Lieutenant. All training and proficiency for CEDs will be documented in the officer's training file.

Command staff, supervisors and investigators should receive CED training as appropriate for the investigations they conduct and review.

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

The Training Lieutenant is responsible for ensuring that all members who carry CEDs have received initial and annual proficiency training. Periodic audits should be used for verification.

Application of CEDs during training could result in injury to personnel and should not be mandatory for certification.

The Training Lieutenant should ensure that all training includes:

(a) A review of this policy.

(b) A review of the Use of Force Policy.

(c) Performing weak-hand draws or cross-draws to reduce the possibility of unintentionally drawing and firing a firearm.

(d) Target area considerations, to include techniques or options to reduce the unintentional application of probes near the head, neck, chest and groin.

(e) Handcuffing a subject during the application of the CED and transitioning to other force options.

(f) De-escalation techniques.

(g) Restraint techniques that do not impair respiration following the application of the CED.

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Officer-Involved Shootings and Deaths

305.1 PURPOSE AND SCOPE

The purpose of this policy is to establish policy and procedures for the investigation of officer-involved shootings or the death of an individual as a result of other actions of an officer.

In other incidents not covered by this policy, the Chief of Police may decide that the investigation will follow the process provided in this policy.

305.2 POLICY

The policy of the Idaho Falls Police Department is to ensure that officer-involved shootings and deaths are investigated in a thorough, fair and impartial manner.

305.3 TYPES OF INVESTIGATIONS

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

(a) A criminal investigation of the suspect's actions.

(b) A criminal investigation of the involved officer 's actions.

(c) An administrative investigation as to policy compliance by involved officers.

305.4 CONTROL OF INVESTIGATIONS

This department conforms to the Critical Incident Task Force (CITF) Protocol for investigating officer-involved shootings and deaths. The following scenarios outline the jurisdictional responsibilities for investigating officer-involved shootings and deaths.

305.4.1 CRIMINAL INVESTIGATIONS

The CITF is responsible for the criminal investigation of the suspect’s actions and of the officer’s actions. The criminal investigation will be reviewed by a prosecuting attorney’s office or the Office of the Attorney General.

Under the CITF Protocol, the criminal investigation is generally referred to one or more outside agencies with a lead agency being ultimately responsible for the investigation.

305.4.1 ADMINISTRATIVE INVESTIGATION

Regardless of where the incident occurs, the administrative investigation of each involved officer is controlled by the respective employing agency.

305.5 INVESTIGATION PROCESS

The following procedures are guidelines used in the investigation of an officer-involved shooting or death.

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305.5.1 UNINVOLVED OFFICER RESPONSIBILITIES

Upon arrival at the scene of an officer-involved shooting or death, the first uninvolved IFPD officer will be the officer-in-charge and will assume the responsibilities of a supervisor until properly relieved. This officer should, as appropriate:

(a) Secure the scene and identify and eliminate hazards for all those involved.

(b) Take reasonable steps to obtain emergency medical attention for injured individuals.

(c) Request additional resources from the Department or other agencies.

(d) Coordinate a perimeter or pursuit of suspects.

(e) Check for injured persons and evacuate as needed.

(f) Brief the supervisor upon arrival.

305.5.2 SUPERVISOR RESPONSIBILITIES

Upon arrival at the scene, the first uninvolved IFPD supervisor should ensure completion of the duties as outlined above, plus:

(a) Attempt to obtain a brief overview of the situation from any uninvolved officers.

1. In the event that there are no uninvolved officers who can supply adequate overview, the supervisor should attempt to obtain a brief voluntary overview from one involved officer.

(b) If necessary, the supervisor may administratively order any IFPD officer to immediately provide public safety information necessary to secure the scene, identify injured parties and pursue suspects.

(a) Public safety information shall be limited to such things as outstanding suspect information, number and direction of any shots fired, perimeter of the incident scene, identity of known or potential witnesses and any other pertinent information.

(b) The initial on-scene supervisor should not attempt to order any involved officer to provide any information other than public safety information.

(c) Maintain tactical control of the incident and coordinate the search for and apprehension of any outstanding suspect(s).

(d) Direct the officer(s) not to unload or reload their weapons. However, allow them to maintain control of their weapons until a detective can assist in removing and verify the condition of the weapon. Efforts should be made to immediately replace the weapon which was involved in the shooting incident.

(e) Ensure the shooting scene is secured and evidence is maintained in its original location. If evidence is picked up, do not replace it prior to the detective's arrival.

(f) Assign an officer to act as scene security and start a critical incident log. Also assign officers to locate witnesses. Make arrangements for the witnesses to be interviewed after transport to the station. If the suspect is pronounced dead at the scene, obtain the paramedic slip documenting the time of death was pronounced and by whom.

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(g) If the suspect is transported to a hospital, have an officer stay with the suspect. Instruct the officer not to interview the suspect, but to take detailed notes of any voluntary statements. Ensure the officer obtains all of the suspect's clothing and medical information including the attending physician's name and treatment provided.

(h) Do **not** discuss the circumstances of the shooting with non-essential personnel, particularly the media.

(i) Supervisor assigned to the Officer(s):

(a) Assign an OIC or officer to stay with the involved officer(s).

(b) Contact legal representation for the officer. The officers should not be allowed to discuss the incident with anyone prior to their talking to an Attorney. Monitor their contacts with staff and command officers.

(c) Do not give policy opinions to the involved officers regarding the shooting incident. Supervisors should attempt to be supportive and reassuring without providing opinions regarding tactics or Use of Force policies.

(d) Encourage the officer to keep the amount of caffeine consumed to a minimum. Maintain a calming atmosphere.

(e) Do not let the involved officer(s) write anything regarding the OIS incident.

(f) Encourage them to telephonically notify their families that they are OK and will most likely be working overtime.

(g) Identify all shooters and all percipient witnesses and isolate them as appropriate.

305.5.3 SHIFT LIEUTENANT DUTIES

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

305.5.4 NOTIFICATIONS

The Shift Lieutenant, or in their absence, the on-scene supervisor shall notify the Duty Captain.

The Duty Captain shall notify the following persons as soon as practicable:

- Chief of Police
- All Bureau Commanders
- Outside agency investigators,if appropriate, (CITF)
- Psychological/peer support personnel (TRUST)
- Chaplain
- Public Information Officer

All outside inquiries about the incident shall be directed to the Shift Lieutenant.

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The Chief of Police will notify the Mayor and City Attorney.

305.5.5 INVOLVED OFFICERS
The following shall be considered for the involved officer:

(a) Any request for legal representation will be accommodated.
    (a) Involved officers shall not be permitted to meet collectively or in a group with an attorney or any representative prior to providing a formal interview or report.
    (b) Requests from involved non-IFPD officers should be referred to their employing agency.
(b) Discussions with licensed attorneys will be considered privileged as attorney-client communications.
(c) Discussions with agency representatives/employee groups will be privileged only as to the discussion of non-criminal information.
(d) A psychotherapist shall be arranged by IFPD to each involved IFPD officer. A licensed psychotherapist may also be provided to any other affected IFPD members, upon request.
    (a) Interviews with a licensed psychotherapist will be considered privileged.
    (b) An interview or session with a licensed psychotherapist may take place prior to the member providing a formal interview or report. However, involved members shall not be permitted to consult or meet collectively or in a group with a licensed psychotherapist prior to providing a formal interview or report.
    (c) A separate fitness-for-duty exam may also be required (see the Fitness for Duty Policy).
(e) Although the department will honor the sensitivity of communications with peer counselors, there is no legal privilege to such communications. Peer counselors are cautioned against discussing the facts of any incident with an involved or witness officer.

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

Each involved IFPD officer shall be given reasonable paid administrative leave following an officer-involved shooting or death. It shall be the responsibility of the Shift Lieutenant to make schedule adjustments to accommodate such leave.

305.6 CRIMINAL INVESTIGATION

The CITF is responsible for the criminal investigation into the circumstances of any officer-involved shooting or death.

Once public safety issues have been addressed, CITF investigators should be given the opportunity to obtain a voluntary statement from involved officers and to complete their interviews. The following shall be considered for the involved officer:

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(a) IFPD supervisors and Professional Standards and Logistic Bureau personnel should not participate directly in any voluntary interview of IFPD officers. This will not prohibit such personnel from monitoring interviews or providing the criminal investigators with topics for inquiry.

(b) If requested, any involved officer will be afforded the opportunity to consult individually with a representative of his/her choosing or an attorney prior to speaking with criminal investigators. However, in order to maintain the integrity of each involved officer's statement, involved officers shall not consult or meet with a representative or an attorney collectively or in groups prior to being interviewed.

(c) If any involved officer is physically, emotionally or otherwise not in a position to provide a voluntary statement when interviewed by criminal investigators, consideration should be given to allowing a reasonable period for the officer to schedule an alternate time for the interview.

(d) Any voluntary statement provided by an involved officer will be made available for inclusion in any related investigation, including administrative investigations. However, no administratively coerced statement will be provided to any criminal investigators.

305.6.1 REPORTS BY INVOLVED IFPD OFFICERS

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

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

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

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

305.7 ADMINISTRATIVE INVESTIGATION

In addition to all other investigations associated with an officer-involved shooting or death, this department will conduct an internal administrative investigation of involved IFPD officers to determine conformance with department policy. This investigation will be conducted under the supervision of the Professional Standards and Logistic Bureau and will be considered a confidential officer personnel file.

Interviews of members shall be subject to department policies and applicable laws.

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(a) Any officer involved in a shooting or death may be requested or administratively compelled to provide a blood sample for alcohol/drug screening. Absent consent from the officer, such compelled samples and the results of any such testing shall not be disclosed to any criminal investigative agency.

(b) If any officer has voluntarily elected to provide a statement to criminal investigators, the assigned administrative investigator should review that statement before proceeding with any further interview of that involved officer.

1. If a further interview of the officer is deemed necessary to determine policy compliance, care should be taken to limit the inquiry to new areas with minimal, if any, duplication of questions addressed in the voluntary statement. The involved officer shall be provided with a copy of his or her prior statement before proceeding with any subsequent interview(s).

(c) In the event that an involved officer has elected to not provide criminal investigators with a voluntary statement, the assigned administrative investigator shall conduct an administrative interview to determine all relevant information.

1. Although this interview should not be unreasonably delayed, care should be taken to ensure that the officer's physical and psychological needs have been addressed before commencing the interview.

2. If requested, the officer shall have the opportunity to select an uninvolved representative to be present during the interview. However, in order to maintain the integrity of each individual officer's statement, involved officers shall not consult or meet with a representative or attorney collectively or in groups prior to being interviewed.

3. Administrative interviews should be recorded by the investigator. The officer may also record the interview.

4. The officer shall be informed of the nature of the investigation and given his/her *Garrity* rights, an order to provide full and truthful answers to all questions. The officer shall be informed that the interview will be for administrative purposes only and that the statement cannot be used criminally.

5. The Professional Standards and Logistic Bureau shall compile all relevant information and reports necessary for this department to determine compliance with applicable policies.

6. Regardless of whether the use of force is an issue in the case, the completed administrative investigation shall be submitted to the Use of Force Review Board, which will restrict its findings as to whether there was compliance with Use of Force Policy.

7. Any other indications of potential policy violations shall be determined in accordance with standard disciplinary procedures.

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305.8 AUDIO AND VIDEO RECORDINGS

Any officer involved in a shooting or death may be permitted to review available Mobile Audio/ Video (MAV), body-worn video, or other video or audio recordings prior to providing a recorded statement or completing reports.

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

305.9 DEBRIEFING

Following an officer-involved shooting or death, the Idaho Falls Police Department should conduct both a critical incident/stress debriefing and a tactical debriefing after the formal interview has taken place.

305.9.1 CRITICAL INCIDENT/STRESS DEBRIEFING

A critical incident/stress debriefing should occur as soon as practicable. The Professional Standards and Logistics Bureau Commander is responsible for organizing the debriefing. Notes and recorded statements should not be taken because the sole purpose of the debriefing is to help mitigate the stress-related effects of a traumatic event.

The debriefing is not part of any investigative process. Care should be taken not to release or repeat any communication made during a debriefing unless otherwise authorized by policy, law or a valid court order.

Attendance at the debriefing shall only include those members of the Department directly involved in the incident, which can include support personnel (e.g., dispatchers, other civilian). Family or other support personnel may attend with the concurrence of those involved in the incident. The debriefing shall be closed to the public and should be closed to all other members of the Department, including supervisory and Professional Standards and Logistic Bureau personnel.

305.9.2 TACTICAL DEBRIEFING

A tactical debriefing should take place to identify any training or areas of policy that need improvement. The Chief of Police should identify the appropriate participants. This debriefing should not be conducted until all involved members have provided recorded or formal statements to criminal and/or administrative investigators.

305.10 MEDIA RELATIONS

Any media release shall be prepared with input and concurrence from the supervisor and department representative responsible for each phase of the investigation. Releases will be available to the Shift Lieutenant, Investigations and Special Operations Bureau Commander and Public Information Officer in the event of inquiries from the media.

No involved IFPD officer shall make any comment to the media unless he/she is authorized by the Chief of Police or a Bureau Commander.

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Officer-Involved Shootings and Deaths

Department members receiving inquiries regarding officer-involved shootings or deaths occurring in other jurisdictions shall refrain from public comment and will direct those inquiries to the agency having jurisdiction and primary responsibility for the investigation.

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Firearms

306.1 PURPOSE AND SCOPE

This policy provides guidelines for issuing firearms, the safe and legal carrying of firearms, firearms maintenance and firearms training.

This policy does not apply to issues related to the use of firearms that are addressed in the Use of Force or Officer-Involved Shootings and Deaths policies.

This policy only applies to those members who are authorized to carry firearms.

306.2 POLICY

The Idaho Falls Police Department will equip its members with firearms to address the risks posed to the public and department members by violent and sometimes well-armed persons. The Department will ensure firearms are appropriate and in good working order and that relevant training is provided as resources allow.

306.3 AUTHORIZED FIREARMS, AMMUNITION AND OTHER WEAPONS

Members shall only use firearms that are issued or approved by the Department and have been thoroughly inspected by a Department Armorer. Except in an emergency or as directed by a supervisor, no firearm shall be carried by a member who has not qualified with a firearm of the same type at an authorized department range.

All other weapons not provided by the Department, including, but not limited to,, chemical or electronic weapons, impact weapons or any weapon prohibited or restricted by law or that is not covered elsewhere by department policy, may not be carried by members in the performance of their official duties without the express written authorization of the member's Bureau Commander. Tactically secured smaller edged weapons and pocket knives are permitted.

306.3.1 HANDGUNS

Only Department issued handguns will be allowed for carry as duty handguns.

306.3.2 SHOTGUNS

Only department issued 12 gauge shotguns will be permitted.. No lethal ammunition will be loaded or used in department shotguns.

306.3.3 PATROL RIFLES

. Only department issued rifles will be authorized for on-duty carry or use.

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Members may deploy the patrol rifle in any circumstance where the member can articulate a reasonable expectation that the rifle may be needed. Examples of some general guidelines for deploying the patrol rifle may include, but are not limited to:

(a) Situations where the member reasonably anticipates an armed encounter.

(b) When a member is faced with a situation that may require accurate and effective fire at long range.

(c) Situations where a member reasonably expects the need to meet or exceed a suspect's firepower.

(d) When a member reasonably believes that there may be a need to fire on a barricaded person or a person with a hostage.

(e) When a member reasonably believes that a suspect may be wearing body armor.

(f) When authorized or requested by a supervisor.

(g) When needed to euthanize an animal.

When not deployed, the patrol rifle shall be properly secured consistent with department training in a locking weapons rack in the patrol vehicle.

306.3.4 AUTHORIZED SECONDARY HANDGUN

Members desiring to carrypersonally owned secondary handguns are subject to the following restrictions:

(a) The handgun shall be in good working order and approved by the department firearms training unit.

(b) Only one secondary handgun may be carried at a time.

(c) The purchase of the handgun and ammunition shall be the responsibility of the member..

(d) The handgun shall be carried concealed at all times and in such a manner as to prevent unintentional cocking, discharge or loss of physical control.

(e) The handgun shall be inspected by a department armorer prior to being carried and thereafter shall be subject to inspection annually.

(f) Ammunition shall be the same as department issue. If the caliber of the handgun is other than department issue, the Chief of Police or the authorized designee shall approve the ammunition.

(g) Prior to carrying the secondary handgun, members shall qualify under range supervision and thereafter shall qualify in accordance with the department qualification schedule. Members must demonstrate proficiency and safe handling, and that the handgun functions properly.

(h) Members shall provide written notice of the make, model, color, serial number and caliber of a secondary handgun to the Sergeant of the firearms training unit,who will maintain a list of the information.

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306.3.5 AUTHORIZED OFF-DUTY FIREARMS

The carrying of firearms by members while off-duty is permitted by the Chief of Police but may be rescinded should circumstances dictate (e.g., administrative leave). Members who choose to carry a firearm while off-duty, based on their authority as peace officers, will be required to meet the following guidelines:

(a) A personally owned or department issued firearm may be used

(b) The purchase of the personally owned firearm and ammunition shall be the responsibility of the member.

(c) The firearm shall be carried concealed at all times and in such a manner as to prevent unintentional cocking, discharge or loss of physical control.

(d) Members shall only carry department-authorized ammunition.

(e) When armed, officers shall carry their badges and Idaho Falls Police Department identification cards under circumstances requiring possession of such identification.

306.3.6 AMMUNITION

Members shall carry only department-authorized ammunition. Members shall be issued fresh duty ammunition in the specified quantity for all department-issued firearms on a regular basis, determined by the Firearms Training Unit.Replacements for unserviceable or depleted ammunition issued by the Department shall be dispensed by the Firearms Training unit when needed, in accordance with established policy.

306.4 EQUIPMENT

Firearms carried on- or off-duty shall be maintained in a clean, serviceable condition. Maintenance and repair of authorized personally owned firearms are the responsibility of the individual member.

306.4.1 REPAIRS OR MODIFICATIONS

Each member shall be responsible for promptly reporting any damage or malfunction of an assigned firearm to a supervisor or a department armorer.

Firearms that are the property of the Departmentmay be repaired or modified only by a person who is department-approved as an armorer or gunsmith.Requested modifications must be authorized in advance by the Firearms unit.

306.4.2 HOLSTERS

Only department-approved holsters shall be used and worn by members while on duty. Members shall periodically inspect their holsters to make sure they are serviceable and provide the proper security and retention of the handgun.

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306.4.3 TACTICAL LIGHTS

Tactical lights may only be installed on a firearm carried on-duty after they have been examined and approved by the firearms training unit. Once the approved tactical lights have been properly installed on any firearm, the member shall qualify with the firearm to ensure proper functionality and sighting of the firearm prior to carrying it.

306.4.4 OPTICS OR LASER SIGHTS

Optics may only be installed on a firearm carried on-duty after they have been examined and approved by the firearms training unit. Any approved sight shall only be installed in strict accordance with manufacturer specifications. Once approved sights have been properly installed on any firearm, the member shall qualify with the firearm to ensure proper functionality and sighting of the firearm prior to carrying it.

Except in an approved training situation, a member may only sight in on a target when the member would otherwise be justified in pointing a firearm at the target.

Laser sights are prohibited on any duty firearms.

306.5 SAFE HANDLING, INSPECTION AND STORAGE

Members shall maintain the highest level of safety when handling firearms and shall consider the following:

(a) Members shall not unnecessarily display or handle any firearm.

(b) Members shall be governed by all rules and regulations pertaining to the use of the range and shall obey all orders issued by the Rangemaster. Members shall not dry fire or practice quick draws except as instructed by the Rangemaster or other firearms training staff.

(c) Members shall not clean, repair, load or unload a firearm anywhere in the Department, except where clearing barrels are present.

(d) Members shall not place or store any firearm or other weapon on department premises except where the place of storage is locked.

(e) Members shall not use any automatic firearm, heavy caliber rifle, gas or other type of chemical weapon or firearm from the armory, except with approval of a supervisor.

(f) Any firearm authorized by the Department to be carried onduty that is determined by a member to be malfunctioning or in need of service or repair shall not be carried. It shall be promptly presented to a supervisor or an Armorer approved by the Department for inspection and repair. Any firearm deemed in need of repair or service by the department Armorer will be immediately removed from service. If the firearm is the member’s primary duty firearm, a replacement firearm will be issued to the member until the duty firearm is serviceable.

306.5.1 INSPECTION AND STORAGE

All department issued and approved firearms will be inspected by a department armorer on an annual basis. All department issued and approved firearms are subject to inspection at the direction of the firearms training and Armorers unit or by any supervisor.

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306.5.2 STORAGE AT HOME

Members shall ensure that all firearms and ammunition are locked and secured while in their homes, vehicles or any other area under their control, and in a manner that will keep them inaccessible to children and others who should not have access. Members shall not permit department-issued firearms to be handled by anyone not authorized by the Department to do so. Members should be aware that negligent storage of a firearm could result in civil liability.

306.5.3 ALCOHOL AND DRUGS

Firearms shall not be carried by any member, either on- or off-duty, who has consumed an amount of an alcoholic beverage, taken any drugs or medication, or has taken any combination thereof that would tend to adversely affect the member's senses or judgment.

306.6 FIREARMS TRAINING AND QUALIFICATIONS

All members who carry a firearm while on-duty are required to successfully complete department firearms training with their duty firearms. In addition to department firearms training, all members will qualify at least annually with their duty firearms. Members will qualify with secondary firearms at least once a year. Training and qualifications must be on an approved range course.

At least annually, all members carrying a firearm should receive practical training designed to simulate field situations including low-light shooting.

306.6.1 NON-CERTIFICATION OR NON-QUALIFICATION

If any member fails to meet minimum standards for firearms training or qualification for any reason, including injury, illness, duty status or scheduling conflict, that member shall submit a memorandum to his/her immediate supervisor prior to the end of the required training or qualification period.

Those who fail to meet minimum standards or qualify by their secondshooting attempt shall be provided remedial training and will be subject to the following requirements:

(a) Additional range assignments may be scheduled to assist the member in demonstrating consistent firearm proficiency.

(b) Members shall be given credit for a range training or qualification when obtaining a qualifying score or meeting standards after remedial training.

(c) No range credit will be given for the following:

1. Unauthorized range make-up
2. Failure to meet minimum standards or qualify after remedial training

Members who repeatedly fail to meet minimum standards will be removed from field assignment and may be subject to disciplinary action

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306.7 FIREARM DISCHARGE

Except during training or recreational use, any member who discharges a firearm intentionally or unintentionally, on- or off-duty, shall make a verbal report to his/her supervisor as soon as circumstances permit. If the discharge results in injury or death to another person, additional statements and reports shall be made in accordance with the Officer-Involved Shootings and Deaths Policy. If a firearm was discharged as a use of force, the involved member shall adhere to the additional reporting requirements set forth in the Use of Force Policy.

In all other cases, written reports shall be made as follows:

(a) If on-duty at the time of the incident, the member shall file a written report with his/her Bureau Commander or provide a recorded statement to investigators prior to the end of shift, unless otherwise directed.

(b) If off-duty at the time of the incident, a written report shall be submitted or a recorded statement provided no later than the end of the next regularly scheduled shift, unless otherwise directed by a supervisor.

306.7.1 DESTRUCTION OF ANIMALS

Members are authorized to use firearms to stop an animal in circumstances where the animal reasonably appears to pose an imminent threat to human safety and alternative methods are not reasonably available or would likely be ineffective.

In circumstances where there is sufficient advance notice that a potentially dangerous animal may be encountered, department members should develop reasonable contingency plans for dealing with the animal (e.g., fire extinguisher, Conducted Energy Device, oleoresin capsicum (OC) spray, animal control officer). Nothing in this policy shall prohibit any member from shooting a dangerous animal if circumstances reasonably dictate that a contingency plan has failed or becomes impractical.

306.7.2 INJURED ANIMALS

With the approval of a supervisor, a member may euthanize an animal that is so badly injured that human compassion requires its removal from further suffering and where other dispositions are impractical.

306.7.3 WARNING AND OTHER SHOTS

Warning shots or shots fired for the purpose of summoning aid are prohibited.

306.8 RANGEMASTER DUTIES

The range will be under the exclusive control of the Rangemaster. All members attending will follow the directions of the Rangemaster. The Rangemaster will maintain a roster of all members attending the range and will submit the roster to the Training Lieutenant after each range date. Failure of any member to sign in and out with the Rangemaster may result in non-participation or non-qualification.

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The range shall remain operational and accessible to department members during hours established by this Department.

The Rangemaster has the responsibility of making periodic inspection, at least once a year, of all duty firearms carried by members of this department to verify proper operation. The Rangemaster has the authority to deem any department-issued or personally owned firearm unfit for service. The member will be responsible for all repairs to his/her personally owned firearm; it will not be returned to service until inspected and approved by the Rangemaster.

The Rangemaster has the responsibility for ensuring each member meets the minimum requirements during training shoots and, on at least a yearly basis, can demonstrate proficiency in the care, cleaning and safety of all firearms the member is authorized to carry.

The Rangemaster shall complete and submit to the Training Lieutenant documentation of the training courses provided. Documentation shall include the qualifications of each instructor who provides the training, a description of the training provided and, on a form that has been approved by the Department, a list of each member who completes the training. The Rangemaster should keep accurate records of all training shoots, qualifications, repairs, maintenance or other records as directed by the Training Lieutenant.

306.9 FLYING WHILE ARMED

The Transportation Security Administration (TSA) has imposed rules governing law enforcement officers flying armed on commercial aircraft. The following requirements apply to who intend to be armed while flying on a commercial air carrier or flights where screening is conducted (49 CFR 1544.219):

(a) Officers wishing to fly while armed must be flying in an official capacity, not for vacation or pleasure, and must have a need to have the firearm accessible, as determined by the Department based on the law and published TSA rules.

(b) Officers must carry their Idaho Falls Police Department identification card, bearing the officer's name, a full-face photograph, identification number, the officer's signature and the signature of the Chief of Police or the official seal of the Department, and must present this identification to airline officials when requested. The officer should also carry the standard photo identification needed for passenger screening by airline and TSA officials (e.g., driver’s license, passport).

(c) The Idaho Falls Police Department must submit a National Law Enforcement Telecommunications System (NLETS) message prior to the officer’s travel. If approved, TSA will send the Idaho Falls Police Department an NLETS message containing a unique alphanumeric identifier. The officer must present the message on the day of travel to airport personnel as authorization to travel while armed.

(d) An official letter signed by the Chief of Police authorizing armed travel may also accompany the officer. The letter should outline the officer’s need to fly armed, detail

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his/her itinerary, and include that the officer has completed the mandatory TSA training for a law enforcement officer flying while armed.

(e) Officers must have completed the mandated TSA security training covering flying while armed. The training shall be given by the department-appointed instructor.

(f) It is the officer's responsibility to notify the air carrier in advance of the intended armed travel. This notification should be accomplished by early check-in at the carrier's check-in counter.

(g) Any officer flying while armed should discreetly contact the flight crew prior to take-off and notify them of his/her assigned seat.

(h) Discretion must be used to avoid alarming passengers or crew by displaying a firearm. The officer must keep the firearm concealed on his/her person at all times. Firearms are not permitted in carry-on luggage and may not be stored in an overhead compartment.

(i) Officers should try to resolve any problems associated with flying armed through the flight captain, ground security manager, or other management representative of the air carrier.

(j) Officers shall not consume alcoholic beverages while aboard an aircraft, or within eight hours prior to boarding an aircraft.

306.10 CARRYING FIREARMS OUT OF STATE

Qualified, active, full-time officers of this department are authorized to carry a concealed firearm in all other states subject to the following conditions (18 USC § 926B):

(a) The officer shall carry his/her Department identification card whenever carrying such weapon.

(b) The officer is not the subject of any current disciplinary action.

(c) The officer may not be under the influence of alcohol or any other intoxicating or hallucinatory drug.

(d) The officer will remain subject to this and all other Department policies (including qualifying and training).

Officers are cautioned that individual states may enact local regulations that permit private persons or entities to prohibit or restrict the possession of concealed firearms on their property, or that prohibit or restrict the possession of firearms on any state or local government property, installation, building, base or park. Federal authority may not shield an officer from arrest and prosecution in such locally restricted areas.

Active law enforcement officers from other states are subject to all requirements set forth in 18 USC § 926B.

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Vehicle Pursuits

307.1 PURPOSE AND SCOPE

This policy provides guidelines for vehicle pursuits in order to protect the safety of involved officers, the public and fleeing suspects.

307.1.1 DEFINITIONS

Definitions related to this policy include:

Blocking or vehicle intercept - A slow-speed coordinated maneuver where two or more pursuing vehicles simultaneously intercept and block the movement of a suspect vehicle, the driver of which may be unaware of the impending enforcement stop. The goal is containment and preventing a pursuit. Blocking is not a moving or stationary roadblock.

Boxing-in - A tactic designed to stop a suspect's vehicle by surrounding it with law enforcement vehicles and then slowing all vehicles to a stop.

Pursuit Intervention Technique (PIT) - A low-speed maneuver designed to cause the suspect vehicle to spin out, stall and come to a stop.

Ramming - The deliberate act of contacting a suspect's vehicle with another law enforcement vehicle to functionally damage or otherwise force the suspect's vehicle to stop.

Roadblocks - A tactic designed to stop a suspect's vehicle by intentionally placing a law enforcement vehicle or other immovable object in the path of the suspect's vehicle.

Terminate - To discontinue a pursuit or stop chasing fleeing vehicles.

Tire deflation device - A device designed to puncture the tires of the pursued vehicle.

Trail - Following the path of the pursuit at a safe speed while obeying all traffic laws and without activating emergency equipment. If the pursuit is at a slow rate of speed, the trailing vehicle will maintain sufficient distance from the pursuit vehicles so as to clearly indicate an absence of participation in the pursuit.

Vehicle pursuit - An event involving one or more law enforcement officers attempting to apprehend a suspect, who is attempting to avoid arrest while operating a vehicle by using high-speed driving or other evasive tactics, such as driving off a highway, turning suddenly or driving in a legal manner but willfully failing to yield to an officer's emergency signal to stop.

307.2 POLICY

It is the policy of this department to weigh the importance of apprehending suspects who unlawfully flee from law enforcement against the risks associated with vehicle pursuits.

307.3 OFFICER RESPONSIBILITIES

Vehicle pursuits shall only be conducted using authorized police department emergency vehicles that are equipped with and displaying emergency lighting and sirens as required by law.

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Officers shall drive with due regard for the safety of all persons and property. However, officers may, when in pursuit of a suspect and provided there is no unreasonable risk to persons and property (Idaho Code 49-623):

(a) Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation.

(b) Exceed the speed limit.

(c) Disregard regulations governing direction of movement or turning in specified directions.

307.3.1 WHEN TO INITIATE A PURSUIT

Officers are authorized to initiate a pursuit when it is reasonable to believe that a suspect, who has been given an appropriate signal to stop by a law enforcement officer, is attempting to evade arrest or detention by fleeing in a vehicle.

Factors that shall be considered, both individually and collectively, when deciding to initiate or continue a pursuit include, but are not limited to:

(a) The seriousness of the known or reasonably suspected crime and its relationship to community safety.

(b) The importance of protecting the public and balancing the known or reasonably suspected offense and the apparent need for immediate capture against the risks to officers, innocent motorists and others.

(c) The safety of the public in the area of the pursuit, including the type of area, time of day, the amount of vehicular and pedestrian traffic (e.g., school zones) and the speed of the pursuit relative to these factors.

(d) The pursuing officers' familiarity with the area of the pursuit, the quality of radio communications between the pursuing units and the emergency communications officer/supervisor and the driving capabilities of the pursuing officers under the conditions of the pursuit.

(e) Whether weather, traffic and road conditions unreasonably increase the danger of the pursuit when weighed against the risks resulting from the suspect's escape.

(f) Whether the identity of the suspect has been verified and whether there is comparatively minimal risk in allowing the suspect to be apprehended at a later time.

(g) The performance capabilities of the vehicles used in the pursuit in relation to the speed and other conditions of the pursuit.

(h) Emergency lighting and siren limitations on unmarked police department vehicles that may reduce visibility of the vehicle, such as visor or dash-mounted lights, concealable or temporary emergency lighting equipment and concealed or obstructed siren positioning.

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(i) Vehicle speeds.

(j) Other persons in or on the pursued vehicle (e.g., passengers, co-offenders and hostages).

(k) The availability of other resources, such as air support assistance.

(l) Whether the pursuing vehicle is carrying passengers other than on-duty police officers. Pursuits should not be undertaken with an arrestee in the police vehicle unless exigent circumstances exist, and then only after the need to apprehend the suspect is weighed against the safety of the arrestee in transport. A vehicle containing more than a single arrestee should not be involved in a pursuit.

307.3.2 WHEN TO TERMINATE A PURSUIT

Pursuits should be discontinued whenever the totality of objective circumstances known or which reasonably ought to be known to the officer or supervisor during the pursuit indicates that the present risks of continuing the pursuit reasonably appear to outweigh the risks resulting from the suspect's escape.

When a supervisor directs the pursuit to be terminated, officers will immediately terminate the pursuit.

The factors listed in this policy on when to initiate a pursuit will apply equally to the decision to terminate a pursuit. Officers and supervisors must objectively and continuously weigh the seriousness of the offense against the potential danger to innocent motorists, themselves and the public when electing to continue a pursuit.

In addition to the factors that govern when to initiate a pursuit, other factors should be considered in deciding whether to terminate a pursuit, including:

(a) Distance between the pursuing vehicles and the fleeing vehicle is so great that further pursuit would be futile or require the pursuit to continue for an unreasonable time or distance.

(b) The pursued vehicle’s location is no longer definitely known.

(c) The pursuing vehicle sustains damage or a mechanical failure that renders it unsafe to drive.

(d) The pursuing vehicle's emergency lighting equipment or siren becomes partially or complete inoperable.

(e) Hazards to uninvolved bystanders or motorists.

(f) The danger that the continued pursuit poses to the public, the officers or the suspect, balanced against the risk of allowing the suspect to remain at large.

(g) The identity of the suspect is known and it does not reasonably appear that the need for immediate capture outweighs the risks associated with continuing the pursuit.

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(h) Extended pursuits of violators for misdemeanors not involving violence or weapons (independent of the pursuit) are generally discouraged.

307.4 PURSUIT VEHICLES

When involved in a pursuit, unmarked police department emergency vehicles should be replaced by marked emergency vehicles whenever practicable.

Vehicle pursuits should be limited to three police department emergency vehicles (two pursuit vehicles and the supervisor vehicle).

An officer or supervisor may request that additional vehicles join a pursuit if, after assessing the factors outlined above, it appears that the number of officers involved would be insufficient to safely arrest the number of suspects. All other officers shall stay out of the pursuit but should remain alert to its progress and location. Any officer who drops out of a pursuit may then, if necessary, proceed to the pursuit termination point at legal speeds, following the appropriate rules of the road.

307.4.1 MOTORCYCLES

When involved in a pursuit, police department motorcycles should be replaced by marked emergency vehicles as soon as practicable.

307.4.2 VEHICLES WITHOUT EMERGENCY EQUIPMENT

Officers operating vehicles not equipped with emergency lights and siren are prohibited from initiating or joining in any pursuit. Officers in such vehicles may provide support to pursuing vehicles as long as the vehicle is operated in compliance with all traffic laws. Those officers should discontinue such support immediately upon arrival of a sufficient number of authorized emergency police department vehicles or any air support.

307.4.3 PRIMARY PURSUIT VEHICLE RESPONSIBILITIES

The initial pursuing officer will be designated as the primary pursuit vehicle and will be responsible for the conduct of the pursuit unless he/she is unable to remain reasonably close enough to the suspect’s vehicle. The primary responsibility of the officer initiating the pursuit is the apprehension of the suspect without unreasonable danger to him/herself or others.

The primary pursuing officer should notify the emergency communications officer, commencing with a request for priority radio traffic, that a vehicle pursuit has been initiated, and as soon as practicable provide information including, but not limited to:

(a) The location, direction of travel and estimated speed of the suspect's vehicle.

(b) The description of the suspect's vehicle including the license plate number, if known.

(c) The reason for the pursuit.

(d) The use of firearms, threat of force, injuries, hostages or other unusual hazards.

(e) The number of occupants and identity or description.

(f) The weather, road and traffic conditions.

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(g) The need for any additional resources or equipment.

(h) The identity of other law enforcement agencies involved in the pursuit.

Unless relieved by a supervisor or a secondary pursuing officer, the officer in the primary pursuit vehicle shall be responsible for the broadcasting of the progress of the pursuit. Unless circumstances reasonably indicate otherwise, the primary officer should, as soon as practicable, relinquish the responsibility of broadcasting the progress of the pursuit to an officer in a secondary pursuit vehicle or to air support joining the pursuit to minimize distractions and allow the primary pursuing officer to concentrate foremost on safe pursuit tactics.

307.4.4 SECONDARY PURSUIT VEHICLE RESPONSIBILITIES

The second officer in the pursuit will be designated as the secondary pursuit vehicle and is responsible for:

(a) Immediately notifying the emergency communications officer of his/her entry into the pursuit.

(b) Remaining a safe distance behind the primary pursuit vehicle unless directed to assume the role of primary pursuit vehicle or if the primary unit is unable to continue the pursuit.

(c) Broadcasting information that the primary pursuing officer is unable to provide.

(d) Broadcasting the progress of the pursuit, updating known or critical information and providing changes in the pursuit, unless the situation indicates otherwise.

(e) Identifying the need for additional resources or equipment as appropriate.

(f) Serving as backup to the primary pursuing officer once the suspect has been stopped.

307.5 PURSUIT DRIVING

The decision to use specific driving tactics requires the same assessment of the factors the officer considered when determining whether to initiate and/or terminate the pursuit. The following are tactics for officers who are involved in the pursuit:

(a) Officers, considering their driving skills and vehicle performance capabilities, will space themselves from other involved vehicles such that they are able to see and avoid hazards or react safely to unusual maneuvers by the fleeing vehicle.

(b) Because intersections can present increased risks, the following tactics should be considered:

1. Available officers not directly involved in the pursuit may proceed safely to controlled intersections ahead of the pursuit in an effort to warn cross traffic.

2. Pursuing officers should exercise due caution and slow down as may be necessary when proceeding through controlled intersections.

(c) As a general rule, officers should not pursue a vehicle driving the wrong direction on a roadway, highway or freeway. In the event the pursued vehicle does so, the following tactics should be considered:.

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1. Maintain visual contact with the pursued vehicle by paralleling the vehicle while driving on the correct side of the roadway.
2. Request other officers to observe exits available to the suspect.

(d) Notify the Idaho State Police or other agency if it appears that the pursuit may enter its jurisdiction.

(e) Officers involved in a pursuit should not attempt to pass other pursuing vehicles unless the situation indicates otherwise or they are requested to do so by the primary pursuing officer and with a clear understanding of the maneuver process between the involved officers.

307.5.1 PURSUIT TRAILING

In the event that initial pursuing officers relinquish control of the pursuit to another agency, the initial officers may, with the permission of a supervisor, trail the pursuit to the termination point in order to provide information and assistance for the arrest of the suspect and reporting the incident.

307.5.2 OFFICERS NOT INVOLVED IN THE PURSUIT

Officers who are not involved in the pursuit should remain in their assigned areas, should not parallel the pursuit route and should not become involved with the pursuit unless directed otherwise by a supervisor. Uninvolved officers are authorized to use emergency equipment at intersections along the pursuit path to clear intersections of vehicular and pedestrian traffic to protect the public. Those officers should attempt to place their vehicles in locations that provide some safety or an escape route in the event of an unintended collision or if the suspect intentionally tries to ram the police department vehicle.

Non-pursuing members needed at the pursuit termination point should respond in a nonemergency manner, observing the rules of the road.

The primary pursuit vehicle, secondary pursuit vehicle and supervisor vehicle should be the only vehicles operating under emergency conditions (emergency lights and siren) unless other officers are assigned to the pursuit.

307.6 SUPERVISORY CONTROL AND RESPONSIBILITIES

Available supervisory and management control will be exercised over all vehicle pursuits involving officers from this department.

The field supervisor of the officer initiating the pursuit, or if unavailable, the nearest field supervisor, will be responsible for:

(a) Immediately notifying involved officers and the emergency communications officer of supervisory presence and ascertaining all reasonably available information to continuously assess the situation and risk factors associated with the pursuit. This is to ensure that the pursuit is conducted within established department guidelines.

(b) Engaging in the pursuit, when appropriate, to provide on-scene supervision.

(c) Exercising management and control of the pursuit even if not engaged in it.

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(d) Ensuring that no more than the required law enforcement vehicles are involved in the pursuit under the guidelines set forth in this policy.

(e) Directing that the pursuit be terminated if, in his/her judgment, it is not justified to continue the pursuit under the guidelines of this policy.

(f) Ensuring that assistance from air support, canines or additional resources is requested if available and appropriate.

(g) Ensuring that the proper radio channel is being used.

(h) Ensuring that the Shift Lieutenant is notified of the pursuit, as soon as practicable.

(i) Ensuring the notification and/or coordination of outside agencies if the pursuit either leaves or is likely to leave the jurisdiction of this department.

(j) Controlling and managing Idaho Falls Police Department officers when a pursuit enters another jurisdiction.

(k) Preparing a post-pursuit review and documentation of the pursuit as required.

307.6.1 WATCH COMMANDER RESPONSIBILITIES

Upon becoming aware that a vehicle pursuit has been initiated, the Shift Lieutenant should monitor and continually assess the situation and ensure the pursuit is conducted within the guidelines and requirements of this policy. The Shift Lieutenant has the final responsibility for the coordination, control and termination of a vehicle pursuit and shall be in overall command.

The Shift Lieutenant shall review all pertinent reports for content and forward them to the Patrol Bureau Commander.

307.7 EMERGENCY COMMUNICATIONS CENTER

If the pursuit is confined within the City limits, radio communications will be conducted on the primary channel unless instructed otherwise by a supervisor or emergency communications officer. If the pursuit leaves the jurisdiction of this department or such is imminent, involved officers should, whenever available, switch radio communications to a tactical or emergency channel most accessible by participating agencies.

307.7.1 RESPONSIBILITIES

Upon notification or becoming aware that a pursuit has been initiated, the emergency communications officer is responsible for:

(a) Clearing the radio channel of nonemergency traffic.

(b) Coordinating pursuit communications of the involved officers.

(c) Broadcasting pursuit updates as well as other pertinent information as necessary

(d) Ensuring that a field supervisor is notified of the pursuit.

(e) Notifying and coordinating with other involved or affected agencies as practical.

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(f) Notifying the Shift Lieutenant as soon as practicable.

(g) Assigning an incident number and logging all pursuit activities.

307.8 LOSS OF PURSUED VEHICLE

When the pursued vehicle is lost, the involved officers should broadcast pertinent information to assist other officers in locating the vehicle. The primary pursuing officer or supervisor will be responsible for coordinating any further search for either the pursued vehicle or suspects fleeing on foot.

307.9 INTER-JURISDICTIONAL CONSIDERATIONS

When a pursuit enters another agency's jurisdiction, the primary pursuing officer or supervisor, taking into consideration distance traveled, unfamiliarity with the area, and other pertinent facts, should determine whether to request the other agency to assume the pursuit.

Unless entry into another jurisdiction is expected to be brief, it is generally recommended that the primary pursuing officer or supervisor ensure that notification is provided to each outside jurisdiction into which the pursuit is reasonably expected to enter, regardless of whether the jurisdiction is expected to assist.

307.9.1 ASSUMPTION OF PURSUIT BY ANOTHER AGENCY

Officers will relinquish control of the pursuit when another agency has assumed the pursuit, unless the continued assistance of the Idaho Falls Police Department is requested by the agency assuming the pursuit. Upon relinquishing control of the pursuit, the involved officers may proceed, with supervisory approval, to the termination point of the pursuit to assist in the investigation. The supervisor should coordinate such assistance with the assuming agency and obtain any information that is necessary for any reports.

The role and responsibilities of officers at the termination of a pursuit initiated by this department shall be coordinated with appropriate consideration of the needs of the agency assuming the pursuit.

Notification of a pursuit in progress should not be construed as a request to join the pursuit. Requests to or from another agency to assume a pursuit should be specific and should be by, and to, the supervisor. Because of communication limitations between local law enforcement agencies, a request for another agency’s assistance will mean that its personnel will assume responsibility for the pursuit. For the same reasons, when a pursuit leaves another jurisdiction and a request for assistance is made to this department, the other agency should relinquish control.

307.9.2 PURSUITS EXTENDING INTO THIS JURISDICTION

The agency that initiates a pursuit shall be responsible for conducting the pursuit. Officers from this department should not join a pursuit unless specifically requested to do so by the pursuing agency and with approval from a supervisor. The exception to this is when a single unit from the initiating agency is in pursuit. Under this circumstance, officers from this department may, with

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supervisor approval, immediately join the pursuit until sufficient vehicles from the initiating agency join the pursuit or until additional information is provided allowing withdrawal from the pursuit.

When a request is made for this department to assist or take over a pursuit that has entered the jurisdiction of the Idaho Falls Police Department, the supervisor should consider:

(a) The public's safety within this jurisdiction.

(b) The safety of the pursuing officers.

(c) Whether the circumstances are serious enough to continue the pursuit.

(d) Whether there is adequate staffing to continue the pursuit.

(e) The ability to maintain the pursuit.

As soon as practicable, a supervisor or the Shift Lieutenant should review a request for assistance from another agency. The Shift Lieutenant or supervisor, after considering the above factors, may decline to assist in or assume the other agency's pursuit.

Assistance to a pursuing agency by officers of this department will conclude at the City limits, provided that the pursuing agency has sufficient assistance from other sources. Ongoing participation from this department may continue only until sufficient assistance is present.

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

307.10 PURSUIT INTERVENTION

Pursuit intervention is an attempt to stop the suspect's ability to continue to flee in a vehicle through tactical application of technology, tire deflation devices, blocking or vehicle intercept, boxing-in, the PIT, ramming or roadblock procedures.

307.10.1 WHEN USE IS AUTHORIZED

Whenever practicable, an officer shall seek approval from a supervisor before employing any intervention to stop the pursued vehicle. In deciding whether to use intervention tactics, officers/ supervisors should balance the risk of allowing the pursuit to continue with the potential hazards arising from the use of each tactic to the public, the officers and persons in or on the pursued vehicle. With this in mind, the decision to use any intervention tactic should be reasonable in light of the circumstances apparent to the officer at the time of the decision.

307.10.2 INTERVENTION STANDARDS

Any intervention tactic, depending upon the conditions and circumstances under which it is used, may present dangers to the officers, the public or anyone in or on the vehicle being pursued. Certain applications of intervention tactics may be construed to be a use of force, including deadly force, and subject to policies guiding such use. Officers shall consider these facts and requirements prior to deciding how, when, where, and if an intervention tactic should be employed.

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(a) Blocking or vehicle intercept should only be considered in cases involving felony suspects or impaired drivers who pose a threat to the public's safety, and when officers reasonably believe that attempting a conventional enforcement stop will likely result in the driver attempting to flee in the vehicle. Because of the potential risks involved, this intervention tactic should only be employed by properly trained officers and after giving consideration to the following:

1. The need to immediately stop the suspect vehicle or prevent it from leaving substantially outweighs the risks of injury or death to occupants of the suspect vehicle, officers, or others.
2. All other reasonable intervention tactics have failed or reasonably appear ineffective.
3. Employing the blocking or vehicle intercept maneuver does not unreasonably increase the risk of danger to those involved or the public.
4. The suspect vehicle is stopped or traveling at a low speed.
5. Only law enforcement vehicles should be used in this tactic.

(b) The PIT is limited to use by properly trained officers with the approval of a supervisor and upon assessment of the circumstances and conditions presented at the time, including the potential for risk of injury to officers, the public and occupants of the pursued vehicle.

(c) Ramming a fleeing vehicle should be done only after other reasonable tactical means at the officer's disposal have been exhausted or would not be effective, and immediate control is necessary. Ramming should be reserved for situations where there does not appear to be another reasonable alternative method. If there does not reasonably appear to be a present or immediately foreseeable serious threat to the public, the use of ramming is not authorized. When ramming is used as a means to stop a fleeing vehicle, one or more of the following factors should be present:

1. The suspect is an actual or suspected felon, who reasonably appears to represent a serious threat to the public if not apprehended.
2. The suspect is driving with willful or wanton disregard for the safety of other persons or is driving in a reckless and life-endangering manner or using the vehicle as a weapon.

(d) Boxing-in a suspect vehicle should only be attempted upon approval by a supervisor. The use of such a tactic must be carefully coordinated with all involved vehicles, taking into consideration the circumstances and conditions apparent at the time, as well as the potential risk of injury to officers, the public and occupants of the pursued vehicle. Officers and supervisors should weigh the potential consequences against the need to immediately stop the vehicle.

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(e) Tire deflation devices should be deployed only after notification of pursuing officers and the supervisor of the intent and location of the intended deployment, and in a manner that:

1. Should reasonably only affect the pursued vehicle.
2. Provides the deploying officer adequate cover and escape from intentional or unintentional exposure to the approaching vehicle.
3. Takes into account the limitations of such devices as well as the potential risk to officers, the public and occupants of the pursued vehicle.
4. Takes into account whether the pursued vehicle is a motorcycle, a vehicle transporting hazardous materials or a school bus transporting children.

(f) Because roadblocks involve a potential for serious injury or death to occupants of the pursued vehicle if the suspect does not stop, the intentional placement of roadblocks in the direct path of a pursued vehicle is generally discouraged and should not be deployed without prior approval of a supervisor. If roadblocks are deployed, it should only be done under extraordinary conditions when all other reasonable intervention tactics have failed or reasonably appear ineffective and the need to immediately stop the pursued vehicle substantially outweighs the risks of injury or death to occupants of the pursued vehicle, officers or the public.

307.10.2 USE OF FIREARMS

The use of firearms to disable a pursued vehicle is not generally an effective tactic and involves all the dangers associated with discharging firearms. Officers should not utilize firearms during an ongoing pursuit unless the conditions and circumstances meet the requirements authorizing the use of deadly force. Nothing in this section shall be construed to prohibit any officer from using a firearm to stop a suspect from using a vehicle as a deadly weapon.

307.10.3 CAPTURE OF SUSPECTS

Proper self-discipline and sound professional judgment are the keys to a successful conclusion of a pursuit and apprehension of evading suspects. Officers shall use only that amount of force that reasonably appears necessary given the facts and circumstances perceived by the officer at the time of the event to accomplish a legitimate law enforcement purpose.

Unless relieved by a supervisor, the primary pursuing officer should coordinate efforts to apprehend the suspect following the pursuit. Officers should consider the safety of the public and the involved officers when formulating plans for setting up perimeters or for containing and capturing the suspect.

307.11 REPORTING REQUIREMENTS

All appropriate reports shall be completed to comply with appropriate laws and policies or procedures:

(a) All officers involved in the pursuit shall complete appropriate crime/arrest reports.

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(b) The primary pursuing officer or supervisor shall complete the appropriate pursuit report.

(c) After first obtaining the available information, the involved, or if unavailable, on-duty field supervisor shall promptly complete a supervisor's log or interoffice memorandum, briefly summarizing the pursuit to the Chief of Police or the authorized designee. This log or memorandum should include, at a minimum:

1. Date and time of pursuit.
2. Initial reason and circumstances surrounding the pursuit.
3. Length of pursuit in distance and time, including the starting and termination points.
4. Involved vehicles and officers.
5. Alleged offenses.
6. Whether a suspect was apprehended, as well as the means and methods used.
   (a) Any use of force shall be reported and documented in compliance with the Use of Force Policy.
7. Arrestee information, if applicable.
8. Any injuries and/or medical treatment.
9. Any property or equipment damage
10. Name of supervisor at the scene or who handled the incident.
11. A preliminary determination that the pursuit appears to be in compliance with this policy or that additional review and/or follow-up is warranted.

(d) After receiving copies of reports, logs and other pertinent information, the Chief of Police or the authorized designee shall conduct or assign the completion of a post-pursuit review, as appropriate.

(e) Annually, the Chief of Police should direct a documented review and analysis of department vehicle pursuits to minimally include policy suitability, policy compliance and training needs.

307.11.1 REGULAR AND PERIODIC PURSUIT TRAINING

In addition to initial and supplementary training on pursuits, all department officers will participate, no less than annually, in regular and periodic training addressing this policy and the importance of vehicle safety and protecting the public. Training will include recognition of the need to balance the known offense and the need for immediate capture against the risks to officers and others.

307.11.2 POLICY REVIEW

Officers of this department shall certify in writing that they have received, read and understand this policy initially, upon any amendments and whenever training on the policy is provided.

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Officer Response to Calls

308.1 PURPOSE AND SCOPE

This policy provides for the safe and appropriate response to emergency and non-emergency situations whether dispatched or self-initiated.

308.1.1 POLICY

Often, because there are no other public or private agencies available, the public relies upon this department for assistance and advice in many routine and emergency situations. For this reason and because there is frequently a potential for crime, it is the policy of this department to make every reasonable effort to respond to calls for service as resources permit and to render such aid or advice as circumstances appear to indicate would be warranted.

When appropriate, officers should refer members of the public to available resources through other public agencies or charitable organizations.

Officers should respond to calls for service when dispatched.

308.2 RESPONSE TO CALLS

The Idaho Falls Police Department recognizes the following radio “Code” definitions:

Code One - At your earliest convenience.

Code Two - As soon as practical, obeying all traffic laws.

Code Three - Emergency lights and siren and driving as authorized for an emergency vehicle by Idaho Code.

Code Four - The situation is under control and no further units should respond.

Code Four Adam - The situation is under control at this time, but is still volatile (usually by the suspect being present).

Status Check - When a situation is not under control the officer shall either respond to the dispatch security check by saying, “Negative” or by requesting additional patrol officers and advising what level of response is appropriate. A “Negative” response shall mean that other patrol officersin the geographic area should respond Code Three. In the event that no response is provided, Dispatch will assign an officer to respond Code Three to check their status.

A Code Three response is authorized when an officer requests emergency assistance or available information reasonably indicates that the public is threatened with serious injury or death and immediate police response is needed, including, but not limited to active domestic violence with a suspect present, duress alarms, or 911 calls with no additional information. Officers responding Code-3 shall continuously operate emergency lighting equipment and shall sound the siren.

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Responding with emergency light(s) and siren does not relieve the officer of the duty to continue to drive with due regard for the safety of all persons. Officers who fail to use appropriate warning equipment are not exempt from following the rules of the road nor is the driver of an authorized emergency or police vehicle relieved from the duty to drive with due regard for the safety of all persons.

Officers should only respond Code-3 when circumstances reasonably indicate an emergency response is required. Officers not authorized to respond Code-3 shall observe all traffic laws and proceed without the use of emergency lights and siren.

308.3 REQUESTING EMERGENCY ASSISTANCE

Requests for emergency assistance should be limited to those situations where the involved personnel reasonably believe that there is an immediate threat to the safety of officers, or assistance is needed to prevent imminent serious harm to a citizen. In any event, where a situation has stabilized and emergency response is not required, the requesting officer shall immediately notify Emergency Communications Center.

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

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

308.4 INITIATING CODE 3 RESPONSE

308.5 RESPONSIBILITIES OF RESPONDING OFFICER(S)

Officers shall exercise sound judgment and care with due regard for life and property when responding to an emergency call. Officers shall reduce speed at all street intersections to such a degree that they shall have complete control of the vehicle.

The decision to continue a Code-3 response is at the discretion of the officer. If, in the officer's judgment, the roadway conditions or traffic congestion does not permit such a response without unreasonable risk, the officer may elect to respond to the call without the use of lights and siren at the legal speed limit. In such an event, the officer should immediately notify Emergency Communications Center. An officer shall also discontinue the Code-3 response when directed by a supervisor.

Upon receiving authorization or determining a Code-3 response is appropriate, an officer shall immediately give the location from which he/she is responding.

308.6 COMMUNICATIONS RESPONSIBILITIES

An Officer responding Code Three shall notify Dispatch of the response. The dispatcher shall:

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(a) Immediately notify the shift supervisor.

(b) Notify and coordinate allied emergency services (e.g., fire and ambulance).

(c) Continue to obtain and broadcast information as necessary concerning the response and monitor the situation until it is stabilized or terminated.

(d) Control all radio communications during the emergency and coordinate assistance under the direction of the Shift Lieutenant or field supervisor.

(e) No notification to Dispatch of the Code Three response is necessary for a 10-33. It is assumed that all officers are responding Code Three and the airtime should be reserved for the officer experiencing the emergency.

308.7 SUPERVISORY RESPONSIBILITIES

Upon being notified that a Code-3 response has been initiated, the Shift Lieutenant or the field supervisor shall verify the following:

(a) The proper response has been initiated.

(b) No more than those units reasonably necessary under the circumstances are involved in the response.

(c) Affected outside jurisdictions are being notified as practical.

The field supervisor shall monitor the response until it has been stabilized or terminated and assert control by directing units into or out of the response if necessary. If, in the supervisor's judgment, the circumstances require additional units to be assigned a Code-3 response, the supervisor may do so.

It is the supervisor's responsibility to terminate a Code-3 response that, in his/her judgment is inappropriate due to the circumstances.

When making the decision to authorize a Code-3 response, the Shift Lieutenant or the field supervisor should consider the following:

- The type of call
- The necessity of a timely response
- Traffic and roadway conditions
- The location of the responding units

308.8 FAILURE OF EMERGENCY EQUIPMENT

If the emergency equipment on the vehicle should fail to operate, the officer must terminate the Code-3 response and respond accordingly. In all cases, the officer shall notify the Shift Lieutenant,

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field supervisor, or Emergency Communications Center of the equipment failure so that another unit may be assigned to the emergency response.

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Canines

309.1 PURPOSE AND SCOPE

This policy establishes guidelines for the use of canines to augment law enforcement services in the community, including but not limited to locating individuals and contraband and apprehending criminal offenders.

309.2 POLICY

It is the policy of the Idaho Falls Police Department that teams of handlers and canines meet and maintain the appropriate proficiency to effectively and reasonably carry out legitimate law enforcement objectives.

309.3 ASSIGNMENT

Canine teams should be assigned to assist and supplement the Patrol Bureau to function primarily in assist or cover assignments. However, they may be assigned by the Shift Lieutenant to other functions, such as routine calls for service, based on the current operational needs.

Canine teams should generally not be assigned to handle routine matters that will take them out of service for extended periods of time. If such assignment is necessary, it should only be made with the approval of the Shift Lieutenant.

309.4 CANINE COORDINATOR

The canine coordinator shall be appointed by and directly responsible to the Patrol Bureau Commander or the authorized designee.

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

(a) Reviewing all canine use reports to ensure compliance with policy and to identify training issues and other needs of the program.

(b) Maintaining a liaison with the vendor kennel.

(c) Maintaining a liaison with command staff and functional supervisors.

(d) Maintaining a liaison with other agency canine coordinators.

(e) Maintaining accurate records to document canine activities.

(f) Recommending and overseeing the procurement of equipment and services for the teams of handlers and canines.

(g) Be notified of all canine-related activities.

(h) Ensuring the canine teams are scheduled for regular training to maximize their capabilities.

309.5 REQUESTS FOR CANINE TEAMS

Patrol Bureau members are encouraged to request the use of a canine.

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309.5.1 OUTSIDE AGENCY REQUEST

All requests for canine assistance from outside agencies must be approved by the Shift Lieutenant and are subject to the following:

(a) Canine teams shall not be used for any assignment that is not consistent with this policy.

(b) The canine handler shall have the authority to decline a request for any specific assignment that he/she deems unsuitable.

(c) Calling out off-duty canine teams is discouraged.

(d) It shall be the responsibility of the canine handler to coordinate operations with agency personnel in order to minimize the risk of unintended injury.

(e) It shall be the responsibility of the canine handler to complete all necessary reports or as directed.

309.5.2 PUBLIC DEMONSTRATION

All public requests for a canine team shall be reviewed and, if appropriate, approved by the canine handler or coordinator prior to making any resource commitment. The canine handler is responsible for obtaining resources and coordinating involvement in the demonstration to include proper safety protocols. Canine handlers shall not demonstrate any apprehension work unless authorized to do so by the canine coordinator.

309.6 APPREHENSION GUIDELINES

A canine may be used to locate and apprehend a suspect if the canine handler reasonably believes that the individual has committed, is committing, or is threatening to commit any serious offense and if any of the following conditions exist:

(a) There is a reasonable belief the suspect poses an imminent threat of violence or serious harm to the public, any officer, or the handler.

(b) The suspect is physically resisting or threatening to resist arrest and the use of a canine reasonably appears to be necessary to overcome such resistance.

(c) The suspect is believed to be concealed in an area where entry by other than the canine would pose a threat to the safety of officers or the public.

It is recognized that situations may arise that do not fall within the provisions set forth in this policy. Such events require consideration of the totality of the circumstances and the use of an objective reasonableness standard applied to the decision to use a canine.

Absent a reasonable belief that a suspect has committed, is committing, or is threatening to commit a serious offense, mere flight from a pursuing officer, without any of the above conditions, shall not serve as the basis for the use of a canine to apprehend a suspect.

Use of a canine to locate and apprehend a suspect wanted for a lesser criminal offense than those identified above requires approval from the Shift Lieutenant. Absent a change in circumstances that presents an imminent threat to officers, the canine, or the public, such canine use should

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be conducted on-leash or under conditions that minimize the likelihood the canine will bite or otherwise injure the individual.

In all applications, once the suspect has been located and no longer reasonably appears to present a threat or risk of escape, the handler should secure the canine as soon as it becomes reasonably practicable.

If the canine has apprehended the suspect with a secure bite, and the handler believes that the suspect no longer poses a threat, the handler should promptly release the the dog from the bite or command the canine to release the suspect.

309.6.1 PREPARATION FOR DEPLOYMENT

Prior to the use of a canine to search for or apprehend any suspect, the canine handler and/or the supervisor on-scene should carefully consider all pertinent information reasonably available at the time. The information should include but is not limited to:

(a) The nature and seriousness of the suspected offense.

(b) Whether violence or weapons were used or are anticipated.

(c) The degree of resistance or threatened resistance, if any, the suspect has shown.

(d) The suspect's known or perceived age.

(e) The potential for injury to officers or the public caused by the suspect if the canine is not utilized.

(f) Any potential danger to the public and/or other officers at the scene if the canine is released.

(g) The potential for the suspect to escape or flee if the canine is not utilized.

As circumstances permit, the canine handler should make every reasonable effort to communicate and coordinate with other involved members to minimize the risk of unintended injury.

It is the canine handler's responsibility to evaluate each situation and determine whether the use of a canine is appropriate and reasonable. The canine handler shall have the authority to decline the use of the canine whenever he/she deems deployment is unsuitable.

A supervisor who is sufficiently apprised of the situation may prohibit deploying the canine.

Unless otherwise directed by a supervisor, assisting members should take direction from the handler in order to minimize interference with the canine.

309.6.2 WARNINGS AND ANNOUNCEMENTS

Unless it would increase the risk of injury or escape, a clearly audible warning announcing that a canine will be used if the suspect does not surrender should be made prior to releasing a canine. The handler should allow a reasonable time for a suspect to surrender and should quiet the canine momentarily to listen for any verbal response to the warning. If feasible, other members should be in a location opposite the warning to verify that the announcement could be heard. If available, warnings given in other languages should be used as necessary.

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If a warning is not to be given, the canine handler, when practicable, should first advise the supervisor of his/her decision before releasing the canine. In the event of an apprehension, the handler shall document in any related report how the warning was given and, if none was given, the reasons why.

309.6.3 REPORTING DEPLOYMENTS, BITES, AND INJURIES

Handlers should document canine deployments in a canine use report. Whenever a canine deployment results in a bite or causes injury to an intended suspect, a supervisor should be promptly notified and the injuries documented in the canine use report. The injured person shall be promptly treated by Emergency Medical Services personnel and, if appropriate, transported to an appropriate medical facility for further treatment. The deployment and injuries should also be included in any related incident or arrest report.

Any unintended bite or injury caused by a canine, whether on- or off-duty, shall be promptly reported to the canine coordinator. Unintended bites or injuries caused by a canine should be documented in an administrative report, not in a canine use report.

If an individual alleges an injury, either visible or not visible, a supervisor shall be notified and both the individual's injured and uninjured areas shall be photographed as soon as practicable after first tending to the immediate needs of the injured party. Photographs shall be retained as evidence in accordance with current department evidence procedures. The photographs shall be retained until the criminal proceeding is completed and the time for any related civil proceeding has expired.

309.7 NON-APPREHENSION GUIDELINES

Properly trained canines may be used to track or search for non-criminals (e.g., lost children, individuals who may be disoriented or in need of medical attention). The canine handler is responsible for determining the canine's suitability for such assignments based on the conditions and the particular abilities of the canine. When the canine is deployed in a search or other non-apprehension operation, the following guidelines apply:

(a) Absent a change in circumstances that presents an imminent threat to officers, the canine, or the public, such applications should be conducted on-leash or under conditions that minimize the likelihood the canine will bite or otherwise injure the individual, if located.

(b) Unless otherwise directed by a supervisor, assisting members should take direction from the handler in order to minimize interference with the canine.

(c) Throughout the deployment, the handler should periodically give verbal assurances that the canine will not bite or hurt the individual and encourage the individual to make him/herself known.

(d) Once the individual has been located, the handler should place the canine in a down-stay or otherwise secure it as soon as reasonably practicable.

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309.7.1 ARTICLE DETECTION
A canine trained to find objects or property related to a person or crime may be used to locate or identify articles. A canine search should be conducted in a manner that minimizes the likelihood of unintended bites or injuries.

309.7.2 NARCOTICS DETECTION
A canine trained in narcotics detection may be used in accordance with current law and under certain circumstances, including:

(a) The search of vehicles, buildings, bags, and other articles.

(b) Assisting in the search for narcotics during a search warrant service.

(c) Obtaining a search warrant by using the narcotics-detection trained canine in support of probable cause.

A narcotics-detection trained canine will not be used to search a person for narcotics unless the canine is trained to passively indicate the presence of narcotics.

309.7.3 BOMB/EXPLOSIVE DETECTION
Because of the high risk of danger to the public and officers when a bomb or other explosive device is suspected, the use of a canine team trained in explosive detection may be considered. When available, an explosive-detection canine team may be used in accordance with current law and under certain circumstances, including:

(a) Assisting in the search of a building, structure, area, vehicle or article where an actual or suspected explosive device has been reported or located.

(b) Assisting with searches at transportation facilities and vehicles (e.g., buses, airplanes, trains).

(c) Preventive searches at special events, VIP visits, official buildings and other restricted areas. Searches of individuals should remain minimally intrusive and shall be strictly limited to the purpose of detecting explosives.

(d) Assisting in the search of scenes where an explosion has occurred and an explosive device or secondary explosive device is suspected.

At no time will an explosive-detection trained canine be used to render a suspected device safe or clear. In addition it is highly recommended a Bomb Technician is present during a canine search for explosives.

309.8 HANDLER SELECTION
The minimum qualifications for the assignment of canine handler include:

(a) An officer who is currently off probation.

(b) A minimum of three years service as a peace officer.

(c) Residing in a single-family residence capable of accommodating a kennel.

(d) Understanding the assignment should be for a minimum of five years or the life of the dog.

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309.9 HANDLER RESPONSIBILITIES

The canine handler shall ultimately be responsible for the health and welfare of the canine and shall ensure that the canine receives proper nutrition, grooming, training, medical care, affection, and living conditions.

The canine handler will be responsible for the following:

(a) Except as required during appropriate deployment, the handler shall not expose the canine to any foreseeable and unreasonable risk of harm.

(b) The handler shall maintain all department equipment under his/her control in a clean and serviceable condition.

(c) Handlers shall permit the canine coordinator to conduct spontaneous on-site inspections of affected areas of their homes as well as their canine vehicles to verify that conditions and equipment conform to this policy.

(d) Any changes in the living status of the handler that may affect the lodging or environment of the canine shall be reported to the canine coordinator as soon as possible.

(e) When off-duty, the canine shall be in a kennel provided by the City at the home of the handler. When a canine is kenneled at the handler's home, the gate shall be secured with a lock. When off-duty, the canine may be let out of the kennel while under the direct control of the handler.

(f) The canine should be permitted to socialize in the home with the handler's family for short periods of time and under the direct supervision of the handler.

(g) Under no circumstances will the canine be lodged at another location unless approved by the canine coordinator or Shift Lieutenant.

(h) When off-duty, the handler shall not involve the canine in any law enforcement activity or official conduct unless approved in advance by the canine coordinator or Shift Lieutenant.

(i) Whenever a canine handler is off-duty for an extended number of days, it may be necessary to temporarily relocate the canine. In those situations, the handler shall give reasonable notice to the canine coordinator so that appropriate arrangements can be made.

309.9.1 CANINE IN PUBLIC AREAS

The canine should be kept on a leash when in areas that allow access to the public. Exceptions to this rule would include specific law enforcement operations for which the canine is trained.

(a) A canine shall not be left unattended in any area to which the public may have access.

(b) When the canine vehicle is left unattended, all windows and doors shall be secured in such a manner as to prevent unauthorized access to the canine. The handler shall also ensure that the unattended vehicle remains inhabitable for the canine.

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309.10 HANDLER COMPENSATION

The canine handler shall be available for call-out under conditions specified by the canine coordinator.

The canine handler shall be compensated for time spent in the care, feeding, grooming and other needs of the canine in accordance with the Fair Labor Standards Act (FLSA), (29 USC § 207).

309.11 CANINE INJURY AND MEDICAL CARE

In the event that a canine is injured, or there is an indication that the canine is not in good physical condition, the injury or condition will be reported to the canine coordinator or Shift Lieutenant as soon as practicable and appropriately documented.

All medical attention shall be rendered by the designated canine veterinarian, except during an emergency where treatment should be obtained from the nearest available veterinarian. All records of medical treatment shall be maintained by the designated canine veterinarian.

309.12 TRAINING

Before assignment in the field, each Idaho Falls Police Department canine team shall be trained and certified to meet current Idaho POST certification standards. Cross-trained canine teams or those canine teams trained exclusively for the detection of narcotics and/or explosives also shall be trained and certified by Idaho POST (IDAPA 11.11.01.091).

The canine coordinator shall be responsible for scheduling periodic training for all department members in order to familiarize them with how to conduct themselves in the presence of department canines. Because canines may be exposed to dangerous substances such as opioids, as resources are available, the canine coordinator should also schedule periodic training for the canine handlers about the risks of exposure and treatment for it.

All canine training shall be conducted while on-duty unless otherwise approved by the canine coordinator or Shift Lieutenant.

309.12.1 CONTINUED TRAINING

Each canine team shall thereafter be recertified to a current nationally recognized standard or other recognized and approved certification standards on an annual basis. Additional training considerations are as follows:

(a) Canine teams should receive training as defined in the current contract with the Idaho Falls Police Department canine training provider.

(b) Canine handlers are encouraged to engage in additional training with approval of the canine coordinator.

(c) To ensure that all training is consistent, no handler, trainer, or outside vendor is authorized to train to a standard that is not reviewed and approved by the Department

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309.12.2 FAILURE TO SUCCESSFULLY COMPLETE TRAINING

Any canine team failing to graduate or obtain certification shall not be deployed in the field for tasks the team is not certified to perform until graduation or certification is achieved. When reasonably practicable, pending successful certification, the canine handler shall be temporarily reassigned to regular patrol duties.

309.12.3 EXPIRATION OF CERTIFICATION

The canine coordinator is responsible to ensure that the canine team is evaluated prior to the expiration of their certification. Certification shall lapse if the handler and the dog cease to perform canine functions together (IDAPA 11.11.01.091).

309.12.4 TRAINING RECORDS

All canine training records shall be maintained in the canine handler's and the canine's training file.

309.12.5 TRAINING AIDS

Training aids are required to effectively train and maintain the skills of canines. Officers possessing, using or transporting controlled substances or explosives for canine training purposes must comply with federal and state requirements. Alternatively, the Idaho Falls Police Department may work with outside trainers with the applicable licenses or permits.

309.12.6 CONTROLLED SUBSTANCE TRAINING AIDS

Officers acting in the performance of their official duties may possess or transfer controlled substances for the purpose of narcotics-detection canine training in compliance with state and federal laws (21 USC § 823(f); Idaho Code 37-2743; Idaho Code 37-2747).

The Chief of Police or the authorized designee may authorize a member to allow controlled substances seized by the Idaho Falls Police Department to be possessed by the member or a narcotics-detection canine trainer who is working under the direction of this department for training purposes, provided the controlled substances are no longer needed as criminal evidence.

As an alternative, the Chief of Police or the authorized designee may request narcotics training aids from the Drug Enforcement Administration (DEA).

These procedures are not required if the canine handler uses commercially available synthetic substances that are not controlled narcotics.

309.12.7 CONTROLLED SUBSTANCE PROCEDURES

Due to the responsibilities and liabilities involved with possessing readily usable amounts of controlled substances and the ever-present danger of the canine's accidental ingestion of these controlled substances, the following procedures shall be strictly followed:

(a) All controlled substance training samples shall be weighed and tested prior to dispensing to the individual canine handler or trainer.

(b) The weight and test results shall be recorded and maintained by this department.

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(c) Any person possessing controlled substance training samples pursuant to court order or DEA registration shall maintain custody and control of the controlled substances and shall keep records regarding any loss of, or damage to, those controlled substances.

(d) All controlled substance training samples will be inspected, weighed and tested quarterly. The results of the quarterly testing shall be recorded and maintained by the canine coordinator with a copy forwarded to the dispensing agency.

(e) All controlled substance training samples will be stored in locked, airtight and watertight cases at all times, except during training. The locked cases shall be secured in the trunk of the canine handler's assigned patrol vehicle during transport and stored in an appropriate locked container. There are no exceptions to this procedure.

(f) The canine coordinator shall periodically inspect every controlled substance training sample for damage or tampering and take any appropriate action.

(g) Any unusable controlled substance training samples shall be returned to the Property and Evidence Office or to the dispensing agency.

(h) All controlled substance training samples shall be returned to the dispensing agency upon the conclusion of the training or upon demand by the dispensing agency.

309.12.8 EXPLOSIVE TRAINING AIDS

Officers may possess, transport, store, or use explosives or destructive devices in compliance with state and federal laws (Idaho Code 18-3321(1); 18 USC § 842; 27 CFR 555.41).

Explosive training aids designed specifically for canine teams should be used whenever feasible. Due to the safety concerns in the handling and transportation of explosives, inert or non-hazardous training aids should be employed whenever feasible. The use of explosives or destructive devices for training aids by canine teams is subject to the following:

(a) All explosive training aids, when not in use, shall be properly stored in a secure facility appropriate for the type of materials.

(b) An inventory ledger shall be maintained to document the type and quantity of explosive training aids that are stored.

(c) The canine coordinator shall be responsible for verifying the explosive training aids on hand against the inventory ledger once each quarter.

(d) Only members of the canine team shall have access to the explosive training aids storage facility.

(e) A primary and secondary custodian will be designated to minimize the possibility of loss of explosive training aids during and after the training. Generally, the handler will be designated as the primary custodian while the trainer or authorized second person on-scene will be designated as the secondary custodian.

(f) Any lost or damaged explosive training aids shall be promptly reported to the canine coordinator, who will determine if any further action will be necessary. Any loss of explosives will be reported to the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF).

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Domestic Violence

310.1 PURPOSE AND SCOPE

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

310.1.1 DEFINITIONS

Definitions related to this policy include:

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

310.2 POLICY

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

310.3 OFFICER SAFETY

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

310.4 INVESTIGATIONS

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

(a) Calls of reported, threatened, imminent, or on-going domestic violence and the violation of any court order are of extreme importance and should be considered among the highest response priorities. This includes incomplete 9-1-1 calls.

(b) When practicable, officers should obtain and document statements from the victim, the suspect, and any witnesses, including children, in or around the household or location of occurrence.

(c) Officers should list the full name and date of birth (and school if available) of each child who was present in the household at the time of the offense. The names of other children who may not have been in the house at that particular time should also be obtained for follow-up.

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(d) When practicable and legally permitted, video or audio record all significant statements and observations.

(e) All injuries should be photographed, regardless of severity, taking care to preserve the victim's personal privacy. Where practicable, photographs should be taken by a person of the same sex. Victims whose injuries are not visible at the time of the incident should be asked to contact the Investigations and Special Operations Bureau in the event that the injuries later become visible. The infliction of a traumatic injury may elevate a domestic violence from a misdemeanor to a felony (Idaho Code 18-918).

(f) Officers should request that the victim complete and sign an authorization for release of medical records related to the incident when applicable.

(g) If the suspect is no longer at the scene, officers should make reasonable efforts to locate the suspect to further the investigation, provide the suspect with an opportunity to make a statement, and make an arrest or seek an arrest warrant if appropriate.

(h) When completing an incident or arrest report for violation of a court order, officers should include specific information that establishes that the offender has been served, including the date the offender was served, the name of the agency that served the order, and the provision of the order that the subject is alleged to have violated. When reasonably available, the arresting officer should attach a copy of the order to the incident or arrest report.

(i) Officers should take appropriate enforcement action when there is probable cause to believe an offense has occurred. The following factors should not be used as sole justification for declining to take enforcement action:

1. Whether the suspect lives on the premises with the victim
2. Claims by the suspect that the victim provoked or perpetuated the violence
3. The potential financial or child custody consequences of arrest
4. The physical or emotional state of either party
5. Use of drugs or alcohol by either party
6. Denial that the abuse occurred where evidence indicates otherwise
7. A request by the victim not to arrest the suspect
8. Location of the incident (public/private)
9. Speculation that the complainant may not follow through with the prosecution
10. Actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, disability, or marital status of the victim or suspect
11. The social status, community status, or professional position of the victim or suspect

310.4.1 IF A SUSPECT IS ARRESTED

If a suspect is arrested, officers should:

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(a) Advise the victim that there is no guarantee the suspect will remain in custody.

(b) Provide the victim's contact information to the jail staff to enable notification of the victim upon the suspect's release from jail.

310.4.2 IF NO ARREST IS MADE
If no arrest is made, the officer should:

(a) Advise the parties of any options, including but not limited to:

1. Voluntary separation of the parties.

2. Appropriate resource referrals (e.g., counselors, friends, relatives, shelter homes, victim witness unit).

(b) Document the resolution in a report.

310.5 VICTIM ASSISTANCE

Victims may be traumatized or confused. Officers should:

(a) Recognize that a victim's behavior and actions may be affected.

(b) Provide the victim with the Department's domestic violence victim information handout, even if the incident may not rise to the level of crime. This handout outlines shelter options and civil protection order processes.

(c) Alert the victim to any available victim advocates, shelters and community resources.

(d) Stand by for a reasonable amount of time when an involved person requests law enforcement assistance while removing essential items of personal property.

(e) Seek medical assistance as soon as practicable for the victim if he/she has sustained injury or complains of pain.

(f) Ask the victim whether he/she has a safe place to stay. Assist in arranging to transport the victim to an alternate shelter if the victim expresses a concern for his/her safety or if the officer determines that a need exists.

(g) Make reasonable efforts to ensure that children or dependent adults who are under the supervision of the suspect or victim are being properly cared for.

(h) Seek or assist the victim in obtaining an emergency order if appropriate.

310.6 DISPATCH ASSISTANCE

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

Dispatchers are not required to verify the validity of a court order before responding to a request for assistance. Officers should request that dispatchers check whether any of the involved persons are subject to the terms of a court order (Idaho Code 18-922; Idaho Code 18-7907).

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310.7 FOREIGN COURT ORDERS

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

310.8 VERIFICATION OF COURT ORDERS

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

(a) Ask the subject of the order about his/her notice or receipt of the order, his/her knowledge of its terms and efforts to respond to the order.

(b) Check available records or databases that may show the status or conditions of the order.

(c) Contact the issuing court to verify the validity of the order.

(d) Contact a law enforcement official from the jurisdiction where the order was issued to verify information.

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

310.9 LEGAL MANDATES AND RELEVANT LAWS

Idaho law provides for the following:

310.9.1 STANDARDS FOR ARRESTS

An otherwise misdemeanor act of domestic violence may constitute a felony if the suspect has qualifying prior convictions for domestic violence. However, foreign convictions for domestic violence may not be considered by officers in elevating an arrest to a felony since only a court may determine whether a foreign conviction qualifies (Idaho Code 18-918).

A warrant is required for arrest in cases of misdemeanor domestic violence offenses not committed in the presence of an officer, including a violation of a protection order, ex parte temporary protection order, or a no contact order.

310.9.2 REPORTS AND RECORDS

The investigating officer shall ensure that every report of domestic violence is forwarded to the appropriate prosecuting attorney as soon as practicable in accordance with department report writing standards and in no case later than 10 days of making the report if there is probable cause

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to believe an offense has been committed unless the case is under active investigation, in which case the report should be forwarded as soon as practicable (Idaho Code 39-6316).

310.9.3 SERVICE OF COURT ORDERS

If an officer determines that an otherwise valid foreign protection order cannot be enforced because the subject has not been notified or served with the order, the officer shall inform the subject of the order, shall make a reasonable effort to serve the order upon the subject, and allow the subject a reasonable opportunity to comply with the order before enforcing the order (Idaho Code 39-6306A(4)).

The patrol supervisor shall ensure that all court orders received for service upon a restrained person are processed and served as required by law. (Idaho Code 39-6311 and Idaho Code 18-922).

310.9.4 VICTIM TRANSPORTATION

Officers shall make every effort to facilitate transportation of the victim to a hospital for treatment of injuries or to a place of safety or shelter (Idaho Code 39-6316).

310.10 TRAINING

Subject to available resources, periodic training should be provided to employees regarding initial response and investigation, legal issues, victim advocacy, and response to trauma.

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Search and Seizure

311.1 PURPOSE AND SCOPE

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

311.2 POLICY

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

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

311.3 SEARCHES

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

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

- Valid consent
- Stop and/or search of an individual under circumstances where the officer can articulate suspicion that the subject is armed and dangerous.
- Search of a vehicle under a movable vehicle exception.
- Incident to a lawful arrest
- Legitimate community caretaking interests
- Inventory searches of seized vehicles
- Exigent circumstances
- Sniff by drug or bomb dog team

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

Because case law regarding search and seizure is constantly changing and subject to interpretation by the courts, each member of this department is expected to act in each situation

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according to current training and his/her familiarity with clearly established rights as determined by case law.

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

311.4 SEARCH PROTOCOL

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

(a) Members of this department will strive to conduct searches with dignity and courtesy.

(b) Officers should explain to the person being searched the reason for the search and how the search will be conducted.

(c) Searches should be carried out with due regard and respect for private property interests and in a manner that minimizes damage. Property should be left in a condition as close as reasonably possible to its pre-search condition.

(d) In order to minimize the need for forcible entry, an attempt should be made to obtain keys, combinations or access codes when a search of locked property is anticipated.

(e) When the person to be searched is of the opposite sex as the searching officer, a reasonable effort should be made to summon an officer of the same sex as the subject to conduct the search. When it is not practicable to summon an officer of the same sex as the subject, the following guidelines should be followed:

1. Another officer or a supervisor should witness the search.
2. The officer should follow department training when searching areas of the body covered by tight-fitting clothing orsheer clothing.

311.5 DOCUMENTATION

Officers are responsible to document any search and to ensure that any required reports are sufficient including, at minimum, documentation of the following:

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

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- Officers are prohibited from conducting strip searches, however jail deputies may conduct a search of this nature when the subject is being booked into jail and a strip search is authorized by jail policy.

Supervisors shall review reports to ensure the reports are accurate, that actions are properly documented and that current legal requirements and department policy have been met.

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Adult Abuse

312.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the investigation and reporting of suspected abuse of certain adults who may be more vulnerable than others. This policy also addresses mandatory notification for Idaho Falls Police Department members as required by law.

312.1.1 DEFINITIONS

Definitions related to this policy include:

Adult abuse - Any offense or attempted offense involving violence or neglect of an adult victim when committed by a person responsible for the adult's care, or any other act that would mandate reporting or notification to a social service agency or law enforcement.

312.2 POLICY

The Idaho Falls Police Department will investigate all reported incidents of alleged adult abuse and ensure proper reporting and notification as required by law.

312.3 MANDATORY NOTIFICATION

Members of the Idaho Falls Police Department shall immediately notify Idaho State Adult Protective Services when there is reasonable cause to believe that abuse, neglect or exploitation of a vulnerable adult has occurred (Idaho Code 39-5303).

The following definitions apply to mandatory notification (Idaho Code 39-5302):

- Abuse means the intentional or negligent infliction of physical pain, injury or mental injury.
- Neglect means failure of a caretaker to provide food, clothing, shelter or medical care reasonably necessary to sustain the life and health of a vulnerable adult, or the failure of a vulnerable adult to provide those services for him/herself.
- Exploitation means an action which may include, but is not limited to, the unjust or improper use of a vulnerable adult's financial power of attorney, funds, property or resources by another person for profit or advantage.
- Vulnerable adult is a person 18 years or older who is unable to protect himself/herself from abuse, neglect or exploitation due to a physical or mental impairment which affects the adult's judgment or behavior to the extent that he/she lacks sufficient understanding or capacity to make, communicate or implement decisions regarding his/her person.

312.3.1 NOTIFICATION PROCEDURE

Notification should occur as follows (Idaho Code 39-5304):

(a) All notifications to Idaho State Adult Protective Services shall be made immediately.

(b) Information provided to Idaho State Adult Protective Services shall include, if known:

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(a) Name and address of the vulnerable adult.

(b) Name and address of the caretaker.

(c) Name and address of the alleged perpetrator.

(d) The nature and extent of suspected abuse, neglect or exploitation.

(e) Any other information that will be of assistance to an investigation.

312.4 QUALIFIED INVESTIGATORS

Qualified investigators should be available to investigate cases of adult abuse. These investigators should:

(a) Conduct interviews in appropriate interview facilities.

(b) Be familiar with forensic interview techniques specific to adult abuse investigations.

(c) Present all cases of alleged adult abuse to the prosecutor for review.

(d) Coordinate with other enforcement agencies, social service agencies and facility administrators as needed.

(e) Provide referrals to therapy services, victim advocates, guardians and support for the victim and family as appropriate.

(f) Participate in or coordinate with multidisciplinary investigative teams as applicable (Idaho Code 39-5308).

312.5 INVESTIGATIONS AND REPORTING

All reported or suspected cases of adult abuse require investigation and a report, even if the allegations appear unfounded or unsubstantiated.

Investigations and reports related to suspected cases of adult abuse should address, as applicable:

(a) The overall basis for the contact. This should be done by the investigating officer in all circumstances where a suspected adult abuse victim is contacted.

(b) Any relevant statements the victim may have made and to whom he/she made the statements.

(c) If a person is taken into protective custody, the reasons, the name and title of the person making the decision, and why other alternatives were not appropriate.

(d) Documentation of any visible injuries or any injuries identified by the victim. This should include photographs of such injuries, if practicable.

(e) Whether the victim was transported for medical treatment or a medical examination.

(f) Whether the victim identified a household member as the alleged perpetrator, and a list of the names of any other potential victims or witnesses who may reside in the residence.

(g) Identification of any prior related reports or allegations of abuse, including other jurisdictions, as reasonably known.

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(h) Previous addresses of the victim and suspect.

(i) Other potential witnesses who have not yet been interviewed, such as relatives or others close to the victim's environment.

Any unexplained death of an adult who was in the care of a guardian or caretaker should be considered as potential adult abuse and investigated similarly.

312.6 PROTECTIVE CUSTODY

Before taking an adult abuse victim into protective custody when facts indicate the adult may not be able to care for him/herself, the officer should make reasonable attempts to contact Idaho State Adult Protective Services. Generally, removal and placement of an adult abuse victim from his/her family, guardian or other responsible adult should be left to the welfare authorities when they are present or have become involved in an investigation.

Generally, members of this department should remove an adult abuse victim from his/her family or guardian without a court order only when no other effective alternative is reasonably available and immediate action reasonably appears necessary to protect the victim. Prior to taking an adult abuse victim into protective custody, the officer should coordinate with Idaho State Adult Protective Services to place the adult to another qualified legal guardian.

Whenever practicable, the officer should inform a supervisor of the circumstances prior to taking an adult abuse victim into protective custody. If prior notification is not practicable, officers should contact a supervisor promptly after taking the adult into protective custody.

When adult abuse victims are under state control, have a state-appointed guardian or there are other legal holdings for guardianship, it may be necessary or reasonable to seek a court order on behalf of the adult victim to either remove the adult from a dangerous environment (protective custody) or restrain a person from contact with the adult.

312.6.1 IDAHO STATE ADULT PROTECTIVE SERVICES ASSISTANCE

An officer shall cooperate with Idaho State Adult Protective Services when assistance is requested and the officer reasonably believes an emergency exists which requires immediate entry on public or private property to ensure the safety of a vulnerable adult who is allegedly being abused, neglected or exploited. Assistance may also include transporting the vulnerable adult to a medical facility, care-providing facility or other appropriate and safe environment (Idaho Code 39-5305).

312.7 INTERVIEWS

312.7.1 PRELIMINARY INTERVIEWS

Absent extenuating circumstances or impracticality, officers should record the preliminary interview with a suspected adult abuse victim. Officers should avoid multiple interviews with the victim and should attempt to gather only the information necessary to begin an investigation. When practicable, investigating officers should defer interviews until a person who is specially trained in such interviews is available.

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312.7.2 DETAINING VICTIMS FOR INTERVIEWS

An officer should not detain an adult involuntarily who is suspected of being a victim of abuse solely for the purpose of an interview or physical exam without his/her consent or the consent of a guardian unless one of the following applies:

(a) Exigent circumstances exist, such as:

1. A reasonable belief that medical issues of the adult need to be addressed immediately.
2. A reasonable belief that the adult is or will be in danger of harm if the interview or physical exam is not immediately completed.
3. The alleged offender is a family member or guardian and there is reason to believe the adult may be in continued danger.

(b) A court order or warrant has been issued.

312.8 MEDICAL EXAMINATIONS

When an adult abuse investigation requires a medical examination, the investigating officer should obtain consent for such examination from the victim, guardian, agency or entity having legal custody of the adult. The officer should also arrange for the adult's transportation to the appropriate medical facility.

In cases where the alleged offender is a family member, guardian, agency or entity having legal custody and is refusing to give consent for the medical examination, officers should notify a supervisor before proceeding. If exigent circumstances do not exist or if state law does not provide for officers to take the adult for a medical examination, the supervisor should consider other government agencies or services that may obtain a court order for such an examination.

312.9 DRUG-ENDANGERED VICTIMS

A coordinated response by law enforcement and social services agencies is appropriate to meet the immediate and longer-term medical and safety needs of an adult abuse victim who has been exposed to the manufacturing, trafficking or use of narcotics.

312.9.1 SUPERVISOR RESPONSIBILITIES

The Investigations and Special Operations Bureau supervisor should:

(a) Work with professionals from the appropriate agencies, including Idaho State Adult Protective Services, other law enforcement agencies, medical service providers and local prosecutors, to develop community-specific procedures for responding to situations where there are adult abuse victims endangered by exposure to methamphetamine labs or the manufacture and trafficking of other drugs.

(b) Activate any available interagency response when an officer notifies the Investigations and Special Operations Bureau supervisor that he/she has responded to a drug lab or other narcotics crime scene where an adult abuse victim is present or where evidence indicates that an adult abuse victim lives.

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(c) Develop a report format or checklist for use when officers respond to drug labs or other narcotics crime scenes. The checklist will help officers document the environmental, medical, social and other conditions that may affect the adult.

312.9.2 OFFICER RESPONSIBILITIES
Officers responding to a drug lab or other narcotics crime scene where an adult abuse victim is present or where there is evidence that an adult abuse victim lives should:

(a) Document the environmental, medical, social and other conditions of the adult, using photography as appropriate and the checklist or form developed for this purpose.

(b) Notify the Investigations and Special Operations Bureau supervisor so an interagency response can begin.

312.10 STATE MANDATES AND OTHER RELEVANT LAWS
Idaho requires or permits the following:

312.10.1 POLICE RECORDS RESPONSIBILITIES
The Police Records is responsible for:

(a) Providing a copy of the adult abuse report to Idaho State Adult Protective Services as required by law.

(b) Retaining the original adult abuse report with the initial case file.

312.10.2 RELEASE OF REPORTS
Information related to incidents of adult abuse or suspected adult abuse shall be confidential and may only be disclosed pursuant to state law and the Records Maintenance and Release Policy (Idaho Code 39-5307; Idaho Code 74-105(11)).

312.11 TRAINING
The Department should provide training on best practices in adult abuse investigations to members tasked with investigating these cases. The training should include:

(a) Participating in multidisciplinary investigations, as appropriate.

(b) Conducting interviews.

(c) Availability of therapy services for adults and families.

(d) Availability of specialized forensic medical exams.

(e) Cultural competence (including interpretive services) related to adult abuse investigations.

(f) Availability of victim advocates or other support.

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Discriminatory Harassment

313.1 PURPOSE AND SCOPE

The purpose of this policy is to prevent members of this department from being subjected to discriminatory harassment, including sexual harassment and retaliation. Nothing in this policy is intended to create a legal or employment right or duty that is not created by law.

313.2 POLICY

The Idaho Falls Police Department is an equal opportunity employer and is committed to creating and maintaining a work environment that is free of all forms of discriminatory harassment, including sexual harassment and retaliation. The Department will not tolerate discrimination against a member in hiring, promotion, discharge, compensation, fringe benefits, and other privileges of employment. The Department will take preventive and corrective action to address any behavior that violates this policy or the rights and privileges it is designed to protect.

The non-discrimination policies of the Department may be more comprehensive than state or federal law. Conduct that violates this policy may not violate state or federal law but still could subject a member to discipline.

313.3 DEFINITIONS

Definitions related to this policy include:

313.3.1 DISCRIMINATION

The Department prohibits all forms of discrimination, including any employment-related action by a member that adversely affects an applicant or member and is based on actual or perceived race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, pregnancy, genetic information, veteran status, marital status, and any other classification or status protected by law.

Discriminatory harassment, including sexual harassment, is verbal or physical conduct that demeans or shows hostility or aversion toward an individual based upon that individual's protected class. It has the effect of interfering with an individual's work performance or creating a hostile or abusive work environment.

Conduct that may, under certain circumstances, constitute discriminatory harassment can include making derogatory comments; making crude and offensive statements or remarks; making slurs or off-color jokes; stereotyping; engaging in threatening acts; making indecent gestures, pictures, cartoons, posters, or material; making inappropriate physical contact; or using written material or department equipment and/or systems to transmit or receive offensive material, statements, or pictures. Such conduct is contrary to department policy and to a work environment that is free of discrimination.

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313.3.2 RETALIATION

Retaliation is treating a person differently or engaging in acts of reprisal or intimidation against the person because the person has engaged in protected activity, filed a charge of discrimination, participated in an investigation, or opposed a discriminatory practice. Retaliation will not be tolerated.

313.3.3 SEXUAL HARASSMENT

The Department prohibits all forms of discrimination and discriminatory harassment, including sexual harassment. It is unlawful to harass an applicant or a member because of that person's sex.

Sexual harassment includes but is not limited to unwelcome sexual advances, requests for sexual favors, or other verbal, visual, or physical conduct of a sexual nature when:

(a) Submission to such conduct is made either explicitly or implicitly a term or condition of employment, position, or compensation.

(b) Submission to, or rejection of, such conduct is used as the basis for any employment decisions affecting the member.

(c) Such conduct has the purpose or effect of substantially interfering with a member's work performance or creating an intimidating, hostile, or offensive work environment.

313.3.4 ADDITIONAL CONSIDERATIONS

Discrimination and discriminatory harassment do not include actions that are in accordance with established rules, principles, or standards, including the following:

(a) Acts or omission of acts based solely upon bona fide occupational qualifications under the Equal Employment Opportunity Commission and Idaho Commission on Human Rights guidelines.

(b) Bona fide requests or demands by a supervisor that the member improve the member's work quality or output, that the member report to the job site on time, that the member comply with City or department rules or regulations, or any other appropriate work-related communication between supervisor and member.

313.4 RESPONSIBILITIES

This policy applies to all department members, who shall follow the intent of these guidelines in a manner that reflects department policy, professional standards, and the best interest of the Department and its mission.

Members are encouraged to promptly report any discriminatory, retaliatory, or harassing conduct or known violations of this policy to a supervisor. Any member who is not comfortable with reporting violations of this policy to the member's immediate supervisor may bypass the chain of command and make the report to a higher-ranking supervisor or manager. Complaints may also be filed with the Chief of Police, the HR Director, or the Mayor.

Any member who believes, in good faith, that the member has been discriminated against, harassed, or subjected to retaliation, or who has observed harassment, discrimination, or

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retaliation, is encouraged to promptly report such conduct in accordance with the procedures set forth in this policy.

Supervisors and managers receiving information regarding alleged violations of this policy shall determine if there is any basis for the allegation and shall proceed with resolution as stated below.

313.4.1 SUPERVISOR RESPONSIBILITIES
The responsibilities of supervisors and managers shall include but are not limited to:

(a) Continually monitoring the work environment and striving to ensure that it is free from all types of unlawful discrimination, including harassment or retaliation.

(b) Taking prompt, appropriate action within their work units to avoid and minimize the incidence of any form of discrimination, harassment, or retaliation.

(c) Ensuring that their subordinates understand their responsibilities under this policy.

(d) Ensuring that members who make complaints or who oppose any unlawful employment practices are protected from retaliation and that such matters are kept confidential to the extent possible.

(e) Making a timely determination regarding the substance of any allegation based on all available facts.

(f) Notifying the Chief of Police or the HR Director in writing of the circumstances surrounding any reported allegations or observed acts of discrimination, harassment, or retaliation no later than the next business day.

313.4.2 SUPERVISOR'S ROLE
Supervisors and managers shall be aware of the following:

(a) Behavior of supervisors and managers should represent the values of the Department and professional standards.

(b) False or mistaken accusations of discrimination, harassment, or retaliation can have negative effects on the careers of innocent members.

Nothing in this section shall be construed to prevent supervisors or managers from discharging supervisory or management responsibilities, such as determining duty assignments, evaluating or counseling members, or issuing discipline in a manner that is consistent with established procedures.

313.4.3 QUESTIONS OR CLARIFICATION
Members with questions regarding what constitutes discrimination, sexual harassment, or retaliation are encouraged to contact a supervisor, a manager, the Chief of Police, the HR Director, or the Mayor for further information, direction, or clarification.

313.5 INVESTIGATION OF COMPLAINTS

Various methods of resolution exist. During the pendency of any such investigation, the supervisor of the involved member should take prompt and reasonable steps to mitigate or eliminate any continuing abusive or hostile work environment. It is the policy of the Department that all

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complaints of discrimination, retaliation, or harassment shall be fully documented, and promptly and thoroughly investigated.

313.5.1 SUPERVISOR RESOLUTION

Members who believe they are experiencing discrimination, harassment, or retaliation should be encouraged to inform the individual that the behavior is unwelcome, offensive, unprofessional, or inappropriate. However, if the member feels uncomfortable or threatened or has difficulty expressing the member's concern, or if this does not resolve the concern, assistance should be sought from a supervisor or manager who is a rank higher than the alleged transgressor.

313.5.2 FORMAL INVESTIGATION

If the complaint cannot be satisfactorily resolved through the supervisory resolution process, a formal investigation will be conducted.

The person assigned to investigate the complaint will have full authority to investigate all aspects of the complaint. Investigative authority includes access to records and the cooperation of any members involved. No influence will be used to suppress any complaint and no member will be subject to retaliation or reprisal for filing a complaint, encouraging others to file a complaint, or for offering testimony or evidence in any investigation.

Formal investigation of the complaint will be confidential to the extent possible and will include but is not limited to details of the specific incident, frequency and dates of occurrences, and names of any witnesses. Witnesses will be advised regarding the prohibition against retaliation, and that a disciplinary process, up to and including termination, may result if retaliation occurs.

Members who believe they have been discriminated against, harassed, or retaliated against because of their protected status are encouraged to follow the chain of command but may also file a complaint directly with the Chief of Police, the HR Director, or the Mayor.

313.5.3 ALTERNATIVE COMPLAINT PROCESS

No provision of this policy shall be construed to prevent any member from seeking legal redress outside the Department. Members who believe that they have been harassed, discriminated against, or retaliated against are entitled to bring complaints of employment discrimination to federal, state, and/or local agencies responsible for investigating such allegations. Specific time limitations apply to the filing of such charges. Members are advised that proceeding with complaints under the provisions of this policy does not in any way affect those filing requirements.

313.6 DOCUMENTATION OF COMPLAINTS

All complaints or allegations shall be thoroughly documented on the appropriate forms and in a manner designated by the Chief of Police. The outcome of all reports shall be:

(a) Approved by the Chief of Police, the Mayor, or the HR Director, depending on the rank of the involved parties.

(b) Maintained in accordance with the established records retention schedule.

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313.6.1 NOTIFICATION OF DISPOSITION

The complainant and/or victim will be notified in writing of the disposition of the investigation and the action taken to remedy or address the circumstances giving rise to the complaint.

313.7 TRAINING

All new members shall be provided with a copy of this policy as part of their orientation. The policy shall be reviewed with each new member. The member shall certify by signing the prescribed form that the member has been advised of this policy, is aware of and understand its contents, and agrees to abide by its provisions during the member's term with the Idaho Falls Police Department.

All members shall receive annual training on the requirements of this policy and shall certify by signing the prescribed form that they have reviewed the policy, understand its contents and agree that they will continue to abide by its provisions.

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Child Abuse

314.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the investigation of suspected child abuse. This policy also addresses when Idaho Falls Police Department members are required to notify the Department of Health and Welfare of suspected child abuse.

314.1.1 DEFINITIONS

Definitions related to this policy include:

Child - Unless otherwise specified by a cited statute, a child is any person under the age of 18 years.

Child abuse - Any offense or attempted offense involving violence or neglect with a child victim when committed by a person responsible for the child's care or any other act that would mandate notification to a social service agency.

314.2 POLICY

The Idaho Falls Police Department will investigate all reported incidents of alleged criminal child abuse and ensure the Department of Health and Welfare is notified as required by law.

314.3 MANDATORY NOTIFICATION

Members of the Idaho Falls Police Department shall notify the Department of Health and Welfare when they have received a report of abuse, abandonment or neglect of a child or there is reason to believe that a child has been abused, abandoned or neglected, or an officer observes the child being subjected to conditions or circumstances which would reasonably result in abuse, abandonment or neglect (Idaho Code 16-1605(1)).

For purposes of notification, abuse includes injuries without a justifiable explanation and sexual conduct (e.g., rape, molestation, incest, other sexual exploitation). Abandonment and neglect include failure to provide support, regular contact, care, subsistence, medical care, etc. (see Idaho Code 16-1602 for full definitions).

314.3.1 NOTIFICATION PROCEDURE

Notification should occur as follows (Idaho Code 16-1605):

(a) Notification shall be made as soon as practicable but in all cases within 24 hours to the Department of Health and Welfare.

(b) The date and time of the notification shall be documented in the related report.

314.4 QUALIFIED INVESTIGATORS

Qualified investigators should be available for child abuse investigations. These investigators should:

(a) Conduct interviews in child appropriate interview facilities.

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(b) Be familiar with forensic interview techniques specific to child abuse investigations.

(c) Present all cases of alleged child abuse to the prosecutor for review.

(d) Coordinate with other enforcement agencies, social service agencies and school administrators as needed.

(e) Provide referrals to therapy services, victim advocates, guardians and support for the child and family as appropriate.

(f) Participate in or coordinate with multidisciplinary investigative teams as applicable (Idaho Code 16-1617).

314.5 INVESTIGATIONS AND REPORTING

In all reported or suspected cases of child abuse, a report will be written. Officers shall write a report even if the allegations appear unfounded or unsubstantiated.

Investigations and reports related to suspected cases of child abuse should address, as applicable:

(a) The overall basis for the contact. This should be done by the investigating officer in all circumstances where a suspected child abuse victim was contacted.

(b) Any relevant statements the child may have made and to whom he/she made the statements.

(c) If a child was taken into protective custody, the reasons, the name and title of the person making the decision, and why other alternatives were not appropriate.

(d) Documentation of any visible injuries or any injuries identified by the child. This should include photographs of such injuries, if practicable.

(e) Whether the child victim was transported for medical treatment or a medical examination.

(f) Whether the victim identified a household member as the alleged perpetrator, and a list of the names of any other children who may reside in the residence.

(g) Identification of any prior related reports or allegations of child abuse, including other jurisdictions, as reasonably known.

(h) Previous addresses of the victim and suspect.

(i) Other potential witnesses who have not yet been interviewed, such as relatives or others close to the victim's environment.

All cases of the unexplained death of a child should be investigated as thoroughly as if it had been a case of suspected child abuse (e.g., a sudden or unexplained death of an infant).

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314.6 PROTECTIVE CUSTODY OR IMMINENT DANGER

Before taking any child in imminent danger into protective custody, the officer should make reasonable attempts to contact the Department of Health and Welfare. Generally, removal of a child from his/her family, guardian or other responsible adult should be left to the child welfare authorities when they are present or have become involved in an investigation.

Generally, members of this department should remove a child from his/her parent or guardian without a court order only when no other effective alternative is reasonably available and immediate action reasonably appears necessary to protect the child. Prior to taking a child in imminent danger into protective custody, the officer should take reasonable steps to deliver the child to another qualified parent or legal guardian, unless it reasonably appears that the release would endanger the child or result in abduction. If this is not a reasonable option, the officer shall ensure that the child is delivered to the Department of Health and Welfare.

Whenever practicable, the officer should inform a supervisor of the circumstances prior to taking a child in imminent danger into protective custody. If prior notification is not practicable, officers should contact a supervisor promptly after taking a child into protective custody.

Children may only be removed from a parent or guardian in the following situations:

(a) When a court order has been issued authorizing the removal of the child

(b) Without a court order, when a child is abandoned or endangered and prompt removal is necessary to prevent serious physical or mental injury to the child (Idaho Code 16-1608)

314.6.1 PROCEDURE

When a child is taken into emergency protective custody without a court order, the officer shall immediately take the following actions (Idaho Code 16-1609):

(a) Assist the Department of Health and Welfare in taking the child to a place of approved shelter.

(b) Notify the court of the action taken and the place to which the child was taken.

(c) Except in the case of child abandonment pursuant to the Idaho Safe Haven Act, notify each of the parents, guardian or other legal custodian that the child has been taken into shelter care, the type and nature of shelter care, and that the child may be held for a maximum of 48 hours, excluding Saturdays, Sundays and holidays, and that within which time there must be a shelter care hearing pursuant to Idaho Code 16-1615.

314.6.2 SAFE HAVEN ACT PROVISIONS

If a child has been abandoned pursuant to the Idaho Safe Haven Act, the investigating officer shall take protective custody of the child, immediately notify the Department of Health and Welfare and transfer the child to their custody. If the child requires medical evaluation, the child shall be left in the care of a hospital. The officer shall notify the court and prosecutor of the action taken and the location of the child (Idaho Code 39-8204).

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314.7 INTERVIEWS

314.7.1 PRELIMINARY INTERVIEWS

Officers should not interview child victims during the initial investigation. Efforts should be made to collect the basic facts and preliminary information using percipient witnesses, guardians, or other reporting parties. If the child is the sole reporting party, initial officers should record the preliminary interview with suspected child abuse victims and collect only the information necessary to begin an investigation. When practicable, investigating officers should defer forensic interviews until a person who is specially trained in such interviews is assigned.

314.7.2 DETAINING SUSPECTED CHILD ABUSE VICTIMS FOR AN INTERVIEW

An officer should not detain a child involuntarily who is suspected of being a victim of child abuse solely for the purpose of an interview or physical exam without the consent of a parent or guardian unless one of the following applies:

(a) Exigent circumstances exist, such as:

1. A reasonable belief that medical issues of the child need to be addressed immediately.
2. A reasonable belief that the child is or will be in danger of harm if the interview or physical exam is not immediately completed.
3. The alleged offender is the custodial parent or guardian and there is reason to believe the child may be in continued danger.

(b) A court order or warrant has been issued.

314.7.3 AUDIO AND VIDEO RECORDING OF INVESTIGATIVE INTERVIEWS

Unless otherwise demonstrated by good cause, all investigative interviews of alleged child abuse victims shall be documented by audio or video recording (Idaho Code 16-1618).

314.8 MEDICAL EXAMINATIONS

If the child has been the victim of abuse that requires a medical examination, the investigating officer should obtain consent for such examination from the appropriate parent, guardian or agency having legal custody of the child. The officer should also arrange for the child's transportation to the appropriate medical facility.

In cases where the alleged offender is the custodial parent or guardian and is refusing consent for the medical examination, officers should notify a supervisor before proceeding. If exigent circumstances do not exist or if state law does not provide for officers to take the child for a medical examination, the notified supervisor should consider obtaining a court order for such an examination.

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314.9 DRUG-ENDANGERED CHILDREN

A coordinated response by law enforcement and social services agencies is appropriate to meet the immediate and longer-term medical and safety needs of children exposed to the manufacturing, trafficking or use of narcotics.

314.9.1 SUPERVISOR RESPONSIBILITIES

The Investigations and Special Operations Bureau Supervisor should:

(a) Work with professionals from the appropriate agencies, including the Department of Health and Welfare, other law enforcement agencies, medical service providers and local prosecutors to develop community specific procedures for responding to situations where there are children endangered by their exposure to methamphetamine labs or the manufacture and trafficking of other drugs.

(b) Activate any available interagency response when an officer notifies the Investigations and Special Operations Bureau Supervisor that the officer has responded to a drug lab or other narcotics crime scene where a child is present or where evidence indicates that a child lives there.

(c) Develop a report format or checklist for use when officers respond to drug labs or other narcotics crime scenes. The checklist will help officers document the environmental, medical, social and other conditions that may affect the child.

314.9.2 OFFICER RESPONSIBILITIES

Officers responding to a drug lab or other narcotics crime scene where a child is present or where there is evidence that a child lives should:

(a) Document the environmental, medical, social and other conditions of the child using photography as appropriate and the checklist or form developed for this purpose.

(b) Notify the Investigations and Special Operations Bureau Supervisor so an interagency response can begin.

314.10 STATE MANDATES AND OTHER RELEVANT LAWS

Idaho requires or permits the following:

314.10.1 PROCESSING REPORTS AND RECORDS

The Police Records Supervisor shall submit to the Idaho Attorney General a report of each reported child sexual abuse incident. The report shall contain such information as specified by the Attorney General (Idaho Code 67-1405(1)).

314.10.2 RELEASE OF REPORTS

Information related to incidents of child abuse or suspected child abuse shall be confidential and may only be disclosed pursuant to state law and the Records Maintenance and Release Policy (Idaho Code 16-1626; Idaho Code 16-1629(6); Idaho Code 74-105(7)).

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314.10.3 MULTIDISCIPLINARY TEAM PROTOCOLS

The Investigations and Special Operations Bureau Supervisor should ensure that department members have access to the appropriate written protocols for multidisciplinary teams investigating child abuse cases (Idaho Code 16-1617).

314.11 TRAINING

The Department should provide training on best practices in child abuse investigations to members tasked with investigating these cases. The training should include:

(a) Participating in multidisciplinary investigations, as appropriate.

(b) Conducting forensic interviews.

(c) Availability of therapy services for children and families.

(d) Availability of specialized forensic medical exams.

(e) Cultural competence (including interpretive services) related to child abuse investigations.

(f) Availability of victim advocate or guardian ad litem support.

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Missing Persons

315.1 PURPOSE AND SCOPE

This policy provides guidance for handling missing person investigations.

315.1.1 DEFINITIONS

Definitions related to this policy include:

At-risk - This includes persons who are:

(a) 13 years of age or younger.

(b) Regardless of age, believed or determined to be experiencing one or more of the following circumstances:

1. Is out of the zone of safety for his/her chronological age and developmental stage.
2. Has a mental or behavioral disability.
3. Is drug dependent, including prescribed medication and/or illegal substances, and the dependency is potentially life-threatening.
4. Has been absent from home for more than 24 hours before being reported to law enforcement as missing.
5. Is in a life-threatening situation.
6. Is in the company of others who could endanger his/her welfare.
7. Is absent in a way that is inconsistent with established patterns of behavior and that cannot be readily explained. Most children have an established and reasonably predictable routine.
8. Is involved in a situation that would cause a reasonable person to conclude the person should be considered at risk.

Missing person - Any person who is reported missing to law enforcement when that person's location is unknown. This includes a person that is less than 18 years of age who is reported to the Department as abducted, lost or as a runaway (Idaho Code 18-4508(2); Idaho Code 18-4508(3)).

Missing person networks - Databases or computer networks that are available to law enforcement and are suitable for obtaining information related to missing person investigations. This includes the National Crime Information Center (NCIC), the Idaho Law Enforcement Telecommunications System (ILETS) and the Idaho Missing Person Clearinghouse.

315.2 POLICY

The Idaho Falls Police Department does not consider any report of a missing person to be routine and assumes that the missing person is in need of immediate assistance until an investigation reveals otherwise. The Idaho Falls Police Department gives missing person cases priority over property-related cases and does not require a specific amount of time to have passed before beginning a missing person investigation.

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315.3 REQUIRED FORMS AND BIOLOGICAL SAMPLE COLLECTION KITS

The Investigations and Special Operations Bureau supervisor shall ensure the following forms and kits are developed and available:

- Missing Person Report Form
- Missing Person Investigation Checklist that provides investigation guidelines and resources that could be helpful in the early hours of a missing person investigation
- Missing Person School Notification Form
- Medical Records Release Form
- Biological sample collection kits

315.4 ACCEPTANCE OF REPORTS

Any member encountering a person who wishes to report a missing person or runaway shall render assistance without delay. This can be accomplished by accepting the report via telephone or in person and initiating the investigation. Those members who do not take such reports or who are unable to give immediate assistance shall promptly dispatch or alert a member who can take the report.

A report shall be accepted in all cases and regardless of where the person was last seen, where the person resides or any question of jurisdiction.

315.5 INITIAL INVESTIGATION

Officers or other members conducting the initial investigation of a missing person should take the following investigative actions as applicable:

(a) Respond to a dispatched call as soon as practicable.

(b) Interview the reporting party and any witnesses to determine whether the person qualifies as a missing person and, if so, whether the person may be at-risk.

(c) Notify a supervisor immediately if there is evidence that a missing person is either at-risk or may qualify for a public alert, or both (see the Public Alerts Policy).

(d) Broadcast a “Be on the Look-Out” (BOLO) bulletin if the person is under 21 years of age or there is evidence that the missing person is at-risk. The alert should be broadcast as soon as practicable but in no event more than one hour after determining the missing person is under 21 years of age or may be at-risk.

(e) Ensure that entries are made into the appropriate missing person networks, as follows:

1. Immediately when the missing person is under the age of 18 or at-risk.
2. In all other cases, as soon as practicable, but not later than two hours from the time of the initial report.

(f) Complete the appropriate report forms accurately and completely and initiate a search as applicable under the facts.

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(g) Collect and/or review:

1. A photograph and a fingerprint card of the missing person, if available.
2. A voluntarily provided biological sample of the missing person, if available (e.g., toothbrush, hairbrush).
3. Any documents that may assist in the investigation, such as court orders regarding custody.
4. Any other evidence that may assist in the investigation, including personal electronic devices (e.g., cell phones, computers).

(h) When circumstances permit and if appropriate, attempt to determine the missing person's location through his/her telecommunications carrier.

(i) Contact the appropriate agency if the report relates to a missing person report previously made to another agency and that agency is actively investigating the report. When this is not practicable, the information should be documented in an appropriate report for transmission to the appropriate agency. If the information relates to an at-risk missing person, the member should notify a supervisor and proceed with reasonable steps to locate the missing person.

315.6 REPORT PROCEDURES AND ROUTING

Members should complete all missing person reports and forms promptly and advise the appropriate supervisor as soon as a missing person report is ready for review.

315.6.1 SUPERVISOR RESPONSIBILITIES

The responsibilities of the supervisor shall include, but are not be limited to:

(a) Reviewing and approving missing person reports upon receipt.

1. The reports should be promptly sent to the Police Records.

(b) Ensuring resources are deployed as appropriate.

(c) Initiating a command post as needed.

(d) Ensuring applicable notifications and public alerts are made and documented.

(e) Ensuring that records have been entered into the appropriate missing persons networks.

(f) Taking reasonable steps to identify and address any jurisdictional issues to ensure cooperation among agencies.

1. If the case falls within the jurisdiction of another agency, the supervisor should facilitate transfer of the case to the agency of jurisdiction.

315.6.2 POLICE RECORDS RESPONSIBILITIES

The responsibilities of the Police Records receiving member shall include, but are not limited to:

(a) As soon as reasonable under the circumstances, notifying and forwarding a copy of the report to the law enforcement agency having jurisdiction over the missing person's residence in cases where the missing person is a resident of another jurisdiction.

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(b) Notifying and forwarding a copy of the report to the law enforcement agency in whose jurisdiction the missing person was last seen.

(c) Notifying and forwarding a copy of the report to the law enforcement agency having jurisdiction over the missing person's intended or possible destination, if known.

(d) Forwarding a copy of the report to the Investigations and Special Operations Bureau.

(e) Updating the missing person record in the NCIC computer networks updated with additional information obtained from missing person investigations (34 USC § 41308).

315.7 INVESTIGATIONS AND SPECIAL OPERATIONS BUREAU FOLLOW-UP

In addition to completing or continuing any actions listed above, the investigator assigned to a missing person investigation:

(a) Shall ensure that an Idaho elementary or secondary school is immediately notified when an enrolled child is reported missing (Idaho Code 18-4509(2)).

1. The notice shall be in writing and should also include a photograph.
2. The investigator should meet with school officials as appropriate to stress the importance of including the notice in the child's student file, along with the investigator's contact information if the school receives a call requesting the transfer of the missing child's files to another school.

(b) Should recontact the reporting person and/or other witnesses within 30 days of the initial report and within 30 days thereafter to determine if any additional information has become available.

(c) Should consider contacting other agencies involved in the case to determine if any additional information is available.

(d) Shall verify and update the Idaho Missing Person Clearinghouse, the ILETS, the NCIC and any other applicable missing person networks within 30 days of the original entry into the networks and every 30 days thereafter until the missing person is located (34 USC § 41308).

(e) Should continue to make reasonable efforts to locate the missing person and document these efforts at least every 30 days.

(f) Shall maintain a close liaison with state and local child welfare systems and the National Center for Missing and Exploited Children (NCMEC) if the missing person is under the age of 21 and shall promptly notify NCMEC when the person is missing from a foster care family home or childcare institution (34 USC § 41308).

(g) Should make appropriate inquiry with the Coroner.

(h) Should obtain and forward medical and dental records, photos, X-rays and biological samples, as applicable.

(i) Shall attempt to obtain the most recent photograph for persons under 18 years of age if it has not been obtained previously and forward the photograph to the Idaho State Police and enter the photograph into applicable missing person networks (34 USC § 41308).

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(j) Should consider making appropriate entries and searches in the National Missing and Unidentified Persons System (NamUs).

(k) In the case of an at-risk missing person or a person who has been missing for an extended time, should consult with a supervisor regarding seeking federal assistance from the FBI and the U.S. Marshals Service (28 USC § 566).

315.8 WHEN A MISSING PERSON IS FOUND

When any person reported missing is found, the assigned investigator shall document the location of the missing person in the appropriate report, notify the reporting party and other involved agencies and refer the case for additional investigation if warranted.

The Police Records Supervisor should ensure that, upon receipt of information that a missing person has been located, the following occurs:

(a) Notification is made to Idaho State Police.

(b) A missing child's school is notified.

(c) Entries are made in the applicable missing person networks, including immediately in NCIC.

(d) Notification shall be made to any other law enforcement agency that took the initial report or participated in the investigation.

315.8.1 UNIDENTIFIED PERSONS

Department members investigating a case of an unidentified person who is deceased or a living person who cannot assist in identifying him/herself should:

(a) Obtain a complete description of the person.

(b) Enter the unidentified person's description into the NCIC Unidentified Person File.

(c) Use available resources, such as those related to missing persons, to identify the person.

315.9 CASE CLOSURE

The Investigations and Special Operations Bureau supervisor may authorize the closure of a missing person case after considering the following:

(a) Closure is appropriate when the missing person is confirmed returned or evidence matches an unidentified person or body.

(b) If the missing person is a resident of Idaho Falls or this department is the lead agency, the case should be kept under active investigation for as long as the person may still be alive. Exhaustion of leads in the investigation should not be a reason for closing a case.

(c) If this department is not the lead agency, the case can be made inactive if all investigative leads have been exhausted, the lead agency has been notified and entries are made in the applicable missing person networks, as appropriate.

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(d) A missing person case should not be closed or reclassified because the person would have reached a certain age or adulthood or because the person is now the subject of a criminal or civil warrant.

315.10 TRAINING

Subject to available resources, the Training Lieutenant should ensure that members of this department whose duties include missing person investigations and reports receive training that includes:

(a) The initial investigation:

1. Assessments and interviews
2. Use of current resources, such as Mobile Audio Video (MAV)
3. Confirming missing status and custody status of minors
4. Evaluating the need for a heightened response
5. Identifying the zone of safety based on chronological age and developmental stage

(b) Briefing of department members at the scene.

(c) Identifying NCIC Missing Person File categories (e.g., disability, endangered, involuntary, juvenile and catastrophe).

(d) Verifying the accuracy of all descriptive information.

(e) Initiating a neighborhood investigation.

(f) Investigating any relevant recent family dynamics.

(g) Addressing conflicting information.

(h) Key investigative and coordination steps.

(i) Managing a missing person case.

(j) Additional resources and specialized services.

(k) Update procedures for case information and descriptions.

(l) Preserving scenes.

(m) Internet and technology issues (e.g., Internet use, cell phone use).

(n) Media relations.

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Public Alerts

316.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for alerting the public to important information and soliciting public aid when appropriate.

316.2 POLICY

Public alerts may be employed using the Emergency Alert System (EAS), local radio, television, social media, press organizations and other groups to notify the public of incidents, or enlist the aid of the public, when the exchange of information may enhance the safety of the community. Various types of alerts may be available based upon each situation and the alert system's individual criteria.

316.3 RESPONSIBILITIES

316.3.1 EMPLOYEE RESPONSIBILITIES

Employees of the Idaho Falls Police Department should notify their supervisor, Shift Lieutenant or Investigations and Special Operations Bureau supervisor as soon as practicable upon learning of a situation where public notification, a warning or enlisting the help of the media and public could assist in locating a missing person, apprehending a dangerous person or gathering information.

316.3.2 SUPERVISOR RESPONSIBILITIES

A supervisor apprised of the need for a public alert is responsible to make the appropriate notifications based upon the circumstances of each situation. The supervisor shall promptly notify the Chief of Police, the appropriate Bureau Commander and the Public Information Officer when any public alert is generated.

The supervisor in charge of the investigation to which the alert relates is responsible for the following:

- Updating alerts
- Canceling alerts
- Ensuring all appropriate reports are completed
- Preparing an after-action evaluation of the investigation to be forwarded to the Bureau Commander

316.4 AMBER ALERTS

The Idaho AMBER Alert™ system disseminates accurate information statewide, as quickly as possible, about the disappearance of a child. The broadcast contains descriptive information that can readily identify the child and the abductor.

316.4.1 ALERT CRITERIA

An AMBER Alert should only be implemented in the following cases:

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(a) The initial investigation indicates that the child is known or suspected to have been abducted.

(b) The abduction occurred within 12 hours of the initial activation of an AMBER Alert.

(c) The child is under 18 years of age.

(d) The initial investigation indicates that the child is in imminent danger of serious bodily harm or death.

(e) There must be enough descriptive information to believe that an AMBER Alert will assist in the recovery of the child and must include as much of the following information as possible:

1. Abduction location and time
2. Where the child was last seen
3. Physical and clothing description of the abducted child
4. Suspect vehicle information
5. Physical description of the suspect

The missing child must be entered into the National Crime Information Center (NCIC) database.

316.4.2 PROCEDURE

Upon initiation of an AMBER Alert, the Shift Lieutenant or supervisor should:

(a) Ensure prompt entry of information into the ILETS and NCIC databases.

(b) Ensure the preparation of an initial press release that includes all pertinent information and any other available information that might aid in locating the child, such as:

1. A photograph.
2. Details regarding the location of the incident, direction of travel, or potential destinations, if known.
3. Name and telephone number of the Public Information Officer or other authorized point of contact to handle media and law enforcement inquiries regarding the alert.
4. A telephone number and point of contact for the public to call with leads or information.

(c) Consider the following resources or contacts if direct action is dictated by the circumstances:

1. National Center for Missing and Exploited Children (NCMEC) 800-843-5678
2. Local allied law enforcement agency resources
3. FBI local office

(d) The investigation unit supervisor or other individual responsible for making notifications shall prepare and distribute follow-up press releases with updates regarding the search and investigation.

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316.5 BLUE ALERTS

Blue Alerts are used to provide a statewide system for the rapid dissemination of information regarding a violent criminal who has seriously injured or killed a peace officer or when a peace officer becomes missing in the line of duty under circumstances warranting concern for the officer's safety (Idaho Code 67-2920).

316.5.1 CRITERIA

A Blue Alert may be activated if all of the following criteria are met (Idaho Code 67-2920):

(a) A peace officer has been killed, seriously injured, or is missing in the line of duty under circumstances warranting concern for his/her safety.

(b) The suspect has not been apprehended and may be a serious threat to the public.

(c) Sufficient information is available to disseminate to the public that could assist in locating the suspect or the missing peace officer.

316.5.2 PROCEDURE

The supervisor should notify the Idaho State Police to request activation of a Blue Alert after verification of all criteria has been met. The request should include information about the appropriate boundaries of the alert, based on information about the suspect and the nature of the crime or the last known location of the missing officer (Idaho Code 67-2920).

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Victim and Witness Assistance

317.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that crime victims and witnesses receive appropriate assistance, that they are provided with information from government and private resources, and that the agency meets all related legal mandates.

317.2 POLICY

The Idaho Falls Police Department is committed to providing guidance and assistance to the victims and witnesses of crime. The employees of the Idaho Falls Police Department will show compassion and understanding for victims and witnesses and will make reasonable efforts to provide the support and information identified in this policy.

317.4 CRIME VICTIMS

Officers should provide all victims with the applicable victim information handouts.

Officers should never guarantee a victim's safety from future harm but may make practical safety suggestions to victims who express fear of future harm or retaliation. Officers should never guarantee that a person qualifies as a victim for the purpose of compensation or restitution but may direct him/her to the proper written department material or available victim resources.

317.5 VICTIM INFORMATION

The Professional Standards and Logistics Bureau Commander shall ensure that victim information handouts are available and current. These should include as appropriate:

(a) Shelters and other community resources for victims including domestic violence and sexual assault victims.

(b) Assurance that sexual assault victims will not incur out-of-pocket expenses for forensic medical exams, and information about evidence collection, storage and preservation in sexual assault cases (34 USC § 10449; 34 USC § 20109).

(c) An advisement that a person who was arrested may be released on bond or some other form of release and that the victim should not rely upon an arrest as a guarantee of safety.

(d) A clear explanation of relevant court orders and how they can be obtained (Idaho Code 18-7907; Idaho Code 39-6308; Idaho Code 18-920).

(e) Information regarding available compensation for qualifying victims of crime (Idaho Code 72-1001 et seq.).

(f) VINE® information (Victim Information and Notification Everyday), including the telephone number and whether this free service is available to allow victims to check on an offender's custody status and to register for automatic notification when a person is released from jail.

(g) Notice regarding U-Visa and T-Visa application processes.

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(h) Resources available for victims of identity theft.

(i) A place for the officer's name, badge number and any applicable case or incident number.

(j) All victim information required by Idaho Code 39-6316(2), including information about requesting the prosecuting attorney to file charges, protective orders and the right to sue for losses suffered as a result of abuse.

(k) Information to victims of domestic violence indicating that they may have their address protected from disclosure on their voter registration card per Idaho Code 74-106.

(l) An explanation of the rights of victims during an investigation, prosecution and disposition of a crime under Idaho Code 19-5306.

(m) Information about the address confidentiality program (Idaho Code 19-5703).

317.6 WITNESSES

Officers should never guarantee a witness' safety from future harm or that his/her identity will always remain confidential. Officers may make practical safety suggestions to witnesses who express fear of future harm or retaliation.

Officers should investigate allegations of witness intimidation and take enforcement action when lawful and reasonable.

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Malicious Harassment

318.1 PURPOSE AND SCOPE

This department recognizes and places a high priority on the rights of all individuals guaranteed under the Constitution and the laws of this state. When such rights are infringed upon by fear, intimidation, harassment, and physical harm, this department will utilize all available resources to see that justice is served under the law. This policy provides members of this department with guidelines for identifying and investigating incidents and crimes that may be motivated by hatred or other bias.

318.2 DEFINITIONS

Malicious Harassment - It is unlawful for any person, maliciously and with specific intent to intimidate or harass another person because of that person's actual or perceived race, color, religion, ancestry, national origin, ethnicity, gender, sexual orientation, gender identity or expression, or disability of the victim, to:

(a) Cause physical injury to another person; or

(b) Damage, destroy, or deface any real or personal property of another person; or

(c) Threaten, by word or act, to do the acts prohibited if there is reasonable cause to believe that any of the acts described in subsections (a) and (b) of this section will occur.

For purposes of this section, "deface" shall include, but not be limited to, cross-burnings or the placing of any word or symbol commonly associated with racial, religious or ethnic terrorism on the property of another person without his or her permission (Idaho Code 18-7902).

318.3 CRIMINAL STATUTES

Idaho Code 18-7902 - Prohibits the malicious and intentional intimidation or harassment of another person because of that person's race, color, religion, ancestry, or national origin.

Idaho Code 18-7902(a) - Prohibits causing physical injury to another person.

Idaho Code 18-7902(b) - Prohibits damaging, destroying, or defacing any real or personal property of another person.

Idaho Code 18-7902(c) - Prohibits threatening, by word or act, to do the acts prohibited if there is reasonable cause to believe that any of the acts described in Idaho Code 18-7902(a) and (b) will occur.

18 USC § 245 - Federal law also prohibits discrimination-based acts and may be considered in addition to or in lieu of state law, depending on circumstances.

318.4 PENALTIES - CIVIL AND CRIMINAL

Idaho Code 18-7903:

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(a) Malicious harassment is punishable by imprisonment in the state prison for a period not to exceed five (5) years or by fine not exceeding five thousand dollars ($5,000) or by both.

(b) In addition to the criminal penalty provided in subsection (a) of this section, there is hereby created a civil cause of action for malicious harassment. A person may be liable to the victim of malicious harassment for both special and general damages, including but not limited to damages for emotional distress, reasonable attorney fees and costs, and punitive damages.

(c) The penalties provided in this section for malicious harassment do not preclude victims from seeking any other remedies, criminal or civil, otherwise available under law.

318.5 PREVENTING AND PREPARING FOR LIKELY MALICIOUS HARASSMENT

While it is recognized that not all crime can be prevented, this department is committed to taking a proactive approach to preventing and preparing for likely Malicious Harassment by among other things:

(a) Officers should make an affirmative effort to establish contact with persons and groups within the community who are likely targets of Malicious Harassment to form and cooperate with prevention and response networks.

(b) Monitor evolving racial and ethnic tensions.

(c) Support the development of policies, practices, and procedures to respond to Malicious Harassment led by local officials and community leaders.

(d) Coordinate training workshops and community dialogs between law enforcement and residents on Malicious Harassment recognition, prevention, information sharing, and education; enlist support from the community, in identifying victims and developing information sources.

(e) Provide public awareness and education programs for the media and community groups on responses to Malicious Harassment.

318.6 PROCEDURE FOR INVESTIGATING MALICIOUS HARASSMENT

Whenever any member of this department receives a report of a suspected Malicious Harassment or other activity that reasonably appears to involve a potential Malicious Harassment, the following should occur:

(a) Officers will be promptly assigned to secure the scene and possible evidence, contact the victim, witness, or reporting party to investigate the matter further as circumstances may dictate.

(b) A supervisor should be notified of the circumstances as soon as practical.

(c) Once “in progress” aspects of any such situation have been stabilized (e.g., treatment of victims, apprehension of present suspects, etc.), the assigned officer(s) will take

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all reasonable steps to preserve available evidence that may tend to establish that a Malicious Harassment was involved.

(d) The assigned officer(s) will interview available witnesses, victims and others to determine what circumstances, if any, indicate that the situation may involve a Malicious Harassment. The officer(s) will request the assistance of translators when needed and record if the victim and offender were from different racial, religious, ethnic/national origin, sexual orientation or gender groups. Property damage involving malicious harassment will be photographed, and any physical evidence will be collected per policy of this department.

(e) Depending on the situation, the assigned officer(s) or supervisor may request additional assistance from detectives or other resources to further the investigation.

(f) The assigned officer(s) will include all available evidence indicating the likelihood of Malicious Harassment in the relevant report(s). All related reports will be clearly marked as “Malicious Harassment” and, absent prior approval of a supervisor, will be completed and submitted by the assigned officer(s) before the end of the shift.

(g) The assigned officer(s) should make reasonable efforts to assist the victim(s) by providing available information on local assistance programs and organizations and giving victim(s) police contact information so that he/she can obtain further information as the case develops.

(h) The assigned officer(s) and supervisor should take reasonable steps to ensure that any such situation does not escalate further.

318.6.1 FOLLOW-UP RESPONSIBILITY

If a case is assigned to the Investigations and Special Operations Bureau, the assigned detective will be responsible for following up on the reported Malicious Harassment as follows:

(a) Coordinate further investigation with the Prosecuting Attorney and other appropriate law enforcement agencies, as appropriate.

(b) Maintain contact with the victim(s) and other involved individuals as needed.

(c) Complete and submit a detailed report..

The Police Records will maintain statistical data on suspected Malicious Harassment and report such data to the director of the Idaho State Police (Idaho Code 67-2915).

318.7 TRAINING

All members of this department should receive training on recognition and investigation of crimes related to malicious harassment during the Field Training Officer program and during in-service training sessions.

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Standards of Conduct

319.1 PURPOSE AND SCOPE

This policy establishes standards of conduct that are consistent with the values and mission of the Idaho Falls Police Department and are expected of all department members. The standards contained in this policy are not intended to be an exhaustive list of requirements and prohibitions but they do identify many of the important matters concerning conduct. In addition to the provisions of this policy, members are subject to all other provisions contained in this manual, as well as any additional guidance on conduct that may be disseminated by this department or a member's supervisors.

319.2 POLICY

The continued employment or appointment of every member of the Idaho Falls Police Department shall be based on conduct that reasonably conforms to the guidelines set forth herein. Failure to meet the guidelines set forth in this policy, whether on- or off-duty, may be cause for disciplinary action.

319.3 DIRECTIVES AND ORDERS

Members shall comply with lawful directives and orders from any department supervisor or person in a position of higher authority, absent a reasonable and bona fide justification.

319.3.1 UNLAWFUL OR CONFLICTING ORDERS

Supervisors shall not knowingly issue orders or directives that, if carried out, would result in a violation of any law or department policy. Supervisors should not issue orders that conflict with any previous order without making reasonable clarification that the new order is intended to countermand the earlier order.

No member is required to obey any order that appears to be in direct conflict with any federal law, state law or local ordinance. Following a known unlawful order is not a defense and does not relieve the member from criminal or civil prosecution or administrative discipline. If the legality of an order is in doubt, the affected member shall ask the issuing supervisor to clarify the order or shall confer with a higher authority. The responsibility for refusal to obey rests with the member, who shall subsequently be required to justify the refusal.

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

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

319.3.2 SUPERVISOR RESPONSIBILITIES
Supervisors and managers are required to follow all policies and procedures and may be subject to discipline for:

(a) Failure to be reasonably aware of the performance of their subordinates or to provide appropriate guidance and control.

(b) Failure to promptly and fully report any known misconduct of a member to his/her immediate supervisor or to document such misconduct appropriately or as required by policy.

(c) Directing a subordinate to violate a policy or directive, acquiesce to such a violation, or are indifferent to any such violation by a subordinate.

(d) The unequal or disparate exercise of authority on the part of a supervisor toward any member for malicious or other improper purpose.

319.4 GENERAL STANDARDS

Members shall conduct themselves, whether on- or off-duty, in accordance with the United States and Idaho constitutions and all applicable laws, ordinances, and rules enacted or established pursuant to legal authority.

Members shall familiarize themselves with City and departmental policies and procedures and are responsible for compliance with each. Members should seek clarification and guidance from supervisors in the event of any perceived ambiguity or uncertainty.

Discipline may be initiated for any good cause. This policy is not intended to cover every possible type of misconduct.

319.5 CAUSES FOR DISCIPLINE

The following are illustrative of causes for disciplinary action. This list is not intended to cover every possible type of misconduct and does not preclude the recommendation of disciplinary action for violation of other rules, standards, ethics and specific action or inaction that is detrimental to efficient department service.

319.5.1 LAWS, RULES AND ORDERS

(a) Violation of, or ordering or instructing a subordinate to violate any policy, procedure, rule, order, directive, requirement or failure to follow instructions contained in department or City manuals.

(b) Disobedience of any legal directive or order issued by any department member of a higher rank.

(c) Violation of federal, state, local or administrative laws, rules or regulations.

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319.5.2 ETHICS

(a) Using or disclosing one's status as a member of the Idaho Falls Police Department in any way that could reasonably be perceived as an attempt to gain influence or authority for non--department business or activity.

(b) The wrongful or unlawful exercise of authority on the part of any member for malicious purpose, personal gain, willful deceit or any other improper purpose.

(c) The receipt or acceptance of a reward, fee or gift from any person for service incident to the performance of the member's duties (lawful subpoena fees and authorized work permits excepted).

(d) Acceptance of fees, gifts or money contrary to the rules of this department and/or laws of the state.

(e) Offer or acceptance of a bribe or gratuity.

(f) Misappropriation or misuse of public funds, property, personnel or services.

(g) Any other failure to abide by the standards of ethical police conduct.

319.5.3 DISCRIMINATION, OPPRESSION, OR FAVORITISM

Unless required by law or policy, discriminating against, oppressing, or providing favoritism to any person because of actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, economic status, cultural group, veteran status, marital status, and any other classification or status protected by law, or intentionally denying or impeding another in the exercise or enjoyment of any right, privilege, power, or immunity, knowing the conduct is unlawful.

319.5.4 RELATIONSHIPS

(a) Unwelcome solicitation of a personal or sexual relationship while on-duty or through the use of one's official capacity.

(b) Engaging in on-duty sexual activity including, but not limited to, sexual intercourse, excessive displays of public affection or other sexual contact.

(c) Establishing or maintaining an inappropriate personal or financial relationship, as a result of an investigation, with a known victim, witness, suspect or defendant while a case is being investigated or prosecuted, or as a direct result of any official contact.

(d) Associating with or joining a criminal gang, organized crime and/or criminal syndicate when the member knows or reasonably should know of the criminal nature of the organization. This includes any organization involved in a definable criminal activity or enterprise, except as specifically directed and authorized by this department.

(e) Associating on a personal, rather than official basis with persons who demonstrate recurring involvement in serious violations of state or federal laws after the member knows, or reasonably should know of such criminal activities, except as specifically directed and authorized by this department.

1. This policy shall not apply to any family members of the employee or the employee's spouse provided that the event, situation, or circumstances do not

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violate criminal law, the terms of the family member's probation or parole, or any other provision of departmental policy or procedure.

319.5.5 ATTENDANCE

(a) Leaving the job to which the member is assigned during duty hours without reasonable excuse and proper permission and approval.

(b) Unexcused or unauthorized absence or tardiness.

(c) Excessive absenteeism, abuse of leave privileges, feigning, or falsely reporting injury or illness.

(d) Failure to report to work or to the place of assignment at the time specified and fully prepared to perform duties without reasonable excuse.

1. Judicial subpoenas, court appearance notices, and Department approved off-duty details shall constitute as orders to report for duty under this section.

319.5.6 UNAUTHORIZED ACCESS, DISCLOSURE, OR USE

(a) Unauthorized and inappropriate intentional release of confidential or protected information, materials, data, forms, or reports obtained as a result of the member’s position with this department.

(b) Disclosing to any unauthorized person any active investigation information.

(c) The use of any information, photograph, video, or other recording obtained or accessed as a result of employment or appointment to this department for personal or financial gain or without the express authorization of the Chief of Police or the authorized designee.

(d) Loaning, selling, allowing unauthorized use, giving away, or appropriating any department property for personal use, personal gain, or any other improper or unauthorized use or purpose.

(e) Using department resources in association with any portion of an independent civil action. These resources include but are not limited to personnel, vehicles, equipment, and non-subpoenaed records.

319.5.7 EFFICIENCY

(a) Neglect of duty.

(b) Unsatisfactory work performance including but not limited to failure, incompetence, inefficiency, or delay in performing and/or carrying out proper orders, work assignments, or the instructions of supervisors without a reasonable and bona fide excuse.

(c) Concealing, attempting to conceal, removing, or destroying defective or incompetent work.

(d) Unauthorized sleeping during on-duty time or assignments.

(e) Failure to notify the Department within 24 hours of any change in residence address or contact numbers.

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(f) Failure to notify the Department of Human Resources of changes in relevant personal information (e.g., information associated with benefits determination) in a timely fashion.

319.5.8 PERFORMANCE

(a) Failure to disclose or misrepresenting material facts, or making any false or misleading statement on any application, examination form, or other official document, report or form, or during the course of any work--related investigation.

(b) The falsification of any work-related records, making misleading entries or statements with the intent to deceive or the willful and unauthorized removal, alteration, destruction and/or mutilation of any department record, public record, book, paper or document.

(c) Failure to participate in, or giving false or misleading statements, or misrepresenting or omitting material information to a supervisor or other person in a position of authority, in connection with any investigation or in the reporting of any department--related business.

(d) Being untruthful or knowingly making false, misleading or malicious statements that are reasonably calculated to harm the reputation, authority or official standing of this department or its members.

(e) Disparaging remarks or conduct concerning duly constituted authority to the extent that such conduct disrupts the efficiency of this department or subverts the good order, efficiency and discipline of this department or that would tend to discredit any of its members.

(f) Unlawful gambling or unlawful betting at any time or any place. Legal gambling or betting under any of the following conditions:

1. While on department premises.

2. At any work site, while on--duty or while in uniform, or while using any department equipment or system.

3. Gambling activity undertaken as part of an officer's official duties and with the express knowledge and permission of a direct supervisor is exempt from this prohibition.

(g) Improper political activity including:

(a) Unauthorized attendance while on-duty at official legislative or political sessions.

(b) Solicitations, speeches or distribution of campaign literature for or against any political candidate or position while on-duty or on department property except as expressly authorized by City policy or the Chief of Police.

(h) Engaging in political activities during assigned working hours except as expressly authorized by City policy or the Chief of Police.

(i) Any act on- or off-duty that brings discredit to this department.

319.5.9 CONDUCT

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(a) Failure of any member to promptly and fully report activities on his/her part or the part of any other member where such activities resulted in contact with any other law enforcement agency or that may result in criminal prosecution or discipline under this policy.

(b) Unreasonable and unwarranted force to a person encountered or a person under arrest.

(c) Exceeding lawful peace officer powers by unreasonable, unlawful or excessive conduct.

(d) Unauthorized or unlawful fighting, threatening or attempting to inflict unlawful bodily harm on another.

(e) Engaging in horseplay that reasonably could result in injury or property damage.

(f) Discourteous, disrespectful or discriminatory treatment of any member of the public or any member of this department or the City.

(g) Use of obscene, indecent, profane or derogatory language while on--duty or in uniform.

(h) Criminal, dishonest, or disgraceful conduct, whether on- or off-duty, that adversely affects the member's relationship with this department. A conviction of the violation of any criminal law shall be prima facie evidence of a violation of this section.

(i) Unauthorized possession of, loss of, or damage to department property or the property of others, or endangering it through carelessness or maliciousness.

(j) Attempted or actual theft of City or department property; misappropriation or misuse of public funds, property, personnel or the services or property of others; unauthorized removal or possession of department property, the property of another person, evidence, found property, and property for safekeeping.

(k) Activity that is incompatible with a member's conditions of employment or appointment as established by law, the police personnel manual or the City personnel policy to include fraud in securing the appointment or hire.

(l) Initiating any civil action for recovery of any damages or injuries incurred in the course and scope of employment or appointment without first notifying the Chief of Police of such action.

(m) Any other on-- or off--duty conduct which any member knows or reasonably should know is unbecoming a member of this department, is contrary to good order, efficiency or morale, or tends to reflect unfavorably upon this department or its members.

319.5.10 SAFETY

(a) Failure to observe or violating department safety standards or safe working practices.

(b) Failure to maintain current licenses or certifications required for the assignment or position (e.g., driver's license, first aid).

(c) Failure to maintain good physical condition sufficient to adequately and safely perform law enforcement duties.

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(d) Unsafe firearm or other dangerous weapon handling to include loading or unloading firearms in an unsafe manner, either on- or off-duty.

(e) Carrying, while on the premises of the work place, any firearm or other lethal weapon that is not authorized by the member's appointing authority.

(f) Unsafe or improper driving habits or actions in the course of employment or appointment.

(g) Any personal action contributing to a preventable traffic collision.

(h) Concealing or knowingly failing to report any on-the-job or work-related accident or injury as soon as practicable but within 24 hours.

319.5.11 INTOXICANTS

(a) Reporting for work or being at work while intoxicated or when the member's ability to perform assigned duties is impaired due to the use of alcohol, medication or drugs, whether legal, prescribed or illegal.

(b) Possession or use of alcohol at any work site or while on-duty, except as authorized in the performance of an official assignment. A member who is authorized to consume alcohol is not permitted to do so to such a degree that it may impair on-duty performance.

(c) Unauthorized possession, use of, or attempting to bring a controlled substance, illegal drug or non-prescribed medication to any work site.

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Information Technology Use

320.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the proper use of department information technology resources, including computers, electronic devices, hardware, software and systems.

320.1.1 DEFINITIONS

Definitions related to this policy include:

Computer system - All computers (on-site and portable), electronic devices, hardware, software, and resources owned, leased, rented or licensed by the Idaho Falls Police Department that are provided for official use by its members. This includes all access to, and use of, Internet Service Providers (ISP) or other service providers provided by or through the Department or department funding.

Hardware - Includes, but is not limited to, computers, computer terminals, network equipment, electronic devices, telephones, including cellular and satellite, pagers, modems or any other tangible computer device generally understood to comprise hardware.

Software - Includes, but is not limited to, all computer programs, systems and applications, including shareware. This does not include files created by the individual user.

Temporary file, **permanent file** or **file** - Any electronic document, information or data residing or located, in whole or in part, on the system including, but not limited to, spreadsheets, calendar entries, appointments, tasks, notes, letters, reports, messages, photographs or videos.

320.2 POLICY

It is the policy of the Idaho Falls Police Department that members shall use information technology resources, including computers, software and systems, that are issued or maintained by the Department in a professional manner and in accordance with this policy.

320.3 PRIVACY EXPECTATION

Members forfeit any expectation of privacy with regard to emails, texts or anything published, shared, transmitted or maintained through file-sharing software or any Internet site that is accessed, transmitted, received or reviewed on any department computer system.

The Department reserves the right to access, audit and disclose, for whatever reason, any message, including attachments, and any information accessed, transmitted, received or reviewed over any technology that is issued or maintained by the Department, including the department email system, computer network and/or any information placed into storage on any department system or device. This includes records of all keystrokes or Web-browsing history made at any department computer or over any department network. The fact that access to a database, service or website requires a username or password will not create an expectation of privacy if it is accessed through department computers, electronic devices or networks.

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320.4 RESTRICTED USE

Members shall not access computers, devices, software or systems for which they have not received prior authorization or the required training. Members shall immediately report unauthorized access or use of computers, devices, software or systems by another member to their supervisors or Shift Lieutenants.

Members shall not use another person's access passwords, logon information and other individual security data, protocols and procedures unless directed to do so by a supervisor.

320.4.1 SOFTWARE

Members shall not copy or duplicate any copyrighted or licensed software except for a single copy for backup purposes in accordance with the software company's copyright and license agreement.

To reduce the risk of a computer virus or malicious software, members shall not install any unlicensed or unauthorized software on any department computer. Members shall not install personal copies of any software onto any department computer.

When related to criminal investigations, software program files may be downloaded only with the approval of the information systems technology (IT) staff and with the authorization of the Chief of Police or the authorized designee.

No member shall knowingly make, acquire or use unauthorized copies of computer software that is not licensed to the Department while on department premises, computer systems or electronic devices. Such unauthorized use of software exposes the Department and involved members to severe civil and criminal penalties.

Introduction of software by members should only occur as part of the automated maintenance or update process of department- or City-approved or installed programs by the original manufacturer, producer or developer of the software.

Any other introduction of software requires prior authorization from IT staff and a full scan for malicious attachments.

320.4.2 HARDWARE

Access to technology resources provided by or through the Department shall be strictly limited to department-related activities. Data stored on or available through department computer systems shall only be accessed by authorized members who are engaged in an active investigation or assisting in an active investigation, or who otherwise have a legitimate law enforcement or department-related purpose to access such data. Any exceptions to this policy must be approved by a supervisor.

320.4.3 INTERNET USE

Internet access provided by or through the Department shall be strictly limited to department-related activities. Internet sites containing information that is not appropriate or applicable to department use and which shall not be intentionally accessed include, but are not limited to, adult forums, pornography, gambling, chat rooms and similar or related Internet sites. Certain

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exceptions may be permitted with the express approval of a supervisor as a function of a member's assignment.

Downloaded information shall be limited to messages, mail and data files.

320.4.4 OFF-DUTY USE

Members shall only use technology resources provided by the Department while on-duty or in conjunction with specific on-call assignments unless specifically authorized by a supervisor. This includes the use of telephones, cell phones, texting, email or any other "off the clock" work-related activities. This also applies to personally owned devices that are used to access department resources.

Refer to the Personal Communication Devices Policy for guidelines regarding off-duty use of personally owned technology.

320.5 INSPECTION OR REVIEW

A supervisor or the authorized designee has the express authority to inspect or review the computer system, all temporary or permanent files, related electronic systems or devices, and any contents thereof, whether such inspection or review is in the ordinary course of his/her supervisory duties or based on cause.

Reasons for inspection or review may include, but are not limited to, computer system malfunctions, problems or general computer system failure, a lawsuit against the Department involving one of its members or a member's duties, an alleged or suspected violation of any department policy, a request for disclosure of data, or a need to perform or provide an agency service.

The IT staff may extract, download or otherwise obtain any and all temporary or permanent files residing or located in or on the department computer system when requested by a supervisor or during the course of regular duties that require such information.

320.6 PROTECTION OF AGENCY SYSTEMS AND FILES

All members have a duty to protect the computer system and related systems and devices from physical and environmental damage and are responsible for the correct use, operation, care and maintenance of the computer system.

Members shall ensure department computers and access terminals are not viewable by persons who are not authorized users. Computers and terminals should be secured, users logged off and password protections enabled whenever the user is not present. Access passwords, logon information and other individual security data, protocols and procedures are confidential information and are not to be shared. Password length, format, structure and content shall meet the prescribed standards required by the computer system or as directed by a supervisor and shall be changed at intervals as directed by IT staff or a supervisor.

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It is prohibited for a member to allow an unauthorized user to access the computer system at any time or for any reason. Members shall promptly report any unauthorized access to the computer system or suspected intrusion from outside sources (including the Internet) to a supervisor.

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Report Preparation

321.1 PURPOSE AND SCOPE

Report preparation is a major part of each officer's job. The purpose of a report is to document sufficient information to refresh the officer's memory and to provide sufficient information for follow-up investigation and successful prosecution. Report writing is the subject of substantial formalized training and on-the-job training.

321.1.1 REPORT PREPARATION

Employees should ensure that reports are sufficiently detailed for their purpose and free from errors prior to submission. It is the responsibility of the assigned employee to complete and submit all reports taken during the shift before going off-duty unless permission to hold the report has been approved by a supervisor. Generally, reports requiring prompt follow-up action on active leads, or arrest reports where the suspect remains in custody should not be held.

Handwritten reports must be prepared legibly. If the report is not legible, the submitting employee will be required by the reviewing supervisor to promptly make corrections and resubmit the report. Employees who dictate reports shall use appropriate grammar, as content is not the responsibility of the typist. Employees who generate reports on computers are subject to all requirements of this policy.

All reports shall accurately reflect the identity of the persons involved, all pertinent information seen, heard or assimilated by any other sense, and any actions taken. Employees shall not suppress, conceal or distort the facts of any reported incident, nor shall any employee make a false report orally or in writing. The reporting employee's opinions should not be included in reports unless specifically identified as such.

For further information on report writing and data entry into the Records Management System, see the Patrol Report Writing Standards located in the common drive.

321.2 REQUIRED REPORTING

Written reports are required in all of the following situations on the appropriate approved form unless otherwise approved by a supervisor.

321.2.1 CRIMINAL ACTIVITY

When a member responds to a call for service, or as a result of self-initiated activity becomes aware of any activity where a crime has occurred, the member shall document the incident regardless of whether a victim desires prosecution.

Activity to be documented in written report includes:

(a) All arrests

(b) All felony crimes

(c) All misdemeanor crimes

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(d) Situations covered by separate policy. These include:

(a) Use of Force Policy

(b) Domestic Violence Policy

(c) Child Abuse Policy

(d) Adult Abuse Policy

(e) Malicious Harassment Policy

(f) Suspicious Activity Reporting Policy

321.2.2 NON-CRIMINAL ACTIVITY

The following incidents shall be documented using the appropriate report:

(a) Any time an officer points a firearm at any person.

(b) Any use of force against any person by a member of this department (see the Use of Force Policy).

(c) Any firearm discharge (see the Firearms Policy).

(d) Any time a person is reported missing, regardless of jurisdiction (see the Missing Persons Policy).

(e) Any found property or found evidence.

(f) Any traffic collision(see the Traffic Collision Reporting Policy).

(g) Suspicious incidents that may place the public or others at risk.

(h) All protective custody detentions.

(i) Towing of vehicles (see Vehicle Towing Policy).

(j) Misdemeanor traffic offenses.

(k) Whenever the employee believes the circumstances should be documented or at the direction of a supervisor.

321.2.3 DEATH CASES

Death investigations require specific investigation methods depending on circumstances and should be handled in accordance with the Death Investigations Policy. An officer handling a death investigation should notify and apprise a supervisor of the circumstances surrounding the incident and a determination will be made on how to proceed. The following cases shall be appropriately investigated and documented using the approved report:

(a) Sudden or accidental deaths.

(b) Suicides.

(c) Homicide or suspected homicide.

(d) Unattended deaths (No physician or qualified hospice care at the time of death).

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(e) Found dead bodies or body parts.

321.2.4 INJURY OR DAMAGE BY CITY PERSONNEL
Reports shall be taken if an injury occurs that is a result of an act of a City employee. Additionally, reports shall be taken involving damage to City property or City equipment.

321.2.5 MISCELLANEOUS INJURIES
Any injury that is reported to this department shall require a report when:

(a) The injury is a result of drug overdose.

(b) Attempted suicide.

(c) The injury is major/serious, whereas death could result.

(d) The circumstances surrounding the incident are suspicious in nature and it is desirable to record the event.

The above reporting requirements are not intended to be all-inclusive. A supervisor may direct an employee to document any incident he/she deems necessary.

321.2.6 ALTERNATE REPORTING FOR VICTIMS
Reports that may be submitted by the public via online or other self-completed reporting processes include:

(a) Lost property.

(b) Misdemeanor thefts of property, other than firearms or materials that threaten public safety, when there is no suspect information, serial number or ability to trace the item.

1. Misdemeanor thefts of cellular telephones may be reported even though they have a serial number.

(c) Misdemeanor vandalism with no suspect information and no hate crime implications.

(d) Vehicle burglaries with no suspect information or evidence.

(e) Stolen vehicle attempts with no suspect information or evidence.

(f) Annoying telephone calls with no suspect information.

(g) Identity theft without an identifiable suspect.

(h) Online or email fraud solicitations without an identifiable suspect and if the financial loss classifies the crime as a misdemeanor.

(i) Hit-and-run vehicle collisions with no suspect or suspect vehicle.

(j) Supplemental property lists.

Members dispatched to any of the above report types should generally take a report rather than referring the reporting party to an alternate means of reporting. Members may refer victims to online victim assistance programs and resources (e.g., Federal Communications Commission (FCC) website for identity theft, Internet Crime Complaint Center (IC3) website for computer crimes).

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321.3 GENERAL POLICY OF EXPEDITIOUS REPORTING

In general, all officers and supervisors shall act with promptness and efficiency in the preparation and processing of all reports. An incomplete report, unorganized reports or reports delayed without supervisory approval are not acceptable. Reports shall be processed according to established priorities or according to special priority necessary under exceptional circumstances.

321.4 REPORT CHANGES OR ALTERATIONS

Reports that have been approved by a supervisor and submitted to Police Records for filing and distribution shall not be modified or altered except by way of a supplemental report.

321.5 ELECTRONIC SIGNATURES

The Idaho Falls Police Department has established an electronic signature procedure for use by all employees of the Idaho Falls Police Department. The Patrol Captain shall be responsible for maintaining the electronic signature system and ensuring that each employee creates a unique, confidential password for his/her electronic signature.

- Employees may only use their electronic signature for official reports or other official communications.
- Each employee shall be responsible for the security and use of his/her electronic signature and shall promptly notify a supervisor if the electronic signature has or may have been compromised or misused.

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News Media Relations

322.1 PURPOSE AND SCOPE

This policy provides guidelines for media releases and media access to scenes of disasters, criminal investigations, emergencies and other law enforcement activities.

322.2 RESPONSIBILITIES

The ultimate authority and responsibility for the release of information to the media shall remain with the Chief of Police, however, in situations not warranting immediate notice to the Chief of Police and in situations where the Chief of Police has given prior approval, Bureau Commanders, Shift Lieutenants and the Public Information Officer(s) may prepare and release information to the media in accordance with this policy and the applicable law.

322.2.1 MEDIA REQUEST

(a) Any media request for information or access to a law enforcement situation shall be referred to the Public Information Officer (PIO) as designated by this department, or if unavailable, to the first available supervisor. Prior to releasing any information to the media, employees shall consider the following:

1. At no time shall any employee of this department make any comment or release any official information to the media without prior approval from a supervisor or the PIO.
2. In situations involving multiple law enforcement agencies, every reasonable effort should be made to coordinate media releases with the authorized representative of each involved agency prior to the release of any information by this department.
3. Under no circumstance should any member of this department make any comments to the media regarding any law enforcement incident not involving this department without prior approval of the Chief of Police.
4. The release of restricted information is prohibitted (e.g., as outlined in the Restricted Information subsection of this policy).

(b) Information that may be released includes:

1. Defendant information: Defendant’s name, age, city of residence,, and similar identifying information unless juvenile.
2. Violations: The substance of the charge and statutes violated.
3. Agency: The identity of the investigating and/or arresting agency and the duration of the investigation.
4. Circumstances: The circumstances immediately surrounding an arrest or incident including the time and place, resistance, if any, and description of items seized at the time of arrest.

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5. Victim information: Information on victims will only be released at the direction of the Chief of Police or his/her designee. This may include the name, age and city of residence of the victim, unless a juvenile, and unless in the opinion of the investigating officer the disclosures are not required at the time due to the state of the investigation, or the nature of the case, or other factors involving the safety, privacy or welfare of the victim, such as in sex crimes.

322.3 MEDIA ACCESS

Authorized members of the media may be provided access to scenes of disasters, criminal investigations, emergencies and other law enforcement activities subject to the direction of the Incident Commander and Public Information Officer and after meeting the following conditions:

(a) The media representative shall produce valid press credentials that shall be prominently displayed at all times while in areas otherwise closed to the public.

(b) Media representatives will not interfere with emergency operations and criminal investigations.

1. Reasonable effort should be made to provide a safe staging area for the media that is near the incident and that will not interfere with emergency operations or a criminal investigation. All information released to the media should be coordinated through the Public Information Officer or other designated spokesperson.

2. Whenever the presence of media or other aircraft poses a threat to public or officer safety or significantly hampers incident operations, the field supervisor should consider requesting a Temporary Flight Restriction (TFR). All requests for a TFR should be routed through the Shift Lieutenant. The TFR request should include specific information regarding the perimeter and altitude necessary for the incident and should be requested through the appropriate control tower. If the control tower is not known, the Federal Aviation Administration (FAA) should be contacted (14 CFR 91.137).

(c) No member of this department who is currently under investigation shall be subjected to media visits or interviews without the consent of the involved employee.

(d) Media interviews with individuals who are in custody shall not be permitted without the approval of the Chief of Police and the express consent of the person in custody.

A tactical operation should be handled in the same manner as a crime scene, subject to any restrictions as determined by the supervisor in charge. Department members shall not jeopardize a tactical operation in order to accommodate the news media.

322.3.1 PROVIDING ADVANCE INFORMATION

To protect the safety and rights of officers and other persons, advance information about planned actions by law enforcement personnel, such as movement of persons in custody or the execution of an arrest or search warrant, should not be disclosed to the news media, nor should media representatives be invited to be present at such actions except with the prior approval of the Chief of Police or his/her designee.

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Any exceptions to the above should only be considered for the furtherance of legitimate law enforcement purposes. Prior to approving any exception, the Chief of Police will consider, at minimum, whether the release of information or presence of the media would unreasonably endanger any individual, prejudice the rights of any person or is otherwise prohibited by law.

322.4 RESTRICTED INFORMATION

It shall be the responsibility of the authorized employee dealing with media requests to ensure that restricted information is not inappropriately released to the media by this department. When in doubt, authorized and available legal counsel should be obtained.

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Subpoenas and Court Appearances

323.1 PURPOSE AND SCOPE

This procedure has been established to provide for the acceptance of subpoenas and to ensure that employees appear when subpoenaed, or are available to appear in court when requested and present a professional appearance.

323.2 POLICY

Idaho Falls Police Department members will respond appropriately to all subpoenas and any other court-ordered appearances.

323.3 SUBPOENAS

Only department members authorized to receive a subpoena on behalf of this department or any of its members may do so.

A civil subpoena may be served upon the named member in the subpoena in accordance with I.R.C.P. Rule 45. Prior to accepting service for a civil subpoena, appropriate witness fees shall be demanded as allowed by law (I.R.C.P. Rule 45).

A criminal subpoena may be served on a member by one of the following :

(a) Personally served by showing the original subpoena to the member and personally informing him/her of the contents (Idaho Code 19-3007).

(b) Delivered by mail or messenger and the member acknowledges receipt to the sender by telephone, mail or in person with identifying information as prescribed in Idaho Code 19-3007A.

323.3.1 SPECIAL NOTIFICATION REQUIREMENTS

Any member who is subpoenaed to testify, agrees to testify or provides information on behalf of or at the request of any party other than the City Attorney or the prosecutor shall notify his/her immediate supervisor without delay regarding:

(a) Any civil case where the City or one of its members, as a result of his/her official capacity, is a party.

(b) Any civil case where any other city, county, state or federal unit of government or a member of any such unit of government, as a result of his/her official capacity, is a party.

(c) Any criminal proceeding where the member is called to testify or provide information on behalf of the defense.

(d) Any civil action stemming from the member’s on-duty activity or because of his/her association with the Idaho Falls Police Department.

(e) Any personnel or disciplinary matter when called to testify or to provide information by a government entity other than the Idaho Falls Police Department.

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The supervisor will then notify the Chief of Police and the appropriate prosecuting attorney as may be indicated by the case. The Chief of Police should determine if additional legal support is necessary.

No member shall be retaliated against for testifying in any matter.

323.3.2 CIVIL SUBPOENA
TheDepartment will compensate members who appear in their official capacities on civil matters arising out of their official duties, as directed by the Police Personnel Manual.

The Department should seek reimbursement for the member's compensation through the civil attorney of record who subpoenaed the member.

323.3.3 OFF-DUTY RELATED SUBPOENAS
Members receiving valid subpoenas for off-duty actions not related to their employment or appointment will not be compensated for their appearance. Arrangements for time off shall be coordinated through their immediate supervisors.

323.4 FAILURE TO APPEAR

Any member who fails to comply with the terms of any properly served subpoena or court-ordered appearance may be subject to discipline. This includes properly served orders to appear that were issued by a state administrative agency.

323.5 COURTROOM PROTOCOL

When appearing in court, members shall:

(a) Be punctual and prepared to proceed immediately with the case for which they are scheduled to appear.

(b) Dress in the department uniform or business attire.

(c) Observe all rules of the court in which they are appearing and remain alert to changes in the assigned courtroom where their matter is to be heard.

323.5.1 TESTIMONY
Members should prepare for court prior to the hearing using all relevant reports and evidence in order to become familiar with the content.

323.6 OVERTIME APPEARANCES

When a member appears in court on his/her off-duty time, he/she will be compensated in accordance with the Police Personnel Manual.

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Outside Agency Assistance

324.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to members when requesting or responding to a request for mutual aid or when assisting another law enforcement agency.

324.2 POLICY

It is the policy of the Idaho Falls Police Department to promptly respond to requests for assistance by other law enforcement agencies, subject to available resources and consistent with the applicable laws and policies of this department.

324.3 ASSISTING OUTSIDE AGENCIES

Generally, requests for any type of assistance from another agency should be routed to the Shift Lieutenant's office for approval. In some instances, a memorandum of understanding or other established protocol may exist that eliminates the need for approval of individual requests.

When another law enforcement agency requests assistance from this department, the Shift Lieutenant may authorize, if available, an appropriate number of personnel to assist. Members are reminded that their actions when rendering assistance must conform with applicable laws and be consistent with the policies of this department.

Officers may respond to a request for emergency assistance, however, they shall notify a supervisor of their activity as soon as practicable.

Arrestees may be temporarily detained by this department until arrangements for transportation are made by the outside agency. Only in exceptional circumstances, and subject to supervisor approval, will this department provide transportation of arrestees to other facilities on behalf of another agency.

When transportation assistance is rendered, a report shall be prepared and submitted by the handling member unless otherwise directed by a supervisor.

324.3.1 INITIATED ACTIVITY

Any on-duty officer who engages in law enforcement activities of any type that are not part of a mutual aid request and take place outside the jurisdiction of the Idaho Falls Police Department shall notify his/her supervisor or the Shift Lieutenant and Emergency Communications Center as soon as practicable. This requirement does not apply to special enforcement details or multi-agency units that regularly work in multiple jurisdictions.

324.4 REQUESTING OUTSIDE ASSISTANCE

If assistance is needed from another agency, the member requesting assistance should, if practicable, first notify a supervisor. The handling member or supervisor should direct assisting personnel to where they are needed and to whom they should report when they arrive.

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The requesting member should arrange for appropriate radio communication capabilities, if necessary and available, so that communication can be coordinated between assisting personnel.

324.5 REPORTING REQUIREMENTS

Incidents of outside assistance or law enforcement activities should generally be documented in an incident report or a full case report determined by the member's level of involvement in the incident.

324.6 MANDATORY SHARING

Equipment and supplies purchased with federal funds or grants that require such equipment and supplies be shared with other agencies should be documented and updated as necessary by the Investigations and Special Operations Bureau Captain, or their authorized designee.

The documentation should include:

(a) The conditions relative to sharing.

(b) The training requirements for:

1. The use of the supplies and equipment.
2. The members trained in the use of the supplies and equipment.

(c) Any other requirements for use of the equipment and supplies.

Copies of the documentation should be provided to Emergency Communications Center and the Shift Lieutenant to ensure use of the equipment and supplies is in compliance with the applicable sharing agreements.

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Major Incident Notification

325.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to members of this department in determining when, how and to whom notification of major incidents should be made.

325.2 POLICY

The Idaho Falls Police Department recognizes that certain incidents should be brought to the attention of supervisors or other specified personnel of this department to facilitate the coordination of activities and ensure that inquiries from the media and the public may be properly addressed.

325.3 MINIMUM CRITERIA FOR NOTIFICATION

Most situations where the media show a strong interest are also of interest to the Chief of Police and the affected Bureau Commanders. The following list of incident types is provided as a guide for notification and is not intended to be all-inclusive:

- Homicides
- Traffic accidents with fatalities
- Officer-involved shooting - on or off duty (see the Officer-Involved Shootings and Deaths Policy for special notifications)
- Significant injury or death to employee - on or off duty
- Death of a prominent Idaho Falls official
- Arrest of an Idaho Falls Police Department employee or prominent Idaho Falls official
- Aircraft crash with major damage and/or injury or death
- In-custody deaths

Notification is accomplished by contacting the on-call Captain and Public Information Officer.

325.4 SHIFT SUPERVISOR RESPONSIBILITY

The shift supervisor is responsible for making the appropriate notifications. The shift supervisorshall make reasonable attempts to obtain as much information on the incident as possible before notification. The shift supervisorshall attempt to make the notifications as soon as practical. Notification should be made by calling the department issued cellular phone number first and then any other contact numbers supplied.

325.4.1 DETECTIVE NOTIFICATION

If the incident requires that a detective respond from home, the Investigations and Special Operations Bureau Lieutenant shall be contacted, who will then contact the appropriate detective.

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325.4.2 TRAFFIC BUREAU NOTIFICATION

In the event of a traffic fatality or major injury, the Traffic Lieutenant shall be notified who will then contact the appropriate accident investigator.

325.4.3 PUBLIC INFORMATION OFFICER (PIO)

After sworn officers have been notified, the Public Information Officer shall be called if it appears the media may have a significant interest in the incident.

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Death Investigation

326.1 PURPOSE AND SCOPE

The investigations of cases involving death include those ranging from natural cause to homicide. Some causes of death may not be readily apparent and some cases differ substantially from what they appeared to be initially. The thoroughness of death investigations cannot be emphasized enough.

326.2 INVESTIGATION CONSIDERATIONS

Death investigation cases require certain actions be taken. Paramedics shall be called in all suspected death cases unless the death is obvious (decapitated, decomposed, etc.). Officers are not authorized to pronounce death. A supervisor shall be notified in all death investigations.

Upon discovering any individual who is dead or near death, the discovering officer shall make a reasonable search of the individual for the purpose of locating anatomical gift donor information. If such donor information is located the officer shall promptly notify the coroner or ensure such information accompanies the individual to the hospital as appropriate (Idaho Code 39-3413).

326.2.1 CORONER REQUEST

Idaho Falls Police Department has a statutory responsibility to investigate all unattended deaths. Officers must ensure that the pertinent facts are properly documented. Officers must approach their investigation with a sense of dignity, compassion, and professionalism toward the deceased and the family. Officers shall:

(a) Notify the shift supervisor, who will decide upon notification of detectives.

(b) Treat the scene as a crime scene, unless facts indicate otherwise.

(c) Notify the Coroner’s Office.

326.2.2 DEATH NOTIFICATION

The primary responsibility for death notification is with the assigned investigating officer. Calls from other jurisdictions with request to deliver a death message will be routed to the Shift Lieutenant for determination of how the request will be handled.

326.2.3 DEATH INVESTIGATION REPORTING

All incidents involving a death shall be documented with a case report.

326.2.4 SUSPECTED HOMICIDE

If the initially assigned officer suspects that the death involves a homicide or other suspicious circumstances, the Investigations Bureau shall be notified to determine the possible need for a detective to respond to the scene for further immediate investigation.

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Identity Theft

327.1 PURPOSE AND SCOPE

Identity theft is a growing trend that frequently involves related crimes in multiple jurisdictions. This policy is intended to provide guidelines for the reporting and investigation of such crimes.

327.2 REPORTING

(a) In an effort to maintain uniformity in reporting, officers presented with the crime of identity theft (Idaho Code 18-3126)should initiate a report for victims residing within the jurisdiction of this department or refer them to on-line reporting. For incidents of identity theft occurring outside this jurisdiction, officersmay either take a courtesy report to be forwarded to the victim's residence agency, refer them to on-line reporting, or the victim should be encouraged to promptly report the identity theft to the law enforcement agency where he or she resides.

(b) While the crime of identity theft should be reported to the law enforcement agency where the victim resides, officers of this department should investigate and report crimes occurring within this jurisdiction which have resulted from the original identity theft (e.g., the identity theft occurred elsewhere, but the credit card fraud occurred and is reported in this jurisdiction).

(c) Officers should include all known incidents of fraudulent activity (e.g., credit card number applied for in victim's name when the victim has never made such an application).

(d) Officers should also cross-reference all known reports made by the victim (e.g., U.S. Secret Service, credit reporting bureaus, U.S. Postal Service and ITD) with all known report numbers.

(e) Following supervisory review and processing by this department, the initial report may be forwarded to the appropriate detective for follow up investigation, coordination with other agencies and prosecution as circumstances dictate.

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Private Persons Arrests

328.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance for the handling of private person's arrests made pursuant to Idaho Code 19-604.

328.2 ADVISING PRIVATE PERSONS OF THE ARREST PROCESS

Although Idaho law does not expressly require officers to advise citizens about their rights to make a private persons arrest, it is recommended that officers advise private persons how to safely execute such an arrest.

(a) When advising any individual regarding the right to make a private person's arrest, officers should refrain from encouraging or dissuading any individual from making such an arrest and should instead limit advice to the legal requirements for such an arrest as listed below.

(b) Private individuals should be discouraged from using force to effect a private person's arrest, and absent immediate threat to their own safety or the safety of others, private individuals should be encouraged to refer matters to law enforcement officials for further investigation or arrest.

328.3 ARRESTS BY PRIVATE PERSONS

Idaho Code 19-604 provides that a private person may arrest another:

(a) For a public offense committed or attempted in his or her presence.

(b) When the person arrested has committed a felony, although not in his or her presence.

(c) When a felony has been in fact committed, and he or she has reasonable cause for believing the person arrested has committed it.

328.4 OFFICER RESPONSIBILITIES

Any officer presented with a private person wishing to make an arrest should determine whether or not there is reasonable cause to believe that such an arrest would be lawful.

(a) Should any officer determine that there is no reasonable cause to believe that a private person's arrest is lawful; the officer should contact his/her immediate supervisor and advise him/her of the existing circumstances. At the discretion of the supervisor, either the supervisor or the officer should, out of the presence of the potential arrestee, explain to the private person wishing to make the arrest the officer's concerns about the absence of reasonable cause for the arrest and the potential ramifications should the person chose to proceed with the arrest.

(b) The officer should explain to the private person that one of the options available to him/her is to consult with the city/county attorney's office for determination of whether or not a charge should be filed against the person whom the citizen wants arrested.

(c) The officer should also explain another option available would be for the citizen to sign a uniform citation against the person which would result in a trial date being set and

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the citizen needing to appear as a witness in the trial against the person he wanted arrested.

(d) The officer should prepare a detailed report documenting all pertinent facts regarding such situations including but not limited to the following:

1. The basis for the officer's concerns about the absence of reasonable cause for the citizen's arrest,
2. The officer's efforts to explain his/her concerns to the citizen about the situation,
3. The citizen's response to the officer's explanation,
4. The officer's communications with and response of his/her supervisor,
5. The officer's explanation of options to the citizen and the citizen's response.

328.5 REPORTING REQUIREMENTS

In all circumstances in which a private person is claiming to have made an arrest, that individual must complete and sign a voluntary statement provided by this department. The statement will include their personal knowledge which provides probable cause to believe that the crime as charged has been committed and that the person arrested in fact committed the crime. The person's statement will include their personal information as well as contact information and phone number(s).

(a) If the crime committed was a Misdemeanor Offense and a citation issued, the person will sign the Idaho Uniform Citation and the officer will sign as the witness.

(b) In a Felony arrest situation, the officer's responsibility does not terminate until the officer has personally signed the formal complaint and presented the probable cause therefore.

Officers must prepare a full and complete narrative report regarding the circumstances and statements from all available and pertinent witnesses assembled and send the report to the Prosecutor for disposition of the incident.

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Limited English Proficiency Services

329.1 PURPOSE AND SCOPE

This policy provides guidance to members when communicating with individuals with limited English proficiency (LEP) (42 USC § 2000d).

329.1.1 DEFINITIONS

Definitions related to this policy include:

Authorized interpreter - A person who has been screened and authorized by the Department to act as an interpreter and/or translator for others.

Interpret or interpretation - The act of listening to a communication in one language (source language) and orally converting it to another language (target language), while retaining the same meaning.

Limited English proficient (LEP) - Any individual whose primary language is not English and who has a limited ability to read, write, speak or understand English. These individuals may be competent in certain types of communication (e.g., speaking or understanding) but still be LEP for other purposes (e.g., reading or writing). Similarly, LEP designations are context-specific; an individual may possess sufficient English language skills to function in one setting but these skills may be insufficient in other situations.

Qualified bilingual member - A member of the Idaho Falls Police Department, designated by the Department, who has the ability to communicate fluently, directly and accurately in both English and another language. Bilingual members may be fluent enough to communicate in a non-English language but may not be sufficiently fluent to interpret or translate from one language into another.

Translate or translation - The replacement of written text from one language (source language) into an equivalent written text (target language).

329.2 POLICY

It is the policy of the Idaho Falls Police Department to reasonably ensure that LEP individuals have meaningful access to law enforcement services, programs and activities, while not imposing undue burdens on its members.

The Department will not discriminate against or deny any individual access to services, rights or programs based upon national origin or any other protected interest or right.

329.3 LEP COORDINATOR

The Chief of Police shall delegate certain responsibilities to an LEP Coordinator. The LEP Coordinator shall be appointed by, and directly responsible to, the Patrol Bureau Commander or the authorized designee.

The responsibilities of the LEP Coordinator include, but are not limited to:

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(a) Coordinating and implementing all aspects of the Idaho Falls Police Department's LEP services to LEP individuals.

(b) Developing procedures that will enable members to access LEP services, including telephonic interpreters, and ensuring the procedures are available to all members.

(c) Ensuring that a list of all qualified bilingual members and authorized interpreters is maintained and available to each Watch Commander and Emergency Communications Center Manager. The list should include information regarding the following:

1. Languages spoken
2. Contact information
3. Availability

(d) Ensuring signage stating that interpreters are available free of charge to LEP individuals is posted in appropriate areas and in the most commonly spoken languages.

(e) Reviewing existing and newly developed documents to determine which are vital documents and should be translated, and into which languages the documents should be translated.

(f) Annually assessing demographic data and other resources, including contracted language services utilization data and community-based organizations, to determine if there are additional documents or languages that are appropriate for translation.

(g) Identifying standards and assessments to be used by the Department to qualify individuals as qualified bilingual members or authorized interpreters.

(h) Periodically reviewing efforts of the Department in providing meaningful access to LEP individuals, and, as appropriate, developing reports, new procedures, or recommending modifications to this policy.

(i) Receiving and responding to complaints regarding department LEP services.

(j) Ensuring appropriate processes are in place to provide for the prompt and equitable resolution of complaints and inquiries regarding discrimination in access to department services, programs and activities.

329.4 FOUR-FACTOR ANALYSIS

Since there are many different languages that members could encounter, the Department will utilize the four-factor analysis outlined in the U.S. Department of Justice (DOJ) Guidance to Federal Financial Assistance Recipients, available at the DOJ website, to determine which measures will provide meaningful access to its services and programs. It is recognized that law enforcement contacts and circumstances will vary considerably. This analysis, therefore, must remain flexible and will require an ongoing balance of four factors, which are:

(a) The number or proportion of LEP individuals eligible to be served or likely to be encountered by department members, or who may benefit from programs or services within the jurisdiction of the Department or a particular geographic area.

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(b) The frequency with which LEP individuals are likely to come in contact with department members, programs or services.

(c) The nature and importance of the contact, program, information or service provided.

(d) The cost of providing LEP assistance and the resources available.

329.5 TYPES OF LEP ASSISTANCE AVAILABLE

Idaho Falls Police Department members should never refuse service to an LEP individual who is requesting assistance, nor should they require an LEP individual to furnish an interpreter as a condition for receiving assistance. The Department will make every reasonable effort to provide meaningful and timely assistance to LEP individuals through a variety of services.

The Department will utilize all reasonably available tools, such as language identification cards, when attempting to determine an LEP individual's primary language.

LEP individuals may choose to accept department-provided LEP services at no cost or they may choose to provide their own.

Department-provided LEP services may include, but are not limited to, the assistance methods described in this policy.

329.6 WRITTEN FORMS AND GUIDELINES

Vital documents or those that are frequently used should be translated into languages most likely to be encountered. The LEP Coordinator will arrange to make these translated documents available to members and other appropriate individuals, as necessary.

329.7 AUDIO RECORDINGS

The Department may develop audio recordings of important or frequently requested information in a language most likely to be understood by those LEP individuals who are representative of the community being served.

329.8 QUALIFIED BILINGUAL MEMBERS

Bilingual members may be qualified to provide LEP services when they have demonstrated through established department procedures a sufficient level of skill and competence to fluently communicate in both English and a non-English language. Members utilized for LEP services must demonstrate knowledge of the functions of an interpreter/translator and the ethical issues involved when acting as a language conduit. Additionally, bilingual members must be able to communicate technical and law enforcement terminology, and be sufficiently proficient in the non-English language to perform complicated tasks, such as conducting interrogations, taking statements, collecting evidence or conveying rights or responsibilities.

When a qualified bilingual member from this department is not available, personnel from other City departments, who have been identified by the Department as having the requisite skills and competence, may be requested.

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329.9 AUTHORIZED INTERPRETERS

Any person designated by the Department to act as an authorized interpreter and/or translator must have demonstrated competence in both English and the involved non-English language, must have an understanding of the functions of an interpreter that allows for correct and effective translation, and should not be a person with an interest in the department case or investigation involving the LEP individual. A person providing interpretation or translation services may be required to establish the accuracy and trustworthiness of the interpretation or translation in a court proceeding.

Authorized interpreters must pass a screening process established by the LEP Coordinator which demonstrates that their skills and abilities include:

(a) The competence and ability to communicate information accurately in both English and in the target language.

(b) Knowledge, in both languages, of any specialized terms or concepts peculiar to this department and of any particularized vocabulary or phraseology used by the LEP individual.

(c) The ability to understand and adhere to the interpreter role without deviating into other roles, such as counselor or legal adviser.

(d) Knowledge of the ethical issues involved when acting as a language conduit.

329.9.1 SOURCES OF AUTHORIZED INTERPRETERS

The Department may contract with authorized interpreters who are available over the telephone. Members may use these services with the approval of a supervisor and in compliance with established procedures.

Other sources may include:

- Qualified bilingual members of this department or personnel from other City departments.
- Individuals employed exclusively to perform interpretation services.
- Contracted in-person interpreters, such as state or federal court interpreters, among others.
- Interpreters from other agencies who have been qualified as interpreters by this department, and with whom the Department has a resource-sharing or other arrangement that they will interpret according to department guidelines.

329.9.2 COMMUNITY VOLUNTEERS AND OTHER SOURCES OF LANGUAGE ASSISTANCE

Language assistance may be available from community volunteers who have demonstrated competence in either monolingual (direct) communication and/or in interpretation or translation (as noted in above), and have been approved by the Department to communicate with LEP individuals.

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Where qualified bilingual members or other authorized interpreters are unavailable to assist, approved community volunteers who have demonstrated competence may be called upon when appropriate. However, department members must carefully consider the nature of the contact and the relationship between the LEP individual and the volunteer to ensure that the volunteer can provide neutral and unbiased assistance.

While family or friends of an LEP individual may offer to assist with communication or interpretation, members should carefully consider the circumstances before relying on such individuals. For example, children should not be relied upon except in exigent or very informal and non-confrontational situations.

329.10 CONTACT AND REPORTING

While all law enforcement contacts, services and individual rights are important, this department will utilize the four-factor analysis to prioritize service to LEP individuals so that such services may be targeted where they are most needed, according to the nature and importance of the particular law enforcement activity involved.

Whenever any member of this department is required to complete a report or other documentation, and interpretation services are provided to any involved LEP individual, such services should be noted in the related report. Members should document the type of interpretation services utilized and whether the individual elected to use services provided by the Department or some other identified source.

329.11 RECEIVING AND RESPONDING TO REQUESTS FOR ASSISTANCE

The Idaho Falls Police Department will take reasonable steps and will work with the Department of Human Resources to develop in-house language capacity by hiring or appointing qualified members proficient in languages representative of the community being served.

329.11.1 EMERGENCY CALLS TO 9-1-1

Department members will make every reasonable effort to promptly accommodate LEP individuals utilizing 9-1-1 lines. When a 9-1-1 call-taker receives a call and determines that the caller is an LEP individual, the call-taker shall quickly determine whether sufficient information can be obtained to initiate an appropriate emergency response. If language assistance is still needed, the language is known and a qualified bilingual member is available in Emergency Communications Center, the call shall immediately be handled by the qualified bilingual member.

If a qualified bilingual member is not available or the call-taker is unable to identify the caller's language, the call-taker will contact the contracted telephone interpretation service and establish a three-way call between the call-taker, the LEP individual and the interpreter.

Dispatchers will make every reasonable effort to dispatch a qualified bilingual member to the assignment, if available and appropriate.

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While 9-1-1 calls shall receive top priority, reasonable efforts should also be made to accommodate LEP individuals seeking routine access to services and information by utilizing the resources listed in this policy.

329.12 FIELD ENFORCEMENT

Field enforcement will generally include such contacts as traffic stops, pedestrian stops, serving warrants and restraining orders, crowd/traffic control and other routine field contacts that may involve LEP individuals. The scope and nature of these activities and contacts will inevitably vary. Members and/or supervisors must assess each situation to determine the need and availability of language assistance to all involved LEP individuals and utilize the methods outlined in this policy to provide such assistance.

Although not every situation can be addressed in this policy, it is important that members are able to effectively communicate the reason for a contact, the need for information and the meaning or consequences of any enforcement action. For example, it would be meaningless to request consent to search if the officer is unable to effectively communicate with an LEP individual.

If available, officers should obtain the assistance of a qualified bilingual member or an authorized interpreter before placing an LEP individual under arrest.

329.13 INVESTIGATIVE FIELD INTERVIEWS

In any situation where an interview may reveal information that could be used as the basis for arrest or prosecution of an LEP individual and a qualified bilingual member is unavailable or lacks the skills to directly communicate with the LEP individual, an authorized interpreter should be used. This includes interviews conducted during an investigation with victims, witnesses and suspects. In such situations, audio recordings of the interviews should be made when reasonably possible. Identification and contact information for the interpreter (e.g., name, address) should be documented so that the person can be subpoenaed for trial if necessary.

If an authorized interpreter is needed, officers should consider calling for an authorized interpreter in the following order:

- An authorized department member or allied agency interpreter
- An authorized telephone interpreter
- Any other authorized interpreter

Any *Miranda* warnings shall be provided to suspects in their primary language by an authorized interpreter or, if the suspect is literate, by providing a translated *Miranda* warning card.

The use of an LEP individual's bilingual friends, family members, children, neighbors or bystanders may be used only when a qualified bilingual member or authorized interpreter is unavailable and there is an immediate need to interview an LEP individual.

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329.14 CUSTODIAL INTERROGATIONS

Miscommunication during custodial interrogations may have a substantial impact on the evidence presented in a criminal prosecution. Only qualified bilingual members or, if none is available or appropriate, authorized interpreters shall be used during custodial interrogations. *Miranda* warnings shall be provided to suspects in their primary language by the qualified bilingual member or an authorized interpreter.

In order to ensure that translations during custodial interrogations are accurately documented and are admissible as evidence, interrogations should be recorded whenever reasonably possible. See guidance on recording custodial interrogations in the Investigation and Prosecution Policy.

329.15 COMPLAINTS

The Department shall ensure that LEP individuals who wish to file a complaint regarding members of this department are able to do so. The Department may provide an authorized interpreter or translated forms, as appropriate. Complaints will be referred to the LEP Coordinator.

Investigations into such complaints shall be handled in accordance with the Personnel Complaints Policy. Authorized interpreters used for any interview with an LEP individual during an investigation should not be members of this department.

Any notice required to be sent to an LEP individual as a complaining party pursuant to the Personnel Complaints Policy should be translated or otherwise communicated in a language-accessible manner.

329.16 COMMUNITY OUTREACH

Community outreach programs and other such services offered by this department are important to the ultimate success of more traditional law enforcement duties. This department will continue to work with community groups, local businesses and neighborhoods to provide equal access to such programs and services.

329.17 TRAINING

To ensure that all members who may have contact with LEP individuals are properly trained, the Department will provide periodic training on this policy and related procedures, including how to access department-authorized telephonic and in-person interpreters and other available resources.

The Training Lieutenant shall be responsible for ensuring new members receive LEP training. Those who may have contact with LEP individuals should receive refresher training at least once every two years thereafter. The Training Lieutenant shall maintain records of all LEP training provided, and will retain a copy in each member's training file in accordance with established records retention schedules.

LEP Training of Emergency Communications personnel will be under the direction of the Emergency Communications Center Manager.

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329.17.1 TRAINING FOR AUTHORIZED INTERPRETERS

All members on the authorized interpreter list must successfully complete prescribed interpreter training. To complete interpreter training successfully, an interpreter must demonstrate proficiency in and ability to communicate information accurately in both English and in the target language, demonstrate knowledge in both languages of any specialized terms or phraseology, and understand and adhere to the interpreter role without deviating into other roles, such as counselor or legal adviser.

Members on the authorized interpreter list must receive refresher training annually or they will be removed from the authorized interpreter list. This annual training should include language skills competency (including specialized terminology) and ethical considerations.

The Training Lieutenant shall be responsible for coordinating the annual refresher training and will maintain a record of all training the interpreters have received.

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Communications with Persons with Disabilities

330.1 PURPOSE AND SCOPE

This policy provides guidance to members when communicating with individuals with disabilities, including those who are deaf or hard of hearing, have impaired speech or vision, or are blind.

330.1.1 DEFINITIONS

Definitions related to this policy include:

Auxiliary aids - Tools used to communicate with people who have a disability or impairment. They include but are not limited to the use of gestures or visual aids to supplement oral communication; a notepad and pen or pencil to exchange written notes; a computer or typewriter; an assistive listening system or device to amplify sound; a teletypewriter (TTY) or videophones (video relay service or VRS); taped text; qualified readers or a qualified interpreter.

Disability or impairment - A physical or mental impairment that substantially limits a major life activity, including hearing or seeing, regardless of whether the disabled person uses assistive or adaptive devices or auxiliary aids. Individuals who wear ordinary eyeglasses or contact lenses are not considered to have a disability (42 USC § 12102).

Qualified interpreter - A person who is able to interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary. Qualified interpreters include oral interpreters, translators, sign language interpreters, and intermediary interpreters. Qualified interpreters should be licensed as required by Idaho Code 54-2904.

330.2 POLICY

It is the policy of the Idaho Falls Police Department to reasonably ensure that people with disabilities, including victims, witnesses, suspects, and arrestees, have equal access to law enforcement services, programs, and activities. Members must make efforts to communicate effectively with individuals with disabilities.

The Department will not discriminate against or deny any individual access to services, rights, or programs based upon disabilities.

330.3 AMERICANS WITH DISABILITIES (ADA) COORDINATOR

The Chief of Police shall delegate certain responsibilities to an ADA Coordinator (28 CFR 35.107). The ADA Coordinator shall be appointed by and directly responsible to the Patrol Bureau Commander or the authorized designee.

The responsibilities of the ADA Coordinator shall include but not be limited to:

(a) Working with the City ADA coordinator regarding the Idaho Falls Police Department's efforts to ensure equal access to services, programs, and activities.

(b) Developing reports or new procedures or recommending modifications to this policy.

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(c) Acting as a liaison with local disability advocacy groups or other disability groups regarding access to department services, programs, and activities.

(d) Ensuring that a list of qualified interpreter services is maintained and available to each Shift Lieutenant and Emergency Communications Center Manager. The list should include information regarding contact information and availability.

(e) Developing procedures that will enable members to access auxiliary aids or services, including qualified interpreters, and ensure the procedures are available to all members.

(f) Ensuring signage is posted in appropriate areas, indicating that auxiliary aids are available free of charge to people with disabilities.

(g) Ensuring appropriate processes are in place to provide for the prompt and equitable resolution of complaints and inquiries regarding discrimination in access to department services, programs, and activities.

330.4 FACTORS TO CONSIDER

Because the nature of any law enforcement contact may vary substantially from one situation to the next, members of this department should consider all information reasonably available to them when determining how to communicate with an individual with a disability. Members should carefully balance all known factors in an effort to reasonably ensure people who are disabled have equal access to services, programs, and activities. These factors may include but are not limited to:

(a) Members should not always assume that effective communication is being achieved. The fact that an individual appears to be nodding in agreement does not always mean he/she completely understands the message. When there is any doubt, members should ask the individual to communicate back or otherwise demonstrate their understanding.

(b) The nature of the disability (e.g., deafness or blindness vs. hard of hearing or low vision).

(c) The nature of the law enforcement contact (e.g., emergency vs. non-emergency, custodial vs. consensual contact).

(d) The availability of auxiliary aids. The fact that a particular aid is not available does not eliminate the obligation to reasonably ensure access. However, in an emergency, availability may factor into the type of aid used.

330.5 INITIAL AND IMMEDIATE CONSIDERATIONS

Recognizing that various law enforcement encounters may be potentially volatile and/or emotionally charged, members should remain alert to the possibility of communication problems.

Members should exercise special care in the use of all gestures, and verbal and written communication to minimize initial confusion and misunderstanding when dealing with any individual with known or suspected disabilities.

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In a non-emergency situation, when a member knows or suspects an individual requires assistance to effectively communicate, the member shall identify the individual's choice of auxiliary aid or service.

The individual's preferred communication method must be honored unless another effective method of communication exists under the circumstances (28 CFR 35.160).

Factors to consider when determining whether an alternative method is effective include:

(a) The methods of communication usually used by the individual.

(b) The nature, length, and complexity of the communication involved.

(c) The context of the communication.

In emergency situations involving an imminent threat to the safety or welfare of any person, members may use whatever auxiliary aids and services that reasonably appear effective under the circumstances. This may include, for example, exchanging written notes or using the services of a person who knows sign language but is not a qualified interpreter, even if the person who is deaf or hard of hearing would prefer a qualified sign language interpreter or another appropriate auxiliary aid or service. Once the emergency has ended, the continued method of communication should be reconsidered. The member should inquire as to the individual's preference and give primary consideration to that preference.

If an individual who is deaf, hard of hearing, or has impaired speech must be handcuffed while in the custody of the Idaho Falls Police Department, consideration should be given, safety permitting, to placing the handcuffs in the front of the body to facilitate communication using sign language or writing.

330.6 TYPES OF ASSISTANCE AVAILABLE

Idaho Falls Police Department members shall never refuse to assist an individual with disabilities who is requesting assistance. The Department will not charge anyone to receive auxiliary aids, nor shall they require anyone to furnish their own auxiliary aid or service as a condition for receiving assistance. The Department will make every reasonable effort to provide equal access and timely assistance to individuals who are disabled through a variety of services.

A person who is disabled may choose to accept department-provided auxiliary aids, text to 911 or they may choose to provide their own.

Department-provided auxiliary aids or services may include, but are not limited to, the assistance methods described in this policy.

330.7 AUDIO RECORDINGS AND ENLARGED PRINT

The Department may develop audio recordings to assist people who are blind or have a visual impairment with accessing important information. If such a recording is not available, members

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may read aloud from the appropriate form, for example a personnel complaint form, or provide forms with enlarged print.

330.8 QUALIFIED INTERPRETERS

A qualified interpreter may be needed in lengthy or complex transactions (e.g., interviewing a victim, witness, suspect or arrestee), if the individual to be interviewed normally relies on sign language or speechreading (lip-reading) to understand what others are saying. The qualified interpreter should not be a person with an interest in the case or the investigation. A person providing interpretation services may be required to establish the accuracy and trustworthiness of the interpretation in a court proceeding.

Qualified interpreters should be:

(a) Available within a reasonable amount of time but in no event longer than one hour if requested.

(b) Experienced in providing interpretation services related to law enforcement matters.

(c) Familiar with the use of VRS and/or video remote interpreting services.

(d) Certified in either American Sign Language (ASL) or Signed English (SE).

(e) Able to understand and adhere to the interpreter role without deviating into other roles, such as counselor or legal adviser.

(f) Knowledgeable of the ethical issues involved when providing interpreter services.

Members should use department-approved procedures to request a qualified interpreter at the earliest reasonable opportunity, and generally not more than 15 minutes after a request for an interpreter has been made or it is reasonably apparent that an interpreter is needed. No individual who is disabled shall be required to provide his/her own interpreter (28 CFR 35.160).

330.9 TTY AND RELAY SERVICES

In situations where an individual without a disability would have access to a telephone (e.g., booking or attorney contacts), members must also provide those who are deaf, hard of hearing or have impaired speech the opportunity to place calls using an available TTY (also known as a telecommunications device for deaf people, or TDD). Members shall provide additional time, as needed, for effective communication due to the slower nature of TTY and TDD communications.

The Department will accept all TTY or TDD calls placed by those who are deaf or hard of hearing and received via a telecommunications relay service (28 CFR 35.162).

Note that relay services translate verbatim, so the conversation must be conducted as if speaking directly to the caller.

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330.10 COMMUNITY VOLUNTEERS

Interpreter services may be available from community volunteers who have demonstrated competence in communication services, such as ASL or SE, and have been approved by the Department to provide interpreter services.

Where qualified interpreters are unavailable to assist, approved community volunteers who have demonstrated competence may be called upon when appropriate. However, department members must carefully consider the nature of the contact and the relationship between the individual with the disability and the volunteer to ensure that the volunteer can provide neutral and unbiased assistance.

330.11 FAMILY AND FRIENDS

While family or friends may offer to assist with interpretation, members should carefully consider the circumstances before relying on such individuals. The nature of the contact and relationship between the individual with the disability and the person offering services must be carefully considered (e.g., victim/suspect).

Children shall not be relied upon except in emergency or critical situations when there is no qualified interpreter reasonably available.

Adults may be relied upon when (28 CFR 35.160):

(a) There is an emergency or critical situation and there is no qualified interpreter reasonably available.

(b) The individual with the disability requests that the adult interpret or facilitate communication and the adult agrees to provide such assistance, and reliance on that adult for such assistance is reasonable under the circumstances.

330.12 REPORTING

Whenever any member of this department is required to complete a report or other documentation, and communication assistance has been provided, such services should be noted in the related report. Members should document the type of communication services utilized and whether the individual elected to use services provided by the Department or some other identified source. If the individual's express preference is not honored, the member must document why another method of communication was used.

All written communications exchanged in a criminal case shall be attached to the report or placed into evidence.

330.13 FIELD ENFORCEMENT

Field enforcement will generally include such contacts as traffic stops, pedestrian stops, serving warrants and restraining orders, crowd/traffic control and other routine field contacts that may involve individuals with disabilities. The scope and nature of these activities and contacts will inevitably vary.

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The Department recognizes that it would be virtually impossible to provide immediate access to complete communication services to every member of this department. Members and/or supervisors must assess each situation and consider the length, complexity and importance of the communication, as well as the individual's preferred method of communication, when determining the type of resources to use and whether a qualified interpreter is needed.

Although not every situation can be addressed in this policy, it is important that members are able to effectively communicate the reason for a contact, the need for information and the meaning or consequences of any enforcement action. For example, it would be meaningless to verbally request consent to search if the officer is unable to effectively communicate with an individual who is deaf or hard of hearing and requires communications assistance.

If available, officers should obtain the assistance of a qualified interpreter before placing an individual with a disability under arrest. Individuals who are arrested and are assisted by service animals should be permitted to make arrangements for the care of such animals prior to transport.

330.13.1 FIELD RESOURCES

Examples of methods that may be sufficient for transactions, such as checking a license or giving directions to a location or for urgent situations such as responding to a violent crime in progress, may, depending on the circumstances, include such simple things as:

(a) Hand gestures or visual aids with an individual who is deaf, hard of hearing, or has impaired speech.

(b) Exchange of written notes or communications.

(c) Verbal communication with an individual who can speechread by facing the individual and speaking slowly and clearly.

(d) Use of computer, word processing, personal communication device, or similar device to exchange texts or notes.

(e) Slowly and clearly speaking or reading simple terms to individuals who have a visual or mental impairment.

Members should be aware that these techniques may not provide effective communication as required by law and this policy depending on the circumstances.

330.14 CUSTODIAL INTERROGATIONS

In an effort to ensure that the rights of individuals who are deaf, hard of hearing or have speech impairment are protected during a custodial interrogation, this department will provide interpreter services before beginning an interrogation, unless exigent circumstances exist or the individual has made a clear indication that he/she understands the process and desires to proceed without an interpreter. The use of a video remote interpreting service should be considered, where appropriate, if a live interpreter is not available. *Miranda* warnings shall be provided to suspects who are deaf or hard of hearing by a qualified interpreter or by providing a written *Miranda* warning card.

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In order to ensure that communications during custodial investigations are accurately documented and are admissible as evidence, interrogations should be recorded whenever reasonably possible. See guidance on recording custodial interrogations in the Investigation and Prosecution Policy.

330.15 ARRESTS AND BOOKINGS

If an individual with speech or hearing disabilities is arrested, the arresting officer shall use department-approved procedures to provide a qualified interpreter at the place of arrest as soon as reasonably practicable, unless the individual indicates that he/she prefers a different auxiliary aid or service or the officer reasonably determines another effective method of communication exists under the circumstances.

Individuals who require and possess personally owned communication aids (e.g., hearing aids, cochlear processors) should be permitted to retain them while in custody.

330.16 COMPLAINTS

The Department shall ensure that individuals with disabilities who wish to file a complaint regarding members of this department are able to do so. The Department may provide a qualified interpreter or forms in enlarged print, as appropriate. Complaints will be referred to the department ADA Coordinator.

Investigations into such complaints shall be handled in accordance with the Personnel Complaints Policy. Qualified interpreters used during the investigation of a complaint should not be members of this Department.

330.17 COMMUNITY OUTREACH

Community outreach programs and other such services offered by this department are important to the ultimate success of more traditional law enforcement duties. This department will continue to work with community groups, local businesses and neighborhoods to provide equal access to such programs and services.

330.18 TRAINING

To ensure that all members who may have contact with individuals who are disabled are properly trained, the Department will provide periodic training that should include:

(a) Awareness and understanding of this policy and related procedures, related forms, and available resources.

(b) Procedures for accessing qualified interpreters and other available resources.

(c) Working with in-person and telephone interpreters and related equipment.

The Training Lieutenant shall be responsible for ensuring new members receive training related to interacting with individuals who have disabilities, including individuals who are deaf, hard of hearing, who have impaired speech or vision, or are blind. Those who may have contact with such individuals should receive refresher training at least once every two years thereafter. The Training

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Lieutenant shall maintain records of all training provided and will retain a copy in each member's training file in accordance with established records retention schedules.

330.18.1 CALL-TAKER TRAINING

The Dispatch Manager shall ensure that emergency call-takers are trained in the use of TTY equipment protocols for communicating with individuals who are deaf, hard of hearing, or who have speech impairments. Such training and information should include:

(a) The requirements of the ADA and Section 504 of the Rehabilitation Act for telephone emergency service providers.

(b) ASL syntax and accepted abbreviations.

(c) Practical instruction on identifying and processing TTY or TDD calls, including the importance of recognizing silent TTY or TDD calls and using proper syntax, abbreviations, and protocol when responding to TTY or TDD calls.

(d) Hands-on experience in TTY and TDD communications, including identification of TTY or TDD tones.

Training should be mandatory for all Emergency Communications Center members who may have contact with individuals from the public who are deaf, hard of hearing, or have impaired speech. Refresher training should occur every six months.

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Chaplains

331.1 PURPOSE AND SCOPE

This policy establishes the guidelines for volunteerchaplains to provide counseling or emotional support to members of the Department, their families and members of the public.

331.2 POLICY

The Idaho Falls Police Department shall ensure that department chaplains are properly appointed, trained and supervised to carry out their responsibilities without financial compensation.

331.3 ELIGIBILITY

Requirements for participation as a chaplain for the Department may include, but are not limited to:

(a) Being above reproach, temperate, prudent, respectable, hospitable, able to teach, be free from addiction to alcohol or other drugs, and excessive debt.

(b) Managing their households, families and personal affairs well.

(c) Having a good reputation in the community.

(d) Successful completion of an appropriate-level background investigation.

(e) Possession of a valid driver's license

(f) Successful completion of an academy or conference provided by the Law Enforcement Chaplaincy of Idaho, Association of Law Enforcement Chaplains, International Conference of Police Chaplains, or equivalent.

The Chief of Police may apply exceptions for eligibility based on organizational needs and the qualifications of the individual.

331.4 IDENTIFICATION AND UNIFORMS

As representatives of the Department, chaplains are responsible for presenting a professional image to the community. Chaplains shall dress appropriately for the conditions and performance of their duties. Necessary safety equipment will be provided for each chaplain. Identification symbols worn by chaplains shall be different and distinct from those worn by officers through the inclusion of "Chaplain" on the uniform and not reflect any religious affiliation.

Chaplains will be issued Idaho Falls Police Department identification cards, which must be carried at all times while on-duty. The identification cards will be the standard Idaho Falls Police Department identification cards, with the exception that “Chaplain” will be indicated on the cards. Chaplains shall be required to return any issued uniforms, equipment, or department property at the termination of service.

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331.5 CHAPLAIN COORDINATOR

The Chief of Police shall delegate certain responsibilities to a chaplain coordinator. The coordinator shall be appointed by and directly responsible to the Professional Standards and Logistics Bureau Commander or the authorized designee.

The chaplain coordinator shall serve as the liaison between the chaplains and the Chief of Police. The function of the coordinator is to provide a central coordinating point for effective chaplain management within the Department, and to direct and assist efforts to jointly provide more productive chaplain services. Under the general direction of the Chief of Police or the authorized designee, chaplains shall report to the chaplain coordinator and/or Shift Lieutenant.

The chaplain coordinator may appoint a senior chaplain or other designee to assist in the coordination of chaplains and their activities.

The responsibilities of the coordinator or the authorized designee include, but are not limited to:

(a) Recruiting, selecting and training qualified chaplains.

(b) Conducting chaplain meetings.

(c) Establishing and maintaining a chaplain callout roster.

(d) Maintaining records for each chaplain.

(e) Tracking and evaluating the contribution of chaplains.

(f) Maintaining a record of chaplain schedules and work hours.

(g) Completing and disseminating, as appropriate, all necessary paperwork and information.

(h) Planning periodic recognition events.

(i) Maintaining liaison with other agency chaplain coordinators.

An evaluation of the overall use of chaplains will be conducted on an annual basis by the coordinator.

331.6 DUTIES AND RESPONSIBILITIES

Chaplains assist the Department, its members and the community, as needed. Assignments of chaplains will usually be to augment the Patrol Bureau. Chaplains may be assigned to other areas within the Department as needed. Chaplains should be placed only in assignments or programs that are consistent with their knowledge, skills, abilities and the needs of the Department.

All chaplains will be assigned to duties by the chaplain coordinator or the authorized designee.

Chaplains may not proselytize or attempt to recruit members of the Department or the public into a religious affiliation while representing themselves as chaplains with this department. If there is any question as to the receiving person’s intent, chaplains should verify that the person is desirous of spiritual counseling or guidance before engaging in such discussion.

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Chaplains may not accept gratuities for any service or any subsequent actions or follow-up contacts that were provided while functioning as a chaplain for the Idaho Falls Police Department.

331.6.1 COMPLIANCE

Chaplains are volunteer members of this department, and except as otherwise specified within this policy, are required to comply with the Volunteer Program Policy and other applicable policies.

331.6.2 OPERATIONAL GUIDELINES

(a) Chaplains can be contacted and dispatched via callout (e.g. Law Enforcement Chaplaincy of Idaho's 24 hour hotline).

(b) Chaplains shall be permitted to ride with officers during any shift and observe Idaho Falls Police Department operations, provided the Shift Lieutenant has been notified and has approved the activity.

(c) In responding to incidents, a chaplain shall never function as an officer.

(d) When responding to in-progress calls for service, chaplains may be required to stand-by in a secure area until the situation has been deemed safe.

331.6.3 ASSISTING DEPARTMENT MEMBERS AS COMMUNITY CHAPLAINS

The responsibilities of a community chaplain related to assisting department members in the field include, but are not limited to:

(a) Support for victims and witnesses of violent crime.

(b) Support for the friends and family of suicide victims.

(c) Support for the friends and family of accident victims (automobile crash, drowning, natural disaster, fire, etc.)

(d) Evacuation scene support.

(e) Assisting department members in making the notification of a death to community members.

(f) Serving as a resource for members when dealing with the public in incidents, such as accidental deaths, suicides, suicidal subjects, serious accidents, drug and alcohol abuse, and other such situations that may arise.

(g) Responding to any other incident that in the judgment of the Shift Lieutenant or supervisor aids in accomplishing the mission of the Department.

331.6.4 ASSISTING THE DEPARTMENT AS LAW ENFORCEMENT CHAPLAINS

The responsibilities of a law enforcement chaplain related to this department may include, but are not limited to:

(a) Being alert to the needs of members and their families.

(b) Providing counseling and support for members and their families.

(c) Attending and participating, when requested, in funerals of active or retired members.

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(d) Assisting in the notification of friends, coworkers, and family of members who have been seriously injured or killed and, after notification, responding to the hospital or home of the member.

(e) Assisting members in the diffusion of a conflict or incident, when requested.

(f) Visiting sick or injured members in the hospital or at home.

(g) Attending departmentceremonies and social events and offering invocations and benedictions, as requested.

(h) Participating in in-service training classes.

(i) Willingness to train others to enhance the effectiveness of the Department.

331.6.5 COMMUNITY RELATIONS
The duties of a chaplain related to community relations include, but are not limited to:

(a) Fostering familiarity with the role of law enforcement in the community.

(b) Providing an additional link between the community, other chaplain coordinators and the Department.

(c) Providing liaison with various civic, business and religious organizations.

(d) Promptly facilitating requests for representatives or leaders of various denominations.

(e) Assisting the community in any other function as needed or requested.

Making referrals in cases where specialized attention is needed or in cases that are beyond the chaplain's ability to assist.

331.6.6 CHAPLAIN MEETINGS
All chaplains are required to attend scheduled meetings. Any absences must be satisfactorily explained to the senior chaplain.

331.7 PRIVILEGED COMMUNICATIONS

No person who provides chaplain services to members of the Department may work or volunteer for the Idaho Falls Police Department in any capacity other than that of chaplain.

Department chaplains shall be familiar with state evidentiary laws and rules pertaining to the limits of the clergy-penitent, psychotherapist-patient and other potentially applicable privileges and shall inform members when it appears reasonably likely that the member is discussing matters that are not subject to privileged communications. In such cases, the chaplain should consider referring the member to a counseling resource.

331.8 TRAINING

The Department will establish a minimum number of additional training hours and standards for department chaplains. The training, as approved by the Training Lieutenant, may include:

- Stress management
- Death notifications

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- Symptoms of post-traumatic stress
- Burnout for members of law enforcement and chaplains
- Legal liability and confidentiality
- Ethics
- Responding to crisis situations
- The law enforcement family
- Substance abuse
- Suicide
- Officer injury or death
- Sensitivity and diversity

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Child and Vulnerable Adult Safety

332.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure that children and vulnerable adults are not left without appropriate care in the event their caregiver or guardian is arrested or otherwise prevented from providing care due to actions taken by members of this department.

This policy does not address the actions to be taken during the course of a child abuse or vulnerable adult investigation. These are covered in the Child Abuse Policy and the Adult Abuse Policy.

332.2 POLICY

It is the policy of this department to mitigate, to the extent reasonably possible, the stressful experience individuals may have when their parent or caregiver is arrested. The Idaho Falls Police Department will endeavor to create a strong, cooperative relationship with local, state and community-based social services to ensure an effective, collaborative response that addresses the needs of those affected, including call-out availability and follow-up responsibilities.

332.3 PROCEDURES DURING AN ARREST

When encountering an arrest or prolonged detention situation, officers should make reasonable attempts to determine if the arrestee is responsible for children or vulnerable adults. In some cases this may be obvious, such as when children or vulnerable adults are present. However, officers should inquire if the arrestee has caregiver responsibilities for any children or vulnerable adults who are without appropriate supervision. The following steps should be taken:

(a) Inquire about and confirm the location of any children or vulnerable adults.

(b) Look for evidence of children and vulnerable adults. Officers should be mindful that some arrestees may conceal the fact that they have a dependent for fear the individual may be taken from them.

(c) Consider inquiring of witnesses, neighbors, friends and relatives of the arrestee as to whether the person is responsible for a child or vulnerable adult.

Whenever reasonably possible, officers should take reasonable steps to accomplish the arrest of a parent, guardian or caregiver out of the presence of his/her child or vulnerable adult. Removing children or vulnerable adults from the scene in advance of the arrest will generally ensure the best outcome for the individual.

Whenever it is safe to do so, officers should allow the parent or caregiver to assure children or vulnerable adults that they will be provided care. If this is not safe or if the demeanor of the parent or caregiver suggests this conversation would be non-productive, the officer at the scene should explain the reason for the arrest in age-appropriate language and offer reassurance to the child or vulnerable adult that he/she will receive appropriate care.

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332.3.1 AFTER AN ARREST

Whenever an arrest is made, the officer should take all reasonable steps to ensure the safety of the arrestee's disclosed or discovered children or vulnerable adults.

Officers should allow the arrestee reasonable time to arrange for care of children and vulnerable adults. Temporary placement with family or friends may be appropriate. However, any decision should give priority to a care solution that is in the best interest of the child or vulnerable adult. In such cases the following guidelines should be followed:

(a) Allow the person reasonable time to arrange for the care of children and vulnerable adults with a responsible party, as appropriate.

  1. Officers should consider allowing the person to use his/her cell phone to facilitate arrangements through access to contact phone numbers, and to lessen the likelihood of call screening by the recipients due to calls from unknown sources.

(b) Unless there is evidence to the contrary (e.g., signs of abuse, drug use, unsafe environment), officers should respect the parent or caregiver's judgment regarding arrangements for care. It is generally best if the child or vulnerable adult remains with relatives or family friends that he/she knows and trusts because familiarity with surroundings and consideration for comfort, emotional state and safety are important.

  1. Except when a court order exists limiting contact, the officer should attempt to locate and place children or vulnerable adults with the non-arrested parent, guardian or caregiver.

(c) Provide for the immediate supervision of children or vulnerable adults until an appropriate caregiver arrives.

(d) Notify Child Protective Services or Adult Protective Services, if appropriate.

(e) Notify the field supervisor or Shift Lieutenant of the disposition of children or vulnerable adults.

If children or vulnerable adults are at school or another known location outside the household at the time of arrest, the arresting officer should attempt to contact the school or other known location and inform the principal or appropriate responsible adult of the caregiver's arrest and of the arrangements being made for the care of the arrestee's dependent. The result of such actions should be documented in the associated report.

If an arrestee is unable to resolve the care of any child or vulnerable adult through this process, a supervisor should be contacted to determine the appropriate steps to arrange for care. These steps may include additional telephone calls or contacting a local, county or state services agency.

332.3.2 REPORTING

(a) For all arrests where children are present or living in the household and no other guardian or caregiver is present, the reporting member will document the following information:

  1. Name

  2. Sex

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3. Age
4. Special needs (e.g., medical, mental health)
5. How, where and with whom or which agency the child was placed
6. Identities and contact information for other potential caregivers
7. Notifications made to other adults (e.g., schools, relatives)

(b) For all arrests where vulnerable adults are present or living in the household and no other guardian or caregiver is present, the reporting member will document the following information:

1. Name
2. Sex
3. Age
4. Whether he/she reasonably appears able to care for him/herself
5. Disposition or placement information if he/she is unable to care for him/herself

332.3.3 SUPPORT AND COUNSELING REFERRAL
An appropriate referral may be made if, in the judgment of the handling officers, the child or vulnerable adult would benefit from additional assistance, such as Health and Welfare, counseling services, or contact with a victim advocate.,

332.4 DEPENDENT WELFARE SERVICES

Whenever an arrestee is unwilling or incapable of arranging for the appropriate care of any child or vulnerable adult, the handling officer should contact the appropriate welfare service or other department-approved social service to determine whether protective custody is appropriate.

Only when other reasonable options are exhausted should a child or vulnerable adult be transported to the police facility, transported in a marked patrol car or taken into formal protective custody.

Under no circumstances should a child or vulnerable adult be left unattended or without appropriate care.

332.5 TRAINING

The Training Lieutenant is responsible to ensure that all personnel of this department who may be involved in arrests affecting children or vulnerable adults receive approved training on effective safety measures when a parent, guardian or caregiver is arrested.

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Service Animals

333.1 PURPOSE AND SCOPE

The purpose of this policy is to provide the guidelines necessary to ensure that the rights of individuals who use service animals to assist with disabilities are protected in accordance with Title II of the Americans with Disabilities Act (ADA).

333.1.1 DEFINITIONS

Definitions related to this policy include:

Service Animal - A dog that is trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. The work or tasks performed by a service animal must be directly related to the individual's disability. Service animal also includes a dog-in-training for an individual with a disability (28 CFR 35.104; Idaho Code 56-701A).

Service animal also includes a miniature horse if the horse is trained to do work or perform tasks for people with disabilities, provided the horse is housebroken, is under the handler's control, the facility can accommodate the horse's type, size, and weight, and the horse's presence will not compromise legitimate safety requirements necessary for safe operation of the facility (28 CFR 35.136(i)).

333.2 POLICY

It is the policy of the Idaho Falls Police Department to provide services and access to persons with service animals in the same manner as those without service animals. Department members shall protect the rights of persons assisted by service animals in accordance with state and federal law.

333.3 IDENTIFICATION AND USE OF SERVICE ANIMALS

Some service animals may be readily identifiable. However, many do not have a distinctive symbol, harness or collar. Service animals are not pets and may be trained by an individual or organization to assist people with disabilities.

The following examples are some of the ways service animals may be used to provide assistance:

- Guiding people who are blind or have low vision.
- Alerting people who are deaf or hard of hearing.
- Retrieving or picking up items, opening doors or flipping switches for people who have limited use of their hands, arms or legs.
- Pulling wheelchairs.
- Providing physical support and assisting with stability and balance.
- Doing work or performing tasks for persons with traumatic brain injury, intellectual disabilities or psychiatric disabilities, such as reminding a person with depression to take medication.

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- Alerting a person with anxiety to the onset of panic attacks, providing tactile stimulation to calm a person with post-traumatic stress disorder, assisting people with schizophrenia to distinguish between hallucinations and reality, and helping people with traumatic brain injury to locate misplaced items or follow daily routines.

333.4 MEMBER RESPONSIBILITIES

Service animals that are assisting individuals with disabilities are permitted in all public facilities and areas where the general public is allowed. Department members are expected to treat individuals with service animals with the same courtesy and respect that the Idaho Falls Police Department affords to all members of the public (28 CFR 35.136).

333.4.1 INQUIRY

If it is apparent or if an officer is aware the animal is a service animal, the owner should not be asked any questions as to the status of the animal. If it is unclear whether an animal meets the definition of a service animal, the officer should ask the individual only the following questions (28 CFR 35.136(f)):

- Is the animal required because of a disability?
- What task or service has the service animal been trained to perform?

If the individual explains that the animal is required because of a disability and has been trained to work or perform at least one task, the animal meets the definition of a service animal and no further questions as to the animal's status should be asked. The person should not be questioned about his/her disabilities nor should the person be asked to provide any license, certification or identification card for the service animal.

333.4.2 CONTACT

Service animals are not pets. Department members should not interfere with the important work performed by a service animal by talking to, petting or otherwise initiating contact with a service animal.

333.4.3 REMOVAL

If a service animal is not housebroken or exhibits vicious behavior, poses a direct threat to the health of others, or unreasonably disrupts or interferes with normal business operations, an officer may direct the handler to remove the animal from the premises. Barking alone is not a threat, nor does a direct threat exist if the person takes prompt, effective action to control the service animal (28 CFR 35.136(b)).

Each incident must be considered individually, and past incidents alone are not cause for excluding a service animal. Removal of a service animal may not be used as a reason to refuse service to an individual with disabilities. Members of this department are expected to provide all services that are reasonably available to an individual with a disability, with or without a service animal.

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333.4.4 COMPLAINTS

When handling calls of a complaint regarding a service animal, members of this department should remain neutral and should be prepared to explain the ADA requirements concerning service animals to the concerned parties. Businesses are required to allow service animals to accompany their owner into all areas that other customers or members of the public are allowed (28 CFR 36.302).

Absent a violation of law independent of the ADA, officers should take no enforcement action beyond keeping the peace. Individuals who believe they have been discriminated against as a result of a disability should be referred to the Civil Rights Division of the U.S. Department of Justice (DOJ).

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Volunteer Program

334.1 PURPOSE AND SCOPE

It is the policy of this department to use qualified volunteers for specified tasks and duties in order to create efficiencies for the Department and improve services to the community. Volunteers are intended to supplement and support, rather than supplant, sworn officers and civilian personnel. Volunteers can be an important part of any organization and are proven to be a valuable asset to law enforcement agencies. Volunteers help to increase responsiveness, delivery of services and information input, and provide new program opportunities. In addition, volunteers bring new skills and expertise to the Department and prompt new enthusiasm.

334.1.1 DEFINITION OF VOLUNTEER

An individual who performs a service for the Department without promise, expectation or receipt of compensation for services rendered. This may include interns, persons providing administrative support and Citizen's Watch, among others.

334.2 VOLUNTEER MANAGEMENT

334.2.1 SCREENING

All prospective volunteers should complete an application. A face-to-face interview with an applicant under consideration should occur with the responsible Bureau Commander or designee.

A documented background investigation shall be completed by the Investigations and Special Operations Bureau on each volunteer applicant and shall include, but not necessarily be limited to, the following:

(a) Traffic and criminal background check.

(b) Fingerprints shall be obtained from all applicants and processed through the Idaho Law Enforcement Teletype Systems (ILETS).

(c) Employment

(d) References

(e) Social Media

(f) Credit check

A polygraph exam may be required of each applicant depending on the type of assignment.

334.2.2 SELECTION AND PLACEMENT

Service as a volunteer with the Department shall begin with an official notice of acceptance or appointment to a volunteer position. Notice may only be given by an authorized representative of the Department. No volunteer should begin any assignment until they have been officially accepted for that position and completed all required screening, training, and paperwork.

Volunteers should be placed only in assignments or programs that are consistent with their knowledge, skills, abilities and the needs of the Department.

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334.2.3 TRAINING

The responsible Bureau Commander or designee should ensure that volunteers receive position-specific training to verify they have adequate knowledge and skills to complete tasks required by the position and should receive periodic ongoing training as deemed appropriate by their supervisor. Training should reinforce to volunteers that they may not intentionally represent themselves as, or by omission infer that they are sworn officers or other full-time members of the Department. They shall always represent themselves as volunteers.

All volunteers shall comply with the rules of conduct and with all orders and directives, either oral or written, issued by the Department.

334.2.4 FITNESS FOR DUTY

No volunteer shall report to work or be on-duty when his/her judgment or physical condition has been impaired by alcohol, medication, other substances, illness or injury.

Volunteers shall report to their supervisor any changes in status that may affect their ability to fulfill their duties. This includes, but is not limited to, the following:

(a) Driver's license

(b) Medical condition

(c) Arrests

(d) Criminal investigations

All volunteers shall adhere to the guidelines set forth by this department regarding drug and alcohol use.

334.2.5 DRESS CODE

As representatives of the Department, volunteers are responsible for presenting a professional image to the community. Volunteers shall dress appropriately for the conditions and performance of their duties.

Volunteers shall conform to department-approved dress consistent with their duty assignment. Uniforms authorized for volunteers should be readily distinguishable from those worn by sworn officers. The uniform or identifiable parts of the uniform shall not be worn while off-duty except volunteers may choose to wear the uniform while in transit to or from official department assignments or functions provided an outer garment is worn over the uniform shirt so as not to bring attention to the volunteer while he/she is off duty.

Volunteers shall be required to return any issued uniform or department property at the termination of service.

334.3 SUPERVISION OF VOLUNTEERS

Each volunteer who is accepted to a position with the Department must have a clearly identified supervisor who is responsible for direct management of that volunteer. This supervisor will be

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responsible for day-to-day management and guidance of the work of the volunteer and should be available to the volunteer for consultation and assistance.

A volunteer may be assigned as, and act as, a supervisor of other volunteers provided that the supervising volunteer is under the direct supervision of a paid staff member.

Functional supervision of volunteers is the responsibility of the supervisor in charge of the unit where the volunteer is assigned. Following are some considerations to keep in mind while supervising volunteers:

(a) Take the time to introduce volunteers to employees on all levels.

(b) Ensure volunteers have work space and necessary office supplies.

(c) Make sure the work is challenging. Do not hesitate to give them an assignment or task that will tap these valuable resources.

334.4 CONFIDENTIALITY

With appropriate security clearance, volunteers may have access to confidential information such as criminal histories or investigative files. Unless otherwise directed by a supervisor or agency policy, all information shall be considered confidential. Only that information specifically identified and approved by authorized personnel shall be released. Confidential information shall be given only to persons who have a need and a right to know as determined by agency policy and supervisory personnel.

Volunteers shall not address public gatherings, appear on radio or television, prepare any article for publication, act as correspondents to a newspaper or other periodical, release or divulge any information concerning the activities of the Department, or maintain that they represent the Department in such matters without permission from the proper department personnel.

334.5 PROPERTY AND EQUIPMENT

Volunteers will 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.

334.5.1 VEHICLE USE

Volunteers assigned to duties such as deploying the radar trailer, vacation house checks, or other assignments that require the use of a vehicle must first complete the following:

(a) A driving safety briefing.

(b) Verification that the volunteer possesses a valid Idaho Driver’s License.

The volunteer's sworn supervisor should ensure that all volunteers receive safety briefing updates and license verification at least once a year.

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When operating a department vehicle, volunteers shall obey all rules of the road, including seat belt requirements. Smoking is prohibited in all Department vehicles.

Volunteers should not operate a marked patrol car unless there is a prominently placed sign indicating that it is a Citizen's Watch vehicle or out of service. Volunteers are not authorized to operate a Department vehicle Code-3.

334.5.2 MDT USAGE

Volunteers shall successfully complete ILETS training prior to using the MDT and comply with all related provisions. The volunteer's supervisor should ensure that ILETS training is provided for volunteers whenever necessary.

334.6 DISCIPLINARY PROCEDURES/TERMINATION

A volunteer may be removed from the volunteer program at the discretion of the Chief of Police or the sworn volunteer supervisor. Volunteers shall have no property interests in their continued appointment. However, if a volunteer is removed for alleged misconduct, the volunteer will be afforded an opportunity solely to clear his/her name through a liberty interest hearing which shall be limited to a single appearance before the Chief of Police or authorized designee.

Volunteers may resign from volunteer service with the Department at any time. It is requested that volunteers who intend to resign provide advance notice of their departure and a reason for their decision.

334.6.1 EXIT INTERVIEWS

Exit interviews, where possible, should be conducted with volunteers who are leaving their positions. The interview should ascertain why the volunteer is leaving the position and solicit the volunteer’s suggestions on improving the position. When appropriate, the interview should also include a discussion on the possibility of involvement in some other capacity with the Department.

334.7 EVALUATION

Regular evaluations from the volunteer's immediate sworn supervisor should be conducted to ensure the best use of human resources available, to ensure personnel problems can be identified and dealt with promptly and fairly, and to ensure optimum satisfaction on the part of volunteers.

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Off-Duty Law Enforcement Actions

335.1 PURPOSE AND SCOPE

The decision to become involved in a law enforcement action when off-duty can place an officer as well as others at great risk and must be done with careful consideration. This policy is intended to provide guidelines for officers of the Idaho Falls Police Department with respect to taking law enforcement action while off-duty.

335.2 POLICY

Initiating law enforcement action while off-duty is generally discouraged unless the officer is operating a department issued vehicle.

Officers are not expected to place themselves in unreasonable peril. However, any sworn member of this department who becomes aware of an incident or circumstance that he/she reasonably believes poses an imminent threat of serious bodily injury or death, or significant property damage may take reasonable action to minimize the threat.

When public safety or the prevention of major property damage requires immediate action, officers should first consider reporting and monitoring the activity and only take direct action as a last resort, unless the officer is operating a department issued vehicle.

Officers should remember that their authority as a peace officer may not extend to actions taken outside their jurisdiction unless there is probably cause to believe the crime to be addressed is a felony or presents an immediate threat of serious bodily injury or death (Idaho Code 67-2337).

335.3 FIREARMS

Officers of this department may carry firearms while off-duty in accordance with federal regulations and department policy. All firearms and ammunition must meet guidelines as described in the department Firearms Policy. When carrying firearms while off-duty,officers shall also carry their department-issued badge and identification.

Officers should refrain from carrying firearms when the consumption of alcohol is likely or when the need to carry a firearm is outweighed by safety considerations. Firearms shall not be carried by any officer who has consumed an amount of an alcoholic beverage or taken any drugs that would tend to adversely affect the officer’s senses or judgment.

335.4 DECISION TO INTERVENE

There is no legal requirement for off-duty officers to take law enforcement action. However, should officers decide to intervene, they must evaluate whether the action is necessary or desirable, and should take into consideration the following:

(a) The tactical disadvantage of being alone and the fact there may be multiple or hidden suspects.

(b) The inability to communicate with responding units.

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(c) The lack of equipment, such as handcuffs, OC or baton.

(d) The lack of cover.

(e) The potential for increased risk to bystanders if the off-duty officer were to intervene.

(f) Unfamiliarity with the surroundings.

(g) The potential for the off-duty officer to be misidentified by other peace officers or members of the public.

Officers should consider waiting for on-duty uniformed officers to arrive, and gather as much accurate intelligence as possible instead of immediately intervening.

335.4.1 INTERVENTION PROCEDURE

If involvement is reasonably necessary, the officer should attempt to call or have someone else call 9-1-1 to request immediate assistance. The operator should be informed that an off-duty officer is on-scene and should be provided a description of the officer if possible.

Whenever practicable, the officer should loudly and repeatedly identify him/herself as an Idaho Falls Police Department officer until acknowledged. Official identification should also be displayed.

335.4.2 INCIDENTS OF PERSONAL INTEREST

Officers should refrain from handling incidents of personal interest, (e.g., family or neighbor disputes) and should remain neutral. In such circumstances officers should call the responsible agency to handle the matter.

335.4.3 CIVILIAN RESPONSIBILITIES

Civilian personnel should not become involved in any law enforcement actions while off-duty except to notify the local law enforcement authority and remain at the scene, if safe and practicable.

335.4.4 OTHER CONSIDERATIONS

When encountering a non-uniformed officer in public, uniformed officers should wait for acknowledgement by the non-uniformed officer in case he/she needs to maintain an undercover capability.

335.5 REPORTING

Any off-duty officer who engages in any law enforcement activity, regardless of jurisdiction, shall notify the shift supervisor as soon as practicable. The shift supervisor shall determine whether a report should be filed by the employee.

An officer shall notify, as soon as safety conditions allow, the law enforcement agency having jurisdiction where an off-duty enforcement action took place and shall relinquish authority and control over any event to that agency (Idaho Code 67-2337). Officers should cooperate fully with the agency having jurisdiction in providing statements or reports as requested or as appropriate.

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Department Use of Social Media

336.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure that any use of social media on behalf of the Department is consistent with the department mission.

This policy does not address all aspects of social media use. Specifically, it does not address:

- Personal use of social media by department members (see the Employee Speech, Expression and Social Networking Policy).
- Use of social media in personnel processes (see the Recruitment and Selection Policy).
- Use of social media as part of a criminal investigation, other than disseminating information to the public on behalf of this department (see the Investigation and Prosecution Policy).

336.1.1 DEFINITIONS

Definitions related to this policy include:

Social media - Any of a wide array of Internet-based tools and platforms that allow for the sharing of information, such as the department website or social networking services.

336.2 POLICY

The Idaho Falls Police Department may use social media as a method of effectively informing the public about department services, issues, investigations and other relevant events.

Department members shall ensure that the use or access of social media is done in a manner that protects the constitutional rights of all.

336.3 AUTHORIZED USERS

Only members authorized by the Chief of Police or the authorized designee may utilize social media on behalf of the Department. Authorized members shall use only department-approved equipment during the normal course of duties to post and monitor department-related social media, unless they are specifically authorized to do otherwise by their supervisors.

The Chief of Police may develop specific guidelines identifying the type of content that may be posted. Any content that does not strictly conform to the guidelines should be approved by a supervisor prior to posting.

Requests to post information over department social media by members who are not authorized to post should be made through the member's chain of command.

336.4 AUTHORIZED CONTENT

Only content that is appropriate for public release, that supports the department mission and conforms to all department policies regarding the release of information may be posted.

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Examples of appropriate content include:

(a) Announcements.

(b) Tips and information related to crime prevention.

(c) Investigative requests for information.

(d) Requests that ask the community to engage in projects that are relevant to the department mission.

(e) Real-time safety information that is related to in-progress crimes, geographical warnings or disaster information.

(f) Traffic information.

(g) Press releases.

(h) Recruitment of personnel.

336.4.1 INCIDENT-SPECIFIC USE

In instances of active incidents where speed, accuracy and frequent updates are paramount (e.g., crime alerts, public safety information, traffic issues), the Public Information Officer or the authorized designee will be responsible for the compilation of information to be released, subject to the approval of the Incident Commander.

336.5 PROHIBITED CONTENT

Content that is prohibited from posting includes, but is not limited to:

(a) Content that is abusive, discriminatory, inflammatory or sexually explicit.

(b) Any information that violates individual rights, including confidentiality and/or privacy rights and those provided under state, federal or local laws.

(c) Any information that could compromise an ongoing investigation.

(d) Any information that could tend to compromise or damage the mission, function, reputation or professionalism of the Idaho Falls Police Department or its members.

(e) Any information that could compromise the safety and security of department operations, members of the Department, victims, suspects or the public.

(f) Any content posted for personal use.

(g) Any content that has not been properly authorized by this policy or a supervisor.

Any member who becomes aware of content on this department's social media site that he/she believes is unauthorized or inappropriate should promptly report such content to a supervisor. The supervisor will ensure its removal from public view and investigate the cause of the entry.

336.6 MONITORING CONTENT

The Public Information Officerwill periodically reviewthe use of department social media and report back on, at a minimum, the resources being used, the effectiveness of the content, any unauthorized or inappropriate content and the resolution of any issues to the Chief of Police.

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336.7 RETENTION OF RECORDS

The Investigations and Special Operations Bureau Commandershould work with the Custodian of Records to establish a method of ensuring that public records generated in the process of social media use are retained in accordance with established records retention schedules.

336.8 TRAINING

Authorized members should receive training that, at a minimum, addresses legal issues concerning the appropriate use of social media sites, as well as privacy, civil rights, dissemination and retention of information posted on department sites.

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Community Relations

337.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for community relationship-building.

Additional guidance on community relations and outreach is provided in other policies, including the:

- Malicious Harassment Policy.
- Limited English Proficiency Services Policy.
- Communications with Persons with Disabilities Policy.
- Chaplains Policy.
- Patrol Function Policy.
- Suspicious Activity Reporting Policy.

337.2 POLICY

It is the policy of the Idaho Falls Police Department to promote positive relationships between department members and the community by treating community members with dignity and respect and engaging them in public safety strategy development and relationship-building activities, and by making relevant policy and operations information available to the community in a transparent manner.

337.3 MEMBER RESPONSIBILITIES

Officers should, as time and circumstances reasonably permit:

(a) Make casual and consensual contacts with community members to promote positive community relationships (see the Detentions and Photographing Detainees Policy).

(b) Become reasonably familiar with the schools, businesses and community groups in their assigned jurisdictional areas.

(c) Work with community members and the department community relations coordinator to identify issues and solve problems related to community relations and public safety.

(d) Conduct periodic foot patrols of their assigned areas to facilitate interaction with community members. Officers carrying out foot patrols should notify an appropriate supervisor and Emergency Communications Center of their status (i.e., on foot patrol) and location before beginning and upon completion of the foot patrol. They should also periodically inform Emergency Communications Center of their location and status during the foot patrol.

337.4 COMMUNITY RELATIONS COORDINATOR/PUBLIC INFORMATION OFFICER

The Public Information Officer will serve as the community relations coordinator. He/she should report directly to the Chief of Police or the authorized designee and is responsible for:

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(a) Obtaining department-approved training related to his/her responsibilities.

(b) Responding to requests from department members and the community for assistance in identifying issues and solving problems related to community relations and public safety.

(c) Organizing surveys to measure the condition of the department's relationship with the community.

(d) Working with community groups, department members and other community resources to:

1. Identify and solve public safety problems within the community.
2. Organize programs and activities that help build positive relationships between department members and the community and provide community members with an improved understanding of department operations.

(e) Working with the Department Leadershipto develop plans that allow officers the time to participate in community engagement and problem-solving activities.

(f) Recognizing department and community members for exceptional work or performance in community relations efforts.

(g) Attending City council and other community meetings to obtain information on community relations needs.

(h) Assisting with the department's response to events that may affect community relations, such as an incident where the conduct of a department member is called into public question.

(i) Informing the Chief of Police and others of developments and needs related to the furtherance of the department's community relations goals, as appropriate.

337.5 SURVEYS

The community relations coordinator may arrange for a survey of community members and department members to be conducted at least annually to assess the condition of the relationship between the Department and the community. Survey questions should be designed to evaluate perceptions of the following:

(a) Overall performance of the Department

(b) Overall competence of department members

(c) Attitude and behavior of department members

(d) Level of community trust in the Department

(e) Safety, security or other concerns

A written summary of the compiled results of the survey should be provided to the Chief of Police.

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337.6 COMMUNITY AND YOUTH ACTIVITIES AND PROGRAMS

The community relations coordinator should organize or assist with programs and activities that create opportunities for department members and community members, especially youth, to interact in a positive setting. Examples of such programs and events include:

(a) Department-sponsored athletic programs (e.g., baseball, basketball, soccer, bowling).

(b) Police-community get-togethers (e.g., cookouts, meals, charity events).

(c) Youth leadership and life skills mentoring.

(d) School resource officer/ Blue in the School

(e) Neighborhood Watch and crime prevention programs.

337.7 INFORMATION SHARING

The Public Information Officer should develop methods and procedures for the convenient sharing of information (e.g., major incident notifications, significant changes in department operations, comments, feedback, positive events) between the Department and community members. Examples of information-sharing methods include:

(a) Community meetings.

(b) Social media (see the Department Use of Social Media Policy).

(c) Department website postings.

Information should be regularly refreshed, to inform and engage community members continuously.

337.8 LAW ENFORCEMENT OPERATIONS EDUCATION

The community relations coordinator should develop methods to educate community members on general law enforcement operations so they may understand the work that officers do to keep the community safe. Examples of educational methods include:

(a) Development and distribution of informational cards/flyers.

(b) Department website postings.

(c) Presentations to driver education classes.

(d) Instruction in schools.

(e) Department ride-alongs (see the Ride-Along Policy).

(f) Scenario/Simulation exercises with community member participation.

(g) Youth internships at the Department.

(h) Citizen academies.

Instructional information should include direction on how community members should interact with the police during enforcement or investigative contacts and how community members can make

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a complaint to the Department regarding alleged misconduct or inappropriate job performance by department members.

337.9 SAFETY AND OTHER CONSIDERATIONS

Department members responsible for community relations activities should consider the safety of the community participants and, as much as reasonably practicable, not allow them to be present in any location or situation that would jeopardize their safety.

Department members in charge of community relations events should ensure that participating community members have completed waiver forms before participation, if appropriate. A parent or guardian must complete the waiver form if the participating community member has not reached 18 years of age.

Community members are subject to a criminal history check before approval for participation in certain activities, such as citizen academies.

337.10 TRANSPARENCY

The Department should periodically publish statistical data and analysis regarding the department's operations. The reports should not contain the names of officers, suspects or case numbers.

337.11 TRAINING

Subject to available resources, members should receive training related to this policy, including training on topics such as:

(a) Effective social interaction and communication skills.

(b) Cultural, racial and ethnic diversity and relations.

(c) Building community partnerships.

(d) Community policing and problem-solving principles.

(e) Enforcement actions and their effects on community relations.

Where practicable and appropriate, community members, especially those with relevant expertise, should be involved in the training to provide input from a community perspective.

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Native American Graves Protection and Repatriation

338.1 PURPOSE AND SCOPE

This policy is intended to ensure the protection and security of ancient or historic grave sites, including notification of personnel responsible for cultural items, in compliance with the Native American Graves Protection and Repatriation Act (NAGPRA) (25 USC § 3001 et seq.).

338.1.1 DEFINITIONS

Definitions related to this policy include (43 CFR 10.2):

Funerary objects and associated funerary objects - Objects that, as part of the death rite or ceremony of a culture, are reasonably believed to have been placed intentionally at the time of death or later with or near individual human remains, or that were made exclusively for burial purposes or to contain human remains.

Native American human remains - The physical remains of the body of a person of Native American ancestry.

Objects of cultural patrimony - Objects having ongoing historical, traditional or cultural importance that is central to the Native American group or culture itself and therefore cannot be appropriated or conveyed by any individual, including members of the Native American group or Native Hawaiian organization. Such objects must have been considered inalienable by the Native American group at the time the object was separated from the group.

Sacred objects - Specific ceremonial objects needed by traditional Native American religious leaders for the practice of traditional Native American religions.

338.2 POLICY

It is the policy of the Idaho Falls Police Department that the protection of Native American human remains, funerary objects, associated funerary objects, sacred objects or objects of cultural patrimony is the responsibility of all members. Such protection includes minimizing destruction, contamination, inadvertent disruption or complicated custody transfer processes.

338.3 COMPLIANCE WITH THE NATIVE AMERICAN GRAVES PROTECTION AND REPATRIATION ACT

Upon discovery or arrival upon a scene where it reasonably appears that a Native American grave, human remains, funerary objects, associated funerary objects, sacred objects or objects of cultural patrimony are exposed or otherwise unsecured, members shall secure the site in the same manner as a crime scene. All activity at the scene other than scene preservation activity must cease (43 CFR 10.4).

No photography or video recording may be permitted by the media or any group or individual who may wish to exhibit the remains.

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Without delay, the appropriate agency or group shall be notified to respond and take control of the scene. These include the following (43 CFR 10.4):

- Federal land - Appropriate agency at the U.S. Department of the Interior or U.S. Department of Agriculture
- State land – Director of the Idaho State Historic Preservation Office (Idaho Code 27-502).
- Tribal land - Responsible Indian tribal official

338.4 EVIDENCE AND PROPERTY

If the location has been investigated as a possible homicide scene prior to identification as a NAGPRA site, investigators shall work with other appropriate agencies and individuals to ensure the proper transfer and repatriation of any material collected. Members shall ensure that any remains or artifacts located at the site are expediently processed (43 CFR 10.6).

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Mutual Aid and Other Agency Relationships

339.1 COOPERATIVE RELATIONSHIPS WITH OTHER AGENCIES

Establishing and maintaining channels of communication between law enforcement agencies and other criminal justice entities is essential to cooperating and planning with agencies with different mandates.

It is the policy of this department to establish and maintain liaisons and relationships with criminal justice agencies and coordinating councils.

Police officers will cooperate with all legally authorized agencies and their representatives in the pursuit of justice.

An officer or agency may be one among many organizations that may provide law enforcement services to a jurisdiction. It is imperative that a police officer assist colleagues fully and completely with respect and consideration at all times.

339.2 REQUESTS FROM OTHER AGENCIES

Requests for non-emergency assistance shall be referred to the Shift Lieutenant. When appropriate, the Shift Lieutenant will direct officers who shall cooperate with other agencies and encourage good relations.

339.3 PROCEDURES FOR REQUESTING OR PROVIDING ASSISTANCE UNDER MUTUAL AID

1. The decision to request assistance from other law enforcement agencies is left to the discretion of the requesting agency. As a general guideline, any emergency incident or event that is beyond the capabilities of the requesting agency could reasonably justify assistance under mutual aid. The following personnel are authorized to request assistance from other law enforcement agencies:
   (a) Mayor
   (b) Chief of Police
   (c) Bureau Captains
   (d) On-duty Shift Lieutenant
2. These same personnel are authorized to respond to a request for assistance from other agencies covered in any mutual aid agreement. All provided assistance and requests for assistance shall be in compliance with the Joint Exercise of Powers Statute, I.C. 67-2328, and the Extraterritorial Authority of Peace Officers Statute, I.C. 67-2337.
3. The authorized official requesting assistance shall contact the appropriate responding official and include the following information in the request:
   (a) The amount and type of assistance needed;
   (b) The nature of the event or incident;

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(c) When and where assistance is needed;

(d) To whom the responding agency's personnel should report.

4. The decision to provide assistance and how much assistance to provide rests solely with the responding agency. The mutual aid agreement does not obligate any agency to respond to a request for assistance and does not create any liability for any agency that chooses not to provide assistance when requested.

5. When an agency responds to a request for assistance, the responding official may recall all or part of the resources provided at any time, if needed by the responding agency.

6. The agency requesting assistance shall be responsible for managing the event or incident for which assistance is requested.

7. When Idaho Falls Police Officers respond to a request for assistance from another agency, they shall remain under the direction and control of the superior or senior officer in charge of the Idaho Falls Police Department detail. The superior or senior officer in charge of the detail shall coordinate with the commanding officer in charge of the event or incident from the requesting agency.

8. Officers from another agency responding to a request for assistance from the Idaho Falls Police Department will remain under the direction and control of a superior or senior officer from their agency. The superior or senior officer from the responding agency shall coordinate with the commanding officer in charge of the event or incident in Idaho Falls.

339.4 COSTS AND LIABILITY UNDER MUTUAL AID

Idaho Falls Police Officers directed to provide assistance to another agency shall be deemed to be performing in their regular line of duty as fully as if they were in their own jurisdiction. The City of Idaho Falls assumes responsibility for the officer's wages, worker's compensation protection, and any other liability to the same extent as when the officer is serving in Idaho Falls. The authorization to respond to calls for emergency assistance outside of Idaho Falls does not extend to officers who are off duty or who are not serving in their regular line of duty.

The Idaho Falls Police Department shall be responsible for its own personnel, including any injuries or death, and its equipment and supplies, including any damage or loss when responding to another agency's request for assistance. Agencies responding to a request for assistance from the Idaho Falls Police Department shall assume all responsibility for their personnel, including injuries or death, equipment and supplies, including damage or loss.

339.5 REQUESTING NATIONAL GUARD ASSISTANCE

When a natural disaster, civil disorder, or other emergency requires assistance beyond the capabilities of local law enforcement agencies, military assistance from the Idaho National Guard may be requested using the following procedures:

1. At the direction of the Chief of Police, the on-scene Incident Commander will notify the Emergency Operations Center Commander of the need for military assistance.

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If the Emergency Operations Center Commander concurs with the request, the Emergency Operations Commander will notify the Idaho 24 hour Duty Officer and request assistance of the Idaho National Guard, describing the situation and the intended role of National Guard personnel with instructions for reporting to a staging area.

2. The Chief of Police will then notify the Mayor that the request for assistance was made and notify the on-scene Incident Commander the request was forwarded.
3. The verbal request made to the Idaho Duty Officer must be followed by a written request signed by the Mayor.
4. The National Guard assistance must not be requested until all other Mutual Aid resources have been utilized. When dispatched to provide assistance, the National Guard will provide a liaison officer to coordinate the activities of the National Guard with the on-scene Incident Commander.

339.6 REQUESTING FEDERAL LAW ENFORCEMENT ASSISTANCE

Federal law enforcement agencies may be contacted for assistance in emergency situations through the Chief of Police, Chief's designee, or the on-duty Shift Lieutenant in their absence. The following Federal Agencies may be called; their phone numbers are on file with the Bonneville County Emergency Communications Center:

- Drug Enforcement Administration
- Federal Bureau of Investigation
- U.S. Immigration and Customs
- Department of Treasury
- U.S. Marshall
- Bureau of Alcohol, Tobacco, Firearms, and Explosives
- U.S. Postal Inspector
- Civil Air Patrol
- Federal Protection and Safety Division
- U.S. Secret Service

339.7 COOPERATION WITH COUNTY PROSECUTORS

All Idaho Falls Police Department employees are responsible for maintaining a professional working relationship with the the Bonneville County Prosecuting Attorney's Office.

339.8 COOPERATION WITH THE CITY ATTORNEY

All Idaho Falls Police Department employees are responsible for maintaining a professional working relationship with the City of Idaho Falls Legal Department.

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Chapter 4 - Patrol Operations

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Patrol Function

400.1 PURPOSE AND SCOPE

400.1.1 FUNCTION

Officers will generally patrol in clearly marked vehicles, patrol assigned jurisdictional areas of the City of Idaho Falls, respond to citizen calls for assistance, act as a deterrent to crime, enforce local ordinances as well as state laws and respond to emergencies 24 hours per day, seven days per week.

Patrol will generally provide the following services within the limits of available resources:

(a) Patrol that is directed at the prevention of criminal acts, traffic violations and collisions, the maintenance of public order, and the discovery of hazardous situations or conditions.

(b) Crime prevention activities, including residential inspections, business inspections and community presentations.

(c) Calls for service, both routine and emergency in nature.

(d) Investigation of both criminal and non-criminal acts.

(e) The apprehension of criminal offenders.

(f) Community Oriented Policing and Problem Solving activities such as citizen assists and individual citizen contacts of a positive nature.

(g) The sharing of information between the Patrol and other bureaus within this department, as well as other outside governmental agencies.

(h) The application of resources to specific problems or situations within the community, which may be improved or resolved by Community Oriented Policing and Problem Solving strategies.

(i) Traffic direction and control.

400.1.2 TERRORISM

It is the goal of the Idaho Falls Police Department to make every reasonable effort to accurately and appropriately gather and report any information that may relate to either foreign or domestic terrorism. Officers should advise a supervisor as soon as practicable of any activity believed to be terrorism related and should document such incidents with a written report. The supervisor should ensure that all terrorism related reports are forwarded to the Investigations and Special Operations Bureau Supervisor in a timely fashion.

400.2 PATROL INFORMATION SHARING PROCEDURES

The following guidelines are intended to develop and maintain intra-department cooperation and information flow between the various bureaus of the Idaho Falls Police Department.

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400.2.1 CRIME ANALYSIS UNIT

The Crime Analysis Unit (CAU) will be the central unit for information exchange. Criminal information and intelligence reports can be submitted to the Crime Analyst for distribution to all bureaus within this department through daily and special bulletins.

400.2.2 CRIME REPORTS

A crime report may be completed by any patrol officer who receives criminal information. The report will be processed and forwarded to the appropriate bureau for retention or follow-up investigation.

400.2.3 PATROL BRIEFINGS

Patrol supervisors, detective sergeants, and special unit sergeants are encouraged to share information as much as possible. All supervisors and/or officers will be provided an opportunity to share information at the daily patrol briefings as time permits.

400.3 CROWDS, EVENTS AND GATHERINGS

Officers may encounter gatherings of people, including but not limited to, civil demonstrations, civic, social and business events, public displays, parades and sporting events. Officers should monitor such events as time permits in an effort to keep the peace and protect the safety and rights of those present. A supervisor should be notified when it becomes reasonably foreseeable that such an event may require increased monitoring, contact or intervention.

Officers responding to an event or gathering that warrants law enforcement involvement should carefully balance the speech and association rights of those present with applicable public safety concerns before taking enforcement action. Officers are encouraged to contact organizers or responsible persons to seek voluntary compliance that may address relevant public safety/order concerns.

Officers should consider enforcement of applicable state and local laws, when the activity blocks the entrance or egress of a facility or location and when voluntary compliance with the law is not achieved.

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Bias-Based Policing

401.1 PURPOSE AND SCOPE

This policy provides guidance to department members that affirms the Idaho Falls Police Department's commitment to policing that is fair and objective.

Nothing in this policy prohibits the use of specified characteristics in law enforcement activities designed to strengthen the department's relationship with its diverse communities (e.g., cultural and ethnicity awareness training, youth programs, community group outreach, partnerships).

401.1.1 DEFINITIONS

Definitions related to this policy include:

Bias-based policing - An inappropriate reliance on actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, disability, or affiliation with any non-criminal group (protected characteristics) as the basis for providing differing law enforcement service or enforcement.

401.2 POLICY

The Idaho Falls Police Department is committed to providing law enforcement services to the community with due regard for the racial, cultural or other differences of those served. It is the policy of this department to provide law enforcement services and to enforce the law equally, fairly, objectively and without discrimination toward any individual or group.

401.3 BIAS-BASED POLICING PROHIBITED

Bias-based policing is strictly prohibited. Allegations of bias-based policing shall be investigated and adjudicated in accordance with Policy 1010, Personnel Complaints, Employee Misconduct, and Discipline.

However, nothing in this policy is intended to prohibit an officer from considering protected characteristics in combination with credible, timely and distinct information connecting a person or people of a specific characteristic to a specific unlawful incident, or to specific unlawful incidents, specific criminal patterns or specific schemes.

401.3.1 OTHER PROHIBITIONS

Members of the Idaho Falls Police Department shall not engage in motorcycle profiling. Motorcycle profiling includes arbitrary use of facts such as a person riding a motorcycle or wearing motorcycle-related paraphernalia as factors in deciding to stop and question, take enforcement action, arrest, or search a person or vehicle under the United States Constitution or Idaho State Constitution (Idaho Code 49-1431).

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401.4 MEMBER RESPONSIBILITIES

Every member of this department shall perform his/her duties in a fair and objective manner and is responsible for promptly reporting any suspected or known instances of bias-based policing to a supervisor. Members should, when reasonable to do so, intervene to prevent any biased-based actions by another member.

401.4.1 REASON FOR CONTACT

Officers contacting a person shall be prepared to articulate sufficient reason for the contact, independent of the protected characteristics of the individual.

To the extent that written documentation would otherwise be completed (e.g., arrest report, Field Interview (FI) card), the involved officer should include those facts giving rise to the contact, as applicable.

Except for required data-collection forms or methods, nothing in this policy shall require any officer to document a contact that would not otherwise require reporting.

401.5 SUPERVISOR RESPONSIBILITIES

Supervisors should monitor those individuals under their command for compliance with this policy and shall handle any alleged or observed violations in accordance with the Personnel Complaints Policy.

(a) Supervisors should discuss any issues with the involved officer and his/her supervisor in a timely manner.

    1. Supervisors should document these discussions, in the prescribed manner.

(b) Supervisors should periodically review MAV recordings, portable audio/video recordings, Mobile Data Terminal (MDT) data and any other available resource used to document contact between officers and the public to ensure compliance with this policy.

    1. Supervisors should document these periodic reviews.

    2. Recordings that capture a potential instance of bias-based policing should be appropriately retained for administrative investigation purposes.

(c) Supervisors shall initiate investigations of any actual or alleged violations of this policy.

(d) Supervisors should take prompt and reasonable steps to address any retaliatory action taken against any member of this department who discloses information concerning bias-based policing.

401.6 ADMINISTRATION

Each year, the Patrol Bureau Commander should review the efforts of the Department to provide fair and objective policing and submit an annual report, including public concerns and complaints, to the Chief of Police. The annual report should not contain any identifying information about any

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specific complaint, citizen or officers. It should be reviewed by the Chief of Police to identify any changes in training or operations that should be made to improve service.

Supervisors should review the annual report and discuss the results with those they are assigned to supervise.

401.7 TRAINING

Training on fair and objective policing, legal aspects of bias-based policing, and review of this policy should be conducted as directed by the Professional Standards and Logistics Bureau.

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Roll Call Briefing Training

402.1 PURPOSE AND SCOPE

Roll Call Briefing training is generally conducted at the beginning of the officer's assigned shift. Roll Call Briefing provides an opportunity for important exchange between employees and supervisors. A supervisor generally will conduct Roll Call Briefing; however officers may conduct Roll Call Briefing for training purposes with supervisor approval.

Roll Call Briefing should accomplish, at a minimum, the following basic tasks:

(a) Briefing officers with information regarding daily patrol activity, with particular attention given to unusual situations and changes in the status of wanted persons, stolen vehicles, and major investigations.

(b) Notifying officers of changes in schedules and assignments.

(c) Notifying officers of new Departmental Directives or changes in Departmental Directives.

(d) Reviewing recent incidents for training purposes.

(e) Providing training on a variety of subjects.

402.2 PREPARATION OF MATERIALS

The supervisor conducting Roll Call Briefing is responsible for preparation of the materials necessary for a constructive briefing. Supervisors may delegate this responsibility to a subordinate officer in his or her absence or for training purposes.

402.3 RETENTION OF ROLL CALL BRIEFING TRAINING RECORDS

Roll Call Briefing training materials and a curriculum or summary shall be forwarded to the Training Lieutenant for inclusion in training records, as appropriate.

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Crime and Disaster Scene Integrity

403.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance in handling a major crime or disaster.

403.2 POLICY

It is the policy of the Idaho Falls Police Department to secure crime or disaster scenes so that evidence is preserved, and to identify and mitigate the dangers associated with a major crime or disaster scene for the safety of the community and those required to enter or work near the scene.

403.3 SCENE RESPONSIBILITY

The first officer at the scene of a crime or major incident is generally responsible for the immediate safety of the public and preservation of the scene. Officers shall also consider officer safety and the safety of those persons entering or exiting the area, including those rendering medical aid to any injured parties. Once an officer has assumed or been assigned to maintain the integrity and security of the crime or disaster scene, the officer shall maintain the crime or disaster scene until he/she is properly relieved by a supervisor or other designated person.

403.4 FIRST RESPONDER CONSIDERATIONS

The following list generally describes the first responder's function at a crime or disaster scene. This list is not intended to be all-inclusive, is not necessarily in order and may be altered according to the demands of each situation:

(a) Broadcast emergency information, including requests for additional assistance and resources.

(b) Provide for the general safety of those within the immediate area by mitigating, reducing or eliminating threats or dangers.

(c) Locate or identify suspects and determine whether dangerous suspects are still within the area.

(d) Provide first aid to injured parties if it can be done safely.

(e) Evacuate the location safely as required or appropriate.

(f) Secure the inner perimeter.

(g) Protect items of apparent evidentiary value.

(h) Secure an outer perimeter.

(i) Identify potential witnesses.

(j) Start a chronological log noting critical times and personnel allowed access.

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403.5 SEARCHES

Officers arriving at crime or disaster scenes are often faced with the immediate need to search for and render aid to victims, and to determine if suspects are present and continue to pose a threat. Once officers are satisfied that no additional suspects are present and/or there are no injured persons to be treated, those exigent circumstances will likely no longer exist. Officers should thereafter secure the scene and conduct no further search until additional or alternate authority for the search is obtained, such as consent or a search warrant.

403.5.1 CONSENT

When possible, officers should seek written consent to search from authorized individuals. However, in the case of serious crimes or major investigations, it may be prudent to also obtain a search warrant. Consent as an additional authorization may be sought, even in cases where a search warrant has been granted.

403.6 EXECUTION OF HEALTH ORDERS

Any sworn member of this department may execute and enforce all orders of the state board of health and welfare issued pursuant to Idaho Code Title 39, Chapter 6, concerning the control of venereal diseases, and concerning the care, treatment and quarantine of persons infected (Idaho Code 39-605).

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Special Weapons and Tactics Team

404.1 PURPOSE AND SCOPE

Special Weapons and Tactics Team, (SWAT), is comprised of the SWAT team, Crisis Negotiation Team, Unmanned Aerial Systems team, and Bomb Squad. The unit has been established to provide specialized support in handling critical field operations where intense negotiations and special tactical deployment methods are required.

404.1.1 OPERATIONAL AND ADMINISTRATIVE POLICY

The Policy Manual sections pertaining to the SWAT Team are divided into Administrative and Operational Policy and Procedures. Since situations that necessitate the need for such a police response vary greatly from incident to incident and such events often demand on-the-scene evaluation, the Operational Policy outlined in this manual section serves as a guideline to this department's personnel allowing for appropriate on-the-scene decision-making as required. The Administrative Procedures, however, are more restrictive and few exceptions should be taken.

404.1.2 DEFINITION

SWAT Team - a designated unit of law enforcement officers that is specifically trained and equipped to work as a coordinated team to resolve critical incidents that are so hazardous, complex, or unusual that they may exceed the capabilities of first responders or investigative units including, but not limited to, hostage taking, barricaded suspects, snipers, terrorist acts and other high-risk incidents. As a matter of agency policy, such a unit may also be used to serve high-risk warrants, both search and arrest, where public and officer safety issues warrant the use of such a unit.

404.2 LEVELS OF CAPABILITY/TRAINING

404.2.1 LEVEL I

A level I SWAT team is a basic team capable of providing containment and intervention with critical incidents that exceed the training and resources available to line-level officers. This does not include ad hoc teams of officers that are formed around a specific mission, detail or incident (e.g. active shooter response). Generally, 5 percent of the basic team’s on-duty time should be devoted to training.

404.2.2 LEVEL II

A level II, Intermediate level, SWAT team is capable of providing containment and intervention. Additionally, these teams possess tactical capabilities above the Level I teams. These teams may or may not work together on a daily basis, but are intended to respond to incidents as a team. At least 5 percent of their on-duty time should be devoted to training with supplemental training for tactical capabilities above the Level I team.

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404.2.3 LEVEL III

A Level III, Advanced level, SWAT team is a SWAT team whose personnel function as a full-time unit. Generally 25 percent of their on-duty time is devoted to training. Level III teams operate in accordance with contemporary best practices. Such units possess both skills and equipment to utilize tactics beyond the capabilities of Level I and Level II teams.

404.3 AGENCY POLICY

It shall be the policy of this agency to maintain a SWAT team and to provide the equipment, manpower, and training necessary to maintain a SWAT team. The SWAT team should develop sufficient resources to perform three basic operational functions:

(a) Command and Control

(b) Containment

(c) Entry/Apprehension/Rescue

It is understood it is difficult to categorize specific capabilities for critical incidents. Training needs may vary based on the experience level of the team personnel, team administrators and potential incident commanders. Nothing in this policy shall prohibit individual teams from responding to a situation that exceeds their training levels due to the exigency of the circumstances. The good faith effort to preserve innocent human life is paramount.

404.3.1 POLICY CONSIDERATIONS

A needs assessment should be conducted to determine the type and extent of SWAT missions and operations appropriate to this agency. The assessment should consider the team's capabilities and limitations and should be reviewed annually by the SWAT Commander or his/her designee.

404.3.2 ORGANIZATIONAL PROCEDURES

This department shall develop a separate written set of organizational procedures which should address, at minimum:

(a) Locally identified specific missions the team is capable of performing.

(b) Team organization and function.

(c) Personnel selection and retention criteria.

(d) Training and required competencies.

(e) Procedures for activation and deployment.

(f) Command and control issues, including a clearly defined command structure.

(g) Multi-agency response.

(h) Out-of-jurisdiction response.

(i) Specialized functions and supporting resources.

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404.3.3 OPERATIONAL PROCEDURES

(a) This department shall develop a separate written set of operational procedures in accordance with the determination of their level of capability, using sound risk reduction practices. The operational procedures should be patterned after the "National Tactical Officers Association" Suggested SWAT Best Practices. However, because such procedures are specific to SWAT Team members and will outline tactical and officer safety issues, they are not included within this policy. The operational procedures should include, at minimum:

1. Operational plan for responding to each incident (time permitting).
2. Designated personnel should be responsible for developing an operational or tactical plan prior to, and during, SWAT operations.
3. Mission briefings should be conducted prior to an operation, unless circumstances require immediate deployment.
    (a) When possible, briefings should include the specialized units and supporting resources.
4. All SWAT team members should have an understanding of operational planning.
5. SWAT team training should consider planning for both spontaneous and planned events.
6. SWAT teams should incorporate medical emergency contingency planning as part of the SWAT operational plan.
7. Protocols for a sustained operation should be developed which may include relief, rotation of personnel, and augmentation of resources.
8. Accessibility to language interpreters for common non-english speaking groups represented in the community.

(b) A generic checklist to be worked through prior to initiating a tactical action as a means of conducting a threat assessment to determine the appropriate response and resources necessary, including the use of SWAT.

(c) The appropriate role for a trained negotiator.

(d) A standard method of determining whether or not a warrant should be regarded as high-risk.

(e) A method for deciding how best to serve a high-risk warrant with all reasonably foreseeable alternatives being reviewed in accordance with risk/benefit criteria prior to selecting the method of response.

(f) Post incident scene management including:

(a) Documentation of the incident.

(b) Transition to investigations and/or other units.

(c) Debriefings after every deployment of the SWAT team.

(a) After-action team debriefings provide evaluation and analysis or critical incidents and affords the opportunity for individual and team assessments,

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helps to identify training needs, and reinforces sound risk management practices.

(b) Such debriefings should not be conducted until involved officers have had the opportunity to individually complete necessary reports or provide formal statements.

(c) In order to maintain candor and a meaningful exchange, debriefings will generally not be recorded.

(d) When appropriate, debriefings should include specialized units and resources.

(g) Sound risk management analysis.

(h) Standardization of equipment deployed.

404.4 TRAINING NEEDS ASSESSMENT

The SWAT Commander shall conduct an annual SWAT Training “needs assessment” to ensure that training is conducted within team capabilities and agency policy.

404.4.1 INITIAL TRAINING

SWAT team operators and SWAT supervisors/team leaders should not be deployed until successful completion of the certified basic SWAT Course or its equivalent. To avoid unnecessary or redundant training, previous training completed by members may be considered equivalent when the hours and content (topics) meet or exceed agency requirements or standardized training recommendations.

404.4.2 UPDATED TRAINING

Appropriate team training for the specialized SWAT functions and other supporting resources should be completed prior to full deployment of the team.

SWAT team operators and SWAT supervisors/team leaders should complete POST-certified update or refresher training, or its equivalent, every 24 months.

404.4.3 SUPERVISION AND MANAGEMENT TRAINING

To ensure command and executive personnel who provide active oversight at the scene of SWAT operations understand the purpose and capabilities of the teams; command and executive personnel are encouraged to attend training for managing the SWAT function at the organizational level.

Command personnel who may assume incident command responsibilities should attend a SWAT or critical incident commander course or its equivalent. SWAT command personnel should attend a SWAT commander or tactical commander course, or its equivalent.

404.4.4 SWAT ONGOING TRAINING

Training shall be coordinated by the SWAT Team Commander. In addition to specialized training, the SWAT Team Commander may conduct monthly training exercises, to include a review and critique of personnel and their performance in the exercise. Training shall consist of the following:

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(a) Each SWAT member shall perform a physical fitness test annually. A minimum qualifying score must be attained by each team member.

(b) Any SWAT team officer failing to attain the minimum physical fitness qualification score will be notified of the requirement to retest and attain a qualifying score. Within 30 days of the previous physical fitness test date, the officer required to qualify shall report to a team supervisor and complete the entire physical fitness test. Failure to qualify after a second attempt may result in dismissal from the team.

(c) Those officers who are on vacation, ill, or are on light duty status with a doctor's note of approval on the test date, shall be responsible for reporting to a team supervisor and taking the test within thirty (30) days of their return to regular duty. Any member who fails to arrange for and perform the physical fitness test within the 30-day period, shall be considered as having failed to attain a qualifying score for that test period.

(d) Annually, each SWAT team member shall perform the POST handgun and riflequalification course. Failure to qualify will require that officer to seek remedial training from a team range master approved by the SWAT Team Commander. Team members who fail to qualify must retest within 30 days. Failure to qualify within 30 days with or without remedial training may result in dismissal from the team.

(e) Each SWAT team member shall complete the annual SWAT qualification course for any specialty weapon issued to, or used by, the team member during SWAT operations (sniper rifle, 40mm, etc.). Failure to qualify will require the team member to seek remedial training from the range master who has been approved by the CRU commander. Team members who fail to qualify on their specialty weapon may not utilize the specialty weapon on SWAT operations until qualified. Team members who fail to qualify must retest within 30 days. Failure to qualify with specialty weapons within 30 days may result in the team member being removed from the team or permanently disqualified from use of that particular specialty weapon.

404.4.5 TRAINING SAFETY

Use of a designated safety officer should be considered for all tactical training.

404.4.6 SCENARIO BASED TRAINING

SWAT teams should participate in scenario-based training that simulates the tactical operational environment. Such training is an established method of improving performance during an actual deployment. When possible, training with other SWAT teams is encouraged.

404.4.7 TRAINING DOCUMENTATION

Individual and team training shall be documented and records maintained by the Training Bureau. Such documentation shall be filed with the Training Coordinator and entered into each officer's individual, electronic POST training file. A separate agency training file for SWAT, CNT, UAS, and Bomb Squad shall be maintained with documentation and records of all team training.

404.5 UNIFORMS, EQUIPMENT, AND FIREARMS

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404.5.1 UNIFORMS
SWAT teams from this agency should wear uniforms that clearly identify team members as law enforcement officers. It is recognized that certain tactical conditions may require covert movement. Attire may be selected appropriate to the specific mission.

404.5.2 EQUIPMENT
SWAT teams from this agency should be adequately equipped to meet the specific mission(s) identified by the agency.

404.5.3 FIREARMS
Weapons and equipment used by SWAT, the specialized units, and the supporting resources should be agency-issued or approved, including any modifications, additions, or attachments.

404.5.4 OPERATIONAL READINESS INSPECTIONS
The SWAT Team commander shall appoint a team supervisor to perform operational readiness inspections of all unit equipment at least quarterly. The result of the inspection will be forwarded to the SWAT Team commander in writing. The inspection will include personal equipment issued to members of the unit, operational equipment maintained in the CRU facility and equipment maintained or used in CRU vehicles.

404.6 MANAGEMENT/SUPERVISION OF SWAT TEAM
The Commander of the SWAT Team shall be selected by the Chief of Police upon recommendation of staff.

404.6.1 PRIMARY UNIT MANAGER
Under the direction of the Chief of Police, through the Investigations and Special Operations BureauPatrol Bureau Commander, the SWAT Team shall be managed by a lieutenant.

404.6.2 TEAM SUPERVISORS
The Negotiation Team, Bomb Squad, UAS, and each Special Weapons and Tactics specialty team will be supervised by a team supervisor.

The team supervisors shall be selected by the Investigations and Special Operations CaptainChief of Police upon specific recommendation by staff and the SWAT Team Commander.

404.7 CRISIS NEGOTIATION TEAM ADMINISTRATIVE PROCEDURES
The Crisis Negotiation Team has been established to provide skilled verbal communicators who may be utilized to attempt to de-escalate and effect surrender in critical situations where suspects have taken hostages, barricaded themselves, or have suicidal tendencies.

The following procedures serve as directives for the administrative operation of the Crisis Negotiation Team.

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404.7.1 TRAINING OF NEGOTIATORS

Those officers selected as members of the Negotiation Team should attend a Basic Negotiators Course prior to primary use in an actual crisis situation. Untrained officers may be used in a support or training capacity. Additional training will be coordinated by the team supervisor.

Continual evaluation of a team member's performance and efficiency as it relates to the positive operation of the unit shall be conducted by the team supervisor. Performance and efficiency levels, established by the team supervisor, will be met and maintained by all team members. Any member of the Crisis Negotiation Team who performs or functions at a level less than satisfactory shall be subject to dismissal from the unit.

404.8 SWAT TEAM ADMINISTRATIVE PROCEDURES

The SWAT Team was established to provide a skilled and trained team which may be deployed during events requiring specialized tactics; for example, in such situations as cases where suspects have taken hostages and/or barricaded themselves. Also included are prolonged or predictable situations in which persons armed or suspected of being armed pose a danger to themselves or others.

The following procedures serve as directives for the administrative operation of the Special Weapons and Tactics Team (SWAT).

404.8.1 SELECTION OF PERSONNEL

When a vacancy on the SWAT Team occurs, interested sworn personnel who are off probation shall submit an application. Strong preference and consideration will be afforded to personnel with more than one year of experience. Those qualifying applicants will then be invited to participate in the testing process. The order of the tests will be given at the discretion of the CRU Commander. The testing process will consist of an oral board, physical agility, handgun and rifle qualification, and team evaluation.

404.8.2 TEAM EVALUATION

Continual evaluation of a team member’s performance and efficiency as it relates to the positive operation of the unit shall be conducted by the SWAT Commander. The performance and efficiency level, as established by the team supervisor, will be met and maintained by all SWAT Team members. Any member of the SWAT Team who performs or functions at a level less than satisfactory shall be subject to dismissal from the team.

404.9 OPERATION GUIDELINES FOR SWAT TEAM

The following procedures serve as guidelines for the operational deployment of the SWAT Team. Elements of the Special Weapons and Tactics Team can be activated together. It is recognized, however, that a tactical team may be used in a situation not requiring the physical presence of the CNT, UAS, or Bomb Squad. This shall be at the discretion of the SWAT Team Commander.

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404.9.1 ON-SCENE DETERMINATION

The supervisor in charge on the scene of a particular event will assess whether the SWAT Team should respond to the scene and will notify the SWAT Team Commander.

404.9.2 APPROPRIATE SITUATIONS FOR USE OF SWAT TEAM

The following are examples of incidents which **MAY** result in the activation of the SWAT Team:

(a) Barricaded suspects who refuse an order to surrender.

(b) Incidents where hostages are taken.

(c) Cases of suicide threats.

(d) Arrests of dangerous persons.

(e) Any situation that could enhance the ability to preserve life, maintain social order, and ensure the protection of property.

404.9.3 OUTSIDE AGENCY REQUESTS

Deployment of the Idaho Falls SWAT Team in response to requests by other agencies must be authorized by the Chief of Police.

404.9.4 MULTI-JURISDICTIONAL SWAT OPERATIONS

The SWAT team, including relevant specialized units and supporting resources, should develop protocols, agreements, MOU's, or working relationships to support multi-jurisdictional or regional responses.

(a) If it is anticipated that multi-jurisdictional SWAT operations will regularly be conducted; SWAT multi-agency and multi-disciplinary joint training exercises are encouraged.

(b) Members of the Idaho Falls Police Department SWAT team shall operate under the policies, procedures and command of the Idaho Falls Police Department when working in a multi-agency situation.

404.9.5 MOBILIZATION OF SWAT TEAM

The On-Scene supervisor shall make a deployment request to the SWAT Team Commander. If unavailable, a team supervisor shall be notified. A current mobilization list shall be maintained in Dispatch by the SWAT Team Commander. The On-Scene supervisor will then notify the On-Call Captain as soon as practical.

The On-Scene supervisor should advise the SWAT Team Commander of the following information if it is available at the time:

(a) The number of suspects, known weapons and resources;

(b) If the suspect is in control of hostages;

(c) If the suspect is barricaded;

(d) The type of crime involved;

(e) If the suspect has threatened or attempted suicide;

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(f) The location of the command post and a safe approach to it;

(g) The extent of any perimeter and the number of officers involved;

(h) Any other important facts critical to the immediate situation and whether the suspect has refused an order to surrender.

The SWAT Team Commander or supervisor shall then call selected team members to respond.

404.9.6 FIELD UNIT RESPONSIBILITIES

While waiting for the SWAT Team, field personnel should, if safe, practicable and if sufficient resources exist:

(a) Establish an inner and outer perimeter.

(b) Establish a command post outside of the inner perimeter.

(c) Establish an arrest/Emergency Action Team. The team actions may include:

1. Securing any subject or suspect who may surrender.
2. Taking action to mitigate a deadly threat or behavior.

(d) Evacuate any injured persons or citizens in the zone of danger.

(e) Attempt to establish preliminary communication with the suspect. Once the SWAT Team has arrived, all negotiations should generally be halted to allow the negotiators and SWAT time to set up.

(f) Be prepared to brief the SWAT Team Commander on the situation.

(g) Plan for and stage anticipated resources, including EMS.

404.9.7 ON-SCENE COMMAND RESPONSIBILITIES

Upon arrival of the SWAT Teamat the scene, the Incident Commander shall brief the SWAT Team Commander and team supervisors about the situation. Upon operational readiness, the SWAT Team Commander will be responsible for the tactical portion of the operation. The Incident Commander shall continue supervision of the command post operation, outer perimeter security, and support for the SWAT Team. The Incident Commander and the SWAT Team Commander (or his or her designee) shall maintain communications at all times.

404.9.8 COMMUNICATION WITH SWAT TEAM

All of those persons who are non-SWAT Team personnel should refrain from any non-emergency contact or interference with any member of the unit during active negotiations. Operations require the utmost in concentration by involved personnel and, as a result, no one should interrupt or communicate with SWAT Team personnel directly. All non-emergency communications shall be channeled through the Incident Commander or his/her designee.

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Ride-Along Policy

405.1 PURPOSE AND SCOPE

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

405.1.1 ELIGIBILITY

The Idaho Falls Police Department Ride-Along Program is offered to residents, students and those employed within the City. Every attempt will be made to accommodate interested persons however any applicant may be disqualified without cause.

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

- Being under 18 years of age (except for Senior Project students or with the approval of a supervisor)
- Prior criminal history
- Pending criminal action
- Pending lawsuit against this department
- Denial by any supervisor

405.1.2 AVAILABILITY

The Ride-Along Program is available on most days of the week, with certain exceptions. The ride-along times are from 10:00 a.m. to 11:00 p.m. Exceptions to this schedule may be made as approved by the Chief of Police, Bureau Commander, or Shift Lieutenant.

405.2 PROCEDURE TO REQUEST A RIDE-ALONG

Generally, ride-along requests will be scheduled by the Shift Lieutenant. The participant will complete a ride-along waiver form. Information requested will include a valid ID or Idaho driver's license, address, and telephone number. If the participant is under 18 years of age, a parent/guardian must be present to complete the Ride-Along Form.

The Shift Lieutenant will schedule a date, based on availability, at least one week after the date of application. If approved, a copy will be forwarded to the respective Shift Lieutenant as soon as possible for his/her scheduling considerations.

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

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405.2.1 PROGRAM REQUIREMENTS

Once approved, civilian ride-alongs will be allowed to ride no more than once annually. An exception would apply to the following: Employee family members, Cadets, Explorers, Chaplains, Reserves, police applicants,elected City officials, and all others with approval of the Shift Lieutenant.

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

405.2.2 SUITABLE ATTIRE

Any person approved to ride along is required to be suitably dressed in collared shirt, blouse or jacket, slacks and shoes. Sandals, T-shirts, tank tops, shorts and ripped or torn blue jeans are not permitted. Hats and ball caps will not be worn in the police vehicle. The Shift Lieutenant or field supervisor may refuse a ride along to anyone not properly dressed. A ballistic vest will be provided by the department and worn by the rider.

405.2.3 PEACE OFFICER RIDE-ALONGS

Off-duty, non-sworn members of this departmentwill not be permitted to ride-along with on-duty officers without the expressed consent of the Shift Lieutenant. In the event that such a ride-along is permitted, the off-duty employee shall not be considered on-duty.

Off-duty peace officers will not be permitted to ride-along with on-duty officers without the expressed consent of the Shift Lieutenant. In the event that such a ride-along is permitted, the off-duty peace officer shall not be considered on-duty and shall not represent themselves as a peace officer or participate in any law enforcement activity except as emergency circumstances may require.

405.2.4 RIDE-ALONG CRIMINAL HISTORY CHECK

All Ride-along applicants are subject to a criminal history check. The criminal history check may include a local records check and an automated check prior to their approval as a ride-along with a law enforcement officer (provided that the ride-along is not an employee of the Idaho Falls Police Department). The records unit will complete the background check on the applicant after being given the completed form by the shift lieutenant. The records unit will also be responsible for maintaining a log of completed applications

405.3 OFFICER'S RESPONSIBILITY

The officer shall advise the dispatcher that a ride-along is present in the vehicle before going into service. Officers shall consider the safety of the ride-along at all times. Officers should use sound discretion when encountering a potentially dangerous situation, and if feasible, let the participant out of the vehicle in a well-lighted place of safety. The dispatcher will be advised of the situation and as soon as practical have another police unit respond to pick up the participant at that location. The ride-along may be continued or terminated at this time.

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405.4 CONTROL OF RIDE-ALONG

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

(a) The ride-along will follow the directions of the officer.

(b) The ride-along will not become involved in any investigation, handling of evidence, discussions with victims or suspects, or handling any police equipment.

(c) The ride-along may terminate the ride at any time and the officer may return the observer to their home or to the station if the ride-along interferes with the performance of the officer's duties.

(d) Ride-alongs may be allowed to continue riding during the transportation and booking process provided this does not jeopardize their safety.

(e) Officers will not allow any ride-alongs to be present in any residences or situations that would jeopardize their safety or cause undue stress or embarrassment to a victim or any other citizen.

(f) Under no circumstance shall a civilian ride along be permitted to enter a private residence with an officer without the expressed consent of the resident or other authorized person.

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Hazardous Material Response

406.1 PURPOSE AND SCOPE

Hazardous materials present a potential harm to employees resulting from their exposure. The following is to be the policy of this department.

406.1.1 HAZARDOUS MATERIAL DEFINED

A hazardous material is a substance which by its nature, containment and reactivity, has the capability of inflicting harm during exposure; characterized as being toxic, corrosive, flammable, reactive, an irritant or strong sensitizer and thereby posing a threat to health when improperly managed.

406.2 HAZARDOUS MATERIAL RESPONSE

Employees may encounter situations involving suspected hazardous materials, such as at the scene of a traffic accident, chemical spill, or fire. When employees come into contact with a suspected hazardous material, certain steps should be taken to protect themselves and citizens.

The following steps should be considered at any scene involving suspected hazardous materials:

(a) Attempt to identify type of hazardous substance. (Identification can be determined by placard, driver's manifest or statements from person transporting).

(b) Notify the Fire Department.

(c) Provide first-aid for injured parties if it can be done safely and without contamination.

(d) Begin evacuation of immediate area and surrounding areas dependent on substance. Voluntary evacuation should be considered; however depending on the substance, mandatory evacuation may be necessary.

The Idaho Falls Police Department generally defers incidents involving hazardous materials to fire departments or to the Idaho State Police (ISP). These agencies will be provided with reasonable support and assistance.

406.2.1 HAZARDOUS MATERIAL ROLE AND RESPONSIBILITY

The Idaho State Police is the responsible agency for hazardous materials if no other agency assumes responsibility. The fire department has assumed that role within Idaho Falls. The Idaho Falls Police Department has declined to assume any hazardous material responsibility and will support and aid the fire departments or Idaho State Police in their role (Idaho Code 67-2901).

406.2.2 CLANDESTINE DRUG LABS

Suspected clandestine labs present extreme dangers from explosions and exposure to hazardous chemicals. Officers encountering a suspected clandestine lab should immediately leave the property without disturbing any lights, power, heating or cooking elements. Additionally, equipment and chemicals located at the site should remain undisturbed. The responding officer should request that a supervisor respond to the scene.

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The on-scene Idaho Falls Police Department supervisor at any suspected clandestine lab should immediately contact and request a response from the following:

- Idaho State Police Investigation Lab Team or the nearest ISP Investigation office.
- The Fire Department or regional hazmat response team.
- The Idaho Falls Police Region Seven Bomb Squad.

The Idaho Falls Police Department will not assume any responsibility for clean-up of clandestine labs, but will support ISP in their investigation.

Once a property has been positively identified as a clandestine lab, the on-scene Idaho Falls Police Department supervisor will coordinate mandated Department of Health and Welfare notifications with the ISP investigator in charge. If the ISP investigator requests that the Idaho Falls Police Department handle the notifications, the on-scene Idaho Falls Police Department supervisor will be responsible for completing and submitting such reports (IDAPA 16.02.24.110).

406.3 REPORTING EXPOSURE(S)

Police Department personnel who believe that they have been exposed to a hazardous material shall immediately report the exposure to a supervisor. Each exposure shall be documented by the employee's supervisor in a Supervisor's Report of Accidentthat shall be forwarded via chain of command to the Commanding Officer and Human Resources.

Injury or illness caused or believed to be caused from exposure to hazardous materials shall be reported the same as any other on-duty injury or illness in addition to a crime report or incident report.

406.3.1 SUPERVISOR RESPONSIBILITY

When a supervisor has been informed that an employee has been exposed to a hazardous material, he/she shall ensure that immediate medical treatment is obtained and appropriate action is taken to lessen the exposure.

To ensure the safety of employees, safety equipment is available through supervisory personnel or the Professional Standards and Training Bureau.

Supervisors are also responsible for the training of their subordinates on the proper use of the Emergency Response Guide.

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Hostages and Barricade Incidents

407.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for situations where officers have legal cause to detain or arrest a person, and the person refuses to submit to the lawful requests of the officers by remaining in a structure or vehicle and/or by taking a hostage.

The scope of this policy is not intended to address all variables that officers encounter during their initial response or when a hostage or barricade situation has developed. This policy does not require or purport to recommend specific strategies or tactics for resolution as each incident is a dynamic and rapidly evolving event.

407.1.1 DEFINITIONS

Definitions related to this policy include:

Barricade situation - An incident where a person maintains a position of cover or concealment and ignores or resists law enforcement personnel, and it is reasonable to believe the subject is armed with a dangerous or deadly weapon.

Hostage situation - An incident where it is reasonable to believe a person is unlawfully held by a hostage-taker as security so that specified terms or conditions will be met.

407.2 POLICY

It is the policy of the Idaho Falls Police Department to address hostage and barricade situations with due regard for the preservation of life and balancing the risk of injury, while obtaining the safe release of hostages, apprehending offenders and securing available evidence.

407.3 COMMUNICATION

When circumstances permit, initial responding officers should try to establish and maintain lines of communication with a barricaded person or hostage-taker. Officers should attempt to identify any additional subjects, inquire about victims and injuries, seek the release of hostages, gather intelligence information, identify time-sensitive demands or conditions and obtain the suspect's surrender.

When available, department-authorized negotiators should respond to the scene as soon as practicable and assume communication responsibilities. Negotiators are permitted to exercise flexibility in each situation based upon their training, the circumstances presented, suspect actions or demands and the available resources.

407.4 FIRST RESPONDER CONSIDERATIONS

First responding officers should promptly and carefully evaluate all available information to determine whether an incident involves, or may later develop into, a hostage or barricade situation.

The first responding officer should immediately request a supervisor's response as soon as it is determined that a hostage or barricade situation exists. The first responding officer shall assume

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the duties of the supervisor until relieved by a supervisor or a more qualified responder. The officer shall continually evaluate the situation, including the level of risk to officers, to the persons involved and to bystanders, and the resources currently available.

The handling officer should brief the arriving supervisor of the incident, including information about suspects and victims, the extent of any injuries, additional resources or equipment that may be needed, and current perimeters and evacuation areas.

407.4.1 BARRICADE SITUATION

Unless circumstances require otherwise, officers handling a barricade situation should work toward stabilizing the incident by establishing and maintaining lines of communication while awaiting the arrival of specialized personnel. During the interim the following options, while not all-inclusive or in any particular order, should be considered:

(a) Ensure injured persons are evacuated from the immediate threat area if it is reasonably safe to do so. Request medical assistance.

(b) Assign personnel to perimeter containment.

(c) Assign personnel to a contact team to control the subject should he/she attempt to exit the building, structure or vehicle, and attack, use deadly force, attempt to escape or surrender prior to additional resources arriving.

(d) Request additional personnel, resources and equipment as needed (e.g., canine team, air support).

(e) Provide responding emergency personnel with a safe arrival route to the location.

(f) Evacuate non-injured persons in the immediate threat area if it is reasonably safe to do so.

(g) Attempt or obtain a line of communication and gather as much information on the subject as possible, including weapons, other involved parties, additional hazards or injuries.

(h) Establish an inner and outer perimeter as circumstances require and resources permit to prevent unauthorized access.

(i) Evacuate bystanders, residents and businesses within the inner and then outer perimeter as appropriate. Check for injuries, the presence of other involved subjects, witnesses, evidence or additional information.

(j) Determine the need for and notify the appropriate persons within and outside the Department, such as command officers and the Public Information Officer.

(k) If necessary and available, establish a tactical or exclusive radio frequency for the incident.

(l) Establish a command post.

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407.4.2 HOSTAGE SITUATION

Officers presented with a hostage situation should attempt to avoid a forceful confrontation in favor of controlling the incident in anticipation of the arrival of specialized personnel and trained hostage negotiators. However, it is understood that hostage situations are dynamic and can require that officers react quickly to developing or changing threats. The following options while not all-inclusive or in any particular order, should be considered:

(a) Ensure injured persons are evacuated from the immediate threat area if it is reasonably safe to do so. Request medical assistance.

(b) Assign personnel to perimeter containment.

(c) Assign personnel to a contact team to control the subject should he/she attempt to exit the building, structure or vehicle, and attack, use deadly force, attempt to escape or surrender prior to additional resources arriving.

(d) Establish a rapid response team in the event it becomes necessary to rapidly enter a building, structure or vehicle, such as when the suspect is using deadly force against any hostages (see the Rapid Response and Deployment Policy).

(e) Assist hostages or potential hostages to escape if it is reasonably safe to do so. Hostages should be kept separated if practicable pending further interview.

(f) Request additional personnel, resources and equipment as needed (e.g., canine team, air support).

(g) Provide responding emergency personnel with a safe arrival route to the location.

(h) Evacuate non-injured persons in the immediate threat area if it is reasonably safe to do so.

(i) Coordinate pursuit or surveillance vehicles and control of travel routes.

(j) Attempt or obtain a line of communication and gather as much information about the suspect as possible, including any weapons, victims and their injuries, additional hazards, other involved parties and any other relevant intelligence information.

(k) Establish an inner and outer perimeter as resources and circumstances permit to prevent unauthorized access.

(l) Evacuate bystanders, residents and businesses within the inner and then outer perimeter as appropriate. Check for injuries, the presence of other involved subjects, witnesses, evidence or additional information.

(m) Determine the need for and notify the appropriate persons within and outside the Department, such as command officers and the Public Information Officer.

(n) If necessary and available, establish a tactical or exclusive radio frequency for the incident.

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407.5 SUPERVISOR RESPONSIBILITIES

Upon being notified that a hostage or barricade situation exists, the supervisor should immediately respond to the scene, assess the risk level of the situation, establish a proper chain of command and assume the role of Incident Commander until properly relieved. This includes requesting a SWAT response if appropriate and apprising the SWAT Commander of the circumstances. In addition, the following options, listed here in no particular order, should be considered:

(a) Ensure injured persons are evacuated and treated by medical personnel.

(b) Ensure the completion of necessary first responder responsibilities or assignments.

(c) Request crisis negotiators, specialized units, additional personnel, resources or equipment as appropriate.

(d) Establish a command post location as resources and circumstances permit.

(e) Designate assistants who can help with intelligence information and documentation of the incident.

(f) If it is practicable to do so, arrange for video documentation of the operation.

(g) Consider contacting utility and communication providers when restricting such services (e.g., restricting electric power, gas, telephone service).

(h) Ensure adequate law enforcement coverage for the remainder of the City during the incident. The supervisor should direct non-essential personnel away from the scene unless they have been summoned by the supervisor or Emergency Communications Center.

(i) Identify a media staging area outside the outer perimeter and have the department Public Information Officer or a designated temporary media representative provide media access in accordance with the News Media Relations Policy.

(j) Identify the need for mutual aid and the transition of relief of personnel for incidents of extended duration.

(k) Debrief personnel and review documentation as appropriate.

407.6 SWAT RESPONSIBILITIES

It will be the Incident Commander’s decision, with input from the SWAT Commander, whether to deploy SWAT during a hostage or barricade situation. Once the Incident Commander authorizes deployment, the SWAT Commander or the authorized designee will be responsible for the tactical portion of the operation. The Incident Commander shall continue supervision of the command post operation, outer perimeter security and evacuation, media access and support for SWAT. The Incident Commander and the SWAT Commander or the authorized designee shall maintain communications at all times.

407.7 REPORTING

Unless otherwise relieved by a supervisor or Incident Commander, the handling officer at the scene is responsible for completion and/or coordination of incident reports.

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Response to Bomb Calls

408.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines to assist members of the Idaho Falls Police Department in their initial response to incidents involving explosives, explosive devices, explosion/bombing incidents or threats of such incidents. Under no circumstances should these guidelines be interpreted as compromising the safety of first responders or the public. When confronted with an incident involving explosives, safety should always be the primary consideration.

408.2 POLICY

It is the policy of the Idaho Falls Police Department to place a higher priority on the safety of persons and the public over damage or destruction to public or private property.

408.3 RECEIPT OF BOMB THREAT

Department members receiving a bomb threat should obtain as much information from the individual as reasonably possible, including the type, placement and alleged detonation time of the device.

If the bomb threat is received on a recorded line, reasonable steps should be taken to ensure that the recording is preserved in accordance with established department evidence procedures.

The member receiving the bomb threat should ensure that the Patrol Supervisoris immediately advised and informed of the details. This will enable the Patrol Supervisorto ensure that the appropriate personnel are dispatched and, as appropriate, the threatened location is given an advance warning.

408.4 GOVERNMENT FACILITY OR PROPERTY

A bomb threat targeting a government facility may require a different response based on the government agency.

408.4.1 IDAHO FALLS POLICE DEPARTMENT FACILITY

If the bomb threat is against the Idaho Falls Police Department facility, the Patrol Supervisorwill direct and assign officers as required for coordinating a general building search or evacuation of the police department, as he/she deems appropriate.

408.4.2 OTHER COUNTY OR MUNICIPAL FACILITY OR PROPERTY

If the bomb threat is against a county or municipal facility within the jurisdiction of the Idaho Falls Police Department that is not the property of this department, the appropriate agency will be promptly informed of the threat. Assistance to the other entity may be provided as the Patrol Supervisor deems appropriate.

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408.4.3 FEDERAL BUILDING OR PROPERTY

If the bomb threat is against a federal building or property, the Federal Protective Service should be immediately notified. The Federal Protective Service provides a uniformed law enforcement response for most facilities, which may include use of its Explosive Detector Dog teams.

If the bomb threat is against a federal government property where the Federal Protective Service is unable to provide a timely response, the appropriate facility's security or command staff should be notified.

Bomb threats against a military installation should be reported to the military police or other military security responsible for the installation.

408.5 PRIVATE FACILITY OR PROPERTY

When a member of this department receives notification of a bomb threat at a location in the City of Idaho Falls, the member receiving the notification should obtain as much information as reasonably possible from the notifying individual, including:

(a) The location of the facility.

(b) The nature of the threat.

(c) Whether the type and detonation time of the device is known.

(d) Whether the facility is occupied and, if so, the number of occupants currently on-scene.

(e) Whether the individual is requesting police assistance at the facility.

(f) Whether there are any internal facility procedures regarding bomb threats in place, such as:

1. No evacuation of personnel and no search for a device.
2. Search for a device without evacuation of personnel.
3. Evacuation of personnel without a search for a device.
4. Evacuation of personnel and a search for a device.

The member receiving the bomb threat information should ensure that the Patrol Supervisor is immediately notified so that he/she can communicate with the person in charge of the threatened facility.

408.5.1 ASSISTANCE

The Patrol Supervisor should be notified when police assistance is requested. The Patrol Supervisor will make the decision whether the Department will render assistance and at what level. Information and circumstances that indicate a reasonably apparent, imminent threat to the safety of either the facility or the public may require a more active approach, including police control over the facility.

Should the Patrol Supervisordetermine that the Department will assist or control such an incident, he/she will determine:

(a) The appropriate level of assistance.

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(b) The plan for assistance.

(c) Whether to evacuate and/or search the facility.

(d) Whether to involve facility staff in the search or evacuation of the building.

1. The person in charge of the facility should be made aware of the possibility of damage to the facility as a result of a search.

2. The safety of all participants is the paramount concern.

(e) The need for additional resources, including:

1. Notification and response, or standby notice, for fire and emergency medical services.

Even though a facility does not request police assistance to clear the interior of a building, based upon the circumstances and known threat, officers may be sent to the scene to evacuate other areas that could be affected by the type of threat, or for traffic and pedestrian control.

408.6 FOUND DEVICE

When handling an incident involving a suspected explosive device, the following guidelines, while not all inclusive, should be followed:

(a) No known or suspected explosive item should be considered safe regardless of its size or apparent packaging.

(b) The appropriate Regional Response Team should be summoned for assistance with the information required in IDAPA 15.06.05.100.

(c) The device should not be touched or moved except by the bomb squad or military explosive ordnance disposal team.

(d) Personnel should not transmit on any equipment that is capable of producing radio frequency energy within the evacuation area around the suspected device. This includes the following:

1. Two-way radios

2. Cell phones

3. Other personal communication devices

(e) The appropriate bomb squad or military explosive ordnance disposal team should be summoned for assistance.

(f) The largest perimeter reasonably possible should initially be established around the device based upon available personnel and the anticipated danger zone.

(g) A safe access route should be provided for support personnel and equipment.

(h) Search the area for secondary devices as appropriate and based upon available resources.

(i) Consider evacuation of buildings and personnel near the device or inside the danger zone and the safest exit route.

(j) Promptly relay available information to the Patrol Supervisor including:

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(a) The time of discovery.

(b) The exact location of the device.

(c) A full description of the device (e.g., size, shape, markings, construction).

(d) The anticipated danger zone and perimeter.

(e) The areas to be evacuated or cleared.

408.7 EXPLOSION/BOMBING INCIDENTS

When an explosion has occurred, there are multitudes of considerations which may confront the responding officers. As in other catastrophic events, a rapid response may help to minimize injury to victims, minimize contamination of the scene by gathering crowds, or minimize any additional damage from fires or unstable structures.

408.7.1 CONSIDERATIONS

Officers responding to explosions, whether accidental or a criminal act, should consider the following actions:

(a) Assess the scope of the incident, including the number of victims and extent of injuries.

(b) Request additional personnel and resources, as appropriate.

(c) Assist with first aid.

(d) Identify and take appropriate precautions to mitigate scene hazards, such as collapsed structures, blood borne pathogens and hazardous materials.

(e) Assist with the safe evacuation of victims, if possible.

(f) Establish an inner perimeter to include entry points and evacuation routes. Search for additional or secondary devices.

(g) Preserve evidence.

(h) Establish an outer perimeter and evacuate if necessary.

(i) Identify witnesses.

408.7.2 NOTIFICATIONS

When an explosion has occurred, the following people should be notified as appropriate:

- Fire department
- Bomb squad
- Additional department personnel, such as investigators and forensic services
- Field supervisor
- Other law enforcement agencies, including local, state or federal agencies, such as the FBI and the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF)
- Other government agencies, as appropriate

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408.7.3 CROWD CONTROL

Only authorized members with a legitimate need should be permitted access to the scene. Spectators and other unauthorized individuals should be restricted to a safe distance as is reasonably practicable given the available resources and personnel. Media should be staged in a location with no direct view of the scene.

408.7.4 PRESERVATION OF EVIDENCE

As in any other crime scene, steps should immediately be taken to preserve the scene. The Patrol Supervisorshould assign officers to protect the crime scene area, which could extend over a long distance. Consideration should be given to the fact that evidence may be imbedded in nearby structures or hanging in trees and bushes.

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Crisis Intervention Incidents

409.1 PURPOSE AND SCOPE

This policy provides guidelines for interacting with those who may be experiencing a mental health or emotional crisis. Interaction with such individuals has the potential for miscommunication and violence. It often requires an officer to make difficult judgments about a person's mental state and intent in order to effectively and legally interact with the individual.

409.1.1 DEFINITIONS

Definitions related to this policy include:

Person in crisis - A person whose level of distress or mental health symptoms have exceeded the person's internal ability to manage his/her behavior or emotions. A crisis can be precipitated by any number of things, including an increase in the symptoms of mental illness despite treatment compliance; non-compliance with treatment, including a failure to take prescribed medications appropriately; or any other circumstance or event that causes the person to engage in erratic, disruptive or dangerous behavior that may be accompanied by impaired judgment.

409.2 POLICY

The Idaho Falls Police Department is committed to providing a consistently high level of service to all members of the community and recognizes that persons in crisis may benefit from intervention. The Department will collaborate, where feasible, with mental health professionals to develop an overall intervention strategy to guide its members' interactions with those experiencing a mental health crisis. This is to ensure equitable and safe treatment of all involved.

409.3 SIGNS

Members should be alert to any of the following possible signs of mental health issues or crises:

(a) A known history of mental illness

(b) Threats of or attempted suicide

(c) Loss of memory

(d) Incoherence, disorientation or slow response

(e) Delusions, hallucinations, perceptions unrelated to reality or grandiose ideas

(f) Depression, pronounced feelings of hopelessness or uselessness, extreme sadness or guilt

(g) Social withdrawal

(h) Manic or impulsive behavior, extreme agitation, lack of control

(i) Lack of fear

(j) Anxiety, aggression, rigidity, inflexibility or paranoia

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Members should be aware that this list is not exhaustive. The presence or absence of any of these should not be treated as proof of the presence or absence of a mental health issue or crisis.

409.4 COORDINATION WITH MENTAL HEALTH PROFESSIONALS

The Chief of Police should designate an appropriate Bureau Commander or their designee to collaborate with mental health professionals to develop an education and response protocol.

409.5 FIRST RESPONDERS

Safety is a priority for first responders. It is important to recognize that individuals under the influence of alcohol, drugs or both may exhibit symptoms that are similar to those of a person in a mental health crisis. These individuals may still present a serious threat to officers; such a threat should be addressed with reasonable tactics. Nothing in this policy shall be construed to limit an officer's authority to use reasonable force when interacting with a person in crisis.

Officers are reminded that mental health issues, mental health crises and unusual behavior alone are not criminal offenses. Individuals may benefit from treatment as opposed to incarceration.

An officer responding to a call involving a person in crisis should:

(a) Promptly assess the situation independent of reported information and make a preliminary determination regarding whether a mental health crisis may be a factor.

(b) Request available backup officers and specialized resources as deemed necessary and, if it is reasonably believed that the person is in a crisis situation, use conflict resolution and de-escalation techniques to stabilize the incident as appropriate.

(c) If feasible, and without compromising safety, turn off flashing lights, bright lights or sirens.

(d) Attempt to determine if weapons are present or available.

(e) Take into account the person's mental and emotional state and potential inability to understand commands or to appreciate the consequences of his/her action or inaction, as perceived by the officer.

(f) Secure the scene and clear the immediate area as necessary.

(g) Employ tactics to preserve the safety of all participants.

(h) Determine the nature of any crime.

(i) Request a supervisor, as warranted.

(j) Evaluate any available information that might assist in determining cause or motivation for the person's actions or stated intentions.

(k) If circumstances reasonably permit, consider and employ alternatives to force.

409.6 DE-ESCALATION

Officers should consider that taking no action or passively monitoring the situation may be the most reasonable response to a mental health crisis.

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Once it is determined that a situation is a mental health crisis and immediate safety concerns have been addressed, responding members should be aware of the following considerations and should generally:

- Evaluate safety conditions.
- Introduce themselves and attempt to obtain the person's name.
- Be patient, polite, calm, courteous and avoid overreacting.
- Speak and move slowly and in a non-threatening manner.
- Moderate the level of direct eye contact.
- Remove distractions or disruptive people from the area.
- Demonstrate active listening skills (e.g., summarize the person's verbal communication).
- Provide for sufficient avenues of retreat or escape should the situation become volatile.

Responding officers generally should not:

- Allow others to interrupt or engage the person.
- Corner a person who is not believed to be armed, violent or suicidal.
- Argue, speak with a raised voice or use threats to obtain compliance.

409.7 INCIDENT ORIENTATION

When responding to an incident that may involve mental illness or a mental health crisis, Dispatch should provide critical information as it becomes available. This includes:

(a) Whether the person relies on drugs or medication, or may have failed to take his/her medication.

(b) Whether there have been prior incidents, suicide threats/attempts, and whether there has been previous police response.

(c) Contact information for a treating physician or mental health professional.

Additional resources and a supervisor should be requested as warranted.

409.8 SUPERVISOR RESPONSIBILITIES

A supervisor should respond to the scene of any interaction with a person in crisis. Responding supervisors should:

(a) Attempt to secure appropriate and sufficient resources.

(b) Closely monitor any use of force, including the use of restraints, and ensure that those subjected to the use of force are provided with timely access to medical care (see the Handcuffing and Restraints Policy).

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(c) Consider strategic disengagement. Absent an imminent threat to the public and, as circumstances dictate, this may include removing or reducing law enforcement resources or engaging in passive monitoring.

(d) Ensure that all reports are completed and that incident documentation uses appropriate terminology and language.

(e) Conduct an after-action tactical and operational debriefing if necessary.

(f) Evaluate whether a critical incident stress management debriefing for involved members is warranted.

409.9 INCIDENT REPORTING

Members engaging in any oral or written communication associated with a mental health crisis should be mindful of the sensitive nature of such communications and should exercise appropriate discretion when referring to or describing persons and circumstances.

Members having contact with a person in crisis should keep related information confidential, except to the extent that revealing information is necessary to conform to department reporting procedures or other official mental health or medical proceedings.

409.9.1 DIVERSION

Individuals who are not being arrested should be processed in accordance with the Civil Commitments Policy.

409.10 CIVILIAN INTERACTION WITH PEOPLE IN CRISIS

Civilian members may be required to interact with persons in crisis in an administrative capacity, such as dispatching, records request, and animal control issues.

(a) Members should treat all individuals equally and with dignity and respect.

(b) If a member believes that he/she is interacting with a person in crisis, he/she should proceed patiently and in a calm manner.

(c) Members should be aware and understand that the person may make unusual or bizarre claims or requests.

If a person's behavior makes the member feel unsafe, if the person is or becomes disruptive or violent, or if the person acts in such a manner as to cause the member to believe that the person may be harmful to him/herself or others, an officer should be promptly summoned to provide assistance.

409.11 EVALUATION

The Bureau Commander designated to coordinate the crisis intervention strategy for this department should ensure that a thorough review and analysis of the department response to these incidents is conducted annually. The report will not include identifying information pertaining to any involved individuals, officers or incidents and will be submitted to the Chief of Police through the chain of command.

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409.12 TRAINING

In coordination with the mental health community and appropriate stakeholders, the Department will develop and provide comprehensive education and training to all department members to enable them to effectively interact with persons in crisis.

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Civil Commitments

410.1 PURPOSE AND SCOPE

This policy provides guidelines for when officers may place an individual under protective custody for civil commitment (Idaho Code 66-326).

410.2 POLICY

It is the policy of the Idaho Falls Police Department to protect the public and individuals through legal and appropriate use of the civil commitment process.

410.3 AUTHORITY

An officer may take a person into protective custody when he/she has reason to believe that the person is gravely disabled due to mental illness or poses an imminent danger to him/herself or others based upon (Idaho Code 66-326):

- Personal observation (e.g., the person's statements, injuries, emotional state, apparent means to carry out the threat, previous history of depression/suicide attempts).
- Witness observations.
- Medical professional's observations.

After determining that an emergency mental hold is appropriate, the officer shall:

- Obtain any needed medical evaluation.
- Transport the person to an appropriate facility.

410.3.1 VOLUNTARY EVALUATION

If an officer encounters an individual who may qualify for civil commitment, he/she may inquire as to whether the person desires to voluntarily be evaluated at an appropriate facility. If the individual so desires, the officers should:

(a) Transport the individual to an appropriate facility that is able to conduct the evaluation and admit the person as a civil commitment.

(b) If at any point the individual changes his/her mind regarding voluntary evaluation, officers should proceed with the civil commitment, if appropriate.

(c) Document the circumstances surrounding the individual's desire to pursue voluntary evaluation and/or admission.

410.3.2 PROTECTIVE CUSTODY OF CHILDREN

Unless the parent/legal guardian is unavailable or uncooperative, the officer will make every attempt to work with the parent to facilitate the mental health treatment of the child.

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An officer may take a child 17 years of age or younger into protective custody and transport the child to an appropriate facility or program for an emergency mental health evaluation when the officer determines (Idaho Code 16-2411):

(a) An emergency situation exists, there is probable cause to believe the child is suffering from a serious emotional disturbance and the child is likely to cause harm to him/herself or others.

(b) The child is unable to preserve his/her health and safety in his/her present surroundings and both immediate detention and treatment is necessary to prevent harm to the child or others.

Probable cause shall be based upon the officer's personal observation, information from the child's parents or the recommendation of a mental health professional (Idaho Code 16-2411).

The officer shall inform the medical staff in writing of the facts that caused the detention and specifically state whether the child is otherwise subject to being held for juvenile or criminal offenses (Idaho Code 16-2411).

The law enforcement agency shall notify the child's parent, guardian or custodian as soon as possible, but no later than 24 hours, of the child's status, location and the reasons for the child's detention. If the parents cannot be located or contacted, both the efforts made and the reasons for failure to contact the parent shall be documented in a written report (Idaho Code 16-2411).

410.4 CONSIDERATIONS AND RESPONSIBILITIES

On all police calls for service involving mentally ill subjects, suicidal subjects, disoriented persons, ungovernable juveniles, or any other mental health related call, Emergency Communications should assign the call as follows:

a. A minimum of one CIT Officer from the patrol section.

b. The patrol CIT Officer on scene will have initial responsibility for that call.

c. If a non-patrol CIT Officer responds to assist any patrol unit, the patrol unit will have the initial responsibility for the call unless the non-patrol CIT Officer requests the initial responsibility.

d. If a CIT officer is not immediately available, dispatch will assign the call by standard procedures and notify the patrol supervisor of the situation.

e. If a Patrol Officer responds to a call for service or on-views an incident and then discovers that it is a mental health related call, the patrol officer may request the assistance of a CIT Officer. The Patrol Officer will retain initial responsibility for the call unless the CIT Officer requests the initial responsibility.

f. A report will be generated when the Emergency Detention Authorization Form is completed and a person is placed on an involuntary hold.

g. Notes and demographics will be completed on all mental health related calls.

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h. Whenever a psychological issue is apparent, whether criminal charges are being filed or not, the case officer will reflect "Psychiatric Problem" as the occurred incident type in the case report or incident report.

Any officer handling a call involving an individual who may qualify for a civil commitment should consider, as time and circumstances reasonably permit:

i. Available information that might assist in determining the cause and nature of the individual's action or stated intentions.

ii. Community or neighborhood mediation services.

iii. Conflict resolution and de-escalation techniques.

iv. Community or other resources available to assist in dealing with mental health issues.

While these steps are encouraged, nothing in this section is intended to dissuade officers from taking reasonable action to ensure the safety of the officers and others.

Civil commitments should be preferred over arrest for people who have mental health issues and are suspected of committing minor crimes or creating other public safety issues.

410.4.1 SECURING PROPERTY OF CHILDREN

Upon taking a child into protective custody for a mental health evaluation, the officer shall ensure that any property of the child is safeguarded and preserved unless a parent or responsible relative is able to do so (Idaho Code 16-2411).

410.5 TRANSPORTATION

When transporting any individual for a civil commitment, the transporting officer should have Emergency Communications Center notify the receiving facility of the estimated time of arrival, the level of cooperation of the individual and whether any special medical care is needed.

Officers may transport individuals in a patrol unit and shall secure them in accordance with the Handcuffing and Restraints Policy. Should the detainee require transport in a medical transport vehicle and the safety of any person, including the detainee, will require the presence of an officer during the transport.

410.5.1 TRANSPORTING CHILDREN

If the examining physician determines that a child does not meet the criteria for emergency evaluation and treatment, and the child is subject to detention for a juvenile or criminal offense, the officer shall return to the treatment facility or mental health program to transport the child to a juvenile custody facility (Idaho Code 16-2413).

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410.5.2 TRANSPORTING BETWEEN MEDICAL FACILITIES
Whenever an officer deems it necessary to apply restraints to an individual while transporting an individual from one medical facility to another and that restraint is against the medical advice of a licensed physician, the officer shall document the use of restraints in a report (Idaho Code 66-345).

410.6 TRANSFER TO APPROPRIATE FACILITY

Upon arrival at the facility, the officer will escort the individual into a treatment area designated by a facility staff member. If the individual is not seeking treatment voluntarily, the officer should provide the staff member with the written document for civil commitment and remain present to provide clarification of the grounds for detention, upon request.

Absent exigent circumstances, the transporting officer should not assist facility staff with the admission process, including restraint of the individual. However, if the individual is transported and delivered while restrained, the officer may assist with transferring the individual to facility restraints and will be available to assist during the admission process, if requested. Under normal circumstances, officers will not apply facility-ordered restraints.

410.7 DOCUMENTATION

The officer should complete a Protective Custody Hold form, provide it to the facility staff member assigned to the individual and retain a copy of the application for emergency admission for inclusion in the case report.

The officer should also provide a verbal summary to any evaluating staff member regarding the circumstances leading to the involuntary detention.

410.8 CRIMINAL OFFENSES

Officers investigating an individual who is suspected of committing a minor criminal offense and who is being taken into custody for a civil commitment should resolve the criminal matter by issuing a warning or a uniform citation, as appropriate.

When an individual who may qualify for a civil commitment has committed a serious criminal offense that would normally result in an arrest and transfer to a jail facility, the officer should:

(a) Arrest the individual when there is probable cause to do so.

(b) Notify the appropriate supervisor of the facts supporting the arrest and the facts that would support the civil commitment.

(c) Facilitate the individual's transfer to the jail facility.

(d) Thoroughly document in the related reports the circumstances that indicate the individual may qualify for a civil commitment.

In the supervisor's judgment, the individual may instead be arrested or booked and transported to the appropriate mental health facility. The supervisor should consider the seriousness of the offense, the treatment options available, the ability of this department to regain custody of the

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individual, department resources (e.g., posting a guard) and other relevant factors in making this decision.

410.9 TRAINING

This departmentshould provide department-approved training on interaction with mentally disabled persons, civil commitments and crisis intervention.

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Citation Releases

411.1 PURPOSE AND SCOPE

The purpose of this policy is to provide members of the Idaho Falls Police Department with guidance on when to release adults who are suspected offenders on a uniform citation obtaining a written promise to appear in court for a criminal offense, rather than having the person held in custody for a court appearance or released on bail (Idaho Code 19-3901; I.M.C.R. Rule 5).

Additional release restrictions may apply to those detained for domestic violence, as outlined in the Domestic Violence Policy.

411.2 POLICY

The Idaho Falls Police Department will consider its resources and its mission of protecting the community when exercising any discretion to release suspected offenders on a uniform citation with a promise to appear in court, when authorized to do so.

411.3 RELEASE

When a misdemeanor or infraction is triable by a magistrate, an officer may, in lieu of making a written complaint, issue a uniform citation containing a complaint and summons to appear in a form and in the manner prescribed by rule of the supreme court (Idaho Code 19-3901).

A suspected offender for a misdemeanor traffic violation who is not taken before a magistrate as required or permitted by the motor vehicles statutes shall be released on issuance of a uniform citation with a promise to appear in court (Idaho Code 49-1409).

Release by uniform citation for misdemeanor offenses can be accomplished in two separate ways:

(a) A field release is when the violator is released in the field without being transported to a jail facility.

(b) A jail release is when a violator is released after being transported to the jail and booked.

411.4 PROHIBITIONS

For the following felonies, or misdemeanors committed in the presence of an officer, a uniform citation is not permitted and the suspected offender shall be taken without unnecessary delay before the proper magistrate (Idaho Code 49-1405):

(a) Negligent homicide.

(b) Driving, or being in actual physical control of, a vehicle or operating a vessel while under the influence of alcohol or other intoxicating beverage.

(c) Driving a vehicle or operating a vessel while under the influence of any narcotic drug, or driving a vehicle or operating a vessel while under the influence of any other drug to a degree that renders the person incapable of safely driving a vehicle.

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(d) Failure to stop, failure to give information, or failure to render reasonable assistance in the event of an accident resulting in death or personal injuries.

See the Domestic Violence Policy for release restrictions related to those investigations.

411.4.1 RELEASE OF OFFENDER WHEN MAGISTRATE NOT AVAILABLE

Whenever an offender is taken into custody for the purpose of taking him/her before a magistrate as required under the Idaho Motor Vehicles Law for any charge other than a felony or the offenses outlined in the Prohibitions section of this policy, the person may be released from custody by a uniform citation and signed promise to appear under the following conditions (Idaho Code 49-1412):

(a) The magistrate is not available at the time of arrest.

(b) There is no bail schedule established by any magistrate or court.

(c) There is no lawful court clerk or other public officer available to accept bail.

411.5 CONSIDERATIONS

In determining whether to cite and release a person when discretion is permitted, officers should consider:

(a) The type of offense committed.

(b) The known criminal history of the suspected offender.

(c) The ability to identify the suspected offender with reasonable certainty.

(d) Whether there is any record of the individual failing to appear in previous cases or other articulable indications that the individual may not appear in court for this offense.

(e) The individual's ties to the area, such as residence, employment or family.

(f) Whether there is reasonable likelihood that criminal conduct by the individual will continue.

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Foreign Diplomatic and Consular Representatives

412.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure that members of the Idaho Falls Police Department extend appropriate privileges and immunities to foreign diplomatic and consular representatives in accordance with international law.

412.2 POLICY

The Idaho Falls Police Department respects international laws related to the special privileges and immunities afforded foreign diplomatic and consular representatives assigned to the United States.

All foreign diplomatic and consular representatives shall be treated with respect and courtesy, regardless of any privileges or immunities afforded them.

412.3 CLAIMS OF IMMUNITY

If a member comes into contact with a person where law enforcement action may be warranted and the person claims diplomatic or consular privileges and immunities, the member should, without delay:

(a) Notify a supervisor.

(b) Advise the person that his/her claim will be investigated and he/she may be released in accordance with the law upon confirmation of the person's status.

(c) Request the person's identification card, either issued by the U.S. Department of State (DOS), Office of the Chief of Protocol, or in the case of persons accredited to the United Nations, by the U.S. Mission to the United Nations. These are the only reliable documents for purposes of determining privileges and immunities.

(d) Contact the DOS Diplomatic Security Command Center at 571-345-3146 or toll free at 866-217-2089, or at another current telephone number and inform the center of the circumstances.

(e) Verify the immunity status with DOS and follow any instructions regarding further detention, arrest, prosecution and/or release, as indicated by the DOS representative. This may require immediate release, even if a crime has been committed.

Identity or immunity status should not be presumed from the type of license plates displayed on a vehicle. If there is a question as to the status or the legitimate possession of a Diplomat or Consul license plate, a query should be run via the National Law Enforcement Telecommunications System (NLETS), designating "US" as the state.

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412.4 ENFORCEMENT ACTION

If the DOS is not immediately available for consultation regarding law enforcement action, members shall be aware of the following:

(a) Generally, all persons with diplomatic and consular privileges and immunities may be issued a citation or notice to appear. However, the person may not be compelled to sign the citation.

(b) All persons, even those with a valid privilege or immunity, may be reasonably restrained in exigent circumstances for purposes of self-defense, public safety or the prevention of serious criminal acts.

(c) An impaired foreign diplomatic or consular representative may be prevented from driving a vehicle, even if the person may not be arrested due to privileges and immunities.

1. Investigations, including the request for field sobriety tests, chemical tests and any other tests regarding impaired driving may proceed but they shall not be compelled.

(d) The following persons may not be detained or arrested, and any property or vehicle owned by these persons may not be searched or seized:

1. Diplomatic-level staff of missions to international organizations and recognized family members
2. Diplomatic agents and recognized family members
3. Members of administrative and technical staff of a diplomatic mission and recognized family members
4. Career consular officers, unless the person is the subject of a felony warrant

(e) The following persons may generally be detained and arrested:

1. International organization staff; however, some senior officers are entitled to the same treatment as diplomatic agents.
2. Support staff of missions to international organizations
3. Diplomatic service staff and consular employees; however, special bilateral agreements may exclude employees of certain foreign countries.
4. Honorary consular officers

412.5 DOCUMENTATION

All contacts with persons who have claimed privileges and immunities afforded foreign diplomatic and consular representatives should be thoroughly documented and the related reports forwarded to DOS.

412.6 DIPLOMATIC IMMUNITY TABLE

Reference table on diplomatic immunity:

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Category	Arrested or Detained	Enter Residence Subject to Ordinary Procedures	Issued Traffic Citation	Subpoenaed as Witness	Prosecuted	Recognized Family Members
Diplomatic Agent	No, see note b	No	Yes	No	No	Same as sponsor full immunity and inviolability
Member of Admin and Tech Staff	No, see note b	No	Yes	No	No	Same as sponsor full immunity and inviolability
Service Staff	Yes, see note a	Yes	Yes	Yes	No for official acts. Yes otherwise, see note a	No immunity or inviolability, see note a
Career Consul Officer	Yes if for a felony and pursuant to a warrant, see note a	Yes, see note d	Yes	No for official acts. Testimony may not be compelled in any case	No for official acts. Yes otherwise, see note a	No immunity or inviolability
Honorable Consul Officer	Yes	Yes	Yes	No for official acts. Yes otherwise	No for official acts. Yes otherwise	No immunity or inviolability
Consulate Employees	Yes, see note a	Yes	Yes	No for official acts. Yes otherwise	No for official acts. Yes otherwise, see note a	No immunity or inviolability
Int'l Org Staff (note (b))	Yes, see note c	Yes, see note c	Yes	Yes, see note c	No for official acts. Yes otherwise, see note c	No immunity or inviolability
Diplomatic-Level Staff of Missions to Int'l Org	No, see note b	No	Yes	No	No	Same as sponsor full immunity and inviolability
Support Staff of Missions to Int'l Orgs	Yes	Yes	Yes	Yes	No for official acts. Yes otherwise	No immunity or inviolability

Notes for diplomatic immunity table:

(a) This table presents general rules. The employees of certain foreign countries may enjoy higher levels of privileges and immunities on the basis of special bilateral agreements.

(b) Reasonable constraints, however, may be applied in emergency circumstances involving self-defense, public safety, or in the prevention of serious criminal acts.

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(c) A small number of senior officers are entitled to be treated identically to diplomatic agents.

(d) Note that consul residences are sometimes located within the official consular premises. In such cases, only the official office space is protected from police entry.

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Rapid Response and Deployment

413.1 PURPOSE AND SCOPE

Violence that is committed in schools, workplaces and other locations by individuals or a group of individuals who are determined to target and kill persons and to create mass casualties presents a difficult situation for law enforcement. The purpose of this policy is to identify guidelines and factors that will assist responding officers in situations that call for rapid response and deployment.

413.2 POLICY

The Idaho Falls Police Department will endeavor to plan for rapid response to crisis situations, and to coordinate response planning with other emergency services as well as with those that are responsible for operating sites that may be the target of a critical incident.

Nothing in this policy shall preclude the use of reasonable force, deadly or otherwise, by members of the Department in protecting themselves or others from death or serious injury.

413.3 CONSIDERATIONS

When dealing with a crisis situation members should:

(a) Assess the immediate situation and take reasonable steps to maintain operative control of the incident.

(b) Obtain, explore and analyze sources of intelligence and known information regarding the circumstances, location and suspect involved in the incident.

(c) Attempt to attain a tactical advantage over the suspect by reducing, preventing or eliminating any known or perceived threat.

(d) Attempt, if feasible and based upon the suspect's actions and danger to others, a negotiated surrender of the suspect and release of the hostages.

413.4 FIRST RESPONSE

If there is a reasonable belief that acts or threats by a suspect are placing lives in imminent danger, first responding officers should consider reasonable options to reduce, prevent or eliminate the threat. Officers must decide, often under a multitude of difficult and rapidly evolving circumstances, whether to advance on the suspect, take other actions to deal with the threat or wait for additional resources.

If a suspect is actively engaged in the infliction of serious bodily harm or other life-threatening activity toward others, officers should take immediate action, if reasonably practicable, while requesting additional assistance.

Officers should remain aware of the possibility that an incident may be part of a coordinated multi-location attack that may require some capacity to respond to other incidents at other locations.

When deciding on a course of action officers should consider:

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(a) Whether to advance on or engage a suspect who is still a possible or perceived threat to others. Any advance or engagement should be based on information known or received at the time.

(b) Whether to wait for additional resources or personnel. This does not preclude an individual officer from taking immediate action.

(c) Whether individuals who are under imminent threat can be moved or evacuated with reasonable safety.

(d) Whether the suspect can be contained or denied access to victims.

(e) Whether the officers have the ability to effectively communicate with other personnel or resources.

(f) Whether planned tactics can be effectively deployed.

(g) The availability of rifles,, shields, breaching tools, control devices and any other appropriate tools, and whether the deployment of these tools will provide a tactical advantage.

In a case of a barricaded suspect with no hostages and no immediate threat to others, officers should summon and wait for additional assistance (special tactics and/or hostage negotiation team response).

413.5 PLANNING

The Patrol Bureau Commander should coordinate critical incident planning. Planning efforts should consider:

(a) Identification of likely critical incident target sites, such as schools, shopping centers, entertainment and sporting event venues.

(b) Availability of building plans and venue schematics of likely critical incident target sites.

(c) Communications interoperability with other law enforcement and emergency service agencies.

(d) Training opportunities in critical incident target sites, including joint training with site occupants.

(e) Evacuation routes in critical incident target sites.

(f) Patrol first-response training.

(g) Response coordination and resources of emergency medical and fire services.

(h) Equipment needs.

(i) Mutual aid agreements with other agencies.

(j) Coordination with private security providers in critical incident target sites.

413.6 TRAINING

The Training Lieutenant should include rapid response to critical incidents in the training plan. This training should address:

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(a) Orientation to likely critical incident target sites, such as schools, shopping centers, entertainment and sporting event venues.

(b) Communications interoperability with other law enforcement and emergency service agencies.

(c) Patrol first-response training, including patrol rifle,, breaching tool and control device training.

(d) First aid, including gunshot trauma.

(e) Reality-based scenario training (e.g., active shooter, disgruntled violent worker).

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Immigration Violations

414.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines to members of the Idaho Falls Police Department relating to immigration and interacting with federal immigration officials.

414.2 POLICY

It is the policy of the Idaho Falls Police Department that all members make personal and professional commitments to equal enforcement of the law and equal service to the public. Confidence in this commitment will increase the effectiveness of this department in protecting and serving the entire community and recognizing the dignity of all persons, regardless of their national origin or immigration status.

414.3 VICTIMS AND WITNESSES

To encourage crime reporting and cooperation in the investigation of criminal activity, all individuals, regardless of their immigration status, must feel secure that contacting or being addressed by members of law enforcement will not automatically lead to immigration inquiry and/or deportation. While it may be necessary to determine the identity of a victim or witness, members shall treat all individuals equally and not in any way that would violate the United States or Idaho constitutions.

414.4 DETENTIONS

An officer should not detain any individual, for any length of time, for a civil violation of federal immigration laws or a related civil warrant.

An officer who has a reasonable suspicion that an individual already lawfully contacted or detained has committed a criminal violation of federal immigration law may detain the person for a reasonable period of time in order to contact federal immigration officials to verify whether an immigration violation is a federal civil violation or a criminal violation. If the violation is a criminal violation, the officer may continue to detain the person for a reasonable period of time if requested by federal immigration officials (8 USC § 1357(g)(10)). No individual who is otherwise ready to be released should continue to be detained only because questions about the individual's status are unresolved.

If the officer has facts that establish probable cause to believe that a person already lawfully detained has committed a criminal immigration offense, he/she may continue the detention and may request a federal immigration official to respond to the location to take custody of the detained person (8 USC § 1357(g)(10)).

An officer is encouraged to forgo detentions made solely on the basis of a misdemeanor offense when time limitations, availability of personnel, issues of officer safety, communication capabilities, or the potential to obstruct a separate investigation outweigh the need for the detention.

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An officer should notify a supervisor as soon as practicable whenever an individual is being detained for a criminal immigration violation.

414.4.1 SUPERVISOR RESPONSIBILITIES
When notified that an officer has detained an individual and established probable cause to believe the person has violated a criminal immigration offense, the supervisor should determine whether it is appropriate to:

(a) Transfer the person to federal authorities.

(b) Lawfully arrest the person for a criminal offense or pursuant to a judicial warrant (see the Law Enforcement Authority Policy).

414.5 ARREST NOTIFICATION TO IMMIGRATION AND CUSTOMS ENFORCEMENT

Generally, an officer should not notify federal immigration officials when booking arrestees at a jail facility. Any required notification will be handled according to jail operation procedures. No individual who is otherwise ready to be released should continue to be detained solely for the purpose of notification.

414.6 FEDERAL REQUESTS FOR ASSISTANCE

Requests by federal immigration officials for assistance from this Department should be directed to a supervisor. The Department may provide available support services, such as traffic control or peacekeeping efforts.

414.7 INFORMATION SHARING

No member of this department will prohibit, or in any way restrict, any other member from doing any of the following regarding the citizenship or immigration status, lawful or unlawful, of any individual (8 USC § 1373):

(a) Sending information to, or requesting or receiving such information from federal immigration officials

(b) Maintaining such information in department records

(c) Exchanging such information with any other federal, state, or local government entity

414.7.1 IMMIGRATION DETAINERS
No individual should be held based solely on a federal immigration detainer under 8 CFR 287.7 unless the person has been charged with a federal crime or the detainer is accompanied by a warrant, affidavit of probable cause, or removal order. Notification to the federal authority issuing the detainer should be made prior to the release.

414.8 U VISA AND T VISA NONIMMIGRANT STATUS

Under certain circumstances, federal law allows temporary immigration benefits, known as a U visa, to victims and witnesses of certain qualifying crimes (8 USC § 1101(a)(15)(U)).

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Similar immigration protection, known as a T visa, is available for certain qualifying victims of human trafficking (8 USC § 1101(a)(15)(T)).

Any request for assistance in applying for U visa or T visa status should be forwarded in a timely manner to the Investigations and Special Operations Bureau supervisor assigned to oversee the handling of any related case. The Investigations and Special Operations Bureau supervisor should:

(a) Consult with the assigned investigator to determine the current status of any related case and whether further documentation is warranted.

(b) Contact the appropriate prosecutor assigned to the case, if applicable, to ensure the certification or declaration has not already been completed and whether a certification or declaration is warranted.

(c) Address the request and complete the certification or declaration, if appropriate, in a timely manner.

1. The instructions for completing certification and declaration forms can be found on the U.S. Department of Homeland Security (DHS) website.

(d) Ensure that any decision to complete, or not complete, a certification or declaration form is documented in the case file and forwarded to the appropriate prosecutor. Include a copy of any completed form in the case file.

414.9 TRAINING

The Training Lieutenant should ensure officers receive training on this policy.

Training should include:

(a) Identifying civil versus criminal immigration violations.

(b) Factors that may be considered in determining whether a criminal immigration offense has been committed.

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Emergency Utility Service

415.1 PURPOSE AND SCOPE

The City Public Works Department has personnel available to handle emergency calls 24 hours per day. Calls for service during non-business hours are frequently directed to the Police Department. Requests for such service received by this department should be handled in the following manner.

415.1.1 BROKEN WATER LINES

The City's responsibility ends at the water main valve; any break or malfunction in the water system from the water main valve to the citizen's residence or business is the customer's responsibility. If a break occurs on the City side of the valve, emergency personnel should be called as soon as practical by Emergency Communications Center.

415.1.2 ELECTRICAL LINES

When a power line poses a hazard, an officer should be dispatched to protect against personal injury or property damage that might be caused by power lines. Idaho Falls Power should be promptly notified, as appropriate.

415.1.3 RESERVOIRS, PUMPS, WELLS, ETC.

Public Works maintains the reservoirs and public water equipment, as well as underpass and street drainage pumps. In the event of flooding or equipment malfunctions, emergency personnel should be contacted as soon as possible.

415.1.4 EMERGENCY NUMBERS

A current list of emergency personnel who are to be called for municipal utility emergencies is maintained by Emergency Communications Center.

415.2 TRAFFIC SIGNAL MAINTENANCE

The City of Idaho Falls maintains traffic signals within the City, other than those maintained by the State of Idaho.

415.2.1 OFFICER'S RESPONSIBILITY

Upon observing a damaged or malfunctioning signal, the officer will advise Emergency Communications Center of the location and problem with the signal. The dispatcher should make the necessary notification to the proper maintenance agency.

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Field Training Officer Program

416.1 PURPOSE AND SCOPE

The Field Training Program is intended to provide a standardized program to facilitate the officer's transition from the academic setting to the actual performance of general law enforcement duties of the Idaho Falls Police Department.

It is the policy of this department to assign all new police officers to a structured Training Program that is designed to prepare the new officer to perform in a patrol assignment possessing all skills needed to operate in a safe, skillful, productive and professional manner.

416.2 FIELD TRAINING OFFICER SELECTION AND TRAINING

The Field Training Officer (FTO) is an experienced officer trained in the art of supervising, training and evaluating entry level and lateral police officers in the application of their previously acquired knowledge and skills. The FTO is expected to reflect a high level of personal integrity, character and maturity.

416.2.1 SELECTION PROCESS

FTO's will be selected based on the following requirements:

(a) Desire to be an FTO.

(b) Minimum of three years of patrol experience, oneof which shall be with this department.

(c) Demonstrated ability as a positive role model.

(d) Participate and pass an internal oral interview selection process.

(e) Evaluation by supervisors and current FTO's.

(f) Possess a POST Basic certificate.

416.2.2 TRAINING

An officer selected as a Field Training Officer shall successfully complete a Field Training Officer's Course prior to being assigned as an FTO.

All FTO's must complete a Field Training Officer update course every three years while assigned to the position of FTO.

416.3 FIELD TRAINING OFFICER PROGRAM SUPERVISOR

The Field Training Officer Program supervisor will be selected from the rank of sergeant or above by the Patrol Bureau Commander or his/her designee.

The responsibilities of the FTO Program Supervisor include the following:

(a) Assignment of trainees to FTOs.

(b) Conducting FTO meetings.

(c) Maintain and ensure FTO/Trainee performance evaluations are completed.

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(d) Maintain, update and issue the Field Training Manual to each trainee.

(e) Monitor individual FTO performance.

(f) Monitor overall FTO Program.

(g) Maintain liaison with other agency's FTO Coordinators.

(h) Maintain liaison with academy staff on recruit performance during the academy.

(i) Develop ongoing training for FTOs.

The FTO Program supervisor will be required to successfully complete a POST approved Field Training Supervisor's School every three years he/she holds that position.

416.4 TRAINEE DEFINED

Any entry level or lateral police officer newly appointed to the Idaho Falls Police Department who has not successfully completed training programs as required by this department and POST.

416.5 REQUIRED TRAINING

Entry level officers shall be required to successfully complete the Field Training Program, which shall include a minimum of 40 hours for completing the POST FTO Manual.

To the extent practicable, entry level and lateral officers should be assigned to a variety of Field Training Officers, shifts and geographical areas during their Field Training Program.

416.5.1 FIELD TRAINING MANUAL

Each new officer will be issued a Field Training Manual at the beginning of his/her Primary Training Phase. This manual is an outline of the subject matter and/or skills necessary to properly function as an officer with the Idaho Falls Police Department. The officer shall become knowledgeable of the subject matter as outlined. He/she shall also become proficient with those skills as set forth in the manual.

The Field Training Manual will specifically cover those policies, procedures, rules and regulations enacted by the Idaho Falls Police Department.

416.6 EVALUATIONS

Evaluations are an important component of the training process and shall be completed as outlined below.

416.6.1 FIELD TRAINING OFFICER

The FTO will be responsible for the following:

(a) Complete and submit a written evaluation on the performance of their assigned trainee to the Field Training Officer Program Supervisor on a daily basis.

(b) Review the Daily Trainee Performance Evaluations with the trainee each day.

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(c) Complete a detailed end-of-phase performance evaluation on his/her assigned trainee at the end of each phase of training.

(d) Signing off all completed topics contained in the Field Training Manual, noting the method(s) of learning and evaluating the performance of his/her assigned trainee.

416.6.2 FIELD TRAINING OFFICER PROGRAM SUPERVISOR
The Field Training Officer Program Supervisor shall review and approve the Daily Trainee Performance Evaluations and forward them to the Field Training Administrator.

416.6.3 FIELD TRAINING ADMINISTRATOR
The Field Training Administrator will review and approve the Daily Trainee Performance Evaluations submitted by the FTO through his/her Field Training Officer Program supervisor.

416.6.4 TRAINEE
At the completion of the Field Training Program, the trainee shall submit a confidential performance evaluation on each of their FTO's and on the Field Training Program.

416.7 DOCUMENTATION
All documentation of the Field Training Program will be retained in the officer’s training files and will consist of the following:

(a) Daily Trainee Performance Evaluations (D.O.R.s, S.O.R.s, examinations, etc.).

(b) End of phase evaluations.

(c) A Certificate of Completion certifying that the trainee has successfully completed the required number of hours of field training.

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Aircraft Accidents

417.1 PURPOSE AND SCOPE

The purpose of this policy is to provide department members with guidelines for handling aircraft accidents.

This policy does not supersede, and is supplementary to, applicable portions of the Crime and Disaster Scene Integrity, Emergency Management Plan and Hazardous Material Response policies.

417.1.1 DEFINITIONS

Definitions related to this policy include:

Aircraft - Any fixed wing aircraft, rotorcraft, balloon, blimp/dirigible or glider that is capable of carrying a person or any unmanned aerial vehicle other than those intended for non-commercial recreational use.

417.2 POLICY

It is the policy of the Idaho Falls Police Department to provide an appropriate emergency response to aircraft accidents. This includes emergency medical care and scene management.

417.3 ARRIVAL AT SCENE

Officers or other authorized members tasked with initial scene management should establish an inner and outer perimeter to:

(a) Protect persons and property.

(b) Prevent any disturbance or further damage to the wreckage or debris, except to preserve life or rescue the injured.

(c) Preserve ground scars and marks made by the aircraft.

(d) Manage the admission and access of public safety and medical personnel to the extent necessary to preserve life or to stabilize hazardous materials.

(e) Maintain a record of persons who enter the accident site.

(f) Consider implementation of an Incident Command System (ICS).

417.4 INJURIES AND CASUALTIES

Members should address emergency medical issues and provide care as a first priority.

Those tasked with the supervision of the scene should coordinate with the National Transportation Safety Board (NTSB) before the removal of bodies. If that is not possible, the scene supervisor should ensure documentation of what was disturbed, including switch/control positions and instrument/gauge readings.

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417.5 NOTIFICATIONS

When an aircraft accident is reported to this department, the responding supervisor shall ensure notification is or has been made to NTSB, the Federal Aviation Administration (FAA), and when applicable, the appropriate branch of the military.

Supervisors shall ensure other notifications are made once an aircraft accident has been reported. The notifications will vary depending on the type of accident, extent of injuries or damage, and the type of aircraft involved. When an aircraft accident has occurred, it is generally necessary to notify the following:

(a) Fire department

(b) Appropriate airport tower

(c) Emergency medical services (EMS)

417.6 CONTROLLING ACCESS AND SCENE AUTHORITY

Prior to NTSB arrival, scene access should be limited to authorized personnel from the:

(a) FAA.

(b) Fire department, EMS or other assisting law enforcement agencies.

(c) Coroner.

(d) Air Carrier/Operators investigative teams with NTSB approval.

(e) Appropriate branch of the military, when applicable.

(f) Other emergency services agencies (e.g., hazardous materials teams, biohazard decontamination teams, fuel recovery specialists, explosive ordnance disposal specialists).

The NTSB has primary responsibility for investigating accidents involving civil aircraft. In the case of a military aircraft accident, the appropriate branch of the military will have primary investigation responsibility.

After the NTSB or military representative arrives on-scene, the efforts of this department will shift to a support role for those agencies.

If NTSB or a military representative determines that an aircraft or accident does not qualify under its jurisdiction, the on-scene department supervisor should ensure the accident is still appropriately investigated and documented.

417.7 DANGEROUS MATERIALS

Members should be aware of potentially dangerous materials that might be present. These may include, but are not limited to:

(a) Fuel, chemicals, explosives, biological or radioactive materials and bombs or other ordinance.

(b) Pressure vessels, compressed gas bottles, accumulators and tires.

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(c) Fluids, batteries, flares and igniters.

(d) Evacuation chutes, ballistic parachute systems and composite materials.

417.8 DOCUMENTATION

All aircraft accidents occurring within the City of Idaho Falls shall be documented in a report. Documentation should include the date, time and location of the incident; any witness statements, if taken; the names of IFPD members deployed to assist; other City resources that were utilized; and cross reference information to other investigating agencies. Suspected criminal activity should be documented on the appropriate crime report.

417.8.1 WRECKAGE

When reasonably safe, members should:

(a) Obtain the aircraft registration number (N number) and note the type of aircraft.

(b) Attempt to ascertain the number of casualties.

(c) Obtain photographs or video of the overall wreckage, including the cockpit and damage, starting at the initial point of impact, if possible, and any ground scars or marks made by the aircraft.

1. Military aircraft may contain classified equipment and therefore shall not be photographed unless authorized by a military commanding officer (18 USC § 795).

(d) Secure, if requested by the lead authority, any electronic data or video recorders from the aircraft that became dislodged or cell phones or other recording devices that are part of the wreckage.

(e) Acquire copies of any recordings from security cameras that may have captured the incident.

417.8.2 WITNESSES

Members tasked with contacting witnesses should obtain:

(a) The location of the witness at the time of his/her observation relative to the accident site.

(b) A detailed description of what was observed or heard.

(c) Any photographs or recordings of the accident witnesses may be willing to voluntarily surrender.

(d) The names of all persons reporting the accident, even if not yet interviewed.

(e) Any audio recordings of reports to 9-1-1 regarding the accident and dispatch records.

417.9 MEDIA RELATIONS

The Public Information Officer (PIO) should coordinate a response to the media, including access issues, road closures, detours and any safety information that is pertinent to the surrounding community. Any release of information regarding details of the accident itself should

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be coordinated with the NTSB or other authority who may have assumed responsibility for the investigation.

Depending on the type of aircraft, the airline or the military may be responsible for family notifications and the release of victims' names. The PIO should coordinate with other involved entities before the release of information.

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Contacts and Temporary Detentions

418.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for temporarily detaining but not arresting persons in the field, conducting field interviews (FI) and pat-down searches, and the taking and disposition of photographs.

418.1.1 DEFINITIONS

Definitions related to this policy include:

Consensual encounter - When an officer contacts an individual but does not create a detention through words, actions, or other means. In other words, a reasonable individual would believe that his/her contact with the officer is voluntary.

Field interview (FI) - The brief detainment of an individual, whether on foot or in a vehicle, based on reasonable suspicion for the purpose of determining the individual's identity and resolving the officer's suspicions.

Field photographs - Posed photographs taken of a person during a contact, temporary detention, or arrest in the field. Undercover surveillance photographs of an individual and recordings captured by the normal operation of a Mobile/Audio Video (MAV) system, body-worn camera, or public safety camera when persons are not posed for the purpose of photographing are not considered field photographs.

Pat-down search - A type of search used by officers in the field to check an individual for dangerous weapons. It involves a thorough patting-down of clothing to locate any weapons or dangerous items that could pose a danger to the officer, the detainee, or others.

Reasonable suspicion - When, under the totality of the circumstances, an officer has articulable facts that criminal activity may be afoot and a particular person is connected with that possible criminal activity.

Temporary detention - When an officer intentionally, through words, actions, or physical force, causes an individual to reasonably believe he/she is required to restrict his/her movement without an actual arrest. Temporary detentions also occur when an officer actually restrains a person's freedom of movement.

418.2 POLICY

The Idaho Falls Police Department respects the right of the public to be free from unreasonable searches or seizures. Due to an unlimited variety of situations confronting the officer, the decision to temporarily detain a person and complete an FI, pat-down search, or field photograph shall be left to the officer based on the totality of the circumstances, officer safety considerations, and constitutional safeguards.

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418.3 FIELD INTERVIEWS

Based on observance of suspicious circumstances or upon information from investigation, an officer may initiate the stop of a person, and conduct an FI, when there is articulable, reasonable suspicion to do so. A person, however, shall not be detained longer than is reasonably necessary to resolve the officer's suspicion.

Nothing in this policy is intended to discourage consensual contacts. Frequent casual contact with consenting individuals is encouraged by the Idaho Falls Police Department to strengthen community involvement, community awareness, and problem identification.

418.3.1 INITIATING A FIELD INTERVIEW

When initiating the stop, an officer should be able to point to specific facts which, when considered with the totality of the circumstances, reasonably warrant the stop. Such facts include but are not limited to an individual's:

(a) Appearance or demeanor suggesting that he/she is part of a criminal enterprise or is engaged in a criminal act.

(b) Actions suggesting that he/she is engaged in a criminal activity.

(c) Presence in an area at an inappropriate hour of the day or night.

(d) Presence in a particular area is suspicious.

(e) Carrying of suspicious objects or items.

(f) Excessive clothes for the climate or clothes bulging in a manner that suggest he/she is carrying a dangerous weapon.

(g) Location in proximate time and place to an alleged crime.

(h) Physical description or clothing worn that matches a suspect in a recent crime.

(i) Prior criminal record or involvement in criminal activity as known by the officer.

418.4 PAT-DOWN SEARCHES

Once a valid stop has been made, and consistent with the officer's training and experience, an officer may pat a suspect's outer clothing for weapons if the officer has a reasonable, articulable suspicion the suspect may pose a safety risk. The purpose of this limited search is not to discover evidence of a crime, but to allow the officer to pursue the investigation without fear of violence. Circumstances that may establish justification for performing a pat-down search include but are not limited to:

(a) The type of crime suspected, particularly in crimes of violence where the use or threat of weapons is involved.

(b) Where more than one suspect must be handled by a single officer.

(c) The hour of the day and the location or area where the stop takes place.

(d) Prior knowledge of the suspect's use of force and/or propensity to carry weapons.

(e) The actions and demeanor of the suspect.

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(f) Visual indications which suggest that the suspect is carrying a firearm or other dangerous weapon.

Whenever practicable, a pat-down search should not be conducted by a lone officer. A cover officer should be positioned to ensure safety and should not be involved in the search.

418.4 FIELD PHOTOGRAPHS

All available databases should be searched before photographing any field detainee. If a photograph is not located, or if an existing photograph no longer resembles the detainee, the officer shall carefully consider, among other things, the factors listed below.

418.4.1 FIELD PHOTOGRAPHS TAKEN WITH CONSENT

Field photographs may be taken when the subject being photographed knowingly and voluntarily gives consent.

418.4.2 FIELD PHOTOGRAPHS TAKEN WITHOUT CONSENT

Field photographs may be taken without consent only if they are taken during a detention that is based upon reasonable suspicion of criminal activity, and the photograph serves a legitimate law enforcement purpose related to the detention. The officer must be able to articulate facts that reasonably indicate that the subject was involved in or was about to become involved in criminal conduct. The subject should not be ordered to remove or lift any clothing for the purpose of taking a photograph.

If, prior to taking a photograph, the officer's reasonable suspicion of criminal activity has been dispelled, the detention must cease and the photograph should not be taken.

All field photographs and related reports shall be submitted to a supervisor and retained in compliance with this policy.

418.4.3 SUPERVISOR RESPONSIBILITIES

While it is recognized that field photographs often become valuable investigative tools, supervisors should monitor such practices in view of the above listed considerations. This is not to imply that supervisor approval is required before each photograph is taken. Access to, and use of, field photographs shall be strictly limited to law enforcement purposes.

418.4.4 DISPOSITION OF PHOTOGRAPHS

All detainee photographs must be adequately labeled and submitted to the Shift Lieutenant with documentation explaining the nature of the contact. If an individual is photographed as a suspect in a particular crime, the photograph should be submitted as an evidence item in the related case, following standard evidence procedures.

If a photograph is not associated with an investigation where a case number has been issued, the officer should forward the photograph to one of the following locations:

(a) If the photograph and associated FI or documentation is relevant to criminal organization/enterprise enforcement, the officer will forward the photograph and

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documents to the designated criminal intelligence system supervisor. The supervisor will ensure the photograph and supporting documents are retained as prescribed in the Criminal Organizations Policy.

(b) Photographs that do not qualify for retention in a criminal intelligence system or temporary information file shall be forwarded to the Police Records.

When a photograph is taken in association with a particular case, the investigator may use such photograph in a photo lineup. Thereafter, the individual photograph should be retained as a part of the case file. All other photographs shall be retained in accordance with the established records retention schedule.

418.5 WITNESS IDENTIFICATION AND INTERVIEWS

Because potential witnesses to an incident may become unavailable or the integrity of their statements compromised with the passage of time, officers should, when warranted by the seriousness of the case, take reasonable steps to promptly coordinate with an on-scene supervisor and/or criminal investigator to utilize available members for the following:

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

1. When feasible, a recorded statement should be obtained from those who claim not to have witnessed the incident but who were present at the time it occurred.
2. Any potential witness who is unwilling or unable to remain available for a formal interview should not be detained absent reasonable suspicion to detain or probable cause to arrest. Without detaining the individual for the sole purpose of identification, officers should attempt to identify the witness prior to his/her departure.

(b) Witnesses who are willing to provide a formal interview should be asked to meet at a suitable location where criminal investigators may obtain a recorded statement. Such witnesses, if willing, may be transported by department members.

1. A written, verbal, or recorded statement of consent should be obtained prior to transporting a witness. When the witness is a minor, consent should be obtained from the parent or guardian, if available, prior to transport.

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Criminal Organizations

419.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that the Idaho Falls Police Department appropriately utilizes criminal intelligence systems and temporary information files to support investigations of criminal organizations and enterprises.

419.1.1 DEFINITIONS

Definitions related to this policy include:

Criminal intelligence system - Any record system that receives, stores, exchanges or disseminates information that has been evaluated and determined to be relevant to the identification of a criminal organization or enterprise, its members or affiliates. This does not include temporary information files.

419.2 POLICY

The Idaho Falls Police Department recognizes that certain criminal activities, including but not limited to gang crimes and drug trafficking, often involve some degree of regular coordination and may involve a large number of participants over a broad geographical area.

It is the policy of this department to collect and share relevant information while respecting the privacy and legal rights of the public.

419.3 CRIMINAL INTELLIGENCE SYSTEMS

No department member may create, submit to or obtain information from a criminal intelligence system unless the Chief of Police has approved the system for department use.

Any criminal intelligence system approved for department use should meet or exceed the standards of 28 CFR 23.20.

The Criminal Intelligence Analyst will be responsible for maintaining each criminal intelligence system that has been approved for department use. The Criminal Intelligence Analyst should ensure the following:

(a) Members using any such system are appropriately selected and trained.

(b) Use of every criminal intelligence system is appropriately reviewed and audited.

(c) Any system security issues are reasonably addressed.

419.3.1 SYSTEM ENTRIES

It is the Criminal Intelligence Analyst's responsibility to approve the entry of any information from a report, FI, photo or other relevant document into an authorized criminal intelligence system. If entries are made based upon information that is not on file with this department, such as open or public source documents or documents that are on file at another agency, the Criminal Intelligence Analyst should ensure copies of those documents are retained by the Police Records. Any supporting documentation for an entry shall be retained by the Police Records in accordance

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with the established records retention schedule and for at least as long as the entry is maintained in the system.

The Criminal Intelligence Analyst should ensure that any documents retained by the Police Records are appropriately marked as intelligence information. The Police Records Supervisor may not purge such documents without the approval of the designated supervisor.

419.4 TEMPORARY INFORMATION FILE

Department supervisors, with the permission of the Chief of Police, may maintain temporary information files for the purpose of identifying criminal organizations or enterprises, their members or affiliates.

419.4.1 FILE CONTENTS

A temporary information file may only contain information and documents that, within one year, will have a reasonable likelihood to meet the criteria for entry into an authorized criminal intelligence system.

Information and documents contained in a temporary information file:

(a) Must only be included upon documented authorization of the responsible department supervisor.

(b) Should not be originals that would ordinarily be retained by the Police Records or Property and Evidence Office, but should be copies of, or references to, retained documents, such as copies of reports, field interview (FI) forms, Emergency Communications Center records or booking forms.

(c) Shall not include opinions. No person, organization or enterprise shall be labeled as being involved in crime beyond what is already in the document or information.

(d) May include information collected from publicly available sources or references to documents on file with another government agency. Attribution identifying the source should be retained with the information.

419.4.2 FILE REVIEW AND PURGING

The contents of a temporary information file shall not be retained longer than one year. At the end of one year, the contents must be purged in compliance with Idaho Public Records Law or entered in an authorized criminal intelligence system, as applicable.

Supervisors shall periodically review the temporary information files to verify that the contents meet the criteria for retention. Validation and purging of files is the responsibility of the supervisor.

419.5 INFORMATION RECOGNITION

Department members should document facts that suggest an individual, organization or enterprise is involved in criminal activity and should forward that information appropriately. Examples include, but are not limited to:

(a) Gang indicia associated with a person or residence.

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(b) Information related to a drug-trafficking operation.

(c) Vandalism indicating an animus for a particular group.

(d) Information related to an illegal gambling operation.

Department supervisors who utilize an authorized criminal intelligence system should work with the Training Lieutenant to train members to identify information that may be particularly relevant for inclusion.

419.6 RELEASE OF INFORMATION

Department members shall comply with the rules of an authorized criminal intelligence system regarding inquiries and release of information.

Information from a temporary information file may only be furnished to department members and other law enforcement agencies on a need-to-know basis and consistent with the Records Maintenance and Release Policy.

When an inquiry is made by the parent or guardian of a juvenile as to whether that juvenile's name is in a temporary information file, such information should be provided by the supervisor responsible for the temporary information file, unless there is good cause to believe that the release of such information might jeopardize an ongoing criminal investigation.

419.7 CRIMINAL STREET GANGS

The Investigations and Special Operations Bureau supervisor should ensure that there are an appropriate number of department members who can:

(a) Testify as experts on matters related to criminal street gangs, and maintain an above average familiarity with the identification of criminal gang members as described in Idaho Code 18-8502(2) and patterns of criminal gang activity as described in Idaho Code 18-8502(3).

(b) Coordinate with other agencies in the region regarding criminal street gang crimes and information.

(c) Train other members to identify gang indicia and investigate criminal street gang-related crimes.

419.8 TRAINING

The Training Lieutenant should provide training on best practices in the use of each authorized criminal intelligence system to those tasked with investigating criminal organizations and enterprises. Training should include:

(a) The protection of civil liberties.

(b) Participation in a multiagency criminal intelligence system.

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(c) Submission of information into a multiagency criminal intelligence system or the receipt of information from such a system, including any governing federal and state rules and statutes.

(d) The type of information appropriate for entry into a criminal intelligence system or temporary information file.

(e) The review and purging of temporary information files.

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Mobile Audio Video

420.1 PURPOSE AND SCOPE

The Idaho Falls Police Department has equipped marked patrol cars with Mobile Audio Video (MAV) recording systems to provide records of events and assist officers in the performance of their duties. This policy provides guidance on the use of these systems.

420.1.1 DEFINITIONS

Definitions related to this policy include:

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

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

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

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

420.2 POLICY

It is the policy of the Idaho Falls Police Department to use mobile audio and video technology to more effectively fulfill the department's mission and to ensure these systems are used securely and efficiently.

420.3 OFFICER RESPONSIBILITIES

Prior to going into service, each officer will properly equip him/herself to record audio and video in the field. At the end of the shift, each officer will follow the established procedures for providing to the Department any recordings or used media and any other related equipment. Each officer should have adequate recording media for the entire duty assignment. In the event an officer works at a remote location and reports in only periodically, additional recording media may be issued. Only Idaho Falls Police Department identified and labeled media with tracking numbers is to be used.

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

If the system is malfunctioning, the officer shall take the vehicle out of service unless a supervisor requests the vehicle remain in service.

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420.4 ACTIVATION OF THE MAV

The MAV system is designed to turn on whenever the unit's emergency lights are activated. The system remains on until it is turned off manually. If the audio portion is independently controlled it should be activated manually by the officer whenever appropriate. When audio is being recorded, the video will also record.

420.4.1 REQUIRED ACTIVATION OF MAV

This policy is not intended to describe every possible situation in which the MAV system may be used, although there are many situations where its use is appropriate. An officer may activate the system any time the officer believes it would be appropriate or valuable to document an incident.

In some circumstances it is not possible to capture images of the incident due to conditions or the location of the camera. However, the audio portion can be valuable evidence and is subject to the same activation requirements as the MAV. The MAV system should be activated in any of the following situations:

(a) All field contacts involving actual or potential criminal conduct, within video or audio range:

1. Traffic stops (to include, but not limited to, traffic violations, stranded motorist assistance and all crime interdiction stops)
2. Priority responses
3. Vehicle pursuits
4. Suspicious vehicles
5. Arrests
6. Vehicle searches
7. Physical or verbal confrontations or use of force
8. Pedestrian checks
9. DWI/DUI investigations including field sobriety tests
10. Consensual encounters
11. Crimes in progress
12. Responding to an in-progress call

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

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

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

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

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

420.4.2 CESSATION OF RECORDING

Once activated, the MAV system should remain on until the incident has concluded. For purposes of this section, conclusion of an incident has occurred when all arrests have been made, arrestees have been transported and all witnesses and victims have been interviewed. Recording may cease if an officer is simply waiting for a tow truck or a family member to arrive, or in other similar situations.

420.4.3 WHEN ACTIVATION IS NOT REQUIRED

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

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

420.4.4 SUPERVISOR RESPONSIBILITIES

Supervisors should determine if vehicles with non-functioning MAV systems should be placed into service. If these vehicles are placed into service, the appropriate documentation should be made.

At reasonable intervals, supervisors should validate that:

(a) Beginning and end-of-shift recording procedures are followed.

(b) Logs reflect the proper chain of custody, including:

1. The tracking number of the MAV system media.
2. The date it was issued.
3. The law enforcement operator or the vehicle to which it was issued.
4. The date it was submitted.
5. Law enforcement operators submitting the media.
6. Holds for evidence indication and tagging as required.

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

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420.5 REVIEW OF MAV RECORDINGS

All recording media, recorded images, and audio recordings are the property of the Department. Dissemination outside of the agency is strictly prohibited, except to the extent permitted or required by law.

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

Recordings may be reviewed in any of the following situations:

(a) For use when preparing reports or statements

(b) By a supervisor investigating a specific act of officer conduct

(c) By a supervisor to assess officer performance

(d) To assess proper functioning of MAV systems

(e) By department investigators who are participating in an official investigation, such as a personnel complaint, administrative inquiry, or a criminal investigation

(f) By department personnel who request to review recordings

(g) By an officer who is captured on or referenced in the video or audio data and reviews and uses such data for any purpose relating to his/her employment

(h) By court personnel through proper process or with permission of the Chief of Police or the authorized designee

(i) By the media through proper process

(j) To assess possible training value

(k) For training purposes. If an involved officer objects to showing a recording, his/her objection will be submitted to the command staff to determine if the training value outweighs the officer's objection

(l) As may be directed by the Chief of Police or the authorized designee

Members desiring to view any previously uploaded or archived MAV recording should submit a request in writing to the Shift Lieutenant. Approved requests should be forwarded to the MAV technician for processing.

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

420.6 DOCUMENTING MAV USE

If any incident is recorded with either the video or audio system, the existence of that recording shall be documented in the officer's report. If no report is written, then documentation should be written on the citation or in the call notes.

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420.7 RECORDING MEDIA STORAGE AND INTEGRITY

Once submitted for storage, all recording media will be labeled and stored in a designated secure area. All recording media that is not booked as evidence will be retained for a minimum of 180 days and disposed of in compliance with the established records retention schedule (Idaho Code 50-907; Idaho Code 31-871; or Idaho Code 67-4126).

420.7.1 RETENTION OF RECORDINGS OF EVIDENTIARY VALUE

Recordings of evidentiary value shall be retained pursuant to the organization's records retention schedule and at a minimum of 200 days (Idaho Code 31-871).

420.7.2 COPIES OF ORIGINAL RECORDING MEDIA

Original recording media shall not be used for any purpose other than for initial review by a supervisor. Upon proper request, a copy of the original recording media will be made for use as authorized in this policy.

Original recording media may only be released in response to a court order or upon approval by the Chief of Police or the authorized designee. In the event that an original recording is released to a court, a copy shall be made and placed in storage until the original is returned.

420.7.3 MAV RECORDINGS AS EVIDENCE

Officers who reasonably believe that a MAV recording is likely to contain evidence relevant to a criminal offense, potential claim against the officer or against the Idaho Falls Police Department should indicate this in an appropriate report. Officers should ensure relevant recordings are preserved.

420.8 SYSTEM OPERATIONAL STANDARDS

(a) MAV system vehicle installations should be based on officer safety requirements and the vehicle and device manufacturer's recommendations.

(b) The MAV system should be configured to minimally record for 30 seconds prior to an event.

(c) The MAV system may not be configured to record audio data occurring prior to activation.

(d) With the exception of law enforcement radios or other emergency equipment, other electronic devices should not be used inside MAV-equipped law enforcement vehicles to minimize the possibility of causing electronic or noise interference with the MAV system.

(e) Officers shall not erase, alter, reuse, modify or tamper with MAV recordings.

(f) To prevent damage, original recordings shall not be viewed on any equipment other than the equipment issued or authorized by the MAV technician.

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420.9 MAV TECHNICIAN RESPONSIBILITIES

Under the direction of the Chief or designee, the MAV technician is responsible for:

(a) Ordering, issuing, retrieving, storing, erasing, and duplicating of all recorded media.

(b) Collecting all completed media for oversight and verification of wireless downloaded media. Once collected, the MAV technician:

1. Ensures it is stored in a secure location with authorized controlled access.
2. Makes the appropriate entries in the chain of custody log.

(c) Erasing of media:

1. Pursuant to a court order.
2. In accordance with established records retention policies, including reissuing all other media deemed to be of no evidentiary value.

(d) Assigning all media an identification number prior to issuance to the field:

1. Maintaining a record of issued media.

(e) Ensuring that an adequate supply of recording media is available.

(f) Managing the long-term storage of media that has been deemed to be of evidentiary value in accordance with the department evidence storage protocols and the records retention schedule.

420.10 TRAINING

All members who are authorized to use the MAV system shall successfully complete an approved course of instruction prior to its use.

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Mobile Data Terminal Use

421.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the proper access, use and application of the Mobile Data Terminal (MDT) system in order to ensure appropriate access to confidential records from local, state and national law enforcement databases, and to ensure effective electronic communications between department members and Emergency Communications Center.

421.2 POLICY

Idaho Falls Police Department members using the MDT shall comply with all appropriate federal and state rules and regulations and shall use the MDT in a professional manner, in accordance with this policy.

421.3 PRIVACY EXPECTATION

Members forfeit any expectation of privacy with regard to messages accessed, transmitted, received or reviewed on any department technology system (see the Information Technology Use Policy for additional guidance).

421.4 RESTRICTED ACCESS AND USE

MDT use is subject to the Information Technology Use and Protected Information policies.

Members shall not access the MDT system if they have not received prior authorization and the required training. Members shall immediately report unauthorized access or use of the MDT by another member to their supervisors or Shift Lieutenants.

Use of the MDT system to access law enforcement databases or transmit messages is restricted to official activities, business-related tasks and communications that are directly related to the business, administration or practices of the Department. In the event that a member has questions about sending a particular message or accessing a particular database, the member should seek prior approval from his/her supervisor.

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

It is a violation of this policy to transmit a message or access a law enforcement database under another member's name or to use the password of another member to log in to the MDT system unless directed to do so by a supervisor. Members are required to log off the MDT, password lock, or secure the MDT when it is unattended. This added security measure will minimize the potential for unauthorized access or misuse.

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421.4.1 USE WHILE DRIVING

Use of the MDT by the vehicle operator should be limited to times when the vehicle is stopped. Information that is required for immediate enforcement, investigative, tactical or safety needs should be transmitted over the radio.

In no case shall an operator attempt to send or review lengthy messages while the vehicle is in motion.

421.5 DOCUMENTATION OF ACTIVITY

Except as otherwise directed by the Shift Lieutenant or other department-established protocol, all calls for service assigned by a dispatcher should be communicated by voice over the police radio and electronically via the MDT unless security or confidentiality prevents such broadcasting.

MDT and voice transmissions are used to document the member's daily activity. To ensure accuracy:

(a) All contacts or activity shall be documented at the time of the contact.

(b) Whenever the activity or contact is initiated by voice, it should be documented by a dispatcher.

(c) Whenever the activity or contact is not initiated by voice, the member shall document it via the MDT.

421.5.1 STATUS CHANGES

All changes in status (e.g., arrival at scene, meal periods, in service) will be transmitted over the police radio or through the MDT system.

Members responding to in-progress calls should advise changes in status over the radio to assist other members responding to the same incident. Other changes in status can be made on the MDT when the vehicle is not in motion.

421.5.2 EMERGENCY ACTIVATION

If there is an emergency activation and the member does not respond to a request for confirmation of the need for emergency assistance or confirms the need, available resources will be sent to assist in locating the member. If the location is known, the nearest available officer should respond in accordance with the Officer Response to Calls Policy.

Members should ensure a field supervisor and the Shift Lieutenant are notified of the incident without delay.

Officers not responding to the emergency shall refrain from transmitting on the police radio until a no-further-assistance broadcast is made or if they are also handling an emergency.

421.6 EQUIPMENT CONSIDERATIONS

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421.6.1 MALFUNCTIONING MDT

If a member's MDT is not working, they shall notify Emergency Communications Center. It shall be the responsibility of the dispatcher to document all information that will then be transmitted verbally over the police radio.

421.6.2 BOMB CALLS

When investigating reports of possible bombs, members should not communicate on their MDTs when in the evacuation area of a suspected explosive device. Radio frequency emitted by the MDT could cause some devices to detonate.

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Portable Audio/Video Recorders

422.1 PURPOSE AND SCOPE

This policy provides guidelines for the use of portable audio/video recording devices by members of this department while in the performance of their duties. Portable audio/video recording devices include all recording systems whether body-worn, hand held, or integrated into portable equipment.

This policy does not apply to mobile audio/video recordings, interviews, or interrogations conducted at any Idaho Falls Police Department facility, authorized undercover operations, wiretaps, or eavesdropping (concealed listening devices).

422.2 POLICY

The Idaho Falls Police Department may provide members with access to portable recorders, either audio or video or both, for use during the performance of their duties. The use of recorders is intended to enhance the mission of the Department by accurately capturing contacts between members of the Department and the public.

422.3 COORDINATOR

The Chief of Police or the authorized designee should designate a coordinator responsible for:

(a) Establishing procedures for the security, storage and maintenance of data and recordings.

(b) Establishing procedures for accessing data and recordings.

(c) Establishing procedures for logging or auditing access.

(d) Establishing procedures for transferring, downloading, tagging or marking events.

422.4 MEMBER PRIVACY EXPECTATION

All recordings made by members on any department-issued device at any time, and any recording made while acting in an official capacity of this department, regardless of ownership of the device it was made on, shall remain the property of the Department. Members shall have no expectation of privacy or ownership interest in the content of these recordings.

422.5 MEMBER RESPONSIBILITIES

Prior to going into service, each uniformed member will be responsible for making sure that he/she is equipped with a portable recorder issued by the Department, and that the recorder is in good working order. If the recorder is not in working order or the member becomes aware of a malfunction at any time, the member shall promptly report the failure to his/her supervisor and obtain a functioning device as soon as reasonably practicable. Uniformed members should wear the recorder in a conspicuous manner.

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Any member assigned to a non-uniformed position may carry an approved portable recorder at any time the member believes that such a device may be useful.

When using a portable recorder, the assigned member shall record his/her name, IFPD identification number, and the current date and time at the beginning and the end of the shift or other period of use, regardless of whether any activity was recorded. This procedure is not required when the recording device and related software captures the user's unique identification and the date and time of each recording.

Members should document the existence of a recording in any report or other official record of the contact, including any instance where the recorder malfunctioned or the member deactivated the recording. Members should include the reason for deactivation.

422.6 ACTIVATION OF THE PORTABLE RECORDER

This policy is not intended to describe every possible situation in which the portable recorder should be used, although there are many situations where its use is appropriate. Members should activate the recorder any time the member believes it would be appropriate or valuable to record an incident.

The portable recorder should be activated in any of the following situations:

(a) All enforcement and investigative contacts including stops and field interview (FI) situations

(b) Traffic stops including but not limited to traffic violations, stranded motorist assistance, and all crime interdiction stops

(c) Self-initiated activity in which a member would normally notify Emergency Communications Center

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

At no time is a member expected to jeopardize his/her safety in order to activate a portable recorder or change the recording media. However, the recorder should be activated in situations described above as soon as reasonably practicable.

An officer utilizing a portable recorder may inform a citizen, suspect, or arrested individual that actiona and conversations are being recorded if questioned or if the officer believes it would be beneficial to do so.

Any time a member reasonably believes a recorded contact may be beneficial in a non-criminal matter (e.g., a hostile contact), the member should promptly notify a supervisor of the existence of the recording.

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422.6.1 CESSATION OF RECORDING
Once activated, the portable recorder should remain on continuously until the member reasonably believes that his/her direct participation in the incident is complete or the situation no longer fits the criteria for activation. Recording may be stopped in the following circumstances:

a. During significant periods of inactivity such as report writing or other breaks from direct participation in the incident.

b. Communications involving law enforcement tactical and strategic policy, procedures, or plans.

c. Appearing before a judge or magistrate.

d. In compliance with medical facility policies pertaining to video and audio recordings.

422.6.2 SURREPTITIOUS USE OF THE PORTABLE RECORDER
Idaho law permits an individual to surreptitiously record any conversation in which one party to the conversation has given his/her permission (Idaho Code 18-6702).

Members may surreptitiously record any conversation during the course of a criminal investigation in which the member reasonably believes that such a recording will be lawful and beneficial to the investigation.

Members shall not surreptitiously record another department member without a court order unless lawfully authorized by the Chief of Police or the authorized designee.

422.6.3 EXPLOSIVE DEVICE
Many portable recorders, including body-worn cameras and audio/video transmitters, emit radio waves that could trigger an explosive device. Therefore, these devices should not be used where an explosive device may be present.

422.7 PROHIBITED USE OF PORTABLE RECORDERS
Use of a portable recorder is strictly prohibited in the following circumstances:

a. During deliberative process conversations involving law enforcement, which are not participated in by citizens, which include, but are not limited to discussions on charging decisions or comparing witness accounts.

b. Communications with other law enforcement personnel without the permission of the office of the Chief of Police or designee.

c. Encounters with undercover officers and confidential informants.

d. When officers are on break or otherwise engaged in personal activities.

e. In restrooms or locker rooms.

Members are prohibited from using department-issued portable recorders and recording media for personal use and are prohibited from making personal copies of recordings created while on-duty or while acting in their official capacity. Members shall not retain recordings of activities or information obtained while on-duty. Members shall not duplicate or distribute recordings, except

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for authorized legitimate department business purposes. All such recordings shall be retained at the Department.

Members are prohibited from using personally owned recording devices while on-duty.

Recordings shall not be used by any member for the purpose of embarrassment, harassment or ridicule.

422.8 IDENTIFICATION AND PRESERVATION OF SENSITIVE RECORDINGS

To assist with identifying and preserving sensitive data and recordings, members should manage these in accordance with procedure and document the existence of the recording in any related case report.

A member shouldnotify a supervisor when the member reasonably believes that a recording contains:

(a) A complainant, victim or witness has requested non-disclosure.

(b) A complainant, victim or witness has not requested non-disclosure but the disclosure of the recording may endanger the person.

(c) Disclosure may be an unreasonable violation of someone's privacy.

(d) Medical or mental health information is contained.

(e) Disclosure may compromise an undercover officer or confidential informant.

422.9 RETENTION OF RECORDINGS

All recordings shall be retained for a period consistent with the requirements of the organization's records retention schedule but in no event for a period less than 180 days.

422.9.1 RELEASE OF AUDIO/VIDEO RECORDINGS

Requests for the release of audio/video recordings shall be processed in accordance with the Records Maintenance and Release Policy.

422.9.2 RETENTION OF RECORDINGS OF EVIDENTIARY VALUE

Recordings of evidentiary value shall be retained pursuant to the organization's records retention schedule and at a minimum of 200 days (Idaho Code 31-871).

422.10 REVIEW OF RECORDED MEDIA FILES

The Portable Audio/Video Recorders and all data, images, sounds, video, and metadata captured, recorded, or otherwise produced by the equipment shall be the exclusive property of the Department. All access to Portable Audio/Video data must be specifically authorized by the Chief of Police or a designee. Dissemination outside of the agency is strictly prohibited without authorization by the Chief of Police or designee, except to the extent permitted or required by

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law. Officers are permitted to review Portable Audio/Video Recordings of an incident in which they were involved, to include prior to preparing a report or making a statement about the incident. All access is to be audited to ensure that only authorized users are accessing the data for legitimate and authorized purposes.

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Public Recording of Law Enforcement Activity

423.1 PURPOSE AND SCOPE

This policy provides guidelines for handling situations in which members of the public photograph or audio/video record law enforcement actions and other public activities that involve members of this department. In addition, this policy provides guidelines for situations where the recordings may be evidence.

423.2 POLICY

The Idaho Falls Police Department recognizes the right of persons to lawfully record members of this department who are performing their official duties. Members of this department will not prohibit or intentionally interfere with such lawful recordings. Any recordings that are deemed to be evidence of a crime or relevant to an investigation will only be collected or seized lawfully.

Officers should exercise restraint and should not resort to highly discretionary arrests for offenses such as interference, failure to comply or disorderly conduct as a means of preventing someone from exercising the right to record members performing their official duties.

423.3 RECORDING LAW ENFORCEMENT ACTIVITY

Members of the public who wish to record law enforcement activities are limited only in certain aspects.

(a) Recordings may be made from any public place or any private property where the individual has the legal right to be present.

(b) Beyond the act of photographing or recording, individuals may not interfere with the law enforcement activity. Examples of interference include, but are not limited to:

1. Tampering with a witness or suspect.
2. Inciting others to violate the law.
3. Being so close to the activity as to present a clear safety hazard to the officers.
4. Being so close to the activity as to interfere with an officer's effective communication with a suspect or witness.

(c) The individual may not present an undue safety risk to the officers, him/herself or others.

423.4 OFFICER RESPONSE

Officers should promptly request that a supervisor respond to the scene whenever it appears that anyone recording activities may be interfering with an investigation or it is believed that the recording may be evidence. If practicable, officers should wait for the supervisor to arrive before taking enforcement action or seizing any cameras or recording media.

Whenever practicable, officers or supervisors should give clear and concise warnings to individuals who are conducting themselves in a manner that would cause their recording or

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behavior to be unlawful. Accompanying the warnings should be clear directions on what an individual can do to be compliant; directions should be specific enough to allow compliance. For example, rather than directing an individual to clear the area, an officer could advise the person that he/she may continue observing and recording from the sidewalk across the street.

If an arrest or other significant enforcement activity is taken as the result of a recording that interferes with law enforcement activity, officers shall document in a report the nature and extent of the interference or other unlawful behavior and the warnings that were issued.

423.5 SUPERVISOR RESPONSIBILITIES

A supervisor should respond to the scene when requested or any time the circumstances indicate a likelihood of interference or other unlawful behavior.

The supervisor should review the situation with the officer and:

(a) Request any additional assistance as needed to ensure a safe environment.

(b) Take a lead role in communicating with individuals who are observing or recording regarding any appropriate limitations on their location or behavior. When practical, the encounter should be recorded.

(c) When practicable, allow adequate time for individuals to respond to requests for a change of location or behavior.

(d) Ensure that any enforcement, seizure or other actions are consistent with this policy and constitutional and state law.

(e) Explain alternatives for individuals who wish to express concern about the conduct of Department members, such as how and where to file a complaint.

423.6 SEIZING RECORDINGS AS EVIDENCE

Officers should not seize recording devices or media unless (42 USC § 2000aa):

(a) There is probable cause to believe the person recording has committed or is committing a crime to which the recording relates, and the recording is reasonably necessary for prosecution of the person.

1. Absent exigency or consent, a warrant should be sought before seizing or viewing such recordings. Reasonable steps may be taken to prevent erasure of the recording.

(b) There is reason to believe that the immediate seizure of such recordings is necessary to prevent serious bodily injury or death of any person.

(c) The person consents.

1. To ensure that the consent is voluntary, the request should not be made in a threatening or coercive manner.

2. If the original recording is provided, a copy of the recording should be provided to the recording party, if practicable. The recording party should be permitted to be present while the copy is being made, if feasible. Another way to obtain the

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evidence is to transmit a copy of the recording from a device to a department-owned device.

Recording devices and media that are seized will be submitted within the guidelines of the Property and Evidence Policy.

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Bicycle Patrol

424.1 PURPOSE AND SCOPE

The Idaho Falls Police Department has established the Bicycle Patrol Unit (BPU) for the purpose of enhancing patrol efforts in the community. Bicycle patrol has been shown to be an effective way to increase officer visibility in congested areas and their quiet operation can provide a tactical approach to crimes in progress. The purpose of this policy is to provide guidelines for the safe and effective operation of the patrol bicycle.

424.2 POLICY

Patrol bicycles may be used for regular patrol duty, traffic enforcement, parking control or special events. The use of the patrol bicycle will emphasize their mobility and visibility to the community.

Bicycles may be deployed to any area at all hours of the day or night, according to Department needs and as staffing levels allow.

Requests for specific deployment of bicycle patrol officers shall be coordinated through the Shift Lieutenant.

424.3 TRAINING

Participants in the program must complete an initial Department approved bicycle-training course. The initial training shall minimally include the following:

- Bicycle patrol strategies
- Bicycle safety and accident prevention
- Operational tactics using bicycles

424.4 UNIFORMS AND EQUIPMENT

Officers shall wear the department-approved uniform and safety equipment while operating the patrol bicycle. Safety equipment includes department-approved helmet, riding gloves, protective eyewear and approved footwear.

The bicycle patrol unit uniform consists of the standard short-sleeve uniform shirt or other department-approved shirt with department badge and patches and department-approved bicycle patrol pants or shorts.

Bicycle patrol officers shall carry the same equipment on the bicycle patrol duty belt as they would on a regular patrol assignment.

Officers will be responsible for obtaining the necessary forms, citation books and other department equipment needed while on bicycle patrol.

424.5 CARE AND USE OF PATROL BICYCLES

Officers will be assigned a specially marked and equipped patrol bicycle, and attached gear bag.

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Bicycles utilized for uniformed bicycle patrol shall have a “POLICE” decal affixed to each side of the cross-bar or the bike’s saddlebag. Every such bicycle shall be equipped with front and rear reflectors front lights and a siren/horn satisfying the requirements of Idaho Code 49-723 and Idaho Code 49-956 (1) and/or (4).

Bicycles utilized for uniformed bicycle patrol shall be equipped with a rear rack and/or saddle bag(s) sufficient to carry all necessary equipment to handle routine patrol calls including report writing and citations.

Each bicycle shall be equipped with a steady or flashing blue warning light that is visible from the front, sides or rear of the bicycle (Idaho Code 49-910-A).

Bicycle officers shall conduct an inspection of the bicycle and equipment prior to use to ensure proper working order of the equipment. Officers are responsible for the routine care and maintenance of their assigned equipment (e.g., tire pressure, chain lubrication, overall cleaning).

If a needed repair is beyond the ability of the bicycle officer, a repair work request will be completed and forwarded to the Professional Standards and Logistics Lieutenant for repair by an approved technician.

Officers shall not modify the patrol bicycle, remove, modify or add components except with the expressed approval of the Professional Standards and Logistics Lieutenant, or in the event of an emergency.

Vehicle bicycle racks are available should the officer need to transport the patrol bicycle.

Bicycles shall be properly secured when not in the officer’s immediate presence.

424.6 OFFICER RESPONSIBILITY

Officers must operate the bicycle in compliance with Idaho Title 49 under normal operation. Officers may operate the bicycle without lighting equipment during hours of darkness when such operation reasonably appears necessary for officer safety and tactical considerations. Officers must use caution and care when operating the bicycle without lighting equipment. Officers are exempt from the rules of the road under the following conditions (Idaho Code 49-623).

(a) In response to an emergency call.

(b) In the immediate pursuit of an actual or suspected violator of the law.

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Foot Pursuits

425.1 PURPOSE AND SCOPE

This policy provides guidelines to assist officers in making the decision to initiate or continue the pursuit of suspects on foot.

425.2 POLICY

It is the policy of this department that officers, when deciding to initiate or continue a foot pursuit, continuously balance the objective of apprehending the suspect with the risk and potential for injury to department members, the public or the suspect.

Officers are expected to act reasonably, based on the totality of the circumstances.

425.3 DECISION TO PURSUE

Thesafety of department members and the public should be the primary consideration when determining whether a foot pursuit should be initiated or continued. Officers must be mindful that immediate apprehension of a suspect is rarely more important than the safety of the public and department members.

Officers may be justified in initiating a foot pursuit of any individual who the officer reasonably believes is about to engage in, is engaging in or has engaged in criminal activity. The decision to initiate or continue such a foot pursuit, however, must be continuously re-evaluated in light of the circumstances presented at the time.

Deciding to initiate or continue a foot pursuit is a decision that an officer must make quickly and under unpredictable and dynamic circumstances. It is recognized that foot pursuits may place department members and the public at significant risk. Therefore, no officer or supervisor shall be criticized or disciplined for deciding not to engage in a foot pursuit because of the perceived risk involved.

If circumstances permit, surveillance and containment are generally the safest tactics for apprehending fleeing persons. In deciding whether to initiate or continue a foot pursuit, an officer should continuously consider reasonable alternatives to a foot pursuit based upon the circumstances and resources available, such as:

(a) Containment of the area.

(b) Saturation of the area with law enforcement personnel, including assistance from other agencies.

(c) A canine search.

(d) Thermal imaging or other sensing technology.

(e) Air support.

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(f) Apprehension at another time when the identity of the suspect is known or there is information available that would likely allow for later apprehension, and the need to immediately apprehend the suspect does not reasonably appear to outweigh the risk of continuing the foot pursuit.

425.4 GENERAL GUIDELINES

When reasonably practicable, officers should consider alternatives to engaging in or continuing a foot pursuit when:

(a) Directed by a supervisor to terminate the foot pursuit; such an order shall be considered mandatory.

(b) The officer is acting alone.

(c) Two or more officers become separated, lose visual contact with one another or obstacles separate them to the degree that they cannot immediately assist each other should a confrontation take place. In such circumstances, it is generally recommended that a single officer keep the suspect in sight from a safe distance and coordinate the containment effort.

(d) The officer is unsure of his/her location and direction of travel.

(e) The officer is pursuing multiple suspects and it is not reasonable to believe that the officer would be able to control the suspect should a confrontation occur.

(f) The physical condition of the officer renders him/her incapable of controlling the suspect if apprehended.

(g) The officer loses radio contact with Emergency Communications Center or with backup officers.

(h) The suspect enters a building, structure, confined space, isolated area or dense or difficult terrain, and there are insufficient officers to provide backup and containment. The primary officer should consider discontinuing the foot pursuit and coordinating containment pending the arrival of sufficient resources.

(i) The officer becomes aware of unanticipated or unforeseen circumstances that unreasonably increase the risk to officers or the public.

(j) The officer reasonably believes that the danger to the pursuing officers or public outweighs the objective of immediate apprehension.

(k) The officer loses possession of his/her firearm or other essential equipment.

(l) The officer or a third party is injured during the pursuit, requiring immediate assistance, and there are no other emergency personnel available to render assistance.

(m) The suspect’s location is no longer definitely known.

(n) The identity of the suspect is established or other information exists that will allow for the suspect’s apprehension at a later time, and it reasonably appears that there is no immediate threat to department members or the public if the suspect is not immediately apprehended.

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(o) The officer's ability to safely continue the pursuit is impaired by inclement weather, darkness or other environmental conditions.

425.5 RESPONSIBILITIES IN FOOT PURSUITS

425.5.1 INITIATING OFFICER RESPONSIBILITIES

Unless relieved by another officer or a supervisor, the initiating officer shall be responsible for coordinating the progress of the pursuit and containment. When acting alone and when practicable, the initiating officer should not attempt to overtake and confront the suspect but should attempt to keep the suspect in sight until sufficient officers are present to safely apprehend the suspect.

Early communication of available information from the involved officers is essential so that adequate resources can be coordinated and deployed to bring a foot pursuit to a safe conclusion. Officers initiating a foot pursuit should, at a minimum, broadcast the following information as soon as it becomes practicable and available:

(a) Location and direction of travel

(b) Call sign identifier

(c) Reason for the foot pursuit, such as the crime classification

(d) Number of suspects and description, to include name if known

(e) Whether the suspect is known or believed to be armed with a dangerous weapon

Officers should be mindful that radio transmissions made while running may be difficult to understand and may need to be repeated.

Absent extenuating circumstances, any officer unable to promptly and effectively broadcast this information should terminate the pursuit. If the foot pursuit is discontinued for any reason, immediate efforts for containment should be established and alternatives considered based upon the circumstances and available resources.

When a foot pursuit terminates, the officer will notify Emergency Communications Center of his/her location and the status of the pursuit termination (e.g., suspect in custody, lost sight of suspect), and will direct further actions as reasonably appear necessary, to include requesting medical aid as needed for officers, suspects or members of the public.

425.5.2 ASSISTING OFFICER RESPONSIBILITIES

Whenever any officer announces that he/she is engaged in a foot pursuit, all other officers should minimize non-essential radio traffic to permit the involved officers maximum access to the radio frequency.

425.5.3 SUPERVISOR RESPONSIBILITIES

Upon becoming aware of a foot pursuit, the supervisor shall make every reasonable effort to ascertain sufficient information to direct responding resources and to take command, control and

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coordination of the foot pursuit. The supervisor should respond to the area whenever possible; the supervisor does not, however, need to be physically present to exercise control over the foot pursuit. The supervisor shall continuously assess the situation in order to ensure the foot pursuit is conducted within established department guidelines.

The supervisor shall terminate the foot pursuit when the danger to pursuing officers or the public appears to unreasonably outweigh the objective of immediate apprehension of the suspect.

Upon apprehension of the suspect, the supervisor shall promptly proceed to the termination point to direct the post-foot pursuit activity.

425.5.4 EMERGENCY COMMUNICATIONS CENTER RESPONSIBILITIES

Upon notification or becoming aware that a foot pursuit is in progress, the Emergency Communications Center is responsible for:

(a) Clearing the radio channel of non-emergency traffic.

(b) Coordinating pursuit communications of the involved officers.

(c) Broadcasting pursuit updates as well as other pertinent information as necessary.

(d) Ensuring that a field supervisor is notified of the foot pursuit.

(e) Notifying and coordinating with other involved or affected agencies as practicable.

(f) Notifying the Shift Lieutenant as soon as practicable.

(g) Assigning an incident number and logging all pursuit activities.

425.6 REPORTING REQUIREMENTS

The initiating officer shall complete the appropriate crime/arrest reports documenting, at a minimum:

(a) Date and time of the foot pursuit.

(b) Initial reason and circumstances surrounding the foot pursuit.

(c) Course and approximate distance of the foot pursuit.

(d) Alleged offenses.

(e) Involved vehicles and officers.

(f) Whether a suspect was apprehended as well as the means and methods used.

1. Any use of force shall be reported and documented in compliance with the Use of Force Policy.

(g) Arrestee information, if applicable.

(h) Any injuries and/or medical treatment.

(i) Any property or equipment damage.

(j) Name of the supervisor at the scene or who handled the incident.

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Assisting officers taking an active role in the apprehension of the suspect shall complete supplemental reports as necessary or as directed.

The supervisor reviewing the report will make a preliminary determination that the pursuit appears to be in compliance with this policy or that additional review and/or follow-up is warranted.

In any case in which a suspect is not apprehended and there is insufficient information to support further investigation, a supervisor may authorize that the initiating officer need not complete a formal report.

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Homeless Persons

426.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that personnel understand the needs and rights of the homeless and to establish procedures to guide officers during all contacts with the homeless, whether consensual or for enforcement purposes. The Idaho Falls Police Department recognizes that members of the homeless community are often in need of special protection and services. The Idaho Falls Police Department will address these needs in balance with the overall missions of this department. Therefore, officers will consider the following when serving the homeless community.

426.1.1 POLICY

It is the policy of the Idaho Falls Police Department to provide law enforcement services to all members of the community while protecting the rights, dignity and private property of the homeless. Homelessness is not a crime and members of this department will not use homelessness solely as a basis for detention or law enforcement action.

426.2 HOMELESS COMMUNITY LIAISON

The Chief of Police will designate a member of this department to act as the Homeless Liaison Officer. The responsibilities of the Homeless Liaison Officer include the following:

(a) Maintain and make available to all department employees a list of assistance programs and other resources that are available to the homeless.

(b) Meet with Social Services and representatives of other organizations that render assistance to the homeless.

(c) Maintain a list of those areas within and near this jurisdiction that are used as frequent homeless encampments.

(d) Remain abreast of laws dealing with the removal and/or destruction of the personal property of the homeless. This will include the following:

1. Proper posting of notices of trespass and clean-up operations.
2. Proper retention of property after clean-up, to include procedures for owners to reclaim their property in accordance with the Property and Evidence Policy and other established procedures.

(e) Be present during any pre-planned clean-up operation conducted by this department involving the removal of personal property of the homeless to ensure the rights of the homeless are not violated.

(f) Develop training to assist officers in understanding current legal and social issues relating to the homeless.

426.3 FIELD CONTACTS

Officers are encouraged to contact the homeless for purposes of rendering aid, support and for community-oriented policing purposes. Nothing in this policy is meant to dissuade an officer from taking reasonable enforcement action when facts support probable cause of a criminal activity.

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However, when encountering a homeless person who has committed a non-violent misdemeanor and continued freedom is not likely to result in a continuation of the offense or a breach of the peace,officers are encouraged to consider long-term solutions to problems that may relate to the homeless, such as shelter referrals and counseling in lieu of physical arrest.

Homeless persons cannot be forced to move from public property or easements simply due to their homelessness, if that location is open to the public. When applicable, persons can be required to move in order to allow access for maintenance.

Requests to move homeless persons from private property or controlled-access government property are to be handled as trespass offenses.

A person may occupy a sidewalk to conduct various activities so long as they allow others the opportunity to pass by without having to leave the sidewalk.

A vehicle or RV that is being lived in while parked for more than 48 hours on a public street should be treated in the same manner as an abandoned vehicle.

Officers should provide homeless persons with resource and assistance information whenever it is reasonably apparent such services may be appropriate.

426.3.1 OTHER CONSIDERATIONS

Homeless members of the community will receive the same level and quality of service provided to other members of the community. The fact that a victim or witness is homeless can, however, require special considerations for a successful investigation and prosecution. Officers should consider the following when handling investigations involving homeless victims, witnesses or suspects:

(a) Document alternate contact information. This may include obtaining addresses and phone numbers of relatives and friends.

(b) Document places the homeless person may frequent.

(c) Provide homeless victims with victim/witness resources when appropriate.

(d) Obtain statements from all available witnesses in the event a homeless victim is unavailable for a court appearance.

(e) Consider whether the person may be a dependent adult or elder and if so proceed in accordance with the Adult Abuse Policy.

(f) Arrange for transportation for investigation related matters, such as medical exams.

426.4 PERSONAL PROPERTY

The personal property of homeless persons must not be treated differently than the property of other members of the public. Officers should use reasonable care when handling, collecting and retaining the personal property of homeless persons and should not destroy or discard the personal property of a homeless person. In many cases, the same constitutional protections for personal dwellings are applied to the personal property of homeless persons, regardless of the ownership of the location where it is found.

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When a homeless person is arrested, or otherwise removed from a public place, officers should make reasonable accommodations to permit the person to lawfully secure his/her personal property. Personal property that was regularly left unattended by the person being removed should be left in place by officers. Officers should contact the entity responsible for the location where a homeless person's property has been left behind after a police contact. The purpose of the contact is to inform the entity of the police action and that the police department will not dispose of any personal property left behind. Any requests for guidance regarding the property should be referred to the entity's legal advisor.

When personal property is collected by officers, it should be inventoried and documented. That inventory can be conducted by photograph or the officer's body-worn camera and noted in the officer's report. The collected property must be tagged and can be stored behind the secured gates at the Idaho Falls Animal Shelter.

Officers should not conduct or assist in clean-up operations of belongings that reasonably appear to be the property of homeless persons without the prior authorization of a supervisor or the department Homeless Liaison Officer. When practicable, requests by the public for clean-up operations of a homeless encampment should be referred to the Homeless Liaison Officer.

Officers who encounter unattended encampments, bedding or other personal property in public areas that reasonably appears to belong to a homeless person should not remove or destroy such property and should inform the department Homeless Liaison Officer if such property appears to involve a trespass, blight to the community or is the subject of a complaint. It will be the responsibility of the Homeless Liaison Officer to address the matter in a timely fashion.

426.5 MENTAL ILLNESSES AND MENTAL IMPAIRMENTS

Some homeless persons may suffer from a mental illness or a mental impairment. Officers shall not detain a homeless person under a mental illness commitment unless facts and circumstances warrant such a detention.

When a mental illness hold is not warranted, the contacting officer should provide the homeless person with contact information for mental health assistance as appropriate. In these circumstances, officers may provide transportation to a mental health specialist if requested by the person and approved by a supervisor (see the Civil Commitments Policy).

426.6 ECOLOGICAL ISSUES

Sometimes homeless encampments can impact the ecology and natural resources of the community and may involve criminal offenses beyond mere littering. Officers are encouraged to notify other appropriate agencies or departments when a significant impact to the environment has or is likely to occur. Significant impacts to the environment may warrant a crime report, investigation, supporting photographs and supervisor notification.

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Civil Disputes

427.1 PURPOSE AND SCOPE

This policy provides members of the Idaho Falls Police Department with guidance for addressing conflicts between persons when no criminal investigation or enforcement action is warranted (e.g., civil matters), with the goal of minimizing any potential for violence or criminal acts.

The Domestic Violence Policy will address specific legal mandates related to domestic violence court orders. References in this policy to “court orders” apply to any order of a court that does not require arrest or enforcement by the terms of the order or by Idaho law.

427.2 POLICY

The Idaho Falls Police Department recognizes that a law enforcement presence at a civil dispute can play an important role in the peace and safety of the community. Subject to available resources, members of this department will assist at the scene of civil disputes with the primary goal of safeguarding persons and property, preventing criminal activity and maintaining the peace. When handling civil disputes, members will remain impartial, maintain a calm presence, give consideration to all sides and refrain from giving legal or inappropriate advice.

427.3 GENERAL CONSIDERATIONS

When appropriate, members handling a civil dispute should encourage the involved parties to seek the assistance of resolution services or take the matter to the civil courts. Members must not become personally involved in disputes and shall at all times remain impartial.

While not intended to be an exhaustive list, members should give considerations to the following when handling civil disputes:

(a) Civil disputes tend to be confrontational and members should be alert that they can escalate to violence very quickly. De-escalation techniques should be used when appropriate.

(b) Members should not dismiss alleged or observed criminal violations as a civil matter and should initiate the appropriate investigation and report when criminal activity is apparent.

(c) Members shall not provide legal advice, however, when appropriate, members should inform the parties when they are at risk of violating criminal laws.

(d) Members are reminded that they shall not enter a residence or other non-public location without legal authority including valid consent.

(e) Members should not take an unreasonable amount of time assisting in these matters and generally should contact a supervisor if it appears that peacekeeping efforts will be required for an extended amount of time.

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427.4 COURT ORDERS

Disputes involving court orders can be complex. Where no mandate exists for an officer to make an arrest for a violation of a court order, the matter should be addressed by documenting any apparent court order violation in a report. If there appears to be a more immediate need for enforcement action, the investigating officer should consult a supervisor prior to making any arrest.

If a person appears to be violating the terms of a court order but is disputing the validity of the order or its applicability, the investigating officer should document the following:

(a) The person's knowledge of the court order or whether proof of service exists.

(b) Any specific reason or rationale the involved person offers for not complying with the terms of the order.

A copy of the court order should be attached to the report when available. The report should be forwarded to the prosecutor, if appropriate.

427.4.1 STANDBY REQUESTS

Officers responding to a call for standby assistance to retrieve property should meet the person requesting assistance at a neutral location to discuss the process. The person should be advised that items that are disputed will not be allowed to be removed. The member may advise the person to seek private legal advice as to the distribution of disputed property. Members should accompany the person to the location of the property. Members should ask if the other party will allow removal of the property or whether the other party would remove the property.

If the other party is uncooperative, the person requesting standby assistance should be instructed to seek private legal advice and obtain a court order to obtain the items. Officers should not order the other party to allow entry or the removal of any items. If there is a restraining or similar order against the person requesting standby assistance, that person should be asked to leave the scene or they may be subject to arrest for violation of the order.

If the other party is not present at the location, the member will not allow entry into the location or the removal of property from the location.

Emergency Communications employees must obtain supervisor approval before an officer is dispatched to a standby request.

427.5 VEHICLES AND PERSONAL PROPERTY

Officers may be faced with disputes regarding possession or ownership of vehicles or other personal property. Officers may review documents provided by parties or available databases (e.g., vehicle registration), but should be aware that legal possession of vehicles or personal property can be complex. Generally, officers should not take any enforcement action unless a crime is apparent. The people and the vehicle or personal property involved should be identified and the incident documented.

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427.6 REAL PROPERTY

Disputes over possession or occupancy of real property (e.g., land, homes, apartments) should generally be handled through a person seeking a court order.

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Suspicious Activity Reporting

428.1 PURPOSE AND SCOPE

This policy provides guidelines for reporting and investigating suspicious and criminal activity.

428.1.1 DEFINITIONS

Definitions related to this policy include:

Involved party - An individual who has been observed engaging in suspicious activity, as defined in this policy, when no definitive criminal activity can be identified, thus precluding the person's identification as a suspect.

Suspicious activity - Any reported or observed activity that a member reasonably believes may have a nexus to any criminal act or attempted criminal act, or to foreign or domestic terrorism. Actual or perceived characteristics such as race, ethnicity, national origin or religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, or disability should not be considered as factors that create suspicion (although these factors may be used as specific suspect descriptions). Examples of suspicious activity may include but are not limited to:

- Suspected pre-operational surveillance or intelligence gathering (e.g., photographing security features, asking questions about sensitive security-related subjects).
- Tests of security measures and response to incidents (e.g., "dry run," creating false alarms, attempts to enter secure areas without authorization).
- Suspicious purchases (e.g., purchasing large quantities of otherwise legal items, such as fertilizer, that could be used to create an explosive or other dangerous device).
- An individual in possession of such things as a hoax explosive or dispersal device, sensitive materials (e.g., passwords, access codes, classified government information), or coded or ciphered literature or correspondence.

428.2 POLICY

The Idaho Falls Police Department recognizes the need to protect the public from criminal conduct and acts of terrorism, and shall lawfully collect, maintain and disseminate information regarding suspicious activities, while safeguarding civil liberties and privacy protections.

428.3 REPORTING AND INVESTIGATION

Any department member receiving information regarding suspicious activity should take any necessary immediate and appropriate action, including a request for tactical response or immediate notification of specialized entities, when applicable. Any civilian member who receives such information should ensure that it is passed on to an officer in a timely manner.

If the suspicious activity is not directly related to a reportable crime, the member should prepare an incident or a case reportand include information about involved parties and the circumstances of the incident.

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Suspicious Activity Reporting

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First Amendment Assemblies

429.1 PURPOSE AND SCOPE

This policy provides guidance for responding to public assemblies or demonstrations.

429.2 POLICY

The Idaho Falls Police Department respects the rights of people to peaceably assemble. It is the policy of this department not to unreasonably interfere with, harass, intimidate or discriminate against persons engaged in the lawful exercise of their rights, while also preserving the peace, protecting life and preventing the destruction of property.

429.3 GENERAL CONSIDERATIONS

Individuals or groups present on the public way, such as public facilities, streets or walkways, generally have the right to assemble, rally, demonstrate, protest or otherwise express their views and opinions through varying forms of communication, including the distribution of printed matter. These rights may be limited by laws or ordinances regulating such matters as the obstruction of individual or vehicle access or egress, trespass, noise, picketing, distribution of handbills and leafleting, and loitering. However, officers shall not take action or fail to take action based on the opinions being expressed.

Participant behavior during a demonstration or other public assembly can vary. This may include, but is not limited to:

- Lawful, constitutionally protected actions and speech.
- Civil disobedience (typically involving minor criminal acts).
- Rioting.

All of these behaviors may be present during the same event. Therefore, it is imperative that law enforcement actions are measured and appropriate for the behaviors officers may encounter. This is particularly critical if force is being used. Adaptable strategies and tactics are essential. The purpose of a law enforcement presence at the scene of public assemblies and demonstrations should be to preserve the peace, to protect life and prevent the destruction of property.

Officers should not:

(a) Engage in assembly or demonstration-related discussion with participants.

(b) Harass, confront or intimidate participants.

(c) Seize the cameras, cell phones or materials of participants or observers unless an officer is placing a person under lawful arrest (see the Public Recording of Law Enforcement Activity Policy).

Supervisors should continually observe department members under their commands to ensure that members' interaction with participants and their response to crowd dynamics is appropriate.

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429.3.1 PHOTOGRAPHS, VIDEO RECORDINGS AND OTHER INFORMATION
Photographs, video recordings and other information may be collected at assemblies and demonstrations as they can serve a number of purposes, such as support of criminal prosecutions; assistance in evaluating department performance; serving as training material; recording the use of dispersal orders; and facilitating a response to allegations of improper law enforcement conduct.

Photographs, video recordings and other information shall not be maintained on the political, religious or social activities, views or associations of any individual, group or organization, unless those activities, views or associations directly relate to an investigation of criminal activity and there is reasonable suspicion that the subject of the information is involved in criminal conduct.

429.4 UNPLANNED EVENTS

When responding to an unplanned or spontaneous public gathering, the first responding officer should conduct an assessment of conditions, including, but not limited to, the following:

- Location
- Number of participants
- Apparent purpose of the event
- Leadership (whether it is apparent and/or whether it is effective)
- Any initial indicators of unlawful or disruptive activity
- Indicators that lawful use of public facilities, streets or walkways will be impacted
- Ability and/or need to continue monitoring the incident

Initial assessment information should be promptly communicated to Emergency Communications Center, and the first line supervisor. Additional resources should be requested as appropriate. The responding supervisor shall assume command of the incident until command is expressly assumed by another, and the assumption of command is communicated to the involved members. A clearly defined command structure that is consistent with the Incident Command System (ICS) should be established as resources are deployed.

429.5 PLANNED EVENT PREPARATION

For planned events, comprehensive, incident-specific operational plans should be developed. The ICS should be considered for such events.

429.5.1 INFORMATION GATHERING AND ASSESSMENT
In order to properly assess the potential impact of a public assembly or demonstration on public safety and order, relevant information should be collected and vetted. This may include:

- Information obtained from outreach to group organizers or leaders.
- Information about past and potential unlawful conduct associated with the event or similar events.
- The potential time, duration, scope, and type of planned activities.

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- Any other information related to the goal of providing a balanced response to criminal activity and the protection of public safety interests.

Information should be obtained in a transparent manner, and the sources documented. Relevant information should be communicated to the appropriate parties in a timely manner.

Information will be obtained in a lawful manner and will not be based solely on the purpose or content of the assembly or demonstration, or actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, or disability of the participants (or any other characteristic that is unrelated to criminal conduct or the identification of a criminal subject).

429.5.2 OPERATIONAL PLANS

An operational planning team with responsibility for event planning and management should be established. The planning team should develop an operational plan for the event.

The operational plan will minimally provide for:

(a) Command assignments, chain of command structure, roles and responsibilities.

(b) Staffing and resource allocation.

(c) Management of criminal investigations.

(d) Designation of uniform of the day and related safety equipment (e.g., helmets, shields).

(e) Deployment of specialized resources.

(f) Event communications and interoperability in a multijurisdictional event.

(g) Liaison with demonstration leaders and external agencies.

(h) Liaison with City government and legal staff.

(i) Media relations.

(j) Logistics: food, fuel, replacement equipment, duty hours, relief and transportation.

(k) Traffic management plans.

(l) First aid and emergency medical service provider availability.

(m) Prisoner transport and detention.

(n) Review of policies regarding public assemblies and use of force in crowd control.

(o) Parameters for declaring an unlawful assembly.

(p) Arrest protocol, including management of mass arrests.

(q) Protocol for recording information flow and decisions.

(r) Rules of engagement, including rules of conduct, protocols for field force extraction and arrests, and any authorization required for the use of force.

(s) Protocol for handling complaints during the event.

(t) Parameters for the use of body-worn cameras and other portable recording devices.

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429.5.3 MUTUAL AID AND EXTERNAL RESOURCES
The magnitude and anticipated duration of an event may necessitate interagency cooperation and coordination. The assigned Incident Commander should ensure that any required memorandums of understanding or other agreements are properly executed, and that any anticipated mutual aid is requested and facilitated (see the Mutual Aid and Outside Agency Assistance Policy).

429.6 UNLAWFUL ASSEMBLY DISPERSAL ORDERS

If a public gathering or demonstration remains peaceful and nonviolent, and there is no reasonably imminent threat to persons or property, the Incident Commander should generally authorize continued monitoring of the event.

Should the Incident Commander make a determination that public safety is presently or is about to be jeopardized, he/she or the authorized designee should attempt to verbally persuade event organizers or participants to disperse of their own accord. Warnings and advisements may be communicated through established communications links with leaders and/or participants or to the group.

When initial attempts at verbal persuasion are unsuccessful, the Incident Commander or the authorized designee should make a clear standardized announcement to the gathering that the event is an unlawful assembly, and should order the dispersal of the participants. The announcement should be communicated by whatever methods are reasonably available to ensure that the content of the message is clear and that it has been heard by the participants. The announcement should be amplified, made in different languages as appropriate, made from multiple locations in the affected area and documented by audio and video. The announcement should provide information about what law enforcement actions will take place if illegal behavior continues and should identify routes for egress. A reasonable time to disperse should be allowed following a dispersal order.

429.7 USE OF FORCE

Use of force is governed by current department policy and applicable law (see the Use of Force, Handcuffing and Restraints, Control Devices and Techniques, and Conducted Energy Device policies).

Individuals refusing to comply with lawful orders (e.g., nonviolent refusal to disperse) should be given a clear verbal warning and a reasonable opportunity to comply. If an individual refuses to comply with lawful orders, the Incident Commander shall evaluate the type of resistance and adopt a reasonable response in order to accomplish the law enforcement mission (such as dispersal or arrest of those acting in violation of the law). Control devices and Conducted Energy Devices should be considered only when the participants' conduct reasonably appears to present the potential to harm officers, themselves or others, or will result in substantial property loss or damage (see the Control Devices and Techniques and the Conducted Energy Device policies).

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Force or control devices, including oleoresin capsaicin (OC), should be directed toward individuals and not toward groups or crowds, unless specific individuals cannot reasonably be targeted due to extreme circumstances, such as a riotous crowd.

Any use of force by a member of this department shall be documented promptly, completely and accurately in an appropriate report. The type of report required may depend on the nature of the incident.

429.8 ARRESTS

The Idaho Falls Police Department should respond to unlawful behavior in a manner that is consistent with the operational plan. If practicable, warnings or advisements should be communicated prior to arrest.

Mass arrests should be employed only when alternate tactics and strategies have been, or reasonably appear likely to be, unsuccessful. Mass arrests shall only be undertaken upon the order of the Incident Commander or the authorized designee. There must be probable cause for each arrest.

If employed, mass arrest protocols should fully integrate:

(a) Reasonable measures to address the safety of officers and arrestees.

(b) Dedicated arrest, booking and report writing teams.

(c) Timely access to medical care.

(d) Timely access to legal resources.

(e) Timely processing of arrestees.

(f) Full accountability for arrestees and evidence.

(g) Coordination and cooperation with the prosecuting authority, jail and courts (see the Citation Releases Policy).

429.9 MEDIA RELATIONS

The Public Information Officer should use all available avenues of communication, including press releases, briefings, press conferences and social media to maintain open channels of communication with media representatives and the public about the status and progress of the event, taking all opportunities to reassure the public about the professional management of the event (see the News Media Relations Policy).

429.10 DEMOBILIZATION

When appropriate, the Incident Commander or the authorized designee should implement a phased and orderly withdrawal of law enforcement resources. All relieved personnel should promptly complete any required reports, including use of force reports, and account for all issued equipment and vehicles to their supervisors prior to returning to normal operational duties.

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429.11 POST EVENT

The Incident Commander should designate a member to assemble full documentation of the event, to include the following:

(a) Operational plan

(b) Any incident logs

(c) Any assignment logs

(d) Vehicle, fuel, equipment and supply records

(e) Incident, arrest, use of force, injury and property damage reports

(f) Photographs, audio/video recordings, Emergency Communications Center records/ tapes

(g) Media accounts (print and broadcast media)

429.11.1 AFTER-ACTION REPORTING

The Incident Commander should work with City legal counsel, as appropriate, to prepare a comprehensive after-action report of the event, explaining all incidents where force was used including the following:

(a) Date, time and description of the event

(b) Actions taken and outcomes (e.g., injuries, property damage, arrests)

(c) Problems identified

(d) Significant events

(e) Recommendations for improvement; opportunities for training should be documented in a generic manner, without identifying individuals or specific incidents, facts or circumstances

429.12 TRAINING

Department members should receive periodic training regarding this policy, as well as the dynamics of crowd control and incident management. The Department should, when practicable, train with its external and mutual aid partners.

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Medical Aid and Response

430.1 PURPOSE AND SCOPE

This policy recognizes that members often encounter persons in need of medical aid and establishes a law enforcement response to such situations.

430.2 POLICY

It is the policy of the Idaho Falls Police Department that all officers and other designated members be trained to provide emergency medical aid and to facilitate an emergency medical response.

430.3 FIRST RESPONDING MEMBER RESPONSIBILITIES

Whenever practicable, members should take appropriate steps to provide initial medical aid (e.g., first aid, CPR and use of an automated external defibrillator (AED)) in accordance with their training and current certification levels. This should be done for those in need of immediate care and only when the member can safely do so.

Prior to initiating medical aid, the member should contact Emergency Communications Center and request response by Emergency Medical Services (EMS) as the member deems appropriate.

Members should follow universal precautions when providing medical aid, such as wearing gloves and avoiding contact with bodily fluids, consistent with the Communicable Diseases Policy. Members should use a barrier or bag device to perform rescue breathing.

When requesting EMS, the member should provide Emergency Communications Center with information for relay to EMS personnel in order to enable an appropriate response, including:

(a) The location where EMS is needed.

(b) The nature of the incident.

(c) Any known scene hazards.

(d) Information on the person in need of EMS, such as:

1. Signs and symptoms as observed by the member.
2. Changes in apparent condition.
3. Number of patients, sex, and age, if known.
4. Whether the person is conscious, breathing, and alert, or is believed to have consumed drugs or alcohol.
5. Whether the person is showing signs or symptoms of excited delirium or other agitated chaotic behavior.

Members should stabilize the scene whenever practicable while awaiting the arrival of EMS.

Members should not direct EMS personnel whether to transport the person for treatment.

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430.4 TRANSPORTING ILL AND INJURED PERSONS

Except in extraordinary cases where alternatives are not reasonably available, members should not transport persons who are unconscious, who have serious injuries or who may be seriously ill. EMS personnel should be called to handle patient transportation.

Officers should search any person who is in custody before releasing that person to EMS for transport.

An officer should accompany any person in custody during transport in an ambulance when requested by EMS personnel, when it reasonably appears necessary to provide security, when it is necessary for investigative purposes or when so directed by a supervisor.

Members should not provide emergency escort for medical transport or civilian vehicles.

430.5 PERSONS REFUSING EMS CARE

If a person who is not in custody refuses EMS care or refuses to be transported to a medical facility, an officer shall not force that person to receive care or be transported. However, members may assist EMS personnel when EMS personnel determine the person lacks mental capacity to understand the consequences of refusing medical care or to make an informed decision and the lack of immediate medical attention may result in serious bodily injury or the death of the person.

In cases where mental illness may be a factor, the officer should consider proceeding with a civil commitment in accordance with the Civil Commitments Policy.

If an officer believes that a person who is in custody requires EMS care and the person refuses, he/she should encourage the person to receive medical treatment. The officer may also consider contacting a family member to help persuade the person to agree to treatment or who may be able to authorize treatment for the person.

If the person who is in custody still refuses, the officer will require the person to be transported to the nearest medical facility. In such cases, the officer should consult with a supervisor prior to the transport.

Members shall not sign refusal-for-treatment forms or forms accepting financial responsibility for treatment.

430.6 SICK OR INJURED ARRESTEE

If an arrestee appears ill or injured, or claims illness or injury, he/she should be medically cleared prior to booking. If the officer has reason to believe the arrestee is feigning injury or illness, the officer should contact a supervisor, who will determine whether medical clearance will be obtained prior to booking.

If the jail or detention facility refuses to accept custody of an arrestee based on medical screening, the officer should note the name of the facility person refusing to accept custody and the reason for refusal, and should notify a supervisor to determine the appropriate action.

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Arrestees who appear to have a serious medical issue should be transported by ambulance. Officers shall not transport an arrestee with a serious medical issue to a hospital without a supervisor's approval.

Nothing in this section should delay an officer from requesting EMS when an arrestee reasonably appears to be exhibiting symptoms that appear to be life threatening, including breathing problems or an altered level of consciousness, or is claiming an illness or injury that reasonably warrants an EMS response in accordance with the officer's training.

430.7 MEDICAL ATTENTION RELATED TO USE OF FORCE

Specific guidelines for medical attention for injuries sustained from a use of force may be found in the Use of Force, Handcuffing and Restraints, Control Devices and Techniques, and Conducted Energy Device policies.

430.8 AUTOMATED EXTERNAL DEFIBRILLATOR (AED) USE

An AED should only be used by members who have completed a course provided by the American Heart Association, the American Red Cross or a similar entity in cardiopulmonary resuscitation and the care and use of an AED (Idaho Code 5-337).

430.8.1 AED USER RESPONSIBILITY

Members who are issued AEDs for use in department vehicles should check the AED at the beginning of the shift to ensure it is properly charged and functioning. Any AED that is not functioning properly will be taken out of service and given to the Training Lieutenant who is responsible for ensuring appropriate maintenance.

Following use of an AED, the device shall be cleaned and/or decontaminated as required. The electrodes and/or pads will be replaced as recommended by the AED manufacturer.

Any member who uses an AED shall contact Emergency Communications Center as soon as possible and request response by EMS (Idaho Code 5-337).

430.8.2 AED REPORTING

Any member using an AED will complete an incident report detailing its use.

430.8.3 AED TRAINING AND MAINTENANCE

The Training Lieutenant should ensure appropriate training is provided to members authorized to use an AED (Idaho Code 5-337).

The Training Lieutenant is responsible for ensuring AED devices are appropriately maintained and tested consistent with the manufacturer's operational guidelines, and will retain records of all maintenance in accordance with the established records retention schedule (Idaho Code 5-337).

430.9 ADMINISTRATION OF OPIOID OVERDOSE MEDICATION

Trained members may provide an opioid antagonist to a person experiencing an opiate-related overdose.

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430.9.1 OPIOID OVERDOSE MEDICATION USER RESPONSIBILITIES
Members who are qualified to administer opioid overdose medication, such as naloxone, should handle, store and administer the medication consistent with their training. Members should check the medication and associated administration equipment periodically to ensure they are serviceable and not expired. Any expired medication or unserviceable administration equipment should be removed from service and given to the Training Lieutenant.

Any member that provides an opioid antagonist shall contact Emergency Communications Center as soon as possible and request response by EMS (Idaho Code 54–1733B).

430.9.2 OPIOID OVERDOSE MEDICATION REPORTING
Any member administering opioid overdose medication should detail its use in an appropriate report.

430.9.3 OPOID OVERDOSE MEDICATION TRAINING
The Training Lieutenant should ensure training is provided to members authorized to administer opioid overdose medication.

430.10 FIRST AID TRAINING

Subject to available resources, the Training Lieutenant should ensure officers receive periodic first aid training appropriate for their position.

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Chapter 5 - Traffic Operations

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Traffic Function and Responsibility

500.1 PURPOSE AND SCOPE

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

500.2 TRAFFIC OFFICER DEPLOYMENT

Several factors are considered in the development of deployment schedules for officers of the Idaho Falls Police Department. Information provided by this department and the Idaho Department of Transportation is a valuable resource for traffic accident occurrences and therefore officer deployment. Some of the factors for analysis include:

- Location
- Time
- Day
- Violation factors

All officers assigned to patrol or traffic enforcement functions will emphasize enforcement of accident causing violations during high accident hours and at locations of occurrence. All officers will take directed enforcement action on request, and random enforcement action when appropriate against violators as a matter of routine. All officers shall maintain high visibility while working general enforcement, especially at high accident locations.

Other factors to be considered for deployment are citizen requests, construction zones or special events.

500.3 ENFORCEMENT

Enforcement actions are commensurate with applicable laws and take into account the degree and severity of the violation committed. This department does not establish ticket quotas and the number of arrests or citations issued by any officer shall not be used as the sole criterion for evaluating officer overall performance. The visibility and quality of an officer's work effort will be commensurate with the philosophy of this policy. Several methods are effective in the reduction of collisions:

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500.3.1 WARNINGS
Warnings or other non-punitive enforcement actions should be considered in each situation and substituted for arrests or citations when circumstances warrant, especially in the case of inadvertent violations.

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

(a) Explanation of the violation or charge.

(b) Court appearance procedure including the optional or mandatory appearance by the motorist.

(c) Notice of whether the motorist can enter a plea and pay the fine by mail or at the court.

500.3.3 PHYSICAL ARREST
Physical arrest may be made on a number of criminal traffic offenses when a citation is not issued pursuant to the Citation Releases Policy.

500.4 SUSPENDED OR REVOKED DRIVERS LICENSES
If an officer contacts a traffic violator for driving on a suspended or revoked license, the officer may issue a traffic citation.

If a computer check of a traffic violator's license status reveals a suspended or revoked drivers license and the traffic violator still has his or her license in possession, the license shall be seized by the officer. The officer shall verbally advise the traffic violator of the suspension or revocation and issue the citation.

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

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

500.5.1 REQUIRED USE
Except when working in a potentially adversarial or confrontational role, such as during vehicle stops, high-visibility vests should be worn at any time it is anticipated that an employee will be exposed to the hazards of approaching traffic or construction and recovery equipment. Examples of when high-visibility vests should be worn include traffic control duties, accident investigations, lane closures and while at disaster scenes, or anytime high visibility is desirable. When emergency

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conditions preclude the immediate donning of the vest, officers should retrieve and wear the vest as soon as conditions reasonably permit. Use of the vests shall also be mandatory when directed by a supervisor.

Vests maintained in the investigation units may be used any time a plainclothes officer might benefit from being readily identified as a member of law enforcement.

500.5.2 CARE AND STORAGE OF HIGH-VISIBILITY VESTS

High-visibility vests shall be maintained in the trunk of each patrol and investigation unit, in the side box of each police motorcycle and in the saddlebag or gear bag of each police bicycle. Each vest should be stored inside the resealable plastic bag provided to protect and maintain the vest in a serviceable condition. Before going into service, each employee shall ensure a serviceable high-visibility vest is properly stored.

A supply of high-visibility vests will be maintained in the equipment room for replacement of damaged or unserviceable vests. The Training Lieutenant should be promptly notified whenever the supply of vests in the equipment room needs replenishing.

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Traffic Collision Reporting

501.1 PURPOSE AND SCOPE

The Idaho Falls Police Department prepares traffic collision reports and makes traffic collision reports available to the community under the Idaho Public Records law.

501.2 RESPONSIBILITY

The records manager will be responsible for the distribution of the traffic collision reports pursuant to Idaho Public Records law.

501.3 TRAFFIC COLLISION REPORTING

All traffic collision reports taken by members of this department shall be entered into the Crash Records Management System. The Traffic Lieutenant will be responsible for monthly and quarterly reports on traffic collision statistics to be forwarded to the Patrol Bureau Commander, or other persons as required.

501.4 REPORTING SITUATIONS

501.4.1 TRAFFIC COLLISIONS INVOLVING CITY VEHICLES

Traffic collision investigation reports shall be taken when a City-owned vehicle is involved in a traffic collision upon a roadway or highway wherein any damage or injury results. A department case report may be taken in lieu of a traffic collision report at the direction of a supervisor when the collision occurs on private property or does not involve another vehicle.

Photographs of the collision scene and vehicle damage shall be taken.

501.4.2 TRAFFIC COLLISIONS WITH POLICE DEPARTMENT EMPLOYEES

When an employee of this department, either on-duty or off-duty, is involved in a traffic collision within the jurisdiction of the Idaho Falls Police Department, a Patrol Supervisor should notify another outside law enforcement agency for assistance.

501.4.3 TRAFFIC COLLISIONS WITH OTHER CITY EMPLOYEES OR OFFICIALS

The Patrol Supervisormay request assistance from the Idaho State Police for the investigation of any traffic collision involving any City official or employee.

501.4.4 TRAFFIC COLLISIONS ON PRIVATE PROPERTY

Traffic collision reports shall not be taken for traffic collisions occurring on private property, unless there is a death or injury to any person involved, a hit-and-run violation, or Vehicle Code violation. Accident Information Exchange Forms shall be completed by the officer for the parties involved. An Incident Report may be taken at the discretion of any supervisor.

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501.4.5 TRAFFIC COLLISIONS ON ROADWAYS OR HIGHWAYS

Traffic collision reports shall be taken when they occur on a roadway or highway within the jurisdiction of this department under any of the following circumstances:

(a) When there is a death or injury to any persons involved in the collision.

(b) When damage is estimated to exceed $1,500 to one vehicle.

In all other cases, an Accident Exchange Form shall be completed instead of a traffic collision report.

In all cases, an officer should issue a citation when there is probable cause to indicate a violation of law has occurred.

501.5 NOTIFICATION OF TRAFFIC BUREAU SUPERVISION

In the event of a serious injury or death related traffic collision, the Patrol Supervisor shall notify the Traffic Lieutenant to relate the circumstances of the traffic collision and seek assistance from the Traffic Unit.

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Vehicle Towing Policy

502.1 PURPOSE AND SCOPE

This policy provides the procedures for towing a vehicle by or at the direction of the Idaho Falls Police Department.

Nothing in this policy shall require this department to tow a vehicle.

502.2 RESPONSIBILITIES

The responsibilities of those employees towing or impounding a vehicle are as follows.

502.2.1 COMPLETION OF FORMS

Police Department members requesting removal of a vehicle shall complete an impound report. The notice must contain, at minimum, the following information (Idaho Code 49-1803A):

- Name and addresses of the registered owner and lien holder.
- Complete vehicle description, including license plate number and vehicle identification number.
- Date, time, and reason for tow.
- Case number assigned.
- Whether the value of the vehicle is $750 or less. The officer's valuation should be verified by the Records Unit before any disposition process is initiated under Idaho Code 49-1814 (Disposition of low-valued vehicles).
- The daily storage rate and tow fee.
- Name, address, and telephone number of towing company.
- Signature and printed name of tow truck operator taking receipt of the vehicle and its contents.

A copy of the report is to be given to the tow truck operator and another copy is to be submitted to the Police Recordsby the end of the shift.

If a copy of the impound report is not provided to the legal and registered owner at the time of removal, it shall be the responsibility of the Records Unit to determine the legal or registered owners and lien holders of the vehicle, and to mail a copy of the report to all such individuals within 72 hours, excluding weekends and holidays(Idaho Code 49-1803A(3)).

Owners are required to obtain a release from the Records Unit in order to retrieve their vehicle from impound.

502.2.2 REMOVAL OF VEHICLE DISABLED IN A TRAFFIC COLLISION

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

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the next company will be selected from the rotational list of towing companies in Emergency Communications Center. The officer will complete the vehicle impound report.

502.2.3 DRIVING A NON-CITY VEHICLE

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

502.2.4 DISPATCHER'S RESPONSIBILITIES

Upon receiving a request for towing, the dispatcher shall promptly telephone the specified authorized towing service. The officer shall be advised when the request has been made and the towing service has been dispatched.

When there is no preferred company requested, the dispatcher shall call the next firm in rotation from the list of approved towing companies and shall make appropriate entries on that form to ensure the following firm is called on the next request. The dispatcher should note the arrival and clearance times of the tow company on scene.

502.3 TOWING SERVICES

The City of Idaho Falls periodically selects a firm(s) to act as the official tow service and awards a contract to that firm(s). This firm will be used in the following situations:

(a) When it is necessary to safeguard a vehicle due to the inability of the owner or operator to take the required action.

(b) When a vehicle is being held as evidence in connection with an investigation.

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

502.4 TOWING AT ARREST SCENES

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

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

- Situations where the vehicle was not used to further the offense for which the driver was arrested.
- Whenever the owner of the vehicle is present, willing, and able to take control of any vehicle not involved in criminal activity.
- Whenever the vehicle otherwise does not need to be towed and the owner requests that it be left at the scene.
- With the owner's consent, the vehicle can be released to a responsible party.

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

502.5 VEHICLE INVENTORY SEARCHES

All property in a stored or impounded vehicle shall be inventoried and listed on the vehicle impound report. This includes the trunk and any compartments or containers, even if closed and/or locked. Members conducting inventory searches should be as thorough and accurate as practical in preparing an itemized inventory. These inventory procedures are for the purpose of protecting an owner's property while in police custody, to provide for the safety of officers, and to protect this department against fraudulent claims of lost, stolen, or damaged property.

In situations where the tow is being requested by the owner due to a vehicle accident or a disabled vehicle, an inventory search is not required.

502.5.1 SECURITY OF VEHICLES AND PROPERTY

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

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

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Vehicle Impound Hearings

503.1 PURPOSE AND SCOPE

This policy establishes a procedure for the requirement to provide vehicle storage or impound hearings pursuant to Idaho Code 49-1805.

503.2 STORED OR IMPOUND HEARING

When a vehicle is stored or impounded by any member of the Idaho Falls Police Department, a hearing will be conducted upon the request of the registered or legal owner of the vehicle or their agent (Idaho Code 49-1805).

503.2.1 HEARING PROCEDURES

The vehicle storage hearing is an informal process to evaluate the validity of a stored or impounded vehicle. Any relevant evidence may be submitted and reviewed by the hearing officer to determine if the vehicle in question was lawfully stored or impounded, in accordance with Idaho Falls Police Department policies and procedures. The employee who caused the storage or removal of the vehicle does not need to be present for this hearing.

A notice of the storage shall be sent by mail to the registered and legal owners within seventy-two (72) hours, excluding the weekends and holidays, and shall include the following information:

(a) The name, address, and telephone number of the agency providing the notice.

(b) The location of the place of storage and description of the vehicle which shall include, if available, the name or make, identification number, the license plate number, and the mileage.

(c) The authority and purpose for the removal of the vehicle.

(d) In order to receive a post-storage hearing, the owners, or their agents, must request the hearing in writing within ten (10) days of the date of the notice. Any such hearing shall be conducted within forty-eight (48) hours of the request, excluding weekends and holidays. The public agency may authorize its own officer or employee to conduct the hearing, so long as the hearing officer is not the same person that directed the tow of the vehicle. Generally, the Traffic Lieutenant will be the hearing officer.

The person requesting the hearing may record the hearing at his/her own expense. The vehicle storage/impound hearing officer shall consider all information provided and determine the validity of the storage or impound of the vehicle in question and then render a decision.

A decision that the vehicle was not stored or impounded in a lawful manner or within the policy of this department will require that the vehicle in storage be released immediately. Towing and storage fees will be paid at this department's expense (Idaho Code 49-1805(d)(5)).

If a decision is made that the vehicle was not stored or impounded in a lawful manner or in compliance with the policy of this department, and the vehicle has been released with fees having

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been paid, the receipt for such fees will be forwarded with a letter to the appropriate Bureau Commander. The hearing officer will recommend to the appropriate Bureau Commander that the fees paid by the registered or legal owner of the vehicle in question or their agent be reimbursed by this department.

If a decision is made that the vehicle was stored or impounded in a lawful manner or in compliance with the policy of this Department, then the owner will be responsible for the balance due or can sign an ITD-3008 form to release interest in the vehicle.

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Impaired Driving

504.1 PURPOSE AND SCOPE

This policy provides guidance to those department members who play a role in the detection and investigation of driving under the influence (DUI).

504.2 POLICY

The Idaho Falls Police Department is committed to the safety of the roadways and the community and will pursue fair but aggressive enforcement of Idaho's impaired driving laws.

504.3 INVESTIGATIONS

Officers should not enforce DUI laws to the exclusion of their other duties unless specifically assigned to DUI enforcement. All officers are expected to enforce these laws with due diligence.

The Traffic Lieutenant will develop and maintain, in consultation with the prosecuting attorney, report forms with appropriate checklists to assist investigating officers in documenting relevant information and maximizing efficiency. Any DUI investigation will be documented using these forms.Information that should be documented includes, at a minimum:

(a) The field sobriety tests (FSTs) administered and the results.

(b) The officer's observations that indicate impairment on the part of the individual, and the officer's health-related inquiries that may help to identify any serious health concerns (e.g., diabetic shock).

(c) Sources of additional information (e.g., reporting party, witnesses) and their observations.

(d) Information about any audio and/or video recording of the individual's driving or subsequent actions.

(e) The location and time frame of the individual's vehicle operation and how this was determined.

(f) Any prior related convictions in Idaho or another jurisdiction.

504.4 FIELD TESTS

The Traffic Lieutenant should identify standardized FSTs and any approved alternate tests for officers to use when investigating violations of DUI laws.

504.5 CHEMICAL TESTS

A person implies consent under Idaho law to a chemical test or tests, and to providing the associated chemical sample, under any of the following (Idaho Code 18-8002):

(a) The arresting officer has reasonable grounds to believe that the person was driving or in actual physical control of a motor vehicle, including a commercial motor vehicle, when any of the following exist:

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1. While under the influence of alcohol, drugs and/or any other intoxicating substances.
2. While under the influence of any combination of alcohol, drugs and/or any other intoxicating substances.
3. With a prohibited alcohol concentration (Idaho Code 18-8004).

(b) The arresting officer has reasonable grounds to believe the person was driving or in actual physical control of a vehicle which resulted in great bodily harm, permanent disability or disfigurement to any other person (Idaho Code 18-8006).

If a person withdraws this implied consent, or is unable to withdraw consent (e.g., the person is unconscious), the officer should consider implied consent revoked and proceed as though the person has refused to provide a chemical sample.

504.5.1 STATUTORY NOTIFICATIONS

At the time testing is requested, the person shall be informed that if he/she refuses to submit to or fails to complete a test as required, he/she will be subject to civil penalties, and driver's license suspension, mandatory installation of a state-approved ignition interlock system at his/her expense for one year following the end of the suspension period, the right to request a hearing to show cause why he/she refused to submit or complete testing, and after submitting to evidentiary testing, he/she may, when practicable and at their own expense, have additional tests made by a person of his/her choosing as described in Idaho Code 18-8002(3) and Idaho Code 18-8002A(2).

504.5.2 BREATH SAMPLES

The Traffic Lieutenant or a department Breath Testing Specialists (BTS) should ensure that all devices used for the collection and analysis of breath samples are properly serviced and tested, and that a record of such service and testing is properly maintained.

If the person submits to a breath test and the officer has reasonable cause to believe that the person was driving under the influence of drugs or the combined influence of alcohol and drugs, the officer should request a second test of the person's blood or urine. If a second test is requested, the officer shall include the facts supporting the belief in the arrest report (Idaho Code 18-8002(10)).

Officers obtaining a breath sample should monitor the device for any sign of malfunction. Any anomalies or equipment failures should be noted in the appropriate report and promptly reported to the Traffic Lieutenant or a department Breath Testing Specialists (BTS).

504.5.3 BLOOD SAMPLES

Only persons authorized by law to draw blood shall collect blood samples (Idaho Code 18-8003). The blood draw should be witnessed by the assigned officer. No officer, even if properly certified, should perform this task.

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Officers should inform an arrestee that if he/she chooses to provide a blood sample, a separate sample can be collected for alternate testing. Unless medical personnel object, two samples should be collected and retained as evidence, so long as only one puncture is required.

The blood sample shall be packaged, marked, handled, stored and transported as required by the testing facility.

If an arrestee cannot submit to a blood draw because he/she has a bleeding disorder or has taken medication that inhibits coagulation, he/she shall not be required to take a blood test. Such inability to take a blood test should not be considered a refusal. However, that arrestee may be required to complete another available and viable test.

504.5.4 URINE SAMPLES

If a urine test will be performed, the arrestee should be promptly transported to the appropriate testing site. The officer shall follow any directions accompanying the urine evidence collection kit.

Urine samples shall be collected and witnessed by an officer or jail staff member of the same sex as the individual giving the sample. The arrestee should be allowed sufficient privacy to maintain his/her dignity, to the extent possible, while still ensuring the accuracy of the sample.

The sample shall be packaged, marked, handled, stored and transported as required by the testing facility.

504.5.5 ADDITIONAL TESTING

After submitting to testing as requested by the officer when practicable, a person may request, at his/her own expense, that additional tests for alcohol concentration or for the presence of drugs or other intoxicating substances be administered by a person of his/her own choosing (Idaho Code 18-8002A(6)).

504.6 REFUSALS

When an arrestee refuses to provide a chemical sample, officers shall:

(a) Advise the arrestee of the requirement to provide a sample and consequences of failing to do so (Idaho Code 18-8002).

(b) Audio- and/or video-record the admonishment and the response when it is practicable.

(c) Personally serve the notice of suspension upon the person (Idaho Code 18-8002A).

(d) Document the refusal in the appropriate report.

(e) Complete an affidavit of refusal.

504.6.1 BLOOD SAMPLE WITHOUT CONSENT

A blood sample may be obtained from a person who refuses a chemical test when there are reasonable grounds to believe that person has been driving or in actual physical control of a motor vehicle in violation of Idaho Code 18-8004 and when any of the following conditions exist:

(a) A search warrant has been obtained.

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(b) The officer can articulate that exigent circumstances exist. Exigency does not exist solely because of the short time period associated with the natural dissipation of alcohol or controlled or prohibited substances in the person's bloodstream. Exigency can be established by the existence of special facts such as a lengthy time delay in obtaining a blood sample due to an accident investigation or medical treatment of the person.

(c) If necessary, a person who is authorized by law to draw a blood sample for evidentiary testing may be ordered to do so by the officer when there are exigent circumstances and probable cause to believe the arrestee has committed any of the following offenses (Idaho Code 18-8002(6)(b)):

1. Aggravated DUI.
2. Vehicular manslaughter.
3. Aggravated DUI or criminal homicide involving a watercraft while under the influence of alcohol, drugs or other intoxicating substances.

504.6.2 FORCED BLOOD SAMPLE

If an arrestee indicates by word or action that he/she will physically resist a blood draw, the officer should request a supervisor to respond.

The responding supervisor should:

(a) Evaluate whether using force to obtain a blood sample is appropriate under the circumstances.

(b) Ensure that all attempts to obtain a blood sample through force cease if the person agrees to, and completes, a viable form of testing in a timely manner.

(c) Advise the person of his/her duty to provide a sample (even if this advisement was previously done by another officer) and attempt to persuade the individual to submit to such a sample without physical resistance.

1. This dialogue should be recorded on audio and/or video when practicable.

(d) Ensure that the blood sample is taken in a medically approved manner.

(e) Ensure that the forced blood draw is recorded on audio and/or video when practicable.

(f) Monitor and ensure that the type and level of force applied appears reasonable under the circumstances.

(g) Ensure the use of force and methods used to accomplish the collection of the blood sample are documented in the related report.

If a supervisor is unavailable, officers are expected to use sound judgment and perform as a responding supervisor, as set forth above.

504.7 SERVICE OF SUSPENSION

If the driver submits to a breath, blood, or urine test and the results indicate an alcohol concentration or the presence of drugs or other intoxicating substances in violation of the provisions of Idaho Code 18-8004, Idaho Code 18-8004C, or Idaho Code 18-8006, the officer

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shall, acting on behalf of the Idaho Transportation Department (ITD), serve the person with a notice of suspension and notice of the requirement to install, at his/her expense, a state-approved ignition interlock system for a period of one year following the end of the suspension period (Idaho Code 18-8002A(5)).

Within five business days of serving a person with the notice of suspension, the arresting officer shall forward the following to the ITD (Idaho Code 18-8002A(5)):

(a) A copy of the completed notice of suspension and notice of the requirement to install the ignition interlock system.

(b) A certified copy or duplicate original of the results of all breath tests for alcohol concentration.

(c) The arresting officer's sworn statement, which may incorporate any arrest or incident report relevant to the arrest and evidentiary testing, setting forth:

1. The identity of the person.
2. The legal cause to stop the person.
3. The officer's legal cause to believe that the person was DUI.
4. That the person was advised of the consequences of taking and failing the evidentiary test.
5. That the person was lawfully arrested.
6. That the person was tested for alcohol concentration, drugs, or other intoxicating substances and that the result of the test indicated an alcohol concentration or the presence of drugs or other intoxicating substances in violation of Idaho Code 18-8004, Idaho Code 18-8004C, or Idaho Code 18-8006.

504.8 REPORTING RESPONSIBILITIES

The case officer will ensure that all case-related records are transmitted according to current records procedures and as required by the prosecuting attorney's office.

504.9 ADMINISTRATIVE HEARINGS

The Police Records Supervisor will ensure that all appropriate reports and documents related to administrative license suspensions are reviewed and forwarded to the ITD.

Any officer who receives notice of required attendance to an administrative license suspension hearing should notify their supervisor as needed to accommodate the hearing.

504.10 TRAINING

The Training Lieutenant should ensure that officers participating in the enforcement of DUI laws receive regular training. Training should include, at minimum, current laws on impaired driving, investigative techniques and rules of evidence pertaining to DUI investigations. The Training

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Lieutenant should confer with the prosecuting attorney's office and update training topics as needed.

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Traffic Citations

505.1 PURPOSE AND SCOPE

This policy outlines the responsibility for traffic citations, the procedure for dismissal, correction, and voiding of traffic citations.

505.2 RESPONSIBILITIES

The department citations should be issued using the department electronic ticketing software. In the event a handwritten citation is issued the officer will as soon a practical,enter the hand written citation into the electronic ticketing system for submission.

The Traffic Lieutenant shall be responsible for the development and design of all traffic citations in compliance with applicable law.

The Police Records shall be responsible for the supply and accounting of all papertraffic citations issued to employees of this department.

505.3 DISMISSAL OF TRAFFIC CITATIONS

Employees of this department do not have the authority to dismiss a citation once it has been issued. Any request from a recipient to dismiss a citation shall be referred to the Prosecutor's Office.

Should an officer determine during a court proceeding that a traffic citation should be dismissed in the interest of justice or where prosecution is deemed inappropriate the officer may request the court to dismiss the citation.

505.4 CORRECTION OF TRAFFIC CITATIONS

When a traffic citation is issued and in need of correction, the officer issuing the citation shall contact the prosecutor requesting a specific correction..

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Disabled Vehicles

506.1 PURPOSE AND SCOPE

The Idaho Falls Police Department has a responsibility to provide assistance to disabled motorists within their primary jurisdiction.

506.2 OFFICER RESPONSIBILITY

When an officer observes a disabled vehicle on the roadway, the officer should make a reasonable effort to provide assistance. If that officer is assigned to a call of higher priority, the dispatcher should be advised of the location of the disabled vehicle and the need for assistance. The dispatcher should then assign another available officer to respond for assistance as soon as practical.

506.3 EXTENT OF ASSISTANCE

In most cases, a disabled motorist will require assistance. After arrangements for assistance are made, continued involvement by personnel from this department will be contingent on the time of day, the location, the resources availability to this department, and the vulnerability of the disabled motorist.

506.3.1 MECHANICAL REPAIRS

Generally, Police Department personnel should not make mechanical repairs to a disabled vehicle. Minor assistance, such as changing a tire, is not considered a mechanical repair and can be performed at the officer's discretion.

506.3.2 RELOCATION OF DISABLED VEHICLES

The relocation of disabled vehicles by members of this department by pushing or pulling a vehicle should only occur when the conditions reasonably indicate that immediate movement is necessary to reduce a hazard presented by the disabled vehicle. Police vehicles should not be used to push or pull a vehicle.

506.3.3 RELOCATION OF DISABLED MOTORIST

The relocation of a disabled motorist should only occur with the person’s consent and should be suggested when conditions reasonably indicate that immediate movement is necessary to mitigate a potential hazard. The department member may stay with the disabled motorist or transport him/her to a safe area to await pickup.

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Parked and Abandoned Vehicle Violations

507.1 PURPOSE AND SCOPE

This policy provides procedures for the marking, recording, and storage of vehicles parked in violation of laws regulating parking of vehicles under Idaho Code 49-659 through Idaho Code 49-662, and abandoned vehicles under the authority of Idaho Code 49-1801; Idaho Code 49-1802 and Idaho Code 49-1804. This policy also provides for procedures under Idaho Falls City Codes 9-4-5(A) and 9-4-5(B).

507.2 MARKING ABANDONED VEHICLES

Vehicles that officers have reasonable grounds to believe have been abandoned which do not fall within the class of “extraordinary circumstances” shall have attached thereto, in plain view, a notice that this vehicle will be towed away at the expiration of forty-eight (48) hours as an abandoned vehicle.

The notice shall contain:

- The name of the officer who prepared the notice
- The name of the agency of the officer
- The date and time the notice was attached
- The date and time when the vehicle will be removed
- The telephone number and address of the agency
- The call for service number

A reasonable attempt shall be made to notify the owner of any vehicle, prior to the expiration of the 48 hour notice period, of the location of the vehicle and the time and date of intent to remove the vehicle (Idaho Code 49-1804).

507.2.1 MARKED VEHICLE FILE

The Idaho Falls Police DepartmentEmergency Communications Center shall be responsible for maintaining an electronic file for all Marked Abandoned Vehicles

Patrol officersand police personnel assigned to traffic enforcement shall be responsible for the follow up investigation of all 48-hour parking violations noted in the Marked Abandoned Vehicle files.

507.2.2 VEHICLE TOWING

Whenever an officer removes a vehicle from a highway, or from public or private property he/she shall complete the impound report and the vehicle will be towed and stored as listed in the vehicle impound policy.. (Idaho Code 49-1808).

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An impound and storage notice form shall be submitted to the Police Records immediately following the storage of the vehicle.

Within 72 hours of the storage of any such vehicle, excluding weekends and holidays, it shall be the responsibility of the Police Records to determine the names and addresses of any individuals having an interest in the vehicle through ITD or ILETS computers. Notice to all such individuals shall be sent by mail within the 72-hour time period listed above (Idaho Code 49-1805(2)).

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Chapter 6 - Investigation Operations

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Investigation and Prosecution

600.1 PURPOSE AND SCOPE

The purpose of this policy is to set guidelines and requirements pertaining to the handling and disposition of criminal investigations.

600.2 POLICY

It is the policy of the Idaho Falls Police Department to investigate crimes thoroughly and with due diligence, and to evaluate and prepare criminal cases for appropriate clearance or submission to a prosecutor.

600.3 INITIAL INVESTIGATION

600.3.1 OFFICER RESPONSIBILITIES

An officer responsible for an initial investigation shall complete no less than the following:

(a) Make a preliminary determination of whether a crime has been committed by completing, at a minimum:

1. An initial statement from any witnesses or complainants.
2. A cursory examination for evidence.

(b) If information indicates a crime has occurred, the Officer shall:

1. Preserve the scene and any evidence as required to complete the initial and follow-up investigation.
2. Determine if additional investigative resources (e.g., investigators or scene processing) are necessary and request assistance as required.
3. If assistance is warranted, or if the incident is not routine, notify a supervisor or the Shift Lieutenant.
4. Make reasonable attempts to locate, identify and interview all available victims, complainants, witnesses and suspects.
5. Collect any evidence.
6. Take any appropriate law enforcement action.
7. Complete and submit the appropriate reports and documentation.

(c) If the preliminary determination is that no crime occurred, determine what other action may be necessary, what other resources may be available, and advise the informant or complainant of this information.

600.3.2 CIVILIAN MEMBER RESPONSIBILITIES

A civilian member assigned to any preliminary investigation is responsible for all investigative steps, except making any attempt to locate, contact or interview a suspect face-to-face or take

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any enforcement action. Should an initial investigation indicate that those steps are required, the assistance of an officer shall be requested.

600.4 CUSTODIAL INTERROGATION REQUIREMENTS

Suspects who are in custody and subjected to an interrogation shall be given the *Miranda* warning, unless an exception applies. Interview or interrogation of a juvenile shall be in accordance with the Temporary Custody of Juveniles Policy.

600.4.1 AUDIO/VIDEO RECORDINGS

Any custodial interrogation should be recorded (audio or video with audio as available) in its entirety. Regardless of where the interrogation occurs, every reasonable effort should be made to secure functional recording equipment to accomplish such recordings.

No recording of a custodial interrogation should be destroyed or altered without written authorization from the prosecuting attorney and the Investigations and Special Operations Bureau supervisor.

Recordings should not take the place of a thorough report and investigative interviews. Written statements from suspects should continue to be obtained when applicable.

600.5 DISCONTINUATION OF INVESTIGATIONS

The investigation of a criminal case or efforts to seek prosecution should only be discontinued if one of the following applies:

(a) All reasonable investigative efforts have been exhausted, no reasonable belief that the person who committed the crime can be identified, and the incident has been documented appropriately.

(b) The perpetrator of a misdemeanor has been identified and a warning is the most appropriate disposition.

1. Warnings shall not be given for felony offenses or other offenses identified in this policy or by law that require an arrest or submission of a case to a prosecutor.

(c) The case has been submitted to the appropriate prosecutor but no charges have been filed. Further investigation is not reasonable nor has the prosecutor requested further investigation.

(d) The case has been submitted to the appropriate prosecutor, charges have been filed, and further investigation is not reasonable, warranted or requested, and there is no need to take the suspect into custody.

(e) Suspects have been arrested, there are no other suspects, and further investigation is either not warranted or requested.

(f) Investigation has proven that a crime was not committed (see the Sexual Assault Investigations Policy for special considerations in these cases).

The Domestic Violence, Child Abuse, Sexual Assault Investigations and Adult Abuse policies may also require an arrest or submittal of a case to a prosecutor.

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600.6 COMPUTERS AND DIGITAL EVIDENCE

The collection, preservation, transportation and storage of computers, cell phones and other digital devices may require specialized handling to preserve the value of the related evidence. If it is anticipated that computers or similar equipment will be seized, officers should request that computer forensic examiners assist with seizing computers and related evidence. If a forensic examiner is unavailable, officers should take reasonable steps to prepare for such seizure and use the resources that are available.

600.7 INVESTIGATIVE USE OF SOCIAL MEDIA AND INTERNET SOURCES

Use of social media and any other Internet source to access information for the purpose of criminal investigation shall comply with applicable laws and policies regarding privacy, civil rights and civil liberties. Information gathered via the Internet should only be accessed by members while on-duty and for purposes related to the mission of this department. If a member encounters information relevant to a criminal investigation while off-duty or while using his/her own equipment, the member should note the dates, times and locations of the information and report the discovery to his/her supervisor as soon as practicable. The member, or others who have been assigned to do so, should attempt to replicate the finding when on-duty and using department equipment.

Information obtained via the Internet should not be archived or stored in any manner other than department-established record keeping systems (see the Records Maintenance and Release and the Criminal Organizations policies).

600.7.1 ACCESS RESTRICTIONS

Accessing information that requires the use of a third party's account or online identifier requires supervisor approval and either the consent of the third party or a valid court order. If consent is used, the consent must be voluntary and shall be documented in the related investigative report.

Information gathered from any Internet source should be evaluated for its validity, authenticity, accuracy and reliability. Corroborative evidence should be sought and documented in the related investigative report.

Any information collected in furtherance of an investigation through an Internet source should be documented in the related report. Documentation should include the source of information and the dates and times that the information was gathered.

600.7.2 INTERCEPTING ELECTRONIC COMMUNICATION

Intercepting social media communications in real time may be subject to federal and state wiretap laws. Officers should seek legal counsel before any such interception.

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Asset Forfeiture

601.1 PURPOSE AND SCOPE

This policy describes the authority and procedure for the seizure, forfeiture, and liquidation of property associated with designated offenses.

601.1.1 DEFINITIONS

Definitions related to this policy include

Fiscal agent - The person designated by the Chief of Police to be responsible for securing and maintaining seized assets and distributing any proceeds realized from any forfeiture proceedings. This includes any time the Idaho Falls Police Department seizes property for forfeiture or when the Idaho Falls Police Department is acting as the fiscal agent pursuant to a multi-agency agreement.

Forfeiture - The process by which legal ownership of an asset is transferred to a government or other authority.

Forfeiture reviewer - The department member assigned by the Chief of Police who is responsible for reviewing all forfeiture cases and for acting as the liaison between the Department and the assigned attorney.

Property subject to forfeiture - Includes but may not be limited to the following:

(a) Non-real property that may generally be subject to civil forfeiture under the Uniform Controlled Substance Act (Idaho Code 37-2744) includes:

1. Property used, or intended for use, as a container for property used in the commission of an act prohibited by Idaho Code 37-2732B (trafficking), Idaho Code 37-2732(a) or (b) (prohibited acts), or Idaho Code 37-2737A (manufacture or delivery of controlled substance where children are present).
2. A conveyance used, or intended for use, to transport or to in any way facilitate the transportation, delivery, receipt, or manufacture of substances prohibited by Idaho Code 37-2732B, Idaho Code 37-2732(a) or (b), or Idaho Code 37-2737A.
3. Money, currency, negotiable instruments, securities, or other items easily liquidated for cash which have been used or are intended for use in connection with the illegal manufacture, distribution, dispensing, or possession of property described in Idaho Code 37-2744(a)(6).
4. All weapons or firearms used in any manner to facilitate a violation of the Uniform Controlled Substance Act (Idaho Code Title 37, Chapter 27).

(b) Real property may be subject to civil forfeiture under the Uniform Controlled Substance Act when (Idaho Code 37-2744A):

1. Either the property or interest in a property is used to commit or to facilitate a violation of the Uniform Controlled Substance Act (Idaho Code Title 37, Chapter 27).
2. The offense is punishable by more than one year of imprisonment.

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(c) Real property, personal property, or money may be subject to criminal forfeiture by order of a court upon a controlled substance conviction (Idaho Code 37-2801; Idaho Code 37-2802).

(d) Real property, personal property, or money may be subject to criminal forfeiture by order of a court upon a prostitution conviction (Idaho Code 18-5612; Idaho Code 18-5618).

Seizure -The act of law enforcement officials taking property, cash, or assets that have been used in connection with or acquired by specified illegal activities.

601.2 POLICY

The Idaho Falls Police Department recognizes that appropriately applied forfeiture laws are helpful to enforce the law, deter crime and reduce the economic incentive of crime. However, the potential for revenue should never compromise the effective investigation of criminal offenses, officer safety or any person's due process rights. It is the policy of the Idaho Falls Police Department that all members, including those assigned to internal or external law enforcement task force operations, shall comply with all state and federal laws pertaining to forfeiture.

601.3 ASSET SEIZURE

Property may be seized for forfeiture as provided in this policy.

601.3.1 PROPERTY SUBJECT TO SEIZURE

The following may be seized upon review and approval of a supervisor and in coordination with the forfeiture reviewer (Idaho Code 37-2744):

(a) Any property ordered to be seized by a search warrant or court order.

(b) Property subject to civil forfeiture may be seized by an officer without a court order if one or more of these circumstances exist (Idaho Code 37-2744):

1. The seizure is incident to an arrest, execution of a search warrant, or during an inspection under an administrative inspection warrant.
2. Probable cause exists to believe that the property is directly or indirectly dangerous to health or safety.
3. Probable cause exists to believe that the property was used or is intended to be used in violation of the Uniform Controlled Substance Act (Idaho Code Title 37, Chapter 27).

(c) Property subject to criminal forfeiture may be seized without a court order or search warrant if the property is subject to lawful seizure as evidence of a crime.

Whenever practicable, obtaining a search warrant or court order for seizure prior to making a seizure is the preferred method.

The mere presence or possession of U.S. currency, without other indications of criminal activity, is insufficient cause for seizure (Idaho Code 37-2744).

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601.3.2 PROPERTY NOT SUBJECT TO SEIZURE
The following property should not be seized for forfeiture:

(a) Cash and property that does not meet the Idaho State Police or the prosecuting attorney's current minimum forfeiture thresholds.

(b) Property, vehicles or other items (listed in the code) from an "innocent owner" (an owner who did not consent to, or have knowledge of, the offense) (Idaho Code 37-2744).

601.4 PROCESSING SEIZED PROPERTY FOR FORFEITURE PROCEEDINGS

When property or cash subject to this policy is seized, the officer making the seizure should ensure compliance with the following:

(a) Complete the applicable seizure forms and present the appropriate copy to the person from whom the property is seized. If cash or property is seized from more than one person, a separate copy must be provided to each person, specifying the items seized. When property is seized and no one claims an interest in the property, the officer must leave the copy in the place where the property was found, if it is reasonable to do so.

(b) Complete and submit a report and original seizure forms within 24 hours of the seizure, if practicable.

(c) Forward the original seizure forms and related reports to the forfeiture reviewer within two business days of seizure.

The officer will book seized property as evidence with the notation in the comment section of the evidence module,"Seized Subject to Forfeiture." Property seized subject to forfeiture should be booked on a separate barcode..

Photographs should be taken of items seized, particularly cash, jewelry, and other valuable items.

Officers who suspect property may be subject to seizure but are not able to seize the property (e.g., the property is located elsewhere, the whereabouts of the property is unknown, it is real estate, bank accounts, non-tangible assets) should document and forward the information in the appropriate report to the forfeiture reviewer.

601.5 MAINTAINING SEIZED PROPERTY

The Property and Evidence Office supervisor is responsible for ensuring compliance with the following:

(a) All property received for forfeiture is reasonably secured and properly stored to prevent waste and preserve its condition.

(b) All property received for forfeiture is checked to determine if the property has been stolen.

(c) All property received for forfeiture is retained in the same manner as evidence until forfeiture is finalized or the property is returned to the claimant or the person with an ownership interest.

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(d) Property received for forfeiture is not used unless the forfeiture action has been completed.

601.6 FORFEITURE REVIEWER

The Chief of Police will appoint an officer as the forfeiture reviewer. Prior to assuming duties, or as soon as practicable thereafter, the forfeiture reviewer should attend a course approved by the Department on asset forfeiture.

The responsibilities of the forfeiture reviewer include:

(a) Remaining familiar with forfeiture laws, particularly the civil forfeiture statutes (Idaho Code 37-2744 et seq.) and criminal forfeiture statutes (Idaho Code 37-2801 et seq.; Idaho Code 18-5612 et seq.), and the forfeiture policies of the Idaho State Police as well as both the state and local prosecutors.

(b) Serving as the liaison between the Department and the Idaho State Police and the County Prosecutor and ensuring prompt legal review of all seizures.

(c) Making reasonable efforts to obtain annual training that includes best practices in pursuing, seizing, and tracking forfeitures.

(d) Reviewing each seizure-related case and deciding whether the seizure is more appropriately made under state or federal seizure laws. The forfeiture reviewer should contact federal authorities when appropriate.

(e) Ensuring that responsibilities, including the designation of a fiscal agent, are clearly established whenever multiple agencies are cooperating in a forfeiture case.

(f) Ensuring that seizure forms are available and appropriate for department use. These should include notice forms, a receipt form, and a checklist that provides relevant guidance to officers. The forms should be available in languages appropriate for the region and should contain spaces for:

1. Names and contact information for all relevant persons and law enforcement officers involved.
2. Information as to how ownership or other property interests may have been determined (e.g., verbal claims of ownership, titles, public records).
3. A space for the signature of the person from whom cash or property is being seized.
4. A tear-off portion or copy, which should be given to the person from whom cash or property is being seized, that includes the legal authority for the seizure, information regarding the process to contest the seizure, and a detailed description of the items seized.

(g) Ensuring that officers who may be involved in asset forfeiture receive training in the proper use of the seizure forms and the forfeiture process. The training should be developed in consultation with the appropriate legal counsel and may be accomplished through traditional classroom education, electronic media, Daily Training Bulletins (DTBs), or Departmental Directives. The training should cover this policy and address any relevant statutory changes and court decisions.

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(h) Reviewing each asset forfeiture case to ensure that:

1. Written documentation of the seizure and the items seized is in the case file.
2. Independent legal review of the circumstances and propriety of the seizure is made in a timely manner.
3. Notice of seizure has been given in a timely manner to those who hold an interest in the seized property.
4. Property is promptly released to those entitled to its return.
5. All changes to forfeiture status are forwarded to any supervisor who initiates a forfeiture case.
6. Any cash received is deposited with the fiscal agent.
7. Assistance with the resolution of ownership claims and the release of property to those entitled is provided.
8. Current minimum forfeiture thresholds are communicated appropriately to officers.
9. This policy and any related policies are periodically reviewed and updated to reflect current federal and state statutes and case law.

(i) Ensuring that a written plan is available that enables the Chief of Police to address any extended absence of the forfeiture reviewer, thereby ensuring that contact information for other law enforcement officers and attorneys who may assist in these matters is available.

(j) Ensuring that the Department disposes of property as provided by law following any forfeiture.

(k) Final inventories and disposition records are prepared and sent to the Director of the Idaho State Police when applicable (Idaho Code 18-5619).

(l) Filing the annual report of seizures and forfeitures required by Idaho Code 37-2744(j) with the County Prosecutor on a form prescribed by the Idaho State Police.

Forfeiture proceeds should be maintained in a separate fund or account subject to appropriate accounting control, with regular reviews or audits of all deposits and expenditures.

Forfeiture reporting and expenditures should be completed in the manner prescribed by the law and City financial directives.

601.7 DISPOSITION OF FORFEITED PROPERTY

With judicial approval, the department may retain for official use seized property that is suited for law enforcement use (Idaho Code 37-2744(e)).

The forfeiture reviewer should maintain accurate records of department costs, to be used in the disposition of forfeited proceeds in the event agency reimbursement is ordered (Idaho Code 37-2744A).

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601.8 NOTIFICATION TO THE DIRECTOR OF IDAHO STATE POLICE

An officer who seizes property under the authority of Idaho Code 37-2744 or Idaho Code 37-2801, in coordination with the forfeiture reviewer, shall ensure the Director of the Idaho State Police is notified of the seizure and provided with an inventory within five days (Idaho Code 37-2744; Idaho Code 37-2803; Idaho Code 18-5619).

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Informants

602.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the use of informants.

602.1.1 DEFINITIONS

Definitions related to this policy include:

Informant - A person who covertly interacts with other individuals or suspects at the direction of, request of, or by agreement with the Idaho Falls Police Department for law enforcement purposes. This also includes a person agreeing to supply information to the Idaho Falls Police Department for a benefit (e.g., a quid pro quo in the form of a reduced criminal penalty, money).

602.2 POLICY

The Idaho Falls Police Department recognizes the value of informants to law enforcement efforts and will strive to protect the integrity of the informant process. It is the policy of this department that all funds related to informant payments will be routinely audited and that payments to informants will be made according to the criteria outlined in this policy.

602.3 USE OF INFORMANTS

The use of informants should be limited to officers assigned to specialized units such as the Gang Unit or the Special Investigations Unit.

602.3.1 INITIAL APPROVAL

Before using an individual as an informant, an officer must receive approval from his/her supervisor. The officer shall compile sufficient information through a background investigation and experience with the informant in order to determine the suitability of the individual, including age, maturity and risk of physical harm, as well as any indicators of his/her reliability and credibility.

Members of this department should not guarantee absolute safety or confidentiality to an informant.

602.3.2 JUVENILE INFORMANTS

The use of informants under the age of 13 is prohibited.

In all cases, a juvenile 13 years of age or older may only be used as an informant with the written consent of each of the following:

(a) The juvenile’s parents or legal guardians

(b) The juvenile’s attorney, if any

(c) The court in which the juvenile’s case is being handled, if applicable

(d) The Chief of Police or the authorized designee

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602.3.3 INFORMANT AGREEMENTS

All informants are required to sign and abide by the provisions of the designated department informant agreement. The officer using the informant shall discuss each of the provisions of the agreement with the informant.

Details of the agreement are to be approved in writing by a supervisor before being finalized with the informant.

602.4 INFORMANT INTEGRITY

To maintain the integrity of the informant process, the following must be adhered to:

(a) The identity of an informant acting in a confidential capacity shall not be withheld from the Chief of Police, Bureau Commander, Special Investigations Unit (SIU) supervisor or their authorized designees.

1. Identities of informants acting in a confidential capacity shall otherwise be kept confidential.

(b) Criminal activity by informants shall not be condoned.

(c) Informants shall be told they are not acting as police officers, employees or agents of the Idaho Falls Police Department, and that they shall not represent themselves as such.

(d) The relationship between department members and informants shall always be ethical and professional.

1. Members shall not become intimately involved with an informant.

2. Social contact shall be avoided unless it is necessary to conduct an official investigation, and only with prior approval of the Special Investigations Unit (SIU) supervisor.

3. Members shall neither solicit nor accept gratuities or engage in any private business transaction with an informant.

(e) Officers shall not meet with informants unless accompanied by at least one additional officer or with prior approval of the Special Investigations Unit (SIU) supervisor.

(f) When contacting informants for the purpose of making payments, officers shall arrange for the presence of another officer.

(g) In all instances when department funds are paid to informants, a voucher shall be completed in advance, itemizing the expenses.

(h) Since the decision rests with the appropriate prosecutor, officers shall not promise that the informant will receive any form of leniency or immunity from criminal prosecution.

602.4.1 UNSUITABLE INFORMANTS

The suitability of any informant should be considered before engaging him/her in any way in a covert or other investigative process. If a member determines that an informant isunsuitable, the informant will be placed in the "unreliable file", which contains a list of individuals determined to be unfit to perform as an informant. The member shall determine whether the informant should be

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used by the Department and, if so, what conditions will be placed on his/her participation or any information the informant provides. The supervisor shall document the decision and conditions in file notes and mark the file “unreliable” when appropriate.

Considerations for determining whether an informant is unsuitable include, but are not limited to, the following:

(a) The informant has provided untruthful or unreliable information in the past.

(b) The informant behaves in a way that may endanger the safety of an officer or themselves.

(c) The informant reveals to suspects the identity of an officer or the existence of an investigation.

(d) The informant appears to be using his/her affiliation with this department to further criminal objectives.

(e) The informant creates officer-safety issues by providing information to multiple law enforcement agencies simultaneously, without prior notification and approval of each agency.

(f) The informant engages in any other behavior that could jeopardize the safety of officers or the integrity of a criminal investigation.

602.5 INFORMANT FILES

Informant files shall be utilized as a source of background information about the informant, to enable review and evaluation of information provided by the informant, and to minimize incidents that could be used to question the integrity of department members or the reliability of the informant.

Informant files shall be maintained in a secure area within the Special Investigations Unit (SIU). The Special Investigations Unit (SIU) supervisor or the authorized designee shall be responsible for maintaining informant files. Access to the informant files shall be restricted to the Chief of Police, Bureau Commander, Special Investigations Unit (SIU) supervisor or their authorized designees.

The Investigations and Special Operations Bureau Commander should arrange for an audit using a representative sample of randomly selected informant files on a periodic basis, but no less than one time per year. If the Special Investigations Unit (SIU) supervisor is replaced, the files will be audited before the new supervisor takes over management of the files. The purpose of the audit is to ensure compliance with file content and updating provisions of this policy. The audit should be conducted by a supervisor who does not have normal access to the informant files.

602.5.1 FILE SYSTEM PROCEDURE

A separate file shall be maintained on each informant and shall be coded with an assigned informant control number. An informant history that includes the following information should be prepared for each file:

(a) Name and aliases

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(b) Date of birth

(c) Physical description: sex, race, height, weight, hair color, eye color, scars, tattoos or other distinguishing features

(d) Photograph

(e) Current home address and telephone numbers

(f) Current employers, positions, addresses and telephone numbers

(g) Vehicles owned and registration information

(h) Places frequented

(i) Briefs of information provided by the informant and his/her subsequent reliability

(a) If an informant is determined to be unsuitable, the informant's file is to be marked "unreliable" and notations included detailing the issues that caused this classification.

(j) Name of the officer initiating use of the informant

(k) Signed informant agreement

(l) Update on active or inactive status of informant

602.6 INFORMANT PAYMENTS

Informants will be told in advance or given an exact amount or percentage for his/her service. The amount of funds to be paid to any informant will be evaluated against the following criteria:

- The value of assets seized
- The quantity of the drugs or other contraband seized

602.6.1 PAYMENT PROCESS

Approved payments to an informant should be in cash using the following process:

A. Payments may be paid in cash from a Special Investigations Unit (SIU) buy/expense fund.

1. The Special Investigations Unit (SIU) supervisor shall sign the voucher for cash payouts from the buy/expense fund.

B. To complete the payment process for any amount, the officer delivering the payment shall complete a cash transfer form.

1. The cash transfer form shall include the following:

(a) Date

(b) Payment amount

(c) Idaho Falls Police Department case number

2. The cash transfer form shall be signed by the informant.

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3. The cash transfer form will be kept in the informant's file.

602.6.2 REPORTING OF PAYMENTS

Each informant receiving a cash payment shall be advised of his/her responsibility to report the cash to the Internal Revenue Service (IRS) as income. If funds distributed exceed $600 in any reporting year, the informant should be provided IRS Form 1099 (26 CFR 1.6041-1). If such documentation or reporting may reveal the identity of the informant and by doing so jeopardize any investigation, the safety of officers or the safety of the informant (26 CFR 1.6041-3), then IRS Form 1099 should not be issued.

In such cases, the informant shall be provided a letter identifying the amount he/she must report on a tax return as “other income” and shall be required to provide a signed acknowledgement of receipt of the letter. The completed acknowledgement form and a copy of the letter shall be retained in the informant’s file.

602.6.3 AUDIT OF PAYMENTS

The Special Investigations Unit (SIU) supervisor or the authorized designee shall be responsible for compliance with any audit requirements associated with grant provisions and applicable state and federal law.

At least once every six months, the Chief of Police or the authorized designee should conduct an audit of all informant funds for the purpose of accountability and security of the funds. The funds and related documents (e.g., buy/expense fund records, cash transfer forms, invoices, receipts and logs) will assist with the audit process.

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Eyewitness Identification

603.1 PURPOSE AND SCOPE

This policy sets forth guidelines to be used when members of this department employ eyewitness identification techniques.

603.1.1 DEFINITIONS

Definitions related to the policy include:

Eyewitness identification process - Any field identification, live lineup or photographic identification.

Field identification - A live presentation of a single individual to a witness following the commission of a criminal offense for the purpose of identifying or eliminating the person as the suspect.

Live lineup - A live presentation of individuals to a witness for the purpose of identifying or eliminating an individual as the suspect.

Photographic lineup - Presentation of photographs to a witness for the purpose of identifying or eliminating an individual as the suspect.

603.2 POLICY

The Idaho Falls Police Department will strive to use eyewitness identification techniques, when appropriate, to enhance the investigative process and will emphasize identifying persons responsible for crime and exonerating the innocent.

603.3 INTERPRETIVE SERVICES

Members should make a reasonable effort to arrange for an interpreter before proceeding with eyewitness identification if communication with a witness is impeded due to language or hearing barriers.

Before the interpreter is permitted to discuss any matter with the witness, the investigating member should explain the identification process to the interpreter. Once it is determined that the interpreter comprehends the process and can explain it to the witness, the eyewitness identification may proceed as provided for within this policy.

603.4 EYEWITNESS IDENTIFICATION PROCESS

The eyewitness identification process documented in a case report should include:

(a) The date, time and location of the eyewitness identification procedure.

(b) The name and identifying information of the witness.

(c) The name of the person administering the identification procedure.

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(d) If applicable, the names of all of the individuals present during the identification procedure.

(e) An instruction to the witness that it is as important to exclude innocent persons as it is to identify a perpetrator.

(f) An instruction to the witness that the perpetrator may or may not be among those presented and that the witness is not obligated to make an identification.

(g) If the identification process is a photographic or live lineup, an instruction to the witness that the perpetrator may not appear exactly as he/she did on the date of the incident.

(h) An instruction to the witness that the investigation will continue regardless of whether an identification is made by the witness.

(i) Acknowledgement from the witness that he/she understands the identification procedures and instructions.

(j) A statement from the witness in the witness's own words describing how certain he/she is of the identification or non-identification. This statement should be taken at the time of the identification procedure.

603.5 EYEWITNESS IDENTIFICATION

Members are cautioned not to, in any way, influence a witness as to whether any subject or photo presented in a lineup is in any way connected to the case. Members should avoid mentioning that:

- The individual was apprehended near the crime scene.
- The evidence points to the individual as the suspect.
- Other witnesses have identified or failed to identify the individual as the suspect.

In order to avoid undue influence, witnesses should view suspects or a lineup individually and outside the presence of other witnesses. Witnesses should be instructed to avoid discussing details of the incident or of the identification process with other witnesses.

Whenever feasible, the eyewitness identification procedure should be audio and/or video recorded and the recording should be retained according to current evidence procedures.

603.6 PHOTOGRAPHIC LINEUP AND LIVE LINEUP CONSIDERATIONS

When practicable, the member presenting the lineup should not be involved in the investigation of the case or know the identity of the suspect. In no case should the member presenting a lineup to a witness know which photograph or person in the lineup is being viewed by the witness. Techniques to achieve this include randomly numbering photographs, shuffling folders or using a computer program to order the persons in the lineup.

Individuals in the lineup should reasonably match the description of the perpetrator provided by the witness and should bear similar characteristics to avoid causing any person to unreasonably

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stand out. In cases involving multiple suspects, a separate lineup should be conducted for each suspect. The suspects should be placed in a different order within each lineup.

The member presenting the lineup to a witness should do so sequentially (i.e., show the witness one person at a time) and not simultaneously. The witness should view all persons in the lineup.

A live lineup should only be used before criminal proceedings have been initiated against the suspect. If there is any question as to whether any criminal proceedings have begun, the investigating member should contact the appropriate prosecuting attorney before proceeding.

603.7 FIELD IDENTIFICATION CONSIDERATIONS

Field identifications, also known as field elimination show-ups or one-on-one identifications, may be helpful in certain cases, where exigent circumstances make it impracticable to conduct a photo or live lineup identifications. A field elimination show-up or one-on-one identification should not be used when independent probable cause exists to arrest a suspect. In such cases a live or photo lineup is the preferred course of action if eyewitness identification is contemplated.

When initiating a field identification, the member should observe the following guidelines:

(a) Obtain a complete description of the suspect from the witness.

(b) Assess whether a witness should be included in a field identification process by considering:

1. The length of time the witness observed the suspect.
2. The distance between the witness and the suspect.
3. Whether the witness could view the suspect's face.
4. The quality of the lighting when the suspect was observed by the witness.
5. Whether there were distracting noises or activity during the observation.
6. Any other circumstances affecting the witness's opportunity to observe the suspect.
7. The length of time that has elapsed since the witness observed the suspect.

(c) If safe and practicable, the person who is the subject of the show-up should not be handcuffed or in a patrol vehicle.

(d) When feasible, members should bring the witness to the location of the subject of the show-up, rather than bring the subject of the show-up to the witness.

(e) The person who is the subject of the show-up should not be shown to the same witness more than once.

(f) In cases involving multiple suspects, witnesses should only be permitted to view the subjects of the show-up one at a time.

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(g) The person who is the subject of the show-up should not be required to put on clothing worn by the suspect, to speak words uttered by the suspect or to perform other actions mimicking those of the suspect.

(h) If a witness positively identifies the subject of the show-up as the suspect, members should not conduct any further field identifications with other witnesses for that suspect. In such instances, members should document the contact information for any additional witnesses for follow up, if necessary.

603.8 DOCUMENTATION

A thorough description of the eyewitness process and the results of any eyewitness identification should be documented in the case report.

If a photographic lineup is utilized, a copy of the photographic lineup presented to the witness should be included in the case report. In addition, the order in which the photographs were presented to the witness should be documented in the case report.

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Brady Material Disclosure

604.1 PURPOSE AND SCOPE

This policy establishes guidelines for identifying and releasing potentially exculpatory or impeachment information (so-called "*Brady* information") to a prosecuting attorney.

604.1.1 DEFINITIONS

Definitions related to this policy include:

***Brady* information** -Information known or possessed by the Idaho Falls Police Department that is both favorable and material to the current prosecution or defense of a criminal defendant.

604.2 POLICY

The Idaho Falls Police Department will conduct fair and impartial criminal investigations and will provide the prosecution with both incriminating and exculpatory evidence, as well as information that may adversely affect the credibility of a witness. In addition to reporting all evidence of guilt, the Idaho Falls Police Department will assist the prosecution by complying with its obligation to disclose information that is both favorable and material to the defense. The Department will identify and disclose to the prosecution potentially exculpatory information, as provided in this policy.

604.3 DISCLOSURE OF INVESTIGATIVE INFORMATION

Officers must include in their investigative reports adequate investigative information and reference to all material evidence and facts that are reasonably believed to be either incriminating or exculpatory to any individual in the case. If an officer learns of potentially incriminating or exculpatory information any time after submission of a case, the officer or the handling investigator must prepare and submit a supplemental report documenting such information as soon as practicable. Supplemental reports shall be promptly processed and transmitted to the prosecutor's office.

If information is believed to be privileged or confidential (e.g., confidential informant or attorney-client information, attorney work product), the officer should discuss the matter with a supervisor and/or prosecutor to determine the appropriate manner in which to proceed.

Evidence or facts are considered material if there is a reasonable probability that they would affect the outcome of a criminal proceeding or trial. Determining whether evidence or facts are material often requires legal or even judicial review. If an officer is unsure whether evidence or facts are material, the officer should address the issue with a supervisor.

Supervisors who are uncertain about whether evidence or facts are material should address the issue in a written memo to an appropriate prosecutor. A copy of the memo should be retained in the Department case file.

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604.4 DISCLOSURE OF PERSONNEL INFORMATION

The Professional Standards and Logistics Bureau Commander or his designee will act as a *Brady* coordinator, responsible for working with the appropriate prosecutor's offices and the City Attorney's office to establish systems and processes to determine what constitutes *Brady* information and the method for notification and disclosure.

The *Brady* coordinator should periodically examine the personnel files and/or internal affairs files of all department members who may be material witnesses in criminal cases to determine whether they contain potential *Brady* information.

If a member of this department whose personnel and/or internal affairs files contain potential *Brady* information is a material witness in a criminal case the following procedure shall apply:

(a) In the event that a motion has not already been filed by the criminal defendant or other party, the prosecuting attorney and department member shall be notified of the potential presence of *Brady* material in the member's personnel file.

(b) The prosecuting attorney or department counsel should be requested to file a motion in order to initiate an in camera review by the court.

    1. If no motion is filed, the supervisor should work with counsel to determine whether the records should be disclosed to the prosecutor.

(c) The Custodian of Records shall accompany all relevant personnel files during any in camera inspection to address any issues or questions raised by the court.

(d) If the court determines that there is relevant *Brady* material contained in the files, only that material ordered released will be copied and released to the parties filing the motion.

    1. Prior to the release of any materials pursuant to this process, the Custodian of Records should request a protective order from the court limiting the use of such materials to the involved case and requiring the return of all copies upon completion of the case.

(e) If a court has determined that relevant *Brady* information is contained in the member's file in any case, the prosecutor should be notified of that fact in all future cases involving that member.

604.5 INVESTIGATING BRADY ISSUES

If the Department receives information from any source that a member may have issues of credibility, dishonesty or has been engaged in an act of moral turpitude or criminal conduct, the information shall be investigated and processed in accordance with the Personnel Complaints Policy.

604.6 TRAINING

Department personnel should receive periodic training on the requirements of this policy.

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Unmanned Aerial System (UAS) Operations

605.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the use of an unmanned aerial system (UAS) and for the storage, retrieval, and dissemination of images and data captured by the UAS.

The UAS Team will deploy to minimize the risk of injury or death to persons, to detect potential dangers that may not otherwise be seen, and to support law enforcement efforts by documenting and collecting evidence and increasing situational awareness.

This policy is intended to promote safe, efficient and lawful operation of the UAS program.

605.1.1 DEFINITIONS

Definitions related to this policy include:

Unmanned Aerial System (UAS) - An unmanned aircraft of any type that is capable of sustaining directed flight, whether preprogrammed or remotely controlled (commonly referred to as an unmanned aerial vehicle (UAV)), and all of the supporting or attached systems designed for gathering information through imaging, recording or any other means. For purposes of this policy, a UAS includes a drone and remotely piloted vehicle or aircraft as provided in Idaho Code 21-213.

605.2 POLICY

Unmanned aerial systems may be utilized to enhance the department's mission of protecting lives and property when other means and resources are not available or are less effective. Any use of a UAS will be in strict accordance with this policy, constitutional and privacy rights, and Federal Aviation Administration (FAA) regulations.

605.3 PROTECTION OF RIGHTS AND PRIVACY

The use of the UAS potentially involves privacy considerations. Absent a warrant, exigent circumstances, or other lawfully allowable operation, the IFPD UAS team shall adhere to restrictions placed by the FAA, Federal and Idaho State Law for UAS operations.

605.4 UAS COMMANDER

The Chief of Police will appoint a UAS Commander who will be responsible for the management of the UAS program. The UAS Commander will ensure that policies and procedures conform to current laws, regulations, and best practices. The UAS Commander or their designee will be responsible for the following:

- Coordinating the FAA Certificate of Waiver or Authorization (COA) application process and ensuring that the COA is current.
- Ensuring that all authorized operators and required observers have completed all required FAA and department-approved training in the operation, applicable laws, policies, and procedures regarding use of the UAS.

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- Developing uniform protocol for submission and evaluation of requests to deploy a UAS, including urgent requests made during ongoing or emerging incidents.
- Developing an operational protocol governing the deployment and operation of a UAS including but not limited to safety oversight, use of visual observers, establishment of lost link procedures, and secure communication with air traffic control facilities.
- Developing a protocol for fully documenting all missions.
- Developing a UAS inspection, maintenance, and record-keeping protocol to ensure continuing airworthiness of a UAS, up to and including its overhaul or life limits.
- Developing protocols to ensure proper handling of UAS generated evidence.
- Recommending program enhancements, particularly regarding safety and information security.
- Ensuring that established protocols are followed by monitoring and providing periodic reports on the program to the Chief of Police.

605.4.1 ADMINISTRATION AND ORGANIZATION

The UAS Program will be administered through the Investigations and Special Operations Bureau and shall be comprised of personnel that are approved and assigned by the Bureau Captain.

Assignment to the UAS Team is voluntary and all compensation will be in accordance with current department policy.

605.5 APPLICATIONS AND RESTRICTIONS

Only authorized operators who have completed the required training shall be permitted to operate the UAS.

The UAS will not be used to conduct random patrol or surveillance activities without specific authorization from the Chief of Police.

605.6 PROHIBITED USE

The UAS video surveillance equipment shall not be used:

- To target a person based solely on actual or perceived characteristics such as, but not limited to, race, ethnicity, national origin, religion, disablility, sexual orientation, or gender..
- To harass, intimidate, or discriminate against any individual or group.
- For any activity not authorized or endorsed by the department.

The UAS shall not be weaponized.

605.7 PERSONNEL AND TRAINING

The UAS Commander or their designee will oversee the selection and training of team members.

Only authorized operators who have completed the required training shall be permitted to operate the UAS.

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Members of the UAS Team may serve in positions below their current personal rating; however, members are generally prohibited from serving in capacities requiring higher qualification than their current personal rating level. The UAS Commander may make exceptions to this requirement when necessary due to special or exigent circumstances.

605.8 RETENTION OF UAS DATA

No UAS data or recordings will be released to anyone outside the department without express permission from the Chief of Police in accordance with department policy.

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Sexual Assault Investigations

606.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the investigation of sexual assaults. These guidelines will address some of the unique aspects of such cases and the effects that these crimes have on the victims.

Mandatory notifications requirements are addressed in the Child Abuse and Adult Abuse policies.

606.1.1 DEFINITIONS

Definitions related to this policy include:

Sexual assault - Any crime or attempted crime of a sexual nature, to include, but not limited to, offenses defined in Idaho Code 18-6101 et seq.; Idaho Code 18-6608 and sexual offenses in Title 18, Chapter 15 of the Idaho Code.

Sexual Assault Response Team (SART) - A multidisciplinary team generally comprised of advocates; law enforcement officers; forensic medical examiners, including sexual assault forensic examiners (SAFEs) or sexual assault nurse examiners (SANEs) if possible; forensic laboratory personnel; and prosecutors. The team is designed to coordinate a broad response to sexual assault victims.

606.2 POLICY

It is the policy of the Idaho Falls Police Department that its members, when responding to reports of sexual assaults, will strive to minimize the trauma experienced by the victims, and will aggressively investigate sexual assaults, pursue expeditious apprehension and conviction of perpetrators, and protect the safety of the victims and the community.

606.3 QUALIFIED INVESTIGATORS

Qualified investigators should be available for assignment of sexual assault investigations. These investigators should:

(a) Have specialized training in, and be familiar with, interview techniques and the medical and legal issues that are specific to sexual assault investigations.

(b) Conduct follow-up interviews and investigation.

(c) Present appropriate cases of alleged sexual assault to the prosecutor for review.

(d) Coordinate with other enforcement agencies, social service agencies and medical personnel as needed.

(e) Provide referrals to therapy services, victim advocates and support for the victim.

(f) Participate in or coordinate with the SART.

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606.4 REPORTING

In all reported or suspected cases of sexual assault, a report should be written and assigned for follow-up investigation. This includes incidents in which the allegations appear unfounded or unsubstantiated.

606.5 VICTIM INTERVIEWS

The primary considerations in sexual assault investigations, which begin with the initial call to Emergency Communications Center, should be the health and safety of the victim, the preservation of evidence, and preliminary interviews to determine if a crime has been committed and to attempt to identify the suspect.

An in-depth follow-up interview should not be conducted until after the medical and forensic examinations are completed and the personal needs of the victim have been met (e.g., change of clothes, bathing). The follow-up interview may be delayed to the following day based upon the circumstances. Whenever practicable, the follow-up interview should be conducted by a qualified investigator.

No opinion of whether the case is unfounded shall be included in a report.

Victims should not be asked or required to take a polygraph examination (34 USC § 10449).

Victims should be apprised of applicable victim's rights provisions, as outlined in the Victim and Witness Assistance Policy.

606.6 COLLECTION AND TESTING OF BIOLOGICAL EVIDENCE

Whenever possible, a SANE nurse should be involved in the collection of forensic evidence from the victim.

When the facts of the case indicate that collection of biological evidence is warranted, it should be collected regardless of how much time has elapsed since the reported assault.

If a drug-facilitated sexual assault is suspected, urine and blood samples should be collected from the victim as soon as practicable.

Victims who choose not to assist with an investigation, do not desire that the matter be investigated or wish to remain anonymous may still consent to the collection of evidence under their control. In these circumstances, the evidence should be collected and stored appropriately.

606.6.1 COLLECTION AND TESTING REQUIREMENTS

Investigating members shall facilitate the collection of a sexual assault evidence kit or sexual assault evidence, including evidence from an entity that has performed a medical examination of a sexual assault victim (Idaho Code 67-2919).

If the Idaho Falls Police Department obtains evidence related to a sexual assault that occurred in another jurisdiction, that agency should be notified as soon as reasonably practical, but no

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later than seven days for purposes of retrieving the evidence. When this department is notified by another agency that they are holding evidence related to the Idaho Falls Police Department case, an investigating member should obtain the evidence no later than seven days after notification (Idaho Code 67-2919).

When the crime of sexual assault is alleged and the allegation has not been determined to be unfounded, sexual assault evidence kits, along with required reference samples, shall be submitted to the Idaho State Police Forensic Services Laboratory for testing as soon as reasonably practical, but no later than 30 days after obtaining the evidence unless the victim requests the kit be collected as an anonymous kit (Idaho Code 67-2919).

A decision not to forward a sexual assault kit to a lab, with the exception of an anonymous kit, must be independently reviewed by the county prosecutor's office (Idaho Code 67-2919).

Additional guidance regarding evidence retention and destruction is found in the Property and Evidence Office Policy.

606.6.2 DNA TEST RESULTS

Members investigating sexual assault cases should notify victims of any DNA test results as soon as reasonably practicable. Investigating members should work with the victim liaison and make reasonable efforts to assist the victim by providing available information on local assistance programs and organizations as provided in the Victim and Witness Assistance Policy..

606.7 DISPOSITION OF CASES

If the assigned investigator has reason to believe the case is without merit, the case may be classified as unfounded only upon review and approval of the Investigations and Special Operations Bureau supervisor.

Classification of a sexual assault case as unfounded requires the Investigations and Special Operations Bureau supervisor to determine that the facts have significant irregularities with reported information and that the incident could not have happened as it was reported. When a victim has recanted his/her original statement, there must be corroborating evidence that the allegations were false or baseless (i.e., no crime occurred) before the case should be determined as unfounded.

606.8 RELEASING INFORMATION TO THE PUBLIC

In cases where the perpetrator is not known to the victim, and especially if there are multiple crimes where more than one appear to be related, consideration should be given to releasing information to the public whenever there is a reasonable likelihood that doing so may result in developing helpful investigative leads. The Investigations and Special Operations Bureau supervisor should weigh the risk of alerting the suspect to the investigation with the need to protect the victim and the public, and to prevent more crimes.

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606.9 TRAINING

Subject to available resources, periodic training should be provided to:

(a) Members who are first responders. Training should include:

  (a) Initial response to sexual assaults.

  (b) Legal issues.

  (c) Victim advocacy.

  (d) Victim's response to trauma.

(b) Qualified investigators, who should receive advanced training on additional topics. Advanced training should include:

  1. Interviewing sexual assault victims.

  2. SART.

  3. Medical and legal aspects of sexual assault investigations.

  4. Serial crimes investigations.

  5. Use of community and other federal and state investigative resources, such as the Violent Criminal Apprehension Program (ViCAP).

  6. Techniques for communicating with victims to minimize trauma.

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Warrant Service

607.1 PURPOSE AND SCOPE

This policy establishes guidelines for the planning and serving of arrest and search warrants by members of this department. It is understood that this policy cannot address every variable or circumstance that can arise in the service of a search or arrest warrant, as these tasks can involve rapidly evolving and unique circumstances.

This policy is intended to be used in conjunction with the Operations Planning and Deconfliction Policy, which has additional guidance on planning and serving high-risk warrants.

This policy is not intended to address the service of search warrants on locations or property already secured or routine field warrant arrests by patrol officers.

607.2 POLICY

It is the policy of the Idaho Falls Police Department to balance the safety needs of the public, the safety of department members, privacy interests and other relevant factors when making decisions related to the service of search and arrest warrants.

607.3 SWAT COMMANDER

The SWAT Commander (see the Operations Planning and Deconfliction Policy) shall review all risk assessment forms with the involved supervisor to determine the risk level of the warrant service.

The SWAT Commander will also have the responsibility to coordinate service of those warrants that are categorized as high risk. Deconfliction, risk assessment, operational planning, briefing and debriefing should follow guidelines in the Operations Planning and Deconfliction Policy.

607.4 SEARCH WARRANTS

Officers should receive authorization from a supervisor before preparing a search warrant application. Once authorization is received, the officer will prepare the affidavit and search warrant, consulting with the applicable prosecuting attorney as needed. He/she will also complete the risk assessment form and submit it, along with the warrant affidavit, to the appropriate supervisor and the SWAT Commander for review and classification of risk (see the Operations Planning and Deconfliction Policy).

607.5 ARREST WARRANTS

If an officer reasonably believes that serving an arrest warrant may pose a higher risk than commonly faced on a daily basis, the officer should complete the risk assessment form and submit it to the appropriate supervisor and the SWAT Commander for review and classification of risk (see the Operations Planning and Deconfliction Policy).

If the warrant is classified as high risk, service will be coordinated by the SWAT Commander. If the warrant is not classified as high risk, the supervisor should weigh the risk of entry into a residence

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to make an arrest against other alternatives, such as arresting the person outside the residence where circumstances may pose a lower risk.

607.6 WARRANT PREPARATION

An officer who prepares a warrant should ensure the documentation in support of the warrant contains as applicable:

(a) Probable cause to support the search or arrest, including relevant dates and times to demonstrate timeliness and facts to support any request for nighttime or no-knock warrant execution.

(b) A clear explanation of the affiant's training, experience and relevant education.

(c) Adequately supported opinions, when relevant, that are not left to unsubstantiated conclusions.

(d) A nexus between the place to be searched and the persons or items central to the investigation. The facts supporting this nexus should be clear and current. For example, the affidavit shall explain why there is probable cause to believe that a particular person is currently residing at a particular location or that the items sought are present at a particular location.

(e) Full disclosure of known or suspected residents at the involved location and any indication of separate living spaces at the involved location. For example, it should be disclosed that several people may be renting bedrooms at a single location, even if the exact location of the rooms is not known.

(f) A specific description of the location to be searched, including photographs of the location, if reasonably available.

(g) A sufficient description of the items to be seized.

(h) Full disclosure of any known exculpatory information relevant to the warrant application (refer to the Brady Material Disclosure Policy).

607.7 HIGH-RISK WARRANT SERVICE

The SWAT Commander or the authorized designee shall coordinate the service of warrants that are categorized as high risk and shall have sole authority in determining the manner in which the warrant will be served, including the number of officers deployed.

The member responsible for directing the service should ensure the following as applicable:

(a) When practicable and when doing so does not cause unreasonable risk, video or photographic documentation is made of the condition of the location prior to execution of a search warrant. The images should include the surrounding area and persons present.

(b) The warrant service is audio- and video-recorded when practicable and reasonable to do so.

(c) Evidence is handled and collected only by those members who are designated to do so. All other members involved in the service of the warrant should alert one of the

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designated members to the presence of potential evidence and not touch or disturb the items.

(d) Reasonable efforts are made during the search to maintain or restore the condition of the location.

(e) Persons who are detained as part of the warrant service are handled appropriately under the circumstances.

(f) Reasonable care provisions are made for children and vulnerable adults (see the Child and Vulnerable Adult Safety Policy).

(g) A list is made of all items seized and a copy provided to the person in charge of the premises if present or otherwise left in a conspicuous place.

(h) A copy of the search warrant is left at the location.

(i) The condition of the property is documented with video recording or photographs after the search.

607.8 DETENTIONS DURING WARRANT SERVICE

Officers must be sensitive to the safety risks of all persons involved with the service of a warrant. Depending on circumstances and facts present, it may be appropriate to control movements of any or all persons present at a warrant service, including those who may not be the subject of a warrant or suspected in the case. However, officers must be mindful that only reasonable force may be used and weapons should be displayed no longer than the officer reasonably believes is necessary (see the Use of Force Policy).

As soon as it can be determined that an individual is not subject to the scope of a warrant and that no further reasonable suspicion or safety concerns exist to justify further detention, the person should be promptly released.

Officers should, when and to the extent reasonable, accommodate the privacy and personal needs of people who have been detained.

607.9 ACTIONS AFTER WARRANT SERVICE

The supervisor shall ensure that all affidavits, warrants, receipts and returns, regardless of any associated cases, are filed with the issuing judge or magistrate as soon as reasonably possible, but in any event no later than any date specified on the warrant.

607.10 OUTSIDE AGENCIES AND CROSS-JURISDICTIONAL WARRANTS

The SWAT Commander will ensure that cooperative efforts with other agencies in the service of warrants conform to existing mutual aid agreements or other memorandums of understanding and will work cooperatively to mitigate risks including, but not limited to, the following:

- Identity of team members
- Roles and responsibilities
- Familiarity with equipment

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- Rules of engagement
- Asset forfeiture procedures

Any outside agency requesting assistance in the service of a warrant within this jurisdiction should be referred to the SWAT Commander. The director should review and confirm the warrant, including the warrant location, and should discuss the service with the appropriate supervisor from the other agency. The director should ensure that members of the Idaho Falls Police Department are utilized appropriately. Any concerns regarding the requested use of Idaho Falls Police Department members should be brought to the attention of the Chief of Police or the authorized designee. The actual service of the warrant will remain the responsibility of the agency requesting assistance.

If the SWAT Commander is unavailable, the Shift Lieutenant should assume this role.

If officers intend to serve a warrant outside Idaho Falls Police Department jurisdiction, the operations director should provide reasonable advance notice to the applicable agency, request assistance as needed and work cooperatively on operational planning and the mitigation of risks detailed in this policy.

Officers will remain subject to the policies of the Idaho Falls Police Department when assisting outside agencies or serving a warrant outside Idaho Falls Police Department jurisdiction.

607.11 MEDIA ACCESS

No advance information regarding warrant service operations shall be released without the approval of the Chief of Police. Any media inquiries or press release after the fact shall be handled in accordance with the News Media Relations Policy.

607.12 TRAINING

The Training Lieutenant should ensure officers receive periodic training on this policy and associated topics, such as legal issues, warrant preparation, warrant service and reporting requirements.

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Operations Planning and Deconfliction

608.1 PURPOSE AND SCOPE

This policy provides guidelines for planning, deconfliction and execution of high-risk operations.

Additional guidance on planning and serving high-risk warrants is provided in the Warrant Service Policy.

608.1.1 DEFINITIONS

Definitions related to this policy include:

High-risk operations - Operations, including service of search and arrest warrants and sting operations, that are likely to present higher risks than are commonly faced by officers on a daily basis, including suspected fortified locations, reasonable risk of violence or confrontation with multiple persons, or reason to suspect that persons anticipate the operation.

608.2 POLICY

It is the policy of the Idaho Falls Police Department to properly plan and carry out high-risk operations, including participation in a regional deconfliction system, in order to provide coordination, enhance the safety of members and the public, decrease the risk of compromising investigations and prevent duplicating efforts.

608.3 SWAT COMMANDER

The SWAT Commander will develop and maintain a risk assessment form to assess, plan and coordinate operations. This form should provide a process to identify high-risk operations.

The SWAT Commander will review risk assessment forms with involved supervisors to determine whether a particular incident qualifies as a high-risk operation. The SWAT Commander will also have the responsibility for coordinating operations that are categorized as high risk.

608.4 RISK ASSESSMENT

608.4.1 RISK ASSESSMENT FORM PREPARATION

Officers assigned as operational leads for any operation that may qualify as a high-risk operation shall complete a risk assessment form.

When preparing the form, the officer should query all relevant and reasonably available intelligence resources for information about the subject of investigation, others who may be present and the involved location. These sources may include regional intelligence and criminal justice databases, target deconfliction systems, firearm records, commercial databases and property records. Where appropriate, the officer should also submit information to these resources.

The officer should gather available information that includes, but is not limited to:

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(a) Photographs, including aerial photographs, if available, of the involved location, neighboring yards and obstacles.

(b) Maps of the location.

(c) Diagrams of any property and the interior of any buildings that are involved.

(d) Historical information about the subject of investigation (e.g., history of weapon possession or use, known mental illness, known drug use, threats against police, gang affiliation, criminal history).

(e) Historical information about others who may be present at the location (e.g., other criminals, innocent third parties, dependent adults, children, animals).

(f) Obstacles associated with the location (e.g., fortification, booby traps, reinforced doors/windows, surveillance measures, number and type of buildings, geographic and perimeter barriers, the number and types of weapons likely to be present, information that suggests the presence of explosives, chemicals or other hazardous materials, the potential for multiple dwellings or living spaces, availability of keys/door combinations).

(g) Other environmental factors (e.g., nearby venues such as schools and day care centers, proximity of adjacent homes or other occupied buildings, anticipated pedestrian and vehicle traffic at the time of service).

(h) Other available options that may minimize the risk to officers and others (e.g., making an off-site arrest or detention of the subject of investigation).

608.4.2 RISK ASSESSMENT REVIEW

Officers will present the risk assessment form and other relevant documents (such as copies of search warrants and affidavits and arrest warrants) to their supervisor and the SWAT Commander.

The supervisor and SWAT Commander shall confer and determine the level of risk. Supervisors should take reasonable actions if there is a change in circumstances that elevates the risks associated with the operation.

608.4.3 HIGH-RISK OPERATIONS

If the SWAT Commander, after consultation with the involved supervisor, determines that the operation is high risk, the SWAT Commander should:

(a) Determine what resources will be needed at the location, and contact and/or place on standby any of the following appropriate and available resources:

1. SWAT Team
2. Additional personnel
3. Outside agency assistance
4. Special equipment
5. Medical personnel
6. Persons trained in negotiation
7. Additional surveillance

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8. Canines
9. Property and Evidence Office or analytical personnel to assist with cataloguing seizures
10. Forensic specialists
11. Specialized mapping for larger or complex locations

(b) Contact the appropriate department members or other agencies as warranted to begin preparation.

(c) Ensure that all legal documents such as search warrants are complete and have any modifications reasonably necessary to support the operation.

(d) Coordinate the actual operation.

608.5 DECONFLICTION

Deconfliction systems are designed to identify persons and locations associated with investigations or law enforcement operations and alert participating agencies when others are planning or conducting operations in close proximity or time, or are investigating the same individuals, groups or locations.

The officer who is the operations lead shall ensure the subject of investigation and operations information have been entered in any applicable deconfliction system to determine if there is reported conflicting activity. This should occur as early in the process as practicable, but no later than two hours prior to the commencement of the operation. The officer should also enter relevant updated information when it is received.

If any conflict is discovered, the supervisor will contact the involved jurisdiction and resolve the potential conflict before proceeding.

608.6 OPERATIONS PLAN

The SWAT Commander should ensure that a written operations plan is developed for all high-risk operations. Plans should also be considered for other operations that would benefit from having a formal plan.

The plan should address such issues as:

(a) Operation goals, objectives and strategies.

(b) Operation location and people:

1. The subject of investigation (e.g., history of weapon possession/use, known mental illness issues, known drug use, threats against police, gang affiliation, criminal history)
2. The location (e.g., fortification, booby traps, reinforced doors/windows, surveillance cameras and/or lookouts, number/type of buildings, geographic and perimeter barriers, the number and types of weapons likely to be present, information that suggests the presence of explosives, chemicals or other hazardous materials, the potential for multiple dwellings or living spaces,

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availability of keys/door combinations), including aerial photos, if available, and maps of neighboring yards and obstacles, diagrams and other visual aids

3. Other environmental factors (e.g., nearby venues such as schools and day care centers, proximity of adjacent homes or other occupied buildings, anticipated pedestrian and vehicle traffic at the time of service)

4. Identification of other people who may be present in or around the operation, such as other criminal suspects, innocent third parties and children

(c) Information from the risk assessment form by attaching a completed copy in the operational plan.

1. The volume or complexity of the information may indicate that the plan includes a synopsis of the information contained on the risk assessment form to ensure clarity and highlighting of critical information.

(d) Participants and their roles.

1. An adequate number of uniformed officers should be included in the operation team to provide reasonable notice of a legitimate law enforcement operation.

2. How all participants will be identified as law enforcement.

(e) Whether deconfliction submissions are current and all involved individuals, groups and locations have been deconflicted to the extent reasonably practicable.

(f) Identification of all communications channels and call-signs.

(g) Use of force issues.

(h) Contingencies for handling medical emergencies (e.g., services available at the location, closest hospital, closest trauma center).

(i) Plans for detaining people who are not under arrest.

(j) Contingencies for handling children, dependent adults, animals and other people who might be at the location in accordance with the Child Abuse, Adult Abuse, Child and Vulnerable Adult Safety and Animal Control policies.

(k) Communications plan

(l) Responsibilities for writing, collecting, reviewing and approving reports.

608.6.1 OPERATIONS PLAN RETENTION

Since the operations plan contains intelligence information and descriptions of law enforcement tactics, it shall not be filed with the arrest or case report. The operations plan shall be stored separately and retained in accordance with the established records retention schedule.

608.7 OPERATIONS BRIEFING

A briefing should be held prior to the commencement of any high-risk operation to allow all participants to understand the operation, see and identify each other, identify roles and responsibilities and ask questions or seek clarification as needed. Anyone who is not present at the briefing should not respond to the operation location without specific supervisory approval.

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(a) The briefing should include a verbal review of plan elements, using visual aids, to enhance the participants' understanding of the operations plan.

(b) All participants should be provided a copy of the operations plan and search warrant, if applicable. Participating personnel should be directed to read the search warrant and initial a copy that is retained with the operation plan. Any items to be seized should be identified at the briefing.

(c) The SWAT Commander shall ensure that all participants are visually identifiable as law enforcement officers.

    (a) Exceptions may be made by the SWAT Commander for officers who are conducting surveillance or working under cover. However, those members exempt from visual identification should be able to transition to a visible law enforcement indicator at the time of enforcement actions, such as entries or arrests, if necessary.

(d) The briefing should include details of the communications plan.

    (a) It is the responsibility of the SWAT Commander to ensure that Emergency Communications Center is notified of the time and location of the operation, and to provide a copy of the operation plan prior to officers arriving at the location.

    (b) If the radio channel needs to be monitored by Emergency Communications Center, the dispatcher assigned to monitor the operation should attend the briefing, if practicable, but at a minimum should receive a copy of the operation plan.

    (c) The briefing should include a communications check to ensure that all participants are able to communicate with the available equipment on the designated radio channel.

608.8 SWAT TEAM PARTICIPATION

If the SWAT Commander determines that SWAT Team participation is appropriate, the SWAT Commander shall assume operational control until all persons at the scene are appropriately detained and it is safe to begin a search. When this occurs, the SWAT Commandershall transfer control of the scene to the handling supervisor. This transfer should be communicated to the officers present.

608.9 MEDIA ACCESS

No advance information regarding planned operations shall be released without the approval of the Chief of Police. Any media inquiries or press release after the fact shall be handled in accordance with the News Media Relations Policy.

608.10 OPERATIONS DEBRIEFING

High-risk operations should be debriefed as soon as reasonably practicable. The debriefing should include as many participants as possible. This debrief may be separate from any SWAT Teamdebriefing.

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608.11 TRAINING

The Training Lieutenant should ensure officers and CRU team members who participate in operations subject to this policy should receive periodic training including, but not limited to, topics such as legal issues, deconfliction practices, operations planning concepts and reporting requirements.

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Chapter 7 - Equipment

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Police Department Owned and Personal Property

700.1 PURPOSE AND SCOPE

Police Department employees are expected to properly care for property issued, assigned or entrusted to them by this department. Employees may also suffer occasional loss or damage to personal, issued, assigned or entrusted property while performing their assigned duty. Certain procedures are required depending on the loss and ownership of the item.

700.2 CARE OF POLICE DEPARTMENT PROPERTY

Employees shall be responsible for the safekeeping, serviceable condition, proper care, use and replacement of property assigned or entrusted to them. An employee's intentional or negligent abuse or misuse of issued, assigned or entrusted property may lead to discipline including, but not limited to the cost of repair or replacement.

(a) Employees shall promptly report, through their chain of command, any loss, damage, or unserviceable condition of any issued, assigned, or entrusted property or equipment assigned for their use.

(b) The use of damaged or unserviceable issued, assigned, or entrusted property or equipment should be discontinued as soon as practical and replaced with comparable items as soon as available and following notice to a supervisor. The supervisor should ensure that a property damage form is completed when necessary.

(c) Except when otherwise directed by competent authority or required by exigent circumstances, issued, assigned, or entrusted property shall only be used by those to whom it was assigned. Use should be limited to official purposes and in the capacity for which it was designed.

(d) Issued, assigned, or entrusted property shall not be thrown away, sold, traded, donated, destroyed, or otherwise disposed of without proper authority.

(e) In the event that any property of this department becomes damaged or unserviceable, no employee shall attempt to repair the property without prior approval of a supervisor.

700.3 FILING CLAIMS FOR PERSONAL PROPERTY

Claims for reimbursement for damage or loss of personal property must be made on the property damageform. This form is submitted to the employee's immediate supervisor. The supervisor may require a separate written report of the loss or damage.

The supervisor shall direct a memo to the appropriate Bureau Commander, which shall include the results of his/her investigation and whether the employee followed proper procedures. The supervisor's report shall address whether reasonable care was taken to prevent the loss or damage.

Upon review by staff and a finding that no misconduct or negligence was involved, repair or replacement may be recommended by the Chief of Police who will then forward the claim to the Finance Department.

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This department will not replace or repair luxurious or overly expensive items (jewelry, exotic equipment, etc.) that are not reasonably required as a part of work.

700.3.1 REPORTING REQUIREMENT
A verbal report shall be made to the employee's immediate supervisor as soon as circumstances permit.

A written report shall be submitted before the employee goes off duty or within the time frame directed by the supervisor to whom the verbal report is made.

700.4 LOSS OR DAMAGE OF PROPERTY OF ANOTHER
Officers and other employees intentionally or unintentionally may cause damage to the real or personal property of another while performing their duties. Any employee who damages or causes to be damaged any real or personal property of another while performing any law enforcement functions, regardless of jurisdiction, shall report it as provided below.

(a) A verbal report shall be made to the employee's immediate supervisor as soon as circumstances permit.

(b) A written report shall be submitted before the employee goes off duty or within the time frame directed by the supervisor to whom the verbal report is made.

700.4.1 DAMAGE BY PERSON OF ANOTHER AGENCY
If employees of another jurisdiction cause damage to real or personal property belonging to the City of Idaho Falls, it shall be the responsibility of the employee present or the employee responsible for the property to make a verbal report to his/her immediate supervisor as soon as circumstances permit. The employee shall submit a written report before going off duty or as otherwise directed by the supervisor.

These written reports, accompanied by the supervisor's written report, shall promptly be forwarded to the appropriate Bureau Commander.

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Personal Communication Devices

701.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the use of mobile telephones and communication devices, whether issued or funded by the Department or personally owned, while on-duty or when used for authorized work-related purposes.

This policy generically refers to all such devices as Personal Communication Devices (PCDs) but is intended to include all mobile telephones, personal digital assistants (PDAs), wireless capable tablets and similar wireless two-way communications and/or portable Internet access devices. PCD use includes, but is not limited to, placing and receiving calls, text messaging, blogging and microblogging, emailing, using video or camera features, playing games and accessing sites or services on the Internet.

701.2 POLICY

The Idaho Falls Police Department allows members to utilize department-issued or funded PCDs and to possess personally owned PCDs in the workplace, subject to certain limitations. Any PCD used while on-duty, or used off-duty in any manner reasonably related to the business of the Department, will be subject to monitoring and inspection consistent with the standards set forth in this policy.

The inappropriate use of a PCD while on-duty may impair officer safety. Additionally, members are advised and cautioned that the use of a personally owned PCD either on-duty or after duty hours for business-related purposes may subject the member and the member's PCD records to civil or criminal discovery or disclosure under applicable public records laws.

Members who have questions regarding the application of this policy or the guidelines contained herein are encouraged to seek clarification from supervisory staff.

701.3 PRIVACY EXPECTATION

Members forfeit any expectation of privacy with regard to any communication accessed, transmitted, received or reviewed on any PCD issued or funded by the Department and shall have no expectation of privacy in their location should the device be equipped with location detection capabilities (see the Information Technology Use Policy for additional guidance).

701.4 DEPARTMENT-ISSUED PCD

Department-issued or funded PCDs and the associated telephone number shall remain the sole property of the Department and shall be subject to inspection or monitoring (including all related records and content) at any time without notice and without cause.

701.5 PERSONALLY OWNED PCD

Members may carry a personally owned PCD while on-duty, subject to the following conditions and limitations:

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(a) Permission to carry a personally owned PCD may be revoked if it is used contrary to provisions of this policy.

(b) The Department accepts no responsibility for loss of or damage to a personally owned PCD.

(c) The PCD and any associated services shall be purchased, used and maintained solely at the member's expense.

(d) The device should not be used for work-related purposes except in exigent circumstances (e.g., unavailability of radio communications, malfunction of issued PCD). Members will have a reduced expectation of privacy when using a personally owned PCD in the workplace and have no expectation of privacy with regard to any department business-related communication.

(e) The device shall not be utilized to record or disclose any business-related information, including photographs, video or the recording or transmittal of any information or material obtained or made accessible as a result of employment with the Department, without the express authorization of the Chief of Police or the authorized designee.

(f) Use of a personally owned PCD while at work or off-duty in any manner reasonably related to the business of the Department constitutes consent for the department to access the PCD to inspect and copy data to meet the needs of the department. These needs may include litigation, public records retention and release obligations, and internal investigations. If the PCD is carried on-duty, members will provide the department with the telephone number of the device.

(g) All work-related documents, emails, photographs, recordings or other public records created or received on a member's personally owned PCD should be transferred to the Idaho Falls Police Department and deleted from the member's PCD as soon as reasonably practicable but no later than the end of the member's shift.

701.6 USE OF PCD

The following protocols shall apply to all PCDs that are carried while on-duty or used to conduct department business:

(a) Members may use a PCD to communicate with other personnel in situations where the use of the radio is either impracticable or not feasible. PCDs should not be used as a substitute for, as a way to avoid or in lieu of regular radio communications.

(b) Members are prohibited from taking pictures, making audio or video recordings or making copies of any such picture or recording media unless it is directly related to official department business. Disclosure of any such information to any third party through any means, without the express authorization of the Chief of Police or the authorized designee, may result in discipline.

(c) Members will not access social networking sites for any purpose that is not official department business.

(d) Using PCDs to harass, threaten, coerce or otherwise engage in inappropriate conduct with any third party is prohibited. Any member having knowledge of such conduct shall promptly notify a supervisor.

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701.7 SUPERVISOR RESPONSIBILITIES

The responsibilities of supervisors include, but are not limited to:

(a) Ensuring that members under their command are provided appropriate training on the use of PCDs consistent with this policy.

(b) Monitoring, to the extent practicable, PCD use in the workplace and taking prompt corrective action if a member is observed or reported to be improperly using a PCD.

1. An investigation into improper conduct should be promptly initiated when circumstances warrant.
2. Before conducting any administrative search of a member's personally owned device, supervisors should consult with the Chief of Police or the authorized designee.

701.8 USE WHILE DRIVING

The use of a PCD while driving can adversely affect safety, cause unnecessary distractions and present a negative image to the public. Officers operating emergency vehicles should restrict the use of these devices to matters of an urgent nature and should, where practicable, stop the vehicle at an appropriate location to use the PCD.

Except in an emergency, members who are operating vehicles that are not equipped with lights and siren shall not use a PCD while driving unless the device is specifically designed and configured to allow hands-free use (Idaho Code 49-1401A). Hands-free use should be restricted to business-related calls or calls of an urgent nature.

701.9 OFFICIAL USE

Members are reminded that PCDs are not secure devices and conversations may be intercepted or overheard. Caution should be exercised while utilizing PCDs to ensure that sensitive information is not inadvertently transmitted. As soon as reasonably possible, members shall conduct sensitive or private communications on a land-based or other department communications network.

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Vehicle Maintenance

702.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that department vehicles are appropriately maintained.

702.2 POLICY

The Idaho Falls Police Department Professional Standards and Logistics Bureau will facilitate the service of department vehicles to ensure they remain operational and maintain their appearance, as resources allow.

702.3 GENERAL DUTIES

Members are responsible for assisting in maintaining department vehicles so that they are properly equipped, properly maintained and properly refueled and present a clean appearance.

702.4 DEFECTIVE VEHICLES

When a vehicle becomes inoperative or in need of repair that affects the safety of the vehicle, that vehicle shall be removed from service. Proper documentation shall be promptly completed by the member who becomes aware of the defective condition and forwarded to the Professional Standards and Logistics Bureau for action.

702.4.1 DAMAGE OR POOR PERFORMANCE

Vehicles that may have been damaged, or perform poorly shall be removed from service for inspections and repairs as soon as practicable.

702.4.2 SEVERE USE

Vehicles operated under severe-use conditions, which include operations for which the vehicle is not designed or that exceed the manufacturer's parameters, should be removed from service and subjected to a safety inspection as soon as practicable. Such conditions may include rough roadway or off-road driving, hard or extended braking, pursuits or prolonged high-speed operation.

702.4.3 REMOVAL OF WEAPONS

All firearms, weapons and control devices shall be removed from a vehicle, or properly secured to prevent access by unauthorized personnel prior to the vehicle being released for maintenance, service, or repair.

702.5 VEHICLE REFUELING

Absent emergency conditions or supervisor approval, fleet vehicles shall not be returned without a full tank of fuel. Vehicles shall only be refueled at the authorized location.

702.6 WASHING OF VEHICLES

Vehicles shall be kept clean, weather conditions permitting, to maintain the professional appearance of the Department.

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Vehicle Maintenance

Members using a fleet vehicle shall remove any trash or debris before it is returned.. Confidential material should be placed in a designated receptacle that has been provided for shredding this material.

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Vehicle Use

703.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a system of accountability to ensure department-owned vehicles are used appropriately. This policy provides guidelines for on- and off-duty use of department vehicles and shall not be construed to create or imply any contractual obligation by the City of Idaho Falls to provide assigned take-home vehicles.

703.2 POLICY

The Idaho Falls Police Department provides vehicles for department-related business use and may assign patrol and unmarked vehicles based on its determination of operational efficiency, economic impact to the Department, requirements for tactical deployments and other considerations.

703.3 USE OF VEHICLES

Officers will operate police vehicles in a cautious and prudent manner as an example to the public. Seatbelts shall be worn by officers at all times, however, upon final approaches to tactical situations the seatbelt may be removed. All passengers shall be seat belted when riding in the front seat and when practicable, in the back seat. Children under the age of 12 shall not ride in the front seat of a police car at any time if the vehicle is equipped with passenger side air bags.

Department vehicles will only be driven by an Idaho Falls Police Officer or authorized Idaho Falls personnel.

703.3.0 VEHICLE LOCATION SYSTEM

Patrol and other vehicles, at the discretion of the Chief of Police, may be equipped with a system designed to track the vehicle's location. While the system may provide vehicle location and other information, members are not relieved of their responsibility to use required communication practices to report their location and status.

Members shall not make any unauthorized modifications to an equipped tracking system. At the start of each shift, members shall verify that the system is on and report any malfunctions to their supervisor. If the member finds that the system is not functioning properly at any time during the shift, he/she should exchange the vehicle for one with a working system, if available.

If equipped, system data may be accessed by supervisors at any time. However, access to historical data by personnel other than supervisors will require Bureau Commander approval.

All data captured by the system shall be retained in accordance with the established records retention schedule.

703.3.2 KEYS

Members who are assigned a specific vehicle should be issued keys for that vehicle. The loss of a key shall be promptly reported in writing through the member's chain of command.

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703.3.3 MOBILE DATA TERMINAL

Members assigned to vehicles equipped with a Mobile Data Terminal (MDT) shall log onto the MDT with the required information when going on-duty. If the vehicle is not equipped with a working MDT, the member shall notify Emergency Communications Center. Use of the MDT is governed by the Mobile Data Terminal Use Policy.

703.3.4 SECURITY AND UNATTENDED VEHICLES

Unattended vehicles should be locked and secured at all times. No key should be left in the vehicle except when it is necessary that the vehicle be left running (e.g., continued activation of emergency lights, canine safety, equipment charging, etc.). Officers who exit a vehicle rapidly in an emergency situation or to engage in a foot pursuit must carefully balance the need to exit the vehicle quickly with the need to secure the vehicle.

Members shall ensure all weapons are secured while the vehicle is unattended.

703.3.5 INSPECTIONS

Members shall be responsible for inspecting the interior and exterior of any fleet vehicle before taking itinto service and returning it.Fleet vehicles shall be returned clean and fully fueled. Any previously unreported damage, mechanical problems, unauthorized contents or other problems with the vehicle shall be promptly reported to a supervisor and documented as appropriate.

The interior of any vehicle that has been used to transport any person other than a member of this department should be inspected prior to placing another person in the vehicle and again after the person is removed. This is to ensure that unauthorized or personal items have not been left in the vehicle.

When transporting any suspect, prisoner or arrestee, the transporting member shall search all areas of the vehicle that are accessible by the person before and after the person is transported.

All department vehicles are subject to inspection and/or search at any time by a supervisor without notice and without cause. No member assigned to or operating such vehicle shall be entitled to any expectation of privacy with respect to the vehicle or its contents. Inspections may include equipment availability, condition, and functionality.

703.3.6 ALCOHOL

Members who have consumed alcohol are prohibited from operating any department vehicle unless it is required by the duty assignment (e.g., task force, undercover work). Regardless of assignment, members may not violate state law regarding vehicle operation while intoxicated.

703.3.7 PARKING

Except when responding to an emergency or when urgent department-related business requires otherwise, members driving department vehicles should obey all parking regulations at all times.

703.3.8 ACCESSORIES AND/OR MODIFICATIONS

There shall be no modifications, additions or removal of any equipment or accessories without written permission from the assigned vehicle program manager. The addition of GPS navigation

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systems (e.g. Garmin, Tomtom, etc.) is permitted provided the installation does not damage the vehicle.

703.3.9 CIVILIAN MEMBER USE
Civilian members using marked emergency vehicles shall ensure that all weapons have been removed before going into service. Civilian members shall prominently display the "out of service" placards or light bar covers at all times. Civilian members shall not operate the emergency lights or siren of any vehicle unless expressly authorized by a supervisor.

703.3 INDIVIDUAL MEMBER ASSIGNMENT TO VEHICLES
Department vehicles may be assigned to individual members at the discretion of the Chief of Police. Vehicles may be assigned for on-duty and/or take-home use. Assigned vehicles may be changed at any time. Permission to take home a vehicle may be withdrawn at any time.

703.3.1 ON-DUTY USE
Vehicle assignments shall be based on the nature of the member’s duties, job description and essential functions, and employment or appointment status. Vehicles may be reassigned or utilized by other department members at the discretion of the Chief of Police or the authorized designee.

703.3.2 CARS-FOR-THE COMMUNITY PROGRAM
With the continued emphasis on community policing and the reduction of crime in the City of Idaho Falls, a voluntary program for sworn members of the Idaho Falls Police Department has been initiated that allows officers the use of a take-home vehicle for on-duty and off-duty use.

All sworn police officers living in Bonneville, Bingham, Jefferson, or Madison counties areeligible for the program. While operating the police vehicles on or off-duty, officers are bound by the provisions of all written directives pertaining to the operation of a departmentally owned vehicle. In addition to existing department policy, city ordinances and state laws, the guidelines set forth in this document must be observed by all members of the department who participate in this program.

703.3.3 AGREEMENT FOR USE OF POLICE VEHICLE
All officers assigned a police vehicle under this program will submit an AGREEMENT FOR USE OF POLICE VEHICLE form to the Chief of Police. This form will act as an agreement between the officer and the department authorizing the vehicle’s use and providing for personal use reimbursement if required. The authorization may be revoked at any time by the Chief of Police in the best interest of the City, or if the officer fails to comply with requirements or departmental rules and regulations. An injured officer on light duty must forfeit a marked police vehicle upon request of the Chief of Police. An unmarked vehicle may be provided based on individual circumstances.

Fee Structure:
$2.71 per mile for the first 25 miles from the City limit using the logical route between home and the City limit.
$3.71 per mile for any miles over 25.

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$25.00 base amount for personal use.

The fee for use of an assigned vehicle will be deducted from the employee's check on a bimonthly basis.

Members living within the City of Idaho Falls may operate their assigned vehicle anywhere within city limits.

Officers living outside the City of Idaho Falls, but in the authorized counties may drive their assigned vehicle directly to their residence from Idaho Falls and vice-versa. The vehicle will not be used for personal business outside the City of Idaho Falls except for de minimus usage along the direct route from their residence to Idaho Falls and vice-versa. The vehicle may be driven into the City of Idaho Falls during off-duty time for personal business within the city.

Any exception to the agreement must be authorized by the Chief of Police.

703.3.4 ASSIGNED VEHICLES GUIDELINES

Assigned vehicles will generally stay with the originally issued officer until they are replaced by a new vehicle. Exceptions are:

(a) Transfer from uniform to plainclothes division or vice versa. In this case, officers coming into the respective division will be assigned any available vehicle as their take-home vehicle.

(b) Officers assigned to a vehicle that has been damaged in an accident or incident resulting in a total loss of the vehicle. In this case, the officer will be assigned any available and properly configured vehicle as their take-home vehicle.

Vehicle use off-duty will be reasonable and incidental to domestic usage.

Operation of a Idaho Falls Police Department vehicle by anyone other than a Department employee is prohibited.

Officers will not operate any department vehicle if they have been taking restrictive prescription medicine or have been drinking alcoholic beverages within the previous eight hours.

When an officer is off-duty, rider waiver forms are not required for passengers. On-duty riders must sign the rider waiver form and be approved by the appropriate shift supervisor.

When the vehicle is in use off-duty, the officer and all passengers will be seat belted at all times the vehicle is in motion.

Children under the age of 12 years will not sit in the front seat if the car has passenger-side air bags.

703.3.5 ENFORCEMENT ACTIONS

When driving a take-home vehicle to and from work outside of the jurisdiction of the Idaho Falls Police Department or while off-duty, an officer shall not initiate enforcement actions except in those circumstances where a potential threat to life or serious property damage exists (see the Off-Duty Law Enforcement Actions and Law Enforcement Authority policies).

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Officers may render public assistance when it is deemed prudent (e.g., to a stranded motorist).

Officers driving take-home vehicles shall be armed, appropriately attired and carry their department-issued identification. Officers should also ensure that department radio communication capabilities are maintained to the extent feasible.

703.3.6 MAINTENANCE

Members are responsible for the cleanliness (exterior and interior) and overall maintenance of their assigned vehicles. Subject to available resources, cleaning and maintenance supplies will be provided by the Department. Failure to adhere to these requirements may result in discipline and loss of vehicle assignment. The following should be performed as outlined below:

(a) Members shall make daily inspections of their assigned vehicles for service/ maintenance requirements and damage.

(b) It is the member's responsibility to ensure that his/her assigned vehicle is maintained according to the established service and maintenance schedule.

(c) All scheduled vehicle maintenance and car washes shall be performed as necessary at a facility approved by the department supervisor in charge of vehicle maintenance.

(d) The Department shall be notified of problems with the vehicle and approve any major repairs before they are performed.

(e) When a vehicle is left for maintenance, all weapons shall be removed or secured in a locking rack or box.

(f) Supervisors shall make, inspections as needed, of vehicles assigned to members under their command to ensure the vehicles are being maintained in accordance with this policy.

703.5 DAMAGE, ABUSE AND MISUSE

When any department vehicle is involved in a traffic collision or otherwise incurs damage, the involved member shall promptly notify a supervisor. Any traffic collision report shall be filed with the agency having jurisdiction (see the Traffic Collision Reporting Policy). The Idaho Falls Police Department Property Damage/Incident Supervisor report shall also be completed and appropriately forwarded.

Damage to any department vehicle that was not caused by a traffic collision shall be immediately reported during the shift in which the damage was discovered, documented using theIdaho Falls Police Department Property Damage/Incident Supervisor report, and appropriately forwarded. An administrative investigation should be initiated if there is reasonable suspicion to believe that the damage is due to abuse or misuse.

703.6 ATTIRE AND APPEARANCE

1. When operating any department vehicle while off-duty, members may dress in a manner appropriate for their intended activity. Whenever in view of, or in contact with the public, attire and appearance, regardless of the activity, should be suitable to reflect positively upon the Department.

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703.7 TRAINING

All members who are required to drive a department vehicle as part of their official duties shall receive periodic vehicle operations training. Vehicle operations training shall be a minimum of 4 hours every two years.

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Cash Handling, Security and Management

704.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure department members handle cash appropriately in the performance of their duties.

This policy does not address cash-handling issues specific to the Property and Evidence and Informants policies.

704.2 POLICY

It is the policy of the Idaho Falls Police Department to properly handle and document cash transactions and to maintain accurate records of cash transactions in order to protect the integrity of department operations and ensure the public trust.

704.3 PETTY CASH FUNDS

The Chief of Police shall designate a person as the fund manager responsible for maintaining and managing the petty cash fund.

Each petty cash fund requires the creation and maintenance of an accurate and current transaction ledger and the filing of invoices, receipts, cash transfer forms and expense reports by the fund manager.

704.4 PETTY CASH TRANSACTIONS

The fund manager shall document all transactions on the ledger and any other appropriate forms. Each person participating in the transaction shall sign or otherwise validate the ledger, invoice, cash transfer form, or receipt, attesting to the accuracy of the entry. Transactions should include the filing of an appropriate receipt, invoice or cash transfer form. Transactions that are not documented by a receipt, invoice or cash transfer form require an expense report.

704.5 PETTY CASH AUDITS

The fund manager shall perform an audit no less than once every six months. This audit requires that the fund manager and at least one command staff member, selected by the Chief of Police, review the transaction ledger and verify the accuracy of the accounting. The fund manager and the participating member shall sign or otherwise validate the ledger attesting to the accuracy of all documentation and fund accounting. A discrepancy in the audit requires documentation by those performing the audit and an immediate reporting of the discrepancy to the Chief of Police.

Transference of fund management to another member shall require a separate petty cash audit and involve a command staff member.

A separate audit of each petty cash fund should be completed on a random date, approximately once each year by the Chief of Police or the City.

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704.6 ROUTINE CASH HANDLING

Those who handle cash as part of their property or Special Investigations Unit (SIU) supervisor duties shall discharge those duties in accordance with the Property and Evidence and Informants policies.

Members who routinely accept payment for department services shall discharge those duties in accordance with the procedures established for those tasks.

704.7 OTHER CASH HANDLING

Members of the Department who, within the course of their duties, are in possession of cash that is not their property or that is outside their defined cash-handling responsibilities shall, as soon as practicable, verify the amount, summon another member to verify their accounting, and process the cash for safekeeping or as evidence or found property, in accordance with the Property and Evidence Policy.

Cash in excess of $1,000 requires immediate notification of a supervisor, special handling, verification and accounting by the supervisor. Each member involved in this process shall complete an appropriate report or record entry.

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Personal Protective Equipment

705.1 PURPOSE AND SCOPE

This policy identifies the different types of personal protective equipment (PPE) provided by the Department as well as the requirements and guidelines for the use of PPE.

This policy does not address ballistic vests or protection from communicable disease, as those issues are addressed in the Body Armor and Communicable Diseases policies.

705.1.1 DEFINITIONS

Definitions related to this policy include:

Personal protective equipment (PPE) - Equipment that protects a person from serious workplace injuries or illnesses resulting from contact with chemical, radiological, physical, electrical, mechanical or other workplace hazards.

Respiratory PPE - Any device that is worn by the user to protect from exposure to atmospheres where there is smoke, low levels of oxygen, high levels of carbon monoxide, or the presence of toxic gases or other respiratory hazards. For purposes of this policy, respiratory PPE does not include particulate-filtering masks such as N95 or N100 masks.

705.2 POLICY

The Idaho Falls Police Department endeavors to protect members by supplying certain PPE to members as provided in this policy.

705.3 OFFICER RESPONSIBILITIES

Members are required to use PPE as provided in this policy and pursuant to their training.

Members are responsible for proper maintenance and storage of issued PPE. PPE should be stored in an appropriate location so that it is available when needed.

Any member who identifies hazards in the workplace is encouraged to utilize the procedures in the Illness and Injury Prevention Policy to recommend new or improved PPE or additional needs for PPE.

705.4 HEARING PROTECTION

Approved hearing protection shall be used by members during firearms training.

Hearing protection should meet or exceed industry standards for use at firing ranges.

705.5 EYE PROTECTION

Approved eye protection, including side protection, shall be used by members during firearms training. Eye protection for members who wear prescription lenses shall incorporate the prescription (e.g., eye protection that can be worn over prescription lenses). Members shall ensure their eye protection does not interfere with the fit of their hearing protection.

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The Rangemaster should ensure eye protection meets or exceeds consensus standards set by the American National Standards Institute (ANSI).

705.6 HEAD AND BODY PROTECTION

Members assigned to the crowd control team should be provided ballistic head protection with an attachable face shield, as well as padded body protection consisting of chest, arm, leg and groin protection.

705.7 RESPIRATORY PROTECTION

The Professional Standards and Logistics Bureau Commander is responsible for ensuring a respiratory protection plan is developed and maintained by a trained and qualified member. The plan should include procedures for:

(a) Selecting appropriate respiratory PPE based on hazards and risks associated with functions or positions.

(b) Fit testing, including identification of members or contractors qualified to conduct fit testing.

(c) Medical evaluations.

(d) PPE inventory control.

(e) PPE issuance and replacement.

(f) Cleaning, disinfecting, storing, inspecting (including frequent, random inspections), repairing, discarding, and otherwise maintaining respiratory PPE, including schedules for these activities.

(g) Regularly reviewing the PPE plan.

(h) Remaining current with applicable National Institute for Occupational Safety and Health (NIOSH), ANSI, Occupational Safety and Health Administration (OSHA), Environmental Protective Agency (EPA), and state PPE standards and guidelines.

705.7.1 RESPIRATORY PROTECTION USE

Designated members may be issued respiratory PPE based on the member's assignment (e.g., a narcotics investigator who is involved in clandestine lab investigations).

Respiratory PPE may be worn when authorized by a scene commander who will determine the type and level of protection appropriate at a scene based upon an evaluation of the hazards present.

Scene commanders are responsible for monitoring members using respiratory PPE and their degree of exposure or stress. When there is a change in work area conditions or when a member's degree of exposure or stress may affect respirator effectiveness, the scene commander should reevaluate the continued effectiveness of the respirator and direct the member to leave the respirator use area when the scene commander reasonably believes:

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(a) It is necessary for the member to wash his/her face and the respirator facepiece to prevent eye or skin irritation associated with respirator use.

(b) The member detects vapor or gas breakthrough, or there is a change in breathing resistance or leakage of the facepiece.

(c) The member needs to replace the respirator, filter, cartridge, or canister.

705.7.2 MEMBER RESPONSIBILITIES FOR RESPIRATORY PROTECTION

Members shall not use self-contained breathing apparatus (SCBA), full-face respirators or cartridge respirators unless they have completed training requirements for the equipment.

Members exposed to environments that are reasonably known to be harmful due to gases, smoke, or vapors shall use respiratory PPE.

Members using respiratory PPE shall:

(a) Ensure that they have no facial hair between the sealing surface of the facepiece and the face that could interfere with the seal or the valve function. Members also shall ensure that they have no other condition that will interfere with the face-to-facepiece seal or the valve function.

(b) Not wear corrective glasses, goggles, or other PPE that interferes with the seal of the facepiece to the face, or that has not been previously tested for use with that respiratory equipment.

(c) Perform a user seal check per department-approved procedures recommended by the respirator manufacturer each time they put on a tight-fitting respirator.

(d) Leave a respiratory use area whenever they detect vapor or gas breakthrough, changes in breathing resistance, or leakage of their facepiece and ensure that the respirator is replaced or repaired before returning to the affected area.

705.7.3 GAS MASK

Full-face air-purifying respirators, commonly referred to as gas masks, may be fitted with mechanical pre-filters or combination cartridge/filter assemblies for use in areas where gases, vapors, dusts, fumes, or mists are present. Members must identify and use the correct cartridge based on the circumstances.

A scene commander may order the use of gas masks in situations where the use of an SCBA is not necessary. These incidents may include areas where tear gas has or will be used or where a vegetation fire is burning. Gas masks shall not be used if there is a potential for an oxygen-deficient atmosphere.

Members shall ensure their gas mask filters are replaced whenever:

(a) They smell, taste, or are irritated by a contaminant.

(b) They experience difficulty breathing due to filter loading.

(c) The cartridges or filters become wet.

(d) The expiration date on the cartridges or canisters has been reached.

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705.7.4 SELF-CONTAINED BREATHING APPARATUS

Scene commanders may direct members to use SCBA when entering an atmosphere that may pose an immediate threat to life, would cause irreversible adverse health effects or would impair an individual's ability to escape from a dangerous atmosphere. These situations may include, but are not limited to:

(a) Entering the hot zone of a hazardous materials incident.

(b) Entering any area where contaminant levels may become unsafe without warning, or any situation where exposures cannot be identified or reasonably estimated.

(c) Entering a smoke- or chemical-filled area.

The use of SCBA should not cease until approved by a scene commander.

705.7.5 RESPIRATOR FIT TESTING

No member should be issued respiratory PPE until a proper fit testing has been completed by a designated member or contractor.

After initial testing, fit testing for respiratory PPE should be repeated:

(a) At least once every 12 months.

(b) Whenever there are changes in the type of SCBA or facepiece used.

(c) Whenever there are significant physical changes in the user (e.g., obvious change in body weight, scarring of the face seal area, dental changes, cosmetic surgery, or any other condition that may affect the fit of the facepiece seal).

All respirator fit testing shall be conducted in negative-pressure mode.

705.7.6 RESPIRATORY MEDICAL EVALUATION QUESTIONNAIRE

No member should be issued respiratory protection that forms a complete seal around the face until:

(a) The member has completed a medical evaluation that includes a medical evaluation questionnaire.

(b) A physician or other licensed health care professional has reviewed the questionnaire.

(c) The member has completed any physical examination recommended by the reviewing physician or health care professional.

705.8 RECORDS

The Training Lieutenant is responsible for maintaining records of all:

(a) PPE training.

(b) Initial fit testing for respiratory protection equipment.

(c) Annual fit testing.

(d) Respirator medical evaluation questionnaires and any subsequent physical examination results.

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1. These records shall be maintained in a separate confidential medical file.

The records shall be maintained in accordance with the department established records retention schedule (29 CFR 1910.1020).

705.9 TRAINING

Members should be trained in the respiratory and other hazards to which they may be potentially exposed during routine and emergency situations.

All members should be trained in the proper use and maintenance of PPE issued to them, including when the use is appropriate; how to put on, remove and adjust PPE; how to care for the PPE; and the limitations.

Members issued respiratory PPE should attend annual training on the proper use of respiratory protection devices.

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Chapter 8 - Support Services

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Crime Analysis

800.1 PURPOSE AND SCOPE

Crime analysis should provide currently useful information to aid operational personnel in meeting their tactical crime control and prevention objectives by identifying and analyzing methods of operation of individual criminals, providing crime pattern recognition, and providing analysis of data from field interviews and arrests. Crime analysis can be useful to this department's long range planning efforts by providing estimates of future crime trends and assisting in the identification of enforcement priorities.

800.2 DATA SOURCES

Crime analysis data is extracted from many sources including, but not limited to:

- Crime reports
- Field Interview cards
- Parole and Probation records
- Computer Aided Dispatch data

800.3 CRIME ANALYSIS FACTORS

The following minimum criteria should be used in collecting data for Crime Analysis:

- Frequency by type of crime
- Geographic factors
- Temporal factors
- Victim and target descriptors
- Suspect descriptors
- Suspect vehicle descriptors
- Modus operandi factors
- Physical evidence information

800.4 CRIME ANALYSIS DISSEMINATION

For a crime analysis system to function effectively, information should be disseminated to the appropriate units or persons on a timely basis. Information that is relevant to the operational and tactical plans of specific line units should be sent directly to them. Information relevant to the development of this department's strategic plans should be provided to the appropriate staff units. When information pertains to tactical and strategic plans, it should be provided to all affected units.

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Emergency Communications Center

801.1 PURPOSE AND SCOPE

This policy establishes guidelines for the basic functions of Emergency Communications Center. It addresses the immediate information needs of the Department and the public in the course of its normal daily activities and during emergencies.

801.2 POLICY

It is the policy of the Idaho Falls Police Department to provide 24-hour communications service to the public for information and for routine or emergency assistance. This department provides two-way radio capability and other multiple means of continuous communication between Emergency Communications Center and department members in the field.

801.3 EMERGENCY COMMUNICATIONS CENTER SECURITY

The communications function is vital and central to all emergency service operations. The safety and security of Emergency Communications Center, its members and its equipment must be a high priority. Special security procedures should be established in a separate procedure or operations manual for Emergency Communications Center.

Access to Emergency Communications Center shall be limited to Emergency Communications Center members, the Shift Lieutenant, command staff and department members, and any authorized personnel with a specific business-related purpose.

801.4 RESPONSIBILITIES

801.4.1 EMERGENCY COMMUNICATIONS CENTER MANAGER

GENERAL PURPOSE: Performs a variety of professional managerial and administrative duties related to planning, organizing, directing and coordinating multi-jurisdictional central emergency communications (E-911/PSAP) center. Assures operational compliance with laws, policies, procedures and requirements established by the FCC, NCIC, the Idaho Crime Information Center and ILETS.

SUPERVISION RECEIVED: Works under the direction of the Chief of Police.

SUPERVISION EXERCISED: Provides close to general supervision to Dispatch Supervisor(s) and Emergency Telecommunication Specialists.

ESSENTIAL FUNCTIONS:
Plans and directs the operations of the communications emergency dispatch center and the Public Service Answering Point (PSAP) for E-911 calls in the county area; directs the utilization of agency resources and personnel; develops and implements standard operating procedures; assures efficient and effective operations through effective, consistent utilization of agency policies and practices; determines work procedures; studies and standardizes procedures to improve

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efficiency and effectiveness of operations; coordinates with County staff to initiate changes and updates to the CAD (Computer Aided Dispatch) system.

Plans, administers and coordinates communication center functions; prepares budget and grants for Dispatch Center to ensure resources are available to provide efficient, effective and quality services. monitors expenditures for appropriate use of funds, researches, recommends and maintain inter-local agreements and contact with communication center vendors; directs or maintains record of expenditures and assures compliance with established spending limitations; approves ordering of supplies and equipment.

Prepares annual agency budget; establishes departmental procedures to assure conformity to fiscal objectives; manages various programs to minimize operating expenses;
Initiates recruitment activities to fill position vacancies; participates in the selection process and makes recommendations on hiring and firing; reviews subordinate performance; determines efficiency and effectiveness of the worker and makes decisions affecting personnel status, such as retention, promotion, and discipline; secures and conducts training in emergency dispatch policies, procedures, and processes; ensures a work environment conductive to high team performance and team building; oversees the maintenance of staff payroll records.

Attends various administrative, task force or advisory board meetings; receives researches and resolves complaints relating to the Communications Center. Participates in problem solving activities and negotiations; represents the city concerning issues related to communication operations and service agreements.

Oversees terminal agency coordinator (TAC) functions; monitors and assures compliance with ILETS agency agreements; monitors all data input and information retrieval activities conform with established regulations and guidelines; monitors NCIC data entry requirements; develops cooperative relationships with inter-agency, telecommunications network members; conducts training related to ILETS/NCIC operations.

Maintains contact with agencies and jurisdictions receiving 911 emergency dispatch services; resolves problems by implementing changes in equipment, policy and procedures to better serve clientele.
Classifies and oversees the maintenance of operations records; prepares a variety of reports; monitors logs, documents, records and information processed by the division to assure correctness and accuracy; initiates changes as needed.

Plans and schedules equipment maintenance and installation; maintains communications equipment and ensure equipment is in proper working conditions; keeps abreast of developments

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and advances in technology by attending technical conferences, seminars and workshops and through professional publications.

May perform shift emergency communications duties as needed; receives and coordinates law enforcement, fire and other emergency assistance requests for the town and participating agencies; relays instructions to radio units concerned; monitors the maintenance of various logs, records and reports including incoming and outgoing calls.

Performs other related duties as required.

801.4.2 EMERGENCY COMMUNICATIONS SUPERVISOR

GENERAL PURPOSE: Performs a variety of first-line supervisory and complex technical transactions as needed to manage day-to-day emergency communications operations and administrative processes and procedures.

SUPERVISION RECEIVED: Works under the general supervision of the Dispatch Center Manager.

SUPERVISION EXERCISED: Provides close supervision to Emergency Communication Officers (ECO's) and Emergency Communication Officer, Trainees and any duties that may have a direct or indirect influence on center outcomes.

ESSENTIAL FUNCTIONS:

Monitors and coordinates the daily floor assignments and general operation of 911 communications services; determines and assigns work schedules and shifts; coordinates radio communications personnel to assure proper staffing; implements standard operating procedures; must have the ability to communicate orally and in writing and document situations and actions taken as they arise; mentors employees.

Performs quality assurance reviews; evaluates work in progress to assure timely and effective completion; assures operations, records and communications conform with established federal, state and local regulations; must be familiar with department and city policies and administer same on situations requiring action; supervises communications personnel according to articulated Department Mission and Values and city policy; conducts quality assurance review of calls for service and gives feedback to employee; provides a work environment conducive to productivity, teamwork, and team building; facilitates resolution of personnel and/or procedural problems according to policy; work with any employee who is having an adverse reaction to any incidents handled and recommend a course of action for any member in need of assistance; effectively communicates with customers, peers, and others in a reasonable and logical manner; recommends and implements changes in policy and practice upon approval; handles immediate questions, complaints, and requests from outside the center and researches to determine the situation to handle it accordingly and communicates with manager on situation and follow-up.

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Assists in the selection process and makes recommendations on hiring and firing; coordinates and provides training for division personnel; ensures effectiveness of ongoing training functions; assigns tasks and evaluates personnel performance and supervises personnel during emergency and non-emergency work periods to ensure policy is followed; determines efficiency and effectiveness of the worker and makes recommendations affecting personnel status, such as retention, promotion, and discipline; reviews and submits employee time sheets for timely processing of payroll; review and recommend approval of requests for personal leave; must be familiar with human resource policies and procedures and take action to ensure they are followed.

Must meet all performance requirements of the Emergency Communications Officer (ECO) position. Performs regularly assigned duties in the communications center as well as the routine duties of communications employees when needed; supervises employees who makes entries and inquires on NCIC/NLETS computer system; operates standard and 911 telephone systems, including cellular and TDD; enters records into computer; retrieves information as necessary to assist in investigations;

Maintains and troubleshoots communications equipment and ensure equipment is in proper working conditions; coordinates equipment repairs and monitors office workload while equipment is down; trains personnel in the proper use of computer. Maintains a safe working area, identifies any hazards and mitigates same.

Acts as liaison to various public agencies; represents the city on committees, focus groups, task forces, etc., engaged in the review, analysis and development of emergency communications operations, services and inter-local agreements; promotes the awareness of 911 services within the community through public relations events.

Performs related duties as required.

801.4.3 EMERGENCY COMMUNICATIONS OFFICERS

GENERAL PURPOSE: The Emergency Communications Officer (ECO) is the individual tasked by the public safety agencies as the first representative and responder whose primary responsibility is to receive, process, transmit, and/or dispatch emergency and non-emergency incidents for law enforcement, fire, emergency medical, and other public safety services via radio, telephone, and other communication devices. Performs a variety of complex technical transactions to process and communicate on vital requests for assistance through multiple channels of communication simultaneously, such as radio, telephone, computer messaging and other communication equipment to dispatch police, fire and emergency personnel to a variety of community emergency critical incidents.

SUPERVISION RECEIVED: Works under the general supervision of the Emergency Communications Office Supervisor and the Dispatch Manager.

SUPERVISION EXERCISED: May provide close supervision to Emergency Communication Specialist Trainees in training or on a project-by-project basis and any duties that may have a direct or indirect influence on outcomes involving the Idaho Falls 911 Dispatch Center.

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ESSENTIAL FUNCTIONS:
The Emergency Communications Officer is the primary point of contact in obtaining service requests in order to facilitate the prioritization, response requirements, and dissemination of allocated and appropriate resources; provides instruction pursuant to agency policy and/or protocol; makes independent decisions, conveys information, and provides referrals; prioritizes, initiates, and coordinates the response of public safety agencies; manages the flow of incident-related information to and from field units and/or public safety resources; is the eyes and ears of responders; monitors status of field units; and assigns additional resources as requested and/or required using Computer Aided Dispatch (CAD). Receives and coordinates all requests for assistance involving non-emergency and emergency incidents for 911, police, fire, ambulance, search and rescue, and other emergency and non-emergency requests; takes and provides ongoing communication action as necessary to ensure responder and citizen safety, accuracy of location and situation status; receives and coordinates all non-emergency requests; relays instructions to radio units concerned; logs and types all citizen complaints.

Handles requests from officers on calls for special or specific criminal history and safety information: i.e., National records, reports, warrants, etc., follows up with appropriate department units for necessary information and relays same back to responder.

Keeps informed of officers and emergency responders' location at all times; maintains records on location of each officer and time spent on call scene.

Retrieves and enters data from teletype networks and computerized data systems through local and national record systems; receives and transmits information over Teletype. Conducts preliminary investigations and searches via in-house files, National Records files, etc. and supplies requesting officer or official with results; follows up on inquires for criminal history reports and current criminal status.Broadcasts pick-up notices for wanted persons and stolen and suspect cars to officers.

Operates computer to maintain continuous record of communications activity, actions and disposition of emergency requests; keeps necessary logs, records and reports including incoming and outgoing calls; initiates "Alert Sense" emergency calls to warn citizens and activate emergency personnel.

Maintains radio communications logs, and uses State/National Teletype system; operates computer to access and retrieve records and information; performs technical maintenance reporting on equipment; coordinates repairs with system vendors and contract maintenance agency.

Must be able to work with minimal supervision on occasion.

Performs related duties as required.

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801.5 CALL HANDLING

This department provides members of the public with access to the 9-1-1 system for a single emergency telephone number.

When a call for services is received, the emergency communications officer will reasonably and quickly attempt to determine whether the call is an emergency or non-emergency, and shall quickly ascertain the call type, location and priority by asking four key questions:

- Where?
- What?
- When?
- Who?

If the emergency communications officer determines that the caller has a hearing and/or speech impairment or disability, he/she shall immediately initiate a connection with the individual via available TDD/TTY equipment or Telephone Relay Service, as mandated by the Americans with Disabilities Act.

If the emergency communications officer determines that the caller is a limited English proficiency (LEP) individual, the emergency communications officer should quickly determine whether sufficient information can be obtained to initiate an appropriate response. If language assistance is still needed, the language is known and a language-appropriate authorized interpreter is available in Emergency Communications Center, the emergency communications officer should immediately connect the LEP caller to the authorized interpreter.

If no authorized interpreter is available or the emergency communications officer is unable to identify the caller's language, the emergency communications officer will contact the contracted telephonic interpretation service and establish a three-party call connecting the emergency communications officer, the LEP individual and the interpreter.

Emergency Communications Officers should be courteous, patient and respectful when dealing with the public.

801.5.1 EMERGENCY CALLS

A call is considered an emergency when there is an immediate or potential threat to life or serious property damage, and the timely arrival of public safety assistance is of the utmost importance. A person reporting an emergency should not be placed on hold until the emergency communications officer has obtained all necessary information to ensure the safety of the responding department members and affected individuals.

Emergency calls should be dispatched immediately. The Patrol Shift Supervisor shall be notified of pending emergency calls for service when department members are unavailable for dispatch.

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801.5.2 NON-EMERGENCY CALLS

A call is considered a non-emergency call when there is no immediate or potential threat to life or property. A person reporting a non-emergency may be placed on hold, if necessary, to allow the emergency communications officer to handle a higher priority or emergency call.

The reporting person should be advised if there will be a delay in the emergency communications officer returning to the telephone line or when there will be a delay in the response for service.

801.6 RADIO COMMUNICATIONS

The police radio system is for official use only, to be used by emergency communications officers to communicate with department members in the field. All transmissions shall be professional and made in a calm, businesslike manner, using proper language and correct procedures. Such transmissions shall include, but are not limited to:

(a) Members acknowledging the emergency communications officer with their radio identification call signs and current location.

(b) Emergency Communications Officers acknowledging and responding promptly to all radio transmissions.

(c) Members keeping the emergency communications officer advised of their status and location.

(d) Member and emergency communications officer acknowledgements shall be concise and without further comment unless additional information is needed.

The Emergency Communications Center Manager shall be notified of radio procedure violations or other causes for complaint. All complaints and violations will be investigated and reported to the complainant's supervisor and processed through the chain of command.

801.6.1 FEDERAL COMMUNICATIONS COMMISSION COMPLIANCE

Idaho Falls Police Department radio operations shall be conducted in accordance with Federal Communications Commission (FCC) procedures and requirements.

801.6.2 RADIO IDENTIFICATION

Radio call signs are assigned to department members based on identification number. Emergency Communications Officers shall identify the department member by his/her call sign. Members should use their call signs when initiating communication with the emergency communications officer. The use of the call sign allows for a brief pause so that the emergency communications officer can acknowledge the appropriate department member. Members initiating communication with other law enforcement or support agencies shall use their entire radio call sign.

801.7 DOCUMENTATION

It shall be the responsibility of Emergency Communications Center to document all relevant information on calls for service or self-initiated activity. Emergency Communications Officers shall attempt to elicit, document and relay as much information as possible to enhance the safety of

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the member and assist in anticipating conditions that may be encountered at the scene. Desirable information would include, at a minimum:

- Incident control number.
- Date and time of request.
- Name and address of the reporting person, if possible.
- Type of incident reported.
- Involvement of weapons, drugs and/or alcohol.
- Location of incident reported.
- Identification of members assigned as primary and backup.
- Time of dispatch.
- Time of the responding member's arrival.
- Time of member's return to service.

801.8 CONFIDENTIALITY

Information that becomes available through Emergency Communications Center may be confidential or sensitive in nature. All members of Emergency Communications Center shall treat information that becomes known to them as confidential and release that information in accordance with the Protected Information Policy.

Automated data, such as Idaho Department of Transportation records, warrants, criminal history information, records of internal police files or medical information, shall only be made available to authorized law enforcement personnel. Prior to transmitting confidential information via the radio, an admonishment shall be made that confidential information is about to be broadcast.

801.9 TRAINING AND CERTIFICATION

Unless waived by the Chief of Police, emergency communications officers shall be trained and certified as required by Idaho Code 19-5119.

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Property and Evidence Office

802.1 PURPOSE AND SCOPE

This policy provides for the proper collection, storage, and security of evidence and other property. Additionally, this policy provides for the protection of the chain of custody and those persons authorized to remove and/or destroy property.

Whenever any officer takes or receives any money or other valuables from any person in custody for safekeeping or for other purposes, the officer receiving such valuables or money forthwith shall record such property into the current property management system and secure it in the proper location. Currency should be packaged separately from all other property or evidence.

802.2 DEFINITIONS

Property - Includes all items of evidence, items taken for safekeeping and found property.

Evidence - Includes items taken or recovered in the course of an investigation that may be used in the prosecution of a case. This includes photographs and latent fingerprints.

Safekeeping - Includes the following types of property:

- Property obtained by this department for safekeeping such as a firearm
- Personal property of an arrestee not taken as evidence
- Property taken for safekeeping under authority of a law

Found property - Includes property found by an employee or citizen that has no apparent evidentiary value and where the owner cannot be readily identified or contacted.

802.3 PROPERTY HANDLING

Any employee who first comes into possession of any property, shall retain such property in his/her possession until it is properly tagged and placed in the designated property locker or storage room.Care shall be taken to maintain the chain of custody for all evidence.

Where ownership can be established as to found property with no apparent evidentiary value, such property may be released to the owner without the need for entering the item into the property management system. The release shall be documented in the call for service. If the owner can not be located by end of shift, the property will be entered into the property management system and placed in a proper storage locker.

802.3.1 PROPERTY BOOKING PROCEDURE

All property must be booked prior to the employee going off-duty unless otherwise approved by a supervisor. Employees booking property should observe the following guidelines:

(a) Complete the property entry describing each item of property separately, listing all serial numbers, owner’s name, finder's name, and other identifying information or markings.

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(b) Mark each item of evidence with the booking employee's initials and the date booked in a manner that does not deface or damage the value of the property.

(c) Attach an evidence/property tag to each package or envelope.

(d) Property will be put in a secure locker or dropbox for pick up by the designated property custodian.

(e) When the property is too large to be placed in a locker, the item may be retained in the crime lab. Submit an email to the police forensics team informing them of the property in the crime lab.

802.3.2 NARCOTICS AND DANGEROUS DRUGS

All narcotics and dangerous drugs shall be booked separately using a separate property entry. Paraphernalia shall also be booked separately unless packaged for destruction. All narcotics and dangerous drugs must be entered into the property management system regardless of evidentiary value.

802.3.3 EXPLOSIVES AND HAZARDOUS MATERIALS

Officers who encounter a suspected explosive device or hazardous materials shall promptly notify their immediate supervisor or the Shift Lieutenant. The bomb squad will be called to handle explosive-related incidents and will be responsible for the handling, storage, sampling and disposal of all suspected explosives.

Explosives and hazardous materials will not be retained in the police facility. All such items, including fireworks, shall be stored in proper containers apart from the law enforcement complex in an area designated for the storage of flammable materials. The Bomb Squad Commander is responsible for ensuring that any fireworks or signaling devices that are not retained as evidence are properly destroyed.

802.3.4 EXCEPTIONAL HANDLING

Certain property items require a separate process. The following items shall be processed in the described manner:

(a) Unless packaged in a vial, bodily fluids such as blood or semen stains shall be air dried prior to booking.

(b) All bicycles and bicycle frames require a property entry . Property tags will be securely attached to each bicycle or bicycle frame. The property should be placed in the bicycle storage area.

(c) All cash being submitted to property shall be counted in the presence of a witnessing officer and documented in the case report.

802.4 PACKAGING OF PROPERTY

Certain items require special consideration and shall be booked separately, including, but not limited to:

(a) Narcotics and dangerous drugs.

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(b) Firearms (ensuring they are unloaded and booked separately from ammunition).

(c) Property with more than one known owner.

(d) Paraphernalia.

(e) Any evidentiary item requiring forensic processing.

(f) Cash.

802.4.1 PACKAGING CONTAINER

Employees shall package all property, in a suitable container available for its size. Guns should be packaged in gun boxes, knife boxes should be used to package knives, and syringe tubes should be used to package syringes and needles. A property tag shall be securely attached to the outside of all items.

802.4.2 PACKAGING NARCOTICS

The officer seizing narcotics and dangerous drugs shall retain such property in his/her possession until it is properly weighed, packaged, tagged, and placed in an evidence locker.Prior to packaging and if the quantity allows, a presumptive test should be made on all suspected drugs, with the exception of marijuana. If conducted, the results of this test shall be included in the officer's report.

Narcotics and dangerous drugs shall be packaged in an envelope of appropriate size. If further quantitative or qualitative testing is required, drugs should be packaged in an envelope approved by the Idaho State Bureau of Forensic Services. The booking officer shall initial the sealed envelope.

Narcotics and dangerous drugs shall not be packaged with other property.

A completed property tag shall be attached to the outside of the container.

802.5 RECORDING OF PROPERTY

All property will be recorded within the current property management system. If the property can be immediately disposed of, this should be noted in the property management entry.

802.6 PROPERTY CONTROL

Three sets of door lock keys to the property room will be issued to authorized personnel only. One set of keys will be in the possession of the Investigations and Special Operations Bureau Commander. The second set of keys will be in possession of the primary assigned employee. The third set of keys will be in possession of an assigned assisting employee. Additional keys may be signed out at the discretion of the Chief of Police.

Access to the Property Room will be monitored by an access alarm code panel. Only employees of the Property and Evidence Office will have the access code numbers. A record of the electronic entry and exit log will be kept by the Property and Evidence Office. Only authorized personnel will have access to the property room. This does not preclude the Property and Evidence Office from requesting assistance. At such times a log will be completed regarding who entered the proeprty room, the date, time, and reason for entry.

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A fire/security safe will be used in the property room for the temporary storage of cash until the cash cab ve deposited with the city treasurer's office. When cash is withdrawn from the account a request will be sent to the treasurer's office. The treasurer's office will write a check for delivery to the noted recipient.

The fire/security safe will be used for added protection of valuable jewelry, precious metals, gemstones, and special documents. A seperate area in the property room will be used to lock and secure controlled substances and weapons.

Officers desiring property for court should contact the property and evidence technician via email at least one day prior to the court day.

802.6.1 RESPONSIBILITY OF OTHER PERSONNEL

Every time property is released or received, an appropriate entry in the property management system shall be completed to maintain the chain of custody. No property or evidence is to be released without first receiving written authorization from an officer, prosecutor, supervisor or detective.

Request for analysis for items other than narcotics or drugs shall be emailed to the forensics team describing what analysis needs completed. This request should be filled out at the time property or evidence is booked.

802.6.2 TRANSFER OF EVIDENCE TO CRIME LABORATORY

The transporting employee will have the items checked out to them by the property manager using the current property management system.

802.6.3 STATUS OF PROPERTY

After the initial booking, the property manager will make the appropriate entry to document the chain of custody. Temporary release of property to officers for investigative purposes, or for court, shall be noted in the property management system, stating the date, time and to whom it was released.

The property and evidence technician shall note the person to whom property was released, and the reason for release. Any employee receiving property shall be responsible for such property until it is properly returned to property or properly released to another authorized person or entity.

The return of the property should be recorded in the property management system, indicating date, time, and the person who returned the property.

802.6.4 AUTHORITY TO RELEASE PROPERTY

The assigned case officer or prosecutor shall authorize the disposition or release of all evidence and property coming into the care and custody of this department.

802.6.5 RELEASE OF PROPERTY

All reasonable attempts shall be made to identify the rightful owner of found property or evidence not needed for an investigation.

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Release of property shall be made upon receipt of an authorized release form, listing the name and address of the person to whom the property is to be released. The release authorization shall be signed by the authorizing assigned case officer or prosecutor and must conform to the items listed in the property management system or must specify the specific item to be released. Release of all property shall be documented in the property management system.

Found property and property held for safekeeping will be held for at least six months. Property personnel shall attempt to contact the rightful owner as set out below. Property not claimed within 30 days after notification will be auctioned, destroyed, or disposed of as the removing authority deems appropriate.

A property and evidence technician shall release the property upon proper identification being presented by the owner for which an authorized release has been received. A signature of the person receiving the property shall be recorded.Upon release, the proper entry shall be documented in the property management system.

Property held by a law enforcement agency for more than six months is presumed abandoned.

802.6.6 DISPUTED CLAIMS TO PROPERTY

Occasionally more than one party may claim an interest in property being held by this department, and the legal rights of the parties cannot be clearly established. Such property shall not be released until one party has obtained a valid court order or other undisputed right to the involved property.

802.6.7 CONTROL OF NARCOTICS AND DANGEROUS DRUGS

The Investigations and Special Operations Bureau will be responsible for the storage, control, and destruction of all narcotics and dangerous drugs coming into the custody of this department, including paraphernalia.

802.7 DISPOSITION OF PROPERTY

All property not held for evidence in a pending criminal investigation or proceeding, and held for six months or longer where the owner has not been located or fails to claim the property, may be disposed of in compliance with existing laws upon receipt of proper authorization for disposal. The property and evidence technician shall request a disposition or status on all property which has been held in excess of 120 days, and for which no disposition has been received from an assigned case officer, supervisor or detective.

802.7.1 PRESERVATION OF BIOLOGICAL EVIDENCE

The Property and Evidence Office supervisor shall ensure that no biological evidence held by the Department is destroyed without adequate notification to the following persons, when applicable:

(a) The defendant

(b) The defendant's attorney

(c) The appropriate prosecutor

(d) Any sexual assault victim

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(e) The Investigations and Special Operations Bureau supervisor

Biological evidence shall be retained for a minimum period established by law (Idaho Code 67-2919), the Property and Evidence Office supervisor or the expiration of any sentence imposed related to the evidence, whichever time period is greater. Following the retention period, notifications should be made by certified mail and should inform the recipient that the evidence will be destroyed after a date specified in the notice unless a motion seeking an order to retain the sample is filed and served on the Department within 90 days of the date of the notification. A record of all certified mail receipts shall be retained in the appropriate file. Any objection to, or motion regarding, the destruction of the biological evidence should be retained in the appropriate file and a copy forwarded to the Investigations and Special Operations Bureau supervisor.

Biological evidence related to a homicide shall be retained indefinitely and may only be destroyed with the written approval of the Chief of Police and the head of the applicable prosecutor's office.

802.7.2 NOTICE OF DESTRUCTION OR DISPOSAL OF SEXUAL ASSAULT EVIDENCE
The Property and Evidence Office supervisor shall ensure that written notification is provided to sexual assault victims regarding the destruction or disposal of a sexual assault evidence kit or any other sexual assault case evidence as required by Idaho Code 67-2919.

802.8 INSPECTIONS OF THE EVIDENCE ROOM

(a) On a monthly basis, the supervisor of the property and evidence technician shall make an inspection of the evidence storage facilities and practices to ensure adherence to appropriate policies and procedures.

(b) Unannounced inspections of evidence storage areas shall be conducted annually as directed by the Chief of Police.

(c) An annual audit of evidence held by this department shall be conducted by the Professional Standards and Logistics Bureau.

(d) Whenever a change is made in personnel who have access to the evidence room, an inventory of all evidence/property shall be made by an individual not associated with the property room or function to ensure that records are correct and all evidence property is accounted for.

(e) Each inspection of the evidence room shall include a review of the records associated with narcotics training aids.

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Police Records

803.1 PURPOSE AND SCOPE

The Police Records Supervisor shall maintain this department's Police Records Procedures Manual on a current basis to reflect the procedures being followed within the Police Records. Policies and procedures that apply to all employees of this department are contained in this chapter.

803.2 POLICY

It is the policy of the Idaho Falls Police Department to maintain department records securely, professionally and efficiently.

803.3 RESPONSIBILITIES

803.3.1 POLICE RECORDS SUPERVISOR RESPONSIBILITIES

The Chief of Police shall appoint and delegate certain responsibilities to a Police Records Supervisor. The Police Records Supervisor shall be directly responsible to the Investigations and Special Operations Bureau Commanderor the authorized designee.

The responsibilities of the Police Records Supervisor include but are not limited to:

(a) Overseeing the efficient and effective operation of the Police Records.

(b) Scheduling and maintaining Police Records time records.

(c) Supervising, training, and evaluating Police Records staff.

(d) Maintaining and updating a Police Records procedure manual.

(e) Ensuring compliance with established policies and procedures.

(f) Supervising the access, use, and release of protected information (see the Protected Information Policy).

(g) Establishing security and access protocols for case reports designated as sensitive, where additional restrictions to access have been implemented. Sensitive reports may include but are not limited to:

1. Homicides
2. Cases involving department members or public officials
3. Any case where restricted access is prudent

803.3.2 POLICE RECORDS RESPONSIBILITIES

The responsibilities of the Police Records include but are not limited to:

(a) Maintaining a records management system for case reports.

1. The records management system should include a process for numbering, identifying, tracking, and retrieving case reports.

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(b) Entering case report information into the records management system.

1. Modification of case reports shall only be made when authorized by a supervisor.

(c) Providing members of the Department with access to case reports when needed for investigation or court proceedings.

(d) Maintaining compliance with federal, state, and local regulations regarding reporting requirements of crime statistics.

(e) Maintaining compliance with federal, state, and local regulations regarding criminal history reports and auditing.

(f) Identifying missing case reports and notifying the responsible member's supervisor.

(g) Entering court protective orders and warrants into the Idaho public safety and security information system (ILETS) upon receipt (Idaho Code 18-7907; Idaho Code 18-922).

(h) Conducting background checks for city licensing, employment, or other authorized department business.

803.4 FILE ACCESS AND SECURITY

The security of files in the Police Records must be a high priority and shall be maintained as mandated by state or federal law. All case reports including but not limited to initial, supplemental, follow-up, evidence, and any other reports related to a police department case, including FI cards, criminal history records, and publicly accessible logs, shall be maintained in a secure area within the Police Records, and accessible only by authorized members of the Police Records. Access to case reports or files when Police Records staff is not available may be obtained through the Shift Lieutenant.

The Police Records will also maintain a secure file for case reports deemed by the Chief of Police as sensitive or otherwise requiring extraordinary access restrictions.

803.4.1 REQUESTING ORIGINAL REPORTS

Generally, original reports shall not be removed from the Police Records. Should an original report be needed for any reason, the requesting employee shall first obtain authorization from the Police Records Supervisor. All original reports removed from the Police Records shall be recorded on the Report Check-Out Log which shall constitute the only authorized manner by which an original report may be removed from the Police Records.

803.5 POLICE DEPARTMENT FORMS

All official forms developed and used by this department shall be reviewed by theInvestigations and Special Operations Bureau Commander or designee. Once approved, each form will be assigned a number and revision date for catalog and tracking purposes. The Police Records Supervisor will maintain a complete catalog of all Police Department forms.

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Records Maintenance and Release

804.1 PURPOSE AND SCOPE

This policy provides guidance on the maintenance and release of department records. Protected information is separately covered in the Protected Information Policy.

804.2 POLICY

The Idaho Falls Police Department is committed to providing public access to records in a manner that is consistent with the Idaho Public Records Law (Idaho Code 74-101 through Idaho Code 74-126).

804.3 CUSTODIAN OF RECORDS RESPONSIBILITIES

The Police Records Supervisor shall be designated as the Custodian of Records (Idaho Code 74-101(3); Idaho Code 74-119). The responsibilities of the Custodian of Records include but are not limited to:

(a) Remaining familiar with the Idaho Public Records Law (Idaho Code 74-101 through Idaho Code 74-126).

(b) Managing the records management system for the Department including the retention, archiving, release, and destruction of department public records.

(c) Maintaining and updating the department records retention schedule including:

1. Identifying the minimum length of time the department must keep records.
2. Identifying the department bureau responsible for the original record.

(d) Establishing rules regarding the inspection and copying of department public records as reasonably necessary for the protection of such records.

(e) Identifying records or portions of records that are confidential under state or federal law and not open for inspection or copying.

(f) Establishing rules regarding the processing of subpoenas for the production of records.

(g) Ensuring a current schedule of fees for public records as allowed by law is available (Idaho Code 74-102).

(h) Ensuring guidelines are in place that identify the general subject matter of all public records maintained by the Department and the physical location of those documents (Idaho Code 74-119).

804.4 PROCESSING REQUESTS FOR PUBLIC RECORDS

Any department member who receives a request for any record shall route the request to the Custodian of Records or the authorized designees (Idaho Code 74-119).

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804.4.1 REQUESTS FOR RECORDS

The processing of requests for any record is subject to the following (Idaho Code 74-102; Idaho Code 74-103):

(a) A request for inspection or copies of records shall be submitted in writing that includes the requester's name, mailing address, email address and telephone number. A request shall also be accepted by electronic mail.

  (a) The request shall specifically describe the subject matter and the records sought in sufficient detail and include a specific date range for when the records sought were created.

(b) The Custodian of Records shall not review, examine or scrutinize any copy, photograph or memoranda in possession of the requester and shall extend to the requester all reasonable comfort and facility.

(c) Inspection of public records shall be conducted during regular business hours.

(d) Information may be provided to the requester to help narrow the scope of the request or to help the requester make the request more specific when the response is likely to be voluminous or require payment.

(e) The Department is not required to create records that do not exist.

(f) A request for records shall be granted or denied within three business days of the date of request. If additional time is needed to locate or retrieve a record, the requester shall be notified in writing that the record will be provided no later than 10 business days.

  1. If it is determined that an electronic record will have to be converted to another electronic format and the conversion cannot be completed within 10 business days, the requester shall be notified in writing. The record shall be provided at a time mutually agreed upon between the Department and requester.

(g) The request shall be deemed denied if the request is not responded to within 10 working days following the request.

(h) Prior to denying a request, the CityAttorney's office should be consulted to confirm the information requested is exempt from disclosure.

(i) The requester shall be notified in writing when a request is denied in full or part. The notice of denial shall contain a statement that:

  1. City counsel reviewed or was consulted regarding the request.

  2. The specific statutory authority supporting the denial.

  3. The requester's right to appeal the denial or partial denial and the time period for doing so.

(j) The requester may be required to pay an established fee in advance for the records sought.

(k) When a record contains material with release restrictions and material that is not subject to release restrictions, the restricted material shall be redacted and the unrestricted material released (Idaho Code 74-112).

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1. A copy of the redacted release should be maintained in the case file for proof of what was actually released and as a place to document the reasons for the redactions. If the record is audio or video, a copy of the redacted audio/video release should be maintained in the department-approved media storage system and a notation should be made in the case file to document the release and the reasons for the redacted portions.

(l) A requester shall be provided a certified copy of a record if requested.

(m) A requester may inspect and obtain copies of records pertaining to the requester, even if the record is exempt from public disclosure except where the record is (Idaho Code 74-113):

1. An exempt investigatory record where the investigation is ongoing.
2. Information compiled in reasonable anticipation of a civil action or proceeding and not otherwise discoverable.
3. Exempt from disclosure by statute or court rule.

804.4.2 APPEALS

If a petition of appeal is received for a denial of records, the appeal shall be routed to the Custodian of Records and the Chief of Police for proper handling.

All documents that are subject to an appeal shall be kept until the end of the appeal period (180 days), until a decision has been rendered on the petition or as otherwise statutorily provided, whichever is longer (Idaho Code 74-115).

804.5 RELEASE RESTRICTIONS

Examples of release restrictions include:

(a) Personal identifying information, including an individual's photograph; Social Security and driver identification numbers; name, address, and telephone number; and medical or disability information that is contained in any driver's license record, motor vehicle record, or any department record, including traffic collision reports, is restricted except as authorized by the Department, and only when such use or disclosure is permitted or required by law to carry out a legitimate law enforcement purpose (18 USC § 2721; 18 USC § 2722; Idaho Code 74-106).

(b) Certain personnel information including but not limited to sex, race, marital status, birthdate, home address, and telephone number (including the officer's residing household members); applications, testing, and scoring materials; and grievances, correspondence, and performance evaluations, unless ordered by the court, requested for official purposes by another law enforcement agency, requested by a financial institution or title company for business purposes, or the member gives consent (Idaho Code 74-106).

1. Officers who wish to keep their home address and telephone number confidential may apply to other public agencies (i.e., a public utility district) and use the department address and telephone as an alternative (Idaho Code

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19-5803(1)(2)). It is the officer's responsibility to pay to the public agency any associated fees for application or renewal of any such request.

(c) Medical records (Idaho Code 74-106).

(d) Certain juvenile-related information protected by Idaho Code 74-105.

(e) Investigation records protected by Idaho Code 74-124 (Idaho Code 74-105).

(f) Concealed weapon information received or maintained or records of any certification or notification required by federal law to be made in connection with the acquisition or transfer of a firearm as described in Idaho Code 74-105.

(g) Records of proposed or existing critical infrastructure (including evacuation and emergency response plans) when the disclosure of information is reasonably likely to jeopardize the safety of persons, property, or the public safety (Idaho Code 74-105).

(h) Any other information that may be appropriately denied by federal or state law (Idaho Code 74-104).

804.6 SUBPOENAS AND DISCOVERY REQUESTS

Any member who receives a subpoena duces tecum or discovery request for records should promptly contact a supervisor and the Custodian of Records for review and processing. While a subpoena duces tecum may ultimately be subject to compliance, it is not an order from the court that will automatically require the release of the requested information.

Generally, discovery requests and subpoenas from criminal defendants and their authorized representatives (including attorneys) should be referred to the County Prosecutor, the City Attorney's Office or the courts.

All questions regarding compliance with any subpoena duces tecum or discovery request should be promptly referred to legal counsel for the Department so that a timely response can be prepared.

804.7 RELEASED RECORD TO BE MARKED

The records request form will be completed and signed by the releasing agent indicating what was replease and filed within the records department.

Each audio/video recording released should include the department name and to whom the record was released recorded on a records request record.

804.8 SECURITY BREACHES

Members who become aware that any Idaho Falls Police Department system containing personal information may have been breached should notify the Police Records Supervisor as soon as practicable.

The Police Records Supervisor shall ensure the required notice is given to any resident of this state whose unsecured personal information is reasonably believed to have been acquired by an

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unauthorized person. Notice shall also be given to the Idaho Attorney General within 24 hours of discovery of the breach (Idaho Code 28-51-104; Idaho Code 28-51-105; Idaho Code 28-51-106).

Notice shall be given as soon as possible in the most expedient time possible and without unreasonable delay and consistent with the needs of the Idaho Falls Police Department and any measures necessary to determine the scope of the breach, to identify the individuals affected and to restore the reasonable integrity of the computerized data system. Notice may be delayed if notification will impede a criminal investigation, but shall be made once there is a determination that notification will no longer impede the investigation (Idaho Code 28-51-105; Idaho Code 28-51-106).

For the purposes of the notice requirement, personal information includes an individual's first name or first initial and last name in combination with any one or more of the following (Idaho Code 28-51-104):

(a) Social Security number

(b) Idaho driver's license number or identification card number

(c) Full account number, credit or debit card number, in combination with any required security code, access code, or password that would permit access to an individual's financial account.

If the breach reasonably appears to have been made to protected information covered in the Protected Information Policy, the Police Records Supervisor should promptly notify the appropriate member designated to oversee the security of protected information (see the Protected Information Policy).

804.9 EXPUNGEMENT

Expungement orders received by the Department shall be reviewed for appropriate action by the Custodian of Records. The Custodian of Records shall expunge such records as ordered by the court. Records may include but are not limited to a record of arrest, investigation, detention, or conviction. Once the records are expunged, members shall respond to any inquiry as though the record did not exist.

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Protected Information

805.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the access, transmission, release and security of protected information by members of the Idaho Falls Police Department. This policy addresses the protected information that is used in the day-to-day operation of the Department and not the public records information covered in the Records Maintenance and Release Policy.

805.1.1 DEFINITIONS

Definitions related to this policy include:

Protected information - Any information or data that is collected, stored or accessed by members of the Idaho Falls Police Department and is subject to any access or release restrictions imposed by law, regulation, order or use agreement. This includes all information contained in federal, state or local law enforcement databases that is not accessible to the public.

805.2 POLICY

Members of the Idaho Falls Police Department will adhere to all applicable laws, orders, regulations, use agreements and training related to the access, use, dissemination and release of protected information.

805.3 RESPONSIBILITIES

The Police Records Supervisor shall coordinate the use of protected information. The responsibilities of this position include, but are not limited to:

(a) Ensuring member compliance with this policy and with requirements applicable to protected information, including requirements for the National Crime Information Center (NCIC) system, National Law Enforcement Telecommunications System (NLETS), Division of Motor Vehicle (DMV) records and Idaho Law Enforcement Telecommunications System (ILETS).

(b) Developing, disseminating and maintaining procedures that adopt or comply with the U.S. Department of Justice's current Criminal Justice Information Services (CJIS) Security Policy.

(c) Developing, disseminating and maintaining any other procedures necessary to comply with any other requirements for the access, use, dissemination, release and security of protected information.

(d) Developing procedures to ensure training and certification requirements are met.

(e) Resolving specific questions that arise regarding authorized recipients of protected information.

(f) Ensuring security practices and procedures are in place to comply with requirements applicable to protected information.

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(g) Serving as the security contact for ILETS, unless another individual is specifically selected for the purpose and approved by the ILETS Security Officer (IDAPA 11.10.01.024.05).

805.4 ACCESS TO PROTECTED INFORMATION

Protected information shall not be accessed in violation of any law, order, regulation, user agreement, Idaho Falls Police Department policy or training. Only those members who have completed applicable training and met any applicable requirements, such as a background check, may access protected information, and only when the member has a legitimate work-related reason for such access.

Unauthorized access, including access for other than a legitimate work-related purpose, is prohibited and may subject a member to administrative action pursuant to the Personnel Complaints Policy and/or criminal prosecution.

805.4.1 PENALTIES FOR MISUSE OF RECORDS

It is a misdemeanor for a person to request, obtain or attempt to obtain, for personal gain, criminal history records under false pretenses or to willfully communicate or attempt to communicate criminal history records to any agency or person not authorized to receive the information by law (Idaho Code 67-3009(1)).

It is a felony for a person to willfully solicit, accept or agree to accept from another any pecuniary benefit as consideration for either willfully falsifying criminal history records or for willfully requesting, obtaining or seeking to obtain criminal history records for a purpose not authorized by law (Idaho Code 67-3009(2)).

805.5 RELEASE OR DISSEMINATION OF PROTECTED INFORMATION

Protected information may be released only to authorized recipients who have both a right to know and a need to know (Idaho Code 67-3008(6)).

A member who is asked to release protected information that should not be released should refer the requesting person to a supervisor or to the Police Records Supervisor for information regarding a formal request.

Unless otherwise ordered or when an investigation would be jeopardized, protected information maintained by the Department may generally be shared with authorized persons from other law enforcement agencies who are assisting in the investigation or conducting a related investigation. Any such information should be released through the Police Records to ensure proper documentation of the release (see the Records Maintenance and Release Policy).

Protected information, such as Criminal Justice Information (CJI), which includes Criminal History Record Information (CHRI), should generally not be transmitted by radio, cellular telephone or any other type of wireless transmission to members in the field or in vehicles through any computer or electronic device, except in cases where there is an immediate need for the information to further

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an investigation or where circumstances reasonably indicate that the immediate safety of officers, other department members or the public is at risk.

Nothing in this policy is intended to prohibit broadcasting warrant information.

805.6 SECURITY OF PROTECTED INFORMATION

The Police Records Supervisorwill oversee the security of protected information. The responsibilities of this position include, but are not limited to:

(a) Developing and maintaining security practices, procedures and training.

(b) Ensuring federal and state compliance with the CJIS Security Policy and the requirements of any state or local criminal history records systems.

(c) Establishing procedures to provide for the preparation, prevention, detection, analysis and containment of security incidents including computer attacks.

(d) Tracking, documenting and reporting all breach of security incidents to the Chief of Police and appropriate authorities.

(e) Monitoring and enforcing department compliance with ILETS minimum standards and procedures to ensure the security of the physical premises, computer equipment and network requirements as outlined in IDAPA 11.10.01.024.

805.6.1 MEMBER RESPONSIBILITIES

Members accessing or receiving protected information shall ensure the information is not accessed or received by persons who are not authorized to access or receive it. This includes leaving protected information, such as documents or computer databases, accessible to others when it is reasonably foreseeable that unauthorized access may occur (e.g., on an unattended table or desk; in or on an unattended vehicle; in an unlocked desk drawer or file cabinet; on an unattended computer terminal).

805.7 TRAINING

All members authorized to access or release protected information shall complete a training program that complies with any protected information system requirements and identifies authorized access and use of protected information, as well as its proper handling and dissemination.

805.7.1 ILETS TRAINING

All members who operate a terminal to access ILETS shall complete ILETS training consistent with their duties. Each member who operates a computer to access ILETS must be re-certified by the Department every two years (IDAPA 11.10.01.020.03).

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Animal Control

806.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for interacting with animals and responding to calls for service that involve animals.

806.2 POLICY

It is the policy of the Idaho Falls Police Department to be responsive to the needs of the community regarding animal-related issues. This includes enforcing local, state and federal laws relating to animals and appropriately resolving or referring animal-related problems, as outlined in this policy.

806.3 ANIMAL CONTROL RESPONSIBILITIES

Animal control services are generally the primary responsibility of Animal Control and include the following:

(a) Animal-related matters during periods when Animal Control is available.

(b) Ongoing or persistent animal nuisance complaints. Such complaints may be scheduled, if reasonable, for handling during periods that Animal Control is available for investigation and resolution.

(c) Follow-up on animal-related calls, such as locating owners of injured animals.

806.4 MEMBER RESPONSIBILITIES

Members who respond to or assist with animal-related calls for service should evaluate the situation to determine appropriate actions to control the situation.

Due to the hazards of handling animals without proper training and equipment, responding patrol officers generally should not attempt to capture and pick up any animal, but should keep the animal under observation until the arrival of appropriate assistance.

Patrol officers may consider acting before the arrival of such assistance when:

(a) There is a threat to the public safety.

(b) An animal has bitten someone. Patrol officers should take measures to confine the animal and prevent further injury.

(c) An animal is creating a traffic hazard.

(d) An animal is seriously injured.

(e) The owner/handler of an animal has been arrested or is incapacitated. In such circumstances, the officer should find appropriate placement for the animal.

1. This is only necessary when the arrestee is expected to be in custody for a time period longer than would reasonably allow him/her to properly care for the animal.

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2. With the owner's consent, locating appropriate placement may require contacting relatives or neighbors to care for the animal.
3. If no person can be found or the owner does not or cannot give consent, the animal should be taken to a designated animal care facility.

806.5 ANIMAL CRUELTY COMPLAINTS

Laws relating to the cruelty to animals should be enforced, including but not limited to Idaho Code 25-3504 et seq. (cruelty to animals).

(a) An investigation should be conducted on all reports of animal cruelty.

(b) Legal steps should be taken to protect an animal that is in need of immediate care or protection from acts of cruelty.

806.6 ANIMAL BITE REPORTS

Members investigating an animal bite should obtain as much information as possible for follow-up with the appropriate health or animal authorities. Efforts should be made to capture or otherwise have the animal placed under control. Members should attempt to identify and notify the owner of the final disposition of the animal.

806.7 STRAY DOGS

If the dog has a license or can otherwise be identified, the owner should be contacted, if possible. If the owner is contacted, the dog should be released to the owner and a citation may be issued, if appropriate. If a dog is taken into custody, it shall be transported to the appropriate shelter/ holding pen.

Members shall provide reasonable treatment to animals in their care (e.g., food, water, shelter) (Idaho Code 25-3510).

806.8 DANGEROUS ANIMALS

In the event responding patrol officer cannot fulfill a request for service because an animal is difficult or dangerous to handle, the shift supervisorwill be contacted to determine available resources, including requesting the assistance of Animal Control.

806.9 PUBLIC NUISANCE CALLS RELATING TO ANIMALS

Members should diligently address calls related to nuisance animals (e.g., barking dogs), because such calls may involve significant quality-of-life issues.

806.10 DECEASED ANIMALS

When a member becomes aware of a deceased animal, all reasonably attempts should be made to preliminarily determine if the death of the animal is related to criminal activity.

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Deceased animals on public property should be removedand properly disposed of by the responding member.

Members should not climb onto or under any privately owned structure for the purpose of removing a deceased animal.

806.11 INJURED ANIMALS

When a member becomes aware of an injured domesticated animal, all reasonable attempts should be made to contact an owner or responsible handler. If an owner or responsible handler cannot be located, the animal should be taken to a designated animal care facility.

806.11.1 INJURED WILDLIFE

Injured wildlife should be referred to the Idaho Fish and Game.

806.11 DESTRUCTION OF ANIMALS

When it is necessary to use a firearm to euthanize a badly injured animal or stop an animal that poses an imminent threat to human safety, the Firearms Policy shall be followed. A badly injured animal shall only be euthanized with the approval of a supervisor.

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Chapter 9 - Custody

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Temporary Custody of Juveniles

900.1 PURPOSE AND SCOPE

This policy provides guidelines consistent with the Juvenile Justice and Delinquency Prevention Act for juveniles taken into temporary custody by members of the Idaho Falls Police Department (34 USC § 11133).

900.1.1 DEFINITIONS

Definitions related to this policy include:

Juvenile non-offender - An abused, neglected, dependent, or alien juvenile who may be legally held for his/her own safety or welfare. This also includes any juvenile who may have initially been contacted for an offense that would not subject an adult to arrest (e.g., fine-only offense) but was taken into custody for his/her protection or for purposes of reuniting the juvenile with a parent, guardian, or other responsible person.

Juvenile offender - A juvenile 17 years of age or younger who is alleged to have committed an offense that would subject an adult to arrest (a non-status offense) or who has violated Idaho Code 18-3302F by possessing a handgun (28 CFR 31.303).

Non-secure custody - When a juvenile is held in the presence of an officer or other custody employee at all times and is not placed in a locked room, cell, or behind any locked doors. Juveniles in non-secure custody may be handcuffed but not to a stationary or secure object. Personal supervision, through direct visual monitoring and audio two-way communication is maintained. Monitoring through electronic devices, such as video, does not replace direct visual observation.

Secure custody - When a juvenile offender is held in a locked room, a set of rooms, or a cell. Secure custody also includes being physically secured to a stationary object.

Examples of secure custody include:

(a) A juvenile left alone in an unlocked room within the secure perimeter of the adult temporary holding area.

(b) A juvenile handcuffed to a rail.

(c) A juvenile placed in a room that contains doors with delayed egress devices that have a delay of more than 30 seconds.

(d) A juvenile being processed in a secure booking area when an unsecure booking area is available.

(e) A juvenile left alone in a secure booking area after being photographed and fingerprinted.

(f) A juvenile placed in a cell within the adult temporary holding area, whether or not the cell door is locked.

(g) A juvenile placed in a room that is capable of being locked or contains a fixed object designed for cuffing or restricting movement.

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Sight and sound separation - Located or arranged to prevent physical, visual, or auditory contact.

Status offender - A juvenile suspected of committing a criminal violation of the law that would not be a criminal violation but for the age of the offender. Examples may include running away, underage possession or tobacco, curfew violation, or truancy. A juvenile in custody on a court order or warrant based upon a status offense is also a status offender.

900.2 POLICY

The Idaho Falls Police Department is committed to releasing juveniles from temporary custody as soon as reasonably practicable and keeping juveniles safe while they are in temporary custody at the Idaho Falls Police Department. Juveniles should be held in temporary custody only for as long as reasonably necessary for processing, transfer or release.

900.3 JUVENILES WHO SHOULD NOT BE HELD

Juveniles who exhibit any of the following conditions should not be held at the Idaho Falls Police Department:

(a) Unconscious

(b) Seriously injured

(c) A known suicide risk or obviously severely emotionally disturbed

(d) Significantly intoxicated

(e) Extremely violent or continuously violent

Officers taking custody of a juvenile who exhibits any of the above conditions should take reasonable steps to provide medical attention or mental health assistance and notify a supervisor of the situation.

These juveniles should not be held at the Idaho Falls Police Department unless they have been evaluated by a qualified medical and/or mental health professional.

If the officer taking custody of the juvenile believes the juvenile may be a suicide risk, the juvenile shall be under continuous direct supervision until evaluation, release or a transfer is completed.

900.4 CUSTODY OF JUVENILES

Officers should take custody of a juvenile and temporarily hold the juvenile at the Idaho Falls Police Department when there is no other lawful and practicable alternative to temporary custody. Refer to the Child Abuse Policy for additional information regarding detaining a juvenile that is suspected of being a victim.

No juvenile should be held in temporary custody at the Idaho Falls Police Department without authorization of the arresting officer's supervisor or the Shift Lieutenant.

Any juvenile taken into custody shall be released to the care of the juvenile’s parent or other responsible adult or transferred to a juvenile custody facility or to other authority as soon as

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practicable and in no event shall a juvenile be held beyond six hours from the time of his/her entry into the Idaho Falls Police Department (34 USC § 11133).

900.4.1 CUSTODY OF JUVENILE NON-OFFENDERS

Non-offenders taken into protective custody in compliance with the Child Abuse Policy should generally not be held at the Idaho Falls Police Department. Custodial arrangements should be made for non-offenders as soon as reasonably possible. Juvenile non-offenders may not be held in secure custody (34 USC § 11133).

900.4.2 CUSTODY OF JUVENILE STATUS OFFENDERS

Status offenders should generally be released by citation or with a warning rather than taken into temporary custody. However, officers may take custody of a status offender if requested to do so by a parent or legal guardian in order to facilitate reunification (e.g., transported home or to the station to await a parent). Juvenile status offenders may not be held in secure custody (34 USC § 11133).

900.4.3 CUSTODY OF JUVENILE OFFENDERS

Juvenile offenders should be held in non-secure custody while at the Idaho Falls Police Department unless another form of custody is authorized by this policy or is necessary due to exigent circumstances.

Generally, juvenile offenders may be taken into custody (Idaho Code 20-516):

(a) When there is probable cause to believe the juvenile has committed an act which would be a misdemeanor or felony if committed by an adult.

(b) When, in the presence of an officer or private citizen, the juvenile has violated any local, state or federal law or municipal ordinance.

(c) Upon written order or warrant signed by a judge (such as a detention order).

As soon as practicable after the juvenile is taken into custody, the officer shall notify the parents, guardian or other person responsible for the juvenile.

The officer taking the juvenile into custody shall release the juvenile to the custody of his/her parents, guardian or other responsible person in this state, unless the court has issued a warrant of arrest/detention or there is probable cause to believe that the welfare of the juvenile or others may be endangered by his/her release (Idaho Code 20-516).

If a juvenile is taken into custody and not released to the parent, guardian or other responsible person and the juvenile court has not instructed that he/she be released to an authorized person, the officer shall take the juvenile to the Juvenile Detention facility, shelter care or public or private agency designated by the court and notify the court that the juvenile has been taken into custody.

Except where the juvenile is taken into custody under an order of the court, the officer taking the juvenile into custody shall promptly complete a report detailing the circumstances and actions taken. A copy of the completed report shall be sent to the juvenile prosecuting attorney's office.

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900.5 ADVISEMENTS

If an officer takes a juvenile into custody, the officer shall (Idaho Code 19-853):

(a) Promptly and clearly inform the juvenile of his/her right to an attorney and the right of a needy person to be represented by an attorney at public expense.

(b) If the juvenile does not have an attorney, notify the indigent defense provider or trial court that the juvenile is not represented.

900.6 USE OF RESTRAINT DEVICES

Juvenile offenders may be handcuffed in accordance with the Handcuffing and Restraints Policy. A juvenile offender may be handcuffed at the Idaho Falls Police Department when the juvenile presents a heightened risk. However, non-offenders and status offenders should not be handcuffed unless they are combative or threatening.

Other restraints shall only be used after less restrictive measures have failed and with the approval of the Shift Lieutenant. Restraints shall only be used so long as it reasonably appears necessary for the juvenile's protection or the protection of others.

Juveniles in restraints shall be kept away from other unrestrained juveniles or monitored in such a way as to protect the juvenile from abuse.

900.7 SECURE CUSTODY

Only juvenile offenders 14 years of age or older may be placed in secure custody.

Secure custody should only be used for juvenile offenders when there is a reasonable belief that the juvenile is a serious risk of harm to him/herself or others.

Members of this department should not use secure custody for convenience when non-secure custody is, or later becomes, a reasonable option.

When practicable, handcuffing one hand of a juvenile offender to a fixed object while otherwise maintaining the juvenile in non-secure custody should be considered as the method of secure custody, rather than the use of a locked enclosure. An employee must be present at all times to ensure the juvenile’s safety while secured to a stationary object.

Generally, juveniles should not be secured to a stationary object for more than 60 minutes. Supervisor approval is required to secure a juvenile to a stationary object for longer than 60 minutes and every 30 minutes thereafter. Supervisor approval should be documented.

900.8 SUICIDE ATTEMPT, DEATH OR SERIOUS INJURY OF A JUVENILE

The Shift Lieutenant will ensure procedures are in place to address the suicide attempt, death or serious injury of any juvenile held at the Idaho Falls Police Department. The procedures will address:

(a) Immediate notification of the on-duty supervisor, on-call Captain,Chief of Police and Investigations and Special Operations Bureau supervisor.

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(b) Notification of the parent, guardian or person standing in loco parentis, of the juvenile.

(c) Notification of the appropriate prosecutor.

(d) Notification of the City Attorney.

(e) Evidence preservation.

900.9 INTERVIEWING OR INTERROGATING JUVENILE SUSPECTS

No interview or interrogation of a juvenile should occur unless the juvenile has the apparent capacity to consent, and does consent to an interview or interrogation.

900.10 RESTRICTION ON FINGERPRINTING AND PHOTOGRAPHING

A juvenile offender may be photographed or fingerprinted in connection with being taken into custody. The fingerprints and photographs of juveniles will be maintained separately from those of adults.

900.11 RECORDS OF JUVENILES

Records of juveniles shall be kept separate from records of adults and shall be subject to disclosure according to Chapter 1, Title 74 of the Idaho Code (Idaho Code 20-516).

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Chapter 10 - Personnel

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Recruitment and Selection

1000.1 PURPOSE AND SCOPE

This policy provides a framework for employee recruiting efforts and identifying job-related standards for the selection process. This policy supplements the rules that govern employment practices for the Idaho Falls Police Department and that are promulgated and maintained by the Department of Human Resources.

1000.2 POLICY

In accordance with applicable federal, state, and local law, the Idaho Falls Police Department provides equal opportunities for applicants and employees regardless of actual or perceived race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, pregnancy, genetic information, veteran status, marital status, and any other classification or status protected by law. The Department does not show partiality or grant any special status to any applicant, employee, or group of employees unless otherwise required by law.

The Department will recruit and hire only those individuals who demonstrate a commitment to service and who possess the traits and characteristics that reflect the core values of the Idaho Falls Police Department: Integrity, Honor, Trust, and Excellence.

1000.3 RECRUITMENT

The Professional Standards and Logistics Bureau Commander should employ a comprehensive recruitment and selection strategy to recruit and select employees from a qualified and diverse pool of candidates.

The strategy should include:

(a) Identification of racially and culturally diverse target markets.

(b) Use of marketing strategies to target diverse applicant pools.

(c) Expanded use of technology and maintenance of a strong internet presence. This may include an interactive department website and the use of department-managed social networking sites, if resources permit.

(d) Expanded outreach through partnerships with media, community groups, citizen academies, local colleges, universities and the military.

(e) Employee referral and recruitment incentive programs.

(f) Consideration of shared or collaborative regional testing processes.

The Professional Standards and Logistics Bureau Commander shall avoid advertising, recruiting and screening practices that tend to stereotype, focus on homogeneous applicant pools or screen applicants in a discriminatory manner.

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The Department should strive to facilitate and expedite the screening and testing process, and should periodically inform each candidate of his/her status in the recruiting process.

1000.4 SELECTION PROCESS

The Department shall actively strive to identify a diverse group of candidates that have in some manner distinguished themselves as being outstanding prospects. Minimally, the Department should employ a comprehensive screening, background investigation and selection process that assesses cognitive and physical abilities and includes review and verification of the following:

(a) Review board or selection committee assessment

(b) A comprehensive application for employment (including previous employment, at least three personal references, current and prior addresses, education, military record)

(c) Driving record

(d) Reference checks

(e) Citizenship eligibility, including U.S. Citizenship and Immigration Services (USCIS) Employment Eligibility Verification Form I-9 and acceptable identity and employment authorization documents. This required documentation should not be requested until a candidate is hired. This does not prohibit obtaining documents required for other purposes.

(f) Information obtained from public internet sites

(g) Financial history consistent with the Fair Credit Reporting Act (FCRA) (15 USC § 1681 et seq.)

(h) Local, state and federal criminal history record checks

(i) A Federal Bureau of Investigation (FBI) fingerprint check

Once a conditional offer of employment is given to an applicant, the following screening processes can commence:

1. Polygraph examination by a certified polygraph examiner
2. Medical examination by a qualified medical provider
3. Psychological examination by a qualified psychologist or psychiatrist to assess the emotional stability and psychological fitness of the candidate

1000.4.1 VETERANS' PREFERENCE

Eligible veterans or widows may receive a veterans' preference pursuant to Idaho Code 65-504.

1000.5 BACKGROUND INVESTIGATION

Every candidate shall undergo a thorough background investigation meeting the requirements of IDAPA 11.11.01.057 to verify his/her personal integrity and high ethical standards, and to identify any past behavior that may be indicative of the candidate's unsuitability to perform duties relevant to the operation of the Idaho Falls Police Department.

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1000.5.1 NOTICES
Background investigators shall ensure that investigations are conducted and notices provided in accordance with the requirements of the FCRA (15 USC § 1681d).

1000.5.2 DOCUMENTING AND REPORTING
The background investigator shall summarize the results of the background investigation in a report that includes sufficient information to allow the reviewing authority, the Professional Standards and Logistics Bureau Commander, to decide whether to extend a conditional offer of employment. The report and all supporting documentation shall be included in the candidate's background investigation file.

1000.5.3 RECORDS RETENTION
The background report and all supporting documentation shall be maintained in accordance with the established records retention schedule.

1000.6 DISQUALIFICATION GUIDELINES
As a general rule, performance indicators and candidate information and records shall be evaluated by considering the candidate as a whole, and taking into consideration the following:

- Age at the time the behavior occurred
- Passage of time
- Patterns of past behavior
- Severity of behavior
- Probable consequences if past behavior is repeated or made public
- Likelihood of recurrence
- Relevance of past behavior to public safety employment
- Aggravating and mitigating factors
- Other relevant considerations

A candidate's qualifications will be assessed on a case-by-case basis, using a totality-of-the-circumstances framework.

1000.7 EMPLOYMENT STANDARDS
All candidates shall meet the minimum standards required by state law (IDAPA 11.11.01.050 et seq.). Candidates will be evaluated based on merit, ability, competence and experience, in accordance with the high standards of integrity and ethics valued by the Department and the community.

Validated, job-related and nondiscriminatory employment standards shall be established for each job classification and shall minimally identify the training, abilities, knowledge and skills required to perform the position's essential duties in a satisfactory manner. Each standard should include

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performance indicators for candidate evaluation. The Department of Human Resources should maintain validated standards for all positions.

1000.7.1 STANDARDS FOR OFFICERS
Candidates shall meet the following minimum standards established by the Idaho Peace Officer Standards and Training (POST) Council (IDAPA 11.11.01.050 et seq.):

(a) Be a citizen of the United States

(b) Be a high school graduate or the recipient of a GED certificate

(c) At least 21 years of age

(d) Good moral character

(e) Meet the drug standards as described in IDAPA 11.11.01.055

(f) Free of any felony or misdemeanor convictions as described in IDAPA 11.11.01.055

(g) Not have been dishonorably discharged or have received a similar dismissal from the military service

(h) Have a valid driver's license

(i) Submit to a medical examination

(j) Submit to a psychological examination

(k) Submit to an aptitude test

1000.8 PROBATIONARY PERIODS

After successful completion of a twelve month probationary period during which entry-level training is completed, probationary police officers will be granted permanent status.

For Probationary Officers, entry level training shall include completion of the Idaho Peace Officers Standards and Training Academy and the Field Training program.

In addition to probationary police officers, the Professional Standards and Logistics Bureau Commander should coordinate with the Idaho Falls Department of Human Resources to identify any other positions subject to probationary periods and procedures for:

(a) Appraising performance during probation.

(b) Assessing the level of performance required to complete probation.

(c) Extending probation.

(d) Documenting successful or unsuccessful completion of probation.

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Evaluation of Employees

1001.1 PURPOSE AND SCOPE

Refer to the Idaho Falls Personnel Policy Section governing this topic.

The purpose of a performance evaluation is to:

A. Standardize the nature of the personnel decision-making process;

B. Assure the public that the agency's personnel are qualified to carry out their assigned duties:

C. Provide job incumbents with necessary behavior modification information to allow them to maintain behaviors that are appropriate from the agency's standpoint and to eliminate inappropriate behavior.

The supervisor of rated employees is the person most familiar with their performance and able, therefore, to evaluate performance most accurately. Employees may have been supervised by more than one supervisor during a reporting period. In this case, the rating supervisor should confer with the other supervisors.

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Promotional and Transfer Policy

1002.1 PURPOSE AND SCOPE

Refer to the Idaho Falls Personnel Policy Section governing this topic.

1002.2 TRAINING

Every employee appointed or promoted to a first-level supervisory position shall successfully complete at least 40 hours of supervisory training prior to or within two years of such appointment or promotion.

Every employee appointed or promoted to a mid-management position shall successfully complete at least 40 hours of management training prior to or within two years of such appointment or promotion.

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Grievance Procedure

1003.1 PURPOSE AND SCOPE

Refer to the Idaho Falls Personnel Policy Section governing this topic.

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Anti-Retaliation

1004.1 PURPOSE AND SCOPE

This policy prohibits retaliation against members who identify workplace issues, such as fraud, waste, abuse of authority, gross mismanagement or any inappropriate conduct or practices, including violations that may pose a threat to the health, safety or well-being of members.

This policy does not prohibit actions taken for nondiscriminatory or non-retaliatory reasons, such as discipline for cause.

These guidelines are intended to supplement and not limit members' access to other applicable remedies. Nothing in this policy shall diminish the rights or remedies of a member pursuant to any applicable federal law, provision of the U.S. Constitution, law, or ordinance.

1004.2 POLICY

The Idaho Falls Police Department has a zero tolerance for retaliation and is committed to taking reasonable steps to protect from retaliation members who, in good faith, engage in permitted behavior or who report or participate in the reporting or investigation of workplace issues. All complaints of retaliation will be taken seriously and will be promptly and appropriately investigated.

1004.3 RETALIATION PROHIBITED

No member may retaliate against any person for engaging in lawful or otherwise permitted behavior; for opposing a practice believed to be unlawful, unethical, discriminatory or retaliatory; for reporting or making a complaint under this policy; or for participating in any investigation related to a complaint under this or any other policy.

Retaliation includes any adverse action or conduct, including but not limited to:

- Refusing to hire or denying a promotion.
- Extending the probationary period.
- Unjustified reassignment of duties or change of work schedule.
- Real or implied threats or other forms of intimidation to dissuade the reporting of wrongdoing or filing of a complaint, or as a consequence of having reported or participated in protected activity.
- Taking unwarranted disciplinary action.
- Spreading rumors about the person filing the complaint or about the alleged wrongdoing.
- Shunning or unreasonably avoiding a person because he/she has engaged in protected activity.

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1004.4 COMPLAINTS OF RETALIATION

Any member who feels he/she has been retaliated against in violation of this policy should promptly report the matter to any supervisor, command staff member, Chief of Police or the City HR Director.

Members shall act in good faith, not engage in unwarranted reporting of trivial or minor deviations or transgressions, and make reasonable efforts to verify facts before making any complaint in order to avoid baseless allegations. Members shall not report or state an intention to report information or an allegation knowing it to be false, with willful or reckless disregard for the truth or falsity of the information or otherwise act in bad faith.

Investigations are generally more effective when the identity of the reporting member is known, thereby allowing investigators to obtain additional information from the reporting member. However, complaints may be made anonymously. All reasonable efforts shall be made to protect the reporting member's identity. However, confidential information may be disclosed to the extent required by law or to the degree necessary to conduct an adequate investigation and make a determination regarding a complaint. In some situations, the investigative process may not be complete unless the source of the information and a statement by the member is part of the investigative process.

1004.5 SUPERVISOR RESPONSIBILITIES

Supervisors are expected to remain familiar with this policy and ensure that members under their command are aware of its provisions.

The responsibilities of supervisors include, but are not limited to:

(a) Ensuring complaints of retaliation are investigated as provided in the Personnel Complaints Policy.

(b) Receiving all complaints in a fair and impartial manner.

(c) Documenting the complaint and any steps taken to resolve the problem.

(d) Acknowledging receipt of the complaint, notifying the Chief of Police via the chain of command and explaining to the member how the complaint will be handled.

(e) Taking appropriate and reasonable steps to mitigate any further violations of this policy.

(f) Monitoring the work environment to ensure that any member making a complaint is not subjected to further retaliation.

(g) Periodic follow-up with the complainant to ensure that retaliation is not continuing.

(h) Not interfering with or denying the right of a member to make any complaint.

(i) Taking reasonable steps to accommodate requests for assignment or schedule changes made by a member who may be the target of retaliation if it would likely mitigate the potential for further violations of this policy.

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1004.6 COMMAND STAFF RESPONSIBILITIES

The Chief of Police should communicate to all supervisors the prohibition against retaliation.

Command staff shall treat all complaints as serious matters and shall ensure that prompt actions take place, including but not limited to:

(a) Communicating to all members the prohibition against retaliation.

(b) The timely review of complaint investigations.

(c) Remediation of any inappropriate conduct or condition and instituting measures to eliminate or minimize the likelihood of recurrence.

(d) The timely communication of the outcome to the complainant.

1004.7 WHISTLE-BLOWING

Idaho law protects an employee who makes a good faith report about the existence of (Idaho Code 6-2104):

(a) Any waste of public funds, property, or manpower.

(b) A violation or suspected violation of Idaho law, rule, or regulation.

Employees may also be protected under Idaho law for objecting or refusing to carry out a directive that the employee reasonably believes violates an Idaho law, rule, or regulation (Idaho Code 6-2104).

Employees should report the waste or violation through the chain of command to allow the department a reasonable opportunity to correct the waste or violation (Idaho Code 6-2104).

Members who believe they have been the subject of retaliation for engaging in such protected behaviors should promptly report it to their chain of command. The Chief of Police may refer the complaint to the Professional Standards and Logistic Bureau for investigation pursuant to the Personnel Complaints Policy.

1004.8 RECORDS RETENTION AND RELEASE

Documentation of investigations should be maintained in accordance with the established records retention schedules.

1004.9 TRAINING

The policy should be reviewed with each new member.

All members should receive periodic refresher training on the requirements of this policy.

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Reporting of Employee Charges and Convictions

1005.1 PURPOSE AND SCOPE

Charges or convictions of certain offenses may restrict or prohibit an employee's ability to properly perform official duties; therefore, all employees shall be required to promptly notify this department of any criminal charges or convictions.

1005.2 DOMESTIC VIOLENCE CONVICTIONS AND RESTRAINING ORDERS

Idaho and federal law prohibit individuals convicted of certain offenses and individuals subject to certain court orders from lawfully possessing a firearm.

Such convictions and court orders often involve allegations of the use or attempted use of force or threatened use of a weapon on any individual in a domestic relationship (e.g., spouse, cohabitant, parent, child) (18 USC § 922; Idaho Code 18-3316).

All members are responsible for ensuring that they have not been disqualified from possessing a firearm by any such conviction or court order and shall promptly report any such conviction or court order to a supervisor, as provided in this policy.

1005.3 REPORTING PROCEDURE

All members of this department and all retired officers with an identification card issued by the Department shall promptly notify their immediate supervisor (or the Chief of Police in the case of retired officers) in writing of any past or current criminal arrest or conviction regardless of whether or not the matter is currently on appeal and regardless of the penalty or sentence, if any.

All members and all retired officers with an identification card issued by the Department shall further promptly notify their immediate supervisor (or the Chief of Police in the case of retired officers) in writing if the member or retiree becomes the subject of a domestic violence investigation, civil protection order, restraining order, no contact order, or similar court order.

Although the Police Department makes no assumption that an officer is guilty of any criminal behavior simply because a court order has been issued, the prohibition of firearm possession contained in a court order may require the surrender of all Department issued weapons and temporary reassignment to duties that do not require a weapon. Once the order has been lifted, the officer can be returned to full-duty status. If there are accompanying criminal charges related to the court order, the Department will investigate the matter administratively as outlined in Policy 1010, Personnel Complaints, Employee Misconduct, and Discipline.

Any member whose criminal conviction unduly restricts or prohibits that member from fully and properly performing his/her duties may be disciplined including, but not limited to, being placed on administrative leave, reassignment and/or termination.

Any member failing to provide prompt written notice pursuant to this policy shall be subject to discipline.

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1005.3.1 NOTIFICATION REQUIREMENTS

Any officer of this department who is under investigation, arrested, charged, or cited with, or pleads guilty to any felony or misdemeanor charge in any jurisdiction shall notify his/her supervisor immediately after learning of the charge. The Chief of Police shall notify the Peace Officer Standards and Training (POST) Division Administrator within 14 days of learning of the charge (IDAPA 11.11.01.110.03).

This policy does not apply to traffic citations except for charges of Driving Under the Influence, Reckless Driving, and Leaving the Scene of an Accident.

Any officer who has their driver's license suspended or revoked will notify his/her supervisor immediately.

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Drug- and Alcohol-Free Workplace

1006.1 PURPOSE AND SCOPE

The purpose of this policy is to establish clear and uniform guidelines regarding drugs and alcohol in the workplace.

1006.2 POLICY

It is the policy of this department to provide a drug- and alcohol-free workplace for all members.

1006.3 GENERAL GUIDELINES

Alcohol and drug use in the workplace or on department time can endanger the health and safety of department members and the public. Such use shall not be tolerated (41 USC § 8103).

Members who have consumed an amount of an alcoholic beverage or taken any medication, or combination thereof, that would tend to adversely affect their mental or physical abilities shall not report for duty. Affected members shall notify the Shift Lieutenant or appropriate supervisor as soon as the member is aware that he/she will not be able to report to work. If the member is unable to make the notification, every effort should be made to have a representative contact the supervisor in a timely manner. If the member is adversely affected while on-duty, he/she shall be immediately removed and released from work (see Work Restrictions in this policy).

1006.3.1 USE OF MEDICATIONS

Members should avoid taking any medications that will impair their ability to safely and completely perform their duties. Any member who is medically required or has a need to take any such medication shall report that need to his/her immediate supervisor prior to commencing any on-duty status.

No member shall be permitted to work or drive a vehicle owned or leased by the Department while taking any medication that has the potential to impair his/her abilities, without a written release from his/her physician.

Possession of medical marijuana or being under the influence of marijuana on- or off-duty is prohibited and may lead to disciplinary action.

1006.4 MEMBER RESPONSIBILITIES

Members shall report for work in an appropriate mental and physical condition. Members are prohibited from purchasing, manufacturing, distributing, dispensing, possessing or using controlled substances or alcohol on department premises or on department time (41 USC § 8103). The lawful possession or use of prescribed medications or over-the-counter remedies is excluded from this prohibition.

Members who are authorized to consume alcohol as part of a special assignment shall not do so to the extent of impairing on-duty performance.

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Members shall notify a supervisor immediately if they observe behavior or other evidence that they believe demonstrates that a fellow member poses a risk to the health and safety of the member or others due to drug or alcohol use.

Members are required to notify their immediate supervisors of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction (41 USC § 8103).

1006.5 EMPLOYEE ASSISTANCE PROGRAM

There may be available a voluntary employee assistance program to assist those who wish to seek help for alcohol and drug problems (41 USC § 8103). Insurance coverage that provides treatment for drug and alcohol abuse also may be available. Employees should contact the Department of Human Resources, their insurance providers or the employee assistance program for additional information. It is the responsibility of each employee to seek assistance before alcohol or drug problems lead to performance problems.

1006.6 WORK RESTRICTIONS

If a member informs a supervisor that he/she has consumed any alcohol, drug or medication that could interfere with a safe and efficient job performance, the member may be required to obtain clearance from his/her physician before continuing to work.

If the supervisor reasonably believes, based on objective facts, that a member is impaired by the consumption of alcohol or other drugs, the supervisor shall prevent the member from continuing work and shall ensure that he/she is safely transported away from the Department.

1006.7 REQUESTING SCREENING TESTS

A supervisor may request an employee to submit to a screening test if (Idaho Code 72-1705):

(a) The supervisor reasonably believes, based upon objective facts, that the employee is under the influence of alcohol or drugs that are impairing his/her ability to perform duties safely and efficiently.

(b) The employee discharges a firearm, other than by accident, in the performance of his/her duties.

(c) During the performance of his/her duties, the employee drives a motor vehicle and becomes involved in an incident that results in bodily injury to him/herself or another person or substantial damage to property.

(d) There is a need for a confirmatory or follow-up test in the event of a positive or inconclusive result.

(e) Random testing is conducted.

(f) A baseline needs to be determined.

(g) Needed prior to a return to duty.

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Any drug or alcohol testing of employees shall be deemed work time for the purpose of compensation. All costs related to screening tests shall be paid by the Department (Idaho Code 72-1703).

1006.7.1 SUPERVISOR RESPONSIBILITY
The supervisor shall prepare a written record documenting the specific facts that led to the decision to request the test, and shall inform the employee in writing of the following:

(a) The test will be given to detect either alcohol or drugs, or both.

(b) The result of the test is not admissible in any criminal proceeding against the employee.

(c) The employee may refuse the test, but refusal may result in dismissal or other disciplinary action.

1006.7.2 SCREENING TEST REFUSAL
An employee may be subject to disciplinary action, including termination, if he/she:

(a) Fails or refuses to submit to a screening test as requested (Idaho Code 72-1708).

(b) After taking a screening test that indicates the presence of a controlled substance, fails to provide proof, within 72 hours after being requested, that he/she took the controlled substance as directed, pursuant to a current and lawful prescription issued in his/her name.

(c) Violates any provisions of this policy (Idaho Code 72-1705).

1006.7.3 SCREENING TEST REQUIREMENTS
All screening tests for drugs or alcohol shall comply with the standards set forth in Idaho Code 72-1704.

1006.7.4 SCREENING TEST RESULTS
Employees, or prospective employees, who test positive for drugs or alcohol shall be given written notice of the test result, including the type of substance involved. The employee must also be given the opportunity to have the positive test result explained by a medical review officer or other qualified person (Idaho Code 72-1706(1)).

An employee, or a prospective employee, with a positive test result may request that the same sample be retested by a mutually agreed upon laboratory. The retest must be done within seven working days from the date of the first confirmed positive notification (Idaho Code 72-1706(2)).

1006.8 COMPLIANCE WITH THE DRUG-FREE WORKPLACE ACT
No later than 30 days following notice of any drug statute conviction for a violation occurring in the workplace involving a member, the Department will take appropriate disciplinary action, up to and including dismissal, and/or requiring the member to satisfactorily participate in a drug abuse assistance or rehabilitation program (41 USC § 8104).

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1006.9 CONFIDENTIALITY

The Department recognizes the confidentiality and privacy due to its members. Disclosure of any information relating to substance abuse treatment, except on a need-to-know basis, shall only be with the express written consent of the member involved or pursuant to lawful process.

The written results of any screening tests and all documents generated by the employee assistance program are considered confidential medical records and shall be maintained separately from the employee's other personnel files.

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Sick Leave Reporting

1007.1 PURPOSE AND SCOPE

Refer to the Idaho Falls Personnel Policy Section governing this topic.

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Communicable Diseases

1008.1 PURPOSE AND SCOPE

This policy provides general guidelines to assist in minimizing the risk of department members contracting and/or spreading communicable diseases.

1008.1.1 DEFINITIONS

Definitions related to this policy include:

Communicable disease - A human disease caused by microorganisms that are present in and transmissible through human blood, bodily fluid, tissue, or by breathing or coughing. These diseases commonly include, but are not limited to, hepatitis B virus (HBV), HIV. and tuberculosis.

Exposure - When an eye, mouth, mucous membrane or non-intact skin comes into contact with blood or other potentially infectious materials, or when these substances are injected or infused under the skin; when an individual is exposed to a person who has a disease that can be passed through the air by talking, sneezing or coughing (e.g., tuberculosis), or the individual is in an area that was occupied by such a person. Exposure only includes those instances that occur due to a member's position at the Idaho Falls Police Department. (See the exposure control plan for further details to assist in identifying whether an exposure has occurred.)

1008.2 POLICY

The Idaho Falls Police Department is committed to providing a safe work environment for its members. Members should be aware that they are ultimately responsible for their own health and safety.

1008.3 HUMAN RESOURCES FUNCTION

The City of Idaho Falls Human Resources Department will maintain exposure control plans that include:

A. Exposure-prevention and decontamination procedures.

B. Procedures for when and how to obtain medical attention in the event of an exposure or suspected exposure.

C. The provision that department members will have no-cost access to the appropriate personal protective equipment (PPE) (e.g., gloves, face masks, eye protection, pocket masks) for each member's position and risk of exposure.

D. Evaluation of persons in custody for any exposure risk and measures to separate them.

E. Compliance with all relevant laws or regulations related to communicable diseases, including:

1. Responding to requests and notifications regarding exposures covered under the Ryan White CARE Act (42 USC § 300ff-133; 42 USC § 300ff-136).

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2. Reporting communicable diseases or member exposures to the Department of Health and Welfare (Idaho Code 39-602; Idaho Code 39-610; IDAPA 16.02.10.065).

F. Information necessary to increase awareness about risks, modes of transmission, and procedures for handling communicable diseases, including but not limited to:

1. Acquired Immune Deficiency Syndrome (AIDS);
2. Communicable dieases;
3. Exposure control;
4. Hepatitis B;
5. HIV/Human Immunodeficiency Virus;
6. Infectious diseases; and
7. Tuberculosis

The City of Idaho Falls Human Resources Department may also coordinate with the Idaho Division of Building Safety to request voluntary compliance inspections.

1008.4 EXPOSURE PREVENTION AND MITIGATION

1008.4.1 GENERAL PRECAUTIONS

All members are expected to use good judgment and follow training and procedures related to mitigating the risks associated with communicable disease. This includes, but is not limited to:

A. Stocking disposable gloves, antiseptic hand cleanser, CPR masks or other specialized equipment in the work area or department vehicles, as applicable.

B. Wearing department-approved disposable gloves when contact with blood, other potentially infectious materials, mucous membranes and non-intact skin can be reasonably anticipated.

C. Washing hands immediately or as soon as feasible after removal of gloves or other PPE.

D. Treating all human blood and bodily fluids/tissue as if it is known to be infectious for a communicable disease.

E. Using an appropriate barrier device when providing CPR.

F. Using a face mask or shield if it is reasonable to anticipate an exposure to an airborne transmissible disease.

G. Decontaminating non-disposable equipment (e.g., flashlight, control devices, clothing and portable radio) as soon as possible if the equipment is a potential source of exposure.

1. Clothing that has been contaminated by blood or other potentially infectious materials shall be removed immediately or as soon as feasible and stored/ decontaminated appropriately.

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H. Handling all sharps and items that cut or puncture (e.g., needles, broken glass, razors, knives) cautiously and using puncture-resistant containers for their storage and/or transportation.

I. Avoiding eating, drinking, smoking, applying cosmetics or lip balm, or handling contact lenses where there is a reasonable likelihood of exposure.

J. Disposing of biohazardous waste appropriately or labeling biohazardous material properly when it is stored.

1008.4.2 IMMUNIZATIONS
Members who could be exposed to HBV due to their positions may receive the HBV vaccine and any routine booster at no cost.

1008.5 POST EXPOSURE

1008.5.1 INITIAL POST-EXPOSURE STEPS
Members who experience an exposure or suspected exposure shall:

(a) Begin decontamination procedures immediately (e.g., wash hands and any other skin with soap and water, flush mucous membranes with water).

(b) Obtain medical attention as appropriate.

(c) Notify a supervisor as soon as practicable.

1008.5.2 REPORTING REQUIREMENTS
The supervisor on-duty shall investigate every exposure or suspected exposure that occurs as soon as possible following the incident. The supervisor shall ensure the following information is documented on a Supervisor's Report of an Accident Form:

A. Name of the member exposed

B. Date and time of the incident

C. Location of the incident

D. Potentially infectious materials involved and the source of exposure (e.g., identification of the person who may have been the source)

E. Work being done during exposure

F. How the incident occurred or was caused

G. PPE in use at the time of the incident

H. Actions taken post-event (e.g., clean-up, notifications)

The supervisor shall advise the member that disclosing the identity and/or infectious status of a source to the public or to anyone who is not involved in the follow-up process is prohibited. The supervisor should complete the incident documentation in conjunction with other reporting requirements that may apply (see the Occupational Disease and Work-Related Injury Reporting and Illness and Injury Prevention policies).

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1008.5.3 MEDICAL CONSULTATION, EVALUATION AND TREATMENT
Department members shall have the opportunity to have a confidential medical evaluation immediately after an exposure and follow-up evaluations as necessary.

The City of Idaho Falls Human Resources Department should request a written opinion/evaluation from the treating medical professional that contains only the following information:

A. Whether the member has been informed of the results of the evaluation.

B. Whether the member has been notified of any medical conditions resulting from exposure to blood or other potentially infectious materials which require further evaluation or treatment.

No other information should be requested or accepted.

1008.5.4 COUNSELING
The Department shall provide the member, and his/her family if necessary, the opportunity for counseling and consultation regarding the exposure.

1008.5.5 SOURCE TESTING
Testing a person for communicable diseases when that person was the source of an exposure should be done when it is desired by the exposed member or when it is otherwise appropriate. Source testing is the responsibility of the City of Idaho Falls Human Resources Department.

Source testing may be achieved by:

A. Obtaining consent from the individual.

B. Contacting the Department of Health and Welfare (DHW) to provide information regarding the circumstances of the exposure and to request that DHW issue an order for the source individual to report for an examination. As a result of the examination, a licensed physician may order testing (IDAPA 16.02.10.060; IDAPA 16.02.10.065).

C. Complying with the requirements of Idaho Code 39-604 if the person has been arrested and confined at the Idaho Falls Police Department.

Under certain circumstances, if the member qualifies as a crime victim, a court may order the result of any source testing to be disclosed to the exposed member (Idaho Code 39-604).

Since there is the potential for overlap between the different manners in which source testing may occur, the City of Idaho Falls Human Resources Department is responsible for coordinating the testing to prevent unnecessary or duplicate testing.

The City of Idaho Falls Human Resources Department should seek the consent of the individual for testing and consult the City Attorney to discuss other options when no statute exists for compelling the source of an exposure to undergo testing if he/she refuses.

1008.6 CONFIDENTIALITY OF REPORTS
Medical information shall remain in confidential files and shall not be disclosed to anyone without the member's written consent (except as required by law). Test results from persons who may have been the source of an exposure are to be kept confidential as well.

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1008.7 TRAINING

All members shall participate in training regarding communicable diseases commensurate with the requirements of their position. The training:

A. Should be provided at the time of initial assignment to tasks where an occupational exposure may take place and at least annually after the initial training.

B. Should be provided whenever the member is assigned new tasks or procedures affecting his/her potential exposure to communicable disease.

C. Should provide guidance on what constitutes an exposure, what steps can be taken to avoid an exposure, and what steps should be taken if a suspected exposure occurs.

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Smoking and Tobacco Use

1009.1 PURPOSE AND SCOPE

This policy establishes limitations on smoking and the use of tobacco products by members and others while on-duty or while in Idaho Falls Police Department facilities or vehicles.

For the purposes of this policy, smoking and tobacco use includes, but is not limited to, any tobacco product, such as cigarettes, cigars, pipe tobacco, snuff, tobacco pouches and chewing tobacco, as well as any device intended to simulate smoking, such as an electronic cigarette or personal vaporizer.

1009.2 POLICY

The Idaho Falls Police Department recognizes that tobacco use is a health risk and can be offensive to others. Smoking and tobacco use also presents an unprofessional image for the Department and its members. Therefore smoking and tobacco use is prohibited by members and visitors in all department facilities, building and vehicles, and as is further outlined in this policy (Idaho Code 39-5503).

1009.3 SMOKING AND TOBACCO USE

Smoking and tobacco use by members is prohibited anytime members are in public view representing the Idaho Falls Police Department.

It shall be the responsibility of each employee to ensure that no person under his/her supervision smokes or uses any tobacco product inside City facilities and vehicles.

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Personnel Complaints, Employee Misconduct, and Discipline

1010.1 PURPOSE AND SCOPE

This policy provides guidelines for the reporting, investigation and disposition of complaints regarding the conduct of members of the Idaho Falls Police Department. This policy shall not apply to any questioning, counseling, instruction, informal verbal admonishment or other routine or unplanned contact of a member in the normal course of duty, by a supervisor or any other member, nor shall this policy apply to a criminal investigation.

1010.2 POLICY

The Idaho Falls Police Department takes seriously all complaints regarding the service provided by the Department and the conduct of its members.

It is also the policy of this department to ensure that the community can report misconduct without concern for reprisal or retaliation.

To ensure the integrity of the Department, all alleged or suspected personnel misconduct observed or suspected by supervisors, Department employees, or citizens will be thoroughly investigated.

The Department will accept and address all complaints of misconduct in accordance with this policy and applicable federal, state and local law, municipal and county rules. Supervisors will promptly investigate all alleged or reasonably suspected incidents of misconduct observed or suspected. Failure to investigate a subordinate's act of misconduct or a complaint may result in disciplinary action.

The Chief of Police will review the complaint status with the Bureau Commander/Administrator responsible for the investigation on a seven day interval. This Bureau Commander/Administrator is responsible for ensuring that the investigation of all complaints is completed within a reasonable time, usually not to exceed 90 days from the time the investigator receives the complaint.

The Department's intent is to administer discipline only following an investigation for just cause and in a manner that is fair and consistent to all employees.

Discipline is intended to correct inappropriate behavior.

A permanent employee subject to a suspension, step reduction, demotion, or dismissal will be afforded the opportunity for a pre-disciplinary conference to review the facts relating to the proposed action. The employee will be provided a copy of the completed investigation prior to the conference and may have an uninvolved representative attend the conference with them.

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1010.3 DEFINITIONS

Coaching - A type of non-disciplinary performance management tool that is an on-going process designed to help an employee gain greater competence and confidence and used in situations where an employee needs skill development, desires to improve job performance, is not working up to standards, needs behavior change, and/or desires career advancement.

Complaint - An allegation of perceived misconduct or wrongdoing by a Department employee.

Complaint Control Number - Tracking number assigned to all formal complaint investigations.

Complaint Log - A complaint tracking system that records all complaints, regardless of complaint classification.

Criminal Investigation into Employee Misconduct - Investigation by a Department investigator or another agency investigator, into alleged misconduct suspected to be a violation of criminal law.

Initial Inquiry - Basic fact-finding that occurs to determine if a formal complaint investigation is warranted.

Internal Affairs Investigation - Formal complaint investigation into alleged employee misconduct by a Department supervisor.

Internal Affairs Investigation File - Secure file containing all completed internal investigations, maintained by the Professional Standards and Logistics Bureau.

Misconduct - Intentional or reckless act or acts that adversely affect Department operations, bring or have potential to bring discredit to the Department, or involve egregious unprofessional behavior; this may include policy or rule violations that are determined to be poor judgment.

Notice of Findings - Formal document citing the complaint and results of the formal complaint investigation.

Notice of Investigation - Written notice in the form of a memorandum informing the employee of the specific nature of the formal complaint investigation and the employee's status in the investigation. This notice will be provided to the employee upon commencement of an Internal Affairs Investigation by the investigating supervisor.

Personnel File - One of two master files containing specific information on each employee related to his or her employment including personnel actions and annual performance information. The Department and Human Resources both maintain personnel files on each employee with the file in HR serving as the "official employment record".

Pre-disciplinary Conference - A meeting presided over by the Chief of Police and Human Resources manager, offered to a permanent employee who is subject to a suspension, step reduction, demotion, or dismissal for the purposes of reviewing the facts related to the proposed disciplinary action.

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1010.4 ADMINISTRATION OF CORRECTIVE AND DISCIPLINARY ACTION

(a) Employees are subject to corrective and disciplinary action. Disciplinary action shall conform to statutory and any other legal requirements.

(b) The role of the first line supervisor is crucial. The immediate supervisor has the best opportunity to observe the conduct and appearance of employees and to detect when corrective or disciplinary actions are warranted.

(c) Positive corrective action should be considered before the imposition of sanctions. Disciplinary action shall meet a just cause standard and shall:

1. not be for any arbitrary, capricious, or illegal reason,
2. be based on facts supported by substantial evidence, and
3. reasonably believed to be true.

(d) When positive corrective actions fail, it may be necessary to impose sanctions to reinforce the Department's intent to improve the employee's performance or behavior. Employees of this Department are subject to disciplinary action for violations of:

1. Idaho Falls Police Department Policy and Procedures Manual.
2. Idaho Falls Police Department Personnel Policy Manual.
3. City of Idaho Falls policies, procedures, and personnel rules.
4. Federal, State, and local laws and regulations.
5. A standard of behavior that the employee is presumed to know (e.g. conduct that is wrong in and of itself.)

1010.5 EMPLOYEE MISTAKES AND MINOR ERRORS IN JUDGMENT - NON-DISCIPLINARY PERFORMANCE MANAGEMENT

The department recognizes that employees periodically make minor, unintentional mistakes and minor errors in judgment that are correctable with coaching and/or additional training. Part of the role of the supervisor is to make those incidents positive learning experiences for the employee.

1010.5.1 NON-DISCIPLINARY INSTRUCTION (NDI)

(a) When the Department becomes aware of an alleged act of misconduct or sub-par performance by a police employee, a decision is necessary to determine if the matter is of a serious enough nature to warrant a formal administrative investigation. If the alleged misconduct is minor in nature and requires coaching or minor supervisory intervention, it may be classified and handled as NDI.

(b) It is the expectation of the Department that each supervisor will advise and admonish employees when and where appropriate. The use of NDI should not diminish or restrict proper coaching and counseling between an employee and a supervisor from occurring.

(c) A personnel complaint may be handled by means of Non-Disciplinary Instruction when all of the following criteria are met:

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1. Alleged misconduct is minor in nature,
2. This is the first or second similar or related complaint received against the particular employee, and
3. The employee has not received more than two NDIs in the past twelve (12) month period of any nature, or any disciplinary action over related conduct within the immediately preceding twelve (12) months.

(d) The criteria for establishing whether a complaint may be handled with NDI are presented as a guide for determining the appropriate administrative process for handling personnel complaints received. It does not limit or preclude the ability of the Police Department to conduct a formal investigation into any alleged act of misconduct. Further, it does not prevent the Bureau Commanders/Administrators from using the NDI process at their discretion.

1010.6 PERSONNEL COMPLAINTS

Personnel complaints include any allegation of misconduct, wrongdoing, or improper job performance that, if true, would constitute a violation of department policy or of federal, state or local law, policy or rule. Personnel complaints may be generated internally or by the public.

In cases where the complaining party does not know the identity of the employee, reasonable efforts shall be made to identify the accused employee.

Inquiries about conduct or performance that, if true, would not violate department policy or federal, state or local law, policy or rule may be handled informally by a supervisor and shall not be considered a personnel complaint. Such inquiries generally include clarification regarding policy, procedures or the response to specific incidents by the Department.

All complaints, whether formal or informal, shall be tracked in the Complaint Log.

If the complainant accuses an employee of a violation of law, the supervisor will immediately notify the employee's Shift Lieutenant. The employee's Shift Lieutenant/Administrator will determine if immediate action is warranted. If immediate action is required, the Shift Lieutenant shall notify the Bureau Commander.

If the alleged misconduct involves another employee of equal or higher rank, the supervisor will notify a superior officer who will cause the complaint to be investigated.

Supervisors working an assignment that is not their regularly scheduled assignment are responsible for investigating alleged incidents of misconduct concerning staff working under their supervision in that assignment.

1010.6.1 COMPLAINT CLASSIFICATIONS

Personnel complaints shall be classified in one of the following categories:

Informal - After an initial inquiry, a minor matter in which the Shift Lieutenant is satisfied that appropriate action has been taken by a supervisor of rank greater than the accused member.

(a) No complaint control number or additional action is required.

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(b) Examples of minor allegations that may be handled informally include personal contacts, rudeness, profanity, police traffic or parking violations.

(c) Facts or circumstances surrounding a particular incident may cause minor allegations to be investigated formally.

Formal - After an initial inquiry, a serious matter in which a supervisor determines that further investigation is warranted.

(a) Such complaints may be investigated by a supervisor of rank greater than the accused member or referred by memo through the chain of command, depending on the seriousness and complexity of the investigation. Examples of serious allegations that should be investigated formally include, but are not limited to:

1. Improper exercise of police authority
2. Misconduct pertaining to alcohol, drugs, or sex
3. Harassment or threats
4. Failure to take appropriate police action
5. Inappropriate use of force
6. Unlawful or inappropriate search or seizure
7. Assault by an officer or other police department employee
8. Improper handling of evidence
9. Unlawful or inappropriate arrest
10. Civil rights violations
11. Criminal conduct by an officer or police department employee

1010.6.2 SOURCES OF COMPLAINTS

The following applies to the source of complaints:

(a) Individuals from the public may make complaints in any form, including in writing, by email, in person or by telephone.

(b) Any department member becoming aware of alleged misconduct shall immediately notify a supervisor.

(c) Supervisors shall commence an initial inquiry based upon observed misconduct or a complaint from any source alleging misconduct..

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

(e) Tort claims and lawsuits may generate a personnel complaint.

1010.7 AVAILABILITY AND ACCEPTANCE OF COMPLAINTS

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1010.7.1 ACCEPTANCE
All complaints will be courteously accepted by any department member and promptly given to the appropriate supervisor. Complaints may be made in person, in writing, by email, or by telephone. If a supervisor is not immediately available to take a complaint, the receiving member shall obtain contact information sufficient for the supervisor to contact the complainant. Although not required, complainants should be encouraged to file complaints in person so that proper identification, signatures, photographs, or other physical evidence may be obtained as necessary.

1010.7.2 AVAILABILITY
If requested to take a complaint by a subordinate or citizen, supervisors should immediately respond to the location.

1010.8 DOCUMENTATION
Supervisors shall ensure that all formal complaints are documented on an Idaho Falls Police Department Internal Affairs Control Form. The Complaint Control Number is obtained from the Office of the Chief of Police.

All inquiries, formal, and informal complaints shall be documented and recorded in a tracking log. The log shall include the nature of the complaint and the actions taken to address the complaint. The Professional Standards and Logistics Bureaushall audit the log on an annual basis and send an audit report to the Chief of Police or the authorized designee.

1010.9 ADMINISTRATIVE INVESTIGATIONS
Allegations of misconduct will be administratively investigated as follows.

1010.9.1 INVESTIGATIVE SUPERVISOR RESPONSIBILITIES
In general, the primary responsibility for the initial inquiry of a personnel complaint shall rest with the member's immediate supervisor. The Chief of Police or the authorized designee may direct that another supervisor investigate any complaint or request assistance with an investigation from an outside agency.

If after an initial inquiry a formal investigation is necessary, notification shall be made by memo through the accused employee's chain of command to the Bureau Commander/Administrator. Referrals to the Professional Standards and Logistics Bureau for formal investigation shall be made by the Chief of Police.

A supervisor who becomes aware of alleged misconduct shall take reasonable steps to prevent aggravation of the situation.

The responsibilities of supervisors include, but are not limited to:

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(a) Ensuring that upon receiving or initiating any complaint or inquiry, an entry into the complaint log is made with the appropriate information.

(b) Responding to all complainants in a prompt, courteous, and professional manner.

(c) Resolving those personnel complaints that can be resolved immediately. If the matter is resolved and no further action is required, the supervisor will note the resolution on the complaint log a complaint form and forward the form to the Shift Lieutenant.

(d) Ensuring that upon receipt of a complaint involving allegations of a potentially serious nature, the Shift Lieutenantwill be notified as soon as practicable.

(e) Promptly contacting the Department of Human Resources and the Shift Lieutenant for direction regarding the supervisor's role in addressing a complaint that relates to sexual, racial, ethnic or other forms of prohibited harassment or discrimination.

(f) Forwarding unresolved personnel complaints to the Shift Lieutenant, who will determine whether to contact the complainant,assign the complaint for investigation, or refer the complaint to the Bureau Commander/Administrator.

(g) When commencing an initial inquiry, the investigating supervisor should:

1. Make reasonable efforts to obtain names, addresses and telephone numbers of witnesses.
2. When appropriate, ensure immediate medical attention is provided and photographs of alleged injuries and accessible uninjured areas are taken.
3. Attempt to obtain a general understanding of the allegation.
4. Whenever possible, recorded statements will be taken from witnesses and complainants.

(h) If the complaint is formal or of a serious nature, an Internal Affairs Complaint Form (IACF) will be completed.

1. The original IACF complaint form will be directed to the Bureau Commander/ Administrator of the accused member, via the chain of command, who will take appropriate action and/or determine who will have responsibility for the investigation. Referrals to the Professional Standards and Logistics Bureau for formal investigation shall be made by the Chief of Police.

(i) Ensure that the procedural rights of the accused member are followed.

1010.9.2 EMPLOYEE'S RESPONSIBILITIES RELATED TO MISCONDUCT

(a) When an employee is accused of any misconduct or witnesses another employee's misconduct, the employee will request his or her immediate supervisor to respond to the scene.

(b) An employee that has been arrested, cited, charged, or notified as being under investigation of a criminal offense will notify their Shift Lieutenant immediately.

(c) No employee shall interfere with criminal investigations, informal investigations, formal investigations, or criminal prosecutions. Interference may result in discipline up to and including termination.

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(d) Every IFPD employee has a duty to prevent and report colleague misconduct, including off-duty misconduct.

1. IFPD employees should refer to Standards of Conduct (Policy 319) for expectations of on and off-duty conduct.

1010.9.3 ADMINISTRATIVE INVESTIGATION PROCEDURES

Whether conducted by a supervisor or a member of the Professional Standards and Logistic Bureau, the following applies to formal investigations of employees that may result in discipline or an employee requested to produce written documentation:

(a) A Notice of Investigation (NOI) will be completed and served on the employee. This requirement does not apply during an initial inquiry with preliminary questions asked by a supervisor attempting to determine if an investigation is necessary.

1. Additional NOIs will be served at any time throughout the investigation when new allegations are established and further interview of the employee is required.

2. If an investigation reveals misconduct or improper job performance that was not alleged in the original complaint, the investigator shall take appropriate action with regard to any additional allegations.

3. The employee and their Bureau Commander/Administrator will be provided a copy of the NOI prior to the interview.

4. The NOI shall provide sufficient detail for the employee to understand the focus of the investigation. Supervisors will not rely on a "blanket statement" putting an employee on notice that other issues of misconduct will also be investigated.

5. The NOI will contain a synopsis of the incident under investigation which shall identify the complainant (unless there is reasonable cause not to) and the Department employees who are involved in conducting the investigation.

(b) The employee who has been served an NOI in reference to an administrative investigation may have one representative present during any investigative interview.

1. The employee will have at least 3 days to arrange for representation.

2. The representative may ask questions of the employee at the conclusion of the interview.

3. The representative may not be a subject or witness to the complaint being investigated.

(c) Interviews of an accused employee shall be conducted during reasonable hours and preferably when the employee is on-duty. If the employee is off-duty, he/she shall be compensated.

(d) Unless waived by the employee, interviews of an accused employee shall be at the Idaho Falls Police Department or other reasonable and appropriate place.

(e) No more than two interviewers should ask questions of an accused employee.

(f) All interviews should be for a reasonable period and the employee's personal needs should be accommodated.

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(g) No employee should be subjected to offensive or threatening language, nor shall any promises, rewards or other inducements be used to obtain answers.

(h) Any employee refusing to answer questions directly related to the investigation may be ordered to answer questions administratively and may be subject to discipline for failing to do so.

1. An employee should be given an order to answer questions in an administrative investigation that might incriminate the employee in a criminal matter only after the member has been given a *Garrity* advisement. Administrative investigators should consider the impact that compelling a statement from the employee may have on any related criminal investigation and should take reasonable steps to avoid creating any foreseeable conflicts between the two related investigations. This may include conferring with the person in charge of the criminal investigation (e.g., discussion of processes, timing, implications).

2. No information or evidence administratively coerced from an employee may be provided to anyone involved in conducting the criminal investigation or to any prosecutor.

(i) The interviewer should record all interviews of employees and witnesses. A written statement from the employee or witness may also be requested. The employee may also record the interview. If the employee has been previously interviewed, a copy of that recorded interview should be provided to the employee prior to any subsequent interview.

(j) The Department may have the interview transcribed for the purpose of verifying accuracy of the interview.

(k) The employee may request a copy of the interview on a disk or other suitable media provided by the employee.

1. Overtime is not authorized for the purpose of dropping off or picking up recording media by the employee or representative.

(l) Investigative supervisors may require that each employee participating in an investigation prepare an individual report of all facts of the incident known to the employee.

(m) All employees subjected to interviews that could result in discipline have the right to have an uninvolved representative present during the interview. However, in order to maintain the integrity of each individual's statement, involved employees shall not consult or meet with a representative or attorney collectively or in groups prior to being interviewed.

(n) All employees shall provide complete and truthful responses to questions posed during interviews.

(o) No employee should be compelled to submit to a polygraph examination, nor should any refusal to submit to such examination be mentioned in any investigation (Idaho Code 44-903; Idaho Code 44-904).

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(p) When ordered by the Office of the Chief of Police, the employee will participate in a line-up, provide voice samples, DNA samples, or any other lawful request for investigative purposes.

1. An employee may be required to submit financial disclosure statements when such information is material to the investigation.
2. When there is reasonable suspicion that an employee is involved in substance abuse, the employee may be required to submit to a chemical test for the presence of alcohol or drugs.
3. An employee may be required to be photographed if Department file photos do not reasonably depict the current appearance of the employee.

(q) For complaints of Excessive Force, photographs should be taken of the complainant where there has been an allegation of injury.

1. Photographs should be taken whether or not an injury is visible.
2. Employees of the same sex as the complainant will take the photographs when there are injuries to private parts of the complainant's body.

1010.9.4 ADMINISTRATIVE INVESTIGATION FORMAT

Formal investigations of personnel complaints shall be thorough, complete and generally follow this format:

Introduction - Include the identity of the members, the identity of the assigned investigators, the initial date and source of the complaint.

Synopsis - Provide a brief summary of the facts giving rise to the investigation.

Allegations - List the allegations separately, including applicable policy sections.

Details - Include the details of the investigation, actions of the investigator, the evidence applicable to each allegation provided, including comprehensive summaries of member and witness statements, as well as the date, time, and location of the interviews. Other evidence related to each allegation should also be detailed in this section, including memoranda from employees containing statements about the allegation against them.

Exhibits - A separate list of exhibits (e.g., recordings, photos, documents) should be attached to the report.

(a) Interviews will not be transcribed and/or quoted unless they have specific merit and bearing on an issue of fact.

(b) When medical records are involved in an investigation, the information will not be included in the main investigative report.

1. All files containing medical record information will be clearly marked CONFIDENTIAL - DO NOT RELEASE, and will be maintained in a separate file in the Office of the Chief of Police.

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2. Supplemental reports containing medical records will not be released as public records and may only be released internally with the approval of the Chief of Police, after consultation with the Legal Department.
3. Any reference to medical records or history in the final report will be reviewed by the Legal Department prior to releasing a copy of the report to the employee.

1010.9.5 COMPLETION OF INVESTIGATIONS

Every investigator or supervisor assigned to investigate a personnel complaint or other alleged misconduct shall proceed with due diligence in an effort to complete the investigation within ninety (90) days from the date of discovery by an individual authorized to initiate an investigation. An extension may be granted by the Chief. The employee shall be notified in writing of such extension, the reason for the extension, and the anticipated investigation conclusion date.

The investigating supervisor will check all non-department member complainants and witnesses through the Records Unit and the records management system and list the results in the details of the investigative report.

The investigating supervisor shall submit the completed investigative report to the Bureau Commander/Administrator of the subject employee for review.

1010.9.6 DISPOSITIONS

After review, the Bureau Commander/Administrator of the subject employee will classify the complaint with one of the following dispositions:

Unfounded - When the investigation discloses that the alleged acts did not occur or did not involve department members. Complaints that are determined to be frivolous will fall within the classification of unfounded.

Exonerated - When the investigation discloses that the alleged act occurred but that the act was justified, lawful and/or proper.

Not sustained - When the investigation discloses that there is insufficient evidence to sustain the complaint or fully exonerate the member.

Sustained - When the investigation discloses sufficient evidence to establish that the act occurred and that it constituted misconduct.

The reviewing Bureau Commander/Administrator will attach a separate memorandum with a disposition for the investigation and, if sustained, a recommendation for discipline.

The entire report will be forwarded to the Chief of Police through the subject employee's chain of command. The Chief of Police will make the final disposition and disciplinary decisions.

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1010.9.7 NOTICE TO COMPLAINANT OF INVESTIGATION STATUS

When a formal complaint is first received, the Bureau Commander/Administrator of the subject employee will immediately send a letter to the complainant confirming the complaint was received and additional investigation will take place.

The Bureau Commander/Administrator of the subject employee should provide the complainant with periodic updates on the status of the investigation, as appropriate.

1010.10 ADMINISTRATIVE SEARCHES

City property may be subject to examination and search at any time. Examples include, but are not limited to vehicles, firearms, lockers, cellular phones, digital devices, and file cabinets. City property may be searched as part of an administrative investigation upon a reasonable suspicion of misconduct.

Such areas may also be searched any time by a supervisor for non-investigative purposes, such as obtaining a needed report, radio or other document or equipment.

1010.11 REASSIGNMENT OF EMPLOYEES UNDER INVESTIGATION

An employee that is the subject of an investigation may be placed on administrative leave or reassigned to a non-enforcement position until the investigation is complete. When considering whether an employee should be reassigned while under investigation, the following factors should be considered:

(a) The employee's potential for violence and/or misuse of police authority.

(b) Whether the alleged misconduct, if sustained may result in termination.

(c) Concerns that the employee has engaged in substance abuse.

(d) The employee is under investigation for a serious crime.

(e) For the good of the employee.

(f) The expressed desire of the complainant where the complaint involves an allegation of a violation of the City of Idaho Falls Harassment policy.

(g) Any other reason or circumstance that the Chief of Police believes warrants a limitation or restriction of the employee's actions during working hours.

Any employee placed on administrative leave:

(a) May be required to relinquish any department badge, identification, assigned weapons, vehicle, and any other department equipment.

(b) Shall be required to continue to comply with all policies and lawful orders of a supervisor.

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(c) May be temporarily reassigned to a different shift, generally a normal business-hours shift, during the investigation. The employee may be required to remain available for contact at all times during such shift, and will report as ordered.

The employee's assigned supervisor will be responsible for all appropriate/required Department paperwork and activities.

1010.12 CRIMINAL INVESTIGATION

Where a member is accused of potential criminal conduct, a separate supervisor or investigator shall be assigned to investigate the criminal allegations apart from any administrative investigation. Any separate administrative investigation may parallel a criminal investigation.

(a) An employee who has been, or under the circumstances is likely to be served an NOI, shall not be interviewed jointly by a criminal and an administrative investigator.

(b) Administrative investigators will not accompany criminal investigators during a crime scene walk-through with an officer who was directly involved in a use of force incident, traffic crash, or an in-custody death.

(c) Administrative investigators shall not disclose to criminal investigators any information obtained during or stemming from compelled interviews unless approved by the City Attorney's Office.

1. Administrative investigators may disclose to criminal investigators other information discovered during their investigation.

2. Criminal investigators may disclose to administrative investigators any information discovered during their investigation unless prohibited by law.

The Chief of Police shall be notified as soon as practicable when a member is accused of criminal conduct. The Chief of Police may request a criminal investigation by an outside law enforcement agency.

A member accused of criminal conduct shall be provided with all rights afforded to a civilian. The member should not be administratively ordered to provide any information in the criminal investigation.

The Idaho Falls Police Department may release information concerning the arrest or detention of any member, including an officer, that has not led to a conviction.

No disciplinary action should be taken until an independent administrative investigation is conducted.

1010.13 POST-ADMINISTRATIVE INVESTIGATION PROCEDURES

Once the subject employee's Bureau Commander/Administrator has reviewed the investigation, and, if sustained,should receive comments from the subject employee's chain of command.The Chief of Police may accept or modify any classification or recommendation for disciplinary action.

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1010.13.1 BUREAU COMMANDER RESPONSIBILITIES

Bureau Commanders/Administrators will maintain a file of active IACFs involving the employees in their chain of command to ensure that complaints are being properly investigated.

Upon receipt of any completed administrative investigation, the Bureau Commander of the involved member shall review the entire investigative file, the member's personnel file and any other relevant materials.

If any of the alleged acts in the investigation are sustained and training/coaching is not appropriate, the Bureau Commander may make recommendations regarding the disposition of any allegations and the amount of discipline, if any, to be imposed.

Prior to forwarding recommendations to the Chief of Police, the Bureau Commander may return the entire investigation to the assigned investigator or supervisor for further investigation or action.

When forwarding any written recommendation to the Chief of Police, the Bureau Commander shall include all relevant materials supporting the recommendation. These materials may include, but are not limited to:

(a) The employee's past record including any disciplinary actions, commendations, and performance evaluations.

(b) Past complaints that were sustained.

(c) Documented training specific to the behavior in question.

(d) Seniority, weighed against the behavior in question based on the factors surrounding the incident such as experience, training, culpability, and circumstances of the event.

1. Circumstances of the event - Was the employee involved in legitimate City business, acting in the best interest of the Department and with due regard for safety?

2. Culpability - Did the employee act intentionally or with knowledge that the behavior was a violation of policy? Did the employee recklessly disregard factors that a reasonable person would have considered? Did the employee act negligently?

Actual copies of a member's existing personnel file need not be provided and may be incorporated by reference.

1010.13.2 CHIEF OF POLICE RESPONSIBILITIES

Upon receipt of any written recommendation for disciplinary action, the Chief of Police shall review the recommendation and all accompanying materials. The Chief of Police may modify any recommendation and/or may return the file to the subject's Bureau Commander for further investigation or action.

Once the Chief of Police is satisfied that no further investigation or action is required by staff, the Chief of Police shall determine the amount of discipline, if any, that should be imposed. In the event disciplinary action is proposed, the Chief of Police shall provide the member with a written notice and the following:

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(a) Access to all of the materials considered by the Chief of Police in recommending the proposed discipline.

(b) An opportunity to respond orally or in writing to the Chief of Policeno sooner than fourteen (14) days and no later than thirty (30) days of receiving the notice.

(c) Upon a showing of good cause by the member, the Chief of Police may grant a reasonable extension of time for the member to respond.

(d) If the member elects to respond orally, the presentation shall be recorded by the Department. Upon request, the member shall be provided with a copy of the recording.

Once the member has completed his/her response or if the member has elected to waive any such response, the Chief of Police shall consider all information received in regard to the recommended discipline. The Chief of Police shall render a timely written decision to the member and specify the grounds and reasons for discipline and the effective date of the discipline. Once the Chief of Police has issued a written decision, the discipline shall become effective.

Upon completion of the investigative process, the original copy of the IACF and all related information will be forwarded to the Bureau of Professional Standards and Logistics where it will remain filed for a period of not less than five years following the completion of the investigation and pursuant to Idaho Code.

1010.13.3 NOTICE OF FINAL DISPOSITION TO THE COMPLAINANT

At the conclusion of the investigation, the Chief of Police will send a notification of findings letter to the complainant. The letter will contain the allegations, a summary of findings, and the disposition of the allegations.

1010.14 PRE-DISCIPLINE EMPLOYEE RESPONSE

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

(a) The response is not intended to be an adversarial or formal hearing.

(b) Although the employee may be represented by an uninvolved representative or legal counsel, the response is not designed to accommodate the presentation of testimony or witnesses.

(c) The employee may suggest that further investigation could be conducted or the employee may offer any additional information or mitigating factors for the Chief of Police to consider.

(d) In the event that the Chief of Police elects to conduct further investigation, the employee shall be provided with the results prior to the imposition of any discipline.

(e) The employee may thereafter have the opportunity to further respond orally or in writing to the Chief of Police on the limited issues of information raised in any subsequent materials.

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1010.15 RESIGNATIONS/RETIREMENTS PRIOR TO DISCIPLINE

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

1010.16 POST-DISCIPLINE APPEAL RIGHTS

Non-probationary employees have the right to appeal a suspension without pay, punitive transfer, demotion, reduction in pay or step, or termination from employment. The employee has the right to appeal using the procedures established byIdaho Falls Police Personnel Manual.

1010.17 PROBATIONARY EMPLOYEES AND OTHER MEMBERS

Probationary employees may be disciplined and/or released from employment without adherence to any of the procedures set out in this policy, and without notice or cause at any time. These individuals are not entitled to any rights under this policy. However, any of these individuals released for misconduct should be afforded an opportunity solely to clear their names through a liberty interest hearing, which shall be limited to a single appearance before the Chief of Police or the authorized designee.

Any probationary period may be extended at the discretion of the Chief of Police in cases where the individual has been absent for more than a week or when additional time to review the individual is considered to be appropriate.

1010.18 RETENTION OF PERSONNEL INVESTIGATION FILES

All personnel complaints shall be maintained in accordance with the established records retention schedule and as described in the Idaho Falls Personnel Policy Section.

1010.19 NOTIFICATION TO IDAHO PEACE OFFICER STANDARDS AND TRAINING COUNCIL

The Chief of Police or the authorized designee shall notify the Idaho Peace Officer Standards and Training (POST) Council whenever any officer resigns or is terminated as a result of any disciplinary action. The notification shall be made within 15 days of the resignation or termination (Idaho Code 19-5109).

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Seat Belts

1011.1 PURPOSE AND SCOPE

This policy establishes guidelines for the use of seat belts and child restraints. This policy will apply to all members operating or riding in department vehicles.

1011.1.1 DEFINITIONS

Definitions related to this policy include:

Child restraint system - An infant or child passenger restraint system that meets Federal Motor Vehicle Safety Standards (FMVSS) and Regulations set forth in 49 CFR 571.213.

1011.2 POLICY

It is the policy of the Idaho Falls Police Department that members use safety and child restraint systems to reduce the possibility of death or injury in a motor vehicle collision.

1011.3 WEARING OF SAFETY RESTRAINTS

All members shall wear properly adjusted safety restraints when operating or riding in a seat equipped with restraints, in any vehicle owned, leased, rented or operated by this department, while on- or off-duty, or in any privately owned vehicle while on-duty. The member driving such a vehicle shall ensure that all other occupants, including those who are not members of the Department, are also properly restrained (Idaho Code 49-673).

Exceptions to the requirement to wear safety restraints may be made only in exceptional situations where, due to unusual circumstances, wearing a seat belt would endanger the department member or the public. Members must be prepared to justify any deviation from this requirement.

1011.4 TRANSPORTING CHILDREN

Children 6 years of age and under should be transported in compliance with Idaho's child restraint system requirements (Idaho Code 49-672).

Rear seat passengers in a cage-equipped vehicle may have reduced clearance, which requires careful seating and positioning of seat belts. Due to this reduced clearance, and if permitted by law, children and any child restraint system may be secured in the front seat of such vehicles, provided this positioning meets federal safety standards the vehicle and child restraint system manufacturer’s design and use recommendations. In the event that a child is transported in the front seat of a vehicle, the seat should be pushed back as far as possible and the passenger-side airbag should be deactivated. If this is not possible, members should consider arranging alternative transportation when feasible.

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1011.5 TRANSPORTING SUSPECTS, PRISONERS OR ARRESTEES

Suspects, prisoners and arrestees should be in a seated position and secured in the rear seat of any department vehicle with a prisoner restraint system or, when a prisoner restraint system is not available, by seat belts provided by the vehicle manufacturer. The prisoner restraint system is not intended to be a substitute for handcuffs or other appendage restraints.

Prisoners in leg restraints shall be transported in accordance with the Handcuffing and Restraints Policy.

1011.6 INOPERABLE SEAT BELTS

Department vehicles shall not be operated when the seat belt in the driver's position is inoperable. Persons shall not be transported in a seat in which the seat belt is inoperable.

Department vehicle seat belts shall not be modified, removed, deactivated or altered in any way, except by the vehicle maintenance and repair staff, who shall do so only with the express authorization of the Chief of Police.

Members who discover an inoperable restraint system shall report the defect to the appropriate supervisor. Prompt action will be taken to replace or repair the system.

1011.7 VEHICLES MANUFACTURED WITHOUT SEAT BELTS

Vehicles manufactured and certified for use without seat belts or other restraint systems are subject to the manufacturer’s operator requirements for safe use.

1011.8 VEHICLE AIRBAGS

In all vehicles equipped with airbag restraint systems, the system will not be tampered with or deactivated, except when transporting children as written elsewhere in this policy. All equipment installed in vehicles equipped with airbags will be installed as per the vehicle manufacturer specifications to avoid the danger of interfering with the effective deployment of the airbag device.

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Body Armor

1012.1 PURPOSE AND SCOPE

The purpose of this policy is to provide law enforcement officers with guidelines for the proper use of body armor.

1012.2 POLICY

It is the policy of the Idaho Falls Police Department to maximize officer safety through the use of body armor in combination with prescribed safety procedures. While body armor provides a significant level of protection, it is not a substitute for the observance of officer safety procedures.

1012.3 ISSUANCE OF BODY ARMOR

The Professional Standards and Logistics Lieutenant shall ensure that body armor is issued to all officers when the officer begins service at the Idaho Falls Police Department and that, when issued, the body armor meets or exceeds the standards of the National Institute of Justice.

The Professional Standards and Logistics Lieutenant shall establish a body armor replacement schedule and ensure that replacement body armor is issued pursuant to the schedule or whenever the body armor becomes worn or damaged to the point that its effectiveness or functionality has been compromised.

1012.3.1 USE OF SOFT BODY ARMOR

Generally, the use of body armor is required subject to the following:

(a) Officers shall only wear agency-approved body armor.

(b) Officers shall wear body armor anytime they are in a situation where they could reasonably be expected to take enforcement action.

(c) Officers may be excused from wearing body armor when they are functioning primarily in an administrative or support capacity and could not reasonably be expected to take enforcement action.

(d) Body armor shall be worn when an officer is working in uniform in a first responder or outside employment role.

(e) An officer may be excused from wearing body armor when he/she is involved in undercover or plainclothes work that his/her supervisor determines could be compromised by wearing body armor, or when a supervisor determines that other circumstances make it inappropriate to mandate wearing body armor.

1012.3.2 INSPECTIONS OF BODY ARMOR

Supervisors should ensure that body armor is worn and maintained in accordance with this policy through routine observation and periodic, documented inspections. Annual inspections of body armor should be conducted by an authorized designee for fit, cleanliness, and signs of damage, abuse and wear.

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1012.3.3 CARE AND MAINTENANCE OF SOFT BODY ARMOR

Soft body armor should never be stored for any period of time in an area where environmental conditions (e.g., temperature, light, humidity) are not reasonably controlled (e.g., normal ambient room temperature/humidity conditions), such as in automobiles or automobile trunks.

Soft body armor should be cared for and cleaned pursuant to the manufacturer's care instructions provided with the soft body armor. The instructions can be found on labels located on the external surface of each ballistic panel. The carrier should also have a label that contains care instructions. Failure to follow these instructions may damage the ballistic performance capabilities of the armor. If care instructions for the soft body armor cannot be located, contact the manufacturer to request care instructions.

Soft body armor should not be exposed to any cleaning agents or methods not specifically recommended by the manufacturer, as noted on the armor panel label.

Soft body armor should be replaced in accordance with the manufacturer's recommended replacement schedule.

1012.3.4 EXTERNAL BALLISTIC VEST CARRIERS

First responders may elect to utilize an external ballistic vest carrier rather than an interior ballistic vest. External ballistic vests will meet the following requirements:

1. Black in color.
2. "POLICE" insignia on the back of the carrier.
    (a) "POLICE" will be in gold lettering for supervisors, all others will have white lettering.
3. Cloth badge insignia on the left side of the chest.
4. Cloth name plate on the right front of the chest.
5. All accompanying attachments and/or pouches must be black.
6. Only items normally carried on the duty belt will be carried exposed on the vest.
    1. No firearms will be carried on an external vest.
    2. A single knife or dagger may be carried on an external vest.

1012.4 QUARTERMASTER RESPONSIBILITIES

The Quartermaster should:

(a) Monitor technological advances in the body armor industry for any appropriate changes to Department approved body armor.

(b) Assess weapons and ammunition currently in use and the suitability of approved body armor to protect against those threats.

(c) Provide training that educates officers about the safety benefits of wearing body armor.

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Peace Officer Personnel Files

1013.1 PURPOSE AND SCOPE

Refer to the Idaho Falls Personnel Policy Section governing this topic.

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Commendations and Awards

1014.1 PURPOSE AND SCOPE

This policy provides general guidelines for recognizing commendable or meritorious acts of members of the Idaho Falls Police Department and individuals from the community.

1014.2 POLICY

A. It is the policy of the Idaho Falls Police Department to recognize and acknowledge exceptional individual or group achievements, performance, proficiency, heroism and service of its members and individuals from the community through commendations and awards.

B. Awards and commendations should be awarded during quarterly award ceremonies as close to the time of the event as possible.

1014.3 COMMENDATIONS

Commendations for members of the Department or for individuals from the community may be initiated by any department member or by any person from the community.

1014.4 AWARDS COMMITTEE

The Awards and Commendations Committee will evaluate and classify commendation nominations, and recommend appropriate action to the Chief of Police.

1014.4.1 COMMITTEE MEMBERSHIP

A. The Committee will be selected by the Chief or his designee and will be comprised of members representing different Police Department work groups.

B. The Professional Standards and Logistics Lieutenant will chair the committee.

1. The Professional Standards Lieutenant is a non-voting member except to break a tie vote.

C. Members will meet regularly at the Professional Standards Lieutenant's direction.

D. The Office of the Chief will provide secretarial and clerical support for meetings.

E. The business of the Awards and Commendations Committee is confidential.

1. Department members outside the chain of command of nominated employees will not be informed of considerations for awards unless specifically notified by the Chief of Police.

1014.4.2 ELIGIBILITY AND NOMINATIONS FOR AWARDS

A. All Police Department members are eligible for awards.

B. Nominations will be in accordance with the following procedures:

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1. When a member performs an act worthy of consideration of a Department award, the Professional Standards Lieutenant will be notified by either a memorandum or email.
   (a) The memorandum or email should include a description of the incident, case number, and the full name and assignment of the person nominated.
   (b) If more than one person participated in the meritorious act, all names will be included in a single memorandum or email, along with the circumstances of the event in chronological sequence. Charts, diagrams, photographs, or video may be included if warranted to document the circumstances.
2. When a citizen contacts a Department member and wants to commend a Department employee, the incident information will be forwarded to the employee's supervisor who will determine at what level the commendation should be considered.
   (a) If the commendation is worthy of a Department award, the supervisor will notify the Professional Standards Lieutenant by memorandum or email.
   (b) Regardless of whether the commendation rises to a Department award, the supervisor shall notify the involved employee of the commendation.
3. The Awards and Commendations Committee will review each submission and make a recommendation to the Chief of Police, who will make the final determination as to whether or not the award will be granted.
4. When an award nomination is declined by the Committee, a memorandum outlining the reasons will be sent to the nominator from the Committee Chairman.

1014.5 DEPARTMENT SERVICE AWARDS

Awards may be bestowed upon members of the Department and individuals from the community. These awards include:

- **Police Medal of Honor -** This award is the highest Department recognition and is given only to those officers who give their lives in the line of duty, or die in the process of some act off-duty that saves or tries to save human life. A plaque with the officer's photo, information about the officer, and the Medal of Honor will be presented to the family of the officer at a formal ceremony. An identical plaque will be posted at the station.
- **Police Medal of Valor -** This award may be presented to officers who distinguish themselves by conspicuous bravery, knowingly and voluntarily, in the face of substantial risk of serious bodily injury or death while in the performance of their sworn duties where they used superior judgment in accomplishing the Department's mission, including sustaining human life. This award will be presented in the form of a medal, certificate, and service bar.
- **Police Medal of Bravery -** This award may be given to members of the Department for displaying commendable bravery while performing their duty, in a situation that was

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unusually hazardous to their own safety. This award will be presented in the form of a medal, a certificate, and service bar.

- **Lifesaving Medal -** The lifesaving medal may be awarded to any member of the Department directly responsible for the rescue or attempted rescue of a person from death or a life threatening injury. This award will be presented in the form of a medal, a certificate, and service bar.
- **Outstanding Police Service Medal -** The Outstanding Police Service Medal may be awarded to members of the Department for outstanding performance of their duties which are particularly complex or difficult in the following categories:
  - Any officer for an outstanding arrest on or off-duty.
  - Any member for assisting with an outstanding arrest or solution of a crime through follow-up investigation.
  - Any employee who is instrumental in sustaining a life by providing lifesaving direction to a person calling in a medical emergency.
  - Any member for outstanding performance in the completion of a particular task or assignment.
  - This award will be presented in the form of a medal, certificate, and service bar.
- **Purple Heart -** The Purple Heart may be awarded to sworn members who receive a serious wound or injury sustained in the line of duty where they used good judgment in accordance with the high standards of the Idaho Falls Police Department.
  - Serious injury is defined as an injury which demands immediate medical attention, admittance to a hospital, or may negatively affect the physical condition of the recipient for life.
  - This award may be awarded in conjunction with other awards.
  - This award will be presented in the form of a medal, certificate, and service bar.
- **Officer Leen VanHulten Community Policing Award -** This award may be presented to any Department member for performing other especially meritorious work including, but not limited to:
  - Commitment to community policing.
  - Commitment to youth.
  - Community service work.
  - Crime prevention efforts.
  - Excellence in problem solving.
  - Volunteer service to the community.
  - This award will be presented as a medal, certificate, and service bar.
- **Citizen's Certificate of Merit -** The Citizen's Certificate of Merit may be awarded to any community member for substantially assisting the Idaho Falls Police Department in the apprehension of a suspect, or in any other emergency, or for a significant

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contribution towards a Department program, goal, or objective. This award will be in the form of a plaque.

- **Citizen's Award for Bravery -** This award may be presented to community members or visitors who distinguish themselves by bravery while assisting a police officer or member of this community in a situation that was unusually hazardous to their own safety. This award will be in the form of a plaque.
- **Citizen's Award for Lifesaving -** This award may be given to any community member or visitor directly responsible for sustaining or attempting to sustain another human life. This award will be in the form of a plaque.

The criteria for each of these Department Awards, presentation, and display of awards are determined by the Chief of Police.

1014.6 CHIEF'S AWARDS

Each year, the Office of the Chief of Police will select 4 employees and 1 volunteer to receive special awards. All Department employees are eligible within their respective award categories.

1014.6.1 POLICE OFFICER OF THE YEAR

A. The Police Officer of the Year Award will be presented to a police officer in recognition of those qualities which distinguishes him/her as a professional in the field of policing.

B. It shall serve as proper recognition among fellow officers and the public alike for this individual's dedication to duty, outstanding job performance, unsullied moral character, exceptional community/civic leadership or service, professional police image, and bearing.

C. The Chief of Police shall make the final selection among the nominations.

1014.6.2 DARREN COOK LEADER OF THE YEAR

A. The Leader of the Year Award will be presented to a Department supervisor in recognition of those qualities which distinguish him/her as a professional in management or supervision.

B. It shall serve as proper recognition among fellow employees and the public alike for this individual's dedication to duty, outstanding job performance, unsullied moral character, exceptional community/civic leadership or service, and professional image.

C. The Chief of Police shall make the final selection among the nominations.

1014.6.3 ANDI ANDERSON EMERGENCY TELECOMMUNICATIONS SPECIALIST

A. The Dispatcher of the Year Award will be presented to a dispatcher in recognition of those qualities which distinguish him/her as a professional in the field of emergency communications.

B. It shall serve as proper recognition among fellow employees and the public alike for this individual's dedication to duty, outstanding job performance, unsullied moral character, professional image and bearing.

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C. The Chief of Police shall make the final selection among the nominations.

1014.6.4 EMPLOYEE OF THE YEAR

A. The Employee of the Year Award will be presented to a non-sworn Police Department employee in recognition of those qualities which distinguish him/her as a professional in the field of Police Department operations or extensions thereof.

B. It shall serve as proper recognition among fellow employees and the public alike for this individual's dedication to duty, outstanding job performance, unsullied moral character, and professional image.

C. The Chief of Police shall make the final selection among the nominations.

1014.6.5 HARVEY "ED" GORD MEMORIAL VOLUNTEER OF THE YEAR AWARD

A. The Volunteer of the Year Award will be presented to a Police Department volunteer in recognition of those qualities which distinguish him/her in support of Police Department operations and mission.

B. It shall serve as proper recognition among fellow volunteers and the public alike for this individual's dedication to service, outstanding performance, unsullied moral character, and exceptional community/civic leadership or service.

C. The Chief of Police shall make the final selection among the nominations.

1014.7 ADDITIONAL SERVICE BARS

A. With each of the employee commendations listed in this policy, a service bar will be awarded.

B. Additional service bars may be awarded for the following:

1. Fitness - Employees who achieve an 80% or better in fitness testing will receive a service bar for each year they attain the standard.

2. Graduates of the FBI National Academy or Northwestern School of Police Staff and Command will receive a service bar.

3. Employees assigned to special units or work groups may receive pins or service bars. These units include but are not limited to: SWAT, EOD, CIT, and K9 Handler

1014.8 UNIFORM WEAR

A. Awards and commendations will be worn on the Class 'A' uniform as provided in Policy 1024 - Uniform Regulations.

B. The awards will be worn in descending order as defined in this policy from Service Awards, Chief's Awards, and Additional Service Bars.

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Fitness for Duty

1015.1 PURPOSE AND SCOPE

All officers are required to be free from any physical, emotional, or mental condition which might adversely affect the exercise of peace officer powers. The purpose of this policy is to ensure that all officers of this department remain fit for duty and able to perform their job functions.

1015.2 EMPLOYEE RESPONSIBILITIES

(a) It shall be the responsibility of each member of this department to maintain good physical condition sufficient to safely and properly perform the essential duties of the position.

(b) Each member of this department shall perform his/her respective duties without physical, emotional, and/or mental constraints.

(c) During working hours, all employees are required to be alert, attentive, and capable of performing their assigned responsibilities.

(d) Any employee who feels unable to perform his/her duties shall promptly notify a supervisor. In the event that an employee believes that another employee is unable to perform his/her duties, such observations and/or belief shall be promptly reported to a supervisor.

1015.3 SUPERVISOR RESPONSIBILITIES

(a) A supervisor observing an employee or receiving a report of an employee who is perceived to be unable to safely perform his/her duties due to a physical or mental condition shall take prompt and appropriate action in an effort to address the situation.

(b) Whenever feasible, the supervisor should make a preliminary determination of the level of inability of the employee to perform the essential duties required of the job.

(c) In the event the employee appears to be in need of immediate medical or psychiatric treatment, all reasonable efforts should be made to obtain sufficient information regarding the nature of the concern to enable the Department to assess options and react responsibly to assure the safety of the employee, other members of the Department and the public, while complying with the employee's legal rights.

(d) In conjunction with the Shift Lieutenant or employee's available Bureau Commander, a determination should be made regarding whether the employee should be temporarily relieved from his/her duties.

(e) The Chief of Police shall be promptly notified in the event that any employee is relieved from duty.

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1015.4 RELIEF FROM DUTY

Any employee suffering from a work or non-work related condition which warrants a temporary relief from duty may be entitled to be placed on family and medical leave under federal law. Consult with the Department of Human Resources to assure proper notification and compliance with family and medical leave rights. Employees who are relieved from duty for medical reasons may be eligible for workers' compensation payments or may be required to use sick leave or other paid time off, in accordance with applicable policies.

Any employee suffering from a work-related condition which warrants a temporary relief from duty shall be required to comply with personnel rules and guidelines for processing such claims.

1015.5 PHYSICAL AND PSYCHOLOGICAL EXAMINATIONS

(a) Whenever circumstances reasonably indicate that an employee is unfit for duty, the Chief of Police may serve that employee with a written order to undergo a physical and/or psychological examination in cooperation with Department of Human Resources to determine the level of the employee's fitness for duty. The order shall indicate the date, time and place for the examination.

1. Psychological examinations related to fitness for duty shall not be conducted by entities that participate with the department in counseling training, peer support, or critical incident debriefings.

(b) The examining health care provider will provide the Department with a report indicating that the employee is either fit for duty or, if not, will list any functional limitations that limit the employee's ability to perform job duties. The scope of the requested fitness-for-duty report shall be confined to the physical or psychological condition that prompted the need for the examination. If the employee places his/her condition at issue in any subsequent or related administrative action or grievance, the examining physician or therapist may be required to disclose any and all information that is relevant to such proceeding.

(c) In order to facilitate the examination of any employee, the Department will provide all appropriate documents and available information to assist in the evaluation and/or treatment.

(d) All reports and evaluations submitted by the treating physician or therapist shall be part of the employee's confidential personnel file.

(e) Any employee ordered to receive a fitness-for-duty examination shall comply with the terms of the order and cooperate fully with the examining physician or therapist regarding any clinical interview, tests administered or other procedures as directed. Any failure to comply with such an order and any failure to cooperate with the examining physician or therapist may be deemed insubordination and shall be subject to discipline, up to and including termination.

(f) In the event an employee is required to submit to a fitness-for-duty examination as a condition of returning from medical leave required under the Family and Medical Leave Act (FMLA), the Chief of Police or the authorized designee should contact the Department of Human Resources for direction regarding how to proceed.

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(g) Once an employee has been deemed fit for duty and the examining health care provider has provided the Department with a written report to that effect, the employee will be notified to resume his/her duties.

1015.6 LIMITATION ON HOURS WORKED

Absent emergency operations, members should not work more than:

- 16 hours in a one-day period (24-hour period).
- 30 hours in any two-day period (48-hour period).
- 84 hours in any seven-day period (168-hour period).

Except in very limited circumstances members should have a minimum of eight hours off between shifts. Supervisors should give consideration to reasonable rest periods and are authorized to deny overtime or relieve to off-duty status any member who has exceeded the above guidelines.

Limitations on the number of hours worked apply to shift changes, shift trades, rotation, holdover, training, general overtime, secondary employment, and any other work assignments.

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Meal Periods and Breaks

1016.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance regarding meals and breaks.

1016.1.1 MEAL PERIODS AND BREAKS

Sworn employees and dispatchers shall remain on duty subject to call during meal breaks. All other employees are not on call during meal breaks unless directed otherwise by a supervisor.

Uniformed patrol and traffic officers shall request clearance from Emergency Communications Center prior to taking a break. Uniformed officers shall take their breaks within the City limits unless on assignment outside of the City or unless they have permission from a supervisor.

The time spent on break shall not exceed the authorized time allowed.

1016.2 TIME ALLOTTED FOR BREAKS

The time period allowed for breaks will be as follows:

A. Officers may check out for a 60-minute break during each 8-hour work shift, 75-minute for each 10-hour work shift and 90 minute for every 12-hour work shift.

B. Time spent on breaks/lunch will be included within the work shift. There will be no additional compensation to police officers who forego such periods.

1016.3 GUIDELINES FOR TAKING A BREAK

Officers who by assignment are subject to dispatched calls for service will take their personal breaks in accordance with the following guidelines:

A. If the dispatch office is not holding any priority calls, officers may check out for a break.

B. No more than 1/3 or 2 officers, whichever is greater, of the total officers assigned to and working in the field for that particular shift may be on a break at any one time. The shift supervisor may authorize additional police officers to be on a break when conditions allow.

C. Officers will remain in radio or Department-issued cellular phone contact with the dispatch office while on break/lunch, and may be required to respond to calls under exigent circumstances. Calling officers out of a break to respond to calls will be coordinated by the shift supervisor, who will determine the most expeditious method of responding under the circumstances.

D. The shift supervisor may suspend breaks under exigent circumstances.

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Lactation Break Policy

1017.1 PURPOSE AND SCOPE

The purpose of this policy is to provide reasonable accommodations to employees desiring to express breast milk for the employee's infant child.

1017.2 POLICY

It is the policy of the Police Department to provide, in compliance with the Fair Labor Standards Act, reasonable break time and appropriate facilities to accommodate any employee desiring to express breast milk for her nursing child for up to one year after the child's birth (29 USC § 207).

1017.3 LACTATION BREAK TIME

A rest period should be permitted each time the employee has the need to express breast milk (29 USC § 207). In general, lactation breaks that cumulatively total 30 minutes or less during any four-hour work period or major portion of a four-hour work period would be considered reasonable. However, individual circumstances may require more or less time. Lactation breaks, if feasible, should be taken at the same time as the employee's regularly scheduled rest or meal periods.

While reasonable effort will be made to provide additional time beyond authorized breaks, any such time exceeding regularly scheduled and paid break time will be unpaid.

Employees desiring to take a lactation break shall notify Emergency Communications Center or a supervisor prior to taking such a break and such breaks may be reasonably delayed if they would seriously disrupt Police Department operations.

Once a lactation break has been approved, the break should not be interrupted except in emergency or exigent circumstances.

1017.4 PRIVATE LOCATION

The Police Department will make reasonable efforts to accommodate employees with the use of an appropriate room or other location to express milk in private. Such room or place should be in close proximity to the employee's work area and shall be other than a bathroom or toilet stall. The location must be shielded from view and free from intrusion from co-workers and the public (29 USC § 207).

Employees occupying such private areas shall either secure the door or otherwise make it clear that the area is occupied with a need for privacy. All other employees should avoid interrupting a lactating employee during an authorized break, except to announce an emergency or other urgent circumstance.

Authorized lactation breaks for employees assigned to the field may be taken at the nearest appropriate private area.

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1017.5 STORAGE OF EXPRESSED MILK

Any employee storing expressed milk in any authorized refrigerated area within the department shall clearly label it as such and shall remove it when the employee ends her shift.

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Payroll Records

1018.1 PURPOSE AND SCOPE

This policy provides the guidelines for completing and submitting payroll records of department members who are eligible for the payment of wages.

1018.2 POLICY

The Idaho Falls Police Department maintains timely and accurate payroll records.

1018.3 RESPONSIBILITIES

Members are responsible for the accurate completion and timely submission of their payroll records for the payment of wages.

Supervisors are responsible for ensuring that the timesheetsfor those under their commands are accurate and verified.

Paysheets are due by 0000 hours every other Monday unless a holiday requires an early submission.

1018.4 TIME REQUIREMENTS

Members who are eligible for the payment of wages are paid on a scheduled, periodic basis, generally on the same day or date each period, with certain exceptions, such as holidays. Payroll records shall be completed and submitted tothe Office of the Chief of Police as established by the City payroll procedures.

1018.5 RECORDS

The Office of the Chief of Police shall ensure that accurate and timely payroll records are maintained as required by 29 CFR 516.2 for a minimum of three years (29 CFR 516.5).

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Overtime Payment Requests

1019.1 PURPOSE AND SCOPE

Refer to the Idaho Falls Personnel Policy Section governing this topic.

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Secondary Employment

1020.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines and requirements to Department members regarding voluntary secondary and off-duty employment of IFPD employees by a seperate and independent entity from the city.

The policy of the IFPD is to allow voluntary outside off-duty employment within the guidelines and restrictions provided herein.

The Department recognizes the mutual benefit to the City, the citizens, the community, and the officers of a secondary employment policy. This policy promotes the welfare, accountability, and efficient operations of IFPD, the City, and the community.

In order to avoid actual or perceived conflicts of interest for employees engaging in outside employment, all employees shall obtain approval from the Secondary Employment Lieutenant prior to engaging in any outside employment.

1020.1.1 DEFINITIONS

Off-Duty Employment - The provision of a service or labor, whether or not in exchage for a fee or other consideration. For purposes of this policy, employment does not include volunteer work, but does include business ownership.

Off-Duty Employer - Any person or entity that employs for any service, labor, or position, an off-duty officer employed by IFPD. An off-duty employer may be a public, private, commercial, for profit, or non-profit person or entity.

Secondary Employment - Voluntary off-duty employment requiring the use or potential use of police authority. By definition, only sworn officers can engage in secondary employment as referenced in this policy.

Outside Employment - Voluntary off-duty employment by a Department member that does not require the actual or potential use of police authority. This includes self-employment, contracting, sales, etc.

Restricted Secondary Employment Job - Voluntary secondary employment that only specific officers are authorized to work.

Non-Restricted Secondary Employment Job - Voluntary secondary employment that all eligible sworn officers are authorized to work.

City-Contracted Secondary Employment - Voluntary secondary employment at City-owned facilities or involving City overtime where the payment to officers is processed through City payroll.

Police Services Coordinator (PSC) - The member within the Chief's office that is responsible for the billing of secondary employment jobs.

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Secondary Employment Lieutenant - The sworn member, holding the rank of Lieutenant, who manages the secondary employment program. The Secondary Employment Lieutenant maintains full discretionary authority over secondary employment matters on behalf of the Chief of Police.

Point of Contact Officer (POC) - The officer who facilitates communication between a restricted secondary employer, the PSC, and the Secondary Employment Lieutenant. The POC must be employed by the Department as a sworn officer. A POC is required for each restricted secondary employment job. The employer typically designates the POC. POC's do not have the ability to hire and/or fire individual officers for the restricted job they are the POC over.

Department Directed Overtime - City paid overtime shifts where officers are directed, or can be directed to work. Examples include special events and call outs.

1020.2 CONDITIONS OF OFF-DUTY EMPLOYMENT

(a) The Idaho Falls Police Department is the primary employer of all members of IFPD.

(b) Any and all off-duty employment must be approved through the Secondary Employment Lieutenant.

(c) Prior to accepting an offer of employment from an Off-Duty Employer, the IFPD employee shall complete and submit a REQUEST FOR OFF-DUTY EMPLOYMENT form to the Secondary Employment Lieutenant.

(d) Off-duty employment must conform to this policy and cannot negatively impact an employee's Department position.

(e) Officers engaged in secondary employment will:

1. conform to all laws, City Policies, and Departmental Policies, rules, directives, and standard operating procedures.
2. take appropriate action to enforce the law and preserve public safety.
3. not act to enforce the rules and regulations of an employer, which are not otherwise violations of the law.

1020.3 RESPONSIBILITIES OF THE POLICE SERVICES COORDINATOR

(a) The PSC serves as the liaison between the Department and secondary employers.

(b) The PSC is responsible for recording and documenting the shifts worked for those jobs after receiving the schedules from the POC for the restricted job.

(c) The PSC is responsible for managing the administrative aspects of secondary employment (e.g., overseeing Employer Agreement Forms, disseminating finalized shift sign-ups, invoicing secondary employers for the $5.00 fuel/equipment surcharge for every secondary employment shift worked, distributing applicable tax forms, etc.).

(d) Every year, the PSC will contact each business or entity to renew their Idaho Falls Police Department Secondary Employer Employment Agreement to ensure that all businesses and entities are still in compliance with the requirements and restrictions incumbent upon them for their engagements in secondary employment.

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1. If it is found that any secondary employer is not meeting all requirements, the PSC will notify the employer, advise them of necessary corrections, and notify the Secondary Employment Lieutenant to ensure that all work by officers cease until the proper corrections have been made.

1020.4 RESPONSIBILITIES OF OFFICERS ENGAGED IN SECONDARY EMPLOYMENT

(a) Officers who wish to engage in secondary employment must recognize their primary responsibilities, obligations, and duties are to the Idaho Falls Police Department.

(b) Officers are subject to call out anytime for emergencies, special assignments, or overtime duty and no secondary employment will infringe upon this obligation.

(c) If police action is necessary during a secondary employment job, Department rank supersedes secondary employment rank/assignment.

(d) If requested, officers will provide the PSC with a completed W9 form in a timely manner.

(e) Officers engaged in secondary employment will wear their authorized class ‘A’ or class ‘B’ uniform.

1. Should a business require different attire (i.e. other department approved uniforms or plain clothes) the reason for the request must be specifically addressed to the Secondary Employment Lieutenant. The Secondary Employment Lieutenant will authorize or deny these requests.

2. At no time will officers engaged in secondary employment wear a uniform of any other agency or entity.

(f) Officers will be required to complete all necessary police reports as situations dictate while engaged in secondary employment.

(g) Officers engaged in secondary employment will be responsible for the initial investigation of all offenses that occur during their shifts at their secondary employment site. The exception to this requirement is when an investigation requires immediate follow-up off site.

(h) Officers who sign up for a secondary employment shift will report for duty at the time and place specified, with all necessary equipment required.

1. Officers may release a secondary employment shift they have signed up for before the start of the shift, however, it is still the responsibility of the officer to work that shift if no one else acquires it.

2. Absences from a secondary employment shift may only be excused for significant personal or family illnesses, family emergencies, or prior arrangements with the secondary employer.

3. Changes in on-duty schedules, court, training, or other Departmental duty assignments will take precedent over any secondary employment. Officers should release a conflicting secondary employment job as soon as they are notified of the on-duty conflict.

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4. Officers are required to work the scheduled hours for secondary employment. Any officer unable to complete the designated hours of employment must contact the on duty lieutenant or shift supervisor in his or her absence prior to leaving the employer's work site, and email the PSC and Secondary Employment Lieutenant to document the reason why this was necessary.

1020.4.1 UNEXCUSED ABSENCES FROM SECONDARY EMPLOYMENT SHIFTS

Following the employee misconduct policies for investigating violations of policy, secondary employment absences that are not excused will be handled as follows:

(a) The first unexcused absence from a secondary employment shift within a 2-year period will result in a warning.

(b) The second unexcused absence from a secondary employment shift within a 2-year period will result in a 30 day suspension from signing up for secondary employment shifts and working any secondary employment shifts that the officer is regularly scheduled for.

1. The suspension will take effect at the beginning of the month immediately following the time when the employee is informed of the suspension; the officer is still responsible for working the shifts they are scheduled for leading up to the beginning of the suspension.

(c) The third unexcused absence from a secondary employment shift within a 2-year period will result in a 6 month suspension from signing up for secondary employment shifts and working any secondary employment shifts that the officer is regularly scheduled for.

1. The suspension will take effect at the beginning of the month immediately following the time when the employee is informed of the suspension; the officer is still responsible for working the shifts they are scheduled for leading up to the beginning of the suspension.

(d) A fourth unexcused absence from a secondary employment shift within a 2-year period will result in an indefinite suspension from signing up for secondary employment shifts and working any secondary employment shifts that the officer is regularly scheduled for.

1. The affected officer may apply, in writing, for reinstatement to the program after a 1-year period from the date the suspension began with the Secondary Employment Lieutenant, but the final reinstatement decision will be determined by the Chief of Police.

2. The suspension will take effect at the beginning of the month immediately following the time when the employee is informed of the suspension; the officer is still responsible for working the shifts they are scheduled for leading up to the beginning of the suspension.

(e) The schedule of suspensions outlined above may be modified based on the circumstances behind the policy violation(s).

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1020.4.2 TIME LIMITATIONS ON EMPLOYEES ENGAGED IN OFF-DUTY EMPLOYMENT

(a) Employees may work up to 16 hours daily of combined duty hours, off-duty employment hours, secondary employment hours, City approved overtime hours (this does not include Department-directed or court overtime), and training time outside of the employee's duty hours.

1. During a 24-hour period, employees must have a minimum of 8 consecutive hours in which they are not working on-duty or engaged in off-duty employment.

(b) No employee shall exceed 72 accumulated hours per week in any combination of duty hours, off-duty employment hours, secondary employment hours, City approved overtime hours (this does not include Department-directed or court overtime), and training time outside of the employee's duty hours.

1. A week begins at 00:00 on Sunday and ends at 23:59 on Saturday.

(c) Any exceptions to the hourly maximum requirements must be granted by the Secondary Employment Lieutenant.

(d) With supervisory approval and subject to minimum staffing requirements, vacation time may be used to reduce duty work hours.

(e) Officers, who due to personal illness or injury, do not report to or complete a scheduled duty shift, may not work any secondary employment within 24 hours of the start time of the missed or incomplete shift.

1020.5 REQUESTS FOR SECONDARY EMPLOYMENT

(a) No member of this department may engage in any outside employment without first obtaining prior approval of the Secondary Employment Lieutenant.

1. This is generally accomplished by use of a REQUEST FOR OFF-DUTY EMPLOYMENT form.

2. Any employee seeking approval of outside employment, whose request has been denied, shall be provided with a written reason for the denial of the application at the time of the denial.

(a) If an employee's Outside Employment Application is denied or withdrawn by this department, the employee may file a written notice of appeal to the Chief of Police within ten days of the date of denial.

3. Failure to obtain prior approval for outside employment or engaging in outside employment prohibited by this policy may lead to disciplinary action.

(b) Any person or business that wishes to retain the services of Idaho Falls Police Department off-duty officers for secondary employment purposes needs to direct their request through the PSC.

1. Prospective employers will complete an Idaho Falls Police Department Secondary Employer Employment agreement that outlines the employer's requirements, and the requirements of the Department.

(a) If the prospective employer agrees to and completes the Idaho Falls Police Department Secondary Employer Employment Agreement, the PSC will

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forward the request to the Secondary Employment Lieutenant for final approval.

1. If the Secondary Employment Lieutenant cannot be contacted, the PSC may contact the on-duty lieutenant for approval.

2. This process will be followed for each new business or entity that contacts the Department for initial approval to engage in secondary employment.

3. Secondary employment will not be provided to any organization, association, movement, or group that has adopted a policy of advocating violence or acts of force to deny others their Constitutional rights.

4. Monthly, the PSC will forward a list of all new business or entities that have entered into secondary employment agreements to the Chief of Police for review.

1020.5.1 STAFFING LARGE AND/OR DANGEROUS SECONDARY EMPLOYMENT JOBS

(a) If a business or individual makes a request to the PSC for a secondary employment job where a threat of violence has been expressed, or is believed imminent by the employer (i.e., workplace violence), a minimum of two officers will be required to staff the job.

(b) During the Secondary Employment Lieutenant's review of new requests for secondary employment officers, he or she may require the secondary employer to hire additional officers as they see fit for safety purposes. This determination may be based upon a variety of factors, to include, but not limited to:

1. the presence/absence of on-duty supervision
2. estimated attendance
3. the sale or consumption of alcoholic beverages on the premises
4. previous history
5. site layout
6. traffic and/or parking issues
7. general crime trends in the vicinity

(c) If the secondary employer does not agree to the determined number, the request for secondary employment officers will be denied.

(d) If the determined number of positions cannot be filled 48 hours prior to the start of the job, the job will be canceled and no officers will be allowed to work the assignment.

1. If the Department is contacted for a short-notice job that is deemed large and/or hazardous, attempts may be made to fill the determined number of officer positions, while recognizing that if the officer positions are not filled within a reasonable amount of time before the start of the job (to be determined by the Secondary Employment Lieutenant) the job will be canceled.

(e) Any secondary employment job calling for 5 to 10 officers working the same job at the same time will require 1 supervisor.

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1. For every additional 10 officers, at least 1 additional supervisor will be required.
2. The Secondary Employment Lieutenant may waive the supervisor requirement based upon a variety of factors, to include, but not limited to the factors listed in 1020.4.1b.

1020.5.2 NON-RESTRICTED AND RESTRICTED EMPLOYMENT

(a) Non-Restricted Secondary Employment

1. If a secondary employer does not request a restricted secondary employment status, any eligible officer may work shifts for that employer.

(b) Restricted Secondary Employment

1. When a new restricted secondary employment job is established, the Secondary Employment Lieutenant will send a Department-wide email notifying Department members of the job, along with the proper procedure for notifying the Secondary Employment Lieutenant of interest. Selection for the job will follow one of the following procedures:

   (a) If the secondary employer wishes to conduct interviews and/or request resumes and then select which officers to employ, that is the procedure that will be followed.

      1. The PSC is the person responsible for submitting resumes, and/or names for interviews, to the secondary employer.

   (b) If the secondary employer does not wish to review resumes and/or conduct interviews, the PSC and Secondary Employment Lieutenant will conduct a random drawing to determine the officers that will be assigned to the restricted job.

2. When openings at an already established secondary employer occur, selection of new officers will follow one of the following procedures:

   (a) If the secondary employer wishes to conduct interviews and/or request resumes and then select which officers to add to the restricted list; that is the procedure that will be followed.

      1. The PSC is the person responsible for submitting resumes, and/or names for interviews, to the secondary employer.

   (b) If the secondary employer does not wish to review resumes and/or conduct interviews, the PSC and Secondary Employment Lieutenant will conduct a random drawing to determine the officers that will be added to the restricted list.

1020.5.3 POINT OF CONTACT (POC) FOR RESTRICTED SECONDARY EMPLOYMENT JOBS

(a) Each restricted secondary employment job will have a POC. The POC is typically designated by the secondary employer. The POC facilitates communication between

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the employer and the PSC, but does not have the ability to hire and/or fire individual officers for the restricted job they are the POC over.

1. If the secondary employer does not designate the POC, officers who are selected to work the restricted job may notify the Secondary Employment Lieutenant that they are interested in the POC position. The Secondary Employment Lieutenant will determine the POC from those who express interest. If no selected members notify the Secondary Employment Lieutenant of an interest in the POC position, the Secondary Employment Lieutenant will appoint a POC from the selected officers.
2. If a POC separates from a restricted secondary job, or otherwise relinquishes the position, the secondary employer may appoint a new POC. If the secondary employer declines this option, the Secondary Employment Lieutenant will follow the same procedures as above.

(b) Duties of the POC

1. Keeping a current list of officers who are eligible to work the restricted job.
2. Informing the Secondary Employment Lieutenant of staffing level changes/ needs (i.e., the need for additional staffing, and/or the separation of Department members from the restricted job).
3. Informing the PSC in a timely manner of changes in shift scheduling/shifts worked.
4. Informing the PSC of any missed shifts by officers working the restricted job.
5. Keeping an accurate schedule of shifts worked and by whom, and turning it in to the PSC by the 10th of the following month.

(c) Once every 6 months, the PSC will review the POC's compliance with the above duties with the Secondary Employment Lieutenant. If the POC is not meeting the required duties, their status as the POC will be placed on probation.

1. If at the next 6 month review the POC is still not meeting the required duties, the Secondary Employment Lieutenant will follow the procedures above for selecting a new POC for that particular restricted job.

(d) An officer shall only be the POC for a maximum of two secondary employment jobs.

1020.6 SECONDARY EMPLOYMENT RESTRICTIONS

(a) Officers are strictly prohibited from participating in any secondary employment while they are on duty.

(b) Officers whose duties include working undercover are prohibited from acting as a POC, working any secondary employment, or voluntary overtime in uniform.

(c) Officers are prohibited from participating in secondary employment until after they have completed probation.

(d) Officers will not become involved in labor controversies of any kind connected with secondary employment.

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(e) Officers will not engage in secondary employment, whether in or out of uniform, when such employment is outside the city limits of Idaho Falls.

1. Exceptions to this rule may only be granted by the Secondary Employment Lieutenant.

(f) Officers, while engaged in secondary employment, will not be accompanied by family members, friends, acquaintances, or visitors unless specific approval has been given by the secondary employer and the Secondary Employment Lieutenant.

(g) Officers will not work secondary employment jobs if they are on any duty status other than full duty.

(h) Officers are specifically prohibited from engaging in the following secondary employment:

1. Employment that presents a real, potential, or apparent conflict of interest between the officer's duties as a Department member and their duties for the secondary employer.

2. Employment that may bring the officer or the Department into disrespect, disfavor, disrepute, or ridicule by virtue of the secondary employment.

3. When the primary business of the establishment is the sale and consumption on-premises of alcoholic beverages, except with the authorization of the Chief of Police or their designee.

4. Employment at establishments which sell merchandise of a sexual or pornographic nature as their primary source of revenue, or that otherwise provides entertainment or services of a sexual nature; employment at topless bars, X-rated video or bookstores, or adult entertainment establishments.

5. Employment as a process server, bail bondsman, property re-possessor, bill collector, towing vehicles, or any other employment in which police authority might tend to be used to collect money or merchandise for private or commercial purposes.

6. Employment for any gambling establishment as its principle business.

7. Any employment for private security companies or any business that provides private investigations or background checks.

8. Employment by an Off-Duty Employer who has been convicted of a felony.

9. Protection of management, employees, or property during a strike or labor dispute.

10. Working paid or unpaid as a Reserve Officer for another law enforcement agency.

11. Where an officer may be involved in photographs, voice recordings, or advertisements endorsing commercial products while being identified as an Idaho Falls Police Department police officer.

12. As a consultant for any person or entity who is either under investigation by any government agency as a suspect in a criminal matter, or who is a litigant, or

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proposed litigant, against the City of Idaho Falls, or any of its Departments or employees, or any other government agency.

1020.6.1 AVAILABILITY OF SECONDARY EMPLOYMENT JOBS

The Secondary Employment Lieutenant will determine how many shifts officers can sign up for within a given time period once a secondary employment job becomes available. For example, officers may be able to sign up for one shift of a particular job in the first 24 hours, another shift in the second 24 hours, and then an unlimited number after that time period. Randomized sign-up times may also be implemented. The Secondary Employment Lieutenant will make the determination based on factors that include, but are not limited to:

(a) The number of shifts available.

(b) Consultation with the POC of a restricted secondary employment job.

(c) The preferences of the employer.

(d) The time between when the PSC is notified of the need for secondary employment officers and the time the secondary employment shifts begin.

(a)

(b)

(c) 1.

2.

3.

4.

5.

(d)

1020.6.2 SECONDARY EMPLOYMENT ARREST AND REPORTING PROCEDURE

Any employee making an arrest or taking other official police action while working in a secondary employment capacity shall be required to complete all related reports in a timely manner pursuant to the policy of this department.

1020.6.3 CITY CONTRACTED SECONDARY EMPLOYMENT

Secondary employment jobs at City-owned facilities or involving City overtime will be treated in the same manner as any other secondary employment.

1020.7 COMPENSATION FOR SECONDARY EMPLOYMENT

(a) Secondary employers shall pay officers through their own payroll services or through City payroll services.

1. Secondary employers who choose to pay officers through City payroll will pay Department overtime and benefit rates.

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2. All new secondary employment jobs that decide to pay officers through their own payroll services will pay a minimum of $35/hr.

(b) If secondary employers want to hire officers for less than 4 hours, they may do so, but they shall pay officers a minimum of 4 hours compensation.

(c) All secondary employers shall pay the Department a $5 per shift surcharge for fuel and equipment use.

1020.8 CHANGES TO OUTSIDE EMPLOYMENT

If an employee terminates his or her outside employment, the employee shall promptly submit written notification of such termination to the Secondary Employment Lieutenant. Any subsequent request for secondary employment must thereafter be processed and approved through normal procedures set forth in this policy.

Employees shall also promptly submit in writing to the Secondary Employment Lieutenant any material changes in outside employment including any change in the type of duties or demands of any approved secondary employment. Employees who are uncertain whether a change in outside employment is material are advised to report the change.

1020.9 OUTSIDE EMPLOYMENT WHILE ON DISABILITY

Members of this departmentwho are placed on modified/light-duty, disability or administrative leave are prohibited from engaging in secondary employment.

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Occupational Disease, Work-Related Injury and Illness Reporting and Prevention

1021.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance regarding the timely reporting of occupational diseases, mental health issues and work-related injuries.

1021.1.1 DEFINITIONS

Definitions related to this policy include (Idaho Code 72-102):

Accident - An unexpected, undesigned, and unlooked for mishap that causes injury, is connected with the industry in which it occurs, and can be reasonably located as to the time when and place where it occurred.

Occupational disease - A disease due to the nature of employment in which the hazards of such disease actually exist and are characteristic of, and peculiar to, the occupation or employment. Psychological injuries, including post-traumatic stress injuries, are included if the conditions set forth in Idaho Code 72-451 are met.

Work-related injury - A personal injury caused by an accident arising out of and in the course of employment.

1021.2 POLICY

The Idaho Falls Police Department will address occupational diseases and work-related injuries appropriately, and will comply with applicable state workers' compensation requirements (Idaho Code 72-101 et seq.). The Idaho Falls Police Department is committed to providing a safe environment for its members and visitors and to minimizing the incidence of work-related illness and injuries.

1021.3 RESPONSIBILITIES

1021.3.1 MEMBER RESPONSIBILITIES

Any member sustaining any occupational disease, work-related injury, work related illness, as well as any member who is involved in any accident or hazardous substance exposure while on-duty shall report such event as soon as practicable, but within 24 hours, to a supervisor, and shall seek medical care when appropriate.

Members observing or learning of a potentially hazardous condition are to promptly report the condition to their immediate supervisor.

All members should report and/or take reasonable steps to correct unsafe or unhealthy work conditions, practices, or procedures in a timely manner. Members should make their reports to a supervisor (as a general rule, their own supervisors) via memorandum.

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1021.3.2 SUPERVISOR RESPONSIBILITIES
A supervisor learning of any occupational disease or work-related injury should ensure the member receives medical care as appropriate.

Supervisors shall ensure that required documents regarding workers' compensation are completed and forwarded promptly. Any related City-wide disease- or injury-reporting protocol shall also be followed.

Supervisors shall determine whether the Major Incident Notification policyapply and take additional action as required.

Supervisors should make reasonable efforts to correct unsafe or unhealthy work conditions in a timely manner, based on the severity of the hazard. These hazards should be corrected when observed or discovered, when it is reasonable to do so. When a hazard exists that cannot be immediately abated without endangering members or property, supervisors should protect or remove all exposed members from the area or item, except those necessary to correct the existing condition.

Members who are necessary to correct the hazardous condition shall be provided with the necessary protection.

1021.3.3 BUREAU COMMANDER RESPONSIBILITIES
The Bureau Commander who receives a report of an occupational disease or work-related injury should review the report for accuracy and determine what additional action should be taken. The report shall then be forwarded to the Chief of Police and the City of Idaho Falls Human Resource Department..

1021.3.4 CHIEF OF POLICE RESPONSIBILITIES
The Chief of Police shall review the report and related documents and file them in the member's confidential medical file.

1021.4 OTHER DISEASE OR INJURY
Diseases and injuries caused or occurring on-duty that do not qualify for workers' compensation reporting shall be documented on the designated report of injury form, which shall be signed by a supervisor. A copy of the completed form shall be forwarded to the appropriate Bureau Commander through the chain of command and a copy sent to the Office of the Chief of Police.

1021.5 SETTLEMENT OFFERS
When a member sustains an occupational disease or work-related injury that is caused by another person and is subsequently contacted by that person, his/her agent, insurance company or attorney and offered a settlement, the member shall take no action other than to submit a written report of this contact to his/her supervisor as soon as possible.

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1021.5.1 NO SETTLEMENT WITHOUT PRIOR APPROVAL

No less than 10 days prior to accepting and finalizing the settlement of any third-party claim arising out of or related to an occupational disease or work-related injury, the member shall provide the Chief of Police with written notice of the proposed terms of such settlement. In no case shall the member accept a settlement without first providing written notice to the Chief of Police. The purpose of such notice is to permit the City to determine whether the offered settlement will affect any claim the City may have regarding payment for damage to equipment or reimbursement for wages against the person who caused the disease or injury, and to protect the City's right of subrogation, while ensuring that the member's right to receive compensation is not affected.

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Personal Appearance Standards

1022.1 PURPOSE AND SCOPE

In order to project uniformity and neutrality toward the public and other members of the department employees shall maintain their personal hygiene and appearance to project a professional image appropriate for this department and for their assignment.

1022.2 GROOMING STANDARDS

Unless otherwise stated, and because deviations from these standards could present officer safety issues, the following appearance standards shall apply to all employees, except those whose current assignment would deem them not appropriate, and where the Chief of Police has granted exception.

1022.2.1 HAIR

Hairstyles of all members shall be neat and professional in appearance with no extreme style. Any dye used in a member's hair must produce a color that naturally occurs in hair.

For male sworn members, hair must not extend below the top edge of the uniform collar while assuming a normal stance. Hair must not fall more than 1/2 inch over the top of the ears or touch the eyebrows.

For female sworn members, hair must be no longer than the horizontal level of the bottom of the uniform patch when the employee is standing erect and worn up or in a tightly wrapped braid or ponytail. Pointed objects that could be used as weapons against the officer will not be used to secure the hair.

1022.2.2 MUSTACHES

A short and neatly trimmed mustache may be worn. Mustaches will not exceed 1 inch in length below the corner of the mouth, nor will they be over 1 inch in width from the corner of the mouth. Mustaches will not exceed 1 inch in hair length.

1022.2.3 SIDEBURNS

Sideburns shall not extend below the bottom of the ear canal and shall be trimmed and neat. Sideburn hair length will not exceed 1 inch.

1022.2.4 GOATEES

A full goatee is permitted. If worn, it will be kept neatly trimmed and tidy in appearance. It will not exceed 1 inch in length. It will not exceed the shape that is formed by the top of the lip, 1 inch in width from each corner of the mouth, and 1 inch above the top of the Adam's apple.

1022.2.5 BEARDS

A full beard is permitted. If worn, the beard will be kept neatly trimmed and tidy in appearance. Beards will not exceed 1 inch in length and will be contiguous with sideburns and the goatee.

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1022.2.6 FINGERNAILS

Fingernails extending beyond the tip of the finger can pose a safety hazard to officers or others. For this reason, fingernails shall be trimmed so that no point of the nail extends beyond the tip of the finger.

1022.2.7 JEWELRY

For the purpose of this policy, jewelry refers to rings, earrings, necklaces, bracelets, wristwatches, and tie tacks or tie bars. Jewelry shall present a professional image and may not create a safety concern for the department member or others. Jewelry that depicts racial, sexual, discriminatory, gang-related, or obscene language is not allowed.

(a) Necklaces shall not be visible above the shirt collar.

(b) Earrings shall be small so as not to prevent a safety hazard.

(c) One ring or ring set may be worn on each hand of the department member. No rings should be of the type that would cut or pose an unreasonable safety risk to the member or others during a physical altercation, if the member is assigned to a position where that may occur.

(d) One small bracelet, including a bracelet identifying a medical condition, may be worn on one arm.

(e) Wristwatches shall be conservative and present a professional image.

(f) Tie tacks or tie bars worn with civilian attire shall be conservative and present a professional image.

1022.3 TATTOOS

Face, neck, and visible head tattoos are prohibited. Racist, sexist, obscene, offensive, or vulgar tattoos are prohibited and will be covered at all times while on duty. Examples of offensive tattoos include but are not limited to those that exhibit or advocate discrimination; those that exhibit gang, supremacist, or extremist group affiliation; and those that depict or promote drug use, sexually explicit acts, or other obscene material.

1022.4 BODY PIERCING OR ALTERATION

Body piercing or alteration to any area of the body visible in any authorized uniform or attire that is a deviation from normal anatomical features and which is not medically required is prohibited except with prior authorization of the Chief of Police. Such body alteration includes, but is not limited to:

- Tongue splitting or piercing.
- The complete or transdermal implantation of any material other than hair replacement or other reasonable cosmetic alterations.
- Abnormal shaping of the ears, eyes, nose or teeth.
- Visible branding or scarification.

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If there is any question about a body piercing or alteration being in violation of this policy, the member shall request review by the Chief of Police prior to obtaining the procedure.

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Uniform Regulations

1023.1 PURPOSE AND SCOPE

The uniform policy of the Idaho Falls Police Department is established to ensure that uniformed officers will be readily identifiable to the public through the proper use and wearing of the uniform of this department. Employees should also refer to the following associated Policy Manual sections:

- Police Department Owned and Personal Property
- Body Armor
- Personal Appearance Standards

1023.2 WEARING AND CONDITION OF UNIFORM AND EQUIPMENT

Police employees wear the uniform to be identified as the law enforcement authority in society. The uniform also serves an equally important purpose to identify the wearer as a source of assistance in an emergency, crisis or other time of need. Only uniforms issued by the Police Department are authorized for use.

(a) Uniform and equipment shall be maintained in a serviceable condition and shall be ready at all times for immediate use. Uniforms shall be neat, clean, and appear professionally pressed.

(b) All peace officers of this department shall possess and maintain at all times, a serviceable uniform and the necessary equipment to perform uniformed field duty.

(c) Personnel shall wear only the uniform specified for their rank and assignment.

(d) All supervisors will perform periodic inspections of their personnel to ensure conformance to these regulations.

(e) Unless exigent circumstances exist, civilian attire shall not be worn in combination with any distinguishable part of the uniform.

(f) Uniforms are only to be worn while on duty, engaged in approved secondary employment, while in transit to or from work, for court, or at other official functions or events.

(g) Employees are not to purchase or drink alcoholic beverages while wearing any part of this department's uniform.

(h) Visible jewelry, other than those items listed below, shall not be worn with the uniform-unless specifically authorized by the Chief of Police or his designee.

1. Wrist watch.
2. Wedding ring(s), class ring, or other ring of tasteful design. A maximum of one ring/set may be worn on each hand.
3. Medical alert bracelet.
4. Female employees may wear one earing per ear.

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1023.2.1 POLICE DEPARTMENT ISSUED IDENTIFICATION

This department issues each employee an official identification card bearing the employee's name, identifying information and photo likeness. All employees shall be in possession of their issued identification card at all times while on duty.

(a) Whenever on duty or acting in an official capacity representing this department, employees shall display the identification issued by the department in a courteous manner to any person upon request and as soon as practical.

(b) Officers working specialized assignments may be excused from the possession and display requirements when directed by their division commander.

1023.3 UNIFORM CLASSES

1023.3.1 CLASS A UNIFORM

The Class A uniform is to be worn on formal, ceremonial, or special occasions such as funerals, graduations,promotions, or as directed. The Class A uniform is required for all sworn personnel. The Class A uniform consists of:

1. Dress hat with applicable rank insignias.
2. Navy blue, long sleeve uniform shirt with longevity hashes, metal name plate, metal badge, and collar brass.
    A. Officers will wear a silver name plate and collar brass, Sergeants and above will wear gold.
        i. The nametag may be equipped with a "serving since" wrap.
    B. Award pins may be worn above the nametag. Awards should be worn in sets of two with the highest award on top. If there is an odd number, the single award will be placed at the top of the stack.
    C. Officers will wear a silver badge number on the left collar and a silver Police Department insignia on the right.
        i. Sergeants and above shall wear gold collar rank insignias. The rank insignias shall be affixed from the leading edge of the collar, parallel to the front edge of the collar and centered between the top and bottom edge.
    D. Longevity Stripes, one for each five years of law enforcement service, will be sewn on the left sleeve above the cuff.
3. Department issued navy blue necktie with tie bar.
4. Navy blue, four pocket dress pants.
5. Leather or nylon duty belt with issued pistol, holster, magazine pouches, and one handcuff case.
6. Black socks.
7. Black, polished shoes or boots.
    A. Boots with pointed toes are not permitted.

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1023.3.2 CLASS B UNIFORM

All officers will possess and maintain a serviceable Class B uniform at all times. The Class B uniform will be the standard working uniform and is authorized for all duty unless directed otherwise by the Chief or designee. The Class B uniform will consist of:

1. Navy blue, six pocket utility trouser.
    - A. Department issued blue utility shorts with no undergarments visible, may be worn between May 1 and October 1 of each year.
2. Short sleeve or long sleeved navy blue utility shirt with collar and approved patches, name plate, and badge.
    - A. Badge and name plate may be metal or embroidered.
        - i. Sergeants and above shall wear metal or embroidered gold collar rank insignias. The insignias shall be affixed from the leading edge of the collar, parallel to the front edge of the collar and centered between the top and bottom edge.
        - ii. Officers may wear metal or embroidered collar brass with a silver badge number on the left collar and a silver Police Department insignia on the right.
    - B. These shirts are open collar. All shirt buttons must remain buttoned except for the last button at the neck; no necktie is required.
    - C. Black or white t-shirts can be worn as undershirts, but shall not extend below the sleeve of the shirt.
        - i. Black or navy bluemock turtle necks may be worn under the long sleeved shirt.
        - ii. Shoes for the Class B uniform may be as described in the Class A uniform.
3. Leather or nylon duty belt with approved duty gear.
4. Black socks.
5. All black boots or shoes.
    - A. Boots with pointed toes are not permitted.
6. Department issued sweaters may be worn with trousers.
7. An issued IFPD baseball cap may be worn.
8. Black fleece or knit hats may be worn.
9. An external ballistic vest carrier may be used in lieu of an interior vest on a Class B uniform.

1023.3.3 DETECTIVE/TRAINING UNIFORM

The Detective/Training uniform is authorized for detectives, administrative officers, and officers in a training capacity and may be worn at their discretion.

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1. The Detective/Training uniform shall consist of a blue polo shirt, khaki cargo pant, black belt, and black holster.
    A. Officers will have at least one spare magazine and handcuffs on their belt.
    B. The blue polo shirt will have a badge insignia on the left breast and the officer's first initial and last name embroidered on the right.
        i. Officers will have white embroidery.
        ii. Sergeants and above will have gold embroidery and gold collar rank insignias. The collar insignias shall be affixed from the leading edge of the collar, parallel to the front edge of the collar and centered between the top and bottom edge.
    C. Black or tan footwear with matching socks.

1023.3.4 ADMINISTRATIVE UNIFORM
The administrative uniform is authorized for daily office wear by Lieutenants and above. It consists of:

1. Navy blue, four pocket dress pants.
2. Open collar long or short sleeved navy blue uniform shirt
    A. Badges and gold name plates and rank insignias on the collars.
3. Black shoes and socks.

1023.3.5 SPECIALIZED UNIT UNIFORMS
The Chief of Police may authorize special uniforms to be worn by officers in specialized units such as Canine Team, Honor Guard, Animal Services, Bomb Squad, SWAT, Bicycle Patrol, Motor Officers and other specialized assignments.

1023.3.6 DEPARTMENT ISSUED COATS AND JACKETS
Officers may wear an issued coat or jacket with embroidered patches and badge.

1023.3.7 FOOTWEAR
Footwear must be shoes or work boots, clean, and black in color, with no obvious logos. Visible socks must be black in color.

1023.4 INSIGNIA AND PATCHES

(a) Shoulder Patches - The authorized shoulder patch supplied by this department shall be machine stitched to the sleeves of all uniform shirts and jackets, three-quarters of an inch below the shoulder seam of the shirt and be bisected by the crease in the sleeve.

(b) Service stripes - Service/Longevity stripes may be machine stitched on long sleeved shirts. The bottom of the service stripe shall be sewn the width of one and one-half inches above the cuff seam of the left sleeve.

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(c) The regulation metal nameplate, or an authorized sewn on cloth nameplate, shall be worn at all times while in uniform. The nameplate shall display the employee's first name initial and last name.

(d) Assignment Insignias - Assignment insignias, (SWAT, FTO, etc.) may be worn as designated by the Chief of Police.

(e) Badge - The badge issued by this department, or an authorized sewn on cloth replica, must be worn and visible at all times while in uniform.

(f) Rank Insignia - The designated insignia indicating the employee’s rank must be worn at all times while in uniform. The Chief of Police may authorize exceptions.

1023.4.1 MOURNING BADGE

Uniformed employees should wear a black mourning band across the uniform badge whenever a law enforcement officer is killed in the line of duty. The following mourning periods will be observed:

(a) An officer of this department - From the time of death until midnight on the 14th day after the death.

(b) An officer from this or an adjacent county - From the time of death until midnight on the day of the funeral.

(c) Funeral attendee - While attending the funeral of an out of region fallen officer.

(d) National Peace Officers Memorial Day (May 15th) - From 0001 hours until 2359 hours.

(e) As directed by the Chief of Police.

1023.5 CIVILIAN ATTIRE FOR PLAIN CLOTHES AND PROFESSIONAL STAFF

There are assignments within this department that do not require the wearing of a uniform because recognition and authority are not essential to their function. There are also assignments in which the wearing of civilian attire is necessary.

(a) All employees shall wear clothing that fits properly, is clean and free of stains, and not damaged or excessively worn.

(b) All male administrative, investigative and support personnel who elect to wear civilian clothing to work shall wear a collared shirt, slacks or suits that are a moderate, business dress casual in style. Jewelry is limited to two rings and a watch.

(c) All female administrative, investigative, and support personnel who elect to wear civilian clothes to work shall wear dresses, slacks, shirts, blouses, or suits which are a moderate, business dress casual in style. Jewelry is limited to one earing per ear, two rings, and a watch.

(d) Variations from this order are allowed at the discretion of the Chief of Police or designee when the employee's assignment or current task is not conducive to the wearing of such clothing.

(e) No item of civilian attire may be worn on duty that would adversely affect the reputation of the Idaho Falls Police Department or the morale of the employees.

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1023.6 ATTIRE FOR COURT APPEARANCES

All employees when attending court or formal hearings may wear either a Class A, Class B, Detective Training Uniform, or business formal plain clothes (dress shirt, tie, jacket, slacks, blouse, etc.).

1023.7 TRAINING ATTIRE

Officers may wear an approved uniform while in training or business casual plain clothes. Exceptions may be made by the training staff for specific training evolutions.

1023.8 POLITICAL ACTIVITIES, ENDORSEMENTS, AND ADVERTISEMENTS

Unless specifically authorized by the Chief of Police, Idaho Falls Police Department employees may not wear any part of the uniform, be photographed wearing any part of the uniform, utilize a department badge, patch or other official insignia, or, cause to be posted, published, or displayed, the image of another employee, or identify himself/herself as an employee of the Idaho Falls Police Department to do any of the following:

(a) Endorse, support, oppose, or contradict any political campaign or initiative.

(b) Endorse, support, oppose, or contradict any social issue, cause, or religion.

(c) Endorse, support, or oppose, any product, service, company or other commercial entity.

(d) Appear in any commercial, social, or non-profit publication, or any motion picture, film, video, public broadcast, or any website.

1023.9 OPTIONAL EQUIPMENT - MAINTENANCE, AND REPLACEMENT

(a) Maintenance of non-issued, optional equipment items shall be the financial responsibility of the purchasing employee. For example, repairs due to normal wear and tear.

(b) Replacement of non-issued, optional items shall be done as follows:

1. When the item is no longer functional because of normal wear and tear, the employee bears the full cost of replacement.
2. When the item is no longer functional because of damage in the course of the employee's duties, it shall be replaced following the procedures for the replacement of damaged personal property (see the Police Department Owned and Personal Property Policy).

1023.10 UNAUTHORIZED UNIFORMS, EQUIPMENT AND ACCESSORIES

Idaho Falls Police Department employees may not wear any uniform item, accessory or attachment unless specifically authorized by the Chief of Police or designee.

Idaho Falls Police Department employees may not use or carry any safety item, tool or other piece of equipment unless specifically authorized by the Chief of Police or designee.

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Uniform Regulations

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Nepotism and Conflicting Relationships

1024.1 PURPOSE AND SCOPE

Refer to the City of Idaho Falls Personnel Manual policy governing this topic.

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Police Department Badges

1025.1 PURPOSE AND SCOPE

The Idaho Falls Police Department badge and uniform patch as well as the likeness of these items and the name of the Idaho Falls Police Department are property of the Police Department and their use shall be restricted as set forth in this policy.

1025.2 POLICY

The uniform badge shall be issued to Police Department members as a symbol of authority and the use and display of issued or purchased badges shall be in strict compliance with this policy. Only authorized badges issued by the Police Department shall be displayed, carried or worn by members while on duty or otherwise acting in an official or authorized capacity.

1025.2.1 CIVILIAN PERSONNEL

Badges and Police Department identification cards issued to non-sworn personnel shall be clearly marked to reflect the position of the assigned employee (e.g. Parking Control, Dispatcher).

(a) Non-sworn personnel shall not display any law enforcement badge except as a part of his/her uniform and while on duty, or otherwise acting in an official and authorized capacity.

(b) Non-sworn personnel shall not display any law enforcement badge or represent him/herself, on or off duty, in such a manner which would cause a reasonable person to believe that he/she is a sworn peace officer.

1025.3 UNAUTHORIZED USE

Except as required for on-duty use by current employees, no badge designed for carry or display in a wallet, badge case or similar holder shall be issued to anyone other than a current peace officer.

Department badges are issued to all sworn employees and civilian uniformed employees for official use only. The badge, shoulder patch or the likeness thereof, or the name shall not be used for personal or private reasons including, but not limited to, letters, memoranda and electronic communications such as electronic mail or web sites and web pages.

The use of the badge, uniform patch and name for all material (printed matter, products or other items) developed for use shall be subject to approval by the Chief of Police.

Employees shall not loan his/her badge or identification card to others and shall not permit the badge or identification card to be reproduced or duplicated.

1025.4 PERMITTED USE BY EMPLOYEE GROUPS

The likeness of the badge shall not be used without the expressed authorization of the Chief of Police and shall be subject to the following:

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(a) The employee associations may use the likeness of the badge for merchandise and official association business provided they are used in a clear representation of the association and not the Idaho Falls Police Department.

(b) The likeness of the badge for endorsement of political candidates shall not be used without the expressed approval of the Chief of Police.

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Temporary Modified-Duty Assignments

1026.1 PURPOSE AND SCOPE

This policy establishes procedures for providing temporary modified-duty assignments. This policy is not intended to affect the rights or benefits of employees under federal or state law, City rules, or current memorandum of understanding. For example, nothing in this policy affects the obligation of the Department to engage in a good faith, interactive process to consider reasonable accommodations for any employee with a temporary or permanent disability that is protected under federal or state law.

1026.2 POLICY

Subject to operational considerations, the Idaho Falls Police Department may identify temporary modified-duty assignments for employees who have an injury or medical condition resulting in temporary work limitations or restrictions. A temporary assignment allows the employee to work, while providing the Department with a productive employee during the temporary period.

1026.3 GENERAL CONSIDERATIONS

Priority consideration for temporary modified-duty assignments will be given to employees with work-related injuries or illnesses that are temporary in nature. Employees having disabilities covered under the Americans with Disabilities Act (ADA) or the Idaho Human Rights Act shall be treated equally, without regard to any preference for a work-related injury.

No position in the Idaho Falls Police Department shall be created or maintained as a temporary modified-duty assignment.

Temporary modified-duty assignments are a management prerogative and not an employee right. The availability of temporary modified-duty assignments will be determined on a case-by-case basis, consistent with the operational needs of the Department. Temporary modified-duty assignments are subject to continuous reassessment, with consideration given to operational needs and the employee's ability to perform in a modified-duty assignment.

The Chief of Police or the authorized designee may restrict employees working in temporary modified-duty assignments from wearing a uniform, displaying a badge, carrying a firearm, operating an emergency vehicle, engaging in outside employment, or being otherwise limited in employing their peace officer powers.

Temporary modified-duty assignments shall generally not exceed a cumulative total of 1,040 hours in any one-year period.

1026.4 PROCEDURE

Employees may request a temporary modified-duty assignment for short-term injuries or illnesses.

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Employees seeking a temporary modified-duty assignment should submit a written request to their Bureau Commander or the authorized designees. The request should, as applicable, include a certification from the treating medical professional containing:

(a) An assessment of the nature and probable duration of the illness or injury.

(b) The prognosis for recovery.

(c) The nature and scope of limitations and/or work restrictions.

(d) A statement regarding any required workplace accommodations, mobility aids or medical devices.

(e) A statement that the employee can safely perform the duties of the temporary modified-duty assignment.

The Bureau Commander will make a recommendation through the chain of command to the Chief of Police regarding temporary modified-duty assignments that may be available based on the needs of the Department and the limitations of the employee. The Chief of Police or the authorized designee shall confer with the Department of Human Resources or the City Attorney as appropriate.

1026.5 ACCOUNTABILITY

Written notification of assignments, work schedules and any restrictions should be provided to employees assigned to temporary modified-duty assignments and their supervisors. Those assignments and schedules may be adjusted to accommodate department operations and the employee's medical appointments, as mutually agreed upon with the Bureau Commander.

1026.5.1 EMPLOYEE RESPONSIBILITIES

The responsibilities of employees assigned to temporary modified duty shall include, but not be limited to:

(a) Communicating and coordinating any required medical and physical therapy appointments in advance with their supervisors.

(b) Promptly notifying their supervisors of any change in restrictions or limitations after each appointment with their treating medical professionals.

(c) Communicating a status update to their supervisors no less than once every 30 days while assigned to temporary modified duty.

(d) Submitting a written status report to the Bureau Commander that contains a status update and anticipated date of return to full-duty when a temporary modified-duty assignment extends beyond 60 days.

1026.5.2 SUPERVISOR RESPONSIBILITIES

The employee's immediate supervisor shall monitor and manage the work schedule of those assigned to temporary modified duty.

The responsibilities of supervisors shall include, but not be limited to:

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(a) Periodically apprising the Bureau Commander of the status and performance of employees assigned to temporary modified duty.

(b) Notifying the Bureau Commander and ensuring that the required documentation facilitating a return to full duty is received from the employee.

(c) Ensuring that employees returning to full duty have completed any required training and certification.

1026.6 MEDICAL EXAMINATIONS

Prior to returning to full-duty status, employees shall be required to provide certification from their treating medical professionals stating that they are medically cleared to perform the essential functions of their jobs without restrictions or limitations.

The Department may require a fitness-for-duty examination prior to returning an employee to full-duty status, in accordance with the Fitness for Duty Policy.

1026.7 PREGNANCY

If an employee is temporarily unable to perform regular duties due to a pregnancy, childbirth or a related medical condition, the employee will be treated the same as any other temporarily disabled employee (42 USC § 2000e(k)). A pregnant employee shall not be involuntarily transferred to a temporary modified-duty assignment.

1026.7.1 NOTIFICATION

Pregnant employees should notify their immediate supervisors as soon as practicable and provide a statement from their medical providers identifying any pregnancy-related job restrictions or limitations. If at any point during the pregnancy it becomes necessary for the employee to take a leave of absence, such leave shall be granted in accordance with the City's personnel rules and regulations regarding family and medical care leave.

1026.8 PROBATIONARY EMPLOYEES

Probationary employees who are assigned to a temporary modified-duty assignment shall have their probation extended by a period of time equal to their assignment to temporary modified duty.

1026.9 MAINTENANCE OR CERTIFICATION AND TRAINING

Employees assigned to temporary modified duty shall maintain all certification, training and qualifications appropriate to both their regular and temporary duties, provided that the certification, training or qualifications are not in conflict with any medical limitations or restrictions. Employees who are assigned to temporary modified duty shall inform their supervisors of any inability to maintain any certification, training or qualifications.

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Employee Speech, Expression and Social Networking

1027.1 PURPOSE AND SCOPE

This policy is intended to address issues associated with employee use of social networking sites and to provide guidelines for the regulation and balancing of employee speech and expression with the needs of the Department.

Nothing in this policy is intended to prohibit or infringe upon any communication, speech or expression that is protected or privileged under law. This includes speech and expression protected under state or federal constitutions as well as labor or other applicable laws. For example, this policy does not limit an employee from speaking as a private citizen, including acting as an authorized member of a recognized officer association, about matters of public concern, such as misconduct or corruption.

Employees are encouraged to consult with their supervisor regarding any questions arising from the application or potential application of this policy.

1027.1.1 APPLICABILITY

This policy applies to all forms of communication including, but not limited to, film, video, print media, public or private speech, use of all Internet services, including the World Wide Web, e-mail, file transfer, remote computer access, news services, social networking, social media, instant messaging, blogs, forums, video and other file-sharing sites.

1027.2 POLICY

Public employees occupy a trusted position in the community, and thus, their statements have the potential to contravene the policies and performance of this department. Due to the nature of the work and influence associated with the law enforcement profession, it is necessary that employees of this department be subject to certain reasonable limitations on their speech and expression. To achieve its mission and efficiently provide service to the public, the Idaho Falls Police Department will carefully balance the individual employee’s rights against the department's needs and interests when exercising a reasonable degree of control over its employees’ speech and expression.

1027.3 SAFETY

Employees should consider carefully the implications of their speech or any other form of expression when using the Internet. Speech and expression that may negatively affect the safety of the Idaho Falls Police Department employees, such as posting personal information in a public forum, can result in compromising an employee’s home address or family ties. Employees should therefore not disseminate or post any information on any forum or medium that could reasonably be anticipated to compromise the safety of any employee, an employee's family or associates.

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Examples of the type of information that could reasonably be expected to compromise safety include:

- Disclosing a photograph and name or address of an officer who is working undercover.
- Disclosing the address of a fellow officer.
- Otherwise disclosing where another officer can be located off-duty.

1027.4 PROHIBITED SPEECH, EXPRESSION AND CONDUCT

To meet the department's safety, performance and public-trust needs, the following are prohibited unless the speech is otherwise protected (for example, an employee speaking as a private citizen, including acting as an authorized member of a recognized officer association, on a matter of public concern):

(a) Speech or expression made pursuant to an official duty that tends to compromise or damage the mission, function, reputation or professionalism of the Idaho Falls Police Department or its employees.

(b) Speech or expression that, while not made pursuant to an official duty, is significantly linked to, or related to, the Idaho Falls Police Department and tends to compromise or damage the mission, function, reputation or professionalism of the Idaho Falls Police Department or its employees. Examples may include:

1. Statements that indicate disregard for the law or the state or U.S. Constitutions.
2. Expression that demonstrates support for criminal activity.
3. Participating in sexually explicit photographs or videos for compensation or distribution.

(c) Speech or expression that could reasonably be foreseen as having a negative impact on the credibility of the employee as a witness (e.g., posting statements or expressions to a website that glorify or endorse dishonesty, unlawful discrimination or illegal behavior).

(d) Speech or expression of any form that could reasonably be foreseen as having a negative impact on the safety of the employees of the Department. For example, a statement on a blog that provides specific details as to how and when prisoner transports are made could reasonably be foreseen as potentially jeopardizing employees by informing criminals of details that could facilitate an escape or attempted escape.

(e) Speech or expression that is contrary to the canons of the Law Enforcement Code of Ethics as adopted by the Idaho Falls Police Department.

(f) Use or disclosure, through whatever means, of any information, photograph, video or other recording obtained or accessible as a result of employment with the Department for financial or personal gain, or any disclosure of such materials without the express authorization of the Chief of Police or the authorized designee (Idaho Code 74-402).

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(g) Posting, transmitting or disseminating any video or audio recordings that specifically identifies the Idaho Falls Police Department on any personal or social networking or other website or web page, without the express authorization of the Chief of Police.

(h) Accessing websites for non-authorized purposes, or use of any personal communication device, game device or media device, whether personally or department-owned, for personal purposes while on-duty, that interferes with the performance of official duties.

1.

2.

Employees must take reasonable and prompt action to remove any content, including content posted by others, that is in violation of this policy from any web page or website maintained by the employee (e.g., social or personal website).

1027.4.1 UNAUTHORIZED ENDORSEMENTS AND ADVERTISEMENTS

While employees are not restricted from engaging in the following activities as private citizens or as authorized members of a recognized officer association, employees may not represent the Idaho Falls Police Department or identify themselves in any way that could be reasonably perceived as representing the Idaho Falls Police Department in order to do any of the following, unless specifically authorized by the Chief of Police (Idaho Code 74-402):

(a) Endorse, support, oppose or contradict any political campaign or initiative.

(b) Endorse, support, oppose or contradict any social issue, cause or religion.

(c) Endorse, support or oppose any product, service, company or other commercial entity.

(d) Appear in any commercial, social or nonprofit publication or any motion picture, film, video, public broadcast or on any website.

Additionally, when it can reasonably be construed that an employee, acting in his/her individual capacity or through an outside group or organization (e.g., bargaining group), is affiliated with this department, the employee shall give a specific disclaiming statement that any such speech or expression is not representative of the Idaho Falls Police Department.

Employees retain their right to vote as they choose, to support candidates of their choice and to express their opinions as private citizens, including as authorized members of a recognized officer association, on political subjects and candidates at all times while off-duty. However, employees may not use their official authority or influence to interfere with or affect the result of an election or a nomination for office. Employees are also prohibited from directly or indirectly using their official authority to coerce, command or advise another employee to pay, lend or contribute anything of value to a party, committee, organization, agency or person for political purposes (5 USC § 1502).

1027.5 PRIVACY EXPECTATION

Employees forfeit any expectation of privacy with regard to e-mails, texts or anything published or maintained through file-sharing software or any Internet site (e.g., Facebook, MySpace) that is accessed, transmitted, received or reviewed on any department technology system.

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The Department reserves the right to access, audit and disclose for whatever reason any message, including attachments, and any information accessed, transmitted, received or reviewed over any technology that is issued or maintained by the Department, including the department e-mail system, computer network or any information placed into storage on any department system or device.

This includes records of all key strokes or web-browsing history made at any department computer or over any department network. The fact that access to a database, service or website requires a user name or password will not create an expectation of privacy if it is accessed through department computers or networks.

1027.6 EXCEPTIONS

In determining whether to grant authorization of any speech or conduct that is prohibited under this policy, the factors that the Chief of Police or authorized designee should consider include:

(a) Whether the speech or conduct would negatively affect the efficiency of delivering public services.

(b) Whether the speech or conduct would be contrary to the good order of the Department or the efficiency or morale of its members.

(c) Whether the speech or conduct would reflect unfavorably upon the Department.

(d) Whether the speech or conduct would negatively affect the member's appearance of impartiality in the performance of his/her duties.

(e) Whether similar speech or conduct has been previously authorized.

(f) Whether the speech or conduct may be protected and outweighs any interest of the Department.

1027.7 TRAINING

Subject to available resources, the Department should provide training regarding employee speech and the use of social networking to all members of the Department.

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Line-of-Duty Deaths

1028.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to members of the Idaho Falls Police Department in the event of the death of a member occurring in the line of duty and to direct the Department in providing proper support for the member's survivors.

The Chief of Police may also apply some or all of this policy in situations where members are injured in the line of duty and the injuries are life-threatening.

1028.1.1 DEFINITIONS

Definitions related to this policy include:

Line-of-duty death - The death of a sworn member during the course of performing law enforcement-related functions while on- or off-duty, or a civilian member during the course of performing their assigned duties.

Survivors - Immediate family members of the deceased member, which can include spouse, children, parents, other next of kin or significant others. The determination of who should be considered a survivor for purposes of this policy should be made on a case-by-case basis given the individual's relationship with the member and whether the individual was previously designated by the deceased member.

1028.2 POLICY

It is the policy of the Idaho Falls Police Department to make appropriate notifications and to provide assistance and support to survivors and coworkers of a member who dies in the line of duty.

It is also the policy of this department to respect the requests of the survivors when they conflict with these guidelines, as appropriate.

1028.3 INITIAL ACTIONS BY COMMAND STAFF

(a) Upon learning of a line-of-duty death, the deceased member's supervisor should provide all reasonably available information to the Shift Lieutenant and Emergency Communications Center.

1. Communication of information concerning the member and the incident should be restricted to secure networks to avoid interception by the media or others (see the Public Information Officer section of this policy).

(b) The Shift Lieutenant should ensure that notifications are made in accordance with the Officer-Involved Shootings and Deaths and Major Incident Notification policies as applicable.

(c) If the member has been transported to the hospital, the Shift Lieutenant or the designee should respond to the hospital to assume temporary responsibilities as the Hospital Liaison.

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(d) The Chief of Police or the authorized designee should assign members to handle survivor notifications and assign members to the roles of Hospital Liaison (to relieve the temporary Hospital Liaison) and the Department Liaison as soon as practicable (see the Notifying Survivors section and the Department Liaison and Hospital Liaison subsections in this policy).

1028.4 NOTIFYING SURVIVORS

Survivors should be notified as soon as possible in order to avoid the survivors hearing about the incident in other ways.

The Chief of Police or the authorized designee should review the deceased member's emergency contact information and make accommodations to respect the member's wishes and instructions specific to notifying survivors. However, notification should not be excessively delayed because of attempts to assemble a notification team in accordance with the member's wishes.

The Chief of Police, Shift Lieutenant or the authorized designee should select at least two members to conduct notification of survivors, one of which may be aDepartment Chaplain.

Notifying members should:

(a) Make notifications in a direct and compassionate manner, communicating as many facts of the incident as possible, including the current location of the member. Information that is not verified should not be provided until an investigation has been completed.

(b) Determine the method of notifying surviving children by consulting with other survivors and taking into account factors such as the child's age, maturity and current location (e.g., small children at home, children in school).

(c) Plan for concerns such as known health concerns of survivors or language barriers.

(d) Offer to transport survivors to the hospital, if appropriate. Survivors should be transported in department vehicles. Notifying members shall inform the Hospital Liaison over a secure network that the survivors are on their way to the hospital and should remain at the hospital while the survivors are present.

(e) When survivors are not at their residences or known places of employment, actively seek information and follow leads from neighbors, other law enforcement, postal authorities and other sources of information in order to accomplish notification in as timely a fashion as possible. Notifying members shall not disclose the reason for their contact other than a family emergency.

(f) If making notification at a survivor's workplace, ask a workplace supervisor for the use of a quiet, private room to meet with the survivor. Members shall not inform the workplace supervisor of the purpose of their visit other than to indicate that it is a family emergency.

(g) Offer to call other survivors, friends or clergy to support the survivors and to avoid leaving survivors alone after notification.

(h) Assist the survivors with meeting childcare or other immediate needs.

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(i) Provide other assistance to survivors and take reasonable measures to accommodate their needs, wishes and desires. Care should be taken not to make promises or commitments to survivors that cannot be met.

(j) Inform the survivors of the name and phone number of the Survivor Support Liaison (see the Survivor Support Liaison subsection of this policy), if known, and the Department Liaison.

(k) Provide their contact information to the survivors before departing.

(l) Document the survivor's names and contact information, as well as the time and location of notification. This information should be forwarded to the Department Liaison.

(m) Inform the Chief of Police or the authorized designee once survivor notifications have been made so that other Idaho Falls Police Department members may be apprised that survivor notifications are complete.

1028.4.1 OUT-OF-AREA NOTIFICATIONS

The Department Liaison should request assistance from law enforcement agencies in appropriate jurisdictions for in-person notification to survivors who are out of the area.

(a) The Department Liaison should contact the appropriate jurisdiction using a secure network and provide the assisting agency with the name and telephone number of the department member that the survivors can call for more information following the notification by the assisting agency.

(b) The Department Liaison may assist in making transportation arrangements for the member's survivors, but will not obligate the Department to pay travel expenses without the authorization of the Chief of Police.

1028.5 NOTIFYING DEPARTMENT MEMBERS

Supervisors or members designated by the Chief of Police are responsible for notifying department members of the line-of-duty death as soon as possible after the survivor notification is made. Notifications and related information should be communicated in person or using secure networks and should not be transmitted over the radio.

Notifications should be made in person and as promptly as possible to all members on-duty at the time of the incident. Members reporting for subsequent shifts within a short amount of time should be notified in person at the beginning of their shift. Members reporting for duty from their residence should be instructed to contact their supervisor as soon as practicable. Those members who are working later shifts or are on days off should be notified by phone as soon as practicable.

Members having a close bond with the deceased member should be notified of the incident in person. Supervisors should consider assistance (e.g., peer support group, modifying work schedules, approving sick leave) for members who are especially affected by the incident.

Supervisors should direct members not to disclose any information outside the Department regarding the deceased member or the incident.

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1028.6 LIAISONS AND COORDINATORS

The Chief of Police or the authorized designee should select members to serve as liaisons and coordinators to handle responsibilities related to a line-of-duty death, including, but not limited to:

(a) Department Liaison.

(b) Hospital Liaison.

(c) Survivor Support Liaison.

(d) Critical Incident Stress Management (CISM) coordinator.

(e) Funeral Liaison.

(f) Mutual aid coordinator.

(g) Benefits Liaison.

(h) Finance coordinator.

Liaisons and coordinators will be directed by the Department Liaison and should be given sufficient duty time to complete their assignments.

Members may be assigned responsibilities of more than one liaison or coordinator position depending on available department resources. The Department Liaison may assign separate liaisons and coordinators to accommodate multiple family units, if needed.

1028.6.1 DEPARTMENT LIAISON

The Department Liaison should be a Bureau Commander or of sufficient rank to effectively coordinate department resources, and should serve as a facilitator between the deceased member's survivors and the Department. The Department Liaison reports directly to the Chief of Police. The Department Liaison's responsibilities include, but are not limited to:

(a) Directing the other liaisons and coordinators in fulfilling survivors' needs and requests. Consideration should be given to organizing the effort using the National Incident Management System (NIMS).

(b) Establishing contact with survivors within 24 hours of the incident and providing them contact information.

(c) Advising survivors of the other liaison and coordinator positions and their roles and responsibilities.

(d) Identifying locations that will accommodate a law enforcement funeral and presenting the options to the appropriate survivors, who will select the location.

(e) Coordinating all official law enforcement notifications and arrangements.

(f) Making necessary contacts for authorization to display flags at half-mast.

(g) Ensuring that department members are reminded of appropriate information–sharing restrictions regarding the release of information that could undermine future legal proceedings.

(h) Coordinating security checks of the member's residence as necessary and reasonable.

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(i) Serving as a liaison with visiting law enforcement agencies during memorial and funeral services.

1028.6.2 HOSPITAL LIAISON

The Hospital Liaison should work with hospital personnel to:

(a) Arrange for appropriate and separate waiting areas for:

1. The survivors and others whose presence is requested by the survivors.
2. Department members and friends of the deceased member.
3. Media personnel.

(b) Ensure, as much as practicable, that any suspects who are in the hospital and their families or friends are not in close proximity to the member's survivors or Idaho Falls Police Department members (except for members who may be guarding the suspect).

(c) Ensure that survivors receive timely updates regarding the member before information is released to others.

(d) Arrange for survivors to have private time with the member, if requested.

1. The Hospital Liaison or hospital personnel may need to explain the condition of the member to the survivors to prepare them accordingly.
2. The Hospital Liaison should accompany the survivors into the room, if requested.

(e) Stay with survivors and ensure that they are provided with other assistance as needed at the hospital.

(f) If applicable, explain to the survivors why an autopsy may be needed.

(g) Ensure hospital and ambulance bills are directed to the Department, that the survivors are not asked to sign as guarantor of payment for any hospital treatment and that the member's residence address, insurance information and next of kin are not included on hospital paperwork.

Other responsibilities of the Hospital Liaison include, but are not limited to:

- Arranging transportation for the survivors back to their residence.
- Working with investigators to gather and preserve the deceased member's equipment and other items that may be of evidentiary value.
- Documenting his/her actions at the conclusion of his/her duties.

1028.6.3 SURVIVOR SUPPORT LIAISON

The Survivor Support Liaison should work with the Department Liaison to fulfill the immediate needs and requests of the survivors of any member who has died in the line of duty, and serve as the long-term department contact for survivors.

The Survivor Support Liaison should be selected by the deceased member's Bureau Commander. The following should be considered when selecting the Survivor Support Liaison:

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- The liaison should be an individual the survivors know and with whom they are comfortable working.
- If the survivors have no preference, the selection may be made from names recommended by the deceased member's supervisor and/or coworkers. The deceased member's partner or close friends may not be the best selections for this assignment because the emotional connection to the member or survivors may impair their ability to conduct adequate liaison duties.
- The liaison must be willing to assume the assignment with an understanding of the emotional and time demands involved.

The responsibilities of the Survivor Support Liaison include, but are not limited to:

(a) Arranging for transportation of survivors to hospitals, places of worship, funeral homes and other locations, as appropriate.

(b) Communicating with the Department Liaison regarding appropriate security measures for the family residence, as needed.

(c) If requested by the survivors, providing assistance with instituting methods of screening telephone calls made to their residence after the incident.

(d) Providing assistance with travel and lodging arrangements for out-of-town survivors.

(e) Returning the deceased member's personal effects from the Department and the hospital to the survivors. The following should be considered when returning the personal effects:

1. Items should not be delivered to the survivors until they are ready to receive the items.
2. Items not retained as evidence should be delivered in a clean, unmarked box.
3. All clothing not retained as evidence should be cleaned and made presentable (e.g., items should be free of blood or other signs of the incident).
4. The return of some personal effects may be delayed due to ongoing investigations.

(f) Assisting with the return of department-issued equipment that may be at the deceased member's residence.

1. Unless there are safety concerns, the return of the equipment should take place after the funeral at a time and in a manner considerate of the survivors' wishes.

(g) Working with the CISM coordinator to ensure that survivors have access to available counseling services.

(h) Coordinating with the department's Public Information Officer (PIO) to brief the survivors on pending press releases related to the incident and to assist the survivors with media relations in accordance with their wishes (see the Public Information Officer section of this policy).

(i) Briefing survivors on investigative processes related to the line-of-duty death, such as criminal, internal and administrative investigations.

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(j) Informing survivors of any related criminal proceedings and accompanying them to such proceedings.

(k) Introducing survivors to prosecutors, victim's assistance personnel and other involved personnel as appropriate.

(l) Maintaining long-term contact with survivors and taking measures to sustain a supportive relationship (e.g., follow-up visits, phone calls, cards on special occasions, special support during holidays).

(m) Inviting survivors to department activities, memorial services or other functions as appropriate.

Survivor Support Liaisons providing services after an incident resulting in multiple members being killed should coordinate with and support each other through conference calls or meetings as necessary.

The Department recognizes that the duties of a Survivor Support Liaison will often affect regular assignments over many years, and is committed to supporting members in the assignment.

1028.6.4 CRITICAL INCIDENT STRESS MANAGEMENT COORDINATOR

The CISM coordinator should work with the Chief of Police or the authorized designee, liaisons, coordinators and other resources to make CISM and counseling services available to members and survivors who are impacted by a line-of-duty death. The responsibilities of the CISM coordinator include, but are not limited to:

(a) Identifying members who are likely to be significantly affected by the incident and may have an increased need for CISM and counseling services, including:

1. Members involved in the incident.
2. Members who witnessed the incident.
3. Members who worked closely with the deceased member but were not involved in the incident.

(b) Ensuring that members who were involved in or witnessed the incident are relieved of department responsibilities until they can receive CISM support as appropriate and possible.

(c) Ensuring that CISM and counseling resources (e.g., peer support, debriefing, grief counselors) are available to members as soon as reasonably practicable following the line-of-duty death.

(d) Coordinating with the Survivor Support Liaison to ensure survivors are aware of available CISM and counseling services and assisting with arrangements as needed.

(e) Following up with members and the Survivor Support Liaison in the months following the incident to determine if additional CISM or counseling services are needed.

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1028.6.5 FUNERAL LIAISON

The Funeral Liaison should work with the Department Liaison, Survivor Support Liaison and survivors to coordinate funeral arrangements to the extent the survivors wish. The Funeral Liaison's responsibilities include, but are not limited to:

(a) Assisting survivors in working with the funeral director regarding funeral arrangements and briefing them on law enforcement funeral procedures.

(b) Completing funeral notification to other law enforcement agencies.

(c) Coordinating the funeral activities of the Department, including, but not limited to the following:

1. Honor Guard
    - (a) Casket watch
    - (b) Color guard
    - (c) Pallbearers
    - (d) Bell/rifle salute
2. Bagpipers/bugler
3. Uniform for burial
4. Flag presentation
5. Last radio call

(d) Briefing the Chief of Police and command staff concerning funeral arrangements.

(e) Assigning an officer to remain at the family home during the viewing and funeral.

(f) Arranging for transportation of the survivors to and from the funeral home and interment site using department vehicles and drivers.

1028.6.6 MUTUAL AID COORDINATOR

The mutual aid coordinator should work with the Department Liaison and the Funeral Liaison to request and coordinate any assistance from outside law enforcement agencies needed for, but not limited to:

(a) Traffic control during the deceased member's funeral.

(b) Area coverage so that as many Idaho Falls Police Department members can attend funeral services as possible.

The mutual aid coordinator should perform his/her duties in accordance with the Mutual Aid and Outside Agency Assistance Policy.

1028.6.7 BENEFITS LIAISON

The Benefits Liaison should provide survivors with information concerning available benefits and assist them in applying for benefits. Responsibilities of the Benefits Liaison include, but are not limited to:

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(a) Confirming the filing of workers' compensation claims and related paperwork (see the Occupational Disease and Work-Related Injury Reporting Policy).

(b) Researching and assisting survivors with application for federal government survivor benefits, such as those offered through the:

1. Public Safety Officers' Benefits (PSOB) Programs.
2. Public Safety Officers' Educational Assistance (PSOEA) Program.
3. Social Security Administration.
4. Department of Veterans Affairs.

(c) Researching and assisting survivors with application for state and local government survivor benefits.

1. Death benefits (Idaho Code 59-1361A; Idaho Code 50-1516)
2. Education benefit (Idaho Code 33-4302)

(d) Researching and assisting survivors with application for other survivor benefits such as:

1. Private foundation survivor benefits programs.
2. Survivor scholarship programs.

(e) Researching and informing survivors of support programs sponsored by police associations and other organizations.

(f) Documenting and informing survivors of inquiries and interest regarding public donations to the survivors.

1. If requested, working with the finance coordinator to assist survivors with establishing a process for the receipt of public donations.

(g) Providing survivors with a summary of the nature and amount of benefits applied for, including the name of a contact person at each benefit office. Printed copies of the summary and benefit application documentation should be provided to affected survivors.

(h) Maintaining contact with the survivors and assisting with subsequent benefit questions and processes as needed.

1028.6.8 FINANCE COORDINATOR

The finance coordinator should work with the Chief of Police and the Department Liaison to manage financial matters related to the line-of-duty death. The finance coordinator's responsibilities include, but are not limited to:

(a) Establishing methods for purchasing and monitoring costs related to the incident.

(b) Providing information on finance-related issues, such as:

1. Paying survivors' travel costs if authorized.
2. Transportation costs for the deceased.

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3. Funeral and memorial costs.
4. Related funding or accounting questions and issues.

(c) Working with the Benefits Liaison to establish a process for the receipt of public donations to the deceased member's survivors.

(d) Providing accounting and cost information as needed.

1028.7 PUBLIC INFORMATION OFFICER

In the event of a line-of-duty death, the department's PIO should be the department's contact point for the media. As such, the PIO should coordinate with the Department Liaison to:

(a) Collect and maintain the most current incident information and determine what information should be released.

(b) Ensure that department members are instructed to direct any media inquiries to the PIO.

(c) Prepare necessary press releases.

1. Ensure coordination with other entities having media roles (e.g., outside agencies involved in the investigation or incident).
2. Ensure that important public information is disseminated, such as information on how the public can show support for the Department and deceased member's survivors.

(d) Arrange for community and media briefings by the Chief of Police or the authorized designee as appropriate.

(e) Respond, or coordinate the response, to media inquiries.

(f) If requested, assist the member's survivors with media inquiries.

1. Brief the survivors on handling sensitive issues such as the types of questions that reasonably could jeopardize future legal proceedings.

(g) Release information regarding memorial services and funeral arrangements to department members, other agencies and the media as appropriate.

(h) If desired by the survivors, arrange for the recording of memorial and funeral services via photos and/or video.

The identity of deceased members should be withheld until the member's survivors have been notified. If the media has obtained identifying information for the deceased member prior to survivor notification, the PIO should request that the media withhold the information from release until proper notification can be made to survivors. The PIO should ensure that media are notified when survivor notifications have been made.

1028.8 DEPARTMENT CHAPLAIN

The Department chaplains may serve a significant role in line-of-duty deaths. Their duties may include, but are not limited to:

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- Assisting with survivor notifications and assisting the survivors with counseling, emotional support or other matters, as appropriate.
- Assisting liaisons and coordinators with their assignments, as appropriate.
- Assisting department members with counseling or emotional support, as requested and appropriate.

Further information on the potential roles and responsibilities of the chaplain is in the Chaplains Policy.

1028.9 INVESTIGATION OF THE INCIDENT

The Chief of Police shall ensure that line-of-duty deaths are investigated thoroughly and may choose to use the investigation process outlined in the Officer-Involved Shootings and Deaths Policy.

Investigators from other agencies may be assigned to work on any criminal investigation related to line-of-duty deaths. Partners, close friends or personnel who worked closely with the deceased member should not have any investigative responsibilities because such relationships may impair the objectivity required for an impartial investigation of the incident.

Involved department members should be kept informed of the progress of the investigations and provide investigators with any information that may be pertinent to the investigations.

1028.10 LINE-OF-DUTY DEATH OF A LAW ENFORCEMENT ANIMAL

The Chief of Police may authorize appropriate memorial and funeral services for law enforcement animals killed in the line of duty.

1028.11 NON-LINE-OF-DUTY DEATH

The Chief of Police may authorize certain support services for the death of a member not occurring in the line of duty or the death of a retired department member.

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Employee Mental Health Services

1029.1 PURPOSE

Law enforcement duties often expose employees to both routine acute stress and highly stressful situations that cannot be resolved through regular coping mechanisms. Unless adequately addressed, these situations may cause disabling emotional, psychological, and physical problems. Preparing for and providing support for daily stress and stress following a traumatic incident will assist in minimizing the chances that employees will experience negative physical, cognitive, emotional, and behavioral reactions. This policy is intended to outline the Idaho Falls Police Department's response to providing employees with mental health services.

1029.2 POLICY

It is the policy of the Idaho Falls Police Department to provide all personnel with access to mental health services to preempt and resolve emotional difficulties and to take those measures necessary in the provision of mental health services to ensure their well-being and safety. It is also the policy of this agency to take immediate action after traumatic incidents to safeguard the continued mental wellness of all involved personnel. In these instances, the employee is the recipient of mental health services.

This policy does not apply to the psychological examination of job applicants nor a current employee's fitness for duty, where the Idaho Falls Police Department is the recipient of the services. For further information about these circumstances, see 1015 Fitness for Duty.

1029.3 DEFINITIONS

Critical Incident: An incident that is unusual, violent, or involves a perceived threat to, or actual loss of, human life that may overwhelm an individual’s normal coping mechanisms and cause extreme psychological distress.

Employee Assistance Program (EAP): Confidential mental health services maintained by a third party.

Mental Health Services: Services provided by an agency-employed and/or agency-contracted qualified mental health professional.

Peer Support: A program designed to provide emotional, social, or practical support and referrals to additional professional services, when needed. The program comprises specifically trained sworn and civilian colleagues, referred to as peer support persons, who are not counselors or therapists.

Peer Support Team Members: A formal group of individuals consisting of agency members who have undergone training in peer support methods.

Qualified Mental Health Professional (QMHP): An individual who is licensed as a mental health professional and has an in-depth understanding of trauma-related disorders and the law enforcement culture.

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Traumatic Incident: An incident that may overwhelm an individual's normal coping mechanisms and cause extreme psychological distress.

1029.4 CONFIDENTIALITY

The acceptance and success of the Idaho Falls Police Department's Mental Health Services Policy will be determined, in part, by the observance of confidentiality. Members of the Peer Support Team, participants in Critical Incident debriefs, and Qualified Mental Health Professionals shall maintain strict confidentiality of all information learned about an individual through the course of their duties and participation.

Members of the Peer Support team, participants in Critical Incident debriefs, and Qualified Mental Health providers shall not withhold information as to events in which they themselves are directly involved in, nor interfere or encourage interference with an ongoing criminal or administrative investigation.

Communication between employees and Peer Support Team members, participants in Critical Incident debriefs, and Qualified Mental Health Professionals is considered confidential except for matters involving the following:

- Imminent danger to self or others
- Suspected child, elderly, or vulnerable adult abuse or neglect
- Illegal drug offenses
- In cases where law requires disclosure
- Where the employee requests disclosure

Members of the Peer Support team, participants in Critical Incident debriefs, and Qualified Mental Health providers are encouraged to inform the employee, prior to discussion, what the limitations and exceptions to confidentiality are.

1029.5 EMPLOYEE ASSISTANCE PROGRAM

The City of Idaho Falls may contract with an Employee Assistance Program provider for free access to a Qualified Mental Health Professional. Employees may contact the City of Idaho Falls Human Resource Department for current information regarding the EAP.

1029.6 PEER SUPPORT TEAM

The department should maintain a Peer Support Team that offers assistance and appropriate support resources to employees when personal or professional problems have, or can potentially, cause a negative effect on their work performance, family or self. These stressors may include day to day work issues, high stress incidents, critical or traumatic incidents, divorce, illness, disability, career concerns, family relationships, or financial difficulties.

Peer Support Team members can be available to assist in:

- One on one peer support

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- Pre-incident training
- Facilitation of Critical Incident Debriefings
- On-scene crisis response
- Follow up services as requested by employees or the Department

Peer Support Team members are volunteers and shall receive specific, initial and periodic training regarding crisis intervention, stress management, how and when to intervene in crisis situations, identifying personal conflicts and providing guidance, and mechanisms for obtaining additional resources for employees.

Peer Support Team composition should include members from different workgroups, ages, and ranks so that all employees can feel comfortable obtaining assistance from at least one member. It is recommended that Qualified Mental Health Professionals outside of the department participate as well.

Team members will be required to flex their work schedules for one on one peer support, training, and debriefings. Overtime and comptime is available if a member is called out to a critical or traumatic incident scene.

1029.6.1 REQUESTS FOR PEER SUPPORT TEAM SERVICES

Department employees and their families may contact Peer Support Team members directly for one on one support services in dealing with reactions to critical incidents or personal crisis and stress. When a request is made in this fashion, no departmental or supervisory notification is required.

The Peer Support Team membership should be distributed to all supervisors, be available in work areas, and available via email. These rosters should include contact information for Peer Support Team members.

Supervisors should request the services of the Peer Support Team whenever a critical/traumatic event occurs or when peer support appears necessary. Contact shouldbe made with through the team's chain of command using dispatch or by direct phone call or text. Team members will then be deployed under the following guidlines:

- If a specific PST member is requested, that person should be contacted
- The nearest PST member will be contacted for non-critical response
- If possible, the responding team member should be of equal or higher rank/ classification than the involved employee
- In the case of an Officer Involved Shooting, team members who may be asked to assist in criminal investigations or conduct administrative investigations should not be used
- When requested to respond, P{ST members should be provided with the name and rank of the involved employee(s), the location of the employee(s), and the nature of the incident

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- PST members responding to a Critical Incident scene shall check in and coordinate their activities with the on-scene incident commander

1029.6.2 ACTIVATION OF THE PEER SUPPORT TEAM

Supervisors should request assistance from the Peer Support Team via the Team's chain of command. One of the Team supervisors will determine how many Peer Support Team members to deploy based on the circumstances of the incident. Examples of incidents that may require a Peer Support Team response include, but are not limited to:

- Officer Involved shooting
- Line of duty death
- Serious injury in the line of duty
- Major disaster scene
- Major traffic accident
- Serious injury/death of a child
- Scene of a violent crime
- Non-duty death or injury of an employee

Supervisors and fellow employees should contact a Peer Support Team supervisor if there is concern about an employees's wellbeing, even if the triggering event is unknown.

Individual personnel can call Peer Support Team members individually as they deem necessary for personal or one on one requests for assistance.

1029.6.3 PEER SUPPORT TEAM SELECTION

Recruitment and selection of Peer Support Team members is an ongoing function of the program. Team members will be selected from employees that have demonstrated an ability to cope with a traumatic event, effectively command respect from their peers, and are superior communicators. Additionally, team members should have good rapport and respect for fellow employees, be trusted, sensitive to the problems of others, understand confidentiality issues, and have a willingness to learn.

Peer Support Team members should have at least 3 years of experience in order to have a good grasp of the nature of their workgroup's assignment.

Selection of Peer Support Team members should be undertaken by a committee of current members.

1029.7 CRITICAL INCIDENT DEBRIEFING

Critical Incident Debriefing is a structured, small-group, crisis intervention process conducted by a Qualified Mental Health Professional and facilitated by members of the Peer Support Team. Critical Incident Debriefings should be held as soon as practicable with those employees involved in a critical incident.

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Critical Incidents are events that are unusual, violent, or involve a perceived threat to, or actual loss of human life. These events may overwhelm an individual's normal coping mechanisms and cause extreme psychological distress. For the purposes of debriefing, critical incidents are events where a first responder sustains, witnesses, or is in close proximity to a sudden death, severe physical injury, or an emergency that poses a high likelihood of severe physical injury or death to any person.

Critical Incident Debriefings will be initiated at the discretion of the Peer Support Team's chain of command. If a critical incident occurs, any supervisor with knowledge of the incident should contact the Peer Support Team's chain of command so that a debrief can be scheduled with the first responders involved, the QMHP, and members of the Peer Support Team.

1029.8 MENTAL HEALTH TRAINING

Annually, sworn employees and dispatchers will receive 1 hour of one on one, mental health training from a Qualified Mental Health Professional. Based on their personnel's assignment, the Bureau Commander may mandate training biannually or quarterly (e.g. Internet Crimes Against Children, Violent Crimes Detectives). Training topics may include self care, stress management, recognizing signs and symptoms of distress, conflict resolution, giving and receiving feedback, personal and professional resilience, healthy coping mechanisms, effective communication, emotional regulation, depression, anxiety, addiction, relationships, and burnout.

The Professional Standards and Logistics Bureau will coordinate these mandatory appointments, during business hours, with the Qualified Mental Health Professionals at their facilities.

Subject to available resources, Qualified Mental Health Professionals will also conduct department training in a group setting.

These one on one training sessions are subject to the licensed counselor-client privilege as described in Idaho Rule of Evidence 517. The QMHP will only disclose to department administration whether the employee attended the training.

1029.8.1 DEPARTMENT TRAINING

Qualified Mental Health Professionals may periodically provide training to department members in a group setting. Topics for presentations may include self-care, stress management, recognizing signs and symptoms of distress, conflict resolution, giving and receiving feedback, personal and professional resilience, healthy coping mechanisms, effective communication, emotional regulation, depression, anxiety, addiction, PTI, healthy relationships, professional burnout, and positive cultural changes.

1029.9 VOLUNTARY WELLNESS INTERVIEWS

Subject to available resources, Qualified Mental Health Professionals may conduct annual or semi-annual wellness interviews with first responders. These wellness interviews are voluntary to the IFPD staff, typically done at department facilities, and are subject to the licensed counselor-client privilege pursuant to Idaho Rule of Evidence 517.

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1029.10 MANDATORY COUNSELING

Following a Critical Incident (e.g. Officer Involved Shooting), the department may mandate that impacted employees receive up to three counseling sessions with a Qualified Mental Health Professional. The purpose of these sessions are to ensure that the employee has processed the critical incident constructively and is prepared to return to duty. These sessions are subject to the licensed counselor-client privilege pursuant to Idaho Rule of Evidence 517. The QMHP will only disclose to department administration whether the impacted employee attended the session and if he/she is prepared to return to duty.

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Early Warning and Intervention

1030.1 PURPOSE

The purpose of this policy is to ensure the efficiency of the police department in a manner that considers the mental health, physical health, and ethical obligations of its employees.

1030.2 POLICY

This policy seeks to help employees experiencing issues, or prevent issues from occurring, that may impact their professional or personal lives, as well as address members' reporting responsibilities.

1030.3 PRE-HIRE SCREENING AND INVESTIGATION

1. The department will conduct background investigations of potential employees to check for criminal and violent behavior.
2. All candidates will be asked about past arrests or convictions and a criminal history check will be conducted through the records department.
3. Those candidates with a history of behavior that violates IDAPA Rule 11.11.01 will be removed from the hiring process.
4. Once a conditional offer of employment is given to an applicant, the certified psychologist and polygraphist will also conduct testing to determine whether the applicant has a history of behavior that violates IDAPA Rule 11.11.01.

1030.4 DEPARTMENT RESPONSIBILITIES

The City of Idaho Falls has an Employee Assistance Program to assist and council employees with personal problems. The peer support team, made up of department employees, is available, as is the Police Department's contracted psychological provider.

1030.5 SUPERVISOR RESPONSIBILITIES

1. Supervisors will immediately make their ranking supervisor aware of officers who may be experiencing mental health issues, engaging in criminal activity, or abusing alcohol or prescription drugs.
   (a) In addition to behavioral changes, supervisors should also watch for negative changes in work behavior such as public or peer complaints, reduced quality of work product, absenteeism, etc.
2. The Chief of Police will be informed of such circumstances or concerns in a timely manner through the department's chain of command so that a Fitness for Duty examination may be considered.

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1030.6 POLICE OFFICER AND CIVILIAN EMPLOYEE RESPONSIBILITIES

1. Employees are encouraged to seek confidential assistance from the department to prevent a problem from escalating.
2. Employees with definite knowledge that another employee is experiencing mental health issues, engaging in criminal activity, or abusing alcohol or prescription drugs shall report it immediately to their supervisor.

1030.7 SYSTEM EVALUATION

On an annual basis, the Professional Standards and Logistics Bureau Commander should evaluate the Early Warning and Evaluation system to ensure it is functioning efficiently and in compliance with best practices.

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Attachments

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INDEX / TOPICS

A

ABUSE OF AUTHORITY 10
ACKNOWLEDGEMENTS
Pursuit policy. 87
ADMINISTRATIVE INVESTIGATIONS
OIS. 64
Vehicle damage. 395
ADMINISTRATIVE LEAVE
Firearms. 70
OIS. 63
ADULT ABUSE 109
Investigations. 347
AIRCRAFT
Accidents. 270
Flying while armed. 74
ALCOHOL
Firearms. 72
Intoxicants. 145
Vehicle use. 392
ALCOHOL 452
ALCOHOL USE 452
AMMUNITION 70
ANIMAL CONTROL 430
ANIMALS
Animal control. 430
Dangerous. 73
Euthanize. 73
Injured. 73
Line-of-duty deaths. 541
Service. 191
ANTI-RETALIATION 447
APPOINTMENTS
Chaplain coordinator. 184
Community relations coordinator. . . . 203
Line-of-duty death liaisons and coordinators 534
Operations director 373, 377
Petty cash fund manager. 397
TSA instructor. 74
ARRESTS
Citations. 254
First amendment assemblies. 318
Seat belts. 480
AUDIO/VIDEO RECORDING
Custodial interrogation. 347
OIS. 66
AUDITS
Informant files. 357
Informant funds. 359
Petty cash. 397
AUTHORITY
Canine handler. 93
AUTOMATED EXTERNAL DEFIBRILLATOR (AED) 322
AUTOMATIC VEHICLE LOCATION . . . 391
AUXILIARY RESTRAINTS 46
AVL 391

B

BADGES, PATCHES AND IDENTIFICATION
While armed. 70
BARRICADED SUSPECTS 235
BATON 50
BIAS-BASED POLICING 215
BIOLOGICAL SAMPLES
Hazards. 271
BODY ARMOR
Suspects. 68
BODY ARMOR 481
BODY ARMOR 481
BOMBS
Aircraft accidents. 271
Canine detection. 96
Chaplains. 185
MDT/MDC. 290

C

CANINES
Pursuits. 301
Vehicle pursuits. 81
CASH
Audit. 359
CERTIFICATION 526
CHAPLAINS 183
Line-of-duty deaths. 540
CHIEF EXECUTIVE OFFICER 13
CHILD ABUSE
Definitions. 119
Injury to child. 119
Mandatory Notification. 119
CHILDREN
Firearms. 72
Transporting. 479
CITATIONS 254
CITATIONS 326
CIVIL
Subpoenas. 158
CIVIL COMMITMENTS 249

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CIVIL DISPUTES 309
CODE-3 88
COMMAND STAFF
Conducted energy device. 59
Occupational disease and work-related injuries. 509
COMMENDATIONS AND AWARDS . . . 484
COMMUNICABLE DISEASES
Crime scene and disaster integrity. . . . 220
COMMUNICATIONS CENTER
Foot pursuits. 304
Mandatory sharing. 160
COMMUNICATIONS CENTER
Vehicle pursuits. 82
COMMUNITY RELATIONS 203
COMPUTERS
Digital evidence. 348
CONDUCT
Meritorious. 485
OIS. 60
Standards of conduct. 143
CONDUCTED ENERGY DEVICE 54
CONFIDENTIALITY
Chaplains. 186
Informants. 355
Radio broadcasts. 289
CONTACTS AND TEMPORARY DETENTIONS
Bias-based policing. 216
Warrant service. 375
CONTROL DEVICES
First amendment assemblies. 317
Training. 261
CONTROL DEVICES 49
CORRESPONDENCE 28
COURT ORDERS
Adult abuse. 111
Civil disputes. 310
Juvenile informants. 355
Subpoenas. 157
CRIME ANALYSIS 405
CRIME SCENE AND DISASTER INTEGRITY 219
CRIMINAL ACTIVITY REPORTING . . . 150
CUSTODIAL INTERROGATIONS 347

D

DAMAGE BY CITY PERSONNEL 152
DEADLY FORCE REVIEW 41
DEATH
Chaplains. 185
Native American Graves (NAGPRA). . . 207
DEATH INVESTIGATION 163
DEATH NOTIFICATION 163
DEBRIEFING
Tactical. 66
Warrant service. 375
DECONFLICTION 379
DEPARTMENT/OFFICE OWNED PROPERTY 384
Loss or damage. 385
DEPARTMENTAL DIRECTIVES 20
DISABLED
Motorist. 342
DISCIPLINE 140
DOMESTIC VIOLENCE 101
DOMESTIC VIOLENCE
Victim Assistance. 103
DRIVING
MDT/MDC. 289
Personal communication devices. . . . 388
Pursuit tactics. 80
Safety. 144
DRUG USE 452

E

ELECTRICAL LINES 266
ELECTRONIC CIGARETTES 462
ELECTRONIC MAIL 26
Personal communication devices. . . . 386
EMERGENCY OPERATIONS PLAN 21
EMERGENCY UTILITY 266
EVALUATION 444
EVIDENCE
Bombs. 243
Digital. 348
NAGPRA. 207
Seizing recordings. 297
EXPLOSIONS 242
EXPOSURE(S) 234
EYEWITNESS IDENTIFICATION 360

F

FIELD SOBRIETY TESTS 335
FIELD TRAINING OFFICER 267
FIREARMS 68
Conduct. 144
Vehicle pursuits. 86
FIRST AMENDMENT ASSEMBLIES . . . 314
FITNESS FOR DUTY
OIS. 63

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FITNESS FOR DUTY 489
FORCE REVIEW BOARD 41
FORMS
Firearms training. 73

G

GANGS 280
GRIEVANCE PROCEDURE 446
GROOMING STANDARDS 511

H

HANDCUFFS 45
HAZARDOUS MATERIAL 233
HAZARDOUS MATERIAL (HAZMAT) RESPONSE
Aircraft accidents. 271
HIGH-VISIBILITY VESTS 326
HOSTAGE AND BARRICADE INCIDENTS
Rapid response and deployment. 260
HOSTAGES 235

I

IDENTITY THEF 164
IMPAIRED DRIVING 335
INFORMANTS 355
INFORMATION TECHNOLOGY USE . . . 146
INSPECTIONS
Firearms 68, 71, 73
Firearms 71, 73
Vehicles. 392
INVESTIGATION AND PROSECUTION . 346

J

JURISDICTION
Aircraft accidents. 271
Authority. 10
Emergency management. 21
Pursuits. 83

K

KEYS
Vehicle. 391
KINETIC PROJECTILES 51

L

LACTATION BREAK 493
LAW ENFORCEMENT AUTHORITY . . . 10
LEG IRONS 46
LEG RESTRAINT 44
LEG RESTRAINTS 46
LIMITED ENGLISH PROFICIENCY
Communications center. 411
LIMITED ENGLISH PROFICIENCY . . . 167
LINE-OF-DUTY DEATHS 531

M

MALICIOUS HARASSMENT 136
MDT/MDC
Use. 392
Vehicles. 392
MEAL PERIODS AND BREAKS 492
MEDIA
First amendment assemblies. 318
Line-of-duty deaths. 540
OIS. 66
Operations plans. 381
Warrant service. 376
MEDIA REQUEST 154
MEDICAL
Adult involuntary detention. 112
Aircraft accidents. 270
Examinations – Adult abuse. 112
For canines. 98
Opioid overdoses. 322
Releases. 322
Treatment for occupational disease and work-related injuries. 508
MOBILE AUDIO/VIDEO (MAV)
OIS. 66
MOBILE DIGITAL TERMINAL USE . . . 288
MODIFIED-DUTY ASSIGNMENTS . . . 524
MUTUAL AID
Emergency operations plan activation. . . 21
First amendment assemblies. 317
Warrant service. 375

N

NATIVE AMERICAN GRAVES (NAGPRA) 207

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NEWS MEDIA RELATIONS 154
NONSWORN
Investigation and prosecution. 346
Vehicles. 393
NOTIFICATIONS
Adult abuse. 109
Aircraft accidents. 271
Cash. 398
Line-of-duty deaths. 532
NAGPRA. 207
OIS. 62
NOTIFICATIONS
Pregnancy. 526

O

OC SPRAY
Animals. 73
OC SPRAY 51
OCCUPATIONAL DISEASE AND WORK-RELATED INJURY REPORTING 508
OFFICER SAFETY
Communications center. 411
Crime scene and disaster integrity. . . . 219
Firearm confiscation. 61
Foot pursuits. 301
Informants. 356
Seat belts. 479
Warrant service. 373
OFFICER-INVOLVED SHOOTINGS OR DEATHS 60
OLEORESIN CAPSICUM 51
OPERATIONS PLANNING AND DECONFLICTION 377
OUTSIDE AGENCY ASSISTANCE 159
OUTSIDE EMPLOYMENT 497
Obtaining Approval. 501
OVERTIME
Court. 158
OVERTIME PAYMENT 496

P

PARKING 392
PATROL FUNCTION 213
PEPPER SPRAY 51
PERSONAL APPEARANCE 511
PERSONAL COMMUNICATION DEVICES 386
PERSONAL PROPERTY 384
Loss or damage. 385
PERSONNEL FILES 483
PERSONNEL ORDERS 28
PHOTOGRAPHS
Aircraft accidents. 272
POLICY MANUAL 14
PREGNANCY 526
PRIVACY EXPECTATIONS
MDT/MDC. 288
Personal communication devices. . . . 386
Technology use. 146
Unmanned aerial system. 366
Vehicles. 392
PRIVATE PERSONS ARREST 165
PROMOTIONAL PROCESS 445
PROPERTY BUREAU 414
PROTECTED INFORMATION 427
PROTECTIVE CUSTODY
Dependent adults. 111
PUBLIC RECORDING OF LAW ENFORCEMENT ACTIVITY 296
PURSUITS
Foot. 301

R

RANGEMASTER
Firearms. 68
Inspections. 68
RAPID RESPONSE AND DEPLOYMENT . 260
RECORDS BUREAU
Administrative hearings. 339
Impaired driving. 339
RECORDS RELEASE
Adult abuse. 113
RECRUITMENT AND SELECTION . . . 440
RELIGION
NAGPRA. 207
REMOVE FROM DUTY 41
REPORT PREPARATION 150
REPORTING CONVICTIONS
Domestic Violence 450, 450
RESPONSE TO CALLS 88
RESTRAINTS 44
RETALIATION PROHIBITED 447
REVIEWS
Bias-based policing - annual. 216
Chaplain program - annual. 184
Crisis intervention incidents. 247
Emergency operations plan. 22
Post pursuit 82, 81
Public records on social media. 202
RIDE-ALONG
Eligibility. 230

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RISK ASSESSMENT 377
ROLL CALL TRAINING 218

S

SAFETY
Communications center. 406
Conduct. 144
Firearms. 71
First responder. 219
SAFETY
Canine. 392
SAFETY EQUIPMENT
Chaplains. 183
Seat belts. 479
SAFETY SHOTGUNS 68
SEARCH AND SEIZURE 106
SEARCH WARRANTS 373
SEARCHES
Crime scene. 220
Police vehicle inspections. 392
SEAT BELTS 479
SERVICE ANIMALS 191
SICK LEAVE 456
SMOKING AND TOBACCO USE 462
SOCIAL MEDIA 200
SPIT MASK/HOOD 45
STANDARDS OF CONDUCT 139
SUBPOENAS 157
SUBPOENAS AND COURT APPEARANCES 157
SUSPICIOUS ACTIVITY REPORTING . . 312

T

TASER DEVICE 54
TEAR GAS 50
TECHNOLOGY USE 146
TEMPORARY FLIGHT RESTRICTION
TFR. 155
TEMPORARY MODIFIED-DUTY
ASSIGNMENTS 524
TRAFFIC 325
Warnings. 326
TRAFFIC SIGNAL 266
TRAINING
Adult abuse. 113
AED. 322
Briefing records. 218
Chaplains. 186
Crisis intervention incidents. 248
Emergency operations plan. 22
Fair and objective policing. 217
Firearms. 72
First amendment assemblies. 319
Impaired driving. 339
Operation planning and deconfliction. . . 382
Opioid medication. 323
Personal communication devices. . . . 388
Plan. 23
Rapid response and deployment. 261
Social media. 202
Vehicle pursuits. 87
Warrant service. 376
TRAINING
Anti-Retaliation. 449
Civil Commitments. 253
Criminal Organizations. 280
Protected Information. 429
TRANSFER PROCESS 445
TRANSPORT BELTD 46

U

UNIFORMS
Chaplains. 183
Courtroom attire. 158
UNLAWFUL ASSEMBLY 317
UNMANNED AERIAL SYSTEM 366
USE OF FORCE
First amendment assemblies. 317
USE OF FORCE REVIEW 41
USE OF SOCIAL MEDIA 200
UTILITY SERVICE 266
UTSIDE EMPLOYMENT
Prohibited Outside Employment. . . . 504

V

VEHICLE MAINTENANCE 389
VEHICLE PURSUITS 76
VEHICLES 391

W

WARNINGS
Canine. 94
Shots. 73
WATER LINES 266

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