CHIEF'S PREFACE

The Taylorsville City Police Department's Policy Manual provides the framework to perform our law enforcement mission. These policies have been established as a result of an ever-changing assimilation of legal principles and best-practice principles in the law enforcement profession. These policies, coupled with professional training, provide you with the tools to carry out your law enforcement responsibilities and mission.

We are tasked with providing effective services to our community in a professional and ethical manner. All members of the Police Departments are held to the highest standard by the citizens we serve and adherence to these policies is one of the requirements of these standards. We are honored to serve with outstanding officers to improve the public safety of our communities.

Chief Brady Cottam

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LAW ENFORCEMENT CODE OF ETHICS

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

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

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

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

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MISSION, VISION, AND VALUES STATEMENT

Vision

Preserving Community Rights and Responsibilities

Mission

In partnership with our community leaders and citizens, it is the mission of the Taylorsville Police Department to provide high quality law enforcement services – thus preserving and protecting the people as well as the diverse and unique culture that comes from living in Taylorsville City. This is accomplished through adherence to best practices and department values.

Values – Culture Defined

- Transparency – policy and practices which are perpetually open to public review and refinement
- Respect – admiration and regard for the feelings and traditions of others
- Innovation – open to new ideas, methods, or products which allow for adaptation and growth
- Connection – linked both personally and professionally to foundational principles which bind the community and provide for a sense of belonging
- Collaboration – to assure the inclusion and cooperation of all internal and external stakeholders

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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 Taylorsville Police Department to perform their functions based on established legal authority.

100.2 POLICY

It is the policy of the Taylorsville 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.

100.3 PEACE OFFICER POWERS

Sworn members of the Department shall be considered peace officers pursuant to Utah Code 53-13-102 and Utah Code 53-13-103.

100.3.1 ARREST AUTHORITY WITHIN THE JURISDICTION OF THE TAYLORSVILLE POLICE DEPARTMENT

The arrest authority within the jurisdiction of the Taylorsville Police Department includes:

(a) In compliance with an arrest warrant.

(b) Without a warrant (Utah Code 77-7-2):

1. For a public offense committed or attempted in the presence of an officer.
2. When an officer has reasonable cause to believe that a felony or class A misdemeanor has been committed.
3. When an officer has reasonable cause to believe that a public offense has been committed and the person to be arrested may flee or conceal him/herself to avoid arrest, destroy or conceal evidence or injure another person or damage property.

(c) Without a warrant when there is reasonable cause to believe that the person has committed theft (Utah Code 77-7-13).

(d) Without a warrant when an officer has probable cause to believe that a person is driving under the influence in violation of Utah Code 41-6a-502 (Utah Code 41-6a-508).

100.3.2 ARREST AUTHORITY OUTSIDE THE JURISDICTION OF THE TAYLORSVILLE POLICE DEPARTMENT

The arrest authority of officers outside the jurisdiction of the Taylorsville Police Department includes (Utah Code 77-9-3):

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(a) When the officer is in fresh pursuit of an offender for the purpose of arresting and holding the person in custody or returning the person to the jurisdiction where the offense occurred.

(b) When a public offense has been committed in the presence of the officer.

(c) When the officer is participating in an investigation of criminal activity which originated in the jurisdiction of the Taylorsville Police Department in cooperation with the local law enforcement authority.

(d) When the officer is called to assist officers in another jurisdiction.

Officers should, when practicable, notify and receive approval from the local law enforcement authority prior to taking enforcement action.

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 another state in fresh pursuit:

1. In Colorado, to arrest the person for a crime committed in Utah (CRS § 16-3-104).
2. In Arizona, Idaho, Nevada and New Mexico, to arrest the person for committing a felony in Utah (ARS § 13-3832; Idaho Code 19-701; NRS 171.158; NMSA § 31-2-1).

(c) When an interstate compact exists with the state of Wyoming that permits an officer to pursue and arrest an offender who has fled Utah (Wyo. Stat. § 7-3-103).

Whenever an officer makes an arrest in another state, the officer shall take the offender to a magistrate or other proper judicial official in the county where the arrest occurred as soon as practicable (ARS § 13-3833; CRS § 16-3-104; Idaho Code 19-702; NRS 171.158; NMSA § 31-2-2 (New Mexico)).

100.5 CONSTITUTIONAL REQUIREMENTS

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

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Chief Executive Officer

101.1 PURPOSE AND SCOPE

Utah Code 53-6-205 mandates that all sworn officers employed after January 1, 1985 successfully complete a Utah POST Council certified academy or successfully pass a state certification examination pursuant to Utah Code 53-6-206, and obtain POST certification, prior to being permitted to exercise peace officer powers.

101.1.1 CHIEF OF POLICE REQUIREMENTS

It is recommended that a candidate for Chief of Police of the Department should, as a condition of continued employment:

(a) Be an individual of recognized executive and administrative capacity.

(b) Be selected solely with regard to their qualifications and fitness to discharge the duties of the office.

(c) Be of high moral character.

(d) Be of good standing in their community of residence.

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Oath of Office

102.1 PURPOSE AND SCOPE

Officers of the Department are sworn to uphold the federal and state constitutions and to enforce federal, state and local laws.

102.2 POLICY

It is the policy of the Taylorsville Police Department that, when appropriate, department members affirm the oath of their office as an expression of commitment to the constitutional rights of those served by the Department and the dedication of its members to their duties.

102.3 OATH OF OFFICE

All department members, when appropriate, shall take and subscribe to the oaths or affirmations applicable to their positions (Utah Constitution Article IV § 10).

If a member is opposed to taking an oath, he/she shall be permitted to substitute the word "affirm" for the word "swear."

102.4 MAINTENANCE OF RECORDS

The oath of office shall be filed as prescribed by law (Utah Code 52-1-2 et seq.).

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Policy Manual

103.1 PURPOSE AND SCOPE

The manual of the Taylorsville 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.

103.2 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.

103.2.1 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 Taylorsville 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 Taylorsville Police Department reserves the right to revise any policy content, in whole or in part.

103.3 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.

103.4 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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Policy Manual

City - The City of Taylorsville.

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

Department/TVPD - The Taylorsville Police Department.

DMV - The Department of Motor Vehicles.

Employee/personnel - Any person employed by the Department.

Juvenile - Any person under the age of 18-years.

Manual - The Taylorsville Police Department Policy Manual.

May - Indicates a permissive, discretionary or conditional action.

Member - Any person employed or appointed by the Taylorsville 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 officer employees of the Taylorsville 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 Utah Peace Officer Standards and Training Division.

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.

UAC - Utah Administrative Code (Example: UAC R728-503-10).

USC - United States Code.

103.5 POLICY DEVELOPMENT

The Policy Manual is of a dynamic nature requiring continual re-evaluation and revision. Members may request changes in the Taylorsville policy by submitting proposed changes through the chain of command. Requests will be forwarded to the Chief of Police. The proposed changes will be reviewed by the Department Administration. The final authority for all policy changes rests with the Chief of Police.

103.5.1 ADDITIONAL COMMITTEES

The Chief of Police may form additional committees to deal with specific policy issues as the need arises. Recommendation for policy changes arising from these committees will normally be submitted to the Chief of Police for review at the Chief's discretion.

103.5.2 POLICY DEVELOPMENT PROCESS

The development of policy will follow an organized and orderly process. This orderly flow ensures that the policy is well thought out and has the desired effect. The following is the typical process for developing Taylorsville policy:

(a) Ideas, suggestions, proposals and directives from the Chief of Police and Command Staff as well as other members of the Department are directed to the Chief of Police. Proposed draft policy language is preferred.

(b) These directives, proposals, ideas, etc. are then given to the Department Administration for research, development and recommendations and, if appropriate, the drafting of the policy change.

(c) After approval by the Chief of Police and Department Administration, the draft policy language may be sent to the Chief Legal Officer for review, at the discretion of the Chief of Police.

103.6 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.

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103.7 PERIODIC REVIEW OF THE POLICY MANUAL

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

103.8 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 Section 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 Section Commanders, who will consider the recommendations and forward them to the command staff as appropriate.

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Chapter 2 - Organization and Administration

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Organizational Structure and Responsibility

200.1 PURPOSE AND SCOPE

The organizational structure of the Department is designed to create an efficient means to accomplish its mission and goals and to provide for the best possible service to the public.

200.2 SECTIONS

The Chief of Police is responsible for administering and managing the Taylorsville Police Department. There are three sections in the Police Department as follows:

- Administration Section
- Uniformed Operations Section
- Special Operations Section

200.2.1 ADMINISTRATION SECTION

The Administration Section is commanded by the Chief of Police, whose primary responsibility is to provide general management, direction and control for the Administration Section. The Administration Section consists of the Training Unit, Internal Affairs, Traffic Enforcement, and the Records Section.

200.2.2 UNIFORM OPERATIONS SECTION

The Uniformed Operations Section is commanded by a Deputy Chief, whose primary responsibility is to provide general management, direction and control for the Uniformed Operations Section. The Uniformed Operations Section consists of Uniformed Patrol, the K-9 Unit, and the Property and Evidence Room.

200.2.3 SPECIAL OPERATIONS SECTION

The Special Operations Section is commanded by a Deputy Chief, whose primary responsibility is to provide general management, direction and control for the Special Operations Section. The Special Operations Section consists of detectives assigned to the Violent Crimes Unit, Property Crimes Unit, Street Crimes Unit, and other designated specialized assignments.

200.3 COMMAND PROTOCOL

200.3.1 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 section 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) Deputy Chief (Uniformed Operations)

(b) Deputy Chief (Special Operations)

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(c) On-duty Supervisor

200.3.2 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.

200.3.3 CHAIN OF COMMAND

- Immediate Supervisor
- On-duty supervisor
- Deputy Chiefs
- Chief of Police

200.3.3 ORDERS
Members shall respond to and make a good faith and reasonable effort to comply with the lawful order of superior officers and other proper authority.

200.3.5 CONFLICT OF ORDERS
In the event of a conflict of orders, the member will respectfully call the attention of the superior giving the last order to such conflict. Should the latter not change the order, it will be obeyed and the member will not be held responsible for disobedience to the former order.

200.3.6 SUPERVISORY AUTHORITY
The concepts of chain of command and unity of command are not intended to prevent a supervisor from exercising management authority over subordinates outside their chain of command when necessary. Supervisors will exercise the authority of their position only under conditions which require that such authority be used. Such authority will be exercised with discretion. Timely notification of the action taken will be communicated to the appropriate chain of command manager or supervisor.

Supervisors will not unnecessarily countermand any orders of subordinates or needlessly interfere with the specific duties of subordinates.

200.4 AUTHORITY AND RESPONSIBILITY
Consistent with the principles of sound supervisory practices, all supervisory personnel will be held accountable for the performance of their subordinates. To facilitate this end, training requirements for supervisory personnel are assigned in the job description and job task analysis, and in-service training for supervisors shall address employee career development.

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Irrespective of rank, each employee within the organization has clearly articulated duties and responsibilities. Each employee is hereby delegated the authority necessary to effectively execute those responsibilities. Each employee will also be held accountable for the appropriate application of that delegated authority.

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Departmental Directive

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 policies consistent with the current Memorandum of Understanding or other collective bargaining agreement. 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 Staff. Departmental Directives will modify an existing policy or create a new policy as appropriate and will be rescinded upon incorporation into the manual.

All existing Departmental Directives have 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, followed by the number “01.” For example, 09-01 signifies the first Departmental Directive for the year 2009.

201.2 RESPONSIBILITIES

201.2.1 STAFF

The Staff 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 or authorized designee 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.

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Emergency Management Plan

202.1 PURPOSE AND SCOPE

The City has prepared an Emergency Management Plan Manual for use by all employees in the event of a major disaster or other emergency event. The manual provides for a strategic response by all employees and assigns specific responsibilities in the event the plan is activated.

202.2 ACTIVATING THE EMERGENCY PLAN

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

202.2.1 RECALL OF PERSONNEL

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

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

202.3 LOCATION OF MANUALS

The manual for the employees is available in Administration and the Shift Sergeant's office. All supervisors should familiarize themselves with the Emergency Management Plan and what roles police personnel will play when the plan is implemented.

202.4 BUILDING EVACUATION PLAN

In the event of a disaster or emergency which requires evacuation of the public safety services building, all employees shall follow implemented evacuation plans and posted exit strategies. The posted exit strategies shall include any special directions for physically impaired employees.

202.5 UPDATING OF MANUALS

The Chief of Police or designee shall review and update, if necessary, the Emergency Management Plan Manual at least once every two years to ensure that the manual conforms to any revisions made by the National Incident Management System (NIMS).

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Training

203.1 PURPOSE AND SCOPE

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

203.2 PHILOSOPHY

The Department seeks to provide ongoing training and encourages all personnel to participate in advanced training and formal education on a continual basis. Training is provided within the confines of funding, requirements of a given assignment, staffing levels and legal mandates. Whenever possible, the Department will use courses certified by the Utah Peace Officer Standards and Training Division (POST).

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 Department personnel.

203.4 TRAINING PLAN

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

- Compliance with POST mandated annual certified training of not less than 40 hours (Utah Code 53-6-202(4)(a)).
- Firearms qualifications.
- Emergency vehicle operations.
- Arrest control tactics (defensive tactics).

The plan should also address the following Department requirements:

- Legislative Changes
- State Mandated Training
- Critical Issues Training

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203.5 TRAINING NEEDS ASSESSMENT

The Administration Section will conduct an annual training-needs assessment of the Department. The needs assessment will be reviewed by Staff. Upon approval by the Staff, the needs assessment will form the basis of the training plan for the fiscal year.

203.6 TRAINING COMMITTEE

The Administration Sergeant 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 Chief of Police 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 should convene on a regular basis as determined by the Administration Sergeant 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 Administration Sergeant. The recommendation should not identify specific facts of any incidents, such as identities of employees involved or the date, time and location of the incident, but should focus on the type of training being recommended.

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

203.7 TRAINING PROCEDURES

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

1. Court appearances
2. Military leave
3. Sick leave
4. Physical limitations preventing the employee's participation

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5. Emergency situations

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

1. Notify his/her supervisor as soon as possible, but no later than two hours prior to the start of training.
2. Document his/her absence in a memorandum to his/her supervisor.
3. Make arrangements through his/her supervisor and the Administration Sergeant to attend an alternate date.

(c) In the event that a member is not able to attend mandatory training, those incidents must be reviewed by a Section Commander or above for proper resolution (e.g. external training course attendance).

203.7.1 TRAINING REQUEST FORM

All requests for training which requires any fee, per diem expense, use of a Taylorsville Police Department vehicle or Department authorization will be submitted in a “Training Request” form, at least thirty (30) days in advance of the requested training.

203.8 DAILY TRAINING BULLETINS

The Lexipol Daily Training Bulletins (DTBs) are contained in a web-accessed system that provides training on the Taylorsville 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 Officer

Personnel assigned to participate in DTBs shall only use login credentials assigned to them by the Administration Sergeant. Personnel should not share their password with others and should frequently change their password to protect the security of the system. After each session, employees should 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.

203.9 REPORTING

The Administration Sergeant shall ensure that all required training records are forwarded to POST in the appropriate format pursuant to UAC R728-410-6.

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Electronic Mail

204.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the proper use and application of the Department's electronic mail (email) system by employees of 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. 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 the 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 department property. The 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. 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 will not be tolerated and may result in discipline.

Email messages addressed to the entire department are only to be used for official business related items that are of particular interest to all users and must be approved by the Chief of Police or a Section Commander. 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.

204.4 EMAIL RECORD MANAGEMENT

Email may, depending upon the individual content, be a public record under the Utah Government Records Access and Management Act (Utah Code 63G-2-101 et seq.) and must be managed in accordance with the established records retention schedule and in compliance with state law.

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The Records Officer 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 the Department are governed by the following policies.

205.2 DEPARTMENT E-MAILS

Department 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 the Department are not misused, all external correspondence shall be on Department letterhead. All Department letterhead shall bear the signature element of the Chief of Police. Personnel should use Department letterhead only for official business and with approval of their supervisor.

205.4 SURVEYS

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

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Staffing Levels

206.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that proper supervision is available for all shifts. The Department intends to balance the employee's needs against the need to have flexibility and discretion in using personnel to meet operational needs. While balance is desirable, the paramount concern is the need to meet operational requirements of the Department.

206.2 MINIMUM STAFFING LEVELS

Minimum staffing levels should result in the scheduling of at least one regular supervisor on-duty whenever possible. Shift Sergeants will ensure that a lead officer is deployed during their absence.

206.2.1 SUPERVISION DEPLOYMENTS

In order to accommodate training and other unforeseen circumstances, an officer may be used as a field supervisor in place of a field sergeant.

With prior authorization from the Uniform Patrol Section Commander, an officer may act as the Shift Sergeant for a limited period of time.

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Concealed Weapon License

207.1 PURPOSE AND SCOPE

Concealed weapon permit holders are subject to suspension or revocation of the permit upon commission of certain acts. This policy will provide guidance to the officer for notification to the Bureau of Criminal Identification of circumstances that may be grounds for review of a concealed weapon permit (Utah Code 53-5-704).

207.2 QUALIFIED APPLICANTS

In order to continue to qualify for a permit to carry a concealed weapon, a person (Utah Code 53-5-704):

(a) Must not have been convicted of a felony.

(b) Must not have been convicted of any crime of violence.

(c) Must not have been convicted of any offense involving the use of alcohol.

(d) Must not have been convicted of any offenses involving the unlawful use of narcotics or other controlled substances.

(e) Must not have been convicted of any offenses involving moral turpitude, as defined in UAC R722-300-3.

(f) Must not have been convicted of any offense involving domestic violence.

(g) Must not have been adjudicated by a court of a state or of the United States as mentally incompetent, unless the adjudication has been withdrawn or reversed; must not have been committed to a mental institution or found not guilty by reason of insanity for a felony offense; and must not have been found mentally incompetent to stand trial for a felony offense.

(h) Must not be a person who is illegally or unlawfully in the United States.

(i) Must not have been dishonorably discharged from the armed forces.

(j) Must not have renounced his/her citizenship after having been a citizen of the United States.

(k) Must not have committed any crime or act that would disqualify the person from possession of a weapon under federal law.

(l) Must not be on the voluntary restricted list (Utah Code § 53-5c-301).

An officer who has reason to believe that a concealed weapon permit holder or applicant has violated one of the foregoing provisions should notify the Department of Public Safety Bureau of Criminal Identification and document the reasons in an information report. The Bureau of Criminal Identification may then review the person's eligibility to hold a concealed weapon permit.

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Retiree Concealed Firearms

208.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the issuance, denial, suspension or revocation of Taylorsville Police Department identification cards under the Law Enforcement Officers' Safety Act (LEOSA) and Utah law (18 USC § 926C; Utah Code 53-5-704).

208.2 POLICY

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

208.3 LEOSA

The Chief of Police may 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.

208.3.1 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 Taylorsville 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.

208.3.2 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 Utah law or by a private person or entity on his/her property if such prohibition is permitted by Utah law.

208.4 FORMER OFFICER RESPONSIBILITIES

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

208.4.1 RESPONSIBILITIES UNDER LEOSA

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

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

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

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

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

208.5 DENIAL, SUSPENSION OR REVOCATION

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

208.6 FIREARM QUALIFICATIONS

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

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Security of Taylorsville Police Department Facilities, Members, and the Public

209.1 FACILITIES SECURITY PURPOSE

To provide a uniform level of security for occupants and structures occupied by Taylorsville Police Department. Security includes protection, access control, evacuation planning and emergency planning.

209.2 FACILITIES SECURITY DEFINITIONS

Talorsville Police Department Facility - Any structure that houses Taylorsville Police Department programs, activities and/or personnel.

Physical Security - Use of hardware, personnel, or procedures to protect a facility, Taylorsville Police Department members and/or the public occupying a facility.

Security Activities - The operation and use of cameras, locks, alarms, and other hardware devices; the monitoring of regular use of a facility; and planning for events that may cause harm to people and property.

Security Devices - Includes hardware such as locks, keys, alarms, cameras as well as associated electronic systems.

209.3 PHYSICAL SECURITY OF TAYLORSVILLE POLICE DEPARTMENT FACILITIES, MEMBERS AND THE PUBLIC

Members are responsible for the physical security of areas managed by the Department. The Training/Administrative Sergeant will be assigned to coordinate day-to-day security activities for the Department and participate in various training and planning programs for the facility. The Training/Administrative Sergeant shall be responsible for planning and managing the costs of locks, cameras, alarms, electronic access systems or other modifications to the facility intended to improve security.

The Taylorsville Police Department may select, install, and maintain locks, cameras, alarms, electronic access systems and devices for purposes of standardization. This work will take place only when requested by the Chief of Police or his designee when the equipment is compatible with the facility. Risk Management may be consulted on security issues and may assist the Taylorsville Police Department on security issues.

209.4 ACCESS TO TAYLORSVILLE POLICE DEPARTMENT FACILITIES

The Command Staff or designee are responsible for controlling access to any Department facilities, to include their employees, patrons coming and going from the facility, and any assigned spaces to the facility. The Training/Administrative Sergeant or designee shall collect all keys, identification cards and other Taylorsville Police Department-owned property when an employee terminates employment with the Department.

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Employees' access to Department facilities shall be determined by the Chief of Police or designee. Exceptions to this must be justified and approved by the Section Commander through the Chief of Police.

Designated personnel from the City will serve as system administrator for the Taylorsville Police Department access card program. The system administrator function includes the following: Program access cards for buildings with approval of the precinct/division housed in the facility. The system administrator shall keep a current list of active cards and shall verify with precincts/ divisions on an annual basis that their active card list is valid. Employees shall notify their supervisor when their card is lost or stolen. The Department Staff will contact City personnel to make notification when a card needs to be deactivated. No employee shall have more than one access card without putting a justification for additional cards in writing to their Section Commander.

209.5 FACILITY EVACUATION PLAN

The Department Training Staff will complete the following:

- Develop and maintain evacuation plans for the facility.
- Conduct or cooperate with evacuation plan training and/or drills; with at least two drills or tabletop exercises conducted each year. Purchase equipment that to be used in Department facilities to assist in evacuations.
- Design evacuation plans that are compatible with their programs and facilities.
- Update the Taylorsville Police Department evacuation plan on a yearly basis.
- Train employees and make occupants aware of the plan.

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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 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.

300.1.1 DEFINITIONS

Definitions related to this policy include:

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.

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.

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 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.

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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 potentially 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.

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 this department. Officers may find it more effective or reasonable to improvise their response to rapidly 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 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).

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300.3.2 USE OF FORCE TO EFFECT AN ARREST

An officer may use reasonable force to effect arrest, to prevent escape or to overcome resistance. An officer who makes or attempts to make an arrest need not retreat or desist from his/her efforts by reason of resistance or threatened resistance of the person being arrested; nor shall such officer be deemed the aggressor or lose his/her right to self-defense by the use of reasonable force to effect the arrest or to prevent escape or to overcome resistance (Utah Code 77-7-7).

300.3.3 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.

(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.

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300.3.4 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.

300.3.5 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. 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 deadly force is authorized and is subject to the following:

(a) 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.

(b) 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.

(c) 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.

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

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

300.3.6 RESPIRATORY RESTRAINTS

The use of a respiratory restraint, also known as a chokehold, is limited to circumstances where deadly force is authorized and if applied, is subject to the same guidelines and requirements as a carotid control hold.

300.3.7 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

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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 Taylorsville Police Department for this specific purpose.

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 warn 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 (Utah Code 76-2-404):

(a) An officer may use deadly force to protect him/herself or an individual other than the suspect 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 an individual other than the suspect if the suspect is not immediately apprehended. Under 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 suspect has a weapon or is attempting to access one and intends to use it against the officer or an individual other than the suspect. An imminent danger may also exist if the suspect 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.

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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. Where appropriate, a supervisor may approve the temporary holding of a report by an involved officer, so the officer may review BWC, other related evidence of the case, and/or seek necessary rest or recuperation. 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 REPORTING THE THREAT OF FORCE

When an officer points a firearm at an individual, the officer shall report the incident in accordance with Utah Code 53-13-116.

Reports shall be submitted within 48 hours of the incident and should include at a minimum (Utah Code 53-13-116):

(a) A description of the incident.

(b) The identification of the individuals involved in the incident.

300.5.2 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.

(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.

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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.

(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.

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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 SERGEANT RESPONSIBILITY

The Shift Sergeant 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.

300.9 USE OF FORCE ANALYSIS

At least annually, the Uniform Patrol Section 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.

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(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 Taylorsville 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 Taylorsville 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 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 Chief of Police will convene the Use of Force Review Board as necessary. It will be the responsibility of the Section Commander or supervisor of the involved employee to notify the Administration Section Commander of any incidents requiring board review. The involved employee's Section Commander or supervisor 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 Administration Section Commander should select Use of Force Review Board members from the following, as appropriate:

- Administration Sergeant
- Non-administrative supervisor

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- A peer officer
- Non-involved department member

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

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, the current collective bargaining agreement and any applicable state or federal law.

The board shall make one of the following recommended findings:

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

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

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 Section Commander for review and appropriate action. If

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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 Taylorsville 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 Taylorsville Police 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.

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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No person who is in labor, delivery, or recovery after delivery shall be handcuffed or restrained except in extraordinary circumstances and only when a supervisor makes an individualized determination that such restraints are necessary for the safety of the arrestee, officers, or others.

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 recommended for most 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

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assistance during the movement of restrained individuals due to the potential for impaired or 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 thoroughly decontaminated including hair, head and clothing prior to application of a spit hood.

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

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 in a seated or upright position, secured with a seat belt, 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) Double locked and check for fit.

(c) The types of restraint used.

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

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

302.9 TRAINING

Subject to available resources, the Administration Sergeant 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.

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

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(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 Taylorsville 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 SERGEANT RESPONSIBILITIES

The Shift Sergeant 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 ARMORER RESPONSIBILITIES

The Armorer shall 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 Armorer 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 Armorer 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. 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 Sergeant, Incident Commander or Crisis Response Unit 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

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

303.7.1 OC SPRAY

Uniformed personnel carrying OC spray shall carry the device in its holster on the equipment belt. 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 PEPPER PROJECTILE SYSTEMS

Pepper projectiles are plastic spheres that are filled with a derivative of OC powder. Because the compressed gas launcher delivers the projectiles with enough force to burst the projectiles on impact and release the OC powder, the potential exists for the projectiles to inflict injury if they strike the head, neck, spine or groin. Therefore, personnel using a pepper projectile system should not intentionally target those areas, except when the officer reasonably believes the suspect poses an imminent threat of serious bodily injury or death to the officer or others.

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Officers encountering a situation that warrants the use of a pepper projectile system shall notify a supervisor as soon as practicable. A supervisor shall respond to all pepper projectile system incidents where the suspect has been hit or exposed to the chemical agent. The supervisor shall ensure that all notifications and reports are completed as required by the Use of Force Policy.

Each deployment of a pepper projectile system shall be documented. This includes situations where the launcher was directed toward the suspect, whether or not the launcher was used. Unintentional discharges shall be promptly reported to a supervisor and documented on the appropriate report form. Only non-incident use of a pepper projectile system, such as training and product demonstrations, is exempt from the reporting requirement.

303.7.3 TREATMENT FOR OC SPRAY EXPOSURE

Persons who have been sprayed with or otherwise affected by the use of OC should be promptly provided with clean water to cleanse the affected areas. 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 officers 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.

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(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.

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

Shotguns specifically designated for use with kinetic energy projectiles will be specially marked in a manner that makes them readily identifiable as such.

Officers will inspect the shotgun and projectiles at the beginning of each shift to ensure that the shotgun 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 shotgun will be unloaded and properly and securely stored in the vehicle. When deploying the kinetic energy projectile shotgun, the officer shall visually inspect the kinetic energy projectiles to ensure that conventional ammunition is not being loaded into the shotgun.

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Absent compelling circumstances, officers who must transition from conventional ammunition to kinetic energy projectiles will employ the two-person rule for loading. The two-person rule is a safety measure in which a second officer watches the unloading and loading process to ensure that the weapon is completely emptied of conventional ammunition.

303.10 TRAINING FOR CONTROL DEVICES

The Administration Sergeant 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 CEDs.

304.2 POLICY

The Conducted Energy Device is intended to control a violent or potentially violent individual. The appropriate use of such a device should result in fewer serious injuries to officers and suspects.

304.3 ISSUANCE AND CARRYING CEDS

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 CEDthe device in a holster on the weak hand side at all times. The below listed information details in which manner the device may be carried on the weak hand side:

(a) The device may be carried on the weak or support hand side of the duty belt with a right or left handed holster.

(b) The device may be carried on the weak or support hand side in a thigh rig holster.

(c) There may be members of the Department that routinely choose to deploy the device and shoot the device with their weak or support hand, and never transition to the weapon hand to deploy the device. When deploying the device with the outer uniform carrier, members of the Department may affix the device to whichever side of the front of the outer carrier they feel most comfortable, as long as the member routinely deploys and trains for deploying the device with their weak or support hand in this manner.

(d) If a member routinely deploys the device with the weapon hand, the device shall be affixed to the weak or support hand side of the outer carrier in either a right or left handed holster.

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

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

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

(h) Officersshall 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.

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 EMDTDEVICE

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

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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.

(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 EMDTDEVICE

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.

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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.

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 TASER CAM™
The TASER CAM is activated any time the safety is in the off position. The safety should be in the safe position unless the officer intends to use the device. Because the TASER CAM memory is limited, the video and audio data should be downloaded frequently and retained as required by the department records retention schedule.

304.5.8 OFF-DUTY CONSIDERATIONS
Officers are not authorized to carry department CEDs while off-duty.

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, other than testing purposes will also be documented on the report form (Utah Code 53-13-116).

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).

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(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 Administration Sergeant should periodically analyze the report forms to identify trends, including deterrence and effectiveness. The Administration Sergeant 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.

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 or who sustained direct exposure of the laser to the eyes 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.

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(f) The person is hot to the touch.

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.

Officers will be aware of the signs of excited delirium and call medical as soon as possible if needed.

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 (see the Medical and Response Policy).

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.

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 Armorer and saved with the related arrest/crime report. Photographs of probe sites should be taken and witnesses interviewed.

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

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

The Administration Sergeant 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 Critical Incidents and Deaths

305.1 PURPOSE AND SCOPE

The purpose of this policy is to establish policy and procedures for the investigation of an incident in which a person is injured or dies as the result of an officer-involved critical incident or dies as a result of other action 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 Taylorsville 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 critical incidents and deaths 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.

(d) A civil investigation to determine potential liability.

305.4 CONTROL OF INVESTIGATIONS

Upon a qualifying event the Salt Lake County Officer Involved Critical Incident Protocol will be invoked. This protocol is automatically and immediately in effect. In accordance with UCA 76-2-408. The venue agency is required to immediately contact the District Attorney’s Office or Protocol Coordinator to invoke the protocol. The Protocol Coordinator will then notify the originating agency which protocol team will be handling the investigations. The use of any assistance by the venue and/or employing agency officers, will be at the discretion of the Protocol Team.

305.4.1 CRIMINAL INVESTIGATION OF SUSPECT ACTIONS

Upon a qualifying event the Salt Lake County Officer Involved Critical Incident Protocol will be invoked. This protocol is automatically and immediately in effect. In accordance with UCA 76-2-408. The venue agency is required to immediately contact the District Attorney’s Office or Protocol Coordinator to invoke the protocol. The Protocol Coordinator will then notify the originating agency which protocol team will be handling the investigations. The use of any assistance by the venue and/or employing agency officers, will be at the discretion of the Protocol Team.

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305.4.1 CRIMINAL INVESTIGATION OF OFFICER ACTIONS

The control of the criminal investigation into the involved officer's conduct during the incident will be determined by the employing agency's protocol. When an officer from this department is involved, the criminal investigation will be handled according to the Criminal Investigation section of this policy.

Requests made of this department to investigate a shooting or death involving an outside agency's officer shall be referred to the Chief of Police or the authorized designee for approval.

305.4.1 ADMINISTRATIVE AND CIVIL INVESTIGATION

Regardless of where the incident occurs, the administrative and civil 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 critical incident or death.

305.5.1 UNINVOLVED OFFICER RESPONSIBILITIES

Upon arrival at the scene of an officer-involved critical incident or death, the first uninvolved TVPD 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 TVPD 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.

(b) The supervisor should obtain a public safety statement from all TVPD officers directly involved in the incident.

1. 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.

2. The initial on-scene supervisor shall not attempt to order any involved officer to provide any information other a public safety statement.

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(c) Take command of and secure the incident scene with additional TVPD members until properly relieved by the designated Protocol Team personnel.

(d) As soon as practicable, ensure that involved officers are transported (separately, if feasible) to a suitable location for further direction.

(a) Each involved TVPD officer should be given an administrative order not to discuss the incident with other involved officers or TVPD members pending further direction from a supervisor.

(b) When an involved officer's weapon is taken or left at the scene for other than officer-safety reasons (e.g., evidence), ensure that he/she is provided with a comparable replacement weapon.

305.5.3 SHIFT SERGEANT RESPONSIBILITIES

Upon learning of an officer-involved critical incident or death, the shift supervisor shall be responsible for coordinating all aspects of the incident until he/she is relieved by the Chief of Police or designee.

All outside inquiries about the incident shall be directed to the Chief of Police or designee.

305.5.4 NOTIFICATIONS

The following persons shall be notified as soon as practicable: (A Command notification should be sent out by the dispatch center as soon as critical notifications are made).

- Chief of Police
- Deputy Chiefs
- Officer Involved Critical Incident Protocol Coordinator (Violent Crimes Sergeant)
- Outside agency investigators (if appropriate)
- Administration Sergeant
- Psychological/peer support personnel
- Chaplain (if necessary)
- Involved officer's agency representative (if requested)
- Public Information Officer

305.5.5 INVOLVED OFFICERS

The following shall be considered for the involved officer:

(a) Any request for legal or union representation will be accommodated.

1. Involved TVPD 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.

2. Requests from involved non-TVPD officers should be referred to their employing agency.

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(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 licensed psychotherapist shall be provided by the Department to each involved TVPD officer. A licensed psychotherapist may also be provided to any other affected TVPD members, upon request.

1. Interviews with a licensed psychotherapist will be considered privileged.
2. 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.
3. A separate fitness-for-duty exam may also be required (see the Fitness for Duty Policy).

(e) Communications with a peer support team member will be considered privileged to the extent provided in Utah Code 78B-5-903.

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 Protocol Team personnel can properly retrieve it.

Each involved TVPD officer shall be given reasonable paid administrative leave following an officer-involved critical incident or death. It shall be the responsibility of the Department administration to make schedule adjustments to accommodate such leave.

305.6 CRIMINAL INVESTIGATION

The District Attorney's Office is responsible for the criminal investigation into the circumstances of any officer-involved shooting or death.

If available, investigative personnel from this department may be assigned to partner with investigators from outside agencies or the District Attorney's Office to avoid duplicating efforts in related criminal investigations.

Once public safety issues have been addressed, criminal 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:

(a) TVPD supervisors and Administration personnel should not participate directly in any voluntary interview of TVPD 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.

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(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 unless the officer consents.

305.6.1 REPORTS BY INVOLVED TVPD OFFICERS

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

While the involved TVPD officers may write the report, it is generally recommended that such reports be completed by assigned investigators, who should interview all 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 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 TVPD 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 critical incident or death.

305.6.2 WITNESS IDENTIFICATION AND INTERVIEWS

Because potential witnesses to an officer-involved shooting or death may become unavailable or the integrity of their statements compromised with the passage of time, a supervisor should take reasonable steps to promptly coordinate with criminal investigators to utilize available law enforcement personnel for the following:

(a) Identification of all persons present at the scene and in the immediate area.

1. When feasible, a recorded statement should be obtained from those persons who claim not to have witnessed the incident but who were present at the time it occurred.

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, attempts to identify the witness prior to his/her departure should be made whenever feasible.

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(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 a member of the Department.

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 transportation.

305.6.3 INVESTIGATIVE PERSONNEL

Once notified of an officer-involved critical incident or death, it shall be the responsibility of the designatedsupervisory personnel to assign agency investigative personnel as liaisons to work with Protocol Team personnel.

All related department reports, except administrative and/or privileged reports, will be forwarded to the designated supervisory personnel for approval. Privileged reports shall be maintained exclusively by members who are authorized such access. Administrative reports will be forwarded to the appropriate supervisors.

305.6.4 STATUTORY MANDATES RELATED TO CRIMINAL INVESTIGATIONS OF CRITICAL INCIDENTS

The OICI Protocol Coordinator and District Attorney's Office shall be notified as soon as practical if the following critical incidents occur within the jurisdiction of the Taylorsville Police Department, whether or not an involved law enforcement officer is a department member (Utah Code 76-2-408):

(a) Use of a firearm that caused an injury by a law enforcement officer or any other use of a weapon by a law enforcement officer in a manner that could have caused death or serious injury (e.g., a blow to the head of a person with a baton).

(b) A fatal injury to any person that could have been caused by a law enforcement officer or while the person was in the custody of a law enforcement agency.

The OICI Protocol Coordinator and designated Protocol Team Personnel, through coordination of the District Attorney shall criminally investigate the actions of a law enforcement officer involved in a critical incident, as appropriate, and may jointly designate a lead agency if more than one agency will be involved. An agency other than the Taylorsville Police Department will criminally investigate the actions of members who may have caused or contributed to a critical incident (Utah Code 76-2-408).

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 to determine conformance with all department policy. This investigation will be conducted under the supervision of the Administration 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/her prior statement before proceeding with any subsequent interviews.

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

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

2. If requested, the officer shall have the opportunity to select 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 a group 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. Prior to starting the interview, the officer shall be given his/her *Garrity* rights and ordered 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 Administration shall compile all relevant information and reports necessary for the 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 department policy and state law, and to make any training recommendations.

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

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305.8 CIVIL LIABILITY RESPONSE

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

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

305.9 AUDIO AND VIDEO RECORDINGS

Any officer involved in a critical incident 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.

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

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 Chief of Police and Taylorsville City Administration.

305.10 DEBRIEFING

Following an officer-involved shooting or death, the Taylorsville Police Department should conduct both a critical incident/stress debriefing and a tactical debriefing.

305.10.1 CRITICAL INCIDENT/STRESS DEBRIEFING

A critical incident/stress debriefing should occur as soon as practicable. The Administration 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 should only include those members of the Department directly involved in the incident, which can include support personnel (e.g., dispatcher, other non-sworn). 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 Administration personnel.

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305.10.2 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.

305.11 MEDIA RELATIONS

Any media release shall be prepared with input and concurrence from the Department administration and supervisory staff responsible for the investigation. Releases will be available to the Shift Sergeant, Special Operation Section Commander and Public Information Officer in the event of inquiries from the media.

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

Department members receiving inquiries regarding officer-involved critical incidents 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.

305.11.1 DEPARTMENT WEBSITE

This policy shall be published on the department website along with any related written procedures and protocols (Utah Code 76-2-408).

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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 Taylorsville 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 the Armorer. Except in an emergency or as directed by a supervisor, no firearm shall be carried by a member who has not qualified with that firearm at an authorized department range.

All other weapons not provided by the Department, including, but not limited to, edged weapons, 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 Section Commander. This exclusion does not apply to the carrying of a single folding pocketknife that is not otherwise prohibited by law.

306.3.1 HANDGUNS

The authorized department-issued handgun is the Glock Model 17 9mm. The following additional handguns are approved for on-duty use: See attachment: Taylorsville Police Department.pdf.

306.3.2 SHOTGUNS

Shotguns will only be used for SWAT.

Models will be approved through the Training Unit.

Authorized SWAT Officers will complete an initial training class and re-qualify with the shotgun as designated by the Firearms Unit.

306.3.3 PATROL RIFLES

The authorized department-issued patrol rifle is the Colt M4 .223. The following additional patrol rifles are approved for on-duty use: See attachment: Taylorsville Police Department.pdf .

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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 PERSONALLY OWNED DUTY FIREARMS

Members desiring to carry an authorized but personally owned duty firearm must receive written approval from the Chief of Police or the authorized designee. Once approved, personally owned duty firearms are subject to the following restrictions:

(a) The firearm shall be in good working order and on the department list of approved firearms.

(b) The firearm shall be inspected by the Armorer prior to being carried and thereafter shall be subject to inspection whenever it is deemed necessary.

(c) Prior to carrying the firearm, 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 firearm functions properly.

(d) Members shall provide written notice of the make, model, color, serial number and caliber of the firearm to the Armorer, who will maintain a list of the information.

(e) A firearms frame finish will not be high polish or chrome plated. Firearms will follow a black or silver color scheme unless otherwise approved by the Armorer.

(f) Aftermarket, non-factory magazines are prohibited unless approved by the manufacturer and the Armorer.

(g) Handguns equipped with extended threaded barrels are not allowed.

306.3.5 AUTHORIZED SECONDARY HANDGUN

Members desiring to carry department or personally owned secondary handguns are subject to the following restrictions:

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(a) The handgun shall be in good working order and on the department list of approved firearms.

(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 unless the handgun and ammunition are provided by the Department.

(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 the Armorer prior to being carried and thereafter shall be subject to inspection whenever it is deemed necessary, at the officer's expense. Non-departmental inspections will require a certified letter from the approved armorer.

(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 theArmorer, who will maintain a list of the information.

306.3.6 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 firearm shall be used, carried and inspected in accordance with the Personally Owned Duty Firearms requirements in this policy.

    (a) The purchase of the personally owned firearm shall be the responsibility of the member.

(b) 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.

(c) It will be the responsibility of the member to submit the firearm to the Armorer for inspection prior to being personally carried. Thereafter the firearm shall be subject to periodic inspection by the Armorer

(d) Prior to carrying any off-duty firearm, the member shall demonstrate to the Armorer that he/she is proficient in handling and firing the firearm and that it will be carried in a safe manner.

(e) The member will successfully qualify with the firearm prior to it being carried.

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(f) Members shall provide written notice of the make, model, color, serial number and caliber of the firearm to the Armorer, who will maintain a list of the information.

(g) If a member desires to use more than one firearm while off-duty, he/she may do so, as long as all requirements set forth in this policy for each firearm are met.

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

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

306.3.7 AMMUNITION

Members shall carry only department-authorized ammunition. Members shall be issued fresh duty ammunition in the specified quantity for all department-issued firearms during the member's firearms qualification. Replacements for unserviceable or depleted ammunition issued by the Department shall be dispensed by the Armorer when needed, in accordance with established policy.

Members carrying personally owned authorized firearms of a caliber differing from department-issued firearms shall be responsible for obtaining fresh duty ammunition in accordance with the above, at their own expense.

306.4 HIDE OUT FIREARMS

Officers certified in firearms have the option of carrying a hide out firearm while on duty. The primary purpose of a hide out firearm is to afford the officer a secret backup firearm should the officer ever be placed in a situation of being disarmed of their firearm thereby subjecting their life or personal safety to grave jeopardy. Therefore, to minimize detection of a hide out firearm, the weapon must be carried in a manner and location that affords complete concealment from view at all times.

This type of firearm is to supplement the duty firearm or off duty firearm. It is not to be considered as a primary weapon.

Permitted hide out weapons:

(a) Beretta Model 21 Bobcat in.22 calibers.

(b) North American Arms, Models Black Widow, Pug, Sidewinder, & Companion, 2" or shorter barrel only,.22LR and.22 magnum, as approved by Firearms Unit.

All hide out weapons will be maintained consistent with the primary duty pistol policy.

Prior to their use, personal hide out firearms will be inspected and authorized by the Firearms Unit. The officer must then be qualified on the use of that specific weapon.

Exceptions to authorized back-up, off-duty, and hide out firearms will be directed to the Armorer for evaluation. Authorization will be determined by the Sheriff.

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306.5 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.

306.5.1 REPAIRS OR MODIFICATIONS

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

Firearms that are the property of the Department or personally owned firearms that are approved for department use may be repaired or modified only by a person who is department-approved and certified as an armorer or gunsmith in the repair of the specific firearm. Such modification or repair must be authorized in advance by the Armorer.

Any repairs or modifications to the member's personally owned firearm shall be done at his/her expense and must be approved by the Armorer.

306.5.2 HOLSTERS

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

Minimum retention for patrol is two mechanical points. Detectives and administration must have one mechanical point. Uniformed members shall not be authorized to carry a firearm in a holster affixed to the thigh, with the exception of personnel in specific specialty units, which will be subject to authorization of the Chief of Police. Uniformed members may carry a firearm in a holster with a drop down adapter attachment listed below:

Safariland model 6004-DFA dop Flex Adapter (DFA)

306.5.3 TACTICAL LIGHTS

Tactical lights may only be installed on a firearm carried on- or off-duty after they have been examined and approved by the Armorer. 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.

306.5.4 OPTICS OR LASER SIGHTS

Optics or laser sights may only be installed on a firearm carried on- or off-duty after they have been examined and approved by the Armorer. 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.

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306.6 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 Armorer. Members shall not dry fire or practice quick draws except as instructed by the Armorer 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) Shotguns or rifles removed from vehicles or the equipment storage room shall be loaded and unloaded in the parking lot and outside of the vehicle, using clearing barrels.

(e) Members shall not place or store any firearm or other weapon on department premises except where the place of storage is locked. No one shall carry firearms into the jail section or any part thereof when securing or processing an arrestee, but shall place all firearms in a secured location. Members providing access to the jail section to persons from outside agencies are responsible for ensuring firearms are not brought into the jail section.

(f) 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.

(g) Any firearm authorized by the Department to be carried on- or off-duty 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 the Department or a Armorer approved by the Department for inspection and repair. Any firearm deemed in need of repair or service by the 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.

306.6.1 INSPECTION AND STORAGE

Handguns shall be inspected regularly and upon access or possession by another person. Shotguns and rifles shall be inspected at the beginning of the shift by the member to whom the weapon is issued. The member shall ensure that the firearm is carried in the proper condition and loaded with approved ammunition. Inspection of the shotgun and rifle shall be done while standing outside of the patrol vehicle. All firearms shall be pointed in a safe direction or into clearing barrels.

Personally owned firearms may be safely stored in lockers at the end of the shift. Department-owned firearms shall be stored in the appropriate equipment storage room. Handguns may remain loaded if they are secured in an appropriate holster. Shotguns and rifles shall be unloaded in a safe manner outside the building and then stored in the appropriate equipment storage room.

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306.6.2 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.

306.6.3 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.

306.7 FIREARMS TRAINING AND QUALIFICATIONS

All members who carry a firearm while on-duty are required to successfully complete training quarterly with their duty firearms. In addition to quarterly training, all members will qualify at least annually with their duty firearms. Members will qualify with off-duty and secondary firearms at least twice 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.

306.7.1 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 on their first shooting 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.

306.8 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

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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 Section 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.

306.8.1 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, CED, 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.

306.8.2 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. Before destroying the animal, the officer shall obtain either the judgment of a veterinarian or of two reputable citizens called by the officer to view the animal in the presence of the officer, or shall obtain consent to the destruction from the owner of the animal (Utah Code 76-9-305(3)).

306.8.3 WARNING AND OTHER SHOTS

Generally, warning shots or shots fired for the purpose of summoning aid are discouraged and may not be discharged unless the member reasonably believes that they appear necessary, effective and reasonably safe.

306.9 DIRECTED EMERGENCY FIRE

Directed Emergency Fire (“DEF”) is a controlled, concentrated, and coordinated course of fire directed at a life-endangering threat where an officer reasonably believes the threat to be located. The use of Directed Emergency Fire is deadly force. DEF shall be utilized consistent with the Use of Force policy and this policy.

(a) DEF may be utilized when officers and/or members of the public are exposed to an immediate, life-endangering threat.

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(b) DEF can be deployed against a “target specific” threat (Active Killer) or toward a “specific threat area” (known area occupied by the threat(s)).

(c) DEF may be used to stop or distract the threat while officers move to gain a tactical advantage or conduct the rescue of an officer or member of the public.

(d) Prior to using DEF, officers shall do the following:

1. Determine that the use of deadly force is justified.
2. Alert all concerned personnel, via radio if feasible, that DEF will be employed.
3. Based upon weapons deployed by the officer, give consideration to the background.
4. Determine that the use of DEF will not place members of the public at a greater risk than the actions of the threat.

(e) In the absence of a visual on the target, officers should consider placing fire high or low, depending on the safest backdrop. DEF will be controlled and deliberate fire.

306.10 ARMORER DUTIES

The range will be under the exclusive control of the Armorer. All members attending will follow the directions of the Armorer. The Armorer will maintain a roster of all members attending the range and will submit the roster to the Administration Sergeant after each range date. Failure of any officer to sign in and out with the Armorer may result in non-qualification.

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

The Armorer has the responsibility of making periodic inspection, at least once a year, of all duty weapons carried by officers of the Department to verify proper operation. The Armorer has the authority to deem any privately owned weapon unfit for service. The officer will be responsible for all repairs to his/her personally owned weapon and it will not be returned to service until inspected by the Armorer.

The Armorer 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 Armorer shall complete and submit to the Administration Sergeant 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 Armorer should keep accurate records of all training shoots, qualifications, repairs, maintenance or other records as directed by the Administration Sergeant.

306.11 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 officers who

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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 Taylorsville 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 license, passport).

(c) The Taylorsville Police Department must submit a National Law Enforcement Telecommunications System (NLETS) message prior to the officer's travel. If approved, TSA will send the Taylorsville 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 his/her itinerary, and should 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 officers 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, TSA representative 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.

306.12 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):

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

(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

Vehicle pursuits expose innocent citizens, law enforcement officers and fleeing violators to the risk of serious injury or death. The primary purpose of this policy is to provide officers with guidance in balancing the safety of the public and themselves against law enforcement's duty to apprehend violators of the law. Another purpose of this policy is to minimize the potential for pursuit-related collisions. Vehicular pursuits require officers to exhibit a high degree of common sense and sound judgment. Officers must not forget that the immediate apprehension of a suspect is generally not more important than the safety of the public and pursuing officers.

Deciding whether to pursue a motor vehicle is a critical decision that must be made quickly and under difficult and unpredictable circumstances. In recognizing the potential risk to public safety created by vehicular pursuits, no officer or supervisor shall be criticized or disciplined for deciding not to engage in a vehicular pursuit because of the risk involved. This includes circumstances where a department policy would permit the initiation or continuation of a pursuit. It is recognized that vehicular pursuit situations are not always predictable, and decisions made pursuant to this policy shall be evaluated according to the totality of the circumstances reasonably available at the time of the pursuit.

Officers must remember that the most important factors in the successful conclusion of a pursuit are proper self-discipline and sound professional judgment. Officers' conduct during the course of a pursuit must be objectively reasonable, i.e., what a reasonable officer would do under the circumstances. An unreasonable officer’s desire to apprehend a fleeing suspect at all costs has no place in professional law enforcement.

307.2 DEFINITIONS

Definitions related to this policy include (UAC R728-503-2):

Pinning or Vehicle Intercept – A coordinated maneuver where one or more vehicles simultaneously intercept and block the movement of a suspect vehicle, where the driver of which may be unaware of the impending enforcement stop, with the goal of containment and preventing a pursuit. Pinning is not a moving roadblock, and this technique shall only be used while both the police and suspect vehicles are stationary.

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

Channelization - A technique similar to a roadblock, where objects are placed in the anticipated (or actual) path of a pursued vehicle with the intent of altering the vehicle's direction of travel.

Pursuit Intervention - An attempt to terminate the ability of a suspect to continue to flee in a motor vehicle through tactical application of technology, road spikes, blocking, boxing, PIT.

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Paralleling - Participating in the pursuit by proceeding in the same direction and maintaining approximately the same speed while traveling on an alternate street or highway that parallels the pursuit route.

Intervention (Ramming or Roadblock Procedures) - In this context, ramming shall be construed to mean maneuvering the police vehicle into contact with the pursued vehicle to mechanically disable or forcibly position it such that further flight is not possible or practical.

Pursuit Intervention Technique (PIT) - A low-speed maneuver designed to cause the suspect vehicle to spin out and terminate the pursuit.

Ramming – Ramming a vehicle is the deliberate act of impacting a violator's vehicle with another vehicle to functionally damage or otherwise force the violator's vehicle to stop. In this context, ramming a vehicle shall only be used in the event that the officer believes deadly force is justified.

Roadblocks - When deadly force is warranted, establishing a physical impediment to traffic as a means of stopping a vehicle using actual physical obstructions or barricades.

Tire deflating device - Tire-deflating spikes utilized to deflate the suspect vehicle's tires.

Trailing - Following the path of the pursuit at a safe speed while obeying all traffic laws and without activating emergency equipment.

Vehicle pursuit -An active attempt by an officer in an authorized emergency vehicle to apprehend fleeing suspects who are attempting to avoid apprehension through evasive and unlawful tactics.

307.3 WHEN TO INITIATE A PURSUIT

(a) Officers in a department vehicle with operable emergency vehicle equipment and radio may initiate a vehicular pursuit when the following criteria are met (UAC R728-503-4):

1. The suspect exhibits the intention to avoid apprehension through evasive or unlawful tactics.
2. The suspect operating the vehicle refuses to stop at the direction of the officer.
3. The suspect's actions are such that failure to pursue would further enhance the danger presented to the public.

(b) Department vehicles that do not possess operable emergency vehicle equipment and an operable police radio will not be involved in a pursuit. Factors that individually and collectively shall be considered in deciding whether to initiate or continue a pursuit are (UAC R728-503-4):

1. The performance capabilities of the pursuit vehicle.
2. The condition of the road surface upon which the pursuit is being conducted.
3. The amount of vehicular and pedestrian traffic in the area.
4. The weather conditions.
5. The offense for which the subject will be pursued.

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6. Any potential or existing hazards.
7. Familiarity with the area and road.
8. Any other pertinent factors.

307.4 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.

The factors listed above are expressly included herein and will apply equally to the decision to discontinue as well as the decision to initiate a pursuit. Officers and supervisors must objectively and continuously weigh the seriousness of the offense against the potential danger to innocent motorists and themselves when electing to continue a pursuit. In the context of this policy, the term "terminate" shall be construed to mean discontinue or to stop chasing the fleeing vehicles.

In addition to the factors, listed above the following factors should also be considered in deciding whether to terminate a pursuit (UAC R728-503-9):

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

(b) Pursued vehicle's location is no longer definitely known.

(c) Officer's pursuit vehicle sustains any type of damage that renders it unsafe to drive.

(d) The danger posed by the continued pursuit to the public, the officers or the suspect is greater than the value of apprehending the suspect.

(e) Weather or traffic conditions substantially increase the danger of the pursuit beyond the benefit of apprehending the suspect.

(f) If the identity of the offender is known and it does not reasonably appear that the need for immediate capture outweighs the risks associated with continuing the pursuit, officers should strongly consider discontinuing the pursuit and apprehending the offender at a later time.

(g) The pursuit is terminated by a supervisor.

(h) The officer is unfamiliar with the area and is unable to accurately notify dispatch of the location and direction of the pursuit.

(i) The violator is driving the wrong way into oncoming traffic on any roadway.

(j) Air support is available to track the suspect.

Pursuits will terminate at the state line unless exigent circumstances exist, and with approval of the supervisor.

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When an officer terminates a pursuit, the officer shall turn off the siren and emergency lights, pull the vehicle to the side of the road and stop.

307.4.1 SPEED LIMITS

The speed of a pursuit is a factor that should be evaluated on a continuing basis by the officer and supervisor. Evaluation of vehicle speeds shall take into consideration public safety, officer safety and the safety of the occupants of the fleeing vehicle.

Should high vehicle speeds be reached during the pursuit, the officers and supervisors shall also consider three factors when determining the reasonableness of the speed of the pursuit:

(a) Pursuit speeds have become unsafe for the surrounding conditions.

(b) Pursuit speeds have exceeded the driving ability of the officer.

(c) Pursuit speeds are beyond the capabilities of the pursuit vehicle thus making its operation unsafe.

307.5 PURSUIT UNITS

Pursuit units shall be limited to two vehicles, unless authorized by the supervisor. The number of units will vary with the circumstances (UACR728-503-5). An officer may request, or the supervisor may authorize additional units to join the pursuit, if after assessing the factors outlined above, it appears that the number of officers involved would be insufficient to safely arrest the suspects. All other officers shall not be directly involved in 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 termination point at legal speeds, following the appropriate rules of the road.

307.5.1 VEHICLES WITHOUT EMERGENCY EQUIPMENT-UNMARKED VEHICLES/ MOTORCYCLES

(a) Vehicles without emergency equipment are prohibited from becoming involved in a pursuit.

(b) All unmarked vehicles and motorcycles will relinquish the primary or secondary role in a pursuit to a marked vehicle as soon as practicable (UAC R728-503-7).

307.5.2 PRIMARY UNIT RESPONSIBILITIES

The initial pursuing vehicle will be designated as the primary pursuit vehicle and will be responsible for the conduct of the pursuit unless it is unable to remain reasonably close enough to the violator's vehicle. The primary responsibility of the officer initiating the pursuit is the apprehension of the suspect(s) without unreasonable danger to themselves or other persons (UAC R728-503-7).

The pursuing officer shall activate headlights and all emergency equipment and siren upon initiating a pursuit.The pursuing officer shall immediately notify VECC that a vehicle pursuit has been initiated. Use of plain English transmissions is encouraged, rather than using the 10-code. As soon as practicable the officer shall provide VECC information including, but not limited to:

(a) Unit identification.

(b) Location, speed, and direction of travel of the fleeing vehicle.

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(c) Description of the fleeing vehicle and license number, if known.

(d) Number of known occupants.

(e) The identity or description of the known occupants.

(f) Reason for initiating the pursuit.

(g) Information concerning the use of a firearm, threat of force, injuries, hostages, or other unusual hazards.

Unless relieved by a secondary vehicle, the officer in the primary vehicle shall be responsible for the broadcasting of the progress of the pursuit. Unless practical circumstances indicate otherwise, and in order to concentrate on pursuit driving, the primary officer should relinquish the responsibility of broadcasting the progress of the pursuit to a secondary vehicle or aircraft joining the pursuit as soon as practical.

307.5.3 SECONDARY UNIT RESPONSIBILITIES

The second officer in the pursuit is responsible for the following:

(a) The officer in the secondary vehicle should immediately notify the dispatcher of entry into the pursuit.

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

(c) The secondary officer should be responsible for broadcasting the progress of the pursuit unless the situation indicates otherwise.

307.6 MOTOR VEHICLE PURSUIT GUIDELINE MATRIX/RISK FACTORS

The decision to pursue a motor vehicle is a process of weighing risk factors of the pursuit against the primary responsibility of preserving life and reducing the risk of injury to the public. Officers will balance the need for apprehension against the risks created in a motor vehicle pursuit. The matrix listed below will be used as a guideline prior to engaging in a pursuit and to evaluate continuing a pursuit. Combinations of risk factors may raise or lower the risk associated with a pursuit.

Seriousness of offense	Low Risk	Medium Risk	High Risk
Any felony offense or incident where an officer has knowledge that death or serious bodily injury has been, will be, or may be inflicted if apprehension is delayed.	May pursue	May pursue	May pursue; Terminate when risk factors exceed known threat to public safety presented by the perpetrator if capture is delayed.
All other non-violent felony offenses.	May pursue; Terminate if risks exceed seriousness of offense.	NO PURSUIT	NO PURSUIT
All other misdemeanor offenses/traffic violations.	NO PURSUIT	NO PURSUIT	NO PURSUIT

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Pursuing a suspect who merely flees for unknown reasons, does not justify a pursuit of the vehicle for only the felony evading offense.

307.7 PURSUIT DRIVING TACTICS

The decision to use specific driving tactics requires the same assessment of considerations outlined in the factors to be considered concerning pursuit initiation and termination. The following are tactics for units involved in the pursuit:

(a) Officers need to consider their training and driving skills and the performance capabilities of their vehicle. Officers shall space themselves from other involved vehicles, so they are able to see and avoid hazards or react safely to maneuvers by the fleeing vehicle.

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

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

2. Pursuing units should exercise due caution when proceedings through controlled intersections.

(c) Officers should generally not pursue a vehicle that is driving left of center (wrong way) on a roadway. If the vehicle continuously drives in such a manner against the flow of traffic, placing the public safety at risk, the pursuit should be terminated.

(d) Officers shall notify outside agencies if it appears the pursuit may enter their jurisdiction.

(e) Officers involved in a pursuit should not attempt to pass other units unless the situation dictates otherwise or they are requested to do so by the primary vehicle or a supervisor.

307.8 TACTICS/PROCEDURES FOR UNITS NOT INVOLVED IN THE PURSUIT

There shall be no paralleling of the pursuit route (UAC R728-503-7). 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. Officers should remain in their assigned area and should not become involved in the pursuit unless directed otherwise by a supervisor. Non pursuing personnel needed at the termination of the pursuit should respond in a non-emergency manner, observing the rules of the road.

The primary and secondary units should be the only units operating under emergency conditions (emergency lights and siren) unless other units are assigned to the pursuit or designated to respond in a different manner by a supervisor.

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307.9 PURSUIT TRAILING

In the event the initiating vehicle from this agency either relinquishes control of the pursuit to another vehicle or jurisdiction, that initiating vehicle may, with the permission of supervisor, trail the pursuit to the termination point in order to provide necessary information assistance for the arrest of the suspects. While trailing the pursuit, officers shall obey the rules of the road and not operate with emergency equipment unless directed otherwise by the supervisor.

If the pursuit is at a slow rate of speed, the trailing vehicle will maintain sufficient distance from the pursuing officers, so it clearly indicates an absence of participation in the pursuit.

307.10 AIRCRAFT ASSISTANCE

When available aircrafts are assisting with the pursuit, and have established visual contact with the pursued vehicle, the pursuing units, and the supervisor in command of the incident, shall consider the participation of aircraft assistance when determining whether to continue the ground pursuit. If the circumstances and the offense dictate the suspect is believed to be a danger or threat to public safety, the supervisor will be the deciding factor whether to continue pursuing the vehicle with ground units. The air unit should coordinate the activities of resources on the ground, report progress of the pursuit and provide officers and supervisors with details of upcoming traffic congestion, road hazards, or other pertinent information to evaluate whether or not to continue the pursuit. If the air unit determines that it is unsafe to continue the pursuit, the air unit shall recommend to pursuing units and the supervisor to terminate the pursuit.

307.11 SUPERVISORY CONTROL AND RESPONSIBILITY

Available supervisory and management control will be exercised over all vehicle pursuits involving officers from this department. When reasonably possible, the supervisor shall not actually be engaged in the pursuit itself (UAC R728-503-6).

After being notified of a pursuit, a supervisor shall:

(a) Ensure proper radio channels and procedures are in use.

(b) Ensure tactics are in conformance with any policy of the Department.

(c) Ensure only the necessary number of units are involved.

(d) Ensure allied agencies are notified.

(e) Consider aborting the pursuit if cause exists.

(f) Consider air support availability and practicality.

(g) Ensure post-incident notifications.

(h) Ensure that proper written reports are completed and forwarded to designated supervisory personnel.

The supervisor should proceed to the termination point of the pursuit and provide appropriate assistance and supervision at the scene, when practical.

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307.12 ON DUTY SUPERVISOR RESPONSIBILITY

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

The supervisor shall review all pertinent reports for content and approval, and then forward to designated supervisory personnel.

307.13 COMMUNICATIONS

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 communications dispatcher. If the pursuit leaves the local jurisdiction or such is imminent, involved units should whenever available, switch or patch radio communications to the Salt Lake Regional channel or a designated channel that will be most accessible by participating agencies and units.

307.14 COMMUNICATIONS CENTER RESPONSIBILITIES

Upon notification that a pursuit has been initiated, VECC shall immediately advise a field supervisor of essential information regarding the pursuit (UAC R728-503-5). Communications personnel also shall:

(a) Receive and record all incoming information on the pursuit and the pursued vehicle.

(b) Control all radio communications and clear the radio channels of all non-emergency calls.

(c) Perform relevant record and motor vehicle checks.

(d) Coordinate and dispatch back-up assistance and air support units under the direction of the field supervisor.

(e) Notify concurrent and neighboring jurisdictions, where practicable, when the pursuit may extend into their location and specify whether involvement is needed.

(f) If the pursuit enters a bordering state, that jurisdiction should be notified.

307.15 LOSS OF PURSUED VEHICLE

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

307.16 INTER-JURISDICTIONAL CONSIDERATIONS

The primary unit shall notify communications when it is likely that a pursuit will continue into a neighboring jurisdiction or across the county or state line (UAC R728-503-8). When a pursuit enters another agency's jurisdiction, the primary officer or supervisor, taking into consideration distance traveled, unfamiliarity with the area, and other pertinent facts, should determine whether or not to request the other agency to assume the pursuit. Unless entry into another jurisdiction is

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expected to be brief, it is generally recommended that the primary officer or supervisor ensure that notification is provided to each outside jurisdiction into which the pursuit is reasonably expected to enter, regardless of whether or not such jurisdiction is expected to assist.

307.17 ASSUMPTION OF A PURSUIT BY ANOTHER AGENCY

Units originally involved will discontinue the pursuit when advised that another agency has assumed the pursuit and assistance of the Taylorsville Police Department is no longer needed. Upon discontinuing the pursuit, the primary vehicle may proceed upon request, with or at the direction of a supervisor, to the termination point to assist in the investigation.

The role and responsibilities of officers at the termination of a pursuit initiated by this department shall be coordinated with appropriate consideration of the units from 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. Because of communication limitations between local agencies, a request for another agency's assistance will mean that they will assume responsibilities 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.

307.18 PURSUITS EXTENDING INTO THE JURISDICTION

The agency that initiates a pursuit shall be responsible for conducting the pursuit. Officers from this department should not actively join in the pursuit unless specifically requested to do so by the initiating agency involved in the pursuit. The exception to this is when a single vehicle for the initiating agency is in the pursuit. Under this circumstance, a vehicle from this department may join in the pursuit until sufficient units from the initiating agency join the pursuit, and it is approved by the supervisor.

When a request is made from this department to assist or take over a pursuit from another agency that has entered this jurisdiction, the supervisor should consider:

(a) The department’s ability to maintain the pursuit.

(b) Whether the circumstances are seriousness enough to continue the pursuit.

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

(d) The public’s safety within this jurisdiction.

(e) The safety of pursuing officers.

As soon as practical, the supervisor should review a request for assistance from another agency. The supervisor, after consideration of the above factors, may decline to assist in, or assume the agency’s pursuit.

Continued assistance to a pursuing allied agency by officers of this Department outside the city limits, will be at the discretion of a supervisor, provided that the pursuing officers have sufficient

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assistance from other sources. Ongoing participation from this department may continue only until sufficient assistance is present.

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

307.19 PURSUIT INTERVENTION

Intervention techniques shall be used only when the officer reasonably believes it is possible to do safely and when law enforcement officers using them have received training in their use (UAC R728-503-7). Use of some designated pursuit intervention tactics will be employed only after the approval of a supervisor. In deciding to use intervention tactics, officers/supervisors should balance the risks 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 these risks in mind, the decision to use any intervention tactics should be reasonable in light of the circumstances confronting the officer at the time of the decision.

307.20 INTERVENTION STANDARDS

Any pursuit intervention tactic, depending on 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 deadly force and subject to the requirements of such use. Officers who have not received department approved training in the application and use of any intervention tactic or equipment, shall not employ any such tactic or equipment. Officers shall consider these facts and requirements prior to deciding how, when, where, and if the intervention tactic should be employed.

(a) Channelization is a forcible stop technique but does not require the justification of deadly force. Absent the use of deadly force, no officer from this department is authorized to utilize this technique.

(b) Pursuit Intervention Technique (PIT) is a forced rotational non-compliant vehicle stop. This technique shall not be used if speeds exceed 45 mph. Officers may employ this technique If any of the vehicle tires have been blown or flattened, or if the vehicle has had its tires damaged by a tire deflation device. Caution should be used in employing this technique, especially with damaged vehicles.

(a) This technique should only be used when all other reasonable means of apprehension have been considered and rejected as impractical, e.g., air support, allied agency assistance, and tire deflating devices; when the apparent risk of harm or other than the occupants of the pursued vehicle is so great as to outweigh the risk of harm in making the forcible stop; when the pursuing officer believes that the continued movement of the pursued vehicle would place others in danger of great bodily harm or death.

(b) Officers should use care and caution in selecting the location where the stop is to be made, so that any resulting danger can be minimized as much as possible.

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(c) The outcome of a vehicle pursuit is often very unpredictable. A pursuing officer may only have seconds in deciding whether or not to employ this technique and having prior approval to employ this technique is not always practical. Any officer with this department who has received department approved training in the application of a PIT maneuver, will have the discretion to employ this technique during a pursuit without prior approval of a supervisor. The officer should use caution in employing this technique and ensure the application of the technique applies to the above listed circumstances. The supervisor can override the use of this technique at any time during the pursuit.

c. Ramming a fleeing vehicle should only be done only after other reasonable tactical means at the officers' disposal have been exhausted. This tactic should be reserved for situations where there does not appear to be another reasonable alternative method. This policy is an administrative guide to direct officers in their decision-making process before ramming another vehicle. When ramming is used as a means to stop a fleeing vehicle, the following factors should be present.

(a) The suspect is an actual or suspected felon who reasonably appears to represent a serious threat to the public if not apprehended.

(b) 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. If there does not reasonably appear to be a present or immediately foreseeable serious threat to the public, unless the officer believes the use of deadly force is justified.

(a) Boxing-in a vehicle as a technique for terminating pursuits shall not be authorized by any member of this Department. Under ordinary circumstances, the potential hazard outweighs the probability of a successful stop of the violator.

(b) Pinning or a vehicle intercept - this technique shall only be authorized on a stationary vehicle.

(a) Pinning or a vehicle intercept shall not be used in those circumstances where the suspect is wanted for a violent felony, or the suspect has demonstrated a willingness to assault the officer, either with the vehicle or by other means, or the subject is believed to be armed with a firearm.

(b) Pinning or a vehicle intercept shall not be used when it is necessary to use citizens to execute the maneuver.

(c) This technique shall not be used by any officer that has not received training in the application of the technique.

(c) The use of tire deflating devices on a fleeing vehicle will be authorized for deployment without prior approval from a supervisor. In assessing the potential success for deploying a tire deflating device, the officer may only have seconds in deciding whether or not to deploy the device. The officer will only deploy the device, when it is reasonably certain that only the pursued vehicle will be affected by their use. In all other circumstances other than an active fleeing vehicle, the officer shall have prior approval from a supervisor to deploy a tire deflating device on the vehicle prior to making attempts to stop the vehicle. (The supervisor shall assess the probability that

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the suspect may flee, based on the offense or having prior knowledge of the suspect's history).

Officers should carefully consider the limitations of such devices as well as the potential risks to officers, the public and occupants of the pursued vehicle. (Officers shall not deploy any tire deflating device on a motorcycle unless deadly force is justified). Additional considerations for the use of a tire deflating device are vehicles with hazardous materials or a school bus that is transporting children. Officers and supervisors should weigh the potential consequences against the need to immediately stop the vehicle. If feasible, the officer should broadcast to pursuing officers that a tire deflating device has been set up to deploy ahead of the pursuit. The supervisor can override the use of any tire deflating device at any time during the pursuit.

(d) Roadblocks are prohibited unless the circumstances would warrant the use of deadly force. Roadblocks should only be established with a supervisor's approval. If a roadblock is established officers must:

1. Allow the suspect vehicle reasonable stopping distance.
2. Not place themselves or their vehicle in a position that would jeopardize the safety of the officers involved.
3. Not place vehicles in a position that is not reasonably visible to the suspect.
4. Reasonably ensure the safety of uninvolved pedestrians and motorists.

307.21 USE OF FIREARMS

An officer's discharge of a firearm at or from a moving vehicle shall follow this department's Use of Force Policy. An officer's decision to discharge a firearm at or from a moving vehicle shall first be authorized, when reasonably possible by a supervisor (UAC R728-503-7).

307.22 SECTION TITLE

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 which reasonably appears necessary under the circumstances to properly perform their lawful duties.

Unless relieved by a supervisor, the primary officer should coordinate efforts to apprehend the suspects following the pursuit. Officers should consider safety of the public and the involved officers when formulating plans to contain and capture the suspect.

307.23 REPORTING REVIEW REQUIREMENTS

Any officer involved in a pursuit, shall complete the appropriate crime/arrest reports. The following pursuit risk factors shall be documented in the report:

(a) Whether any person involved in the pursuit or subsequent arrest was injured, specifying the nature of that injury, and differentiating between the suspect driver, a suspect passenger and the officers involved.

(b) The violation that caused the pursuit to be initiated.

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(c) The identity of the officers involved in the pursuit.

(d) The means or methods used to stop the suspect being pursued.

(e) The charges filed with the court by the prosecuting attorney.

(f) The conditions of the pursuit, including, but not limited to, all of the following:

1. Duration
2. Mileage
3. Number of officers involved
4. Maximum number of units involved
5. Time of day
6. Weather conditions
7. Maximum speeds

(g) Whether the pursuit resulted in a collision and a resulting injury or fatality to an uninvolved third party, and the corresponding number of persons involved.

(h) Whether the pursuit involved multiple agencies.

(i) How the pursuit was terminated.

(j) After first obtaining available information, the supervisor shall promptly complete a supervisor's report, briefly summarizing the pursuit, to command staff. This should minimally contain the following information:

1. Date and time of pursuit
2. Length of pursuit
3. Involved units and officers
4. Initial reason for pursuit
5. Starting and termination points
6. Disposition: arrest, citation, arrestee information if applicable
7. Injuries and/or property damage
8. Medical treatment
9. Name of supervisor at scene, and a preliminary determination that the pursuit appears to follow compliance with this policy or additional review and/or follow up is warranted.

307.24 REGULAR AND PERIODIC PURSUIT TRAINING

Officers shall not engage in a pursuit until they have successfully completed the department-sponsored Emergency Vehicle Operations (EVO) course. Officers shall also be required to attend an annual course that specifically covers any policy adopted by the Department regarding pursuits (UAC R728-503-10).

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All department officers shall retain a current copy of the pursuit policy and shall refer to it as a basis for initiation, continuation, and termination of a pursuit (Utah Code 41-6a-212).

307.25 CHIEF REVIEW

The Chief of Police shall review each pursuit that results in injury or property damage and determine whether involved members complied with department policies. The Chief of Police shall document and appropriately remedy any policy violations through the disciplinary process (Utah Code 41-6a-212).

307.26 POLICY REVIEW

Each sworn employee of the Department shall certify in writing that he/she has received, read, and understands this policy initially and upon any amendments.

307.27

Any officer involved in a pursuit resulting in death or serious bodily injury to any person is required to attend a timely critical incident debriefing arranged by the Section Commander of the involved officer.

The Section Commander will also schedule a professional psychological counseling session for any officer directly involved in a pursuit resulting in death or serious bodily injury to any person. Attendance by the involved officer at this counseling session is mandatory.

307.28 APPLICATION OF VEHICLE PURSUIT POLICY

This policy is expressly written and adopted pursuant to the provisions of Utah Code 41-6a-212. It incorporates the guidelines developed pursuant to Utah Code 41-6a-212 and established in UAC R728-503.

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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.

308.2 RESPONSE TO CALLS

Officers dispatched "Code-3" shall consider the call an emergency response and proceed immediately. Officers responding Code-3 shall continuously operate emergency lighting equipment and siren at all times while responding "Code 3". (Utah Code 41-6a-212).

Responding with emergency lights and siren does not relieve the officer operating an authorized emergency vehicle of the duty to act as a reasonably prudent emergency vehicle operator in like circumstances. The use of any other warning equipment without emergency lights and siren does not provide any privilege under the law.

Officers should only respond Code-3 when so dispatched or 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 VECC.

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

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

When requesting emergency assistance, members need to be aware that not all emergency requests for assistance require a "1033" response. Members from this Department shall always have the ultimate discretion as to when the member feels the use of the "1033" code is appropriate, but members should keep in mind that this code should be reserved for those ultimate instances where an immediate response by numerous officers is required to take action and stabilize the threat or emergency.

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308.4 INITIATING CODE 3 RESPONSE

If an officer believes a Code-3 response to any call is appropriate, the officer shall immediately notify the dispatcher of the code 3 response. The supervisor shall acknowledge all Code-3 responses and make the determination whether to continue or discontinue Code 3 responses if necessary.

308.5 RESPONSIBILITIES OF RESPONDING OFFICERS

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 emergency lights and siren at the legal speed limit. In such an event, the officer should immediately notify VECC. An officer shall also discontinue the Code-3 response when directed by a supervisor.

308.6 COMMUNICATIONS RESPONSIBILITIES

A dispatcher shall acknowledge when an officer requests emergency assistance or when available information reasonably indicates that the public is threatened with serious injury or death and immediate police response is needed. In all other circumstances, the dispatcher shall obtain authorization from the on-duty supervisorprior to assigning units Code-3. The dispatcher shall:

(a) Attempt to assign the closest available vehicle to the location requiring assistance.

(b) Immediately notify the supervisor.

(c) Confirm the location from which the vehicle is responding if appropriate.

(d) Notify and coordinate allied emergency services (e.g., fire and ambulance).

(e) Continue to obtain and broadcast information as necessary concerning the response and monitor the situation until it is stabilized or terminated.

(f) Control all radio communications during the emergency and coordinate assistance under the direction of the r field supervisor.

In circumstances where an officer requests emergency assistance, the initial dispatched officer will acknowledge the call and their Code-3 response. Additional officers responding to the incident shall refrain from any non-emergency traffic and proceed Code-3 to the call.

308.7 SUPERVISORY RESPONSIBILITIES

Upon being notified that a Code-3 response has been initiated, the on-duty 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.

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(c) Affected outside jurisdictions are being notified as practical.

The 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 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 supervisor, or VECC of the equipment failure so that another vehicle may be assigned to the emergency response.

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Domestic Violence

309.1 PURPOSE AND SCOPE

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

309.1.1 DEFINITIONS

Definitions related to this policy include:

Abuse – Intentionally or knowingly 1) causing or attempting to cause physical harm to a dating partner, or 2) placing a dating partner in reasonable fear of imminent physical harm.

Cohabitants – cohabitants are defined as set forth in Utah State Code 78B-7-102 of the Cohabitant Abuse Act.

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

Dating partner- A person who is legally emancipated or is 18 years of age or older, and is, or has been in a dating relationship with the other party.

Dating relationship- A social relationship of a romantic or intimate nature, or a relationship which has romance or intimacy as a goal by one or both parties, regardless of whether the relationship involves sexual intimacy. A dating relationship does not mean casual fraternization in a business, educational or social context.

Dating violence - Any criminal offense involving violence or physical harm, threat of violence or physical harm, or any attempt, conspiracy, or solicitation by a person to commit an offense involving violence or physical harm, when committed by a person against a dating partner of the person who is either 18 years of age or older or is emancipated (Utah Code 78B-7-402).

Domestic violence - Includes any crime involving the actual, threatened or attempted violence or physical harm of a cohabitant. Domestic violence also includes committing or attempting to commit any crime listed in Utah Code 77-36-1(4) by one cohabitant against another.

Domestic violence forms- Forms which officers are required to fill out during a criminal domestic violence investigation. Investigation's personnel will be responsible for maintaining copies of the domestic violence forms, so they are readily available to patrol officers. The forms include: the domestic violence guide worksheet, witness statements, strangulation form, and/or lethality assessment forms, no contact agreement and medical release forms.

Intimate Partners (IP) – Intimate partners are persons who are, or have been involved in an intimate relationship who:

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(a) Are married, separated or divorced.

(b) Live or have lived together.

(c) Have children in common; or

(d) Date, or have dated, but do not live, or never have lived together.

Intimate Relationship – a relationship in which heterosexual or homosexual partners have, or have had, a sexually or emotionally intimate relationship.

309.2 POLICY

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

309.3 OFFICER SAFETY

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

309.4 DUTIES OF LAW ENFORCEMENT OFFICERS

A sworn member "who responds to an allegation of domestic violence shall use all reasonable means to protect the victim and prevent further violence" (Utah state law, Title 77 Chapter 36 – Utah Cohabitant Abuse Procedures Act), including doing any or all of the following:

- Use all reasonable means to protect the victim and prevent further violence.
- Provide for the safety of the victim and any family members or household members.
- Confiscate the weapon or weapons involved in the alleged domestic violence.
- Help obtain medical treatment.
- Help obtain emergency housing/shelter.
- Provide protection for the victim while he/she removes personal effects.
- Provide notice of rights, remedies, and services.
- Provide information about obtaining protective orders by providing the party an approved TVPD domestic violence victim pamphlet.
- Upon arrest provide the alleged perpetrator with written notice that they may not contact the victim before being released from jail by providing the party an approved TVPD domestic violence suspect pamphlet.
- Advise the victim regarding preserving evidence, and if necessary, have a crime lab technician respond to document injuries or preserve evidence.

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- Submit a General Offense report with narrative and Domestic Violence worksheet (as a follow-up) with disposition. All witness statements and pertinent documents supporting the investigation will be included.
- Request a victim advocate respond to the scene as dictated by the Domestic Violence worksheet.
- Upon clearing any such detail, the reporting officer will promptly advise dispatchers of any pertinent information to update Dispatch computer file.

309.5 INVESTIGATIONS

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

(a) All criminal Domestic Violence investigations require the initial officer to complete the Domestic Violence worksheet packet, and appropriate notifications to designated personnel if necessary, including medical attention, domestic violence advocate and Detective notifications.

(b) Officers will ask the following questions on each domestic violence case to assess an adequate domestic violence risk assessment:

1. Has the suspect ever used a weapon against you or threatened you with a weapon?
2. Has the suspect threatened to kill you, your children and or others?
3. Do you think he/she may try to kill you?
4. If the suspect is not in custody, and the victim answers yes to designated lethality assessment questions, the officer shall notify the victim's advocate, and/or South Valley Services personnel. If the victim declines any victim service assistance on scene, the officer shall notify the victim's advocate by email or phone, with contact information for the victim, so additional follow up can be done in the future.

(c) During the investigation, the officer will ask the victim if the suspect attempted to interrupt their normal breathing to include suffocation and/or strangulation. An answer of yes to this question will require the officer to complete the Strangulation Supplemental sheet.

(d) Calls of reported, threatened, imminent, or ongoing domestic violence, and the violation of any court order are of extreme importance and should be considered among the highest response priorities. This includes incomplete 9-1-1 calls.

(e) Utah State law requires that a written report be completed on all domestic violence investigations whether there were criminal offenses founded or not, or if the incident was only a verbal altercation. Utah state law requires that if an officer has probable cause to believe a domestic violence related crime has occurred, the officer shall make an arrest.

(f) When practicable and legally permitted, video or audio record all significant statements and observations. When practicable, officers should obtain and document statements

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from the victim, the suspect, and any witnesses, including children, in or around the household or location of occurrence.

(g) 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.

(h) When practicable and legally permitted, video or audio record all significant statements and observations.

(i) 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, if the victim's injuries are in sensitive areas. Victims whose injuries are not visible at the time of the incident should be asked to contact the Department, in the event that the injuries later become visible.

(j) Officers should request that the victim complete and sign an authorization for release of medical records related to the incident when applicable.

(k) 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.

(l) Seize any firearms or other dangerous weapons in the home, if appropriate and legally permitted for safekeeping or as evidence.

(m) This applies to both investigations involving domestic violence and/or dating violence. (Utah Code 77-36-2.1; Utah Code 78B-7-408).

(n) 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.

(o) Officers should take appropriate enforcement action when there is probable cause to believe an offense has occurred. Factors that should not be used as sole justification for declining to take enforcement action include:

1. 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).

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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

309.5.1 IF SUSPECT IS ARRESTED

If a suspect is arrested, officers should:

(a) Advise the victim that there is no guarantee the suspect will remain in custody.

(b) Provide the victim's contact information to the jail staff to enable notification of the victim upon the suspect's release from jail.

(c) Advise the victim whether any type of court order or no contact order will be in effect when the suspect is released from jail.

If a non-physical arrest is made, officers shall:

(a) The arrestee may not be released on a citation unless, as a condition of that release, the arresting officer shall ensure that the arrestee is served with a written non-jail release agreement containing the following information: (State law requires that a written agreement be entered into by an arrested person, regardless of whether the person was booked in jail).

(a) Have no personal contact with the alleged victim.

(b) Not threaten or harass the alleged victim.

(c) Not knowingly enter onto the premises of the alleged victim’s residence or any premises temporarily occupied by the alleged victim.

It will be the duty of the arresting agency to ensure that non-jail release agreements are entered into UCJIS as soon as possible after the citation is issued. The on-duty supervisor will be responsible to enter the agreement into UCJIS, and then provide the officer with written verification for the report that the agreement was entered.

In the event the jail release agreement needs to be modified or cancelled, any officer or supervisor can complete the transaction in UCJIS. Documentation supporting the modification or cancellation shall be included in a supplemental report.

309.5.2 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:

  (a) Voluntary separation of the parties.

  (b) Appropriate resource referrals (e.g., counselors, friends, relatives, shelter homes, victim witness unit).

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(b) Document the resolution in a report.

309.6 WAVIER OF JAIL RELEASE AGREEMENTS

If a suspect is arrested, officers should:

An officer making an arrest for domestic violence will provide the victim notice, in writing, of the availability and effect of any waiver of the jail release agreement conditions. A victim may decide to sign a waiver of the jail release agreement at any time prior to the end of the jail release agreement period, following the arrest for domestic violence.

(a) At the scene: If the victim signs the waiver of the jail release agreement prior to the officer leaving the scene, that officer will then complete and distribute the waiver as marked for distribution. If the arrestee is booked, the officer will advise the Adult Detention Center booking officers that a waiver of the jail release agreement has been signed.

(b) After officers have cleared the scene: If a victim declines to sign a waiver of the jail release agreement at the scene and later decides to sign the waiver, the victim must either report to the Taylorsville Police Department Investigations Section, with picture identification, to sign the waiver or contact a member of the Domestic Violence Unit to meet the victim at a mutually agreeable location to sign the waiver. A domestic violence detective must process the waiver of the jail release agreement with the victim. Once the waiver is signed, Adult Detention Center personnel will be notified by the detective.

309.7 VICTIM ASSISTANCE

Because victims may be traumatized or confused, officers should be aware that a victim’s behavior and actions may be affected. The following applies to domestic violence and dating violence (Utah Code 77-36-2.1; Utah Code 78B-7-408):

(a) Victims shall be provided with the department's domestic violence information handout, even if the incident may not rise to the level of a crime.

(b) Victims shall also be alerted to any available victim advocates, shelters, and community resources.

(c) Request a Victim Advocate response/call out as prompted by the Domestic Violence worksheet which states the following:

(d) If the victim answers "yes" to any of the questions listed in the Lethality Assessment and/or the Strangulation section of the Domestic Violence worksheet the officer shall offer to have an advocate respond. If the victim rejects the offer for the Advocate to respond, the officer shall notify the dvocate of the victim’s name and contact info. This can be done by phone or e-mail.

(e) When an involved person requests law enforcement assistance while removing essential items of personal property, officer shall stand by for a reasonable amount of time.

(f) If the victim has sustained injury or complains of pain, the officer shall offer to seek medical assistance for the victim as soon as practicable.

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(g) Officers should ask the victim whether he/she has a safe place to stay and assist in arranging transportation to an alternate shelter if the victim expresses a concern for his/her safety or if the officer determines that a need exists.

(h) Officers should make reasonable efforts to ensure that any children or dependent adults who are under the supervision of the suspect or victim are being properly cared for.

(i) If appropriate, officers shall seek or assist the victim in obtaining an emergency order.

309.8 DOMESTIC VIOLENCE NOTIFICATIONS

Members will notify a domestic violence detective and a victim advocate when the following conditions apply:

- An officer books a person in jail for an alleged domestic violence offense.
- Any alleged aggravated offenses.
- An alleged offense of a Class A Misdemeanor or Felony.
- The victim is hospitalized for any injury constituting serious bodily injury.
- Domestic violence sexual assault.
- As directed by a supervisor.

Detective Notification – for any offense that an immediate investigative effort is necessary (such as a search warrant) requires phone contact. Other offenses that require no immediate investigative efforts (such as jail bookings) can be notified via electronic means.

309.9 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.

309.10 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.

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309.11 VERIFICATION OF COURT ORDERS

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

(a) Ask the subject of the order about his/her notice or receipt of the order, his/her knowledge of its terms and efforts to respond to the order.

(b) Check available records or databases that may show the status or conditions of the order.

(c) Contact the issuing court to verify the validity of the order.

(d) Contact a law enforcement official from the jurisdiction where the order was issued to verify information.

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

309.12 LEGAL MANDATES AND RELEVANT LAWS

Utah law provides for the following:

309.12.1 STANDARDS FOR ARRESTS

(a) Officers responding to a domestic violence call shall arrest or issue a citation to a domestic violence offender if there is probable cause to believe an offense has occurred. The offense need not occur in the officer's presence (Utah Code 77-36-2.2). Any citation issued shall note that the offense involved a domestic violence offense (Utah Code 77-7-20).

(b) An officer shall arrest an alleged perpetrator whenever there is probable cause to believe that the alleged perpetrator has violated any of the provisions of a court order or condition of release agreement and there is evidence the order has been served. The offense need not occur in the officer’s presence (Utah Code 77-36-2.4; Utah Code 78B-7-119).

(c) If an officer has probable cause to believe there will be continued violence against the victim or if there is evidence that the perpetrator has either recently caused serious bodily injury or used a dangerous weapon in the domestic violence offense, the officer may not utilize the option of issuing a citation (Utah Code 77-36-2.2). Factors that may support the likelihood of a continuing offense include:

1. A prior history of arrests or citations involving domestic violence.
2. The alleged perpetrator is violating a court order.
3. The alleged perpetrator has a prior history of other assaultive behavior (e.g., arrests or convictions for assault and battery or aggravated assaults).

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4. The victim states that the alleged perpetrator has a history of physical abuse toward the victim.
5. The victim expresses fear of retaliation or further violence should the alleged perpetrator be released.
6. Any other evidence that would indicate the victim may be subjected to continued violence or abuse.

(d) In responding to domestic violence incidents, officers should generally be reluctant to make dual arrests. If an officer receives complaints of domestic violence from two or more opposing persons, the officer shall evaluate each complaint separately to identify the predominant physical aggressor. If the officer determines that one person was the predominant physical aggressor, the officer need not arrest the other person alleged to have committed domestic violence. In determining the predominant aggressor, the officer shall consider (Utah Code 77-36-2.2):

1. Any prior complaints of domestic violence.
2. The relative severity of injuries inflicted on each person.
3. The likelihood of future injury to each of the parties.
4. Whether one of the parties acted in self-defense.

(e) An officer may not threaten, suggest, or otherwise indicate the possible arrest of all parties in order to discourage any party's request for intervention by law enforcement (Utah Code 77-36-2.2).

(f) Whenever an alleged perpetrator is arrested or issued a citation and subsequently released by this department, the releasing officer shall then make a reasonable effort to notify the victim of that release and shall transmit that information to the statewide domestic violence network (Utah Code 78B-7-802).

(g) An officer who does not make an arrest shall notify the victim of his/her right to initiate a criminal proceeding and of the importance of preserving evidence (Utah Code 77-36-2.2).

(h) Whenever a complainant advises of the existence of a court order, the officer shall determine if a valid court order exists and use every reasonable means to enforce the order. The officer should determine whether the order is in the statewide domestic violence network (Utah Code 78B-7-113) and/or:

1. Whether a court order is on file with a law enforcement agency or whether the complainant has a copy of the court order in his/her possession.
2. Whether proof of service or prior notice exists, whether the alleged perpetrator was in court when the order was made, or it was provided by a court ex parte.
3. The terms of the court order that may be enforced against the alleged perpetrator.

(i) In the event the alleged perpetrator is no longer at the scene, officers shall document the incident for follow-up investigation.

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(j) If an arrest is made or a citation is issued, the arresting officer shall provide the individual with written notice containing the following information (Utah Code 78B-7-802):

1. The individual may not telephone, contact, or otherwise communicate directly or indirectly with the victim before being released.
2. The individual may not be released except by court order or a written jail release agreement.
3. Notification of the penalties for violation of the court order or any jail release agreement executed and that the individual must appear in court on the next business day after arrest.

309.12.2 REPORTS AND RECORDS

(a) Reports on all incidents of domestic violence shall include (Utah Code 77-36-2.2):

1. The officer's disposition of the case.
2. The appropriate crime classification for domestic violence.
3. If no arrest was made, the report shall detail the grounds for not arresting.
4. If two parties are arrested, the report shall detail the grounds for arresting both parties.

(b) The officer creating the report should provide the victim with the case number of the report. The case number may be placed in the appropriate space on the victim information handout provided to the victim. If the case number is not immediately available, the officer should explain to the victim how he/she can obtain the information at a later time.

(c) The report shall be made available to the victim, upon request, at no cost (Utah Code 77-36-2.2(6)(d)).

(d) The Records Manager shall forward a copy of the incident report to the appropriate prosecuting attorney within five days after the complaint of domestic violence occurred (Utah Code 77-36-2.2(6)(c)).

(e) The officer completing a domestic violence report should include information regarding whether the victim would like the court to impose release restrictions upon the arrestee, including prohibiting the arrestee from having personal contact with the victim or from entering the victim's residence or other premises temporarily occupied by the victim (Utah Code 78B-7-802).

(f) The Records Manager or the authorized designee shall update the statewide domestic violence network when a person is released upon a written jail release agreement (Utah Code 78B-7-802; Utah Code 78B-7-113).

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Search and Seizure

310.1 PURPOSE AND SCOPE

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

310.2 POLICY

It is the policy of the Taylorsville 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.

310.2.1 PROCEDURES

SURVEILLANCE PROCEDURE

GPS TRACKING AND DEPLOYMENT PROCEDURE

POLYGRAPH PROCEDURE

310.3 SEARCHES

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

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

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

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

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.

310.3.1 PAROLE SEARCHES

Absent a search warrant or other legal authority an officer may search the residence of a person on parole only after obtaining approval from a parole officer. In other circumstances where an officer stops a parolee and conducts a search of the parolee's person, personal effects or vehicle, the officer shall notify a parole officer as soon as reasonably practicable after conducting the search (Utah Code 77-23-301(3)(a) and (b)).

Officers shall not request or conduct a parole search for the purpose of harassment (Utah Code 77-23-301(4)).

310.3.2 IMAGING SURVEILLANCE DEVICE

An officer may not operate an imaging surveillance device to obtain information, not otherwise directly observable, about individuals, items, or activities within a closed structure unless (Utah Code 77-23d-103):

(a) A warrant has been obtained.

(b) Testing equipment or training is being performed.

1. Training or testing may not be conducted as part of a criminal investigation or law enforcement activity.
2. Testing or training requires the consent of the individuals imaged and the owners of the property to be imaged.

(c) Exigent circumstances exist.

(d) While in fresh pursuit of a person suspected committing a felony.

310.3.3 ELECTRONIC INFORMATION AND DATA

Officers shall follow warrant and notification requirements when seeking electronic data or information transmitted to a provider of a remote computing service or through a provider of an electronic communication service (Utah Code 77-23c-102; Utah Code 77-23c-103; Utah Code 77-23c-104).

310.4 SEARCH PROTOCOL

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

(a) Members of this department will strive to conduct searches with dignity and courtesy.

(b) Officers should explain to the person being searched the reason for the search and how the search will be conducted.

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(c) Searches should be carried out with due regard and respect for private property interests and in a manner that minimizes damage. Property should be left in a condition as close as reasonably possible to its pre-search condition.

(d) In order to minimize the need for forcible entry, an attempt should be made to obtain keys, combinations or access codes when a search of locked property is anticipated.

(e) When the person to be searched is of the opposite sex as the searching officer, a reasonable effort should be made to summon an officer of the same sex as the subject to conduct the search. When it is not practicable to summon an officer of the same sex as the subject, the following guidelines should be followed:

1. Another officer or a supervisor should witness the search.
2. The officer should not search areas of the body covered by tight-fitting clothing, sheer clothing or clothing that could not reasonably conceal a weapon.

310.5 DOCUMENTATION

Officers are responsible to document 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 force, if any, was used to execute the search
- Whether an announcement was made prior to or after entry into the premises
- What, if any, injuries or damage occurred
- All steps taken to secure property
- The results of the search, including a description of any property or contraband seized
- If the person searched is the opposite sex, any efforts to summon an officer of the same sex as the person being searched and the identification of any witness officer

Supervisors shall review reports to ensure the reports are accurate, that actions are properly documented and that current legal requirements and department policy have been met.

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Temporary Custody of Juveniles

311.1 PURPOSE AND SCOPE

This policy provides guidelines consistent with the Juvenile Justice and Delinquency Prevention Act for juveniles taken into temporary custody by members of the Taylorsville Police Department (34 USC § 11133).

311.1.1 DEFINITIONS

Definitions related to this policy include:

Friendly Adult - means an adult that has an established relationship with the child to the extent that the adult can provide meaningful advice and concerned help to the child should the need arise; and who is not hostile or adverse to the child's interest. "Friendly adult" does not include a parent or legal guardian of the child.

Interrogation - Interrogation means any express questioning or any words or actions that are reasonably likely to elicit an incriminating response. "Interrogation" does not include words or actions normally attendant to arrest and custody.

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. Juveniles engaged in commercial sex or sexual solicitation are non-offenders (Utah Code § 76-10-1302).

Juvenile Offender - A juvenile under 18 who is alleged to have committed an offense that would subject an adult to arrest (a non-status offense). It also includes possession of a handgun by a person under 18 years of age in violation of Utah Code 76-10-509.4 (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 juvenile left alone in an unlocked room within the secure perimeter of the adult temporary holding area.
- A juvenile handcuffed to a rail.
- A juvenile placed in a room that contains doors with delayed egress devices that have a delay of more than 30 seconds.

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- A juvenile being processed in a secure booking area when an unsecure booking area is available.
- A juvenile left alone in a secure booking area after being photographed and fingerprinted.
- A juvenile placed in a cell within the adult temporary holding area, whether or not the cell door is locked.
- A juvenile placed in a room that is capable of being locked or contains object designed for cuffing or restricting movement.

Sight and sound separation - Located or arranged to prevent physical, visual, or auditory contact.

Status offender - A juvenile suspected of committing a criminal violation of the law that would not be a criminal violation but for the age of the offender. Examples may include running away, underage possession of tobacco, curfew violation, or truancy. A juvenile in custody on a court order or warrant based upon a status offense is also a status offender.

311.2 POLICY

The Taylorsville 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 Taylorsville Police Department. Juveniles should be held in temporary custody only for as long as reasonably necessary for processing, transfer or release.

311.2.1 PROCEDURES

JUVENILE OFFENSE PROCEDURES

JUVENILE CITATIONS, COURT, QUESTIONING AND TRANSPORTATION PROCEDURES

311.3 JUVENILES WHO SHOULD NOT BE HELD

Juveniles who exhibit certain behaviors or conditions should not be held at the Taylorsville Police Department. These include:

(a) Unconsciousness or having been unconscious while being taken into custody or transported.

(b) Serious injuries or a medical condition requiring immediate medical attention.

(c) A suspected suicide risk or showing obvious signs of severe emotional or mental disturbance (see the Civil Commitments Policy).

1. If the officer taking custody of a juvenile believes that he/she may be a suicide risk, the officer shall ensure continuous direct supervision until evaluation, release, or transfer to an appropriate facility is completed.

(d) Significant intoxication or showing signs of having ingested any substance that poses a significant risk to their health, whether or not they appear intoxicated.

(e) Extremely violent or continuously violent behavior.

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(f) Afflicted with, or displaying symptoms of, a communicable disease that poses an unreasonable exposure risk.

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 Taylorsville Police Department unless they have been evaluated by a qualified medical and/or mental health professional.

311.4 CUSTODY OF JUVENILES

Officers should take custody of a juvenile and temporarily hold the juvenile at the Taylorsville 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 Taylorsville Police Department without authorization of the arresting officer's supervisor or the Shift Sergeant. Juveniles taken into custody shall be held in non-secure custody unless otherwise authorized by this policy

Any juvenile taken into custody shall be released to the care of the juvenile’s parent or other responsible adult, or transferred to a juvenile custody facility or to other authority as soon as practicable, and in no event shall a juvenile be held beyond six hours from the time of his/her entry into the Taylorsville Police Department (34 USC § 11133; Utah Code 78A-6-112(4)(a); Utah Code 62A-7-201; UAC R547-7-3).

311.4.1 CUSTODY OF JUVENILE NON-OFFENDERS

Non-offenders taken into protective custody in compliance with the Child Abuse Policy should generally not be held at the Taylorsville 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; UAC R547-7-3(24)).

311.4.2 CUSTODY OF JUVENILE STATUS OFFENDERS

Status offenders should generally be released by citation or with a warning rather than taken into temporary custody. However, officers may take custody of a status offender if requested to do so by a parent or legal guardian in order to facilitate reunification (e.g., transported home or to the station to await a parent). Juvenile status offenders may not be held in secure custody (34 USC § 11133; UAC R547-7-3(24)).

311.4.3 CUSTODY OF JUVENILE OFFENDERS

Juvenile offenders should be held in non-secure custody while at the Taylorsville Police Department unless another form of custody is authorized by this policy or is necessary due to exigent circumstances.

A juvenile offender may be taken into custody without order of the court if the officer has probable cause to believe:

(a) The juvenile has violated a state law, federal law, local law, or municipal ordinance.

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(b) The juvenile has committed an act which, if committed by an adult, would be a felony.

Officers who take a juvenile offender into temporary custody shall, without unnecessary delay, notify the parents, guardian, or custodian (Utah Code 78A-6-112(3)(a)(i); Utah Code 76-10-1302).

A juvenile offender may not be held in temporary custody any longer than is reasonably necessary to obtain the juvenile's name, age, residence, and other necessary information, and to contact the juvenile's parents, guardian, or custodian (Utah Code 78A-6-112(4)).

The juvenile offender shall be released to the care of a parent or other responsible adult, unless the officer reasonably believes the juvenile's immediate welfare or the protection of the community requires the juvenile's detention (Utah Code 78A-6-112(4)). Before releasing the juvenile offender, the parent or other person taking custody of the juvenile shall be required to sign a written promise to bring the juvenile to the court at the specified date and time (Utah Code 78A-6-112(3)(d)).

If the juvenile offender is not released, the juvenile shall be taken to a place of detention or shelter without unnecessary delay (Utah Code 78A-6-112(4); UAC R547-7-3(14)).

The officer who takes a juvenile offender to a detention or shelter facility shall promptly file with the detention or shelter facility a written report on a form provided by the Division of Juvenile Justice Services. This should include the details of the presently alleged offense, the facts which bring the juvenile within the jurisdiction of the juvenile court, and the reason the juvenile was not released by the Department (Utah Code 78A-6-112(5)).

311.5 ADVISEMENTS

If a juvenile offender is taken into custody for a violent felony, as defined in Utah Code 76-3-203.5, or an offense in violation of Title 76, Chapter 10, Part 5 (Weapons), the officer shall, as soon as practicable or as established under Utah Code 53G-8-402(2), notify the school superintendent of the district in which the juvenile offender resides or attends school for the purposes of the juvenile's supervision and student safety. The notice shall disclose only (Utah Code 78A-6-112(3)(b)):

(a) The name of the juvenile.

(b) The offense for which the juvenile was taken into custody or detention.

(c) If available, the name of the victim, if the victim either resides in the same school district as the juvenile or attends the same school as the juvenile.

311.6 JUVENILE CUSTODY LOGS

Any time a juvenile is held in custody at the Department, the custody shall be promptly and properly documented in the juvenile custody log, including:

(a) Identifying information about the juvenile being held.

(b) Date and time of arrival and release from the Taylorsville Police Department.

(c) Shift Sergeant notification and approval to temporarily hold the juvenile.

(d) Any charges for which the juvenile is being held and classification of the juvenile as a juvenile offender, status offender or non-offender.

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(e) Any changes in status (e.g., emergency situations, unusual incidents).

(f) Time of all welfare checks.

(g) Any medical and other screening requested and completed.

(h) Circumstances that justify any secure custody.

(i) Any other information that may be required by other authorities, such as compliance inspectors or a local juvenile court authority.

The Shift Sergeant shall initial the log to approve the custody, including any secure custody, and shall also initial the log when the juvenile is released.

311.7 NO-CONTACT REQUIREMENTS

Sight and sound separation shall be maintained between all juveniles and adults while in custody at the Department (34 USC § 11133; Utah Code 62A-7-201). There should also be sight and sound separation between non-offenders and juvenile and status offenders.

In situations where brief or accidental contact may occur (e.g., during the brief time a juvenile is being fingerprinted and/or photographed in booking), a member of the Taylorsville Police Department shall maintain a constant, immediate, side-by-side presence with the juvenile or the adult to minimize any contact. If inadvertent or accidental contact does occur, reasonable efforts shall be taken to end the contact.

311.8 TEMPORARY CUSTODY REQUIREMENTS

Members and supervisors assigned to monitor or process any juvenile at the Taylorsville Police Department shall ensure:

(a) The Shift Sergeant is notified if it is anticipated that a juvenile may need to remain at the Taylorsville Police Department more than four hours. This will enable the Shift Sergeant to ensure no juvenile is held at the Taylorsville Police Department more than six hours.

(b) Welfare checks and significant incidents/activities are noted on the log.

(c) Juveniles in custody are informed that they will be monitored at all times, except when using the toilet.

    1. There shall be no viewing devices, such as peep holes or mirrors, of which the juvenile is not aware.

    2. This does not apply to surreptitious and legally obtained recorded interrogations.

(d) A member of the same sex will supervise personal hygiene activities and care, such as changing clothing or using the restroom, without direct observation to allow for privacy.

(e) There is reasonable access to toilets and wash basins.

(f) There is reasonable access to a drinking fountain or water.

(g) Food is provided if a juvenile has not eaten within the past four hours or is otherwise in need of nourishment, including any special diet required for the health of the juvenile.

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(h) There are reasonable opportunities to stand and stretch, particularly if handcuffed or otherwise restrained.

(i) There is privacy during family, guardian, and/or attorney visits.

(j) Juveniles are generally permitted to remain in their personal clothing unless it is taken as evidence or is otherwise unsuitable or inadequate for continued wear while in custody.

(k) Clean blankets are provided as reasonably necessary to insure the comfort of an individual.

1. The supervisor should ensure that there is an adequate supply of clean blankets.

(l) Adequate shelter, heat, light, and ventilation are provided without compromising security or enabling escape.

(m) Adequate furnishings are available, including suitable chairs or benches.

(n) Juveniles have the right to the same number of telephone calls as adults in custody (see the Temporary Custody of Adults Policy).

(o) Discipline is not administered to any juvenile, nor will juveniles be subjected to corporal or unusual punishment, humiliation, or mental abuse.

311.9 RELIGIOUS ACCOMMODATION

Juveniles have the right to the same religious accommodation as adults in temporary custody (see the Temporary Custody of Adults Policy).

311.10 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 Taylorsville Police Department when the juvenile presents a heightened risk. However, non-offenders and status offenders should not be handcuffed unless they are combative or threatening.

Other restraints shall only be used after less restrictive measures have failed and with the approval of the Shift Sergeant. Restraints shall only be used so long as it reasonably appears necessary for the juvenile's protection or the protection of others.

Juveniles in restraints shall be kept away from other unrestrained juveniles or monitored in such a way as to protect the juvenile from abuse.

311.10.1 PREGNANT JUVENILES

Juveniles who are known to be pregnant should be restrained in accordance with the Handcuffing and Restraints Policy.

311.11 PERSONAL PROPERTY

The officer taking custody of a juvenile offender or status offender at the Taylorsville Police Department shall ensure a thorough search of the juvenile’s property is made and all property is

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removed from the juvenile, especially those items that could compromise safety, such as pens, pencils and belts.

The personal property of a juvenile should be placed in a property bag. The property should be inventoried in the juvenile's presence and sealed into the bag. The property should be kept in a monitored or secure location until the juvenile is released from the custody of the Taylorsville Police Department.

311.12 SECURE CUSTODY

Only juvenile offenders 10 years and older may be placed in secure custody. Juveniles shall not be placed in secure custody for more than two hours (Utah Code 62A-7-201(4); UAC R547-7-3). Shift Sergeant approval is required before placing a juvenile offender in secure custody.

Secure custody should only be used for juvenile offenders when there is a reasonable belief that the juvenile is a serious risk of harm to him/herself or others.

Members of this department should not use secure custody for convenience when non-secure custody is, or later becomes, a reasonable option.

When practicable, handcuffing one hand of a juvenile offender to a fixed object while otherwise maintaining the juvenile in non-secure custody should be considered as the method of secure custody, rather than the use of a locked enclosure. An employee must be present at all times to ensure the juvenile's safety while secured to a stationary object.

Generally, juveniles should not be secured to a stationary object for more than 60 minutes. Supervisor approval is required to secure a juvenile to a stationary object for longer than 60 minutes and every 30 minutes thereafter. Supervisor approval should be documented.

311.12.1 LOCKED ENCLOSURES

Juvenile offenders shall not be placed in any locked enclosure unless the enclosure is certified by the Commission on Criminal and Juvenile Justice as an approved holding room, the facility meets the requirements of UAC R547-7, and there is no other alternative that will protect the juvenile and the community (Utah Code 62A-7-201(4)).

A thorough inspection of the area shall be conducted before placing a juvenile into the enclosure. A second inspection shall be conducted after removing the juvenile. Any damage noted to the room should be photographed and documented in the crime report.

The following requirements shall apply to a juvenile offender who is held inside a locked enclosure:

(a) The juvenile shall constantly be monitored by an audio/video system during the entire time in custody.

(b) Juveniles shall have constant auditory access to department members.

(c) Initial placement into and removal from a locked enclosure shall be logged.

(d) Random personal visual checks of the juvenile by a staff member, no less than every 15 minutes, shall occur.

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1. All checks shall be logged.
2. The check should involve questioning the juvenile as to his/her well-being (sleeping juveniles or apparently sleeping juveniles should be awakened).
3. Requests or concerns of the juvenile should be logged.

(e) Males and females shall not be placed in the same locked room.

(f) Juvenile offenders should be separated according to severity of the crime (e.g., felony or misdemeanor).

(g) Restrained juveniles shall not be mixed in a cell or room with unrestrained juveniles.

311.13 SUICIDE ATTEMPT, DEATH, OR SERIOUS INJURY OF A JUVENILE

The Uniform Patrol Section Commander will ensure procedures are in place to address the suicide attempt, death, or serious injury of any juvenile held at the Taylorsville Police Department. The procedures should include the following:

(a) Immediate request for emergency medical assistance if appropriate

(b) Immediate notification of the on-duty supervisor, Chief of Police, and Special Operation Section supervisor

(c) Notification of the parent, guardian, or person standing in loco parentis of the juvenile

(d) Notification of the appropriate prosecutor

(e) Notification of the City Attorney

(f) Notification of the Medical Examiner

(g) Notification of the juvenile court

(h) Evidence preservation

311.14 INTERVIEW OR INTERROGATING OF 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 and only after the child has been advised of their right to have a parent, legal guardian or “friendly adult” present during the interview or interrogation. For purpose of this policy, “child” refers to anyone under the age of 18.

A child under 14 years of age should have a parent, guardian, or legal custodian present when the juvenile makes a *Miranda* waiver (Utah R. Juv. P. Rule 27A).

If a child is in custody and subject to interrogation for an offense, the child has the right to have the child's parent or legal guardian present during an interrogation of the child; or to have a friendly adult present during an interrogation of the child if there is reason to believe that the child's parent or legal guardian has abused or threatened the child or the child's parent's or legal guardian's interest is adverse to the child's interest, including that the parent or legal guardian is a victim or a codefendant of the offense alleged to have been committed by the child.

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If a child is in custody and subject to interrogation of an offense, the child may not be interrogated unless the child has been advised of the child's constitutional rights and the child's right to have a parent or legal guardian, or a friendly adult present during the interrogation; the child has waived the child's constitutional rights; the child's parent or legal guardian, or the friendly adult was present during the child's waiver under and has given permission for the child to be interrogated. If the child is in the custody of the Division of Child and Family Services and a guardian ad litem has been appointed for the child, the child's guardian ad litem has given consent to an interview of the child as described in Utah Code 62A-4a-415.

A child's parent or legal guardian, or a friendly adult if applicable is not required to be present during the child's waiver or to give permission to the interrogation of the child if the child is emancipated as described in Utah Code 78A-6-805 or the child has misrepresented the child's age as being 18 years old or older and a peace officer has relied on that misrepresentation in good faith; or a peace officer or a law enforcement agency has made reasonable efforts to contact the child's parent or legal guardian, or a friendly adult and has been unable to make contact within one hour after the time in which the child is in custody.

311.15 RESTRICTION ON FINGERPRINTING AND PHOTOGRAPHING

A juvenile offender 14 years of age or older may be photographed or fingerprinted by the Division of Juvenile Justice Services upon admission to a detention facility or upon order of the juvenile court. An officer should not photograph or fingerprint a juvenile (Utah Code 78A-6-1104).

311.16 RECORDS

Court decisions and legislation have combined to carefully specify situations in which information may be given out or exchanged when a case involves a minor. Juvenile record disclosures are governed by Utah Code, Title 63G, Chapter 2, Government Records Access and Management Act (GRAMA) and the federal Family Educational Rights and Privacy Act (FERPA) (Utah Code 78A-6-112(3)(b)(iii)).

Officers shall not divulge any information regarding juveniles in situations where they are uncertain of the legal authority to do so.

The Records Manager should maintain a copy of any current policy of the juvenile court concerning authorized release of information and appropriate acknowledgment forms.

Only information authorized by law will be released to other agencies. It shall be the responsibility of the Records Manager and the appropriate Special Operation Section supervisors to ensure that personnel of those bureaus act within legal guidelines.

311.17 TRAINING

Members should be trained on and familiar with this policy and any supplemental procedures.

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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 Taylorsville 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 Taylorsville 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 Taylorsville Police Department shall notify Adult Protective Services (APS) when the member has reason to believe that an elder or vulnerable adult has been abused.

For purposes of notification (Utah Code 62A-3-301):

(a) Abuse includes but is not limited to the intentional infliction of harm or emotional abuse, the exploitation, or the neglect of an elder or vulnerable adult.

(b) Elder adult means someone age 65 or older.

(c) Vulnerable adult means an elder adult or a dependent adult age 18 or older who has a mental or physical impairment that substantially affects the person's ability to provide for themselves or their own personal protection.

312.3.1 NOTIFICATION PROCEDURE

Notification should occur either by telephone or by utilizing the online reporting form provided by APS immediately or as soon as practicable.

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.

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(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.

312.4.1 MANDATORY COORDINATION
Members shall coordinate with APS to provide protection to victims and to investigate cases of elder or vulnerable adult abuse (Utah Code 62A-3-305).

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.

(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.

(j) If any photographs or audio and/or video recordings of the victim were taken (Utah Code 62A-3-307).

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 APS. Generally, removal of an adult abuse victim from his/her family, guardian or other responsible

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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 take reasonable steps to deliver the adult to another qualified legal guardian, unless it reasonably appears that the release would endanger the victim or result in abduction. If this is not a reasonable option, the officer shall ensure that the adult is delivered to APS.

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 REMOVAL AND TRANSPORT OF ADULT ABUSE VICTIM

Removal and transport of an adult abuse victim by an officer may only occur under the following conditions (Utah Code 62A-3-308):

(a) The officer has probable cause to believe that the adult abuse victim will suffer serious physical injury if not immediately removed and transported to a safe environment.

(b) The adult abuse victim either refuses to consent or lacks capacity to consent to the removal and transport.

(c) There is not time to notify interested parties or to secure a warrant or other court order for the removal and transport.

(d) The person will be taken to a medical or shelter facility.

The officer removing and transporting an adult abuse victim shall notify APS within four hours to request that an emergency protective order be obtained from the court (Utah Code 62A-3-308).

312.7 INTERVIEWS

312.7.1 PRELIMINARY INTERVIEWS

Absent extenuating circumstances or impracticality, officers should audio 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 Special Operations supervisor should:

(a) Work with professionals from the appropriate agencies, including APS, 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 Special Operations 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 Special Operations supervisor so an interagency response can begin.

312.10 STATE MANDATES AND OTHER RELEVANT LAWS
Utah requires or permits the following:

312.10.1 RECORDS SECTION RESPONSIBILITIES
The Records Section is responsible for:

(a) Providing a copy of the adult abuse report to APS 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 (Utah Code 62A-3-312).

312.10.3 NOTIFICATION UPON ARREST OR ISSUANCE OF A CITATION
When an officer arrests or issues a citation to a person 18 years of age or older for adult abuse, the officer shall provide the person with the written notice required by Utah Code 78B-7-802. Victims shall be provided notice in accordance with the Victim and Witness Assistance Policy.

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 department members 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 Taylorsville Police Department is an equal opportunity employer and is committed to creating and maintaining a work environment that is free of all forms of discriminatory harassment, including sexual harassment and retaliation. The Department will not tolerate discrimination against employees in hiring, promotion, discharge, compensation, fringe benefits, and other privileges of employment. The Department will take preventive and corrective action to address any behavior that violates this policy or the rights and privileges it is designed to protect (Utah Antidiscrimination Act, Utah Code, Title 34A, Chapter 5).

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 an employee 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 a member'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:

(a) Acts or omission of acts based solely upon bona fide occupational qualifications under the Equal Employment Opportunity Commission (EEOC) and the Utah Anti-Discrimination and Labor Division.

(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 Human Resources Director, or the City Manager.

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 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 Human Resources Director, or the City Manager for further information, direction, or clarification.

313.4.2 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 sexual 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 upon all available facts.

(f) Notifying the Chief of Police or the Human Resources 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.

313.4.3 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 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 employees, or issuing discipline in a manner that is consistent with established procedures.

313.5 INVESTIGATION OF COMPLAINTS

Various methods of resolution exist. During the pendency of any such investigation, the supervisor of the involved members should take prompt and reasonable steps to mitigate or eliminate any continuing abusive or hostile work environment. It is the policy of the Department that all

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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 process described above, 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 an 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 Human Resources Director, or the City Manager.

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 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 understands its contents, and agrees to abide by its provisions during the member's term with the Department.

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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.

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:

- Approved by the Chief of Police, the City Manager, or the Human Resources Director, depending on the ranks of the involved parties.
- Maintained in accordance with the established records retention schedule.

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.

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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 Taylorsville Police Department members are required to notify the Division of Child and Family Services (DCFS) 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 (Utah Code 62A-4a-101).

314.2 POLICY

The Taylorsville Police Department will investigate all reported incidents of alleged criminal child abuse and ensure DCFS is notified as required by law.

314.3 MANDATORY NOTIFICATION

Members of the Taylorsville Police Department shall notify DCFS when there is reason to believe that a child has been subjected to abuse or neglect, when they observe a child being subjected to conditions or circumstances that would reasonably result in abuse or neglect, or when any person notifies the member of abuse or neglect (Utah Code 62A-4a-403). Members shall also notify DCFS when there is reason to believe a juvenile is engaged in commercial sex or sexual solicitation (Utah Code 76-10-1302).

For purposes of notification, abuse includes but is not limited to non-accidental harm (e.g., physical, emotional, or developmental injury or damage) or threatened harm of a child (e.g., actions, inactions, or credible verbal threats, indicating that the child is at an unreasonable risk of harm or neglect), sexual abuse (e.g., bigamy, incest, lewdness), sexual exploitation of a child, human trafficking of a child, or causing the intentional death of the child's parent by his/her natural parent. Abuse does not include reasonable discipline, restraint, weapon removal, or management of a child or other legally justifiable acts (Utah Code 62A-4a-101; Utah Code 78A-6-105).

314.3.1 NOTIFICATION PROCEDURE

Notification should occur as follows (Utah Code 62A-4a-403):

(a) Notification shall be made immediately to the nearest DCFS office.

(b) The date and time of notification should be documented in the related report.

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314.4 QUALIFIED INVESTIGATORS

Qualified investigators should be available for child abuse investigations. These investigators should:

(a) Conduct interviews in child appropriate interview facilities.

(b) Be familiar with forensic interview techniques specific to child abuse investigations.

(c) Present all cases of alleged child abuse to the prosecutor for review.

(d) Coordinate with other enforcement agencies, social service agencies and school administrators as needed.

(e) Provide referrals to therapy services, victim advocates, guardians and support for the child and family as appropriate.

(f) Participate in or coordinate with multidisciplinary investigative teams as applicable.

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) Absent obvious exigent circumstances officers shall not attempt to interview any child victim. Generally child victims will not be interviewed without the presence and consent of a parent or guardian..

(c) Any relevant statements the child may have made and to whom he/she made the statements.

(d) If a child was taken into protective custody, the reasons, the name and title of the person making the decision, and why other alternatives were not appropriate.

(e) Documentation of any visible injuries or any injuries identified by the child. This should include photographs of such injuries, if practicable.

(f) Whether the child victim was transported for medical treatment or a medical examination.

(g) Whether the victim identified a household member as the alleged perpetrator, and a list of the names of any other children who may reside in the residence.

(h) Identification of any prior related reports or allegations of child abuse, including other jurisdictions, as reasonably known.

(i) Previous addresses of the victim and suspect.

(j) Other potential witnesses who have not yet been interviewed, such as relatives or others close to the victim’s environment.

(k) Obtain written witness statements from the original complainant and any witnesses.

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All cases of the unexplained death of a child should be investigated as thoroughly as if it had been a case of suspected child abuse (e.g., a sudden or unexplained death of an infant).

When officers encounter a child engaged in commercial sex or sexual solicitation, officers should conduct an investigation into possible human trafficking of the child (Utah Code 76-10-1302).

314.5.1 COMMERCIAL SEX OR SEXUAL SOLICITATION INVOLVING A CHILD

When an officer encounters a child engaged in commercial sex or sexual solicitation, the officer should (Utah Code 76-10-1315):

(a) Investigate possible human trafficking of the child.

(b) Refer the child to DCFS.

(c) Bring the child to a receiving center.

(d) Contact the child's parent or guardian.

314.6 PROTECTIVE CUSTODY

Before taking any child into protective custody, the officer shall contact DCFS. Removal of a child from his/her family, guardian or other responsible adult will be authorized by child welfare authorities when they become involved in the investigation.

Generally, members of this department should remove a child from his/her parent or guardian without a court order only when no other effective alternative is reasonably available and immediate action reasonably appears necessary to protect the child. Prior to taking a child into protective custody, the officer shall receive authorization from DCFS and recommendation for proper disposition of the child (if they want the child turned over to another responsible adult or family member or taken into their custody as to where the child should go.

Whenever practicable, the officer should inform a supervisor of the circumstances prior to taking a child into protective custody. If prior notification is not practicable, officers should contact a supervisor promptly after taking a child into protective custody.

Children may only be removed from a parent or guardian in the following situations (Utah Code 62A-4a-202.1; Utah Code 78A-6-106):

(a) When a court order has been issued authorizing the removal of the child.

(b) Without a court order, when there exist exigent circumstances sufficient to relieve an officer of the requirement to obtain a warrant.

(c) Without a warrant when an officer obtains the consent of the child's parent or guardian.

The above apply to removing a child from a home or school as well as from a parent or guardian.

314.6.1 NOTICE AFTER PROTECTIVE CUSTODY

An officer who takes a child into protective custody shall immediately use reasonable efforts to locate and inform, through the most efficient means available, the child's parents, non-custodial parents, guardian or responsible relative of the information set forth in Utah Code 62A-4a-202.2.

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This notice should include the written information prepared by the Utah Attorney General. Such efforts to provide this notification should be documented in the related report.

314.6.2 SAFE HAVEN LAW
A birth parent or parent's designee may leave a newborn child, age 30 days or less at any Utah hospital that is open 24 hours. The hospital is responsible for contacting DCFS within 24 hours of receiving the infant and DCFS assumes legal custody of the infant (Utah Code 62A-4a-801; Utah Code 62A-4a-802).

314.7 INTERVIEWS

314.7.1 PRELIMINARY INTERVIEWS
Officers shall not conduct interviews with a child victim and should attempt to gather only the information necessary to begin an investigation. Investigating officers shall defer interviews until a person who is specially trained in such interviews is available. Generally, child victims should not be interviewed in the home or location where the alleged abuse occurred.

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 INTERVIEWS OF CHILDREN IN STATE CUSTODY
Officers should not interview a child who is in the custody of DCFS without the consent of the child’s guardian ad litem. If a guardian ad litem has not been appointed, consent may be given by DCFS (Utah Code 62A-4a-415).

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.

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In cases where the alleged offender is the custodial parent or guardian and is refusing consent for the medical examination, officers should notify a supervisor before proceeding. If exigent circumstances do not exist or if state law does not provide for officers to take the child for a medical examination, the notified supervisor should consider obtaining a court order for such an examination.

314.9 DRUG-ENDANGERED CHILDREN

A coordinated response by law enforcement and social services agencies is appropriate to meet the immediate and longer-term medical and safety needs of children exposed to the manufacturing, trafficking or use of narcotics.

314.9.1 SUPERVISOR RESPONSIBILITIES

The Special Operations Supervisor should:

(a) Work with professionals from the appropriate agencies, including DCFS, 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 exposure to methamphetamine labs or the manufacture and trafficking of other drugs.

(b) Activate any available interagency response when an officer notifies the Special Operations 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 Special Operations Supervisor so an interagency response can begin.

314.10 STATE MANDATES AND OTHER RELEVANT LAWS

Utah requires or permits the following:

314.10.1 RELEASE OF REPORTS

Information related to incidents of child abuse or suspected child abuse shall be confidential and may only be disclosed pursuant to state law and the Records Maintenance and Release Policy (Utah Code 62A-4a-412; Utah Code 77-37-4).

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314.10.2 RECORDED INTERVIEWS

A parent or guardian of a child victim may view a recorded interview of the child unless (Utah Code 77-37-4):

(a) The suspect is also a parent or guardian of the child victim.

(b) The suspect resides in the home with the child victim.

(c) The investigator reasonably believes that allowing the parent or guardian to review the recording would compromise or impede the investigation.

The investigator should coordinate with the Children's Justice Center to ensure the viewing takes place within two business days of the request.

314.10.3 RETENTION REQUIREMENTS

Recordings of any interview of a child during the investigation of an allegation of any sexual abuse of the child shall be retained for 18 years following the date of the last recording, unless the prosecuting attorney requests in writing that the recording be retained for an additional period of time (Utah Code 53-13-110.5).

314.10.4 NOTIFICATION UPON ARREST OR ISSUANCE OF A CITATION

When an officer arrests or issues a citation to a person 18 years of age or older for child abuse, the officer shall provide the individual with the written notice required by Utah Code 78B-7-802. Victims shall be provided notice in accordance with the Victim and Witness Assistance Policy.

314.10.5 NOTICE TO THE DEPARTMENT OF CORRECTIONS

The Records Section supervisor or the authorized designee shall ensure that the Department of Corrections is notified (Utah Code 77-43-103):

(a) Within three business days of the receipt of a report or complaint of an offense listed in Utah Code 77-43-102(2)(a) (child abuse or human trafficking of a child).

(b) Within five business days after the arrest of a suspect for any of the offenses listed in Utah Code 77-43-102(2)(a).

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:

Missing Child - Any person under 18 years of age who is missing from his/her home environment or a temporary placement facility for any reason, and whose location cannot be determined by the person responsible for the child's care (Utah Code 53-10-102 (15).

Missing at risk - This includes persons who:

(a) Are 13 years of age or younger.

(b) Regardless of age, are believed or determined to be experiencing one or more of the following circumstances:

1. Out of the zone of safety for his/her chronological age and developmental stage.
2. Mentally or behaviorally disabled.
3. Drug dependent, including prescribed medication and/or illegal substances, and the dependency is potentially life-threatening.
4. Absent from home for more than 24 hours before being reported to law enforcement as missing.
5. In a life-threatening situation.
6. In the company of others who could endanger his/her welfare.
7. Absent in a way that is inconsistent with established patterns of behavior and cannot be readily explained. Most children have an established and reasonably predictable routine.
8. 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 who is missing from his/her home environment and is physically or mentally disabled, missing under circumstances that indicate that the person is endangered, missing involuntarily or a victim of a catastrophe (Utah Code 26-2-27(1)(c)).

Any person that has been abducted by an acquaintance or stranger; is abducted by a parent or relative due to custody disputes or become lost or has been abandoned by the lawful custodian or parent.

Missing person networks - Databases or computer networks that are available to law enforcement and are suitable for obtaining information related to missing person investigations.

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This includes the National Crime Information Center (NCIC) and the Utah Bureau of Criminal Identification (BCI) Missing Persons Clearinghouse.

315.2 POLICY

The Taylorsville 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. Priority shall be given to missing person cases over property-related cases. Members will initiate an investigation into all reports of missing persons, regardless of the length of time the person has been missing.

315.3 REQUIRED FORMS AND BIOLOGICAL SAMPLE COLLECTION KITS

The Special Operations 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. Absent exigent circumstances, all missing persons or runaway cases shall be investigated in person. 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.

Jurisdictional conflicts are to be avoided when dealing with missing persons, missing endangered juveniles and runaway juveniles. 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. Generally, if the person resides in Taylorsville City and was last seen in another jurisdiction, the law enforcement agency covering that jurisdiction can take the investigation.If that agency chooses not to take the report, this agency will assume the investigative responsibility.In all cases involving suspicious circumstances or a missing at-risk child, the officer will notify the on-duty supervisor.

If an abduction is suspected, all known information about the suspect, suspect vehicle, area/time last seen, and direction of travel will be broadcast immediately and communicated to surrounding agencies. On all missing child calls, dispatch will advise the complainant to remain at the scene or at their residence until contacted by the assigned officer. The child and related vehicle(s) will be entered into NCIC without delay and in accordance with established guidelines.

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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 16 years of age or there is evidence that the missing person is at risk. The BOLO should be broadcast as soon as practicable.

(e) Ensure that entries are made into the appropriate missing person networks:

1. Immediately, when the missing person is 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.

(g) Collect and/or review:

1. A photograph and fingerprint card of the missing person, if available.
2. Any documents that may assist in the investigation, such as court orders regarding custody.
3. 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 PROCEDURES FOR MISSING CHILD INVESTIGATIONS

Initial Reporting Officer Responsibilities:

(a) Unless acting in direct response to the child's safety, respond directly and promptly to the location of the individual who made the initial report.

(b) Runaway reports will not be taken by phone. The initial reporting officer will respond to the parent(s) or reporting person(s) location. If contacting the reporting person in person is not feasible, the report may be taken telephonically with a supervisor's

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approval. If the complainant is calling from outside the city limits, have the local agency where the complainant is located respond to the location. If applicable, the supervisor will dispatch a TVPD officer to the complainant's location.

(a) Regardless of any search that may have been conducted by parents or others, the assigned officer(s) will conduct a consensual search of the house, building, vehicles and or grounds where the child was last reported observed, to include areas where the child could be hiding, trapped or asleep. A written consent form should be presented to and completed by the property owner. If the search is based on consent, the officer(s)conducting the search must allow parents, family, friends or others to search without an officer being present.

(b) A second search of the home should be conducted by another officer, to ensure the child may still be in the home and was overlooked by the first officers.

(c) Conduct initial interview(s) with parent(s) or with person(s) making the initial report, (record if possible) and obtain information surrounding the circumstances of the disappearance and gather information needed to conduct an initial assessment.

(d) If applicable, secure and safeguard the incident scene where the child was last seen as a potential crime scene. Ensure that no one tampers with any potential evidence and educate parents and family members of the importance of not disturbing the scene.

(e) Obtain recent photographs and or vide of the missing child.

(f) Confirm the child's custody status, whether a custody dispute or similar problems may exist between parents or guardians.

(g) If there are suspicious circumstances surrounding the child's disappearance, attempt to separate all witnesses to the event and encourage parents or witnesses not to leave.

(h) If the child has not been located after searching the home, notify the on-duty supervisor.

(i) If the reported missing child is (10) years of agency or younger

(j) Notify VECC and provided updated description and information on the missing child and any potential suspects. Have the child entered on NCIC immediately.

(k) Prepare a detailed briefing of the incident and your actions for arriving supervisor(s) and detective(s).

(l) Is repeated numerous times in policy.

315.7 PATROL SUPERVISOR RESPONSIBILITIES

(a) Respond to the scene, obtain a briefing from the initial responding officers, and determine the scope and complexity of the case. Ensure all pertinent procedures and tasks have been completed by the initial responding officers.

(b) If the child has not been located within (1) one hour of the initial officers' arrival, the supervisor will contact the on-call detective and respond to the scene. (If the child is (10) ten years of years of age or under, and the child is not located after (30)

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thirty minutes, and a secondary search of the home has been completed, it shall be a mandatory response by a detective supervisor and on-call detective).

(c) If the child has not been located within (2) two hours of the initial officer's arrival, additional personnel will be called in to assist. The amount of additional personnel needed will be determined by Detective supervisors and the Incident Commander.

(d) If applicable, an Incident Command structure should be established, and the Incident Commander will direct all search activities until relieved. (The location of the command post should be away from the scene but located in the immediate area).

(e) The supervisor should quickly evaluate the area and establish a perimeter for a potential canvas and search operations taking into consideration the demographics of the area (e.g.,residential, apartment complex, rural). Determine what areas require an immediate search (e.g., hazard areas, neighbor's residences, vehicles, etc.) and assign a minimum of two officers to each search.

(f) Establish a location for media staging outside the perimeter and if possible, out of view of direct police operations.

(g) If an abduction is confirmed or believed to have occurred, and/or the child has not been located within (3) three hours, The Incident Commander and Detective Supervisors will ensure that the Child Abduction Response Team (CART) Coordinator has been notified.

(h) Quickly establish if there is a need to initiate A.C.I.M, Amber Alert, or a CART team response. (If an abduction is confirmed, automatically initiate A.C.I.M and call appropriate personnel, and designated CART personnel.

(i) An amber alert must meet required criteria but should be activated as quickly as possible. The Detective Supervisors will provide contact information for the Amber Alert and the department Press Information Officer must be notified.

315.8 A CHILD IS MISSING (A.C.I.M.) PROCEDURE AND CRITERIA

(a) Criteria for issuing an A.I.C.M. Alert:

(a) The missing person is a juvenile under the age of (18), is not a habitual runaway and the complainant is an adult family member, teacher, or an adult responsible for the juvenile.

(b) The missing person is an adult who is sixty-five (65) years of age or older, suffers from Alzheimer's disease, dementia, and/or circumstances surrounding the disappearance is out of the ordinary for the elderly citizen.

(c) The missing person is a disabled person (mentally/physically challenged) at any age whose impairment severely limits self-care, or the person is disoriented or unable to respond to simple questions regarding personal information or the person is dependent on life saving medication.

(d) A.C.I.M. activation for missing person(s) that do not meet the above criteria, will require supervisor approval.

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(e) A.C.I.M. activation can occur at any time but should only be used between the hours of 0700-2400 unless emergency circumstances exist.

(b) Issuing the A.C.I.M. Alert

1. The decision to activate A.C.I.M. can be made by the initial reporting officer assigned to the call but the officer is required to notify his/her supervisor and dispatch supervisor of the pending A.C.I.M. activation.
2. In most circumstances the dispatch supervisor will provide the best phone number for the on-duty supervisor and initial reporting officer to give to A.C.I.M. for the general public to call regarding information and/or possible sightings.
3. The initial reporting officer will provide the A.C.I.M. technician all request information to include, identification of the originating agency, the agency case number and officer's name and contact information, name and description of the missing person, location last seen, zip code, County and search area, time and date last seen, and any other requested information.
4. Once the alert has been broadcast, the department PIO should be notified to coordinate media calls.

Investigation of Sightings/Leads

The supervisors on scene should have adequate personnel assigned to respond to and investigate sightings and or lead calls received by dispatch. If a sighting is confirmed but the missing person is not located the initial officer and or supervisor should consider using the A.C.I.M. again using the most recent location in the notification. If the missing person is located the initial reporting officer will complete and fax the A.C.I.M. follow up form as requested.

If the missing person is not found within twenty-four (24) hours, the initial reporting officer or designated personnel will complete and fax the A.C.I.M. follow up form noting in the area title, "Any Other Comments" that the missing person has not been located.

315.9 AMBER ALERTS

AMBER Alert is the recruitment of public assistance to locate an abducted child via a widespread media alert. Utilizing the assistance of local radio, television and press affiliates the public will be notified of the circumstances of a child's abduction and how they can assist law enforcement in the child's recovery. The goal of the AMBER Alert program is the safe return of an abducted child by establishing an effective partnership between the community, the media and law enforcement.

315.9.1 CRITERIA

AMBER Alerts are not to be used for cases involving custodial disputes or runaways that do not meet the criteria. The Department may consider issuing an Endangered Missing Advisory to inform law enforcement and the public about cases that do not meet the criteria for an AMBER Alert.

The four criteria required for an AMBER Alert are as follows:

(a) A confirmed abduction (non-family, non-custodial).
(b) The child is 17-years of age or younger.

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(c) There is evidence the child is in danger of serious bodily harm or death.
(d) There is sufficient information available to give out the public that could assist in the safe recovery of the victim and/or the apprehension of a suspect.

315.9.2 PROCEDURE

(a) AMBER Alerts are initiated solely by Utah law enforcement agencies who are utilizing the Utah AMBER Alert Information Form and by meeting the guidelines set forth on that form.The supervisor in charge of the investigation should ensure:

1. The Bureau of Criminal Identification (BCI) is contacted and informed an alert is about to be sent.
2. The Utah AMBER Alert Form is prepared using the Utah Criminal Justice Information System (UCJIS) in full (UAA message). A Field AMBER Alert Information Form isavailable on the Utah Attorney General Office website to help you gather information.
3. The information (plus photo if available) is entered in the National Crime Information Center (NCIC) using the AMBER Alert Flag (AA).
4. “Hotline” telephone banks are set up and staffed. Consider allocating additional resources from other law enforcement agencies.
5. A photograph of the abducted child and/or suspect is obtained and as soon as possible and emailed or faxed to Utah AMBER Alert.
6. A Public Information Officer is appointed to handle the press once the alert has been activated, as media coverage can be overwhelming. The Public Information Officer should be updated constantly, and provided updates regarding the search and investigation, and notified immediately upon locating the abducted child.

For additional information regarding Amber Alerts, Endangered Missing Advisories, Silver Alerts, and other public alerts resources, refer to the Public Alerts Policy #317.

315.10 INVESTIGATION SECTION RESPONSIBILITIES

(a) Assigned Detective Responsibilities:

(a) Mandatory response to scene required after (30) thirty minutes, if notified by patrol of missing child 10 years or younger.

(b) Immediately notify on-call Sergeant of incident and response.

(c) Obtain a briefing from initial responding officer and supervisor on scene.

(d) Verify the accuracy of all descriptive information concerning the child, being alert to facts or statements that may conflict with those obtained by the initial officer and the supervisor on scene.

(e) Determine what neighborhood canvasses and searches have been conducted by patrol and the status of the canvass. Obtain the information from those activities.

(f) If crime scene located/determined contact Forensics and have them respond to scene.

(g) Introduce yourself to the family as soon as possible and inform them of your assignment to the case. Provide them with a cell phone number to contact you.

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(h) Once additional detectives arrive, consider conducting a second search of the premises. Ensure that written consent to search form has been completed.

(i) Ensure that all vehicles in the incident area have been documented and photographed.

(j) Obtain background information on family and general history of family. Check criminal history, Spillman (West Valley Police Department Records Management System) (RMS) history, and DCFS history as soon as possible.

(k) Obtain a list of contact info of all family members, friends, teachers, classmates, school counselors, church members, who may have had close personal contact with the child and/or family.

(l) Review initial interviews and conduct in-depth interviews (recorded) with all witnesses, friends or relatives of the missing child, teachers, classmates, or others who knew and/or routinely interacted with the child, placing a particular emphasis on identifying any conflicting information offered by these or other individuals.

(m) If the missing child has not been located within three (3) hours after being reported missing, activation of the CART team will be considered.

(n) If a person is missing under suspicious circumstances for more than 14 days, the handling detective shall immediately submit to the dentist, physician/surgeon, or medical facility the signed request for dental or skeletal X-rays or both.

(o) Attempt to obtain a voluntarily provided biological sample of the missing person, if available (e.g., toothbrush, hairbrush).

(p) In call cases the handling detective may confer with the Medical Examiner and may submit reports including the dental/skeletal X-rays within 24 hours to the Department of Justice.

(q) If a person is still missing after 45 days, the detective must check with the medical examiner(s) and send to the Department of Justice both Department of Justice forms and dental records; verify and update the record with any additional information, send along a photograph and note this information on Department of Justice Form SS-8568. If dental records are unobtainable, this should be noted on Department of Justice Form SS-8568. This must be completed no later than 60 days after the report was filed.

b) Investigations Supervisor Responsibilities:

(a) If the missing child is 13 years of age or younger and has not been located within (2) two hours, call out of additional personnel will be required, including Detective supervisors.

(b) A Detective supervisor shall respond to the incident, if the missing child is 10 years of age or younger and has not been located after (30) thirty minutes of the initial officer's arrival.

(c) Notify designated Command Personnel.

(d) Obtain briefing from assigned detective, patrol supervisor and incident. commander. If the existing incident commander is relieved at this time a debriefing on all activities conducted will occur.

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(e) Determine if additional detective resources are necessary for interviews, crime scene(s), canvasses, and searches.

(f) Ensure the assigned detective responsibilities, as outlined in the foregoing section, have been identified and are being accomplished.

(g) Coordinate canvasses and search efforts with the Incident Commander and make sure identified hazard areas have been checked.

(h) Assist in establishing a command post location if needed.

(i) If CART is activated, transfer investigation operations to Detective Supervisor and CART personnel.

315.11 PROCEDURES FOR RUNAWAY INVESTIGATIONS

(a) Initial Reporting Officer Responsibilities:

(a) Establish relationship of reporting individual and conduct an interview (record if possible).

(b) Obtain a detailed physical description of the runaway, to include, age, race, height/ weight, hair color style and length, eye color, scars, marks, tattoos, amputations, medical conditions, medications and clothing.

(c) Identify the date, time, and location of when last seen and by whom.

(d) Determine if the runaway has access to vehicle and obtain vehicle description including year, make, model, color, and vehicle owner.

(e) Determine the place of employment of the runaway if applicable.

(f) Identify if the runaway has cash or financial transaction cards available and what financial institution the missing person uses.

(g) Identify known medical and or mental health conditions including prescriptions.

(h) Attempt to identify or establish a possible reason for the disappearance, i.e., suicidal, money problems, school problems, employment issues etc. and whether the runaway has done this before.

(i) Identify immediate family, relatives and friends including names, addresses, and phone numbers.

(j) Identify cell phones, alternate phone numbers, email accounts and social media sites used by the runaway including account information.

(k) Determine if the child has a cell phone, identify the carrier and request VECC to contact the carrier and "ping" the phone (if possible) to determine location.

(l) Have the reporting party complete and sign a written statement regarding this incident. Include in the statement what the reporting party wants done with the child when located (e.g., take to youth services, return to parents, etc.)

(m) Check the location the runaway was last seen. If this location is not the primary residence of the juvenile, respond to that home as well. Be cognizant of potential

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evidence and crime scene. Determine if there are items missing, notes left at the scene, or evidence of a crime.

(n) Within (2) hours of receiving the report the runaway must be listed on NCIC by VECC. Obtain VECC operator number, NCIC number for the runaway and time listed.

(o) Check Juvenile criminal history and Spillman (RMS) history on the runaway.

(p) If there are immediate leads that can be followed up on, the initial reporting officer will attempt to locate the runaway.

(q) If "at risk" circumstances are identified notify the patrol supervisor and request a detective to respond in person.

(r) Complete any follow up requests from the detective and complete report by end of shift.

(b) Investigations Section Responsibilities

(a) The on-duty or on-call detective will respond in person to all runaways with at “risk or” suspicious circumstances and will be required to notify the on-call Investigations Supervisor who will determine what additional response will be required.

(b) The Investigations Supervisor will notify any additional designated department personnel on all “at risk” or suspicious runaway cases.

(c) The assigned detective will contact the parents within two (2) working days of receiving the case. Any leads will be followed up and the detective will keep in contact with the complainant at least once a week documenting the contact with supplemental reports in Spillman (RMS).

(d) If the detective determines the reason for the runaway was because of victimization or other criminal activity against the child, the detective will initiate a new criminal investigation regarding these allegations.

(e) Runaway juvenile cases can often meet the criteria of a missing “at risk “juvenile. If the juvenile is classified as “at risk”, the on-duty supervisor shall be notified, who will then determine whether the circumstances of the case merit further investigation and additional personnel, or if the investigation will be handled as a runaway juvenile case. All runaway juvenile cases are to be left active, until the juvenile has returned home, and the physical well-being of the juvenile has been confirmed.

(f) Any time this agency is notified that a runaway juvenile has returned, the officer will physically respond to the location and verify the welfare of the child and attempt to ascertain if there were any other suspicious circumstances as to why the juvenile ran away from home, other than just being ungovernable.

(g) If any new information is developed that would merit a criminal investigation, a separate investigation will be conducted, and a new case number will be issued. The juvenile cannot be removed off NCIC, unless the juvenile is physically verified to have returned. (The only exception is when an outside agency notifies this agency that the juvenile was located while conducting another investigation, and the juvenile is returned home or transported to JRC or the Juvenile Detention Center).

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315.12 MISSING ENDANGERED AND MISSING AT RISK ADULTS

(a) These types of investigations will be handled similarly to that of missing children cases and should be investigated and handled as outlined in the above listed procedures.

1. The person may be missing under unexplained or suspicious circumstances.
2. The person is believed to be in danger because of age, health, mental or physical disability, environment, or weather conditions, in the company of a potentially dangerous person or some other factor that may put the person in peril.
3. Other exigent circumstances suggest the person may have been the victim of foul play, missing involuntarily or missing because of other criminal activity.

(b) Cases involving elderly adults with mental health issues.

1. The person is reported missing.
2. The person is 60 years of age or older or has some form of Alzheimer's disease or other forms of dementia resulting in continual loss of memory or awareness dementia.

Consider a public safety alert, to include an Endangered Missing Advisory, or Silver Alert if applicable. Refer to the Public Alerts Policy #317 for additional information.

315.13 REPORT PROCEDURES AND ROUTING

Members should complete all missing person reports and forms promptly before the end of shift and advise the appropriate supervisor as soon as a missing person report is ready for review.

315.13.1 SUPERVISOR RESPONSIBILITIES

The responsibilities of the supervisor shall include, but are not limited to:

(a) Reviewing and approving missing person reports upon receipt.

1. The reports should be promptly sent to the Records Section.

(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.

315.13.2 RECORDS SECTION RESPONSIBILITIES

The responsibilities of the Records Section shall be:

(a) Coordinate with the NCIC Terminal Contractor for Utah to have the missing person record in the NCIC computer networks updated with additional information obtained from missing person investigations (34 USC § 41308).

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315.14 INVESTIGATIONS FOLLOW-UP

In addition to completing or continuing any actions listed above, the investigator assigned to a missing person investigation:

(a) Should ensure that the missing person's school is notified within 10 days if the missing person is a juvenile.

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 re-contact 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. Document a detailed supplemental report of any updates to the case.

(c) Should consider contacting other agencies involved in the case to determine if any additional information is available.

(d) Shall verify and update the Missing Persons Clearinghouse, 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 Medical Examiner.

(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 Utah BCI and enter the photograph into applicable missing person networks (34 USC § 41308).

(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).

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315.15 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 relatives and/or reporting party, as appropriate, and other involved agencies, and refer the case for additional investigation if warranted.

The Records Manager should ensure that, upon receipt of information that a missing person has been located, the following occurs:

(a) A missing child's school is notified.

(b) Entries are made in the applicable missing person networks.

(c) When a person is at risk, the fact that the person has been found should be reported within 24 hours to the Utah BCI.

(d) Notification shall be made to any other law enforcement agency that took the initial report or participated in the investigation.

(e) All missing persons cases are to be left active, until the person has been located, and the physical well-being of the person has been confirmed.

(f) Any time this agency is notified that a missing person has been located or has returned home, the officer will physically respond to the location and verify the welfare of the person.The officer will attempt to ascertain if there were any other suspicious circumstances to the investigation.

(g) If any new information is developed that would merit a criminal investigation, a separate investigation will be conducted, and a new case number will be issued.The missing person cannot be removed off NCIC, unless the officer has physically verified the subject has returned.(The only exception is when an outside agency notifies this agency that the person was located while conducting another investigation).

315.15.1 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.

315.16 CASE CLOSURE

The Special Operations 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 Taylorsville or this department is the lead agency, the case should be kept under active investigation for as long as the person may still

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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.

(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.

315.17 TRAINING

Subject to available resources, the department 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 and press organizations and other groups to notify the public of incidents, or enlist the aid of the public when the exchange of information may enhance the safety of the community. Various types of alerts may be available based upon each situation and the alert system's individual criteria.

316.3 RESPONSIBILITIES

316.3.1 MEMBER RESPONSIBILITIES

Members of the Taylorsville Police Department should notify their supervisor, Shift Sergeant, or Special Operations 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 Section 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:

(a) Updating alerts

(b) Canceling alerts

(c) Ensuring all appropriate reports are completed

(d) Preparing an after-action evaluation of the investigation to be forwarded to the Section Commander

316.4 AMBER ALERTS

AMBER Alert is the recruitment of public assistance to locate an abducted child via a widespread media alert. Utilizing the assistance of local radio, television and press affiliates the public will be notified of the circumstances of a child’s abduction and how they can assist law enforcement in the child’s recovery. The goal of the AMBER Alert program is the safe return of an abducted child by establishing an effective partnership between the community, the media and law enforcement. The AMBER Alert Plan is tested every year on January 13th and August 26th.

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The AMBER Alert does not preclude any law enforcement agency from utilizing or implementing in-house procedures, policies or practices.

316.4.1 CRITERIA

AMBER Alerts are not to be used for cases involving custodial disputes or runaways that do not meet the criteria. The Department may consider issuing an Endangered Missing Advisory to inform law enforcement and the public about cases that don't meet the criteria for an AMBER Alert.

The four criteria required for an AMBER Alert are as follows:

(a) A confirmed abduction (non-family, non-custodial).

(b) The child is 17-years of age or younger.

(c) There is evidence the child is in danger of serious bodily harm or death.

(d) There is sufficient information available to give out to the public that could assist in the safe recovery of the victim and/or the apprehension of a suspect.

316.4.2 PROCEDURE

(a) AMBER Alerts are initiated solely by Utah law enforcement agencies utilizing the Utah AMBER Alert Information Form and by meeting the guidelines set forth on that form. The supervisor in charge of the investigation should ensure:

1. The Bureau of Criminal Identification (BCI) is contacted and informed an alert is about to be sent.
2. The Utah AMBER Alert Form is prepared using the Utah Criminal Justice Information System (UCJIS) in full (UAA message). A Field AMBER Alert Information Form is available on the Utah Attorney General Office website to help you gather information.
3. The information (plus photo if available) is entered in the National Crime Information Center (NCIC) using the AMBER Alert Flag (AA).
4. "Hotline" telephone banks are set up and staffed. Consider allocating additional resources from other law enforcement agencies.
5. A photograph of the abducted child and/or suspect is obtained and as soon as possible and emailed or faxed to Utah AMBER Alert.
6. A Public Information Officer is appointed to handle the press. Once the alert has been activated, media coverage can be overwhelming. The Public Information Officer should be updated constantly to utilize the media as much as possible and receive the maximum exposure for the case.

(b) The supervisor may also consider the following resources as the circumstances dictate:

1. The regional Child Abduction Response Team (CART).
2. The State of Utah CART.
3. Federal Bureau of Investigation (FBI Local Office).

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4. Prompt entry of information into the Department of Justice Missing Person System (MUPS/NCIC).
5. National Center for Missing and Exploited Children.
6. Regional dispatchers may notify law enforcement agencies within their jurisdiction.
7. BCI can contact other states if an AMBER Alert needs to be broadcast outside of Utah. BCI can also provide training or training materials.
8. The Utah Public Information Officer Association can provide assistance.
9. A Child is Missing will contact residents and businesses in the area where the child was last seen by using an automated telephone system. The service is free.
10. Team Adam Provides experienced child abduction investigators, technical assistance and equipment for free of charge to agencies during child abduction and sexual exploitation investigations.
11. Project Alert Provides retired federal, state and local law enforcement officers who volunteer their time and expertise as unpaid consultants in missing or exploited child cases. All travel arrangements and costs are paid for by NCMEC.
12. Laura Recovery Center will help organize community ground searches. The non-profit organization offers its services for free.

(c) The supervisor shall ensure the assigned Public Information Officer is provided updates regarding the search and investigation, and notified immediately upon locating the abducted child.

316.5 BLUE ALERTS

316.5.1 CRITERIA

The four criteria required for a BLUE Alert are as follows:

(a) A law enforcement officer has been killed, seriously injured or assaulted with a deadly weapon by the suspect.

(b) The suspect is an imminent threat to the public and other law enforcement personnel.

(c) There is information available for the public about the suspect, the suspect's vehicle and vehicle tag.

(d) Public dissemination of available information will help avert further harm or accelerate apprehension of the suspect.

316.5.2 PROCEDURE

BLUE Alerts are initiated solely by Utah law enforcement agencies through UCJIS and by contacting the BCI.

In the event of an assault with a deadly weapon, serious bodily injury or death of an officer, the following procedures designed to alert the media shall be followed.

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(a) The Public Information Officer, Shift Sergeant or Detective Supervisor will prepare an initial press release that includes all available information which might aid in locating the suspect:

1. The license number and/or any other available description or photograph of the vehicle
2. Photograph, description and/or identification of the suspect
3. The suspect's identity, age and description, if known
4. Detail regarding location of incident, direction of travel, potential destinations, if known
5. Name and phone number of the Public Information Officer or other authorized individual to handle media liaison
6. A telephone number for the public to call in with leads/information

(b) The press release should be sent to the local television and radio stations.

(c) The information in the press release should also be forwarded to the local emergency communications center so that general broadcasts can be made to local law enforcement agencies.

316.6 ENDANGERED MISSING ADVISORY

The Endangered Missing Advisory is a system to rapidly disseminate information about a missing and/or endangered person to law enforcement agencies and the media. The Endangered Missing Advisory is a voluntary partnership between law enforcement and local broadcasters for notifying the public about a missing and endangered person. The advisories are initiated solely by Utah law enforcement agencies.

316.6.1 CRITERIA

The following criteria must be met to initiate an Endangered Missing Advisory:

(a) The person must be missing under unexplained or suspicious circumstances.

(b) The person is believed to be in danger because of age, health, mental or physical disability, environment or weather conditions, in the company of a potentially dangerous person or some other factor that may put the person in peril.

(c) There is information that could assist the public in the safe recovery of the missing person.

316.6.2 PROCEDURE

When the required criteria are met, the assigned officer should request that VECC activate an Endangered Missing Advisory by entering descriptive information and officer contact information into the appropriate UCJIS transaction and by contacting the Bureau of Criminal Identification. The assigned officer is responsible to ensure that information is entered into the National Crime Information Center (NCIC) database.

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316.7 SILVER ALERTS

Silver Alerts are used to provide a statewide system for the rapid dissemination of information regarding a missing endangered adult (Utah Code 53-10-702).

316.7.1 CRITERIA

The following criteria must be met to initiate a Silver Alert:

(a) The person is reported missing.

(b) The person reported missing is 60 years of age or older or has some form of Alzheimer's disease or other forms of dementia resulting in continual loss of memory or awareness dementia (Utah Code 53-10-703).

316.7.2 PROCEDURE

When the required criteria are met, the assigned officer should request that VECC initiate a Silver Alert by contacting BCI through the UCJIS system and providing descriptive information, the specific area in which the missing person was last seen, and the officer contact information (UT ADC R722-400-4).

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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 Taylorsville Police Department is committed to providing guidance and assistance to the victims and witnesses of crime. The employees of the Taylorsville 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.

317.3 CRIME VICTIM LIAISON

The Chief of Police should appoint a member of the Department to serve as the crime victim liaison. The crime victim liaison will be the point of contact for individuals requiring further assistance or information from the Taylorsville Police Department regarding benefits from crime victim resources. This person shall also be responsible for maintaining compliance with all legal mandates related to crime victims and/or witnesses.

317.3.1 CRIME VICTIM LIAISON DUTIES

The crime victim liaison processes requests to review open investigations as set forth in Utah Code 11-64-101 (Victim Rights Amendments).

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 Administration Section Commander shall ensure that victim information handouts are available and current. These should include as appropriate:

(a) Shelters and other community resources for victims of domestic violence.

(b) Community resources for victims of sexual assault (Utah Code 76-5-504).

(c) 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).

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(d) An advisement that a person who was arrested may be released on bond or some other form of release and that the victim should not rely upon an arrest as a guarantee of safety.

(e) A clear explanation of relevant court orders and how they can be obtained.

(f) Information regarding available compensation for qualifying victims of crime.

(g) VINE® information (Victim Information and Notification Everyday), including the telephone number and whether this free service is available to allow victims to check on an offender's custody status and to register for automatic notification when a person is released from jail.

(h) Notice regarding U Visa and T Visa application processes.

(i) Resources available for victims of identity theft.

(j) A place for the officer's name, badge number, and any applicable case or incident number.

(k) The written notices for victims of domestic violence and other qualifying offenses as mandated by Utah Code 78B-7-802 and Utah Code 77-36-2.1.

(l) Local victim centers.

(m) The Utah Department of Corrections (UDC) Victim Services Unit, which can provide assistance and support to victims whose victimizers are in the custody of the UDC.

(n) Office of Crime Victim Reparations Program that offers financial assistance.

(o) The Federal Department of Justice Office for Victims of Crime (OVC), which can also provide assistance.

(p) The Utah Crime Victims' Bill of Rights (Utah Code 77-37-3).

(q) Rights and remedies available to victims of stalking or dating violence (Utah Code 76-5-106.5; Utah Code 78B-7-408).

(r) Eligibility and process to request review of investigations (Utah Code 11-64-101).

(s) The written notices for victims of sexual violence as mandated by Utah Code 78B-7-509.

317.6 VICTIM ASSISTANCE FOR STALKING

Officers investigating allegations of stalking should take reasonable steps to protect the victim and any family or household member. This includes the following (Utah Code 76-5-106.5):

(a) Victims shall be provided with the Taylorsville Police Department stalking information handout, even if the incident may not rise to the level of a crime.

(b) Victims shall also be alerted to any available victim advocates, shelters, and community resources.

(c) When an involved person requests law enforcement assistance while removing essential items of personal property, officers shall stand by for a reasonable amount of time.

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(d) If the victim has sustained injury or complains of pain, officers shall seek medical assistance for the victim as soon as practicable.

(e) Officers should ask the victim whether he/she has a safe place to stay and assist in arranging transportation to an alternate shelter if the victim expresses a concern for his/her safety or if the officer determines that a need exists.

(f) Officers should make reasonable efforts to ensure that any children or dependent adults who are under the supervision of the suspect or victim are being properly cared for.

(g) If appropriate, officers shall seek or assist the victim in obtaining an emergency order.

(h) Seize any firearms or other dangerous weapons, if appropriate and legally permitted, for safekeeping or as evidence.

317.7 WITNESSES

Officers should never guarantee a witness's 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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Hate Crimes

318.1 PURPOSE AND SCOPE

This department recognizes and places a high priority on any individual's constitutional right to the lawful expression of free speech or other recognized rights secured by the Constitution or laws of the state or by the Constitution or laws of the United States. When such rights are infringed upon by violence, threats or other harassment, this department will utilize all available resources to see that justice is served under the law. This policy has been developed to provide members of the Department with guidelines for identifying and investigating incidents and crimes that may be motivated by hatred or other bias.

318.1.1 FEDERAL JURISDICTION

The federal government also has the power to investigate and prosecute bias-motivated violence by providing the U.S. Department of Justice with jurisdiction over crimes of violence where the perpetrator has selected the victim because of the person's actual or perceived race, color, religion, national origin, ethnicity, gender, sexual orientation, gender identity or expression, or disability (18 USC § 249).

318.2 DEFINITIONS

Intimidate or terrorize - Means an act which causes the person to fear for his/her physical safety or damages the property of that person or another. The act must be accompanied with the intent to cause or has the effect of causing a person to reasonably fear to freely exercise or enjoy any right secured by the Constitution or laws of the state or by the Constitution or laws of the United States (Utah Code 76-3-203.3(3)).

318.3 CRIMINAL STATUTES

Utah Code 76-3-203.3 (Penalty for Hate Crimes) and Utah Code 76-3-203.4 (Hate Crimes - Aggravating Factors).

318.4 PREVENTING AND PREPARING FOR LIKELY HATE CRIMES

While it is recognized that not all crime can be prevented, this department is committed to taking a proactive approach to preventing and preparing for likely hate crimes 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 hate crimes to form and cooperate with prevention and response networks.

(b) Providing victim assistance and follow-up as outlined below, including community follow-up.

318.5 PROCEDURE FOR INVESTIGATING HATE CRIMES

Whenever any member of the Department receives a report of a suspected hate crime or other activity that reasonably appears to involve a potential hate crime, the following should occur:

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(a) Officers will be promptly assigned to contact the victim, witness, or reporting party to investigate the matter further as circumstances may dictate.

(b) A supervisor should be notified of the circumstances as soon as practical.

(c) Once “in progress” aspects of any such situation have been stabilized (e.g., treatment of victims, apprehension of present suspects), the assigned officers will take all reasonable steps to preserve available evidence that may tend to establish that a hate crime was involved.

(d) The assigned officers will interview available witnesses, victims and others to determine what circumstances, if any, indicate that the situation may involve a hate crime.

(e) Depending on the situation, the assigned officers or supervisor may request additional assistance from detectives or other resources to further the investigation.

(f) The assigned officers will include all available evidence indicating the likelihood of a hate crime in the relevant reports. All related reports will be clearly marked as “Hate Crimes” and, absent prior approval of a supervisor, will be completed and submitted by the assigned officers before the end of the shift.

(g) The assigned officers will provide the victims of any suspected hate crime with a brochure on hate crimes. Such brochures will also be available to members of the general public upon request. The assigned officers should also make reasonable efforts to assist the victims by providing available information on local assistance programs and organizations.

(h) The assigned officers and supervisor should take reasonable steps to ensure that any such situation does not escalate further (e.g., possible Temporary Restraining Order through the District Attorney or City Attorney).

318.5.1 SPECIAL OPERATIONS RESPONSIBILITY

If a case is assigned to the Special Operations, the assigned detective will be responsible for following up on the reported hate crime as follows:

(a) Coordinate further investigation with the District Attorney and other appropriate law enforcement agencies, as appropriate.

(b) Maintain contact with the victims and other involved individuals as needed.

(c) Maintain statistical data on suspected hate crimes and tracking as indicated and report such data to the county or state upon request.

318.6 TRAINING

All members of the Department will receive training approved by Utah Police Officer Standards and Training on hate crime recognition and investigation.

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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 Taylorsville 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 the member's supervisors.

319.2 POLICY

The continued employment or appointment of every member of the Taylorsville 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 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 (e.g. email), 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 of a supervisor to take appropriate action to ensure that employees adhere to the policies and procedures of the Department and the actions of all personnel comply with all laws.

(c) Failure to report any known misconduct of any member promptly and fully to his/her immediate supervisor, or to document such misconduct appropriately or as required by policy.

(d) Directing a subordinate to violate a policy or directive, acquiesce to such a violation, or are indifferent to any such violation by a subordinate.

(e) 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 Utah constitutions and all applicable laws, ordinances, and rules enacted or established pursuant to legal authority.

Members shall familiarize themselves with 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. It is not mandatory that a specific policy or rule violation be cited to sustain discipline. 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.

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(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.

319.5.2 ETHICS

(a) Using or disclosing one's status as a member of the Taylorsville 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) The unauthorized personal use of public money or public property in violation of Utah Code § 76-8-402.

(h) Any other failure to abide by the standards of ethical 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.

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(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.

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 or abuse of leave privileges.

(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.

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:

1. Unauthorized attendance while on-duty at official legislative or political sessions.
2. Solicitations, speeches or distribution of campaign literature for or against any political candidate or position while on-duty or, on department property or while in any way representing him/herself as a member of this department, except as expressly authorized by City policy, the collective bargaining agreement, or the Chief of Police.

(h) Engaging in political activities during assigned working hours except as expressly authorized by City policy, the collective bargaining agreement, or the Chief of Police.

(i) Any act on- or off-duty that brings discredit to this department.

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319.5.9 CONDUCT

(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.

(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 department property; misappropriation or misuse of public funds, property, personnel or the services or property of others; unauthorized removal or possession of department property or the property of another person.

(k) Activity that is incompatible with a member's conditions of employment or appointment as established by law or that violates a provision of any collective bargaining agreement 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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Discipline

320.1 PURPOSE AND SCOPE

It is the policy of the Taylorsville Police Department to be fundamentally fair and consistent in the application of discipline. To provide guidance regarding disciplinary action being taken against a member and to outline the procedure that must be followed when imposing discipline.

320.2 GENERAL

The disciplinary sequence usually starts with non-disciplinary measures, to include a verbal and/or written warning, and then continues with a letter of reprimand, letter of suspension, and depending on the behavior, can result in termination. A disciplinary evaluation period with interim performance evaluations may be a part of a progressive discipline process. Deviations from the usual disciplinary sequence may be appropriate, depending on the severity and circumstances of the incident. Reduction in pay and demotions may also be used for disciplinary purposes.

320.3 GROUNDS FOR DISCIPLINARY ACTION

(a) Disciplinary action may be imposed for any violation of Department policy, procedure, authorized written directive, or lawful order, consistent with the applicable policy.

(b) Discipline Based on a Criminal Charge.

1. Conviction for the violation of any criminal law shall be prima facie evidence in any Department disciplinary proceeding.

2. Violations under this section may also be proved under the standard of the preponderance of evidence regardless of the pendency or dismissal of criminal charges.

(c) No policy specifying misconduct can be established that will anticipate all circumstances arising in the discharge of members' duties or in the personal activities of an individual member. Therefore, any other act or omission contrary to good order and discipline may also be the subject of disciplinary action, consistent with the applicable policy.

320.4 RESPONSIBILITY AND AUTHORITY FOR DISCIPLINE

(a) Supervisors:

1. All supervisors have the authority to issue Verbal and Written Warnings. Prior to being issued, Written Warnings must be reviewed by the Section Commander or designee through the chain of command.

2. Supervisors may also recommend other disciplinary action by submitting written reports of misconduct to their Section Commander through the chain of command and as directed by the disciplinary process.

(b) Section Commanders/Administrators:

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1. Section Commanders have the authority to issue Verbal and Written Warnings, a Letter of Reprimand and/or a Letter of Suspension not to exceed ten (10) hours of Paid Leave Time. (The Section Commander will review any Letter of Suspension with the Chief of Police prior to adjudication).
2. Any disciplinary action that may result in a Letter of Suspension exceeding ten (10) hours of Paid Leave Time, will be considered major discipline. (Any such discipline shall be approved by the Chief of Police prior to adjudication).
3. Section Commanders/Administrators may initiate major discipline, i.e., suspension, demotion, reduction in pay, or termination, by submitting an internal investigation in writing, with written charges and recommendations for proposed disciplinary action to the Chief of Police as outlined in policy.
4. Any disciplinary action initiated against a member resulting from a secondary assignment, will be initiated by the Section Commander of the member. The case will be investigated the same way it would be under any other circumstances dictated by policy.

(c) Chief of Police:

(a) The Chief of Police may impose any disciplinary measure deemed appropriate, after complying with prescribed procedural requirements of applicable policies.

320.4.1 VERBAL WARNINGS

(a) Verbal Warnings are informal discussions between a supervisor and an employee, in an attempt to change behavior. Supervisors need to make clear to the member that a Verbal Warning is being given.

(b) Verbal Warnings will be documented in writing. This record will include the date of the warning, a description of the inappropriate behavior (including the date, time, and location), outlining the specific policy violation and a brief description of the discussion with the employee. The member shall be notified that the Verbal Waning will be entered in the member's performance file, not the member's personnel or disciplinary file. (A verbal warning is not considered discipline and is generally a category "1" violation).

(c) Verbal Warnings issued to any sworn or civilian employees, are appealable through the chain of command, to the Section Commander and/or Chief of Police.

320.4.2 WRITTEN WARNINGS

(a) A Written Warning can be given to an employee who has not appropriately responded to a previous Verbal Warning or for behavior that the employee should have known was inappropriate.

(b) Written Warnings will include the date of the warning, type of violation, date, time, and place of violation, identification of the policy violated, number and types of previous warnings, what is needed to correct the behavior, type of action being imposed and possible consequences of not correcting the behavior.

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1. Copies of the Written Warning are placed in the employee's performance file, not the member's personnel or disciplinary file. A Written Warning is not considered discipline, and it generally considered a category "1" violation).

(c) Written Warnings issued to sworn and civilian employees are appealable, through the chain of Command, to the appropriate Section Command and/or Chief of Police.

(d) Sworn and Civilian employees will have discipline handled consistent with this policy, which provides that appeals of discipline be handled using the Appeal or Grievance Procedure policy. Appeals or grievances begin at the level the discipline is imposed. Verbal Warnings and Written Warnings are not considered formal discipline but considered a process for correcting behavior, prior to imposing formal discipline.

320.5 PERFORMANCE IMPROVEMENT PLAN/EVALUATION PERIOD

(a) When the discipline involves the employee's ability to perform his or her job, a supervisor may review and evaluate the employee's performance more often than others. The purpose of this closer focus on the employee's performance is to clarify expectations and to provide coaching and feedback to help the employee turn his or her performance around to a satisfactory level.

(b) Documentation for the disciplinary evaluation period to follow the guidelines provided.

(c) In cases where an employee is placed on a Performance Improvement Plan or a disciplinary evaluation period, an employee shall issue a copy of the original plan or evaluation, and any subsequent supplemental updates.

320.5.1 MERIT INCREASE DENIAL

(a) Merit increases will be denied for:

1. Consecutive "does not meet expectations" in one or more performance dimensions during the evaluation year.
2. Cumulative "needs improvement" in four or more performance dimensions during the evaluation year.
3. Cumulative major discipline exceeding more than a twenty (20) hours suspension in an evaluation year.

(b) The merit increase will be withheld after the final action in the disciplinary process is completed.

The final action in the disciplinary process is defined as the service of the final disciplinary notice signed by the Chief of Police after all internal appeals processes have been exhausted.

320.6 INTERNAL AFFAIRS COMPLAINT (IA COMPLAINT DEFINED)

An IA complaint is defined as an allegation against an identifiable Taylorsville Police Department member that alleges specific misconduct, which may violate law or policy. An IA complaint may come from outside or inside the Taylorsville Police Department.

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320.6.1 TIME LIMITS

Any time limits established in this procedure may be waived or extended by mutual agreement of both parties, unless specifically limited by another policy, and at the discretion of the Chief of Police.

320.7 PROCEDURE FOR IMPOSING MAJOR DISCIPLINE

320.7.1 MAJOR DISCIPLINE OTHER THAN TERMINATION

(a) Prior to the imposition of major disciplinary action, the Chief of Police will direct his/her designee service of an intent to discipline letter informing the employee of the recommendation to impose disciplinary action.

(b) The letter of intent to discipline will notify the employee of the findings and discipline which will be adopted and imposed if not appealed.

(c) The letter of intent to discipline shall inform the employee that he or she has ten (10) working days (Monday through Friday) within receipt of the letter in which to request a hearing with the Chief of Police or his/her designee. If the employee does not appeal within the required time period, the Chief of Police will immediately proceed with final adjudication of the disciplinary action.

(d) The Chief of Police will render a final decision to the employee within ten (10) working days (Monday through Friday) from the deadline of the hearing with the Chief of Police.

(e) A suspended member (FLSA Non-Exempt), upon written notification to their Section Commander/Administrator, may forfeit an equivalent number of accrued paid leave time (PLT) in lieu of the imposed leave without pay. Suspension time forfeited from vacation must be deducted from the current year's vacation hour accrual.

(f) Any discipline hours that a member serves in a LWOP (leave without pay) status shall be governed at the discretion of the section commander or Chief of Police pursuant to staffing issues, section needs, assignment duties, etc.

1. A member serving discipline hours through LWOP cannot work other internal/constant man/overtime assignments within the same pay period to "make up" for LWOP time.

2. LWOP discipline hours must be served within a 90-day period of being served with the final discipline letter. Any extension beyond the 90-days shall be approved through the Human Resources Director and the Chief of Police.

320.7.2 SUSPENSION

When an employee has failed to adequately respond to prior disciplinary measures, a suspension without pay may be appropriate. Suspension may also be the appropriate first step in the disciplinary process depending on the severity of behavior involved.

(a) No employee may be suspended for more than 176 hours for a single disciplinary incident nor for more than 176 hours in one (1) calendar year.

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1. Employees designated as exempt from the Fair Labor Standards Act (Exempt-FLSA) may be suspended for one or more days imposed for infractions of workplace conduct rules.

(b) Documentation for the suspension must follow the guidelines provided.

(c) In cases of suspension, the Administrator or designee shall notify the employee in writing of the discipline at least ten (10) calendar days before the effective date of such discipline. The notice shall be delivered, in person (or via other means of communication if approved in advance by the Chief of Police or Designee), to the employee or the employee's last known home address by certified mail or personal service. The employee shall also be given a copy of Grievance Procedure Policy.

(d) If the Chief of Police so determines, he/she may place the employee in a leave-with-pay status between the notice and the proposed effective date of the suspension, or any portion thereof.

1. An employee suspended-with-pay under the above circumstances shall remain on-call and available to their Section Commander and any administrative personnel during normal business hours throughout the suspension-with-pay period and provide the Section Commander and administrative personnel with a telephone number at which the employee may be reached.

320.7.3 REDUCTION-IN-PAY

Employees can have their pay reduced as a form of discipline.

(a) Documentation for the reduction-in-pay must follow the guidelines provided.

(b) In cases of reduction-in-pay, the Administrator or designee shall notify the employee in writing of the discipline at least ten (10) calendar days before the effective date of such discipline. The notice shall be delivered, in person, to the employee or the employee's last known home address by certified mail or personal service. The employee shall also be given a copy of the Grievance Procedure Policy.

320.7.4 DEMOTION

Employees can be moved to a position with a lower grade as a form of discipline. The salary of the demoted employee shall not exceed the new pay range maximum without express authorization of the Chief of Police.

(a) Documentation for the demotion must follow the guidelines provided.

(b) In cases of a demotion, the Administrator or designee shall notify the employee in writing of the discipline at least ten (10) calendar days before the effective date of such discipline. The notice shall be delivered, in person, to the employee or the employee's last known home address by certified mail or personal service. The employee shall also be a given copy of the Grievance Procedure Policy.

(c) If the Administrator so determines, he or she may place the employee in a leave-with-pay status between the notice and the proposed effective date of demotion, or any portion thereof.

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1. An employee on leave-with-pay under the above circumstances shall remain on-call and available to their Division Commander or any administrative personnel during normal business hours throughout the leave-with-pay period and provide the Division Commander and administrative personnel with a telephone number at which the employee may be reached.

320.7.5 TERMINATION

When an employee has failed to adequately respond to prior disciplinary measures, termination may be appropriate. Termination may also be the appropriate first step in the disciplinary process depending on the severity of behavior involved.

(a) Documentation for the termination must follow the guidelines provided in the documentation section below.

(b) If the Administrator so determines, he or she may place the employee in a leave-with-pay status between the notice and the proposed effective date of termination.

(c) An employee on leave-with-pay under the above circumstances shall remain on-call and available to their Division Commander or any administrative personnel during normal business hours throughout the leave-with-pay period and provide the Division Commander and administrative personnel with a telephone number at which the employee may be reached.

(d) Temporary withholding of payment for accumulated vacation leave may be authorized when an employee is being terminated under circumstances in which the employee may owe money to the UPD or is holding UPD property.

(e) No merited employee shall be removed from employment covered under this system by means of job reclassification or transfer of job function where the job reclassification or transfer of job function is primarily for the purpose of dismissing the employee.

(f) Prior to termination, the Chief if Police will direct service of a letter of intent to terminate on the employee.

(g) The letter of intent to terminate will notify the employee of the findings which will be adopted if the proposed termination is imposed. The letter will include the effective date, P.O.S.T. notification, and availability of the discipline-related documents.

(h) The letter of intent to terminate shall inform the employee that he or she has fifteen (10) working days (Monday through Friday) to request a formal hearing before the Chief of Police, or a Direct Informal Hearing (Sworn and Civilian). The letter of intent will also advise the employee of a Pre-Discipline Hearing with the Chief of Police or designee. The Direct Informal Hearing will constitute the Pre-discipline Hearing.

320.7.6 PRE-DISCIPLINE HEARING

(a) In cases of a termination, the Administrator or designee shall notify the employee in writing of the discipline and the date for the pre-discipline hearing at least ten (10) calendar days before the effective date of such discipline. The notice shall be delivered, in person, to the employee or the employee's last known home address

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by certified mail or personal service. The employee shall also be given copies of the Grievance Procedure Policy.

(b) A pre-discipline hearing must be scheduled no sooner than two (2) working days nor later than ten (10) calendar days after the termination notice is given.

(c) The purpose of the pre-discipline hearing is not to definitively resolve the propriety of the termination, but to determine whether there are reasonable grounds to believe that the charges against the employee are factual.

(d) The pre-discipline hearing is held between the employee and the Chief of Police or designee. An audio and/or video recording of the pre-discipline hearing shall be made and kept until all formal post-termination proceedings are completed. Neither the employee nor the Chief of Police shall be represented by legal counsel and witnesses shall not be called, though witness statements may be informally presented by the parties in writing or orally.

(e) If an employee wishes to waive the pre-discipline hearing he or she may do so by notifying the Chief of Police in writing of his or her wish to waive the hearing.

(f) The Chief of Police shall give his or her decision in writing regarding the decision from the pre-discipline hearing within five (5) working days after the hearing. The decision by the Chief of Police shall be mailed to the employee by certified mail or personal service, to the Division Director and to the Human Resources Division Director for placement in the employee's Personnel file (Official).

(g) The pre-discipline hearing does not eliminate a formal post termination grievance proceeding, as set forth in the GRIEVANCE PROCEDURE POLICY and the APPEAL PROCEDURE FOR THE CAREER SERVICE COUNCIL or POMC.

320.7.7 TERMINATION OF PROBATIONARY EMPLOYEES

(a) Probationary employees have no constitutionally protected property interest in their jobs and may be disciplined or dismissed at the discretion of the Chief of Police.

(b) Probationary employees may be terminated by letter from the Chief of Police invoking the Chief’s statutory authority.

320.7.8 DOCUMENTATION

Notice of any disciplinary action shall be communicated in writing to the employee.

Disciplinary notice may be made by composing a letter addressed to the employee containing the following information:

- Notification that the letter is a disciplinary notice.
- Date of warning and type of violation.
- Date, time, and place of violation.
- Number and types of previous warnings.
- What is needed to correct the violation.
- Type of disciplinary action being imposed and the date of action, if appropriate.

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- Probable consequences of not correcting the violation.
- Appeal Rights including a copy of the appropriate policy (Resolution of Employee Complaints for verbal warnings policy and Grievance Procedures policy for all other discipline).

A copy of the written disciplinary notice letter shall be given to the employee and, in cases other than a verbal warning, a copy forwarded to the Human Resources Division for placement in the employee's Personnel file (Official), and a copy retained by the supervisor. Supervisors shall discuss the contents of the disciplinary notice form or letter with the subordinate.

320.7.9 RESIGNATIONS/RETIREMENT 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.

320.8 APPEALS PROCESS

Sworn: A sworn member appealing a major disciplinary action shall include in the appeal a short statement explaining his or her position on the disciplinary matter, the relief sought, and whether they request a Discipline Hearing Board or a Direct Informal Hearing with the Chief of Police.

Civilian: Civilian member appealing a major disciplinary action shall include in the appeal a short statement explaining his or her position on the disciplinary matter and the relief sought when requesting a Direct Informal Hearing with the Chief of Police.

Appeals: Final major disciplinary action may be appealed to the Peace Officer Merit Commission (sworn); or the Career service council (Civilian) pursuant to their policies.

Appeal to District Court: Final major disciplinary action may be appealed to District Court, consistent with statutes and law.

320.9 DIRECT INFORMAL HEARING WITH CHIEF OF POLICE

(a) The Chief of Police will hold the Direct Informal Hearing within thirty (30) calendar days of receipt of the request.

(b) The hearing will focus on factors such as prior disciplinary history, facts associated with the recommended discipline, length of service, and other mitigating factors raised by the appellant.

(c) The hearing will not be bound by either legal proceedings or by legal rules of evidence, nor shall legal counsel or representation for either party be present.

320.10 DISCIPLINE HEARING BOARD (DHB)

In situations resulting in the imposition of a suspension, demotion, termination of a non-probationary employee, the employee shall have the right to an evidentiary appeal of the Chief of Police's imposition of discipline.

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(a) The DHB shall be a three (3) member board consisting of the Chief of Police, Deputy Chief, and one or more supervisors to a DHB. The DHB will select one of their members to act as chair.

(b) The Human Resources personnel will provide staff support in coordinating the hearing, preparing notification letters, etc.

(c) The DHB and the Human Resources representative shall conference to set a date for the hearing within seven (7) calendar days of the receipt of the appeal. The hearing date shall be no later than thirty (30) calendar days from the date of the receipt of the appeal.

An employee requesting a DHB is entitled to:

(a) The purpose of the hearing is to bring out all the facts and examine their implications relative to the letter of intent to discipline.

1. The appellant may present his or her case personally or through a representative.
2. The Department has the burden of proof in all disciplinary actions and may be represented by the Chief Legal Counsel.
3. The hearing will not be bound either by legal procedures or by legal rules of evidence.
4. An audio recording will be made of the proceedings.
5. Upon the request of either party, and at the discretion of the DHB Chair, any or all witnesses may be excluded from the hearing room, except when testifying.
   i. The appellant may not be excluded, even if intended to testify.
   ii. A Human Resources Division representative will be present to assist in the coordination of the hearing.
   iii. The Department-designated representative may not be excluded, even if a potential witness.
6. The DHB Chair shall open the hearing by having the parties in attendance identify themselves and reading the Chief of Police's letter of intent to discipline, unless waived.
7. A brief opening statement may be made by the Department, followed by the appellant.
8. Presentation of the Department's case will be followed by presentation of the appellant's response.
9. After the presentation of the appellant's response, both parties will be allowed to present rebuttal evidence.
10. Before closing the hearing, the DHB will allow the appellant and then the Department to make a closing statement.

(b) Decision:

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1. The DHB will use the standard of “preponderance of evidence.”
2. The DHB shall render in writing, findings of fact and recommendations to the Chief of Police and appellant within fifteen (10) working days (Monday through Friday) of the closing of the hearing.
3. The Chief of Police is not bound by the Board’s findings of fact and recommendations. Prior to making the final disciplinary decision, the Chief of Police may request an informal meeting with the appellant.

320.11 RETENTION OF PERSONNEL INVESTIGATION FILES

All personnel misconduct complaints shall be maintained in accordance with the established records retention schedule and as described in the Peace Officer Personnel Files Policy.

320.11.1 PURGING DISCIPLINE

(a) Major discipline cannot be purged. Copies of major discipline cannot be purged.

(b) Copies of civilian and sworn employee disciplinary action may only be purged consistent with Taylorsville policies and the discretion of the Chief of Police.

(c) Copies of minor disciplinary action, including traffic accidents, may be purged two years from the date of the imposition of the disciplinary action. (Minor disciplinary action is deemed as any Letter of Reprimand or any Letter of Suspension that does not exceed a suspension of ten (10) hours).

(d) To initiate such requests, employees will review their personnel files and identify the documents to be included in the purge request. Such requests will be made in writing to the Chief of Police. The Chief of Police may consider similar disciplinary actions that are pending, whether a continuing pattern of misconduct exists, or other factors. A continuing pattern of misconduct exists when, at the time of the request, there are any other Verbal Warnings or Written Warnings that were issued within the last two years, or if there is a major discipline that has been issued in the last five years. The Chief of Police’s letter authorizing purging will also authorize purging of Division Personnel files of the same material.

(e) Pursuant to GRAMMA all sworn and civilian discipline authorized for purging will be moved to an “archived discipline file” and will be maintained in accordance with applicable GRAMMA rules.

(f) Purged discipline cannot be used for internal purposes. All archived discipline files will be maintained in a separate folder and may only be accessed pursuant to a lawful court order.

320.12 DISCIPLINARY CATEGORIES

Misconduct is classified into broad categories of violations based on progressive degrees of severity. The disciplinary matrix is divided into categories of violations of the policies and procedures of the Department.

Category “1” violations are the lowest level of violations and will be addressed as non-disciplinary or performance related issues. All actions will be documented in detail

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in the member's designated performance file but does not always require a formal correspondence.

Category "2" violations or higher will be classified as disciplinary matters subject to formal disciplinary penalties within the department.

CATEGORY "1" VIOLATIONS:

Category "1" Violations- Are normally not documented as a disciplinary matter. Second or subsequent violations within a 12 consecutive month period, may be handled as category "2" violations.

A first at fault accident will result in counseling and other non-disciplinary action may be taken (e.g., training, administrative duties). Formal discipline may occur if the conduct was determined to be the result of reckless behavior or the disregard for safety. Second and/or subsequent violations will be handled according to the Disciplinary Matrix.

CATEGORY "2" VIOLATIONS:

A category "2" violation applies to the first occurrence of a violation listed under the disciplinary matrix. Subsequent violations of this category within 36 consecutive months, may be raised to a higher category.

CORRECTIVE ACTIONS:

Letter of reprimand at a minimum

Disciplinary suspension of up to 20 hours loss of Paid Leave Time (PLT) and/or suspension.

CATEGORY "3" VIOLATIONS:

A category "3" violation applies to the first occurrence of a violation listed under the disciplinary matrix. Subsequent violations of this category within 60 months, may be raised to a higher category.

CORRECTIVE ACTIONS:

Disciplinary order of suspension of 21 to 40 hours loss of Paid Leave Time (PLT) and/ or suspension.

CATEGORY "4" VIOLATIONS:

A category "4" violation applies to the first occurrence of a violation listed under the disciplinary matrix. Subsequent violations of this category at any time, may be raised to a higher category.

CORRECTIVE ACTIONS:

Disciplinary order of suspension of 41 to 150 hours loss of Paid Leave Time (PLT) and/or suspension.

CATEGORY "5" VIOLATIONS:

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A category “5” violation applies to the first occurrence of a violation listed under the disciplinary matrix. Subsequent violations of this category may be cause for termination.

CORRECTIVE ACTIONS:

Disciplinary order of suspension of 151 hours or more loss of Paid Leave Time (PLT) and/or suspension and/or demotion or termination.

320.13 DISCIPLINARY MATRIX

See attachment: Discipline Matrix.pdf

320.14 DISCIPLINARY ACTIONS OUTSIDE OF MATRIX

For the department to be consistent and demonstrate fundamentally fair and just disciplinary practices, supervisors will follow the guidelines established in the Disciplinary Matrix. There may be occasions when the breach of conduct, its impact and/or presence of mitigating factors warrant a corrective action that falls outside of the pre-identified recommendation. In those circumstances, the immediate supervisor of the member will submit in writing, to the section commander, a detailed written explanation of the facts and/or circumstances that justify any deviation in this process.

The Chief of Police will then consider all the facts and circumstances involved, when considering the appropriate course of action. Any such request to deviate from the Disciplinary Matrix shall be made part of the final adjudication process.

320.15 RESIGNATION/RETIREMENTS PRIOR TO DISCIPLINE

When an employee tenders a written retirement or resignation prior to the imposition of discipline, it shall be noted in the file. The tender of a retirement or resignation by itself shall not serve as grounds for the termination of pending discipline or IA investigations.

320.16 DISCIPLINARY ACTION AGAINST PROBATIONARY EMPLOYEES

If a probationary employee is terminated solely for unsatisfactory performance or failure to meet Department standards, the employee shall have no right to appeal. Termination of a probationary employee for failure to pass probation shall be so reflected in the employee's personnel file.

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Information Technology Use

321.1 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.

321.1.1 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 Taylorsville 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.

321.2 POLICY

It is the policy of the Taylorsville 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.

321.3 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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The Department may not require a member to disclose a username and/or password that allows access to the member's personal Internet accounts, except as may be provided in Utah Code 34-48-201.

321.4 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 Sergeants.

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.

321.4.1 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.

321.4.2 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.

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321.4.3 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 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.

321.4.4 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.

321.5 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.

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.

321.6 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

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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 a 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.

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Report Preparation

322.1 PURPOSE AND SCOPE

Report preparation is a major part of each officer's job. The purpose of reports 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.

322.1.1 PROCEDURES

SHORT-FORMING PROCEDURE

BICYCLE PROCEDURE

322.1.2 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. Generally, the reporting employee's opinions should not be included in reports unless specifically identified as such.

322.2 REQUIRED REPORTING

Written reports are required in all of the following situations on the appropriate Department-approved form unless otherwise approved by a supervisor.

322.2.1 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 a written report includes:

(a) All arrests

(b) All felony crimes

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(c) Non-felony incidents involving threats or stalking behavior

(d) Situations covered by separate policy. These include:

1. Use of Force Policy
2. Domestic Violence Policy
3. Child Abuse Policy
4. Adult Abuse Policy
5. Hate Crimes Policy
6. Suspicious Activity Reporting Policy

(e) All misdemeanor crimes where the victim desires a report

Misdemeanor crimes where the victim does not desire a report shall be documented using the department-approved alternative reporting method (e.g., dispatch log).

322.2.2 NON-CRIMINAL ACTIVITY

The following incidents shall be documented using the appropriate approved 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 above the minimum reporting level (see the Traffic Collision Reporting Policy)

(g) Suspicious incidents that may indicate a potential for crimes against children or that a child's safety is in jeopardy

(h) All protective custody detentions

(i) Suspicious incidents that may place the public or others at risk

(j) Whenever the employee believes the circumstances should be documented or at the direction of a supervisor

322.2.3 DEATH CASES

Death investigations require specific investigation methods depending on circumstances and should be handled in accordance with the Death Investigation 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:

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(a) Sudden or accidental deaths

(b) Suicides

(c) Homicide or suspected homicide

(d) Unattended deaths (no physician or qualified hospice care in the 30 days preceding death)

(e) Found dead bodies or body parts

322.2.4 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.

If the injury or damage is significant, or may expose the City to potential liability, a supervisor should be notified. Supervisors notified of such events should consider requesting an investigation by an allied agency, notification of the Chief of Police via chain of command and involvement of City Risk Management assistance.

322.2.5 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.

322.2.6 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.

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(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 at the scene of one of the above incidents should not refer the reporting party to an alternate means of reporting without authorization from a supervisor. Members may refer victims to online victim assistance programs (e.g., Federal Trade Commission (FTC) website for identity theft, Internet Crime Complaint Center (IC3) website for computer crimes).

322.3 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 report completions delayed without supervisory approval are not acceptable. Reports shall be processed according to established priorities or according to special priority necessary under exceptional circumstances.

322.3.1 HANDWRITTEN REPORTS

Some incidents and report forms lend themselves to block print rather than typing. In general, the narrative portion of those reports where an arrest is made or when there is a long narrative should be typed or dictated.

Supervisors may require block printing or typing of reports of any nature for Department consistency.

322.3.2 GENERAL USE OF OTHER HANDWRITTEN FORMS

County, state and federal agency forms may be block printed as appropriate. In general, the form, by design, may require typing.

322.4 REPORT CORRECTIONS

Supervisors shall review reports for content and accuracy. If a correction is necessary, the reviewing supervisor should complete the Report Correction form stating the reasons for rejection. The original report and the correction form should be returned to the reporting employee for correction as soon as practical. It shall be the responsibility of the originating officer to ensure that any report returned for correction is processed in a timely manner.

322.5 REPORT CHANGES OR ALTERATIONS

Reports that have been approved by a supervisor and submitted to the Records Section for filing and distribution shall not be modified or altered except by way of a supplemental report. Reviewed reports that have not yet been submitted to the Records Section may be corrected or modified by the authoring officer only with the knowledge and authorization of the reviewing supervisor.

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322.6 ELECTRONIC SIGNATURES

The Taylorsville Police Department has established an electronic signature procedure for use by all employees of the Taylorsville Police Department. The Uniform Patrol Deputy Chief 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 signatures 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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Media Relations

323.1 PURPOSE AND SCOPE

This policy provides guidelines for the release of official department information to the media. It also addresses coordinating media access to scenes of disasters, criminal investigations, emergencies and other law enforcement activities.

323.2 POLICY

It is the policy of the Taylorsville Police Department to protect the privacy rights of individuals, while releasing non-confidential information to the media regarding topics of public concern. Information that has the potential to negatively affect investigations will not be released.

323.3 RESPONSIBILITIES

The ultimate authority and responsibility for the release of information to the media shall remain with the Chief of Police. In situations not warranting immediate notice to the Chief of Police and in situations where the Chief of Police has given prior approval, Section Commanders, Shift Sergeants and designated Public Information Officers may prepare and release information to the media in accordance with this policy and the applicable law regarding confidentiality.

323.4 PROVIDING ADVANCE INFORMATION

To protect the safety and rights of department members 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 media, nor should media representatives be invited to be present at such actions except with the prior approval of the Chief of Police.

Any exceptions to the above should only be considered for the furtherance of legitimate law enforcement purposes. Prior to approving any exception, the Chief of Police will consider, at a minimum, whether the release of information or the presence of the media would unreasonably endanger any individual or prejudice the rights of any person or is otherwise prohibited by law.

323.5 MEDIA REQUESTS

Any media request for information or access to a law enforcement incident shall be referred to the PIO, or if unavailable, to the first available supervisor. Prior to releasing any information to the media, members shall consider the following:

(a) At no time shall any member of this department make any comment or release any official information to the media without prior approval from a supervisor or the PIO.

(b) In situations involving multiple agencies or government departments, 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.

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(c) Under no circumstance should any member of this department make any comment to the media regarding any law enforcement incident not involving this department without prior approval of the Chief of Police. Under these circumstances the member should direct the media to the agency handling the incident.

323.6 ACCESS

Authorized media representatives shall be provided access to scenes of disasters, criminal investigations, emergencies and other law enforcement activities as required by law.

Access by the media is subject to the following conditions:

(a) The media representative shall produce valid media credentials that shall be prominently displayed at all times while in areas otherwise closed to the public.

(b) Media representatives should be prevented from interfering and may be removed for interfering with emergency operations and criminal investigations.

1. Based upon available resources, reasonable effort should be made to provide a safe staging area for the media that is near the incident and that will not interfere with emergency or criminal investigation operations. All information released to the media should be coordinated through the Public Information Officer or other designated spokesperson.

(c) Media interviews with individuals who are in custody should not be permitted without the approval of the Chief of Police and the express consent of the person in custody.

(d) No member of this department who is under investigation shall be subjected to media visits or interviews without the consent of the involved member.

323.6.1 CRITICAL OPERATIONS

A critical incident or tactical operation should be handled in the same manner as a crime scene, except the media should not be permitted within the inner perimeter of the incident, subject to any restrictions as determined by the supervisor in charge. Department members shall not jeopardize a critical incident or tactical operation in order to accommodate the media. All comments to the media shall be coordinated through a supervisor or the PIO.

323.6.2 TEMPORARY FLIGHT RESTRICTIONS

Whenever the presence of media or other aircraft pose a threat to public or member safety or significantly hamper incident operations, the field supervisor should consider requesting a Temporary Flight Restriction (TFR). All requests for a TFR should be routed through the Shift Sergeant. The TFR request should include specific information regarding the perimeter and altitude necessary for the incident 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).

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323.7 CONFIDENTIAL OR RESTRICTED INFORMATION

It shall be the responsibility of the PIO to ensure that confidential or restricted information is not inappropriately released to the media (see the Records Maintenance and Release and Personnel Records policies). When in doubt, authorized and available legal counsel should be consulted prior to releasing any information.

323.7.1 MEMBER INFORMATION

The identities of officers involved in shootings or other critical incidents may only be released to the media upon the consent of the involved officer or upon a formal request.

Any requests for copies of related reports or additional information not contained in the information log (see the Information Log section in this policy), including the identity of officers involved in shootings or other critical incidents, shall be referred to the PIO.

Requests should be reviewed and fulfilled by the Records Officer, or if unavailable, the Shift Sergeant or the authorized designee. Such requests will be processed in accordance with the provisions of the Records Maintenance and Release Policy and public records laws (e.g., Government Records Access and Management Act).

323.8 RELEASE OF INFORMATION

The Department may routinely release information to the media without receiving a specific request. This may include media releases regarding critical incidents, information of public concern, updates regarding significant incidents or requests for public assistance in solving crimes or identifying suspects. This information may also be released through the department website or other electronic data sources.

323.8.1 INFORMATION LOG

The Department will maintain a daily information log of significant law enforcement activities. Log entries shall only contain information that is deemed public information and not restricted or confidential by this policy or applicable law. Upon request, the log entries shall be made available to media representatives through the Shift Sergeant.

The daily information log will generally include:

(a) The date, time, location, case number, type of crime, extent of injury or loss, and names of individuals involved in crimes occurring within this jurisdiction, unless the release of such information would endanger the safety of any individual or jeopardize the successful completion of any ongoing investigation, or the information is confidential (e.g., juveniles or certain victims).

(b) The date, time, location, case number, name, birth date and charges for each person arrested by this department, unless the release of such information would endanger the safety of any individual or jeopardize the successful completion of any ongoing investigation or the information is confidential (e.g., juveniles).

(c) The time and location of other significant law enforcement activities or requests for service with a brief summary of the incident.

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Subpoenas and Court Appearances

324.1 PURPOSE AND SCOPE

This policy establishes the guidelines for department members who must appear in court. It will allow the Taylorsville Police Department to cover any related work absences and keep the Department informed about relevant legal matters.

324.2 POLICY

Taylorsville Police Department members will respond appropriately to all subpoenas and any other court-ordered appearances.

324.2.1 PROCEDURES

CIVIL PROCESS SERVICE PROCEDURE

324.3 SUBPOENAS

Only department members authorized to receive a subpoena on behalf of this department or any of its members may do so.

Criminal subpoenas may be served upon a member in accordance with U. R. Crim. P. Rule 14 by personally delivering a copy of the subpoena to the member.

Civil subpoenas may be served upon a member personally, by leaving a copy at the member's residence with a person of suitable age and discretion who resides there, or by delivering a copy to an agent authorized by appointment or by law to receive process. The subpoena may also be served by mail, commercial courier service or electronic delivery (U. R. Civ. P. Rule 45; U. R. Civ. P. Rule 4). Civil subpoenas shall not be accepted without properly posted fees (U. R. Civ. P. Rule 45).

324.3.1 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 Taylorsville Police Department.

(e) Any personnel or disciplinary matter when called to testify or to provide information by a government entity other than the Taylorsville 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.

324.3.2 CIVIL SUBPOENA

The Department will compensate members who appear in their official capacities on civil matters arising out of their official duties, as directed by the current memorandum of understanding or collective bargaining agreement.

The Department should seek reimbursement for the member's compensation through the civil attorney of record who subpoenaed the member.

324.3.3 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.

324.4 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.

324.5 STANDBY

To facilitate standby agreements, members are required to provide and maintain current information on their addresses and contact telephone numbers with the Department.

If a member on standby changes his/her location during the day, the member shall notify the designated department member of how he/she can be reached. Members are required to remain on standby until released by the court or the party that issued the subpoena.

324.6 COURTHOUSE 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.

324.6.1 TESTIMONY

Before the date of testifying, the subpoenaed member shall request a copy of relevant reports and become familiar with the content in order to be prepared for court.

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324.7 OVERTIME

When a member appears in court on his/her off-duty time, he/she will be compensated in accordance with the current memorandum of understanding or collective bargaining agreement.

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Outside Agency Assistance

325.1 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.

325.2 POLICY

It is the policy of the Taylorsville 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.

325.2.1 PROCEDURES

AWOL MILITARY SUBJECTS PROCEDURE

CITIZEN REQUEST FOR TVPD PROCEDURE

325.3 ASSISTING OUTSIDE AGENCIES

Generally, requests for any type of assistance from another agency should be routed to the Shift Sergeant's office for approval. In some instances, a mutual aid agreement 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 Sergeant 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. Probation violators who are temporarily detained by this department will not ordinarily be booked at this department. 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.

325.3.1 INITIATED ACTIVITY

Prior to an officer taking any action beyond the limits of the officer's normal jurisdiction, the officer shall notify and receive approval of the local law enforcement authority, or if the prior contact is not reasonably possible, notify the local law enforcement authority as soon as reasonably possible (Utah Code 77-9-3).

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 Taylorsville Police Department

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shall notify his/her supervisor or the Shift Sergeant and VECC as soon as practicable. This requirement does not apply to special enforcement details or multi-agency units that regularly work in multiple jurisdictions.

325.4 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.

The requesting member should arrange for appropriate radio communication capabilities, if necessary and available, so that communication can be coordinated between assisting personnel.

325.5 REPORTING REQUIREMENTS

Incidents of outside assistance or law enforcement activities that are not documented in a crime report shall be documented in a general case report or as directed by the Shift Sergeant.

325.6 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 Administration Section Commander or the 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 VECC and the Shift Sergeant to ensure use of the equipment and supplies is in compliance with the applicable sharing agreements.

The Administration Sergeant should maintain documentation that the appropriate members have received the required training.

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Registered Offender Information

326.1 PURPOSE AND SCOPE

This policy establishes guidelines by which the Taylorsville Police Department will address issues associated with certain offenders who are residing in the jurisdiction and how the Department will disseminate information and respond to public inquiries for information about registered sex and kidnap offenders.

326.2 POLICY

It is the policy of the Taylorsville Police Department to identify and monitor registered offenders living within this jurisdiction and to take reasonable steps to address the risks those persons may pose.

326.3 REGISTRATION

The Special Operations Supervisor shall establish a process to reasonably accommodate registration of certain offenders. The process should rebut any allegation on the part of the offender that the registration process was too confusing, burdensome or difficult for compliance. If it is reasonable to do so, an investigator assigned to related investigations should conduct the registration in order to best evaluate any threat the person may pose to the community. Employees assigned to register offenders should receive appropriate training regarding the registration process (Utah Code 77-41-104; Utah Code 77-43-104).

Upon conclusion of the registration process, the investigator shall ensure that the registration information is provided to the Utah Department of Corrections (DOC).

The refusal of a registrant to provide any of the required information or complete the process should initiate a criminal investigation for failure to register (Utah Code 77-41-107; Utah Code 77-43-106).

326.3.1 CONTENTS OF REGISTRATION

Any person residing in the jurisdiction of the Taylorsville Police Department who is required to register as a sex and/or kidnap offender and is no longer under the supervision of the Division of Adult Probation and Parole must provide the following (Utah Code 53-10-404; Utah Code 77-41-105; Utah Code 77-43-105):

(a) All names and aliases

(b) The primary and secondary residence addresses

(c) A physical description, date of birth, height, weight, eye, and hair color

(d) The make, model, color, year, plate number, and vehicle identification number of any vehicle or vehicles owned or regularly driven

(e) A current photograph

(f) A set of fingerprints, if one has not already been provided

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(g) A DNA specimen, taken in accordance with Utah Code 53-10-404, if one has not already been provided

(h) Telephone numbers and any other designations used for routing or self-identification in telephonic communications from fixed locations or cellular telephones

(i) Internet identifiers and any addresses used for routing or self-identification in internet communications or postings

(j) The name and internet address of all websites on which the person is registered using an online identifier, including all online identifiers used to access those websites

(k) A copy of any passport

(l) If the person is an alien, all documents establishing immigration status

(m) All professional licenses that authorize engaging in an occupation or carrying out a trade or business, including any identifiers, such as numbers

(n) Each educational institution in Utah at which the person is employed, carries on a vocation or is a student, and any change of enrollment or employment status at any educational institution

(o) The name, telephone number, and address of any place of employment

(p) The name, telephone number, and address of any place where the person volunteers

(q) The person's Social Security number

326.4 INMATE REGISTRATION

The jail supervisor should establish a system to register child abuse, kidnap, and sex offenders who have been committed to the jail facility or are going to be released from the jail facility (Utah Code 77-41-104; Utah Code 77-43-104).

326.5 MONITORING OF REGISTERED OFFENDERS

The Special Operations Supervisor should establish a system to periodically, and at least once annually, verify that a registrant remains in compliance with his/her registration requirements after the initial registration. This verification should include:

(a) Efforts to confirm residence using an unobtrusive method, such as an internet search or drive-by of the declared residence.

(b) Review of information on DOC's Sex and Kidnap Offender Notification and Registration (SONAR) website and the Child Abuse Offender Notification and Registration website.

(c) Contact with a registrant's parole or probation officer.

Any discrepancies should be reported to DOC.

The Special Operations Supervisor should also establish a procedure to routinely disseminate information regarding registered offenders to Taylorsville Police Department personnel, including timely updates regarding new or relocated registrants.

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326.6 DISSEMINATION OF PUBLIC INFORMATION

Employees will not unilaterally make a public notification advising the community of a particular registrant's presence in the community. Employees who identify a significant risk or other public safety issue associated with a registrant should promptly advise their supervisor. The supervisor should evaluate the request and forward the information to the Chief of Police if warranted. A determination will be made by the Chief of Police, with the assistance of legal counsel as necessary, whether such a public alert should be made.

Members of the public requesting information on registrants should be directed to the DOC's SONAR website or the Child Abuse Offender Notification and Registration website for specific registrant information and photographs (Utah Code 77-41-110; Utah Code 77-43-108).

The Records Manager shall release local registered offender information to residents in accordance with Utah Code 77-41-108 and Utah Code 77-43-107 and in compliance with a Government Records Access and Management Act (GRAMA) request.

326.6.1 RELEASE NOTIFICATIONS

Registrant information that is released should include notification that:

(a) The offender registry includes only those persons who have been required by law to register and who are in compliance with the offender registration laws.

(b) The information is provided as a public service and may not be current or accurate.

(c) Persons should not rely solely on the offender registry as a safeguard against offenses in their communities.

(d) The crime for which a person is convicted may not accurately reflect the level of risk.

(e) Anyone who uses information contained in the registry to harass registrants or commit any crime may be subject to criminal prosecution.

326.7 LEGAL MANDATES AND RELEVANT LAWS

Employees responsible for registering and entering sex or kidnap offenders or child abuse offenders into the database must be certified by the Utah DOC. To obtain and retain certification, the employee must receive initial and annual training from DOC (Utah Code 77-41-104; Utah Code 77-43-104).

The Administration Sergeant will be responsible for ensuring the appropriate training and certifications are maintained.

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Major Incident Notification

327.1 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.

327.2 POLICY

The Taylorsville 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.

327.3 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 Section Commander. 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 Taylorsville official
- Arrest of Department employee or prominent Taylorsville official
- Aircraft crash with major damage and/or injury or death
- In-custody deaths
- Missing or abducted child
- Missing or endangered person

327.4 SHIFT SERGEANT RESPONSIBILITY

The Shift Sergeant is responsible for making the appropriate notifications. The Shift Sergeant shall make reasonable attempts to obtain as much information on the incident as possible before notification. The Shift Sergeant shall attempt to make the notifications as soon as practical. Notification should be made by calling the cell phone of designated personnel and a command notification should be sent out by the dispatch center.

327.4.1 STAFF NOTIFICATION

In the event an incident occurs described in criteria for notification, a command notification shall be made to the Chief of Police along with Section Commanders and other necessary personnel.

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327.4.2 DETECTIVE NOTIFICATION

If the incident requires that a detective respond from home, the immediate supervisor of the appropriate detail shall be contacted who will then contact the appropriate detective.

327.4.3 TRAFFIC BUREAU NOTIFICATION

In the event of a traffic fatality or major injury, the Special Operations Section Commander shall be notified who will then contact the appropriate accident investigator. Other personnel will be notified as necessary.

327.4.4 PUBLIC INFORMATION OFFICER (PIO)

The Public Information Officer shall be called after members of Staff have been notified that it appears the media may have a significant interest in the incident.

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Death Investigation

328.1 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 importance of a thorough death investigation cannot be emphasized enough and shall be in accordance with the Utah Medical Examiner Act (Utah Code 26-4-1, et seq.).

When death occurs under circumstances listed in Utah Code 26-4-7, the death shall be reported to the District Attorney and to the Medical Examiner by the law enforcement agency having jurisdiction over the investigation and shall be made by the most expeditious means available. Failure to give notification or report to the District Attorney and Medical Examiner is a class B misdemeanor (Utah Code 26-4-8).

328.1.1 PROCEDURES

ANATOMICAL GIFT ACT PROCEDURE

328.2 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). Officers are not authorized to pronounce death. A supervisor shall be notified and if feasible, will respond on all death investigations.

328.2.1 MEDICAL EXAMINER REQUEST

The Medical Examiner's Office is required to inquire into and determine the circumstances, manner and cause of certain deaths. The Medical Examiner shall be called in any of the following cases (Utah Code 26-4-7; Utah Code 26-2-14; Utah Code 62a-4a-405):

(a) Unattended deaths wherein the deceased has not been attended by a physician in a professional capacity in the 365 days prior to death.

(b) By violence, gunshot, suicide or accident.

(c) Sudden death while in apparent good health.

(d) Unattended deaths, except that an autopsy may only be performed in accordance with the provisions of Utah Code 26-4-9(3).

(e) Is under suspicious or unusual circumstances.

(f) Results from poisoning or overdose of drugs.

(g) Results from diseases that may constitute a threat to the public health.

(h) Results from disease, injury, toxic effect or unusual exertion incurred within the scope of the decedent's employment.

(i) Is due to sudden infant death syndrome.

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(j) When a fetal death occurs without medical attendance at or immediately after the delivery or when inquiry is required by the Utah Medical Examiner Act.

(k) When there is a reason to believe that a child has died as a result of child abuse or neglect.

(l) Results while the decedent was in prison, jail, police custody, the state hospital, or in a detention or medical facility operated for the treatment of the mentally ill, emotionally disturbed or delinquent persons.

(m) Is associated with diagnostic or therapeutic procedures.

(n) Is described in Utah Code 26-4-7 when request is made to assume custody by a District Attorney or law enforcement agency in connection with a potential homicide investigation or prosecution.

The body shall not be moved without permission of the Medical Examiner or District Attorney having criminal jurisdiction, or by his/her authorized deputy, except in cases of affront to public decency or circumstances where it is not practicable to leave the body where found, or in such cases where the cause of death is clearly due to natural causes.

However, in all cases, the scene of the event shall not be disturbed until authorization is given by the Medical Examiner to the senior ranking peace officer on the scene and having jurisdiction of the case and conducting the investigation.

Medical examiner personnel will have the responsibility to transport the body from the scene/ hospital to the examiner's facility.

328.2.2 SEARCHING DEAD BODIES

The Medical Examiner is generally the only person permitted to search a body known to be dead from any of the circumstances set forth in Utah Code 26-4-7.

The initial response to the scene of a death by uniformed personnel, is a crucial time for these types of investigations. No member of this Department shall be permitted to search a dead body at any time unless the investigation has been verified to be an attended death and there is no obvious signs of foul play or suspicious circumstances surrounding the case. Absent the verification of an attended death, the medical examiner shall be consulted prior to the search of any dead body, and/or when a search warrant has been obtained.

While investigating a dead body case, and officers verify the case will be an attended death, officers may be permitted to make a reasonable search of the body of a person for the limited purpose of locating an anatomical gift card. (Medical Examiner's authorization shall be obtained prior). If a donor card is located, the Medical Examiner shall be promptly notified. The officer shall also, as soon as reasonably possible, notify the appropriate organ procurement organization, tissue bank, or eye bank of the identity of the deceased, the next-of-kin (if known) and the funeral establishment taking custody of the deceased (Utah Code 26-28-112). This type of event should be coordinated with family members if possible.

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Should exigent circumstances indicate to an officer that any search of a known dead body is warranted prior to the arrival of the Medical Examiner the investigating officer shall first obtain verbal consent from the Medical Examiner.

Whenever possible, a witness, preferably a relative to the deceased or a member of the household, should be requested to remain at the scene with the officer pending the arrival of the Medical Examiner. The name and address of this person shall be included in the narrative of the death report. Whenever personal effects are removed from the body of the deceased by the Medical Examiner, a receipt shall be obtained. This receipt shall be attached to the death report.

328.2.3 DEATH NOTIFICATION

Unless there are unreasonable or exigent circumstances, and if not handled by the Medical Examiner's Office, notification to the next-of-kin of the deceased person shall be made in person by the officer assigned to the incident. If the next-of-kin lives in another jurisdiction, a law enforcement official from that jurisdiction shall be requested to make the personal notification. If the relatives live outside this county, the Medical Examiner may be requested to make the notification. The Medical Examiner needs to know if notification has been made. Assigned detectives may need to talk to the next-of-kin to obtain additional information. In all cases where in person notifications are handled by this Department, two officers shall be required at all times in making death notifications.

328.2.4 UNIDENTIFIED DEAD BODIES

If the identity of a dead body cannot be established, the Medical Examiner will assign a unique identifying number to the body and maintain a file under the assigned number. If possible, this number when applicable shall be included in any report.

328.2.5 EMPLOYMENT-RELATED DEATHS OR INJURIES

Any member of this agency who responds to and determines that a death, serious illness or serious injury has occurred as a result of an accident at, or in connection with, the victim's employment, shall ensure that the nearest office of the Utah Division of Occupational Safety and Health is notified by telephone or teletype with all pertinent information.

328.2.6 DEATH INVESTIGATION REPORTING

All incidents involving death shall be documented on the appropriate form.

328.3 SUSPECTED HOMICIDE

If the initially officer suspects that the death involves a homicide or other suspicious circumstances, the on-duty supervisor shall be notified. The on-duty supervisor or designee shall make the following notifications to determine operational equipment needs and personnel needed to assist with the investigation:

(a) On-Call Detective

(b) Violent Crimes Sergeant

(c) Special Operations Section Commander

(d) Deputy Chiefs of Police

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(e) Chief of Police

Special Operations Section Supervisors shall contact the following personnel when appropriate at different stages of the investigation.

328.3.1 CRIMINAL INVESTIGATION PROCEDURES

If the victim is still alive upon arrival, request paramedics and provide first aid assistance. If the victim is to be removed for emergency medical treatment, the initial officer or his/her designee will take notes. If the crime scene is located inside a private structure and not in a public place, photographs of the scene shall not be permitted (unless a search warrant has been issued to search and process the scene). The only exception to the use of any video or photographic evidence without a search warrant, would be in those circumstance when initial responding officers are recording the events and their surroundings with their body worn cameras, as per Department policy.

Do no touch, the crime scene or mark the body's outline, using chalk, paint, or any other device. The body shall be left as it was discovered at the scene. Do not move, cover, (sheet or blanket), or disturb the corpse at any time.

If the victim is obviously deceased or declared deceased by qualified medical personnel, the assigned officer will immediately secure the crime scene and restrict entrance to all unauthorized persons, which includes peace officers whose presence is not required. Medical Examiner and District Attorney's Office personnel will not be allowed to examine the scene until permission is received from the Taylorsville Police Department officer in charge of the investigation.

Locate witnesses or other persons who might have knowledge of the incident. Obtain their names and identifying information, sperate then from each other, and assign assisting officers to remain with them until relieved by the Investigations Division Supervisor or detective in charge of the investigation.

Relinquish investigation to the Violent Crimes Squad and when relieved of any further assignments write the necessary reports, including the medical response case number.

328.3.2 INVESTIGATION PROCEDURE-GENERAL

Once on scene, detectives from the Violent Crimes Unit and Forensics Unit technician(s) will:

(a) Obtain all known data concerning the occurrence from reports, interviews, etc.

(b) If needed a "to scale" diagram or scan will be conducted.

(c) Have the scene photographed from every angle and take a progressive series of photographs.

(d) Make complete detailed inventory of the scene. Particularly list any items that are either out of their usual place or are not ordinarily where they were found.

(e) Move nothing until it has been scanned and photographed in place.

(f) Have the Forensic Unit forensically process the scene.

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All evidence will be gathered and maintained by Taylorsville Police Department personnel, with the exception of the following:

(a) Pills or poisons and their containers may be seized by the Medical Examiner Investigator.

(b) Clothing and ligatures (bindings) will not be removed from the scene unless necessary for immediate investigative use.

(c) Victim's fingerprints will not be taken until the Medical Examiner Investigator's test on the victim's hands have been completed.

The body and clothing will be transported to the Medical Examiner's Officer. If it is necessary to recover clothing, weapon, or other items from the body, the Taylorsville Police Department investigator who is responsible for attending the autopsy, shall seize as evidence any necessary items after the Medical Examiner has completed his investigation.

328.4 UNATTENDED DEATHS

An unattended death is defined as one in which the deceased has not been under a medical doctor's care and/or has not been seen by a doctor for the preceding thirty three hundred sixty-five (365) days and the doctor declines to sign a death certificate, or the person has died from an unexplained cause. If the death is suspicious in any way treat it as a homicide and notify the required persons and offices. Unattended deaths may include the following:

(a) Intentionally caused death.

(b) Sudden death while in apparent good health.

(c) Death as a result of an accident.

(d) Death under suspicious or unusual circumstances.

(e) Results from disease that may constitute a threat to public health.

(f) Any death in which the decedent is under 18 years old.

(g) When a fetal death occurs without medical attendance at or immediately after the delivery or when inquiry is requested by the Utah Medical Examiners Act.

(h) Death results while the decedent was in prison, jail, police custody, the state hospital, or in a detention or medical facility operated for the treatment of the mentally ill, emotionally disturbed or delinquent person.

(i) Any other circumstances deemed to be out of the ordinary or suspicious in nature.

If the death is determined to be unattended, the following police personnel and officers shall be notified:

(a) Patrol Supervisor.

(b) On call Detective or Detective Supervisor.

(c) Medical Examiner's Office.

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328.5 ATTENDED DEATHS

An attended death is defined as one in which the deceased has been under a medical doctor's care, has seen the doctor in the preceding three hundred sixty-five (365) days, and the doctor will sign the certificate of death.

The officer must list the name of the doctor, and what the doctor will be signing as the cause of death, in the officer's report.

The following police personnel shall be notified:

(a) The attending physician and his/her personnel information (To sign the death certificate and release the body to the mortuary)

(b) Patrol Supervisor.

(c) On call Detective or Detective Supervisor.

(d) After consultation with the on-call detective, a mortuary may be contacted at the request of the next of kin. Officers should remain with the body until custody can be released to the mortuary.

328.5.1 CHILD DEATHS WITH AGE OF ONE YEAR AND UNDER

The response from an officer, detective and Forensic Unit will be the same as any other unattended death. A SUIDI (Sudden Unexplained Infant Death Investigation) form will be completed by the assigned Detective and given to the Medical Examiner's Officer as well as being placed in the case file.

328.6 TRAFFIC ACCIDENT FATALITIES

Any death investigation that is the result of a traffic accident within the boundaries of Taylorsville City shall be investigated by the Taylorsville Police Department in concert with the Medical Examiner's Office. The following should be notified:

(a) Patrol Supervisor

(b) Section Commander or designee

(c) Deputy Chiefs

(d) Designated Major Action Team Personnel

(e) Medical Examiner's Officer

328.7 POLICY

It is the policy of the Taylorsville Police Department to respond, document, and investigate incidents where a person is deceased. Investigations involving the death of a person, including those from natural causes, accidents, workplace incidents, suicide, and homicide, shall be initiated, conducted and properly documented.

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Identity Fraud

329.1 PURPOSE AND SCOPE

Identity fraud 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 under the Identity Fraud Act (Utah Code 76-6-1101).

329.1.1 IDENTITY THEFT REPORTING INFORMATION SYSTEM (IRIS)

Officers should ensure that an IRIS report is made by a victim, even if the fraud is initially reported to the Taylorsville Police Department. Upon receiving identity fraud reports via IRIS, investigating officers should contact each victim to verify the situation, enter a case number, the investigating officer's contact information and the case status. This information is automatically returned to a victim's IRIS account, and can be used by the victim to begin resolving issues related to a fraud.

Investigating officers should utilize IRIS in all identity fraud investigations. Investigating officers should also encourage victims to make an IRIS report anytime personal information is stolen (e.g., theft of a driver's license, social security card) and encourage them to establish fraud alerts whenever personal information has been compromised.

329.2 REPORTING

(a) In an effort to maintain uniformity in reporting, officers presented with the crime of identity fraud (Utah Code 76-6-1102) shall initiate a report for victims residing within the jurisdiction of the Department. For incidents of identity fraud occurring outside this jurisdiction, officers should observe the following:

1. For any victim not residing within this jurisdiction, the officer may either take a courtesy report to be forwarded to the victim's residence agency or the victim should be encouraged to promptly report the identity theft to the law enforcement agency where he/she resides.

(b) While the crime of identity theft should be reported to the law enforcement agency where the victim resides, officers of the 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 was 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 Department of Motor Vehicles) with all known report numbers.

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(e) Following supervisory review and Department processing, the initial report should be forwarded to the appropriate detective for follow up investigation, coordination with other agencies and prosecution as circumstances dictate.

329.3 VICTIM REFERRAL TO IRIS

If the victim is unable to respond to the Department, the victim should be informed of the internet website created by the Attorney General which allows a victim of an identity-related crime to report the crime on the website and have the victim's report routed to the appropriate law enforcement agency for the jurisdiction in which the crime occurred (Utah Code 67-5-22).

Web access to additional information is available at the Identity Theft Reporting Information System (IRIS).

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Private Persons Arrests

330.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance for the handling of private persons' arrests made pursuant to Utah Code 77-7-3.

330.2 ADVISING PRIVATE PERSONS OF THE ARREST PROCESS

If a peace officer does not immediately exercise arrest powers or initiate criminal proceedings by citation or otherwise, he shall notify the victim of domestic violence of his/her right to initiate a criminal proceeding and of the importance of preserving evidence, in accordance with the requirements of Utah Code 77-36-2.1 (Utah Code 77-36-2.2(2)(c)).

(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.

(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.

330.3 ARRESTS BY PRIVATE PERSONS

Utah Code 77-7-3 provides that a private person may arrest another:

(a) For a public offense committed or attempted in his/her presence.

(b) When a felony has been in fact committed, and he/she has reasonable cause for believing the person arrested has committed it.

Unlike peace officers, private persons may not make an arrest on suspicion that a felony has been committed. The felony must in fact have taken place.

330.3.1 MANNER OF MAKING PRIVATE ARREST

The person making the arrest shall inform the person being arrested of his intention, cause and authority to arrest him. Such notice shall not be required when (Utah Code 77-7-6):

(a) There is reason to believe the notice will endanger the life or safety of the person or another or will likely enable the party being arrested to escape.

(b) The person being arrested is actually engaged in the commission of, or an attempt to commit, an offense.

(c) The person being arrested is pursued immediately after the commission of an offense or an escape.

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330.3.2 FORCE TO MAKE A PRIVATE PERSONS ARREST

Any person is justified in using any force, except deadly force, that he/she reasonably believes to be necessary to effect an arrest or to defend himself/herself or another from bodily harm while making an arrest (Utah Code 76-2-403).

330.4 OFFICER RESPONSIBILITIES

Any officer presented with a private person wishing to make an arrest must determine whether 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 take no action to further detain or restrain the individual beyond that which reasonably appears necessary to investigate the matter, determine the lawfulness of the arrest and protect the public safety.

1. Any officer who determines that a private person's arrest appears to be unlawful should promptly release the arrested individual. The officer must include the basis of such a determination in a related report.
2. Absent reasonable cause to support a private person's arrest or other lawful grounds to support an independent arrest by the officer, the officer should advise the parties that no arrest will be made and that the circumstances will be documented in a related report.

(b) Whenever an officer determines that there is reasonable cause to believe that a private person's arrest is lawful, the officer may exercise any of the following options:

1. Take the individual into physical custody for booking.
2. Release the individual pursuant to a Citation (Notice to Appear Form). The private person's name who made the arrest must appear on the citation (Utah Code 77-7-20(2)(f)).
3. Release the individual and file a formal complaint with the District Attorney's Office through the Special Operations (complaint route).

330.5 REPORTING REQUIREMENTS

In all circumstances in which a private person is claiming to have made an arrest, the individual must complete and sign a department Private Person's Arrest Form under penalty of perjury.

In addition to the Private Person's Arrest Form (and any other related documents such as citations, booking forms), officers shall complete a narrative report regarding the circumstances and disposition of the incident.

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Limited English Proficiency Services

331.1 PURPOSE AND SCOPE

This policy provides guidance to members when communicating with individuals with limited English proficiency (LEP) (42 USC § 2000d).

331.1.1 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 Taylorsville 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).

331.2 POLICY

It is the policy of the Taylorsville 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.

331.3 LEP COORDINATOR

The Chief of Police may delegate certain responsibilities to an LEP Coordinator. The LEP Coordinator shall be appointed by, and directly responsible to, the Uniform Patrol Section 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 Taylorsville 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 Shift Sergeant and Dispatch Director. 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.

331.4 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:

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(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.

(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.

331.5 TYPES OF LEP ASSISTANCE AVAILABLE

Taylorsville 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.

331.6 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.

331.7 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.

331.8 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.

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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.

331.9 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.

331.9.1 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.

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331.9.2 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.

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.

331.10 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.

331.11 RECEIVING AND RESPONDING TO REQUESTS FOR ASSISTANCE

The Taylorsville 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.

331.11.1 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 VECC, 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.

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Dispatchers will make every reasonable effort to dispatch a qualified bilingual member to the assignment, if available and appropriate.

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.

331.12 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.

331.13 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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331.14 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.

331.15 BOOKINGS

When gathering information during the booking process, members should remain alert to the impediments that language barriers can create. In the interest of the arrestee's health and welfare, the safety and security of the facility, and to protect individual rights, it is important that accurate medical screening and booking information be obtained. Members should seek the assistance of a qualified bilingual member whenever there is concern that accurate information cannot be obtained or that booking instructions may not be properly understood by an LEP individual.

331.16 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.

331.17 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.

331.18 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.

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The Administration Sergeant 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 Administration Sergeant 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.

331.18.1 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 Administration Sergeant 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

332.1 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.

332.1.1 DEFINITIONS

Definitions related to this policy include:

Auxiliary aids - These are 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; use of a notepad and pen or pencil to exchange written notes; use of a computer or typewriter; use of an assistive listening system or device to amplify sound; use of a teletypewriter (TTY) or videophones (video relay service or VRS); use of taped text; use of qualified readers; or use of 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). This includes a person who has a hearing loss that requires the use of a Telecommunications Device for the Deaf (TDD) to communicate effectively on the telephone (UAC R746-8-405).

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, transliterators, sign language interpreters, and intermediary interpreters. Qualified interpreters should have a certification approved by the Utah Division of Services for the Deaf and Hard of Hearing Interpreters Certification Board (Utah Code 35A-13-605; UAC R993-300-301 et seq.).

332.2 POLICY

It is the policy of the Taylorsville 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.

332.3 AMERICANS WITH DISABILITIES (ADA) COORDINATOR

The Chief of Police may delegate certain responsibilities to an ADA Coordinator (28 CFR 35.107). The ADA Coordinator shall be appointed by, and directly responsible, to the Uniform Patrol Section Commander or the authorized designee.

The responsibilities of the ADA Coordinator shall include, but not be limited to:

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(a) Working with the City ADA coordinator regarding the Taylorsville Police Department's efforts to ensure equal access to services, programs and activities.

(b) Developing reports, new procedures, or recommending modifications to this policy.

(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 Sergeant and Dispatch Director. The list should include information regarding the following:

1. Contact Information
2. 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.

332.4 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.

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332.5 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.

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 Taylorsville 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.

332.6 TYPES OF ASSISTANCE AVAILABLE

Taylorsville 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 or services or they may choose to provide their own.

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Department-provided auxiliary aids or services may include, but are not limited to, the assistance methods described in this policy.

332.7 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 may read aloud from the appropriate form, for example a personnel complaint form, or provide forms with enlarged print.

332.8 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).

332.9 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).

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Note that relay services translate verbatim, so the conversation must be conducted as if speaking directly to the caller.

332.10 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.

332.11 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 person 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.

332.12 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.

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332.13 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.

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.

332.13.1 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.

332.14 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

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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.

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.

332.15 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 or booking 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.

When gathering information during the booking process, members should remain alert to the impediments that often exist when communicating with those who are deaf, hard of hearing, who have impaired speech or vision, are blind, or have other disabilities. In the interest of the arrestee's health and welfare, the safety and security of the facility and to protect individual rights, it is important that accurate medical screening and booking information be obtained. If necessary, members should seek the assistance of a qualified interpreter whenever there is concern that accurate information cannot be obtained or that booking instructions may not be properly understood by the individual.

Individuals who require and possess personally owned communication aids (e.g., hearing aids, cochlear processors) should be permitted to retain them while in custody.

332.16 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.

332.17 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.

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332.18 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 Administration Sergeant 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 who are disabled should receive refresher training at least once every two years thereafter. The Administration Sergeant 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.

332.18.1 CALL-TAKER TRAINING

Emergency call-takers shall be 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, 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 VECC 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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Mandatory Employer Notification

333.1 PURPOSE AND SCOPE

The purpose of this policy is to describe the notification requirements and procedures to follow when a school employee has been arrested for certain offenses.

333.2 POLICY

The Taylorsville Police Department will meet the reporting mandates of Utah Code 53-10-211 to minimize the risks to children or others.

333.3 MANDATORY NOTIFICATION

If a school employee is arrested, or the Department receives information from another jurisdiction of a school employee's arrest, for any of the following offenses, the Chief of Police or the authorized designee shall immediately report the arrest to the State Board of Education and the superintendent of the school district that employs the employee (Utah Code 53-10-211):

(a) Any controlled substance offense under Utah Code 58-37-8

(b) Any offense under Utah Code 76-5-401 et seq. (sexual offenses)

(c) Any offense involving sexual conduct

If the person is an employee of a private school, notification shall be made to the administrator of the school.

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Chaplains

334.1 PURPOSE AND SCOPE

This policy establishes the guidelines for Taylorsville Police Department chaplains to provide counseling or emotional support to members of the Department, their families and members of the public.

334.2 POLICY

The Taylorsville Police Department shall ensure that department chaplains are properly appointed, trained and supervised to carry out their responsibilities without financial compensation.

334.3 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) A minimum of five years of successful counseling experience.

(f) Possession of a valid driver license.

The Chief of Police may apply exceptions for eligibility based on organizational needs and the qualifications of the individual.

334.4 RECRUITMENT, SELECTION AND APPOINTMENT

The Taylorsville Police Department shall endeavor to recruit and appoint only those applicants who meet the high ethical, moral and professional standards set forth by this department.

All applicants shall be required to meet and pass the same pre-employment procedures as department personnel before appointment.

334.4.1 RECRUITMENT

Chaplains should be recruited on a continuous and ongoing basis consistent with department policy on equal opportunity and nondiscriminatory employment. A primary qualification for participation in the application process should be an interest in and an ability to assist the Department in serving the public. Chaplain candidates are encouraged to participate in ride-alongs with department members before and during the selection process.

334.4.2 SELECTION AND APPOINTMENT

Chaplain candidates shall successfully complete the following process prior to appointment as a chaplain:

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(a) Submit the appropriate written application.

(b) Include a recommendation from employers or volunteer programs.

(c) Interview with the Chief of Police and the chaplain coordinator.

(d) Successfully complete an appropriate-level background investigation.

(e) Complete an appropriate probationary period as designated by the Chief of Police.

Chaplains are volunteers and serve at the discretion of the Chief of Police. Chaplains shall have no property interest in continued appointment. However, if a chaplain is removed for alleged misconduct, the chaplain 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 the authorized designee.

334.5 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. Uniforms and 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 Taylorsville Police Department identification cards, which must be carried at all times while on-duty. The identification cards will be the standard Taylorsville Police Department identification cards, with the exception that “Chaplain” will be indicated on the cards. Chaplains shall be required to return any issued uniforms or department property at the termination of service.

Chaplains shall conform to all uniform regulations and appearance standards of this department.

334.6 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 Administrative Sergeant 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 Sergeant.

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.

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(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.

334.7 DUTIES AND RESPONSIBILITIES

Chaplains assist the Department, its members and the community, as needed. Assignments of chaplains will usually be to augment theUniform Patrol Section. 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.

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 Taylorsville Police Department.

334.7.1 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.

334.7.2 OPERATIONAL GUIDELINES

(a) Chaplains will be scheduled to be on-call for a period agreed upon by the Department administration.

(b) Generally, each chaplain will serve with Taylorsville Police Department personnel a minimum of eight hours per month.

(c) Chaplains shall be permitted to ride with officers during any shift and observe Taylorsville Police Department operations, provided the Shift Sergeant has been notified and has approved the activity.

(d) Chaplains shall not be evaluators of members of the Department.

(e) In responding to incidents, a chaplain shall never function as an officer.

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(f) 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.

(g) Chaplains shall serve only within the jurisdiction of the Taylorsville Police Department unless otherwise authorized by the Chief of Police or the authorized designee.

(h) Each chaplain shall have access to current department member rosters, addresses, telephone numbers, duty assignments and other information that may assist in his/her duties. Such information will be considered confidential and each chaplain will exercise appropriate security measures to prevent distribution of the data.

334.7.3 ASSISTING DEPARTMENT MEMBERS

The responsibilities of a chaplain related to department members include, but are not limited to:

(a) Assisting in making notification to families of members who have been seriously injured or killed and, after notification, responding to the hospital or home of the member.

(b) Visiting sick or injured members in the hospital or at home.

(c) Attending and participating, when requested, in funerals of active or retired members.

(d) 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.

(e) Providing counseling and support for members and their families.

(f) Being alert to the needs of members and their families.

334.7.4 ASSISTING THE DEPARTMENT

The responsibilities of a chaplain related to this department include, but are not limited to:

(a) Assisting members in the diffusion of a conflict or incident, when requested.

(b) Responding to natural and accidental deaths, suicides and attempted suicides, family disturbances and any other incident that in the judgment of the Shift Sergeant or supervisor aids in accomplishing the mission of the Department.

(c) Responding to all major disasters, such as natural disasters, bombings and similar critical incidents.

(d) Being on-call and, if possible, on-duty during major demonstrations or any public function that requires the presence of a large number of department members.

(e) Attending department and academy graduations, ceremonies and social events and offering invocations and benedictions, as requested.

(f) Participating in in-service training classes.

(g) Willingness to train others to enhance the effectiveness of the Department.

334.7.5 ASSISTING THE COMMUNITY

The duties of a chaplain related to the community include, but are not limited to:

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(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.

(f) Making referrals in cases where specialized attention is needed or in cases that are beyond the chaplain's ability to assist.

334.7.6 CHAPLAIN MEETINGS

All chaplains are required to attend scheduled meetings. Any absences must be satisfactorily explained to the chaplain coordinator.

334.8 PRIVILEGED COMMUNICATIONS

No person who provides chaplain services to members of the Department may work or volunteer for the Taylorsville 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 non-department counseling resource.

No chaplain shall provide counsel to or receive confidential communications from any Taylorsville Police Department member concerning an incident personally witnessed by the chaplain or concerning an incident involving the chaplain.

334.9 TRAINING

The Department will establish a minimum number of training hours and standards for department chaplains. The training, as approved by the Administration Sergeant, may include:

- Stress management
- Death notifications
- 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

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- Suicide
- Officer injury or death
- Sensitivity and diversity

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Child and Dependent Adult Safety

335.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure that children and dependent 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 dependent adult investigation. These are covered in the Child Abuse Policy and the Adult Abuse Policy.

335.2 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 Taylorsville 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.

335.3 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 dependent adults. In some cases this may be obvious, such as when children or dependent adults are present. However, officers should inquire if the arrestee has caregiver responsibilities for any children or dependent adults who are without appropriate supervision. The following steps should be taken:

(a) Inquire about and confirm the location of any children or dependent adults.

(b) Look for evidence of children and dependent adults. Officers should be mindful that some arrestees may conceal the fact that they have 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 dependent adult.

Whenever reasonably possible, officers should take reasonable steps to accomplish the arrest of a parent, guardian or caregiver out of the presence of his/her child or dependent adult. Removing children or dependent adults from the scene in advance of the arrest will generally ensure the best outcome for the individual.

Whenever it is safe to do so, officers should allow the parent or caregiver to assure children or dependent adults that they will be provided care. If this is not safe or if the demeanor of the parent or caregiver suggests this conversation would be 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 dependent adult that he/she will receive appropriate care.

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335.3.1 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 dependent adults.

Officers should allow the arrestee reasonable time to arrange for care of children and dependent adults. Temporary placement with family or friends may be appropriate. However, any decision should give priority to a care solution that is in the best interest of the child or dependent adult. In such cases the following guidelines should be followed:

(a) Allow the person reasonable time to arrange for the care of children and dependent 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 dependent 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 dependent adults with the non-arrested parent, guardian or caregiver.

(c) Provide for the immediate supervision of children or dependent adults until an appropriate caregiver arrives.

(d) Notify Child Protective Services, if appropriate.

(e) Notify the field supervisor or Shift Sergeant of the disposition of children or dependent adults.

If children or dependent 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.

335.3.2 DURING THE BOOKING PROCESS

During the booking process the arrestee shall be allowed to make additional telephone calls to relatives or other responsible individuals as is reasonably necessary to arrange for the care of any child or dependent adult. These telephone calls should be given as soon as practicable and are in addition to any other telephone calls allowed by law.

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If an arrestee is unable to resolve the care of any child or dependent 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.

335.3.3 REPORTING

(a) For all arrests where children are present or living in the household, the reporting member will document the following information:

1. Name
2. Sex
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 dependent adults are present or living in the household, 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

335.3.4 SUPPORT AND COUNSELING REFERRAL

If, in the judgment of the handling officers, the child or dependent adult would benefit from additional assistance, such as counseling services, contact with a victim advocate or a crisis telephone number, the appropriate referral information may be provided.

335.4 DEPENDENT WELFARE SERVICES

Whenever an arrestee is unwilling or incapable of arranging for the appropriate care of any child or dependent adult, the handling officer shall 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 dependent adult be transported to the police facility, transported in a marked law enforcement vehicle or taken into formal protective custody.

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Under no circumstances should a child or dependent adult be left unattended or without appropriate care.

335.5 TRAINING

The Administration Sergeant is responsible to ensure that all members of this department who may be involved in arrests affecting children or dependent adults receive approved training on effective safety measures when a parent, guardian or caregiver is arrested.

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Service Animals

336.1 PURPOSE AND SCOPE

Service animals play an important role in helping to overcome the limitations often faced by people with disabilities. The Taylorsville Police Department recognizes this need and is committed to making reasonable modifications to its policies, practices, and procedures in accordance with Title II of the Americans with Disabilities Act of 1990 (ADA) to permit the use of service animals that are individually trained to assist a person with a disability.

336.2 SERVICE ANIMALS

The ADA defines a service animal as any dog or miniature horse that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual or other mental disability. The work or tasks performed by a service animal must be directly related to the owner's disability (28 CFR 35.104).

336.2.1 USE OF SERVICE ANIMALS

Some service animals may be readily identifiable. However, many do not have a distinctive symbol, harness or collar. Service animals are not pets and may be trained by an individual or organization to assist people with disabilities.

Service animals may be used in a number of ways to provide assistance, including:

- Guiding people who are blind or have low vision.
- Alerting people who are deaf or hard of hearing.
- Retrieving or picking up items, opening doors or flipping switches for people who have limited use of their hands, arms or legs.
- Pulling wheelchairs.
- Providing physical support and assisting people with stability and balance.
- Doing work or performing tasks for persons with traumatic brain injury, intellectual disabilities or psychiatric disabilities, such as reminding a person with depression to take medication.
- Alerting a person with anxiety to the onset of panic attacks, providing tactile stimulation to calm a person with post-traumatic stress disorder, assisting people with schizophrenia to distinguish between hallucinations and reality and helping people with traumatic brain injury to locate misplaced items or follow daily routines.

336.3 EMPLOYEE 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 Taylorsville Police Department affords to all members of the public.

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If an animal exhibits vicious behavior, poses a direct threat to the health of others or unreasonably disrupts or interferes with normal business operations an officer may direct the owner to remove the animal from the premises. Barking alone is not a threat nor does a direct threat exist if the person takes prompt, effective action to control the animal. Each incident must be considered individually 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 as are reasonably available to an individual with the disability.

If it is apparent or if an officer is aware the animal is a service animal, the owner should not be asked any questions as to the status of the animal. If it is unclear whether an animal meets the definition of a service animal, the officer should ask the individual only the following questions:

- Is the animal required because of a disability?
- What task or service has the 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 question as to the animal's status should be asked. The person should not be questioned about his/her disabilities nor should the person be asked to provide any license, certification or identification card for the service animal.

Service animals are not pets. Department members should not interfere with the important work performed by a service animal by talking to, petting, or otherwise initiating contact with a service animal.

When handling calls of a complaint regarding a service animal, members of this department should remain neutral and should be prepared to explain the ADA requirements concerning service animals to the concerned parties. Businesses are required to allow service animals to accompany their owner into all areas that other customers or members of the public are allowed.

Absent a violation of law independent of the ADA, officers should take no enforcement action beyond keeping the peace. Individuals who believe they have been discriminated against as a result of a disability should be referred to the Civil Rights Division of the U.S. Department of Justice.

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Off-Duty Law Enforcement Actions

337.1 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 Taylorsville Police Department with respect to taking law enforcement action while off-duty.

337.2 POLICY

Initiating law enforcement action while off-duty is generally discouraged. Officers should not attempt to initiate enforcement action when witnessing minor crimes, such as suspected intoxicated drivers, reckless driving or minor property crimes. Such incidents should be promptly reported to the appropriate law enforcement agency.

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.

Officers should remember that their authority as a peace officer may not extend to actions taken outside their jurisdiction unless authorized by law (Utah Code § 77-9-3).

337.3 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, taken any drugs or medications or any combination thereof that would tend to adversely affect the officer's senses or judgment.

337.4 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.

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(b) The inability to communicate with responding units.

(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.

337.4.1 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 Taylorsville Police Department officer until acknowledged. Official identification should also be displayed.

337.4.2 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.

337.4.3 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.

337.4.4 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.

337.5 REPORTING

Any officer, prior to taking any off-duty enforcement action, shall notify and receive approval of an Taylorsville Police Department Supervisor (or other applicable law enforcement authority if acting outside the jurisdiction of the Taylorsville Police Department). If prior contact is not reasonably possible, an officer shall notify the applicable local law enforcement agency as soon as reasonably possible (Utah Code § 77-9-3). The Shift Sergeant shall determine whether a report should be filed by the employee.

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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

338.1 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).

338.1.1 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.

338.2 POLICY

The Taylorsville 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.

338.3 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.

338.4 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.

338.4.1 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.

338.5 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 Taylorsville 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.

(h) Personal information of an officer, or the officer's immediate family member.

1. The Chief of Police or the authorized designee shall provide the officer with a form to request that the information remain private (Utah Code 53-18-102; Utah Code 53-18-103).

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.

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338.5.1 PUBLIC POSTING PROHIBITED

Department social media sites shall be designed and maintained to prevent posting of content by the public.

The Department may provide a method for members of the public to contact department members directly.

338.6 MONITORING CONTENT

The Chief of Police will appoint a supervisor to review, at least annually, the 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.

338.7 RETENTION OF RECORDS

The Administration Section Commander should 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.

338.8 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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Native American Graves Protection and Repatriation

339.1 PURPOSE AND SCOPE

This policy is intended 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.).

339.1.1 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.

339.2 POLICY

It is the policy of the Taylorsville 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.

339.3 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/Private land - Antiquities Section of the Utah Division of State History (Utah Code 9-8-304 et seq.)
- Tribal land - Responsible Indian tribal official

339.4 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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Community Relations

340.1 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:

- Hate Crimes Policy.
- Limited English Proficiency Services Policy.
- Communications with Persons with Disabilities Policy.
- Chaplains Policy.
- Patrol Function Policy.
- Suspicious Activity Reporting Policy.

340.2 POLICY

It is the policy of the Taylorsville 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.

340.3 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 VECC of their status (i.e., on foot patrol) and location before beginning and upon completion of the foot patrol. They should also periodically inform VECC of their location and status during the foot patrol.

340.4 COMMUNITY RELATIONS COORDINATOR

The Chief of Police or the authorized designee should designate a member of the Department to 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 Uniform Patrol Section Commander to develop patrol deployment 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.

340.5 SURVEYS

The community relations coordinator should 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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340.6 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 youths, 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/Drug Abuse Resistance Education (D.A.R.E.®) programs.

(e) Neighborhood watches and crime prevention programs.

340.7 INFORMATION SHARING

The community relations coordinator should work with the Public Information Officer to 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.

340.8 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 Program 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.

340.9 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.

340.10 COMMUNITY ADVISORY COMMITTEE

The Chief of Police should establish a committee of volunteers consisting of community members, community leaders and other community stakeholders (e.g., representatives from schools, churches, businesses, social service organizations). The makeup of the committee should reflect the demographics of the community as much as practicable.

The committee should convene regularly to:

(a) Provide a public forum for gathering information about public safety concerns in the community.

(b) Work with the Department to develop strategies to solve public safety problems.

(c) Generate plans for improving the relationship between the department and the community.

(d) Participate in community outreach to solicit input from community members, including youths from the community.

The Administration Sergeant should arrange for initial and ongoing training for committee members on topics relevant to their responsibilities.

The Chief of Police may include the committee in the evaluation and development of department policies and procedures and may ask them to review certain personnel complaints for the purpose of providing recommendations regarding supervisory, training or other issues as appropriate.

340.10.1 LEGAL CONSIDERATIONS

The Chief of Police and the community relations coordinator should work with the City Attorney as appropriate to ensure the committee complies with any legal requirements such as public notices, records maintenance and any other associated obligations or procedures.

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340.11 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. The community relations coordinator should work with the community advisory committee to identify information that may increase transparency regarding department operations.

340.12 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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Child Abduction Response Team (CART)

341.1 PURPOSE AND SCOPE

This policy describes the procedure for the organization, activation, and implementation of the Taylorsville Policy Department Child Abduction Response Team (CART). The purpose of the CART organization is to facilitate large scale missing child investigations, where the child is not believed to be a runaway and is believed to have been abducted or in danger.

The Department will consider a CART activation anytime an incident rises to the level indicated within this policy. The Department will work with the Utah State CART Team when additional resources are required.

341.2 CART ORGANIZATION

The CART organization chart follows the Incident Command System and is comprised of the following:

CART Commander:

(a) Incident Commander

(b) Responsible for the overall supervision of team and operations.

(c) Coordinates efforts with outside agencies.

(d) Reports directly to the Chief of Police, Deputy Chief, or their designee.

Assistant CART Commander:

(a) Second in command

(b) Oversees general operations of the team providing updated information to the CART Commander.

(c) Assumes Commander duties in the absence of the CART Commander.

(d) Reports directly to CART Commander.

Public Information Officer (PIO):

(a) Reports directly to CART Commanders and is responsible for all media releases and contacts regarding incident.

Investigations Supervisor:

(a) Assigns case manager to the incident and responsible for the criminal investigation of incident to include but not limited to:

1. family interview(s),
2. witness interviews,
3. suspect interviews,
4. background investigations,

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5. search warrants,
6. crime scene investigations,
7. evidence gathering,
8. leads investigations,
9. composite drawings,
10. Use of investigative techniques and resources
11. Reports directly to CART Commanders.

Leads Supervisor:

(a) Responsible for:

1. setting up central location to receive and assign leads.
2. leads management and research.
3. Responsible for identifying and locating registered and known sex offenders in a defined area.
4. Provide leads and any potential suspect information to the Investigations supervisor and case agents.

(b) Reports directly to Special Operations Command and/or supervisor who is overseeing the criminal investigation.

Additional team members will be selected and assigned to the above listed teams and supervisors depending on their current assignment, experience, and/or specialized training/skills. All personnel assigned to the Special Operations Section will be assigned to the CART team unless otherwise directed by the CART Commander or the Chief of Police.

341.3 CART ACTIVIATION

(a) The CART team can be activated by any of the following personnel:

1. On scene patrol supervisor
2. Detective supervisor
3. Any member of command staff

b. The requesting detective or supervisor will contact the CART Commander or in his/her absence the Assistant CART Commander and provide the Commander with basic details of the incident and location of a staging area for team members. (The staging area should be away from the actual location, but in the immediate area). The CART Commander will contact the following personnel informing them of the CART respond.

1. Assistant CART Commander.
2. Department PIO.
3. Chief of Police, and Deputy Chief of Police.

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c. The Assistant CART Commander will contact the following CART personnel informing them of the activation and staging area location:

(a) Investigations Supervisor

(b) Search Supervisor

(c) Logistics Supervisor

(d) Leads Intake Supervisor

The team supervisors are responsible for notifying the team members assigned to them and informing them of the activation.

341.4 CART-TEAM RESPONSE AND OPERATIONS

TEAM RESPONSE:

(a) CART supervisors (excluding Leads Supervisor) will respond to the staging area and upon arriving check in with CART Commander or Assistant CART Commander.

(b) The Leads Supervisor and assigned team members will respond to a designated central location and begin setup. The Leads Supervisor will receive a briefing from the Investigations Supervisor and other pertinent personnel as soon as practical.

(c) The Leads Supervisor also begin identifying sex offenders with in a three (3) mile radius of the incident location and within the postal service code.

(d) After all Team supervisors have checked in, a briefing will be conducted which will include the initial reporting officer, assigned case agents, and Patrol Supervisor. This briefing should occur outside the presence of family members and media. At the conclusion of the briefing, overall Incident Command will be transferred to the CART Commanders.

TEAM OPERATIONS:

(a) A CART response has operational priority over department resources and equipment, including but not limited to:

1. special operations vehicles
2. surveillance vehicles
3. surveillance equipment and work areas

(b) The Logistics supervisor and assigned personnel will start coordinating the following:

1. Respond to all requests for resources.
2. Identify resources as quickly as possible, IE:
3. Command Post.
4. Law enforcement rest area.
5. Volunteer rest area.
6. Volunteer staging area.

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7. Immediately, upon arrival, address video surveillance of the incident area with the Investigations Supervisor.
8. Provide a personnel schedule and any requests for additional personnel to the CART Commanders.
9. Make arrangement for appropriate food, water, and restroom facilities for all personnel involved in the operation.
10. Coordinate with the Search Team Supervisor to manage additional personnel who will be assisting with the investigation.

(c) The Search Team supervisor will do the following:

1. Immediately determine the areas searched previously by patrol and detectives, then develop a plan for searching the residences, buildings, and vehicles within the immediate area of the incident.
2. Provide Search Team members with appropriate CART forms.
3. Consider and decide the use of specialized search units such as bloodhounds, K-9, and search and rescue operations personnel.
4. Need to prepare for volunteers requesting to assist in the search process as the public becomes more aware of the incident through A.C.I.M., AMBER Alert, news reports and other sources.
5. Volunteer searchers if utilized will be assigned to search areas outside of the immediate incident area and limited to searching areas that allow access to the public. The Search Team Supervisor will need to coordinate with the Logistics Supervisor to manage staging areas for volunteers and other resources assisting with the investigation.
6. Create and initiate a screening process for volunteers.
7. Create rosters and assignments for volunteers. This will include but not limited to the following:
   (a) Application process (Must have valid driver's license and over the age of 18).
   (b) Signing of liability waiver.
   (c) Background check through BCI.
   (d) Photographs
   (e) Team assignments.
   (f) Search assignments

(d) Coordinate a personnel list and search schedule of volunteer personnel with the Logistics Supervisor. (Night searches by volunteers will require CART Command approval).

1. The Investigation Sections supervisor will:
   (a) Contact the Leads Supervisor and receive regular updated briefings of the incident.

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(b) Assign a case manager and assistant case manager.

2. Establish an investigation plan with the following tasks assigned:

(a) Family, witness, and suspect interviews.

(b) Scene search, crime scene processing, and evidence collection.

(c) Search warrants.

(d) Leads follow up.

(e) Coordinate efforts with the Leads Team and ensure that all leads received will be assigned as quickly as possible based on priority.

(f) Coordinate with the Logistics Supervisor and update CART Commanders with regularly updated personnel rosters, schedules, and requests for additional personnel.

(g) If the missing child is not found within twenty-four (24) hours, the case agent will complete and fax the A.C.I.M. follow up form noted in the area title, “Any Other Comments” that the missing person has not been located.

(h) The Leads Supervisor will:

1. Assign law enforcement members to coordinate leads received, and manage CART leads and forms, and assign leads to designated personnel.

2. Assign all received leads an individual number and prioritize, then enter them on a master leads spread sheet, or designated tracking system (e.g., FBI Rapid Start, National Center for Missing and Exploited Children's (NCMEC) Simple Leads Management System).

3. Forward leads that require investigation outside of the Salt Lake Valley to the appropriate law enforcement agency where the lead exists. Ensure that the leads were completed and verify any pertinent information with the agency.

4. Coordinate with the Logistics Supervisor and Investigations Supervisor on any additional requests for manpower or resources.

5. Prepare a list of all sex offenders initially within a three (3) mile radius from the incident scene. Assign designated team members to locate all offenders and ensure a CART Sex Offender interview form has been completed.

6. Evaluate whether the sex offender search should be expanded to a larger radius as soon as possible.

7. If the sex offender search begins to overwhelm the Leads Team, an additional team leader can be designated to assist the Leads Supervisor in coordinating a separate team, and personnel for sex offender leads.

341.5 ADDITIONAL RESOURCES

During the initial phase of the CART response, should a child kidnapping be confirmed or there is credible information to suggest a child kidnapping may have occurred, the CART Commander may consider requesting additional outside agency resources. On a large-scale incident, the goal would be to integrate personnel from these agencies into key assignments for support and expertise.

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The CART commander may consider requesting assistance from local agencies, the Utah State Child Abduction Response Team (CART), or the United States Marshal's Office. Local branches of the United States Marshal's Office have an interagency agreement to assist local municipalities with CART related investigations.

The United States Marshal's Office has an MOU with local agencies and municipalities for CART related incidents, especially when an abduction has been confirmed. Deputy United States Marshal's and local agency personnel assigned to the United States Marshal's Office, Violent Fugitive Apprehension Strike Team (VFAST), are available to assist local agencies with these cases. The CART Commander may consider contacting the United States Marshal's Office for assistance and additional personnel.

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Body Worn Camera Policy

342.1 PURPOSE AND SCOPE

The Taylorsville Police Department has identified a need to equip its police officers with body-worn cameras (BWC) as part of its continuing effort to improve transparency, protect its members from false frivolous claims, and increase efficiency. Body worn camera (BWC) equipment has been demonstrated to be of value in a variety of ways, including but not limited to collecting evidence for use in criminal investigations and prosecutions, improving report accuracy, promoting accountability, assisting in resolving complaints, enhancing public interactions, and providing additional information for officer evaluation, training, and continuous improvement. This policy is intended to provide officers with the instructions and guidelines on when and how to use BWCs so that their contacts with the public can be recorded reliably and in accordance with the law.

This policy will apply to all members issued, wearing, using, reviewing, or administering a BWC.

342.2 POLICY

It is the policy of this Department that selected sworn members will be issued a BWC to be utilized while engaged in the performance of their official duties. It is the Department's objective to provide a legitimate balance between the need to record law enforcement events with the citizen's individual right to privacy. BWCs may be an important tool to collect evidence and maintain public trust, but a BWC cannot always show the full story, nor can they capture an entire scene. Members with BWCs shall be required to adhere to the mandates and practices outlined within this policy. All recordings are property of the Police Department and will be handled in strict adherence to this policy manual.

It is intended that all law enforcement calls for service be recorded if it can be done in a safe and prudent manner. There are situations where the use of BWC is not appropriate. In those case, the decision not to record shall be documented. This policy cannot cover every event or circumstance that may occur while wearing a BWC. Members are given discretion within this policy to ensure the safety of the member and the protection of the public.

342.3 DEFINITIONS

The following definitions relate to terms used within this policy.

Digital Camera - A body worn camera system that records digital video and audio which can be mounted in various configurations on an officer's person.

Controller -The control and function center of the camera system that enables the recording of video and houses the various operational modes.

Normal (Buffering) Mode -The mode of operation in which the camera captures a continuous 30 second loop of video but no audio.

Event (Record) Mode -The mode of operation in which the camera system captures the 30 seconds of buffered video and records both video and audio footage.

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Media Storage - The on-line web-based media storage facility that stores digitally encrypted video and audio recordings from the camera systems. The data is accessible to authorized personnel and maintains an audit trail of all user activities.

Evidence Transfer Machine (ETM) - A docking station that facilitates the secure uploading of all data captured by the controller to media storage and simultaneously recharges the camera and controller systems.

Body Worn Camera Equipment or BWC - Electronic equipment that is capable of being worn on the body for the purpose of recording a portion of the sights and sounds in the immediate vicinity of the person wearing the device.

Member - A person employed by the Taylorsville Police Department.

Privileges - Computer designation of access, use, and viewing capabilities.

Tagging - Labels or other information added to a recording by the user. User must identify and categorize each recorded video event separately.

Agency Administrator - An agency administrator (Training Sergeant), has full access to and user rights within the media storage system. He or she can assign and track equipment, control passwords, delete non- evidentiary recordings according to policy and state law, conduct audits and quality control reviews, and act as a liaison with BWC representatives.

Axon Capture - An application designed for the use with smart phones in capturing evidence (videos, audio recordings, and photos) and uploading it into Evidence.com).

342.4 GENERAL PROCEDURES

Only those officers that have completed the Department-approved training on the policy, use and operation of the BWC system and the media storage system will be allowed to operate it.

Refresher training will occur annually and will be mandatory for anyone that is issued a BWC system or has access to the evidence storage systems known as Evidence.com.

The BWC system will be issued by the Training Unit to each individual officer and the unique identification number for each device will be recorded and tracked in Evidence.com. Only those BWC systems that are issued by the Department will be allowed to be used during official police duties. This policy shall also apply to members issued a BWC while engaged in uniformed secondary employment that has been authorized and approved by the Department.

Each officer will be responsible for the care and maintenance of all issued BWC equipment and will inspect it before and after each shift for any physical damage or malfunctions. At the beginning of each shift, each officer will verify that the power is functioning on their BWC and controller by initiating the power button as well as depressing the battery test function button. This will ensure the operational readiness of the equipment so that it will most likely function properly when activated.

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When damage occurs to the BWC or a malfunction occurs at the beginning, during, or end of a shift, the officer will notify his or her immediate Supervisor. All damage not related to a manufacturing defect will be documented in a memo to the officer's immediate supervisor and forwarded through the chain of command. This shall be completed whether it was accidental or if it occurred during the officer's regular assigned duties.

The BWC system shall be utilized by officers of this Department to record interactions with the public in the following types of circumstances, but not limited to only these types of events:

(a) Citizen contacts

(b) All arrests and investigative detentions

(c) Traffic stops.

(d) Vehicle and foot pursuits

(e) Any Use of Force incidents

(f) All searches unless otherwise noted in this policy.

(g) Subject, victim, or witness interviews unless otherwise directed.

(h) When advising an individual of their Miranda Rights.

(i) During interrogations and interviews

(j) When transporting a prisoner, detainee, witness, victim, or any person in a Department vehicle.

(k) Any other Contact that becomes adversarial

(l) Serving a search warrant or conducting searches or seizures pursuant to a search warrant or exception to the warrant requirement, regardless of whether a citizen is present during the search or not. (The BWC shall be activated by designated members during the duration of the entire search warrant service and while conducting a search of any residence or structure, to include any member providing scene or prisoner security and the case agent or any member who conducts interviews of any involved party).

An officer who is issued a BWC shall wear it so that it is clearly visible to the person being recorded. The BWC will only be worn utilizing the chest or collar mounted options by means of applicable mounting equipment and vest mount when applicable. Any other applications or mounting options will be at the discretion of the Chief of Police.

If the member is acting in an authorized undercover capacity, or non-uniformed assignment, members should wear the BWC in a conspicuous manner when in use, or otherwise notify persons that they are being recorded, whenever possible. Members assigned as Task Force Officers on a state or federal task force where the agency has a policy that prohibits or restricts the use of BWCs will contact their immediate supervisor for direction on the use of the BWC. The appropriate course of action shall be approved by the Chief of Police through the chain of command.

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The BWC camera system will be turned on at the beginning of the officer's shift and remain in the "Normal" or "Buffer" mode throughout the entire shift.

Officers shall activate the event or "Record" mode to record any of the above-mentioned interactions or events and any other situations or circumstances that the officer deems necessary and in accordance with this policy.

The BWC is to remain activated and in the "Event" mode throughout the entirety of an encounter or investigation, or until the officer leaves the scene. This is to ensure the integrity of the recording and to document all actions taken by the officer as well as interactions with involved parties.

On occasion, officers may encounter situations and circumstances while they are traveling in their assigned vehicle to and from work for their assigned shifts. BWC's and subsequent video recordings may not be available under these circumstances. Should a member take official law enforcement action while off duty, where the use of a BWC would be required during on duty situations, the member shall document his actions in a written report, or document any action taken in the CAD notes if the action did not require a report to be taken. Additionally, the officer shall document that no BWC was available during this incident and the reasons why.

Patrol officers and designated personnel should retrieve their BWC from the Department prior to starting their shift. If an emergency, such as an officer safety issue, or imminent public safety issue occurs while officers are in transit to or from work, officers will not be discouraged from responding to the incident. Arrangements will be made to retrieve their BWC when the situation is stabilized.

342.4.1 DEACTIVATING OR STOPPING A BWC RECORDING

During an investigation, the member may stop recording with the BWC during significant periods of inactivity such as report writing or other breaks from direct participation in an incident. When a BWC has been activated, the member may not deactivate the BWC until the member's direct participation in the law enforcement encounter is complete.

Exceptions that allow a member to deactivate a BWC:

(a) During a significant period of inactivity, such as providing security on a crime scene, or prolonged investigation.

(b) During a conversation with a sensitive victim of a crime, witness of a crime, or an individual who wishes to report or discuss criminal activity when the individual who is the subject of the recording requests that the officer de-activate the officer's BWC; and the officer believes that the value of the information outweighs the value of the potential recording. The request by the individual to deactivate the BWC must be recorded.

There are situations where the member may make the decision not to record an event in the best interest of the situation and the public as it may be unsafe, impossible, or impractical. In the event a member must deactivate or not activate the BWC as prescribed in this policy, he/she must justify and document their actions in their report.

1. Strip Searches- BWC's shall not be used under any circumstances. Strip searches must be conducted in accordance with the Department Policy.

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2. Legal Privilege- Members must be careful to respect legal privilege and must not record material that is likely to be subject of such protections.
3. Victims and/or witnesses who may fear retaliation if seen cooperating with the police.
4. Interviews with victims of crimes of a sensitive nature such as rape, abuse, etc. This may be overcome with consent by the victim, including juvenile victims. Members shall follow the Initial Response Procedures as outlined in Department policy.
5. Casual public encounters made to foster good public relations.
6. School Resource Officers, or members attending public safety fairs, parades, or other public functions, should not activate their BWC unless a law enforcement encounter occurs.
7. Other occasions where the recording poses a threat to the safety of the member or the public.

(c) While conducting any investigation or encounter with the public as outlined in this policy, the member shall not be permitted at any time to deactivate the BWC to strategize about an investigation with a fellow officer or to consult with a supervisor or other member on an unrelated matter. The member is permitted to mute the audio on the device under these circumstances, but the video function on the BWC shall remain on and recording.

(d) When a supervisor authorizes the member to deactivate the BWC. If an officer deactivates a BWC at any time when the use of the BWC is required by policy, the officer shall document the reason for deactivating a BWC in his/her written report.

(e) Officers shall document in their written reports the utilization of the BWC. They will attach the appropriate case number to each video utilizing the report management system syncing feature or by accessing the media storage system. When circumstances do not require a written report, such as a traffic stop, or traffic citation was issued or a no case incident, but a recording has been made, the officer will use the citation number or the CAD call number to identify the recording for video tagging purposes. The officer shall document in the call- notes of the Computer Aided Dispatching (CAD) system that a BWC was used during the contact. The BWC recording shall not be used as a replacement for a written report narrative, but rather a supplement thereto:

(a) All personnel assigned to the Uniformed Services Section will download their BWC at the end of each shift worked. (Any exceptions to this directive, will be at the direction of the on-duty supervisor).

(b) Other members assigned to other sections of the Department do not routinely have daily recordings with their BWC device. Any personnel assigned to the Special Operations Section or Administrative Section of the Department who have or utilize a BWC, shall ensure their BWC is downloaded on a weekly basis, or daily if there is any BWC recording that involves a priority case or use of force incident. Each member shall be required to ensure a BWC has sufficient time to download any recorded footage and then charge again prior to their next duty shift.

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342.4.2 SURREPTITIOUS USE OF THE BODY WORN CAMERA

Utah law permits an individual to surreptitiously record any conversation in which one party to the conversation has given his/her permission (Utah Code 77-23a-4).

Members may surreptitiously record any conversation during a criminal investigation in which he/she reasonably believes that such a recording will be lawful and beneficial to the investigation. Members shall not surreptitiously record any member of the Department when it is not part of a police investigation.

342.5 UNAUTHORIZED MANIPULATION OF RECORDINGS PROHIBITED

Under no circumstances will the member edit or attempt to edit, alter, erase, delete, duplicate, copy, record, or distribute by any other means any recordings made with the BWC without the prior authorization and approval from the Chief of Police or his designee. All recordings are considered the property of the Taylorsville Police Department and no personal use of the BWC will be permitted whether on or off duty.

Violations of the provisions of this policy shall be formally documented and may be grounds for disciplinary action.

342.6 REVIEW OF MEDIA

Officers may review their own video recordings to verify information or accuracy when preparing written reports. Members may not retain personal copies of recordings or view other members' recordings. When preparing a written report, members should not use the fact that a recording was made as a reason to write a less detailed report. Reports shall not include such statements as "see video recording for details".

Data may also be viewed for purposes of courtroom testimony or for preparation pursuant to an administrative hearing.

Officers involved in any officer-involved critical incident will be permitted to review their own recording when requested.

(a) When relieving an involved member from the scene of an OICI incident, the supervisor will verify the serial number of the BWC the officer is utilizing. The supervisor will then ensure the BWC is turned off and that Department policy is adhered to, while preserving any, and/or all evidence. The BWC will remain in the possession of the involved officer until documented by the assigned investigative team.

(b) The data captured during an officer-involved critical incident (OICI) by the BWC may only be viewed as directed by the commander of the investigative team, or as directed by the Chief of Police. There may be an occasion when a member believes exigent circumstances exist to view a BWC file outside normal protocol procedures. These occasions may include instances to assist and injured officer, or there is an imminent public safety risk, or viewing the file immediately, may help to identify an outstanding suspect. If a member believes there are exigent circumstances to view any BWC file, prior approval shall be obtained from the Chief of Police or his designee.

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(c) There will be circumstances not related to an OICI incident, where the officer may want to view a BWC file prior to completing a written report. Such incidents may include use of force incidents, vehicle pursuits and other incidents deemed to be important by the officer or a supervisor. In order to maintain good report writing practices and for the officer to have a good recollection of these events, officers may want to have gone through one sleep cycle at a minimum prior to reviewing the BWC or completing their report. The on-duty supervisor shall have the discretion to authorize this course of action if necessary.

Officers shall not allow a citizen or other involved party, at any time, to review any part or portion of a BWC recording.

Supervisors will be authorized to review recordings in the field if it is deemed necessary to mitigate citizen complaints or when exigent circumstances exist.

Reviews and audits of recorded data will be randomly conducted by supervisors as well as the Training Unit for the purpose of ensuring that the equipment is functioning properly and that officers are using the device appropriately and in accordance with this policy and state law.

An audit of BWC recordings will be conducted each quarter to ensure that only authorized users are accessing the data for legitimate and approved purposes and officers are conducting themselves appropriately based on state law and the policies of the Department. When a member reviews any BWC footage at any time, the member shall document the reason for the review in the comments section at the bottom of the BWC video file.

342.7 PART TIME OR OUTSIDE EMPLOYMENT USE

Officers who have a BWC issued to them shall utilize them at all part-time and outside employment which require the use of a uniform and has been authorized and approved by the Department. Those officers who do not have a BWC issued to them are not required to have one, or any other assignment deemed necessary by the Chief of Police or designee.

342.8 PROHIBITED RECORDINGS

Body worn cameras will only be used in conjunction with official law enforcement duties and shall not be used for any personal reason. The following restrictions will apply when a BWC is used for recording purposes:

(a) Conversations with other Department employees not related to current investigations.

(b) Any encounters with undercover officers or confidential informants if recording could jeopardize their safety or an investigation.

(c) Anytime an officer is engaged in personal activities such as while on breaks or meals or in a private place such as a restroom or locker room.

(d) Conversations between individuals where the officer is not a party to the conversations, unless capturing the event would be authorized by law.

(e) Individuals involved in a protest, picketing, or exercising their First Amendment Right of protected speech will not be recorded in violation of the law. This does not restrict

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the recording of public demonstrations where the members are present to maintain order and ensure public safety.

(f) Members are prohibited from using Department-issued BWCs and recording media for personal use. Recordings shall not be used by any member for the purpose of embarrassment intimidation, or ridicule.

(g) Members are prohibited from making copies of recordings, deleting video, or otherwise tampering with the video data in any way.

(h) Members are prohibited from retaining recordings of activities or information obtained while on- duty, whether the recording was created with a Department-issued or personally owned BWC. Members shall not duplicate or distribute such recordings, except for authorized legitimate Department business purposes authorized by the Chief of Police or designee.

(i) Members are prohibited from using personally owned recording devices while on-duty without the express consent of the supervisor. Any member who uses a personally owned BWC for Department-related activities shall comply with the provisions of this policy, including retention and release requirements.

342.9 TASK FORCES AND OUTSIDE AGENCY ASSIGNMENTS

Members of the Department shall have opportunities to patriciate in outside agency assignments and Task Forces where the use of a BWC might conflict with the rules, regulations, policies or practices of the Task Force or outside agency. In some instances, the use of recording devices of any kind may be prohibited. The Department administration is sensitive to these relationships that have been developed with various agencies and will work in conjunction with them regarding the BWCs. Any discussions or agreements with outside agencies regarding BWC's and any changes to Department policy, will only take place through the expressed approval of the Chief of Police.

Absent approval from the Chief of Police or designee, no member shall deactivate the BWC as outlined in Department policy at any time while assisting outside agencies or task force personnel.

342.10 MEDIA STORAGE AND RETENTION

Upon the completion of their shift, officers will place their assigned BWC camera and controller into the Evidence Transfer Manager (ETM) or docking station for charging purposes and uploading of recorded media. The media that is captured will only be uploaded to Evidence.com and will only be used for official purposes.

Any malfunction concerning the uploading or charging of the BWC shall be documented and then reported to the officer's supervisor and the Training Unit immediately when discovered. The Training Unit will maintain a file records of all issues related to each BWC, to include from whom, and when and how the issue was resolved or not.

To avoid potential interruption in the uploading process and possible corruption of the recorded data, the BWC system will not be removed from the docking station until the upload process has completed. Only approved docking stations and/or software will be used to upload and recharge

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BWCs. A case number will be attached to each recording and a video category must be selected by the officer to allow for proper retention.

Retention of all records shall be maintained in accordance with federal, state, and local laws and regulations. Once the legally mandated retention period has been reached for specific recordings, they will be purged from the system unless notice of evidence preservation has been given by means of litigation hold requiring retention of the BWC data beyond the legal retention period.

342.11 DELETION OF UNINTENTIONAL RECORDINGS

In the event there is an accidental or unintentional activation of the BWC where the recording has no investigative significance or purpose such as while driving in the vehicle or where a reasonable expectation of privacy exists (restroom, etc.); officers may request a recording be deleted. The requesting officer must submit an email or Department memo to their immediate supervisor detailing the circumstances of the unintentional or accidental recording. The request will be sent up the chain of command to the Section Commander for review. Final approval for deletion will be at the discretion of the Chief of Police.

342.12 MEDIA FILE REQUESTS (GRAMA REQUESTS)

It is the goal of the Taylorsville Police Department to support and promote openness and transparency to maintain a strong relationship with the communities that we serve. Their trust is vital to our success and the overall wellbeing of our communities. All requests for recordings or GRAMA (Government Records Access and Management Act) requests will be accepted and processed in accordance with federal, state, and local statutes and in accordance with Departmental policy. The release of recordings must also ensure that all rights to privacy of victims, witnesses and suspects is maintained whenever possible and that all efforts are made to ensure the integrity of an investigation is not compromised. Legitimate redactions and/or denials of requests may be made to ensure that this is accomplished. Classification of BWC recordings as private, protected or controlled will be made on a case-by-case basis and as allowed by state law (GRAMA).

All requests will be required to be made in writing and submitted to the Records Section for proper review and processing. In the even the request is granted, the Records Section will help coordinate the retrieval of the recording and assist in facilitating the release. This policy will not conflict or interfere with the release of recording pursuant to a court order or valid subpoena.

342.13 CITIZEN COMPLAINTS

Citizen complaints and requests to view body camera footage will follow the Department policy for investigating citizen complaints for member misconduct. Once the complaint has been resolved, the Department administration can make the determination to show the video to the citizen, if it is determined the video shows clear and convincing evidence that the allegation against the officer is false. If the video requires further investigation, or interferes with an ongoing criminal investigation, the video shall not be shown to the citizen.

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Except for justified exigent circumstances and prior approval from a supervisor, any changes to the BWC policy shall only be authorized by the Chief of Police or his/her designee.

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Chapter 4 - Patrol Operations

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Patrol Function

400.1 PURPOSE AND SCOPE

The purpose of this policy is to define the functions of the Patrol Section of the Department to ensure intra-department cooperation and information sharing.

400.1.1 PROCEDURES

PROWLER PROCEDURE

RETAIL THEFT (SHOPLIFTING) PROCEDURE

FRAUD AND FORGERY PROCEDURE

BURGLARY PROCEDURE

ALARMS PROCEDURE

ROBBERY PROCEDURE

SOLICITORS AND DOOR-TO-DOOR SALESPERSONS PROCEDURE

CHRONIC COMPLAINTS PROCEDURE

LANDLORD TENANT DISPUTE PROCEDURE

BRIBERY PROCEDURE

CROWD MANAGEMENT PROCEDURE

CROWD CONTROL - FIRES PROCEDURE

ARSON PROCEDURE

400.1.2 FUNCTION

Officers will generally patrol in clearly marked vehicles, patrol assigned jurisdictional areas of Taylorsville, respond to calls for assistance, act as a deterrent to crime, enforce state and local 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 such as residential inspections, business inspections, 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.

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(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 Section and other sections within the 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.

400.1.3 TERRORISM

It is the goal of the Taylorsville 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 or Field Interview (FI). The supervisor should ensure that all terrorism related reports and FIs are forwarded to the Special Operations 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 sections of the Taylorsville Police Department.

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 Records Section for distribution to all sections within the 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 ROLL CALL BRIEFING

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 Roll Call Briefing as time permits.

400.2.4 INFORMATION CLIPBOARDS

Several information clipboards will be maintained in the Roll Call Briefing Room and will be available for review by officers from all sections within the Department. These will include, but not be limited to, the patrol check clipboard, the wanted persons clipboard and the written directive clipboard.

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400.2.5 BULLETIN BOARDS

A bulletin board will be kept in the Roll Call Briefing Room and the Special Operations for display of suspect information, intelligence reports and photographs. New Departmental Directives will be made available for patrol supervisors and will be discussed at Roll Call Briefing and shift meetings. A copy of the Departmental Directive will be placed on the Roll Call Briefing Room clipboard.

400.3 CROWDS, EVENTS AND GATHERINGS

Officers may encounter gatherings of people, including but not limited to, civil demonstrations, civic, social and business events, public displays, parades and sporting events. Officers should monitor such events as time permits in an effort to keep the peace and protect the safety and rights of those present. A patrol supervisor should be notified when it becomes reasonably foreseeable that such an event may require increased monitoring, contact or intervention.

Officers responding to an event or gathering that warrants law enforcement involvement should carefully balance the speech and association rights of those present with applicable public safety concerns before taking enforcement action. Officers are encouraged to contact organizers or responsible persons to seek voluntary compliance that may address relevant public safety/order concerns.

Officers should consider enforcement of applicable state and local laws, when the activity blocks the entrance or egress of a facility or location and when voluntary compliance with the law is not achieved.

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Bias-Based Policing

401.1 PURPOSE AND SCOPE

This policy provides guidance to department members that affirms the Taylorsville Police Department's commitment to policing that is fair and objective (Utah Code 10-3-913; Utah Code 17-22-2; Utah Code 53-1-108).

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 and partnerships).

401.1.1 DEFINITIONS

Definitions related to this policy include:

Biased-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 Taylorsville 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 BIASED-BASED POLICING PROHIBITED

Bias-based policing is strictly prohibited.

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.

401.4 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.

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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 violation of this policy in accordance with the Personnel Complaints Policy.

(a) Supervisors should discuss any issues with the involved officer and his/her supervisor in a timely manner.

  1. Supervisor should document these discussions, in the prescribed manner.

(b) Supervisors should periodically review Mobile Audio/Video (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

The Uniform Patrol Section 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 specific complaint, member of the public or officer. 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 and review of this policy should be conducted as directed by the Administration Sergeant.

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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/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 Administration Sergeant 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 Taylorsville 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 the Taylorsville Police Department may assist in enforcement of orders of restriction issued by the Department of Health or local health authority for the purpose of preventing the spread of any contagious, infectious or communicable disease (Utah Code 26-6b-3; Utah Code 26-6b-3.2).

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Crisis Response Unit

404.1 PURPOSE AND SCOPE

A Crisis Response Unit (CRU) is comprised of two specialized teams: the Crisis Negotiation Team (CNT) and the Special Weapons and Tactics Team (SWAT). These units have been established to provide specialized support in handling critical field operations where intense negotiations and/or special tactical deployment methods beyond the capacity of field officers appear to be necessary.

The Taylorsville Police Department does not currently maintain its own CRU. As a result, in situations requiring the response of a CRU, the Taylorsville Police Department will request the assistance of the West Jordan Police Department's SWAT Team.

404.1.1 OPERATIONAL POLICY

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 Department personnel allowing for appropriate on scene decision making as required.

404.1.2 DEFINITIONS

Special Weapons and Tactics (SWAT) Team - A SWAT team is 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. These incidents include, but not limited to, hostage taking, barricaded suspects, snipers, terrorist acts and other high-risk incidents. As a matter of Department policy, such a unit may also be used to serve high-risk warrants, both search and arrest, where public and officer safety issues warrant the use of such a unit.

Crisis Negotiation Team (CNT) - A Crisis Negotiation Team is 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.

404.2 OPERATION GUIDELINES FOR CRISIS RESPONSE UNIT

The following procedures serve as guidelines for the operational deployment of the Crisis Response Unit. Generally, the SWAT Team and the Crisis Negotiation Team will be activated together. It is recognized, however, that a tactical team may be used in a situation not requiring the physical presence of the Crisis Negotiation Team, such as warrant service operations. This shall be at the discretion of the West Jordan Police Department CRU Commander, in coordination with the Taylorsville Police Department Incident Commander.

404.2.1 ON-SCENE DETERMINATION

The Taylorsville Police Department supervisor in charge at the scene of a particular event will assess whether a Crisis Response Unit is to respond. Upon final determination by the Taylorsville Police Department Shift Sergeant, he/she will notify the West Jordan Police Department.

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404.2.2 APPROPRIATE SITUATIONS FOR USE OF CRISIS RESPONSE UNIT

The following are examples of incidents which may result in the activation of the Crisis Response Unit:

(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.

404.2.3 MOBILIZATION OF CRISIS RESPONSE UNIT

The Taylorsville Police Department on-scene supervisor shall make a request to the Shift Sergeant for the Crisis Response Unit. The Shift Sergeant shall then make a request to the West Jordan Police Department for a CRU response. The Shift Sergeant will then notify the Uniform Patrol Section Commander as soon as practical.

The Shift Sergeant should advise the responding CRU Commander with as much of the following information which 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.

(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.

404.2.4 FIELD UNIT RESPONSIBILITIES

While waiting for the Crisis Response Unit, field personnel should, if safe, practicable and sufficient resources exist:

(a) Establish an inner and outer perimeter.

(b) Establish a command post outside of the inner perimeter.

(c) Establish an arrest/response 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.

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(e) Attempt to establish preliminary communication with the suspect. Once the CRU has arrived, all negotiations should generally be halted to allow the negotiators and SWAT time to set up.

(f) Be prepared to brief the CRU Commander on the situation.

(g) Plan for, and stage, anticipated resources.

404.2.5 ON-SCENE COMMAND RESPONSIBILITIES

Upon arrival of the Crisis Response Unit at the scene, the Taylorsville Police Department Incident Commander shall brief the CRU Commander and team supervisors about the situation. Upon review, it will be the Incident Commander's decision, with input from the CRU Commander, whether to deploy the Crisis Response Unit. Once the Incident Commander authorizes deployment, the CRU 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 Crisis Response Unit. The Incident Commander and the CRU Commander or designee shall maintain communications at all times.

404.2.6 COMMUNICATION WITH CRISIS RESPONSE UNIT PERSONNEL

All of those persons who are non-Crisis Response Unit 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 Crisis Team personnel directly. All non-emergency communications shall be channeled through the Negotiation Team Sergeant or designee.

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Ride-Along Program

405.1 PURPOSE AND SCOPE

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

405.1.1 ELIGIBILITY

The Taylorsville 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 15-years of age
- Prior criminal history
- Pending criminal action
- Pending lawsuit against the 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 at the discretion of the supervisor and the person requesting the ride-along. Exceptions to this schedule may be made as approved by the Chief of Police, Section Commander or designee.

405.2 PROCEDURE TO REQUEST A RIDE-ALONG

Generally, ride-along requests will be scheduled by the Training Unit supervisor or designee. The participant will complete a Ride-Along Waiver Application Form. Information requested will include a valid ID or Utah 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 Waiver Form.

The Training Unit supervisor or designee 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 supervisor as soon as possible for his/her scheduling considerations.

If the ride-along is denied after the request has been made, Training Unit personnel shall contact the applicant and advise of the denial.

405.2.1 PROGRAM REQUIREMENTS

Once approved, civilian ride-alongs will be allowed to ride no more than once every six months. An exception would apply to the following:

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- Chaplains, police applicants and all others with approval of the Chief of Police, Section Commanders or their designee.

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 shall not be permitted. Hats and ball caps will not be worn in the vehicle. The field supervisor may refuse a ride along to anyone not properly dressed.

405.2.3 PEACE OFFICER RIDE-ALONGS
Off-duty members of the Department or any other law enforcement agency will not be permitted to ride-along with on-duty officers without the expressed consent of the shift supervisor. In the event that such a ride-along is permitted, the off-duty employee who is not employed by Taylorsville Police Department, 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 a state records check through the Bureau of Criminal Investigation (BCI) prior to their approval as a ride-along with a law enforcement officer, provided that the ride-along is not an employee of the Taylorsville Police Department.

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 vehicle respond to pick up the participant at that location. The ride-along may be continued or terminated at this time.

The Training Unit is responsible for maintaining and scheduling ride-alongs. Upon completion of the ride-along, the Ride-Along Waiver Form shall be returned to the Training Unit with any comments which may be offered by the officer.

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.

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(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. If the ride-along interferes with the performance of the officer's duties, the officer may terminate the ride-along and return the observer to his/her home or to the station.

(d) Ride-alongs may be allowed to continue riding during the transportation and booking process provided this does not jeopardize their safety.

(e) Officers shall not allow any ride-alongs to be present in any residence or situation that would jeopardize their safety or cause undue stress or embarrassment to a victim or any other 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

Exposure to hazardous materials presents potential harm to department members and the public. This policy outlines the responsibilities of members who respond to these events and the factors that should be considered while on-scene, including the reporting of exposures and supervisor responsibilities.

406.1.1 DEFINITIONS

Definitions related to this policy include:

Hazardous material - 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 POLICY

It is the policy of the Taylorsville Police Department to respond to hazardous material emergencies with due regard for the safety of the public and those members responding to such incidents.

406.2.1 PROCEDURES

UNKNOWN SUBSTANCE CALL PROCEDURE

ENVIRONMENTAL VIOLATION INVESTIGATION PROCEDURE

CLANDESTINE LAB PROCEDURE

406.3 HAZARDOUS MATERIAL RESPONSE

Members may encounter situations involving suspected hazardous materials, such as at the scene of a traffic collision, chemical spill, or fire. When members come into contact with a suspected hazardous material, they should take certain steps to protect themselves and other persons.

The fire department is the agency trained and equipped to properly respond to and mitigate most incidents involving hazardous materials and biohazards.

Responders should not perform tasks or use equipment without proper training. A responder entering the area may require decontamination before he/she is allowed to leave the scene, and should be evaluated by appropriate technicians and emergency medical services personnel for signs of exposure.

406.4 CONSIDERATIONS

The following steps should be considered at any scene involving suspected hazardous materials:

(a) Make the initial assessment of a potentially hazardous material from a safe distance.

(b) Notify VECC, appropriate supervisors, the appropriate fire department and hazardous response units.

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1. Provide weather conditions, wind direction, a suggested safe approach route and any other information pertinent to responder safety.

(c) Wear personal protective equipment (PPE), being cognizant that some hazardous material can be inhaled.

(d) Remain upwind, uphill and at a safe distance, maintaining awareness of weather and environmental conditions, until the material is identified and a process for handling has been determined.

(e) Attempt to identify the type of hazardous material from a safe distance using optical aids (binoculars or spotting scopes) if they are available. Identification can be determined by:

1. Placards or use of an emergency response guidebook.
2. Driver's statements or shipping documents from the person transporting the material.
3. Information obtained from any involved person with knowledge regarding the hazardous material. Information should include:
   (a) The type of material.
   (b) How to secure and contain the material.
   (c) Any other information to protect the safety of those present, the community and the environment.

(f) Provide first aid to injured parties if it can be done safely and without contamination.

(g) Make reasonable efforts to secure the scene to prevent access from unauthorized individuals and to protect and identify any evidence.

(h) Begin evacuation of the immediate and surrounding areas, dependent on the material. Voluntary evacuation should be considered; mandatory evacuation may be necessary and will depend on the type of material.

(i) Establish a decontamination area when needed.

(j) Activate automated community notification systems, if applicable.

(k) Notify the Utah Department of Environmental Quality, Division of Waste Management and Radiation Control.

406.5 REPORTING EXPOSURE

Department members who believe they have been exposed to a hazardous material shall immediately report the exposure to a supervisor. Each exposure shall be documented by the member in an incident report that shall be forwarded via chain of command to the Shift Sergeant as soon as practicable. Should the affected member be unable to document the exposure for any reason, it shall be the responsibility of the notified supervisor to complete the report.

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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 as applicable.

406.5.1 SUPERVISOR RESPONSIBILITIES

When a supervisor has been informed that a member has been exposed to a hazardous material, he/she shall ensure that immediate medical treatment is obtained and appropriate action is taken to mitigate the exposure or continued exposure.

To ensure the safety of members, PPE is available from supervisors. PPE not maintained by this department may be available through the appropriate fire department or emergency response team.

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Hostage 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 contact, 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 Taylorsville 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.

407.3.1 EMERGENCY COMMUNICATIONS

Should circumstances at the scene permit, a supervisor or negotiator may contact the Attorney General or the District Attorney for approval to intercept any wire, electronic or oral communication and/or to use an eavesdropping device (e.g., camera or audio device) when there is an immediate threat of death or serious bodily injury to any person or to national security. The supervisor or negotiator who has been granted approval shall ensure that an application for an appropriate court

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order approving the interception is sought within 48 hours after the interception begins (Utah Code 77-23a-10(7)).

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 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 attempt to avoid a forceful confrontation in favor of stabilizing the incident by establishing and maintaining lines of communication while awaiting the arrival of specialized personnel and trained negotiators. 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 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.

(c) Request additional personnel, resources and equipment as needed (e.g., canine team, SWAT team, air support).

(d) Provide responding emergency personnel with a safe arrival route to the location.

(e) Evacuate non-injured persons in the immediate threat area if it is reasonably safe to do so.

(f) 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.

(g) Establish an inner and outer perimeter as circumstances require and resources permit to prevent unauthorized access.

(h) 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.

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(i) Determine the need for and notify the appropriate persons within and outside the Department, such as command officers and the Public Information Officer.

(j) If necessary and available, establish a tactical or exclusive radio frequency for the incident.

(k) Establish a command post.

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 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.

(c) 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).

(d) 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.

(e) Request additional personnel, resources and equipment as needed (e.g., canine team, SWAT team, air support).

(f) Provide responding emergency personnel with a safe arrival route to the location.

(g) Evacuate non-injured persons in the immediate threat area if it is reasonably safe to do so.

(h) Coordinate pursuit or surveillance vehicles and control of travel routes.

(i) 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.

(j) Establish an inner and outer perimeter as resources and circumstances permit to prevent unauthorized access.

(k) 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.

(l) Determine the need for and notify the appropriate persons within and outside the Department, such as command officers and the Public Information Officer (PIO).

(m) 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 Crisis Response Unit (CRU) response if appropriate and apprising the CRU 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 VECC.

(i) Identify a media staging area outside the outer perimeter and have the department PIO or a designated temporary media representative provide media access in accordance with the Media Relations Policy.

(j) Identify the need for mutual aid and the transition or relief of personnel for incidents of extended duration.

(k) Debrief personnel and review documentation as appropriate.

407.6 CRISIS RESPONSE UNIT RESPONSIBILITIES

It will be the Incident Commander’s decision, with input from the CRU Commander, whether to deploy the CRU during a hostage or barricade situation. Once the Incident Commander authorizes deployment, the CRU 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 the CRU. The Incident Commander and the CRU Commander or the authorized designee shall maintain communications at all times.

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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 Taylorsville 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 Taylorsville 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 Shift Sergeant is immediately advised and informed of the details. This will enable the Shift Sergeant to 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 TAYLORSVILLE POLICE DEPARTMENT FACILITY

If the bomb threat is against the Taylorsville Police Department facility, the Shift Sergeant will 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 Taylorsville 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 Shift Sergeant 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 Taylorsville, 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 Shift Sergeant is immediately notified so that he/she can communicate with the person in charge of the threatened facility.

408.5.1 ASSISTANCE

The Shift Sergeant should be notified when police assistance is requested. The Shift Sergeant 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 Shift Sergeant determine 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 EVACUATION

The Incident Commander, if possible without entering the location, will cause the location to be evacuated.Law enforcement has the authority to use force to evacuate premises in order to protect public safety.For officer safety purposes, “forced” evacuations will be coordinated with Unified Fire Authority personnel.

Officers will be aware of out-buildings and suspicious vehicles as potential threats.

408.7 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 device should not be touched or moved except by the bomb squad or military explosive ordnance disposal team.

(c) 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

(d) The appropriate bomb squad or military explosive ordnance disposal team should be summoned for assistance.

(e) The largest perimeter reasonably possible should initially be established around the device based upon available personnel and the anticipated danger zone.

(f) A safe access route should be provided for support personnel and equipment.

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(g) Search the area for secondary devices as appropriate and based upon available resources.

(h) Consider evacuation of buildings and personnel near the device or inside the danger zone and the safest exit route.

(i) Promptly relay available information to the Shift Sergeant including:

1. The time of discovery.
2. The exact location of the device.
3. A full description of the device (e.g., size, shape, markings, construction).
4. The anticipated danger zone and perimeter.
5. The areas to be evacuated or cleared.

408.8 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.

408.8.1 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, bloodborne 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.

408.8.2 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

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- Field supervisor
- Shift Sergeant
- 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

408.8.3 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.

408.8.4 PRESERVATION OF EVIDENCE

As in any other crime scene, steps should immediately be taken to preserve the scene. The Shift Sergeant should 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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Civil Commitments

409.1 PURPOSE AND SCOPE

This policy provides guidelines for when officers may place an individual under protective custody for a civil commitment.

409.2 POLICY

It is the policy of the Taylorsville Police Department to protect the public and individuals through legal and appropriate use of the civil commitment process.

409.3 AUTHORITY

409.3.1 COMMITMENT OF ADULTS

An officer should take an adult person into protective custody when that officer observes the individual involved in conduct that gives the officer probable cause to believe the following (Utah Code 62A-15-629):

(a) The person has a mental illness.

(b) The mental illness and conduct of the person poses a substantial danger to that person or others.

The officer should transport the person to a temporary commitment facility designated by the local mental health authority (Utah Code 62A-15-629).

409.3.2 COMMITMENT OF CHILDREN

An officer should take a child into protective custody for purposes of a 72-hour civil commitment when that officer observes the child involved in conduct that gives the officer probable cause to believe each of the following (Utah Code 62A-15-629; Utah Code 62A-15-703):

(a) The child has a mental illness (Utah Code 62A-15-602).

(b) The mental illness and conduct of the child poses a substantial danger to that child or others.

(c) The child will benefit from mental health care and treatment.

(d) There is no appropriate less-restrictive alternative.

409.3.3 VOLUNTARY EVALUATION

If an officer encounters an individual who may qualify for a 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 pursuant to a civil commitment.

(b) Document the circumstances surrounding the individual’s desire to pursue voluntary evaluation and/or admission.

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If at any point the individual changes his/her mind regarding voluntary evaluation, officers should proceed with the civil commitment, if appropriate.

409.4 CONSIDERATIONS AND RESPONSIBILITIES

Any officer handling a call involving an individual who may qualify for a civil commitment should consider, as time and circumstances reasonably permit:

(a) Available information that might assist in determining the cause and nature of the individual's action or stated intentions.

(b) Community or neighborhood mediation services.

(c) Conflict resolution and de-escalation techniques.

(d) 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 with mental health issues, who are suspected of committing minor crimes or creating other public safety issues.

409.5 TRANSPORTATION

When transporting any individual for a civil commitment, the transporting officer should have VECC 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 vehicle and should 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, requires the presence of an officer during the transport, Shift Sergeant approval is required before transport commences.

409.5.1 METHOD OF TRANSPORTATION

Officers taking a person into custody for a civil commitment should ensure that the person is transported to a designated temporary commitment facility as follows (Utah Code 62A-15-629):

(a) The person should be transported by ambulance when the person meets any of the criteria described in Utah Code 26-8a-305.

(b) When necessary for public safety, and when the designated facility is within the jurisdiction of the Taylorsville Police Department, the person should be transported by the detaining officer using a City vehicle appropriate for use in transporting persons for purposes of a civil commitment.

1. If the designated facility is outside of this City's jurisdiction, a request should be made to the appropriate officers to transport the person to the designated facility.

(c) The person may be transported by ambulance if the officer's presence is not necessary for public safety and such transportation arrangements have been made by a physician, designated examiner, or mental health officer.

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409.6 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 application for a 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.

409.7 DOCUMENTATION

The officer shall complete an application for commitment, using the form prescribed by the Division of Substance Abuse and Mental Health, provide it to the facility staff member assigned to the individual and retain a copy of the application for inclusion in the case report (Utah Code 62A-15-629).

The officer should also provide a verbal summary to any evaluating staff member regarding the circumstances leading to the involuntary detention.

409.8 CRIMINAL OFFENSES

Officers investigating an individual who is suspected of committing a minor criminal offense and who is being taken for a civil mental commitment should resolve the criminal matter by issuing a warning or a 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 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 individual, department resources (e.g., posting a guard), and other relevant factors in making this decision.

409.9 FIREARMS AND OTHER WEAPONS

Whenever an individual is taken into custody for a civil commitment, the handling officers should seek to determine if the individual owns or has access to any firearm or other deadly weapon.

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Officers should consider whether it is appropriate and consistent with current search and seizure law under the circumstances to seize any such firearms or other dangerous weapons (e.g. safekeeping, evidence, consent).

Officers are cautioned that a search warrant may be needed before entering a residence or other place to search, unless lawful, warrantless entry has already been made (e.g., exigent circumstances, consent). A warrant may also be needed before searching for or seizing weapons.

The handling officers should further advise the individual of the procedure for the return of any firearm or other weapon that has been taken into custody.

409.10 TRAINING

This department will endeavor to provide POST-approved training on interaction with mentally disabled persons, civil commitments and crisis intervention.

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Citation Releases

410.1 PURPOSE AND SCOPE

The purpose of this policy is to provide members of the Taylorsville Police Department with guidance on when to release adults who are suspected offenders on a citation for a criminal offense, rather than having the person held in custody for a court appearance or released on bail.

Additional release restrictions may apply to those detained for domestic violence, as outlined in the Domestic Violence Policy.

410.2 POLICY

The Taylorsville Police Department will consider its resources and its mission of protecting the community when exercising any discretion to release suspected offenders on a citation, when authorized to do so.

410.3 RELEASE

A suspected offender may be released on issuance of a citation as follows:

(a) When the person is arrested for a misdemeanor or infraction charge (Utah Code 77-7-18).

(b) When a warrant has been issued by a magistrate who has included in the order that the person be released on a summons (U. R. Crim. P. Rule 6).

410.4 PROHIBITIONS

The release of a suspected offender on a citation is not permitted if prohibited by local court rule.

See the Domestic Violence Policy for release restrictions related to those investigations.

410.5 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.

410.6 STATE PRIVILEGES

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410.6.1 LEGISLATIVE PRIVILEGE

Members of the Legislature shall not be subject to arrest during each general and special session of the Legislature or for 15 days immediately preceding and following each session, except for any felony, treason or breach of the peace. Legislators may be issued a citation and a summons to appear at a date outside of the time of legislative privilege (Utah Constitution Article VI § 8).

410.6.2 NATIONAL GUARD PRIVILEGE

Members of the National Guard shall not be subject to citation or arrest during military exercises or other duty when emergency circumstances require the member's presence, except for an act of treason, a class A misdemeanor or felony, breach of the peace, reckless driving or driving under the influence (DUI) (Utah Code 39-1-54).

410.6.3 VOTER PRIVILEGE

A person who attends an election or who is traveling to and from a voting location shall not be subject to arrest on an election day, except for an act of treason, a felony or a breach of the peace (Utah Constitution Article IV § 3).

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Arrest or Detention of Foreign Nationals

411.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure that members of the Taylorsville Police Department extend appropriate privileges and immunities to foreign diplomatic and consular representatives in accordance with international law.

411.2 POLICY

The Taylorsville 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.

411.3 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.

411.4 ENFORCEMENT ACTION

If the DOS is not immediately available for consultation regarding law enforcement action, members shall be aware of the following:

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(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

411.5 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.

411.5.1 DOCUMENTATION PROCEDURES

An officer who stops a person holding a driver's license issued by the DOS or otherwise claiming privileges or immunities, for a moving traffic violation or any of the following offenses while operating a vehicle shall document all of the relevant information from the driver license or identification card (Utah Code 41-6a-1901):

(a) Automobile homicide

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(b) Manslaughter

(c) Negligent homicide

(d) Aggravated assault

(e) Reckless endangerment

The Records Section shall forward such information with a copy of the traffic citation, vehicle accident report or written report of the incident, as applicable, to the Department of Public Safety (DPS) within five working days (Utah Code 41-6a-1901).

411.6 DIPLOMATIC IMMUNITY TABLE

Reference table on diplomatic immunity:

Category	Arrested or	Enter	Issued	Subpoenaed	Prosecuted	Recognized
Diplomatic	No (note (b))	No	Yes	No	No	Same as sponsor (full immunity & inviolability
Member of	No (note (b))	No	Yes	No	No	Same as sponsor (full immunity & inviolability
Service Staff	Yes (note (a))	Yes	Yes	Yes	No for official acts Yes otherwise (note (a))	No immunity or inviolability (note (a))
Career	Yes if for a felony and pursuant to a warrant (note (a))	Yes (note (d))	Yes	No for official acts Testimony may not be compelled in any case	No for official acts Yes otherwise (note (a))	No immunity or inviolability
Honorable	Yes	Yes	Yes	No for official acts Yes otherwise	No for official acts Yes otherwise (note (a))	No immunity or inviolability
Consulate	Yes (note (a))	Yes	Yes	No for official acts Yes otherwise	No for official acts Yes otherwise (note (a))	No immunity or inviolability (note (a))

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Int'l Org	Yes (note (c))	Yes (note (c))	Yes	Yes (note (c))	No for official acts Yes otherwise (note (c))	No immunity or inviolability
Diplomatic-	No (note (b))	No	Yes	No	No	Same as sponsor (full immunity and inviolability
Support	Yes	Yes	Yes	Yes	No for official act 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.

(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

412.1 IMMEDIATE ACTION RAPID DEPLOYMENT PUROSE

This policy establishes standardized response procedures for office members to implement in situations when suspects are involved in committing ongoing acts of violence resulting in immediate or imminent loss of life or serious bodily injury. Applications of this tactic are to be used when traditional methods of containment and static clearing are not sufficient to stop the threat quickly and effectively. Examples include an Active Shooter or Hostage Siege.

It is the intent of the Department to deploy swift and overwhelming force to stop or interrupt the deadly actions of the suspect(s).

412.2 IMMEDIATE ACTION RAPID DEPLOYMENT POLICY

The Taylorsville 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.

412.3 IMMEDIATE ACTION RAPID DEPLOYMENT DEFINITIONS

Immediate Action Rapid Deployment (IARD) - is an active intervention technique. It is intended to stop acts of immediate ongoing violence and protect life and safety through a timely, effective, and tactically sound law enforcement response.

Active Shooter - is an individual actively engaged in killing or attempting to kill people in a populated area.

Contact Team - is an ad hoc group of officers which forms to accomplish one of the four missions of assault, rescue, support, or force protection.

MACTAC - is the acronym for Multi-Assault, Counter Terrorism Action Capabilities. MACTAC is an expansion of Immediate Action Rapid Deployment (IARD) tactics. MACTAC concepts provide officers options based on tactical knowledge, skills, and abilities to respond to such an event.

MACTAC Event is - an extraordinary incident involving extreme violence which exceeds conventional law enforcement tactics and resources and requires immediate police intervention. These events are likely to occur in multiple locations simultaneously or consecutively. Examples include active shooters, a terrorist attack involving improvised explosive devices (IED), high powered weapons, or a hostage siege where the armed subjects have used deadly force or are preparing to use deadly force on other persons; and is an on-going dynamic incident.

Terrorist Attack - is the unlawful use of force or violence against persons or property to intimidate or coerce a government, the civilian population, or any segment thereof, in furtherance of political or social objectives.

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Hostage Siege - can be any of the following:

- A terrorist attack where the terrorist(s) secure hostages to prolong the event with continuous fortification, with the goal of deliberately killing as many as possible.
- Armed person(s) who have used deadly force on other persons and continue to do so while having unrestricted access to additional victims.
- Suspects utilizing hostages to stage brutal psychological disruptions with increasing viciousness in the hope of attaining political or religious aims.
- A Hostage Siege differs from a static hostage/barricaded subject in both scale and intent. Hostage/barricaded subjects will be handled in accordance with the Hostage Situations Policy.

412.4 IMMEDIATE ACTION RAPID DEPLOYMENT PROCEDURES

Officers need to assess the situation and determine if IARD is required. Assessment of the incident must be constant as it may rapidly change from an IARD incident to a conventional response continually throughout the duration of the incident and officers must respond appropriately. An example would include a terrorist attack becoming a static hostage situation, and then becoming an active shooter.

The first priority is to save lives by locating the suspects(s) and stopping the aggressive deadly behavior. First responders shall:

- Form a Contact Team and designate a Team Leader
- Notify Dispatch of the Contact Team identifier (Contact Team A, B, C, etc.)
- Communicate via radio a quick overview of the incident while deploying
- Communicate team movement
- Proceed to contact the suspect(s)
- Provide intelligence updated as necessary

Contact Teams have the primary role of stopping the deadly behavior. The Contact Team should consist of four officers, although exigent circumstances may make it necessary to proceed with fewer officers (1 – 3 officers). The first arriving officer may make the decision to enter as a single element. Solo officer entries are extremely dangerous, and officers need to consider the risk, their equipment, and training prior to making entry. This decision will be announced to other members who are still responding to the incident. As additional officers arrive, they will contact the solo officer and form a Contact Team.

Contact Teams are a self-assumed duty, and they will continue to form and deploy until the Incident Commander determines enough tactical response has been implemented toward the threat. Contact Teams may be involved in assault, rescue, support, or force protection missions. Contact Teams should remain flexible and be prepared to transition into any mission. Officers assigned to a Rescue Task Force shall remain with their assigned medical personnel and it is their duty to provide protection to the medical team.

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Officers should consider using tactical response maneuvers, such as the “T”, “Y”, or “Psi” formations, or bounding overwatch to maximize the protection of members entering a dynamic, hostile environment while at the same time delivering aid to persons in immediate or imminent danger of ongoing violence.

Due to the scope of such events, it is likely other agencies will respond to the scene. Members need to be prepared to integrate into formations composed of peace officers from any agency.

After the initial Contact Team has been deployed, Incident Command will be established, and the following critical tasks will be accomplished: establish communications and control; identify the “hot zone”; establish an inner and outer perimeter, a command post, and staging area; request resources as needed. Once sufficient assault Contact Teams are in place, the Incident Commander may identify rescue, support or protection missions as needed. The Incident Commander shall establish Unified Command with the Fire Department upon their arrival.

412.4.1 IMPROVISED EXPLOSIVE DEVICE (IED)

If IED’s are encountered, the contact team must visually inspect the devices for potential detonation mechanisms (timing device, trip wires, lit fuse, etc.). Do not move or touch the device. Consider an alternate route based on the condition of the device, i.e., timer activated or a burning fuse. The officer who sees the IED needs to verbalize its location and move past it, if possible. Do not assume that other team members have seen the device. Report the location of the device to the Incident Command Post.

412.4.2 DECLARATION OF A MACTAC EVENT

If any member believes they have identified a MACTAC event, they should immediately advise Dispatch. Dispatch will then notify the Incident Commander who will authorize the broadcast of a “MACTAC Alert”. All Department personnel will discontinue non-essential police work.

412.4.3 DEPLOYMENT

When a MACTAC or IARD event occurs, all available resources shall posture for rapid response to the incident(s). Members in the vicinity of a MACTAC or IARD related event will notify Dispatch and self-deploy. If a MACTAC incident is occurring, it is highly likely more attacks will occur in other locations and resources will be needed to respond to those incidents. It is important not to leave portions of the county defenseless and vulnerable to additional attacks. Officers outside of the vicinity will respond to designated assembly areas until deployed by the Incident Commander. Deployment will be based on the best available information at the time. Circumstances may arise that necessitate changing the assembly area and this can be accomplished by any on scene officer.

412.5 TACTICAL TEAM RESPONSE AND DUTIES

Tactical Teams (SWAT) will be called out and respond. SWAT members may relieve initial responding members as they arrive and are deployed by the SWAT Commander. Members relieved by SWAT members will report to the Incident Commander for subsequent assignment.

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412.6 COMMUNICATIONS

The operational communications frequency for conducting an MACTAC incident will be established by the Incident Commander or Dispatch. Emphasis will be placed on coordinating a frequency that will facilitate the greatest number of potential arriving agencies communicating with each other. It may also be necessary to separate channels for the interior operation and exterior containment.

412.7 IMMEDIATE ACTION RAPID DEPLOYMENT PLANNING

The Chief of Police or his / her designee 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.

412.8 IMMEDIATE ACTION RAPID DEPLOYMENT TRAINING

The Administrative Sergeant or his / her designee should include rapid response to critical incidents in the training plan. This training should address:

(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, shotgun, breaching tool and control device training.

(d) First aid, including gunshot trauma.

Reality-based scenario training (e.g., active shooter, disgruntled violent worker)

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Immigration Violations

413.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines to members of the Taylorsville Police Department relating to immigration and interacting with federal immigration officials.

413.2 POLICY

It is the policy of the Taylorsville 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.

In keeping with this commitment, race, color, or national origin will not be considered under this policy except to the extent permitted by the constitutions of the United States and Utah (Utah Code § 76-9-1003).

413.3 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 Utah constitutions.

413.4 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)).

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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.

An officer should notify a supervisor as soon as practicable whenever an individual is being detained for a criminal immigration violation.

413.4.1 SUPERVISOR RESPONSIBILITIES

When notified that an officer has detained an individual and established reasonable suspicion or 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).

413.4.2 INVESTIGATING HUMAN TRAFFICKING OR SMUGGLING

When an officer conducts a lawful traffic stop and reasonably suspects that any person in the vehicle is violating Utah human trafficking or human smuggling laws, the officer shall investigate the suspected violations and inquire into the immigration status of the occupants of the vehicle. An officer may not delay or postpone addressing the original purpose of the stop merely to confirm a person's immigration status (Utah Code 76-9-1003; Utah Code 76-5-308; Utah Code 76-5-310).

413.4.3 VERIFICATION OF IMMIGRATION STATUS

A person's citizenship or immigration status shall be verified whenever the person is lawfully arrested for a felony or misdemeanor offense and is unable to provide an identifying document as listed in Utah Code 76-9-1004 and the officer is otherwise unable to verify the identity of the person. Verification of immigration status should take place at the time of the booking and not in the field (Utah Code 76-9-1003).

413.5 ARREST NOTIFICATION TO FEDERAL IMMIGRATION OFFICIALS

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.

413.6 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.

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413.7 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

413.7.1 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.

413.8 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)).

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 Special Operations supervisor assigned to oversee the handling of any related case. The Special Operations 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.

413.8.1 U NONIMMIGRANT STATUS GUIDELINES

U nonimmigrant status requests shall be processed and maintained in a manner consistent with Utah Code 77-38-503 and federal guidelines.

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The Special Operation Section Commander should ensure certification requests conducted by this agency are processed within 90 days of request, unless the noncitizen is in removal proceedings, in which case the certification should be processed within 14 days of request (Utah Code 77-38-503).

413.8.2 REPORTING REQUIREMENTS
Before June 30 of each year, the Chief of Police shall submit a report of the following information to the Commission on Criminal and Juvenile Justice (Utah Code 77-38-503):

(a) The number of victims that requested U nonimmigrant certifications from the agency

(b) The number of U nonimmigrant certifications that were signed

(c) The number of U nonimmigrant certifications that were denied

413.9 TRAINING

The Administration Sergeant should ensure that 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

414.1 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 Department. Requests for such service received by this department should be handled in the following manner.

414.1.1 BROKEN WATER LINES

The City's responsibility ends at the water meter; any break or malfunction in the water system from the water meter to the citizen's residence or business is the customer's responsibility. Public works can only turn off the valve at the meter. The citizen can normally accomplish this.

If a break occurs on the City side of the meter, emergency personnel should be called as soon as practical by VECC.

414.1.2 ELECTRICAL LINES

City Public Works does not maintain electrical lines to street light poles. When a power line poses a hazard, an officer should be dispatched to protect against personal injury or property damage that might be caused by power lines. The electric company or public works should be promptly notified, as appropriate.

414.1.3 RESERVOIRS, PUMPS, WELLS

Public works maintains the reservoirs and public water equipment, as well as several underpass and other street drainage pumps. In the event of flooding or equipment malfunctions, emergency personnel should be contacted as soon as possible.

414.1.4 EMERGENCY NUMBERS

A current list of emergency personnel who are to be called for municipal utility emergencies is maintained by VECC.

414.2 TRAFFIC SIGNAL MAINTENANCE

The City of Taylorsville contracts with a private maintenance company to furnish maintenance for all traffic signals within the City, other than those maintained by the State of Utah.

414.2.1 OFFICER'S RESPONSIBILITY

Upon observing a damaged or malfunctioning signal, the officer will advise VECC 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

415.1 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 Taylorsville Police Department.

It is the policy of the Department to assign all new police officers to a structured Field Training Program that is designed to prepare the new officer to perform in a patrol assignment, and possessing all skills needed to operate in a safe, productive and professional manner.

415.2 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.

415.2.1 SELECTION PROCESS

FTO's may be selected based on the following requirements:

(a) Desire to be an FTO.

(b) Minimum of four years of patrol experience.

(c) Demonstrated ability as a positive role model.

(d) Evaluation by supervisors and current FTO's.

(e) Possess a POST Basic certificate.

415.2.2 TRAINING

An officer selected as a Field Training Officer shall successfully complete a POST-certified 24-hour Field Training Officer's Course prior to being assigned as an FTO.

415.3 FIELD TRAINING OFFICER PROGRAM SUPERVISOR

The Field Training Officer Program shall be supervised and managed by the Department Training Sergeant and the training staff.

The responsibilities of the FTO Program Supervisor include the following:

(a) Assignment of trainees to FTOs.

(b) Conduct FTO meetings.

(c) Maintain and ensure FTO/Trainee performance evaluations are completed.

(d) Maintain, update and issue the Field Training Manual to each trainee.

(e) Monitor individual FTO performance.

(f) Monitor overall FTO Program.

(g) Maintain liaison with FTO Coordinators of other agencies.

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(h) Maintain liaison with academy staff on recruit performance during the academy.

(i) Develop ongoing training for FTOs.

415.4 TRAINEE DEFINED

Any entry level or lateral police officer newly appointed to the Taylorsville Police Department who has successfully completed a POST-approved Basic Academy.

415.5 REQUIRED TRAINING

Entry level officers shall be required to successfully complete the Field Training Program, consisting of a minimum of four phases. Each phase is designed to occur in a 30 day time frame, depending on the progress of the new officer.

The training period for lateral officers may be modified depending on the trainee's demonstrated performance and level of experience.

To the extent practical, entry level and lateral officers should be assigned to a variety of Field Training Officers, shifts and geographical areas during their Field Training Program.

415.5.1 FIELD TRAINING MANUAL

Each new officer will be issued a Field Training Manual at the beginning of his/her Primary Training Phase. This manual is an outline of the subject matter and/or skills necessary to properly function as an officer with the Taylorsville 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 Taylorsville Police Department.

415.6 EVALUATIONS

Evaluations are an important component of the training process and shall be completed as outlined below.

415.6.1 FIELD TRAINING OFFICER

The FTO will be responsible for the following:

(a) Complete and submit a written evaluation on the performance of his/her assigned trainee to the FTO program supervisor on a daily basis.

(b) Review the Daily Trainee Performance Evaluations with the trainee each day.

(c) Complete a detailed end-of-phase performance evaluation on his/her assigned trainee at the end of each phase of training.

(d) Sign 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.

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415.6.2 IMMEDIATE SUPERVISOR

The immediate supervisor shall review and approve the Daily Trainee Performance Evaluations by the FTO on a weekly basis. The supervisor shall forward these reports weekly to the Training Unit. The immediate supervisor shall conduct a weekly meeting with the trainee and the training officer to ensure the trainee is progressing appropriately and ensure any issues are being addressed appropriately. The supervisor shall forward a weekly supervisor report to the Training Unit along with the FTO weekly reports.

415.6.3 FIELD TRAINING ADMINISTRATOR

The Training Unit shall review and approve the Daily Trainee Performance Evaluations submitted by the FTO through his/her immediate supervisor on a weekly basis.

415.6.4 TRAINEE

At the completion of the Field Training Program, the trainee shall submit a confidential performance evaluation on each of their FTOs and on the Field Training Program. The evaluations will be forwarded to the Chief of Police for review. Any changes that need to be made in the program to make it more efficient and productive for the Department and the trainee will be at the discretion of the Chief of Police and the Department administration.

415.7 DOCUMENTATION

All documentation of the Field Training Program will be retained in the officer's training files and will consist of the following:

(a) Daily Trainee Performance Evaluations.

(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

416.1 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.

416.1.1 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.

416.2 POLICY

It is the policy of the Taylorsville Police Department to provide an appropriate emergency response to aircraft accidents. This includes emergency medical care and scene management.

416.3 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).

416.4 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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416.5 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)

416.6 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) Medical Examiner.

(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.

416.7 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 ordnance.

(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.

416.8 DOCUMENTATION

All aircraft accidents occurring within the City of Taylorsville shall be documented. At a minimum the documentation should include the date, time and location of the incident; any witness statements, if taken; the names of TVPD 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.

416.8.1 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.

416.8.2 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.

416.9 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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Obtaining Air Support

417.1 PURPOSE AND SCOPE

The use of a law enforcement helicopter can be invaluable in certain situations. This policy specifies potential situations where the use of a helicopter may be requested and the responsibilities for making a request.

417.1.1 PROCEDURES

HELICOPTER OPERATIONS PROCEDURE

417.2 REQUEST FOR HELICOPTER ASSISTANCE

If a supervisor or officer in charge of an incident determines that the use of a helicopter would be beneficial, a request to obtain helicopter assistance may be made.

417.2.1 REQUEST FOR ASSISTANCE FROM ANOTHER AGENCY

After consideration and approval of the request for a helicopter, the Shift Sergeant, or designee, will call the closest agency having helicopter support available. The Shift Sergeant will apprise that agency of the specific details of the incident prompting the request.

417.2.2 CIRCUMSTANCES UNDER WHICH AID MAY BE REQUESTED

Law enforcement helicopters may be requested under any of the following conditions:

(a) When the helicopter is activated under existing mutual aid agreements.

(b) Whenever the safety of law enforcement personnel is in jeopardy and the presence of the helicopters may reduce such hazard.

(c) When the use of the helicopters will aid in the capture of a suspected fleeing felon whose continued freedom represents an ongoing threat to the community.

(d) When a helicopter is needed to locate a person who has strayed or is lost and whose continued absence constitutes a serious health or safety hazard.

(e) Vehicle pursuits.

While it is recognized that the availability of helicopter support will generally provide valuable assistance to ground personnel, the presence of a helicopter will rarely replace the need for officers on the ground.

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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 purposes 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 Taylorsville 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.

418.2.1 PROCEDURES

STREET CHECKS PROCEDURE

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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 (Utah Code 77-7-15).

Nothing in this policy is intended to discourage consensual contacts. Frequent casual contact with consenting individuals is encouraged by the Taylorsville Police Department to strengthen community involvement, community awareness, and problem identification.

418.3.1 INITIATING A FIELD INTERVIEW

When initiating the stop, the [officer/deputy] 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 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. When taking a consensual photograph, the officer should have the individual read and sign the appropriate form accompanying the photograph.

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

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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.

If the subject has been taken into custody beyond the scope of a temporary detention, photographs can be taken of any adult 18 years of age or older. Photographs of any juvenile 14 years of age or older may be taken, who has been taken into custody for the alleged commission of an offense that would be the same offense if the juvenile was an adult.

All field photographs and related reports shall be submitted to the appropriate records management system and retained in compliance with this policy.

418.4.3 DISPOSITION OF PHOTOGRAPHS

All detainee photographs must be adequately labeled and submitted to the appropriate records management system with either an associated FI card or other 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 photo will be reviewed and forwarded to one of the following locations:

(a) If the photograph and associated FI or documentation are relevant to criminal organization/enterprise enforcement, the photograph will be forwarded to designated personnel to retain in the criminal intelligence files. Designated personnel 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 Special Operations Commander for review and disposition.

When a photograph is taken in association with a particular case, the investigator shall not 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.

418.4.4 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.

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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 (Utah Code 77-7-16). 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.

(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.

Officers need to remember that officer safety alone will not justify a pat-down search. To justify the stop, the officer must be able to point to specific articulable facts that would indicate to a reasonable person that a crime has been, is being, or is about to be committed, and if the officer reasonably believes the suspect is in possession of a weapon that is a danger to the officer or others.

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/deputies] 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) Identify 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/deputies] 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/office] members.

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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 Taylorsville 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 Taylorsville 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.

419.2.1 PROCEDURES

GANG UNIT FIELD CARDS PROCEDURE

GANG PROCEDURES

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.

A designated supervisor will be responsible for maintaining each criminal intelligence system that has been approved for department use. The supervisor or the authorized designee 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 designated supervisor'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

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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 designated supervisor should ensure copies of those documents are retained by the Records Section. Any supporting documentation for an entry shall be retained by the Records Section in accordance with the established records retention schedule and for at least as long as the entry is maintained in the system.

The designated supervisor should ensure that any documents retained by the Records Section are appropriately marked as intelligence information. The Records Manager may not purge such documents without the approval of the designated supervisor.

419.4 TEMPORARY INFORMATION FILE

No member may create or keep files on individuals that are separate from the approved criminal intelligence system. However, members may maintain temporary information that is necessary to actively investigate whether a person or group qualifies for entry into the department-approved CIS only as provided in this section. Once information qualifies for inclusion, it should be submitted to the supervisor responsible for consideration of CIS entries.

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 Records Section or Evidence Room, but should be copies of, or references to, retained documents, such as copies of reports, field interview (FI) forms, VECC 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 or entered in an authorized criminal intelligence system, as applicable.

The designated supervisor 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.

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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.

(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 Administration Sergeant 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 Special Operations 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 identification of criminal street gangs, criminal street gang members and patterns of criminal gang activity, as described in Utah Code 76-9-802 et seq. and Utah Code 76-9-902 et seq.

(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.

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419.8 TRAINING

The Administration Sergeant 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.

(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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Shift Sergeants

420.1 PURPOSE AND SCOPE

Each patrol shift must be directed by supervisors who are capable of making decisions and communicating in a manner consistent with Department policies, procedures, practices, functions and objectives. To accomplish this goal, a Sergeant heads each watch.

420.2 DESIGNATION AS ACTING SHIFT SERGEANT

When a Sergeant is unavailable for duty as Shift Sergeant, in most instances the senior qualified lead officer shall be designated as acting Shift Sergeant. This policy does not preclude designating a less senior lead officer as an acting Shift Sergeant when operational needs require or training permits.

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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 VECC.

421.2 POLICY

Taylorsville 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 Sergeants.

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 or secure the MDT when it is unattended. This added security measure will minimize the potential for unauthorized access or misuse.

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.

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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 Sergeant 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 Sergeant 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

421.6.1 MALFUNCTIONING MDT

Whenever possible, members will not use vehicles with malfunctioning MDTs. Whenever members must drive a vehicle in which the MDT is not working, they shall notify VECC. It shall be the responsibility of the dispatcher to document all information that will then be transmitted verbally over the police radio.

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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 (Utah Code 77-7a-102).

This policy does not apply to mobile audio/video recordings, interviews or interrogations conducted at any Taylorsville Police Department facility, undercover operations, wiretaps or eavesdropping (concealed listening devices).

Additional guidance regarding the use of body-worn cameras during the execution of a warrant is found in the Warrant Service Policy.

422.2 POLICY

The Taylorsville 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 establishing procedures for (Utah Code 77-7a-102):

(a) The security, storage and maintenance of data and recordings.

(b) Accessing data and recordings.

(c) Logging or auditing access.

(d) 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

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the recorder in a conspicuous manner or otherwise notify persons that they are being recorded, whenever reasonably practicable (Utah Code 77-7a-104; Utah Code 77-7a-105).

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. Unless conducting a lawful recording in an authorized undercover capacity, non-uniformed members should wear the recorder in a conspicuous manner when in use or otherwise notify persons that they are being recorded, whenever reasonably practicable.

When using a portable recorder, the assigned member shall record his/her name, TVPD 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 (Utah Code 77-7a-104).

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 (Utah Code 77-7a-104).

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 shall be activated in any of the following situations (Utah Code 77-7a-103; Utah Code 77-7a-104):

(a) All enforcement and investigative contacts including stops and field interview 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 VECC

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

(e) Any use of force

(f) Dispatched calls for service

(g) Execution of a warrant

Members should remain sensitive to the dignity of all individuals being recorded and exercise sound discretion to respect privacy by discontinuing recording whenever it reasonably appears to the member that such privacy may outweigh any legitimate law enforcement interest in recording. Requests by members of the public to stop recording should be considered using this same

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criterion. Recording should resume when privacy is no longer at issue unless the circumstances no longer fit the criteria for 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 (Utah Code 77-7a-102). However, the recorder should be activated in situations described above as soon as reasonably practicable (Utah Code 77-7a-104).

422.6.1 CESSATION OF RECORDING

Once activated, the portable recorder should remain on continuously until the member reasonably believes his/her direct participation in the incident is complete or the situation no longer fits the criteria for activation. Recording may be stopped (Utah Code 77-7a-104):

(a) During significant periods of inactivity such as report writing or other breaks from direct participation in the incident, including consultation with a supervisor or other officer.

(b) When speaking with a victim, witness, or person wishing to report or discuss criminal activity if both of the following apply:

1. The subject of the recording requests deactivation.
2. The member believes the value of the information outweighs the value of the potential recording.

(c) During a conversation with a victim of a sexual offense or domestic violence if:

1. The member is conducting an evidence-based lethality assessment.
2. The victim or the member believes that deactivating the body-worn camera recording will either:
   (a) Encourage complete and accurate information sharing by the victim, or
   (b) Is necessary to protect the safety or identity of the victim.
3. The body-worn camera is reactivated as soon as reasonably possible after the evidence-based lethality assessment is complete.

The member should record the request to deactivate the portable recorder. A member should document any instance where he/she should have activated his/her body-worn camera but failed to do so, and the reason for the failure (Utah Code 77-7a-104).

422.6.2 SURREPTITIOUS USE OF THE PORTABLE RECORDER

Utah law permits an individual to surreptitiously record any conversation in which one party to the conversation has given his/her permission (Utah Code 77-23a-4).

Members of the Department 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.

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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

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 may not alter or delete a recording captured on a portable recorder (Utah Code 77-7a-106).

Members are also prohibited from retaining recordings of activities or information obtained while on-duty whether the recording was created with a department-issued or personally owned recorder. Members shall not duplicate or distribute such recordings, except for authorized legitimate department business purposes. All such recordings shall be retained at the Department (Utah Code 77-7a-106).

Members are prohibited from using personally owned recording devices while on-duty without the express consent of the Shift Sergeant. Any member who uses a personally owned recorder for department-related activities shall comply with the provisions of this policy, including retention and release requirements, and should notify the on-duty supervisor of such use as soon as reasonably practicable.

Recordings shall not be used by any member for the purpose of embarrassment, harassment or ridicule.

422.8 IDENTIFICATION AND PRESERVATION OF RECORDINGS

To assist with identifying and preserving data and recordings members should download, tag or mark these in accordance with procedure and document the existence of the recording in any related case report.

A member should transfer, tag or mark recordings when the member reasonably believes:

(a) The recording contains evidence relevant to potential criminal, civil or administrative matters.

(b) A complainant, victim or witness has requested non-disclosure.

(c) A complainant, victim or witness has not requested non-disclosure but the disclosure of the recording may endanger the person.

(d) Disclosure may be an unreasonable violation of someone’s privacy.

(e) Medical or mental health information is contained.

(f) Disclosure may compromise an under-cover officer or confidential informant.

(g) Recorded content contains sound or images from a residence (Utah Code 63G-2-302).

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(h) Recorded content contains sound or images from a hospital, health care facility, human service program or the clinic of a health care provider (Utah Code 63G-2-305).

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.

422.9 RETENTION OF RECORDINGS

All recordings shall be retained for a period consistent with the requirements of the established records retention schedule and as required by any applicable federal, state and local law (Utah Code 77-7a-107).

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.

422.10 REVIEW OF RECORDED MEDIA FILES

When preparing written reports, members should review their recordings as a resource (see the Officer-Involved Shootings and Deaths Policy for guidance in those cases). However, members shall not retain personal copies of recordings. Members should not use the fact that a recording was made as a reason to write a less detailed report.

Supervisors are authorized to review relevant recordings any time they are investigating alleged misconduct or reports of meritorious conduct or whenever such recordings would be beneficial in reviewing the member's performance.

Recorded files may also be reviewed:

(a) Upon approval by a supervisor, by any member of the Department who is participating in an official investigation, such as a personnel complaint, administrative investigation or criminal investigation.

(b) Pursuant to lawful process or by court personnel who are otherwise authorized to review evidence in a related case.

(c) By media personnel with permission of the Chief of Police or the authorized designee.

(d) In compliance with a public records request, if permitted, and in accordance with the Records Maintenance and Release Policy.

All recordings should be reviewed by the Custodian of Records prior to public release (see the Records Maintenance and Release Policy). Recordings that unreasonably violate a person's privacy or sense of dignity should not be publicly released unless disclosure is required by law or order of the court.

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422.11 PUBLIC ACCESS

The Records Manager should ensure that this policy is available to the public in written format as well as published to the department website (Utah Code 77-7a-105).

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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 Taylorsville 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 officer, him/herself or others.

(d) Recording the actions of an officer does not by itself constitute a crime of interference, willful resistance, disorderly conduct or obstruction of justice (Utah Code 76-8-305).

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.

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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 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.

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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 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 Unit

424.1 PURPOSE AND SCOPE

The Taylorsville 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. The quiet operation of the bicycles also 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 officers 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 Bicycle Patrol Unit supervisor or the Shift Sergeant.

424.3 SELECTION OF PERSONNEL

Interested sworn personnel, who are off probation, shall submit a change of assignment request to their appropriate Section Commander. A copy will be forwarded to the BPU supervisor. Qualified applicants will then be invited to an oral interview. The oral board will consist of the BPU supervisor and a second person to be selected by the BPU supervisor. Interested personnel shall be evaluated by the following criteria:

(a) Recognized competence and ability as evidenced by performance.

(b) Special skills or training as it pertains to the assignment.

(c) Good physical condition.

(d) Willingness to perform duties using the bicycle as a mode of transportation.

424.3.1 BICYCLE PATROL UNIT SUPERVISOR

The Bicycle Patrol Unit supervisor will be selected from the rank of sergeant by the Uniform Patrol Section Commander or designee.

The Bicycle Patrol Unit supervisor shall have responsibility for the following:

(a) Organizing bicycle patrol training.

(b) Inspecting and maintaining inventory of patrol bicycles and program equipment.

(c) Scheduling maintenance and repairs.

(d) Evaluating performance of bicycle officers.

(e) Coordinating activities with the Uniform Patrol Section.

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(f) Other activities as required to maintain the efficient operation of the Bicycle Patrol Unit.

424.4 TRAINING

Participants in the program must successfully complete the Utah POST 32-hour basic training course or a Department-approved bicycle-training course after acceptance into the program. Thereafter bicycle patrol officers should receive twice yearly in-service training to improve skills and refresh safety, health and operational procedures. The initial training shall minimally include the following:

- Bicycle patrol strategies
- Bicycle safety and accident prevention
- Operational tactics using bicycles

Bicycle patrol officers will be required to qualify with their duty firearm while wearing bicycle safety equipment including the helmet and riding gloves.

424.5 UNIFORMS AND EQUIPMENT

Officers shall wear the Department-approved uniform and safety equipment while operating the department 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.

Optional equipment includes a radio head set and microphone. In colder weather a jacket may be worn. Turtleneck shirts or sweaters are permitted when worn under the uniform shirt.

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.

424.6 CARE AND USE OF PATROL BICYCLES

(a) Officers will be assigned a specially marked and equipped patrol bicycle, attached gear bag, two batteries and a charger.

(b) Bicycles utilized for uniformed bicycle patrol shall be primarily black or white with a Police decal affixed to each side of the crossbar or the bike's saddlebag. Every such bicycle shall be equipped with front and rear reflectors, front lights and a siren/horn satisfying the requirements of Utah Code 41-6a-1114.

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(c) 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, vehicle storage and citations.

(d) Each bicycle gear bag shall include a first aid kit, tire pump, repair tool, tire tube, security lock, equipment information and use manuals. These items are to remain with/on the bicycle at all times.

(e) 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.

(f) 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).

(g) If a needed repair is beyond the ability of the bicycle officer, a repair work order will be completed and forwarded to the program supervisor for repair by an approved technician.

(h) Each bicycle will have scheduled maintenance twice yearly to be performed by a Department-approved repair shop/technician.

(i) At the end of a bicycle assignment, the bicycle shall be returned clean and ready for the next tour of duty.

(j) Electric patrol bicycle batteries shall be rotated on the assigned charger at the end of each tour of duty. During prolonged periods of non-use, each officer assigned an electric bicycle shall periodically rotate the batteries on the respective charges to increase battery life.

(k) Officers shall not modify the patrol bicycle, remove, modify or add components except with the expressed approval of the bicycle supervisor or in the event of an emergency.

(l) Vehicle bicycle racks are available should the officer need to transport the patrol bicycle. Due to possible component damage, transportation of the patrol bicycle in a trunk or on a patrol car push-bumper is discouraged.

(m) Bicycles shall be properly secured when not in the officer’s immediate possession.

424.7 OFFICER RESPONSIBILITY

Officers must operate the bicycle in compliance with the Utah Code 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:

(a) In response to an emergency call.

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(b) While engaged in rescue operations.

(c) 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 the department that officers, when deciding to initiate or continue a foot pursuit, must 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

The safety 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 that 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.

Mere flight by a person who is not suspected of criminal activity alone shall not serve as justification for engaging in an extended foot pursuit without the development of reasonable suspicion of the individual's involvement in criminal activity or being wanted by law enforcement.

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 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.

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(e) Air support.

(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 VECC or with backup officers.

(h) The suspect enters a building, structure, confined space, wooded or otherwise isolated area and there are insufficient officers to provide backup and containment. The primary officer should consider discontinuing the pursuit and coordinate 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 able to render assistance.

(m) The suspect’s location is no longer known.

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(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 personnel or the public if the suspect is not immediately apprehended.

(o) The officer's ability to safely continue the pursuit is impaired by inclement weather, darkness, or other 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. 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 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 communications with his/her location, the status of the pursuit termination (e.g., suspect in custody, lost sight of suspect) and 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 in order to permit the involved officers maximum access to the radio frequency.

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425.5.3 SUPERVISOR RESPONSIBILITIES

Upon becoming aware of a foot pursuit, the supervisor shall make every reasonable effort to ascertain sufficient information necessary to direct responding resources and to take command, control and 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 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 at any time he/she concludes that the danger to pursuing officers or the public outweighs the objective of immediate apprehension of the suspect.

Upon the apprehension of the suspect the supervisor shall promptly proceed to the termination point to direct the post-pursuit activity.

425.5.4 VECC RESPONSIBILITIES

Upon notification or becoming aware that a foot pursuit is in progress, the dispatcher 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 Sergeant as soon as practicable.

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

425.6 REPORTING REQUIREMENTS

The initiating officer shall complete appropriate crime/arrest reports documenting, at 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.

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(i) Any property or equipment damage.

(j) Name of the supervisor at the scene or who handled the incident.

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 warrant further investigation, a supervisor may authorize that the initiating officer need not complete a formal report.

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Automated License Plate Readers (ALPRs)

426.1 PURPOSE AND SCOPE

Automated License Plate Reader (ALPR) technology, also known as License Plate Recognition, provides automated detection of license plates. ALPRs are used by the Taylorsville Police Department to convert data associated with vehicle license plates for official law enforcement purposes, including identifying stolen or wanted vehicles, stolen license plates and missing persons. ALPRs may also be used to gather information related to active warrants, homeland security, electronic surveillance, suspect interdiction and stolen property recovery.

426.2 ADMINISTRATION OF ALPR DATA

All installation and maintenance of ALPR equipment, as well as ALPR data retention and access shall be managed by the Administration Section Commander. The Administration Section Commander will assign personnel under his/her command to administer the day-to-day operation of the ALPR equipment and data.

426.3 ALPR OPERATION

Use of an ALPR is restricted to the purposes outlined below. Department personnel shall not use or allow others to use, the equipment or database records for any unauthorized purpose.

(a) An ALPR shall only be used for official and legitimate law enforcement business (Utah Code 41-6a-2003).

(b) An ALPR may be used in conjunction with any routine patrol operation or official investigation. Reasonable suspicion or probable cause is not required before using an ALPR.

(c) While an ALPR may be used to canvass license plates around any crime scene, particular consideration should be given to using ALPR-equipped cars to canvass areas around homicides, shootings and other major incidents. Partial license plates reported during major crimes should be entered into the ALPR system in an attempt to identify suspect vehicles.

(d) No member of this department shall operate ALPR equipment or access ALPR data without first completing department-approved training.

(e) If practicable, the officer should verify an ALPR response through the Utah Department of Public Safety (DPS) law enforcement information system or other appropriate database before taking enforcement action that is based solely upon an ALPR alert.

(f) No ALPR operator may access the DPS database or other system unless otherwise authorized to do so.

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426.4 ALPR DATA COLLECTION AND RETENTION

All data and images gathered by an ALPR are for the official use of the Taylorsville Police Department and because such data may contain confidential information, it is not open to public review. ALPR information gathered and retained by this department may be used and shared with prosecutors or others only as permitted by law (Utah Code 41-6a-2004).

The Administration Section Commander is responsible to ensure proper collection and retention of ALPR data, and for transferring ALPR data stored in department vehicles to the department server on a regular basis, not to exceed 30 days between transfers.

All ALPR data downloaded to the server should be stored for the minimum period established by department records retention guidelines and thereafter should be purged unless it has become, or it is reasonable to believe it will become, evidence in a criminal or civil action. In no event shall data be maintained longer than nine months unless it is subject to a warrant, preservation request or disclosure order (Utah Code 41-6a-2004). Data that will not be purged should be downloaded from the server onto portable media and booked into evidence.

426.4.1 NON-GOVERNMENTAL AGENCY ALPR

ALPR data captured by a non-governmental agency device may only be obtained pursuant to a warrant or a court order (Utah Code 41-6a-2005).

426.5 ACCOUNTABILITY AND SAFEGUARDS

All saved data will be closely safeguarded and protected by both procedural and technological means. The Taylorsville Police Department will observe the following safeguards regarding access to and use of stored data:

(a) All non-law enforcement requests for access to stored ALPR data shall be referred to the Records Manager and processed in accordance with applicable law.

(b) All ALPR data downloaded to the mobile workstation and server shall be accessible only through a login/password-protected system capable of documenting all access of information by name, date and time.

(c) Persons approved to access ALPR data under these guidelines are permitted to access the data for legitimate law enforcement purposes only, such as when the data relate to a specific criminal investigation or department-related civil or administrative action.

(d) Such ALPR data may be released to other authorized and verified law enforcement officials and agencies at any time for legitimate law enforcement purposes.

(e) ALPR system audits should be conducted on a regular basis.

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Homeless Persons

427.1 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 Taylorsville Police Department recognizes that members of the homeless community are often in need of special protection and services. The Taylorsville 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.

427.1.1 POLICY

It is the policy of the Taylorsville 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.

427.2 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 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.

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427.3 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 a reasonable suspicion of criminal activity. 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.

Officers should provide homeless persons with resource and assistance information whenever it is reasonably apparent such services may be appropriate.

427.3.1 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 and court appearances.

(g) Consider whether a crime should be reported and submitted for prosecution even when a homeless victim indicates he/she does not desire prosecution.

427.4 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.

When a homeless person is arrested, or otherwise removed from a public place, officers should make reasonable accommodations to permit the person to lawfully secure his/her personal property. Otherwise, the personal property should be collected for safekeeping. If the arrestee has more personal property than can reasonably be collected and transported by the officer, a

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supervisor should be consulted. The property should be photographed and measures should be taken to remove or secure the property. It will be the supervisor's responsibility to coordinate the removal and safekeeping of the property.

Officers should not conduct or assist in 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.

427.5 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 (see the Civil Commitments Policy).

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.

427.6 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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First Amendment Assemblies

428.1 PURPOSE AND SCOPE

This policy provides guidance for responding to public assemblies or demonstrations.

428.2 POLICY

The Taylorsville 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.

428.3 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.

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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428.3.1 PHOTOGRAPHS AND VIDEO RECORDINGS

Photographs and video recording, when appropriate, can serve a number of purposes, including support of criminal prosecutions by documenting criminal acts; 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 and videos will not be used or retained for the sole purpose of collecting or maintaining information about the political, religious or social views of associations, or the activities of any individual, group, association, organization, corporation, business or partnership, unless such information directly relates to an investigation of criminal activities and there is reasonable suspicion that the subject of the information is involved in criminal conduct.

428.4 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 VECC, and the assignment of a supervisor should be requested. 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.

428.5 PLANNED EVENT PREPARATION

For planned events, comprehensive, incident-specific operational plans should be developed. The ICS should be considered for such events.

428.5.1 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.

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- The potential time, duration, scope, and type of planned activities.
- 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).

428.5.2 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.

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(t) Parameters for the use of body-worn cameras and other portable recording devices.

428.5.3 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 Outside Agency Assistance Policy).

428.6 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.

428.7 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.

428.8 ARRESTS

The Taylorsville 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).

428.9 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 Media Relations Policy).

428.10 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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428.11 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, VECC records/tapes

(g) Media accounts (print and broadcast media)

428.11.1 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.

428.12 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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Suspicious Activity Reporting

429.1 PURPOSE AND SCOPE

This policy provides guidelines for reporting and investigating suspicious and criminal activity.

429.1.1 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, 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.

Suspicious Activity Report (SAR) - An incident report used to document suspicious activity.

429.2 POLICY

The Taylorsville 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.

429.3 RESPONSIBILITIES

The Special Operation Section Commander and authorized designees will manage SAR activities. Authorized designees should include supervisors who are responsible for department participation in criminal intelligence systems as outlined in the Criminal Organizations Policy.

The responsibilities of the Special Operation Section Commander include, but are not limited to:

(a) Remaining familiar with those databases available to the Department that would facilitate the purpose of this policy.

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(b) Maintaining adequate training in the area of intelligence gathering to ensure no information is being maintained that would violate the law or civil rights of any individual.

(c) Ensuring a process is available that would allow members to report relevant information. The process should be designed to promote efficient and quick reporting, and should not be cumbersome, duplicative or complicated.

(d) Ensuring that members are made aware of the purpose and value of documenting information regarding suspicious activity, as well as the databases and other information resources that are available to the Department.

(e) Ensuring that SAR information is appropriately disseminated to members in accordance with their job responsibilities.

(f) Coordinating investigative follow-up, if appropriate.

(g) Coordinating with any appropriate agency or fusion center.

(h) Ensuring that, as resources are available, the Department conducts outreach that is designed to encourage members of the community to report suspicious activity and that outlines what they should look for and how they should report it (e.g., website, public service announcements).

429.4 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 a SAR and include information about involved parties and the circumstances of the incident. If, during any investigation, an officer becomes aware of suspicious activity that is unrelated to the current investigation, the information should be documented separately in a SAR and not included in the original incident report. The report number of the original incident should be included in the SAR as a cross reference. A SAR should be processed as any other incident report.

429.5 HANDLING INFORMATION

The Records Section will forward copies of SARs, in a timely manner, to the following:

- Special Operations supervisor
- Other authorized designees

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Civil Disputes

430.1 PURPOSE AND SCOPE

This policy provides members of the Taylorsville 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 Utah law.

430.2 POLICY

The Taylorsville 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.

430.3 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 longer than 30 minutes are warranted.

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430.4 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 appropriate prosecutor. The report should also be forwarded to the court issuing the order with a notice that the report was also forwarded to the prosecutor for review.

430.4.1 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.

430.5 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.

430.6 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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430.6.1 LONG-TERM GUEST ISSUES

For disputes related to a long-term guest, as defined by Utah Code 76-6-206.4, who has received notice to vacate a residence by the primary occupant or other person with apparent authority to act for the primary occupant, officers must provide the guest with a reasonable time to collect personal belongings prior to escorting the individual from the residence (Utah Code 76-6-206.4).

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Crisis Intervention Incidents

431.1 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.

431.1.1 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.

431.2 POLICY

The Taylorsville 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.

431.3 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.

431.4 COORDINATION WITH MENTAL HEALTH PROFESSIONALS

The Chief of Police should designate an appropriate Section Commander to collaborate with mental health professionals to develop an education and response protocol. It should include a list of community resources, to guide department interaction with those who may be suffering from mental illness or who appear to be in a mental health crisis.

431.5 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.

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431.6 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.

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:

- Use stances or tactics that can be interpreted as aggressive.
- 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.

431.7 INCIDENT ORIENTATION

When responding to an incident that may involve mental illness or a mental health crisis, the officer should request that the dispatcher 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.

431.8 SUPERVISOR RESPONSIBILITIES

A supervisor should respond to the scene of any interaction with a person in crisis. Responding supervisors should:

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(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).

(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) Evaluate whether a critical incident stress management debriefing for involved members is warranted.

431.9 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.

431.9.1 DIVERSION

Individuals who are not being arrested should be processed in accordance with the Civil Commitments Policy.

431.10 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.

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431.11 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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Medical Aid and Response

432.1 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.

432.2 POLICY

It is the policy of the Taylorsville Police Department that all officers and other designated members be trained to provide emergency medical aid and to facilitate an emergency medical response.

432.2.1 PROCEDURES

ACCIDENTAL GSW PROCEDURE

AED DEFIBRILLATOR DEVICES PROCEDURE

NALOXONE (NARCAN) ADMINISTRATION PROCEDURE

432.3 FIRST RESPONDING MEMBER RESPONSIBILITIES

Whenever practicable, members should take appropriate steps to provide initial medical aid (e.g., first aid, CPR, 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 VECC 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 VECC 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.

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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.

432.4 TRANSPORTING ILL AND INJURED PERSONS

Except in exceptional 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.

432.5 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 temporary custody pursuant to 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.

432.6 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.

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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.

Arrestees who appear to have a serious medical issue should be transported by ambulance. Officers shall not transport an arrestee 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.

432.7 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.

432.8 AIR AMBULANCE

Generally, when on-scene, EMS personnel will be responsible for determining whether an air ambulance response should be requested. An air ambulance may be appropriate when there are victims with life-threatening injuries or who require specialized treatment (e.g., gunshot wounds, burns, obstetrical cases), and distance or other known delays will affect the EMS response.

The Uniform Patrol Section Commander should develop guidelines for air ambulance landings or enter into local operating agreements for the use of air ambulances, as applicable. In creating those guidelines, the Department should identify:

- Responsibility and authority for designating a landing zone and determining the size of the landing zone.
- Responsibility for securing the area and maintaining that security once the landing zone is identified.
- Consideration of the air ambulance provider's minimum standards for proximity to vertical obstructions and surface composition (e.g., dirt, gravel, pavement, concrete, grass).
- Consideration of the air ambulance provider's minimum standards for horizontal clearance from structures, fences, power poles, antennas or roadways.
- Responsibility for notifying the appropriate highway or transportation agencies if a roadway is selected as a landing zone.
- Procedures for ground personnel to communicate with flight personnel during the operation.

One department member at the scene should be designated as the air ambulance communications contact. Headlights, spotlights and flashlights should not be aimed upward at the air ambulance. Members should direct vehicle and pedestrian traffic away from the landing zone.

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Members should follow these cautions when near an air ambulance:

- Never approach the aircraft until signaled by the flight crew.
- Always approach the aircraft from the front.
- Avoid the aircraft's tail rotor area.
- Wear eye protection during landing and take-off.
- Do not carry or hold items, such as IV bags, above the head.
- Ensure that no one smokes near the aircraft.

432.9 AUTOMATED EXTERNAL DEFIBRILLATOR (AED) USE

A member should use an AED only after he/she has received appropriate training (Utah Code 26-8b-201).

432.9.1 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 Administration Sergeant 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 should contact VECC as soon as possible and request response by EMS.

432.9.2 AED REPORTING

Any member using an AED will complete an incident report detailing its use.

432.9.3 AED TRAINING AND MAINTENANCE

The Administration Sergeant should ensure appropriate training, that includes training in CPR and AED use, is provided to members authorized to use an AED (Utah Code 26-8b-401).

The Administration Sergeant is responsible for ensuring AED devices are appropriately maintained and will retain records of all maintenance in accordance with the established records retention schedule.

432.10 ADMINISTRATION OF OPIOID OVERDOSE MEDICATION

Members may administer opioid overdose medication in accordance with protocol specified by the health care provider who prescribed the overdose medication for use by the member. With approval of the on-duty supervisor, members may also provide the opioid overdose medication to a person who is experiencing an opiate-related drug overdose event or to a family member, friend, or other individual who is in a position to assist such individual (Utah Code 26-55-104).

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432.10.1 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 at the beginning of their shift to ensure they are serviceable and not expired. Any expired medication or unserviceable administration equipment should be removed from service and given to the Administration Sergeant.

Any member who administers an opioid overdose medication should contact VECC as soon as possible and request response by EMS.

432.10.2 OPIOID OVERDOSE MEDICATION REPORTING
Any member administering opioid overdose medication should detail its use in an appropriate report.

The Administration Sergeant will ensure that the Records Manager is provided enough information to meet applicable state reporting requirements.

432.10.3 OPIOID OVERDOSE MEDICATION TRAINING
The Administration Sergeant should ensure training is provided to members authorized to administer opioid overdose medication. The training should include the written instructions provided by the dispensing health care provider on (Utah Code 26-55-104):

(a) How to recognize an opiate-related drug overdose event.

(b) How to administer an opiate antagonist.

(c) How to ensure that an individual to who the medication has been administered receives additional medical care and a medical evaluation, as soon as possible.

432.11 ADMINISTRATION OF EPINEPHRINE
The Uniform Patrol Section Commander may authorize the acquisition and storage of epinephrine auto-injectors for use at the Department as provided by Utah Code 26-41-105. The Uniform Patrol Section Commander shall designate the Administration Sergeant to oversee the proper storage and use of epinephrine auto-injectors. Members who have received required training may administer an epinephrine auto-injector for a person experiencing anaphylaxis.

432.11.1 EPINEPHRINE USER RESPONSIBILITIES
Any member who administers an epinephrine auto-injector shall contact VECC as soon as possible and request response by EMS (Utah Code 26-41-105).

432.11.2 EPINEPHRINE REPORTING
Any member administering an epinephrine auto-injector should detail its use in an appropriate report.

432.11.3 EPINEPHRINE TRAINING
The Administration Sergeant shall ensure training approved by the Utah Department of Health is provided to members authorized to administer an epinephrine auto-injector. The training should

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be repeated annually unless a waiver is approved by the Department of Health and shall include (Utah Code 26-41-104; UAC R426-5-2700):

(a) Recognizing the symptoms of anaphylaxis.

(b) Appropriate administration of an epinephrine auto-injector.

(c) Proper storage and disposal of an epinephrine auto-injector.

432.12 FIRST AID TRAINING

Subject to available resources, the Administration Sergeant 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/problem-based 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.

500.1.1 PROCEDURES

VEHICLE STOPS AND HIGH-RISK STOPS PROCEDURE

500.2 TRAFFIC OFFICER DEPLOYMENT

Several factors are considered in the development of deployment schedules for officers of the Taylorsville Police Department. Information provided by the Utah Department of Public Safety's Highway Safety Office 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 can be made on a number of criminal traffic offenses outlined in Utah Code Title 41. These physical arrest cases usually deal with, but are not limited to:

(a) Vehicular manslaughter.

(b) Felony and misdemeanor driving under the influence of alcohol/drugs.

(c) Felony or misdemeanor hit-and-run.

(d) Any other misdemeanor at the discretion of the officer, such as reckless driving with extenuating circumstances.

500.4 SUSPENDED OR REVOKED DRIVER'S LICENSES
If an officer contacts a traffic violator for driving on a suspended or revoked license, the officer may issue a traffic citation pursuant to Utah Code 53-3-227.

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

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

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of when high-visibility vests should be worn include traffic control duties, accident investigations, lane closures and while at disaster scenes, or anytime high visibility is desirable. When emergency conditions preclude the immediate donning of the vest, officers should retrieve and wear the vest as soon as conditions reasonably permit. Use of the vests shall also be mandatory when directed by a supervisor.

Vests maintained in the investigation units may be used 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 Administration Sergeant should be promptly notified whenever the supply of vests in the equipment room needs replenishing.

500.6 SPEEDING IN A SCHOOL ZONE COMPLAINT PROCEDURE

It is the responsibility of the Administrative Sergeant to establish a report form and a procedure for school crossing guards to report speed violations to the Taylorsville Police Department. The reporting forms shall be made available to school crossing guards and to school administrative offices (Utah Code 41-6a-604 and Utah Code 41-6a-604.5). The report form shall include the following:

(a) Date, time and location of the violation.

(b) Vehicle license plate number and state.

(c) Vehicle description.

(d) Description of the vehicle operator.

(e) Description of the incident.

(f) Contact information of the school crossing guard.

(g) The signature of the school crossing guard who witnessed the offense attesting to the accuracy of the report.

Reports should be submitted to the Taylorsville Police Department no more than two business days after the alleged violation occurred.

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500.6.1 NOTIFICATION OF VIOLATION TO VIOLATOR/VEHICLE OWNER

It will be the Administrative Sergeant's responsibility to establish a system in which notification letters are sent to the last known registered owner of the vehicle that was reported speeding. The letter should contain the following (Utah Code 41-6a-604.5(1)(a)):

(a) Applicable information on the school crossing guard's report stating that the vehicle was observed speeding in a reduced-speed school zone in violation of state law.

(b) Complete explanation of the applicable provisions of Utah Code 41-6a-604.

(c) An explanation that the notification letter is not a peace officer citation but is an effort to call attention to the seriousness of the incident.

The Administrative Sergeant is responsible for ensuring all other mandates of Utah Code 41-6a-604.5 are met or that further investigation, if warranted, is conducted.

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Traffic Collision Reporting

501.1 PURPOSE AND SCOPE

The Taylorsville Police Department prepares traffic collision reports in compliance with Utah Code, Title 41, Chapter 6a, Part 4 and as a public service makes traffic collision reports available to the community with some exceptions.

501.1.1 PROCEDURES

TRAFFIC ACCIDENT PROCEDURES

TRAFFIC HIT AND RUN INVESTIGATION PROCEDURES

501.2 RESPONSIBILITY

The Administrative Sergeant will be responsible for distribution of the Collision Investigation Manual. The Administrative Sergeant will receive all changes in the state manual and ensure conformity with this policy.

501.3 TRAFFIC COLLISION REPORTING

All traffic collision reports taken by members of the Department shall be forwarded to the Traffic Bureau for approval and data entry into the Records Management System. The Administrative Sergeant will be responsible for monthly and quarterly reports on traffic collision statistics to be forwarded to the Uniform Patrol Section 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 general information 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. Whenever there is damage to a City vehicle, a Vehicle Damage Report shall be completed and forwarded to the appropriate Section Commander.

Photographs of the collision scene and vehicle damage shall be taken at the discretion of the traffic investigator or any supervisor.

501.4.2 TRAFFIC COLLISIONS WITH POLICE DEPARTMENT EMPLOYEES

When an employee of the Department, either on- or off-duty, is involved in a traffic collision within the jurisdiction of the Taylorsville Police Department resulting in a serious injury or fatality, the Administrative Sergeant or the Shift Sergeant may request an outside law enforcement agency for assistance.

The term serious injury is defined as any injury that may result in a fatality.

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501.4.3 TRAFFIC COLLISIONS WITH OTHER CITY EMPLOYEES OR OFFICIALS
The Administrative Sergeant or on-duty Shift Sergeant may request assistance from the Utah Highway Patrol for the investigation of any traffic collision involving any City official or employee where a serious injury or fatality has occurred.

501.4.4 TRAFFIC COLLISIONS ON PRIVATE PROPERTY
In compliance with Utah Code 41-6a-402, traffic collision reports shall be taken for traffic collisions occurring on private property when the accident results in injury to or death of any person, or total property damage to the apparent extent of $2,500 or more. An incident report may be taken at the discretion of any supervisor.

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 the Department under any of the following circumstances:

(a) When there is a death or injury to any persons involved in the collision.

(b) When there is an identifiable violation of Utah Code.

(c) When a report is requested by any involved driver.

501.4.6 TRAFFIC COLLISIONS INVOLVING LIVESTOCK
An officer investigating a collision shall indicate in the report whether the accident occurred on a highway designated as a livestock highway, in accordance with Utah Code 72-3-112, when the collision resulted in the injury or death of livestock (Utah Code 41-6a-404).

An officer investigating such a collision shall make reasonable efforts as soon as practicable to (Utah Code 41-6a-408):

(a) Locate and inform the owner of the livestock of the incident.

(b) Make arrangements with the owner of the livestock to provide a copy of the collision report or advise the owner where a copy can be obtained.

501.4.7 TRAFFIC COLLISIONS INVOLVING SERIOUS INJURY OR DEATH
In compliance with Utah Code 41-6a-202, an officer who issues a citation to a person for a moving traffic violation which results in a collision causing serious bodily injury or death shall note that fact on the citation.

501.5 NOTIFICATION OF TRAFFIC BUREAU SUPERVISION

In the event of a traffic collision that results in serious injury or death, the Shift Sergeant shall notify the Administrative Sergeant to relate the circumstances of the traffic collision and seek assistance from the Traffic Bureau. In the absence of a Administrative Sergeant, the Shift Sergeant or any supervisor may assign an accident investigator or motor officer to investigate the traffic collision.

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Vehicle Towing and Release

502.1 PURPOSE AND SCOPE

This policy provides the procedures for towing a vehicle by or at the direction of the Taylorsville Police Department.

502.1.1 PROCEDURES

IMPOUNDS PROCEDURE

RECOVERING STOLEN VEHICLES FROM AN OUTSIDE AGENCY PROCEDURE

REPOSSESSION PROCEDURE

502.2 RESPONSIBILITIES

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

502.3 COMPLETION OF NOTICE OF IMPOUND

Department members requesting storage of a vehicle shall complete an initial report, including an inventory with a description of property within the vehicle. A copy is to be given to the tow truck operator and the original is to be submitted to the records as soon as practical after the vehicle is stored.

Records personnel shall promptly enter pertinent data from the completed report into the records management system computer and forward the report to the shift supervisor for approval. The report will then be forwarded to records for final approval.

If the vehicle is impounded as a state tax impound the Department shall forward a Vehicle Impound Report Form, containing all required information, including the vehicle inventory to the Motor Vehicle Division (Utah Code 41-6a-1406(4)).

502.4 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 should provide the driver the opportunity to select a towing company and relay the request to the dispatcher. If the driver has no preference as to which towing company to use, a towing company will be selected from the rotational list maintained in the dispatch center.

An officer may, without the consent of the owner, remove a vehicle that has been involved in an accident (or remove property from within the vehicle) if the vehicle is blocking a roadway or is otherwise endangering public safety (Utah Code§ 41-6a-401.9). If the owner is incapacitated, or for any reason it is necessary for the Department to assume responsibility for a vehicle involved in a collision, the officer should summon an approved towing and storage provider, complete the Notice of Impound Form, and store the vehicle.

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502.5 IMPOUND FOR LACK OF PROOF OF SECURITY

If the operator of a vehicle involved in a collision cannot provide proof of security as required by Utah Code 41-12a-301, the vehicle may be impounded on a state tax impound after the officer confirms that the security is not in effect through query of the Uninsured Motorist Identification Database (Utah Code 41-1a-1101).

502.6 DRIVING A NON-CITY VEHICLE

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

502.7 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.

502.8 TOWING SERVICES

The City of Taylorsville periodically selects a firm to act as the official tow service and awards a contract to that firm. 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 a person has been arrested/transported to jail, the vehicle shall be impounded to the designated tow service as a city impound/hold for owner.

Nothing in this policy shall require the Department to tow a vehicle.

502.9 STORAGE AT ARREST SCENES

Whenever a person in charge or in control of a vehicle is arrested, it is the policy of this department to provide reasonable safekeeping by storing the arrestee's vehicle subject to the exceptions described below. However, the vehicle shall be stored 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 stored, 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.

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:

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- Situations where the vehicle was not used to further the offense for which the driver was arrested.
- Whenever the licensed 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 stored and the owner requests that it be left at the scene.

In such cases, the handling employee shall note in the report that the owner was informed that the Department will not be responsible for theft or damages. A vehicle release of liability shall be signed by the owner, or responsible party for the vehicle. If the officer cannot obtain a signed release of liability form, the vehicle shall be impounded.

502.10 VEHICLE INVENTORY

All property in a stored or impounded vehicle shall be inventoried and listed on the Vehicle Impound Report Form. 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 the Department against fraudulent claims of lost, stolen, or damaged property. If the officer needs to force entry to any locked compartment in the vehicle, the officer shall take photos of the vehicle and any damage caused by the officer while documenting the inventory.

502.11 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 and place the items in the Department evidence room.

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Impaired Driving

503.1 PURPOSE AND SCOPE

This policy provides guidance to those department members who play a role in the detection and investigation of driving under the influence (DUI).

503.2 POLICY

The Taylorsville Police Department is committed to the safety of the roadways and the community and will pursue fair but aggressive enforcement of Utah's impaired driving laws.

503.3 INVESTIGATIONS

Officers should not enforce DUI laws to the exclusion of their other duties unless specifically assigned to DUI enforcement. All officers are expected to enforce these laws with due diligence.

The Administrative Sergeant 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 documented elsewhere on the form does not need to be duplicated in the report narrative. 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 Utah or another jurisdiction.

503.4 FIELD TESTS

The Administrative Sergeant should identify standardized FSTs and any approved alternate tests for officers to use when investigating violations of DUI laws.

503.5 CHEMICAL TESTS

A person implies consent under Utah law to a chemical test or tests, and to providing the associated chemical sample, under any of the following (Utah Code 41-6a-520):

(a) The officer has reasonable grounds to believe that the person was operating or in actual physical control of a motor vehicle while:

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1. Having a prohibited blood or breath alcohol content level as defined by Utah Code 41-6a-502 (DUI) or Utah Code 41-6a-530 (Alcohol Restricted Drivers).
2. Under the influence of alcohol, any drug or combination of alcohol and any drug.
3. Having any measurable controlled substance or metabolite of a controlled substance in the person's body.

(b) The officer has stopped a person under the age of 21 and has reasonable grounds to believe that the person was operating or in actual physical control of a vehicle or motorboat with a measurable blood, breath or urine alcohol concentration in the person's body (Utah Code 53-3-231).

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.

503.5.1 STATUTORY NOTIFICATIONS

An officer requesting that a person submit to a chemical test shall provide the person with a mandatory warning pursuant to Utah Code 41-6a-520.

503.5.2 BREATH SAMPLES

The Administrative Sergeant should ensure that all devices used for the collection and analysis of breath samples are properly serviced and tested, and that a record of such service and testing is properly maintained.

Officers obtaining a breath sample should monitor the device for any sign of malfunction. Any anomalies or equipment failures should be noted in the appropriate report and promptly reported to the Administrative Sergeant.

503.5.3 BLOOD SAMPLES

Only persons authorized by law to draw blood shall collect blood samples (Utah Code 41-6a-523; Utah Code 77-23-213). The blood draw should be witnessed by the assigned officer. No officer, even if properly certified, should perform this task.

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.

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503.5.4 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 person giving the sample. The arrestee tested 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.

503.6 REFUSALS

When an arrestee refuses to provide a chemical sample, officers should:

(a) Advise the arrestee of the requirement to provide a sample (Utah Code 41-6a-520).

(b) Audio- and/or video-record the admonishment and the response when it is practicable.

(c) Document the refusal in the appropriate report.

503.6.1 STATUTORY NOTIFICATIONS UPON REFUSAL

Upon refusal to submit to a chemical test as required by law, officers shall personally serve the notice of the Driver License Division’s (DLD) intention to revoke the person's driving privilege or license upon the person (Utah Code 41-6a-520).

503.6.2 BLOOD SAMPLE WITHOUT CONSENT

A blood sample may be obtained from a person who refuses a chemical test when any of the following conditions exist (Utah Code 77-23-213):

(a) A search warrant has been obtained.

(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 resulting from an accident investigation or medical treatment of the person.

503.6.3 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.

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(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. 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.

1. Unless otherwise provided in a warrant, force should generally be limited to handcuffing or similar restraint methods.

2. In misdemeanor cases, if the arrestee becomes violent or more resistant, no additional force will be used and a refusal should be noted in the report.

3. In felony cases, force which reasonably appears necessary to overcome the resistance to the blood draw may be permitted.

(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.

503.7 ARREST AND INVESTIGATION

503.7.1 ARREST AUTHORITY

An officer may make a warrantless arrest of a person that the officer has probable cause to believe has violated the DUI laws of this state, whether or not the offense occurred in the officer's presence (Utah Code 41-6a-508).

503.7.2 VEHICLE IMPOUNDMENT

An officer who arrests a person for DUI shall seize and impound the vehicle the person was driving at the time of the arrest. If operable, the vehicle may be released upon request to the registered owner of the vehicle if the person is able to present proof of ownership, a valid driver license and that the person would not be in violation of the DUI laws of this state if permitted to operate the vehicle (Utah Code 41-6a-527).

503.7.3 OFFICER RESPONSIBILITIES

An officer serving a person with a notice of the DLD intention to revoke the person's driving privilege or license shall also (Utah Code 41-6a-520):

(a) Provide the person with basic information regarding how to obtain a hearing before DLD.

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(b) Forward a report to DLD within 10 days of giving the notice to the person that the officer had reasonable grounds to believe the arrested person was DUI and that the person refused to submit to a chemical test as required by law.

503.7.4 SELECTION OF CHEMICAL TEST
The investigating officer shall determine which chemical test or tests to administer to a person and how many tests will be administered. In the event that an officer requests that the person submit to more than one test, refusal by the person to take one or more of the requested tests, even if the person has already submitted to one test, is nonetheless considered a refusal under state DUI laws (Utah Code 41-6a-520).

503.7.5 ADDITIONAL TESTING
A person may have qualified medical personnel administer an additional test, at the person's own expense. The additional test shall be administered subsequently to that which is administered at the direction of the officer (Utah Code 41-6a-520).

503.8 REPORTING
The Administrative Sergeant shall ensure that the Department complies with all reporting requirements pursuant to Utah Code 53-10-206.

503.9 RECORDS SECTION RESPONSIBILITIES
The Records Manager will ensure that all case-related records are transmitted according to current records procedures and as required by the prosecuting attorney's office.

503.10 ADMINISTRATIVE HEARINGS
The Records Manager will ensure that all appropriate reports and documents related to administrative license suspensions are reviewed and forwarded to DLD.

Any officer who receives notice of required attendance to an administrative license suspension hearing should promptly notify the prosecuting attorney.

An officer called to testify at an administrative hearing should document the hearing date and DLD file number in a supplemental report. Specific details of the hearing generally should not be included in the report unless errors, additional evidence or witnesses are identified.

503.11 TRAINING
The Administration Sergeant should ensure that officers participating in the enforcement of DUI laws receive regular training. Training should include, at minimum, current laws on impaired driving, investigative techniques and rules of evidence pertaining to DUI investigations. The Administration Sergeant shall also ensure that each officer receives training on the current standard field sobriety testing guidelines established by National Highway Traffic Safety Administration (Utah Code 41-6a-515.6).

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The Administration Sergeant should confer with the prosecuting attorney's office and update training topics as needed.

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Traffic Citations

504.1 PURPOSE AND SCOPE

This policy outlines the responsibility for traffic citations, the procedure for dismissal, correction and voiding of traffic citations.

504.2 RESPONSIBILITIES

The Administrative Sergeant shall be responsible for the development and design of all Department traffic citations in compliance with state law and the Judicial Council.

504.3 DISMISSAL OF TRAFFIC CITATIONS

Employees of the Department do not have the authority to dismiss a citation once it has been issued. Only the court has the authority to dismiss a citation that has been issued (Utah Code 77-7-26). Any request from a recipient to dismiss a citation shall be referred to the City Attorney's Office and/or the local justice court. Any informal review of the circumstances involving the issuance of the traffic citation by the Department, may involve a request to the City Attorney's Office to recommend dismissal of the traffic citation. If approved, the citation will be forwarded to the appropriate court with a request for dismissal. All recipients of traffic citations whose request for the dismissal of a traffic citation has been denied shall be referred to the appropriate court.

Should an officer determine during a court proceeding that a traffic citation should be dismissed in the interest of justice or where prosecution is deemed inappropriate, the officer may request the court to dismiss the citation. Upon dismissal of the traffic citation by the court, the officer shall notify his/her immediate supervisor of the circumstances surrounding the dismissal and shall complete any paperwork as directed or required. The citation dismissal shall then be forwarded to the section commander for review.

504.4 CORRECTION OF TRAFFIC CITATIONS

When a traffic citation is issued and in need of correction, the officer issuing the citation shall submit the citation and a letter requesting a specific correction to the City Attorney's Office. The citation and letter shall then be forwarded to the local court for review.

504.5 PARKING VIOLATION APPEAL PROCEDURE

Disposition of parking violation appeals is conducted by the City Attorney's Office and local justice court.

504.5.1 APPEAL STAGES

Appeals may be pursued sequentially at three different levels:

(a) Administrative reviews are conducted by the City Attorney's Office which will review written/documentary data.

(b) If the appellant wishes to pursue the matter beyond administrative review, an administrative hearing may be conducted in person or by written application, at the

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election of the appellant. Independent referees review the existent administrative file, amendments and/or testimonial material provided by the appellant and may conduct further investigation or follow-up on their own.

(c) If the appellant wishes to pursue the matter beyond an administrative hearing, a District Court review may be presented in person by the appellant after an application for review and designated filing fees have been paid to the appropriate District Court.

504.6 JUVENILE CITATIONS

Completion of traffic citation forms for juveniles may vary slightly from the procedure for adults. The juvenile's age, place of residency and the type of offense should be considered before issuing the juvenile a citation.

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Disabled Vehicles

505.1 PURPOSE AND SCOPE

All law enforcement agencies having responsibility for traffic enforcement should develop and adopt a written policy to provide assistance to motorists in disabled vehicles within the Department's primary jurisdiction.

505.1.1 PROCEDURES

LOCKOUTS PROCEDURE

505.2 OFFICER RESPONSIBILITY

When an on-duty 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 officer to respond for assistance as soon as practical.

An officer may remove a vehicle that has been involved in a collision (or property from within the vehicle) without the consent of the owner if it is blocking a roadway or is otherwise endangering public safety (Utah Code 41-6a-401.9).

505.3 EXTENT OF ASSISTANCE

In most cases, a disabled motorist will require assistance. After arrangements for assistance are made, continued involvement by Department personnel will be contingent on the time of day, the location, the availability of Department resources and the vulnerability of the disabled motorist.

505.3.1 MECHANICAL REPAIRS

Department personnel shall not make mechanical repairs to a disabled vehicle. The use of push bumpers to relocate vehicles to a position of safety is not considered a mechanical repair.

505.3.2 RELOCATION OF DISABLED VEHICLES

The relocation of disabled vehicles by members of this department by pushing or pulling a vehicle should only occur when the conditions reasonably indicate that immediate movement is necessary to reduce a hazard presented by the disabled vehicle.

505.3.3 RELOCATION OF MOTORIST

The relocation of a motorist with a disabled vehicle 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.

505.4 PUBLIC ACCESS TO THIS POLICY

This policy is available upon request.

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Abandoned Vehicles

506.1 PURPOSE AND SCOPE

This policy provides procedures for the removal, recording and storage of abandoned vehicles that are left unattended on a highway for a period in excess of 48 hours or on public or private property for a period in excess of seven days under the authority of Utah Code 41-6a-1408.

506.2 REMOVAL OF VEHICLES

Vehicles in violation of Utah Code 41-6a-1408 and by order of an officer of the Department shall be removed, at the owner's expense, by a tow truck motor carrier that meets the standards as described in Utah Code 72-9-601 et seq.

506.2.1 RECORDING OF VEHICLES IMPOUNDED

Immediately after the removal of the vehicle, a Vehicle Impound Report Form shall be completed and sent to the Motor Vehicle Division. A copy of this form shall also be forwarded to the Records Section. In accordance with Utah Code 41-6a-1406, the form shall include:

- The operator's name, if known.
- A description of the vehicle.
- The vehicle identification number.
- The license number, or other identification number issued by a state agency.
- The date, time, and place of impoundment.
- The reason for removal or impoundment.
- The name of the tow truck motor carrier who removed the vehicle.
- The location where the vehicle is stored.

506.2.2 VEHICLE STORAGE

Any vehicle in violation shall be stored at a state impound yard by the authorized tow truck motor carrier and a Vehicle Impound Report Form shall be completed by the officer authorizing the storage of the vehicle and the tow truck motor carrier (Utah Code 41-6a-1406).

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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 Taylorsville 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.

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Sexual Assault Investigations

601.1 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.

601.2 DEFINITIONS

Definitions related to this policy include:

Restricted sexual assault kit - A sexual assault kit collected from a victim who is at least 18 years old and at the time of collection declines to have the kit processed or to have the examination form shared with any entity outside of the collection facility (Utah Code 76-5-602).

Sexual assault - Any crime or attempted crime of a sexual nature, to include but not limited to offenses defined in Utah Code, Title 76, Chapter 5, Part 4 (Sexual Offenses).

Sexual assault kit - A package of items that is used by medical personnel to gather and preserve biological and physical evidence following an allegation of sexual assault (Utah Code 76-5-602).

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.

Trauma Informed Victim Interview (TIVI) – An interview conducted by a properly trained detective in accordance with the principles of the neurobiology of trauma. This interview technique is designed to allow the victim to provide as much information about the crime as possible according to their ability to do so. This interview technique maximizes the detective's ability to obtain any corroborating information or evidence while minimizing the possibility of re-victimizing the victim. The interview also allows the victim to ask questions and express concerns as well as become informed as to the next steps in the investigation and their role in the investigative process.

601.3 POLICY

It is the policy of the Taylorsville 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.

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601.4 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, victim advocates and support for the victim.

601.5 REPORTING AND INITIAL OFFICER RESPONSE PROCEDURES

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.

Upon notification of a crime of a sexual nature, the initial officer should respond as soon as possible to the victim's location to contact the victim, address safety concerns, and summon emergency medical assistance if needed. If emergency medical assistance is not necessary, the initial officer should ensure that the victim receives any other necessary medical care.

In conducting the initial investigation, the initial officer should attempt to determine the location of occurrence, time of occurrence, type of sexual assault, victim contact information (also attempt to obtain contact information for the victim's next of kin, family, and close friends to assist detectives in being able to contact the victim in the future.) Contact information of witnesses, if any, and suspects should also be gathered. Any interview contacted by the initial officer with the victim should be limited in scope to these basic factors. A detailed, follow-up interview will be conducted with the victim at a later time.

The initial officer should identify the scene, people, vehicles, or objects involved as well as possible safety concerns and secure the crime scene to ensure that evidence is not lost, changed, or contaminated.

In consideration of conducting the initial investigation of a sexual offense, the initial officer should treat each report as factual. The initial officer shall conduct him/herself in a manner to establish trust and rapport with the victim. Patience, understanding, and respect for the victim's dignity shall be expressed at all times. Officers should understand that their conduct during the initial investigation may serve to increase or decrease the victim's willingness to disclose important case facts and participate in the investigation.

The use of alcohol or illegal substance(s) by a victim (including underage drinking) shall not be shall not be used to discredit or discourage a victim from reporting a sexual assault. The priority

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is to conduct a thorough investigation of the sexual assault rather than prosecute victims for misdemeanor violations.

The initial officer should discuss the importance of evidence preservation and should encourage the victim to participate in a forensic medical examination.

Victims 14 years of age or older will be transported to the hospital of their choice. At the direction of the assigned officer, Dispatch will notify the Sexual Assault Nurse Examiner (S.A.N.E.) and give the estimated arrival time. If a victim is otherwise in need of medical care in a hospital setting, a SANE nurse should de paged to the hospital to conduct the exam.

Sexual assault victims under the age of 14: In these cases, contact with the Special Victim's Unit Sergeant needs to be made so that arrangements can be made for an examination. These examinations are now done by **Safe and Healthy Families** and they can be contacted at 801-662-3606 during the day or 801-662-1000 after hours. If the child needs medical attention, they should be transported to the hospital immediately.

The initial officer should attempt to locate, identify, and interview witnesses. The initial officer should attempt to identify suspect(s) and obtain contact information.

If a victim desires, a victim advocate should be contacted as soon as possible to assist throughout the reporting and investigation process.

The initial officer should discuss the circumstances and facts of the case with his/her supervisor. The supervisor will then make the determination if a Detective is to be called out for further, immediate investigation.

Victims should not be asked or required to take a polygraph examination (34 USC § 10451).

601.6 TRAUMA INFORMED VICTIM INTERVIEW PROTOCOL

Based on the length of time between the assault and report of the crime and the individual's personal history, the victim may be in crisis and experiencing post-traumatic stress. Victims may exhibit a wide range of behaviors that may change over time. It is preferable that a few sleep cycles happen before the formal TIVI interview is conducted to allow the victim's body to normalize following the trauma experienced.

Because individual responses to trauma vary greatly from person to person, the response to the trauma of a sexual assault shall not be used in any way to measure credibility when a victim has experienced a traumatic event or drugs or alcohol are involved, the victim may have limited recollection or be unable to give a complete account of the crime. Not knowing the details of what happened may exacerbate the trauma experienced by the victim.

A thorough and complete investigation shall be conducted. Investigators shall:

(a) Remain patient and maintain an open mind while listening to the victim's account.

(b) Remember that victim may struggle with gaps in memory.

(c) Avoid leading questions while conducting the interview. Use open ended questions.

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(d) Use simple terminology appropriate to the victim's age and sophistication.

(e) Avoid using jargon to include police, medical, or legal terms during interview.

Prior to initiating the interview, the officer / investigator should:

(a) Review all available reports and evidence, or if not yet available, speak with responding officers, paramedics, dispatchers, etc.

(b) Accommodate the victim's request for a victim's advocate or support person whenever possible.

(c) The interview should be approached in a calm, compassionate, empathetic, and non-biased manner.

(d) Secure a private location for the interview that is free from distractions. The interview should take place in a "soft" interview room. Use the children's Justice Center or Family Justice Center as appropriate. Victims should be treated with empathy at all times and the investigator should express interest in the victim's well-being. Inform the victim of the importance of full disclosure of everything they are able to remember about what happened.

During the interview, the investigator should use the TIVI protocol and abide by the protocol guidelines. The only exception with be with the approval of the Special Victim Unit supervisor.

At the conclusion of the TIVI interview the investigator shall:

(a) Ensure the victim has the investigator's and victim advocate's contact information.

(b) Ensure the correct and complete contact information for the victim is on file. This should include any temporary living arrangements, contact information for close friends, family, employment information, or other information as appropriate to assist in keeping in contact with the victim to increase the chances of the victim remaining engaged throughout the investigative process.

(c) Encourage the victim to contact the investigator with any additional information or evidence.

(d) Remind the victim that that visible evidence of injury may appear later, and to contact the investigator to arrange for additional photographs or other documentation, as necessary.

(e) Inform the victim about the next steps in the investigation.

(f) Express appreciation for the victim's participation in the interview.

(g) Ask the victim if she/he has any questions.

Trauma Informed Victim Interview protocol will be the standard of adult victim interviews. The only exception to the TIVI interview will be with the approval of the Special Victims Unit Supervisor.

601.6.1 INTERVIEWING JUVENILE VICTIMS
Victims under the age of 18:

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Usually, officers can accept virtual hearsay information for initial reporting purposes as long as the person giving the information has had direct conversation with the victim concerning the crime and enough information is provided to establish that a possible sexual crime has been committed. If, hearsay information is not available, the officer still needs to obtain enough information to complete an initial report. In doing so, the officer shall allow the victim to tell them what happened, without interruptions of possible. Once the narrative is received, limit questions to clarify basic information such as site of occurrence, suspect information, and possible witnesses. It is not the officer's place to question the victim's narrative, even if it seems unreasonable and includes inconsistencies.

It is very important to get accurate contact information for the victim and victim's parents or guardians, including but not limited to: home address, home phone number, mobile phone numbers, work phone number, email addresses and parent information.

A SVU Detective will follow-up and a forensic interview will be conducted with the juvenile. In obtaining the initial report, it is advisable that no further questions of the victim be conducted.

The initial officer should advise all other parties involved that it would be best that they not question the victim until after the forensic interview.

If the victim lives in a home where the alleged suspect also resides, the Special Victims detectives need to be notified.

Do no allow the victim to return to a home or any place where the suspect is going to be.

Document the case and forward the case number to the Special Victims Unit Sergeant.

601.6.2 MEMBER RESPONSIBILITIES

Upon written request from the victim, or his/her designee, members investigating or receiving a report of an alleged sexual assault shall inform the victim or his/her designee of the following (Utah Code 77-37-3):

(a) That the victim has the right to request a test for the HIV infection.

(b) Whether a DNA profile was obtained from the rape kit or other evidence in his/her case.

(c) Whether that DNA profile was entered into the Utah Combined DNA Index System (CODIS).

(d) Whether there is a match between that DNA profile or other crime scene evidence and a DNA profile in the Utah CODIS, unless such notice would impede or compromise an ongoing investigation.

(e) That the victim has a right to designate a person to act as a recipient of the above information.

601.7 COLLECTION AND TESTING OF BIOLOGICAL EVIDENCE

In conjunction with their supervisor and/or detectives, consideration should be made toward requesting assistance from forensics in processing crime scenes related to sexual assaults.

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Responding officers shall protect the integrity of the evidence and guard the chain of custody by properly marking, packaging, and labeling all evidence collected, Including:

(a) Clothing worn at the time of the assault and immediately after.

Documentation of victim's and/or suspect's injuries, to include photographs. In cases where a SANE exam is conducted, the SANE nurse will document the victim's injuries during the exam. On scene photographs should also be taken as appropriate.

When an investigating officer suspects that a sexual assault may have been facilitated with drugs or alcohol, the officer should determine the time of the incident as soon as possible in order to make decisions regarding the collection of urine and blood samples by a forensic nurse.

Officers shall introduce the need for a medical examination to the victim explaining its importance relative to the investigative efforts as well as victim's wellbeing. Officers shall not coerce victims into receiving a SANE exam or providing samples for drug screening.

DNA evidence plays a crucial role in the sexual assault investigation. In addition to the victim's and suspect's bodies and clothing, there are many other potential sources to consider such as condoms, sheets, blankets, pillows, bottles, etc. that may contain biological evidence such as semen, blood, seat, tissue, saliva, hair, and urine.

The sexual assault evidence kit (Code R kit) shall be accepted from the SANE nurse after it has been properly sealed and labeled.

The kit may contain whole blood that requires that the kit be placed and logged into an evidence refrigerator as soon as possible. The kit may also contain a urine sample for toxicology testing. If it does, the urine sample shall also be refrigerated.

Investigating officers or supervisors shall have access to the evidence refrigerator after regular business hours, on weekends, and on holidays.

The kit shall not be allowed to freeze or be exposed to heat such as being near a car's interior heater.

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.

Subject to the requirements set forth in this policy, biological evidence from all sexual assault cases, including cases where the suspect is known by the victim, should be submitted for testing.

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.

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601.7.1 COLLECTION AND TESTING REQUIREMENTS
Members investigating sexual assaults or handling related evidence are required to:

(a) Notify the victim, or his/her designee, if evidence will not be analyzed in a case involving an unknown perpetrator (Utah Code 77-37-3).

(b) Take possession of sexual assault kits within one business day after receiving notice from a collecting facility (Utah Code 76-5-604; Utah Code 76-5-607).

1. The Evidence Technician taking possession of the kit should ensure that the required information is entered into the statewide sexual assault kit tracking system within five days of receiving the kit from a collection facility.

(c) Transfer the kit to the appropriate law enforcement agency within 10 days in cases where the incident occurred in another jurisdiction (Utah Code 76-5-604).

(d) Submit the kit to the Utah Bureau of Forensic Services within 30 days of obtaining possession of the kit except for cases involving restricted kits (Utah Code 76-5-604).

1. If available, a suspect standard or a consensual partner elimination standard shall be submitted with the sexual assault kit.

2. If not obtained until later, the standards shall be submitted as soon as possible but no later than 30 days after the department obtained possession of the kit.

3. If the victim informs the Taylorsville Police Department that he/she wants to have the kit processed and agrees to release of the sexual assault examination form with the kit, the kit may no longer be classified as restricted and shall be submitted to the Utah Bureau of Forensic Services as soon as possible, but no later than 30 days after the victim chooses to unrestrict the kit (Utah Code 76-5-604).

Additional guidance regarding evidence retention and destruction is found in the Property and Evidence Policy.

601.7.2 DNA TEST RESULTS
Members investigating sexual assault cases should ensure that a victim, or their designee, is notified of any DNA test results as soon as reasonably practicable (Utah Code 77-37-3).

A SART member should be consulted regarding the best way to deliver biological testing results to a victim so as to minimize victim trauma, especially in cases where there has been a significant delay in getting biological testing results (e.g., delays in testing the evidence or delayed DNA databank hits). Members should 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.

Members investigating sexual assaults cases should ensure that DNA results are entered into databases when appropriate and as soon as practicable.

601.8 DISPOSITION OF CASES

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All cases involving an allegation of a sexual offense that includes an identified suspect, shall be screened with the appropriate prosecutor's office.

601.9 CASE REVIEW

The Special Operations supervisor should ensure cases are reviewed on a periodic basis, at least annually, using an identified group that is independent of the investigation process. The reviews should include an analysis of:

- Case dispositions.
- Decisions to collect biological evidence.
- Submissions of biological evidence for lab testing.

The SART and/or victim advocates should be considered for involvement in this audit. Summary reports on these reviews should be forwarded through the chain of command to the Chief of Police.

601.10 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 Special Operations 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.

601.11 TRAINING

Subject to available resources, periodic training should be provided to:

(a) Members who are first responders. Training should include:

1. Initial response to sexual assaults.
2. Legal issues.
3. Victim advocacy.
4. 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).

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6. Techniques for communicating with victims to minimize trauma.

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Asset Forfeiture

602.1 PURPOSE AND SCOPE

This policy describes the authority and procedure for the seizure, forfeiture and liquidation of property associated with specified designated offenses.

602.1.1 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 Taylorsville Police Department seizes property for forfeiture or when the Taylorsville 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 - Property that has been used to facilitate the commission of a federal or state offense and any proceeds of criminal activity, including both of the following (Utah Code 24-4-102):

(a) Real property, including things growing on, affixed to and found in land

(b) Tangible and intangible personal property, including money, rights, privileges, interests, claims and securities of any kind

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.

602.2 POLICY

The Taylorsville 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 Taylorsville 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.

602.3 ASSET SEIZURE

Property and contraband may be seized for forfeiture as provided in this policy.

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602.3.1 PROPERTY AND CONTRABAND SUBJECT TO SEIZURE

(a) Property and contraband that may be seized upon review and approval of a supervisor and in coordination with the forfeiture reviewer includes (Utah Code 24-2-102):

1. Property subject to forfeiture that has been identified in a court order or is the subject of a prior judgment.
2. Property and contraband subject to forfeiture that is seized upon the authority of a search or administrative warrant.

(b) Property and contraband subject to forfeiture can be lawfully seized without a court order when the seizure is incident to arrest or when there is probable cause to believe:

1. It is directly or indirectly dangerous to health or safety.
2. It is evidence of an offense.
3. It has been used or was intended to be used to commit an offense.
4. It constitutes the proceeds of an offense.

Whenever practicable, obtaining a court order for seizure prior to making a seizure is the preferred method.

A large amount of money standing alone is insufficient to establish the probable cause required to make a seizure.

602.3.2 PROPERTY NOT SUBJECT TO SEIZURE

Property that should not be seized for forfeiture includes:

(a) Cash and property that does not meet the forfeiture counsel's current minimum forfeiture guidelines.

(b) A motor vehicle used in a violation of driving under the influence of alcohol and/or drugs (Utah Code 41-6a-502); driving with any measurable controlled substance in the body (Utah Code 41-6a-517); driving while having a controlled substance in the body and causing serious injury (Utah Code 58-37-8(2)(g)); automobile homicide (Utah Code 76-5-207); or a local DUI ordinance, may not be forfeited unless any of the following apply:

1. The operator of the vehicle has previously been convicted of an offense committed after May 12, 2009 and specified in Utah Code 24-4-102.
2. The operator of the vehicle was driving on a denied, suspended, revoked, or disqualified license and the denial, suspension, revocation, or disqualification was imposed based upon violations specified in Utah Code 24-4-102.

(c) Property used to facilitate specific crimes related to pornography or material harmful to children (Utah Code 76-10-1204; Utah Code 76-10-1205; Utah Code 76-10-1206; Utah Code 76-10-1222) if the seizure would constitute a prior restraint or interference with a person's rights under the First Amendment to the U.S. Constitution or the Utah Constitution (Utah Code 24-4-102).

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(d) Property seized incident to an arrest solely for possession of a controlled substance or controlled substance analog under Utah Code 58-37-8(2)(a)(i).

602.4 PROCESSING SEIZED PROPERTY FOR FORFEITURE

When property or cash subject to this policy is seized, the officer making the seizure should ensure compliance with the following (Utah Code 24-2-103):

(a) Complete 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 days of seizure.

The officer will book seized property as evidence with the notation in the comment section of the property form, “Seized Subject to Forfeiture.” Property seized subject to forfeiture should be booked on a separate property form. No other evidence from the case should be booked on this form.

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.

602.5 MAINTAINING SEIZED PROPERTY

The Evidence Room 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) Cash and other negotiable instruments are deposited into a restricted interest-bearing account designated solely for property subject to forfeiture within 30 days of seizure (Utah Code 24-2-104).

(d) All property received for forfeiture is retained until forfeiture is finalized or the property is returned to the claimant or the person with an ownership interest.

(e) Property received for forfeiture is not used by the Department unless the forfeiture action has been completed.

(f) Associated documentation complies with Utah Code 24-2-103.

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602.6 FORFEITURE REVIEWER

The Chief of Police will appoint a 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 (Utah Code 24-4-119).

The responsibilities of the forfeiture reviewer include:

(a) Remaining familiar with forfeiture laws, particularly the Forfeiture and Disposition of Property Act (Utah Code 24-1-101 et seq.) and the forfeiture policies of the forfeiture counsel.

(b) Serving as the liaison between the Department and the forfeiture counsel 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 (Utah Code 24-2-105). 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.

    5. Any other information that may be needed to comply with Utah Code 24-2-103.

(g) Ensuring that those 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.

(h) Reviewing each asset forfeiture case to ensure that:

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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 (Utah Code 24-4-103).
3. Notice of seizure has been given in a timely manner to those who hold an interest in the seized property (Utah Code 24-4-103; Utah Code 24-4-104).
4. Property is promptly released to those entitled to its return (Utah Code 24-2-107; Utah Code 24-2-108; Utah Code 24-4-103.5).
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.
10. A written plan should be 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.
11. A copy of the property receipt is kept in the case file and, if the property is transferred to another agency, a copy of the receipt is provided along with the property (Utah Code 24-2-104).
12. Any records of a related interview of a child are retained pursuant to Utah Code 53-13-110.5.
13. The request for a forfeiture action be commenced by the forfeiture attorney as provided in Utah Code 24-4-103.

(i) Ensuring that the Department disposes of property as provided by law following any forfeiture (Utah Code 24-4-115).

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. Utah Code 24-4-118 should be referenced for reporting federal seizures to the Utah Commission on Criminal and Juvenile Justice.

602.7 DISPOSITION OF FORFEITED PROPERTY

No property seized shall be transferred, sold, or auctioned to an employee of this department (Utah Code 24-2-104).

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No member of this department may use property that has been seized for forfeiture until the forfeiture action has been completed and the Chief of Police has given written authorization to retain the property for official use. No department member involved in the decision to seize property should be involved in any decision regarding the disposition of the property.

Any property, money, or other items of value received by this department pursuant to a federal forfeiture shall be used in compliance with federal laws and regulations relating to equitable sharing (Utah Code 24-2-105). Such property may be used to fund crime prevention and law enforcement activities described in Utah Code 24-4-117(10). State law prohibits the use of property or money received to be used for such things as salaries, benefits, any expenses not related to law enforcement, and other purposes specified in Utah Code 24-4-117(11).

Money received as a result of a federal forfeiture may only be used as approved by the City council (Utah Code 24-2-105).

602.8 LIMITATION ON FEES FOR HOLDING SEIZED PROPERTY

The Department will not charge a person contesting a forfeiture any fee or cost for holding seized property as the result of any civil or criminal forfeiture in which a judgment is entered in favor of the person, or where a forfeiture proceeding is voluntarily dismissed by the prosecuting attorney (Utah Code 24-4-112).

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Informants

603.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the use of informants.

603.1.1 DEFINITIONS

Definitions related to this policy include:

Confidential Informant - A person who covertly interacts with other individuals or suspects at the direction of, request of, or by agreement with the Taylorsville Police Department for law enforcement purposes. This also includes a person agreeing to supply information to the Taylorsville Police Department for a benefit (e.g., a quid pro quo in the form of a reduced criminal penalty, or financial compensation).

603.2 POLICY

The Taylorsville 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.

603.2.1 CULTIVATING INFORMANTS

Sworn members should use every opportunity to cultivate informants and make contacts among the criminal element, the business community, the schools, the clergy, and any other area in the community where there is a potential for obtaining useful information.

603.2.2 SOURCE OF INFORMATION DEFINED

In all reports generated by officers, a source of information shall be categorized in two different manners, more specifically as follows:

Confidential Informant (CI) - An informant is a person acting as an agent for the police department whose reliability and credibility has previously been established. This usually consists of, but not limited to, a least one prior occasion where information provided by the informant proved to be factual and resulted in a valid arrest or aided in the success of a continued investigation. This does not include concerned citizens. This may also include a person agreeing to supply information to the Taylorsville Police Department for a benefit (e.g., a quid pro quo in the form of a reduced criminal penalty, or financial compensation).

Confidential Source - A person who provides information to law enforcement based on motivation to improve the community, under circumstances that do not cast doubt on truthfulness. Such information is believed to be reliable and generally no additional information concerning their good faith or honesty is required. A Confidential Source is generally not a person that is receiving financial compensation for the information he/she provides the Department.

603.3 USE OF INFORMANTS

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603.3.1 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.

603.3.2 JUVENILE INFORMANTS

The use of juvenile informants under the age of 13-years 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

(c) the court in which the juvenile's case is being handled, if applicable

(d) The Chief of Police or the authorized designee

603.3.3 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.

603.4 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, Section Commander, Neighborhood Street Crimes 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 Taylorsville 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.

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2. Social contact shall be avoided unless it is necessary to conduct an official investigation, and only with prior approval of the Neighborhood Street Crimes 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 in a private place unless accompanied by at least one additional officer or with prior approval of the Neighborhood Street Crimes supervisor.

(f) In the most of extreme of circumstances, Officers may meet informants alone in an occupied public place, such as a restaurant. (A second witness officer shall be positioned near the primary officer, such as a business parking lot, to assist with surveillance of the area and assist with any officer safety issues.

(g) When contacting informants for the purpose of making payments, officers shall arrange for the presence of another witnessofficer at all times without exception.

(h) In all instances when department funds are paid to informants, a voucher shall be completed in advance, itemizing the expenses.

(i) 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. The officer shall advise the informant that the appropriate prosecutor will be advised of the outcome of the informant’s actions, so his/her criminal case can be adjudicated appropriately with the court’s approval.

(j) Officers should take additional precautions when dealing with informants of the opposite sex and with informants whose sexual preferences may make an investigation more susceptible to compromise through alleged improprieties.

603.4.1 UNSUITABLE INFORMANTS

The suitability of any informant should be considered before engaging him/her in any way in a covert or other investigative process. Members who become aware that an informant may be unsuitable will notify the supervisor, who will initiate a review to determine suitability. Until a determination has been made by a supervisor, the informant should not be used by any member. The supervisor shall determine whether the informant should be 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 “unsuitable” when appropriate and deactivate the informant for use in the informant's file.

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.

(c) The informant reveals to suspects the identity of an officer or the existence of an investigation.

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(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.

(g) The informant commits criminal acts subsequent to entering into an informant agreement.

603.5 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 and managed in a secure area e by the Special Operations Commander. The Special Operations Commander will be responsible to ensure that ll informant files are routinely updated with the status of the informant's actions and their suitability for continued use. Access to the informant files shall be restricted to the Chief of Police, Section Commanders, the immediate supervisor of the case agent and/or their authorized designees.

The Special Operations Commander should arrange for an unannounced audit using a representative sample of randomly selected informant files on a periodic basis, but no less than one time per year. The Special Operations Commander shall audit all informant files on a quarterly basis, along with the immediate supervisor and the case agent of the informant. If the Special Operations Commander is replaced or transferred, the files will be turned over to his/her replacement and shall 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 superior officer or designee supervisor who does not have normal access to the informant files.

603.5.1 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 shall be prepared to correspond to each informant file and include the following information:

(a) Name and aliases

(b) Date of birth

(c) Physical description: sex, race, height, weight, hair color, eye color, scars, tattoos or other distinguishing features

(d) Photograph

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(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

1. If an informant is determined to be unsuitable, the informant's file is to be marked "unsuitable" and notations included detailing the issues that caused this classification

(j) Name of officer initiating use of the informant

(k) Signed informant agreement

(l) Update on active or inactive status of informant

603.6 INFORMANT PAYMENTS

No informant 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 extent of the informant's personal involvement in the case
- The significance, value or effect on crime
- The value of assets seized
- The quantity of the drugs or other contraband seized
- The informant’s previous criminal activity
- The level of risk taken by the informant

For payment less than $300.00, the supervisor will consider the above factors before authorizing payment. For payment more than $300.00, the supervisor will confer with the Special Operations Section Commander or designee, who will be the one to authorize or decline the payment amount.

603.6.1 PAYMENT PROCESS

Approved payments to an informant should be in cash using the following process:

(a) Payments may be paid in cash from a buy/expense fund.

1. The immediate supervisor and case agent 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

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(c) Taylorsville Police Department case number

(d) A statement that the informant is receiving funds in payment for information voluntarily rendered.

2. The cash transfer form shall be signed by the informant.

3. A copy of the cash transfer form will be kept in the informant's file as well as the detective's "chit" book.

603.6.2 AUDIT OF PAYMENTS

The Special Operations commander or 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.

603.6.2 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.

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Eyewitness Identification

604.1 PURPOSE AND SCOPE

This policy sets forth guidelines to be used when members of this department employ eyewitness identification techniques.

604.1.1 DEFINITIONS

Eyewitness identification process - Any field identification, live lineup or photographic identification.

Field identification - A live presentation of a single individual to a witness following the commission of a criminal offense for the purpose of identifying or eliminating the person as the suspect.

Live lineup - A live presentation of individuals to a witness for the purpose of identifying or eliminating an individual as the suspect.

Photographic lineup - Presentation of photographs to a witness for the purpose of identifying or eliminating an individual as the suspect.

604.2 POLICY

The Taylorsville 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.

604.3 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 members 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. The dialog between the officer, interpreter and witnesses shall be recorded.

604.4 EYEWITNESS IDENTIFICATION PROCESS AND FORM

The Investigations supervisor shall be responsible for the development and maintenance of an eyewitness identification process for use by members when they are conducting eyewitness identifications.

The process should include appropriate forms or reports that provide:

(a) The date, time and location of the eyewitness identification procedure.

(b) The name and identifying information of the witness.

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(c) The name of the person administering the identification procedure.

(d) If applicable, the names of all of the individuals present during the identification procedure.

(e) An 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.

(f) An instruction to the witness that the investigation will continue regardless of whether identification is made by the witness.

The process and related forms should be reviewed at least annually and modified when necessary.

604.5 EYEWITNESS IDENTIFICATION

Members shall not, 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 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 shall view suspects or a lineup individually and outside the presence of other witnesses. Witnesses shall be instructed to avoid discussing details of the incident or of the identification process with other witnesses.

The eyewitness identification procedure shall be audio and/or video recorded, and the recording should be retained according to current evidence procedures.

604.5.1 PHOTOGRAPHIC LINEUP AND LIVE LINEUP CONSIDERATIONS

The person presenting the line-up shall not in any way, be involved in the investigation of the case. When practicable, the member presenting a lineup to a witness should not know which photograph or person is the suspect.

Other persons or photos used in any lineup shall bear similar characteristics to avoid causing any person to unreasonably stand out. In cases involving multiple suspects, a separate lineup shall be conducted for each suspect. The suspects should be placed in a different order within each lineup.

The member presenting the lineup shall do so sequentially (i.e., show the witness one person at a time) and not simultaneously. The witness shall 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.

604.5.2 FIELD IDENTIFICATION CONSIDERATIONS

Field identifications, also known as field elimination, show-up 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

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used when independent probable cause exists to arrest a suspect. In such cases a photo lineup is the preferred course of action if eyewitness identification is contemplated.

When initiating a field identification, the officer should observe the following guidelines:

(a) Obtain a complete description of the suspect from the witness.

(b) Assess whether a witness should be included in a field identification process by considering:

1. The length of time the witness observed the suspect.
2. The distance between the witness and the suspect.
3. Whether the witness could view the suspect's face.
4. The quality of the lighting when the suspect was observed by the witness.
5. Whether there were distracting noises or activity during the observation.
6. Any other circumstances affecting the witness's opportunity to observe the suspect.
7. The length of time that has elapsed since the witness observed the suspect.

(c) If safe and practicable, the person who is the subject of the show-up should not be handcuffed or in a patrol vehicle.

(d) When feasible, 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.

(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 a subject of a 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.

604.6 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

605.1 PURPOSE AND SCOPE

This policy establishes guidelines for identifying and releasing potentially exculpatory or impeachment information (so-called "*Brady* information") to a prosecuting attorney.

605.1.1 DEFINITIONS

Definitions related to this policy include:

***Brady* information** - Information known or possessed by the Taylorsville Police Department that is both favorable and material to the current prosecution or defense of a criminal defendant.

605.2 POLICY

The Taylorsville 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 Taylorsville Police Department will assist the prosecution by complying with its obligation to disclose information that is both favorable and material to the defense. The Department will identify and disclose to the prosecution potentially exculpatory information, as provided in this policy.

605.3 DISCLOSURE OF INVESTIGATIVE INFORMATION

Officers must include in their investigative reports adequate investigative information and reference to all material evidence and facts that are reasonably believed to be either incriminating or exculpatory to any individual in the case. If an officer learns of potentially incriminating or exculpatory information any time after submission of a case, the officer or the handling investigator must prepare and submit a supplemental report documenting such information as soon as practicable. Supplemental reports shall be promptly processed and transmitted to the prosecutor's office.

If information is believed to be privileged or confidential (e.g., confidential informant or 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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605.4 DISCLOSURE OF PERSONNEL INFORMATION

If a member of this department is a material witness in a criminal case, a person or persons designated by the Chief of Police shall examine the personnel file and/or internal affairs file of the officer to determine whether they contain *Brady* information. If *Brady* information is located, the following procedure shall apply:

(a) In the event that a motion has not already been filed by the criminal defendant or other party, the prosecuting attorney and department member shall be notified of the potential presence of *Brady* material in the member's personnel file.

(b) The prosecuting attorney or department counsel should be requested to file a motion in order to initiate an in-camera review by the court (Utah Code 63G-2-202(7)).

1. If no motion is filed, the supervisor should work with counsel to determine whether the records should be disclosed to the prosecutor.

(c) The Custodian of Records shall accompany all relevant personnel files during any in-camera inspection to address any issues or questions raised by the court.

(d) If the court determines that there is relevant *Brady* material contained in the files, only that material ordered released will be copied and released to the parties filing the motion.

1. Prior to the release of any materials pursuant to this process, the Custodian of Records should request a protective order from the court limiting the use of such materials to the involved case and requiring the return of all copies upon completion of the case.

(e) If a court has determined that relevant *Brady* information is contained in the member's file in any case, the prosecutor should be notified of that fact in all future cases involving that member.

The person or persons designated by the Chief of Police should periodically examine the personnel files and/or internal affairs files of all officers who may be material witnesses in criminal cases to determine whether they contain *Brady* information. The obligation to provide *Brady* information is ongoing. If any new *Brady* information is identified, the prosecuting attorney should be notified.

605.5 INVESTIGATING BRADY ISSUES

If the Department receives information from any source that a member may have issues of credibility, dishonesty or has been engaged in an act of moral turpitude or criminal conduct, the information shall be investigated and processed in accordance with the Personnel Complaints Policy.

605.6 SUBPOENA PROCESSING

The individual processing subpoenas (or the supervisor of the subpoenaed member) shall check the subpoenaed member's name against the current list of those who are known to have Brady information in their files or background, and shall alert the coordinator if a person on the list is subpoenaed.

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605.7 TRAINING

Department personnel should receive periodic training on the requirements of this policy.

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Pawn Shop Holds

606.1 PURPOSE AND SCOPE

Property with evidentiary value is often found at pawn shops and secondhand businesses. Utah law allows the Taylorsville Police Department to seize or place a hold on such property. This policy provides guidance on placing such holds.

606.2 POLICY

The Taylorsville Police Department will place a hold on an item that has evidentiary value and is in the possession of a pawn or secondhand business only as allowed by Utah law and when the item is necessary to an open investigation.

606.3 PROCEDURE

A member of the Department may require a pawnbroker or secondhand business to place a 90-day hold on an item in the possession of the pawnbroker or secondhand business if the item is necessary to an open investigation. The hold may be extended for an additional 90 days if warranted. Subsequent extensions must be approved by a court order (Utah Code 13-32a-109).

An officer may seize the held item when exigent circumstances exist or when necessary during the course of a criminal investigation. Items may also be seized (Utah Code 13-32a-109.5; Utah Code 13-32a-115(2)):

(a) When seizure is necessary to permit the fingerprinting or chemical testing of the item.

(b) If the item contains unique or sensitive personal identifying information.

A written hold or seizure notice shall be provided and shall include (Utah Code 13-32a-109.5):

- An active case number.
- The date of the hold or seizure request and the property to be held or seized.
- Notice to the pawnbroker or secondhand business of contact information to allow tracking of the property when the prosecuting agency takes over the case.
- If the property is seized, the reason the property is necessary during the course of a criminal investigation.

If the pawnbroker or secondhand business is located outside of the jurisdiction of this department, a copy of the hold notice shall be sent to the local law enforcement agency having jurisdiction (Utah Code 13-32a-109). An extension of the hold must be communicated in writing to the pawnbroker or secondhand business prior to the expiration of the initial 90-day hold (Utah Code 13-32a-109).

Whenever the officer has reason to believe that property subject to a hold is in the possession of a pawnbroker or secondhand business, the officer should notify the person who reported the property as lost or stolen, as well as any agency taking a report, of all of the following:

- The name, address, and telephone number of the pawnbroker or secondhand business that reported the acquisition of the property or where the property is located.

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- The length of any holding period.

606.4 TERMINATION OF HOLD

The assigned case agents should maintain a file copy of all hold notices and should review the file at least every 30 days for pending expirations. When the need for the hold or seizure of an item is terminated and no original victim was located, the Department shall, within 15 business days after the termination (Utah Code 13-32a-109(7)):

(a) Notify the pawnbroker or secondhand business in writing that the hold or seizure has been terminated.

(b) Return the item to the pawnbroker or secondhand business, or advise the pawnbroker or secondhand business, either in writing or electronically, of the specific alternative disposition of the item.

If an original victim was located, the release of the property shall only be made with the consent of the appropriate prosecutor and with notices made according to Utah Code 13-32a-109(8).

If this Department receives a registered or certified letter from the pawnbroker or secondhand business informing the Department that the holding period has expired, the Department shall respond within 30 days in the manner prescribed by law (Utah Code 13-32a-109(9)).

606.5 TRAINING

The Administration Sergeant should ensure that members with access to the Utah Division of Consumer Protection's central database for pawnbrokers and secondhand business (Utah Code 13-32a-105) receive annual training related to property held by pawn shops and secondhand businesses (Utah Code 13-32a-112.1).

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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.

607.1.1 DEFINITIONS

Definitions related to this policy include:

Reportable incident - An incident where forcible entry is used or a special unit specifically trained and equipped to respond to critical, high-risk situations is deployed in the service of a search warrant (Utah Code 77-7-8.5).

607.2 POLICY

It is the policy of the Taylorsville 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.

607.2.1 PROCEDURES

HIGH RISK ARREST AND SEARCH PROCEDURE

607.3 OPERATIONS DIRECTOR

The operations director (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 director 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.

607.3.1 REPORTING REQUIREMENTS

The Special Operations Section Commander, Lieutenant or authorized designee shall prepare a report on all reportable incidents in the format developed by the Commission on Criminal and Juvenile Justice (CCJJ), as required by Utah Code 77-7-8.5. The Special Operations Commander shall ensure that reports on all reportable incidents in the prior year are submitted to the Chief of Police by February 1 of each year (see the Operations Planning and Deconfliction Policy for additional reporting requirements).

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The Chief of Police shall review and approve the report and ensure that it is forwarded to the CCJJ and the designated recipient for the City no later than April 30.

607.3.2 MODEL GUIDELINES OF THE UTAH PEACE OFFICER STANDARDS AND TRAINING COUNCIL

The operations director shall be familiar with any model guidelines and procedures recommended by the Utah Peace Officer Standards and Training Council regarding warrants and ensure members follow the guidelines and procedures (Utah Code 77-23-210).

607.4 SEARCH WARRANTS

Officers shall have the search warrant affidavit reviewed for by his/her immediate supervisor for approval, prior to completing the search warrant application procedure. The member will then submit the search warrant documents to the applicable prosecuting attorney, and then the appropriate court as required by Department policy and state law. If the search warrant requires any type of force or tactical response, the member shall also complete the risk assessment form and submit it, along with the search warrant documents to their immediate supervisor and the Special Operations Section 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 their immediate supervisor and Section Commander or designee for review and classification of risk (see the Operations Planning and Deconfliction Policy).

On any occasion that uniformed personnel wish to attempt to make arrests on suspects with outstanding warrants, supervisors shall be conscious of the risk factors involved and the reason the suspect is wanted. Supervisors shall remind their personnel to research the history of the suspect before attempting contact at the location. Officers should verify if there are any officer safety flags documented on file with the dispatch center.

If the warrant is classified as high risk, service will be coordinated by the Special Operations Section Commander or designee. If the warrant is not classified as high risk, the supervisor should weigh the risk of entry into a residence 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 shall 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.

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(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 target location and any indication of separate living spaces at the target 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 exculpatory information relevant to the warrant application (refer to the Material Disclosure Policy).

607.7 HIGH-RISK WARRANT SERVICE

The Special Operations Commander 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 shall be recorded, both audio and video.

1. Members executing a warrant shall wear a body-worn camera unless exigent circumstances make the use of such camera impracticable (Utah Code 77-23-210).

(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 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 search warrant service are handled appropriately under the circumstances.

(f) Reasonable care provisions are made for children and dependent adults (see the Child and Dependent Adult Safety Policy).

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(g) A list is made of all items seized and a copy of the list is left with 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.

(j) If the use of an imaging surveillance device is requested, the application must include a description of the capabilities of the device and the measures that the officers will take to avoid the device being used in a manner beyond the scope of the warrant (Utah Code 77-23d-103). An "Imaging surveillance device" as defined in Utah Code 77-23d-102 means a device that uses radar, sonar, infrared, or other remote sensing or detection technology used by the individual operating the device to obtain information, not otherwise directly observable, about individuals, items, or activities within a closed structure.

(k) Absent exigent circumstances, officers serving a search warrant shall wear a uniform or other clothing that clearly identifies them as law enforcement, including a badge and law enforcement label (Utah Code 77-23-210).

607.7.1 NO-KNOCK ENTRIES

(a) Officers may execute a warrant without notice of the authority and purpose only if (Utah Code 77-23-210; Utah Code 77-7-6; Utah Code 77-7-8):

(b) A no-knock warrant has been issued.

(c) There is reasonable suspicion to believe that the notice will endanger the life or safety of the officer or another person.

(d) There is probable cause to believe that evidence may be easily or quickly destroyed.

(e) There is reason to believe that the notice will enable the escape of a person to be arrested.

(f) The person to be arrested is engaged in the commission or attempted commission of an offense or has been pursued immediately after the commission of an offense or an escape.

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 the movements of any or all persons present at a warrant service, 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.

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Officers should, when and to the extent reasonable, accommodate the privacy and personal needs of the people who have been detained.

607.9 ACTIONS AFTER WARRANT SERVICE

The case investigator 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.

607.9.1 NOTIFICATIONS REGARDING USE OF IMAGING SURVEILLANCE DEVICE

When an imaging surveillance device is used during the service of a warrant, notification shall be made to the person who owns or otherwise resides at the location specified in the warrant within 14 days unless a court-ordered extension has been granted (Utah Code 77-23d-104).

607.10 OUTSIDE AGENCIES AND CROSS-JURISDICTIONAL WARRANTS

The Special Operations Section Commander or designee 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
- 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 Special Operations Section Commander or designee. The warrant affidavit will be reviewed, including the warrant location, and should discuss the service with the appropriate supervisor from the other agency. The supervisor or designee should ensure that members of the Taylorsville Police Department are utilized appropriately. Any concerns regarding the requested use of Taylorsville 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 Special Operations Section Commander or designee is unavailable, another Section Commander or the Chief of Police will assume this role, in addition to the on-duty shift Sergeant.

If officers intend to serve a warrant outside Taylorsville Police Department jurisdiction, the Special Operations Section Commander or designee 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 Taylorsville Police Department when assisting outside agencies or serving a warrant outside the Taylorsville Police Department jurisdiction.

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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 Media Relations Policy.

607.12 TRAINING

Officers should 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, such as search warrants, sting operations and arrest warrant service. The policy also covers the risk mitigation process that should be a part of these activities.

608.1.1 DEFINITIONS

Definitions related to this policy include:

Deconfliction - A centralized process that allows for the collection of operations and case information and that provides alerts to enhance safety and avoid duplication or confliction of operations.

Reportable incident - When law enforcement officers use forcible entry to serve a search warrant, or when a special unit that is specifically trained and equipped to respond to critical, high-risk situations within either the Department or an assisting department is deployed (Utah Code 77-7-8.5).

608.2 POLICY

It is the policy of the Taylorsville Police Department to properly plan and execute large scale and high-risk operations. Proper planning and execution enable effective coordination of such operations. The TVPD will participate in a regional deconfliction system that is designed to enhance the safety of officers and the public, to decrease the risk of compromising investigations and prevent the duplication of efforts.

608.3 RISK ASSESSMENT AND REPORTABLE INCIDENTS

The Special Operations Commander will develop and maintain a risk assessment form for use in assessing, planning, and coordinating high-risk operations. The form also should provide a process for supervisors to identify operations that have a lower level of risk.

The Special Operations Commander or designee will review risk assessment forms with operations supervisors to determine whether a particular incident qualifies as high risk and will also have the responsibility of directing high risk operations.

608.3.1 REPORTING REQUIREMENTS

A report shall be prepared for all reportable incidents in the format developed by the Commission on Criminal and Juvenile Justice (CCJJ), as required by Utah Code 77-7-8.5. This report including all reportable incidents which occurred in the prior year shall be submitted to the Chief of Police by February 1st of each year (see the Warrant Service Policy).

Reportable incidents include SWAT deployments for situations other than warrant service, such as hostage or barricaded subjects.

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The Chief of Police shall review and approve the report and ensure that it is forwarded to the CCJJ and the designated recipient for the City no later than April 30th.

608.4 RISK ASSESSMENT

608.4.1 RISK ASSESSMENT FORM PREPARATION

Officers assigned as operational leads for any operation that qualifies, or may qualify as a high- risk operation, such as search warrant service, or planned operation, shall complete a risk assessment form and operational plan.

When preparing the form, the officer shall check and submit information to all relevant and reasonable intelligence resources, including regional intelligence and criminal justice databases, target deconfliction systems, firearms records, commercial databases, property records and resources for information about the target person and any others who may be present.

The officer should also gather available information that includes, but is not limited to:

(a) Photographs, including aerial photographs, if available, of the target location, neighboring yards and obstacles.

(b) Geographical maps of the target location.

(c) Diagrams of any property and the interiors of buildings that are involved.

(d) The target person (e.g., history of weapon possession or use, known mental illness, known drug use, threats against police, gang affiliation, criminal history).

(e) Others who may be present at the target location (e.g., other criminals, innocent third parties, children, animals). Obstacles associated with the target location (e.g., fortification, booby traps, reinforced doors or windows, surveillance cameras, lookouts, the number and type of buildings, geographic and physical barriers, the number and type 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 or door combinations).

(f) 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).

(g) Other available options that may minimize the risk to officers and others (e.g., making an off-site arrest or detention of the target person).

608.4.2 RISK ASSESSMENT REVIEW

Officers will present the risk assessment form and other relevant documents, such as copies of search warrants, affidavits, arrest warrants, operational plans, and other relevant documents to their immediate supervisor and to the Section Operations Commander, Lieutenant, or authorized designee.

The supervisor and the lieutenant or designee shall confer to determine, based on the assessment, the operation’s level of risk. Supervisors should take reasonable actions if there is a change in circumstances that elevates the risk associated with the operation.

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608.4.3 HIGH-RISK OPERATIONS

High-risk operations involve circumstances that present higher risks than are commonly faced by officers on a daily basis and would require the steps to mitigate risk detailed in this policy.

If the Lieutenant or designee and the supervisor concur that the operation is a high-risk operation, they should proceed as follows:

(a) Determine what resources will be needed at the location or placed on standby, such as:

1. SWAT
2. Extra personnel
3. Outside agency assistance
4. Special equipment
5. Medical personnel
6. Persons trained in negotiation.
7. Additional surveillance or information
8. Canines

(b) Contact the appropriate department members, or other agencies as warranted, to begin preparation.

(c) Direct, or delegate the direction of, the actual operation.

(d) Ensure that all legal documents, such as search warrants, are complete, with any modifications that may be necessary to support the operation.

608.4.4 OTHER OPERATIONS

Operations with a lower level of risk must be categorized as such by the lieutenant or designee and the lead officer's supervisor during risk assessment review. Operations that have a lower level of risk may be directed by the supervisor.

The risk assessment form should guide how the operation is categorized. Examples of what might be deemed an operation with a lower level of risk include:

(a) A search warrant for an unfortified residence where the occupants have been identified and pose no identifiable risk, and the suspect of the investigation is not reasonably predicted to be at the location (e.g., suspect already in custody or lives elsewhere).

(b) A search warrant for records and no actual search by officers is required.

(c) The circumstances reveal no particularized risk of violence or confrontation with multiple suspects or others, and there is no reason to suspect that the subject anticipates the operation.

608.5 DECONFLICTION

The officer who is the operation lead shall ensure the investigative target and location have been entered in the regional target deconfliction system to determine if there is conflicting activity by

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other agencies involving the same individual, group or location. This should occur as early in the process as practical. The officer should also enter 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 with the operation.

608.6 OPERATION PLAN

The Section Commanders, Lieutenant, or the authorized designee shall supervise operations that are categorized as high-risk. The supervisors or designee should ensure that a written plan is developed. The plan should address such issues as:

(a) Operation goals, objectives and strategies.

(b) Information from the risk assessment form, by attaching a completed copy in the operation 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.

(c) Participants and their roles:

1. An adequate number of uniformed officers are included in the operation team to ensure the operation is recognized as a legitimate law enforcement operation.
2. How all participants will be identified as law enforcement.

(d) Whether deconfliction submissions are current and that all target individuals, groups and locations have been deconflicted to the extent reasonably practicable.

(e) Identification of communications channels and call-signs.

(f) Use of force issues.

(g) Contingencies for handling medical emergencies (e.g., services available at the location, closest hospital, closest trauma center).

(h) Plans for detaining people who are not under arrest.

(i) Contingencies for handling children, dependent adults, animals and other people who might be at the location. This should be done in accordance with the Child and Dependent Adult Safety and the Animal Control policies.

(j) Documentation of actions and responsibilities for collection, review and approval of reports.

608.6.1 OPERATION PLAN RETENTION

Since the operation plan contains intelligence information and descriptions of police tactics, it shall not be filed with the police report package. It shall be stored separately and retained in accordance with the established records retention schedule.

608.7 OPERATION BRIEFING

A briefing should be held prior to the commencement of the operation to allow all participants to understand the operation, see and identify each other, identify roles and responsibilities, and to

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ask questions or seek clarification as needed. Anyone who is not present at the briefing should not be present at the location of the operation without specific supervisory approval.

(a) The briefing shall include a verbal review of the plan's elements, using visual aids, to enhance the participants' understanding of the plan.

(b) All participants shall have access to a copy of the plan and search warrant, if applicable. Any items to be seized should be identified at the briefing.

(c) The lieutenant, authorized designee or supervisor at the briefing shall ensure that all participants are visually identifiable as law enforcement officers.

1. Exceptions may be specifically identified because of a specialized function, such as officers who are conducting surveillance or working undercover. However, those members exempted 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.

(d) The briefing shall include details of the communications plan.

1. It is the responsibility of the operation supervisor to ensure that VECC is notified of the time and location of the operation.

2. 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 PARTICIPATION

If the Special Operations Section Lieutenant or authorized designee determines SWAT participation is appropriate, the Lieutenant or authorized designee and the SWAT supervisor shall work together to develop a written plan. The SWAT supervisor shall assume operational control until the individuals at the scene are appropriately detained and it is safe to begin a search. When this occurs, the SWAT supervisor shall transfer control of the scene to the handling supervisor.

608.9 MEDIA ACCESS

No advance information regarding the operation shall be released without the approval of the Chief of Police or designee. Any media inquiries or press release after the fact shall be handled in accordance with the Media Relations Policy.

608.10 DEBRIEFING

As soon as reasonably practicable, the operation should be debriefed. The debriefing should include as many participants as possible. This debrief may be separate from any SWAT debriefing.

608.11 TRAINING

Officers and SWAT team members who participate in these types of operations should receive periodic training on this policy, including, but not limited to, the following:

- Legal issues

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- Deconfliction practices
- Warrant preparation
- Warrant service
- Operations plan preparation
- Reporting requirements

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Unmanned Aircraft System (UAS) Operations

609.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the use of an unmanned aircraft system (UAS) and for the storage, retrieval and dissemination of images and data captured by the UAS.

609.1.1 DEFINITIONS

Definitions related to this policy include (Utah Code 72-14-102):

Unmanned aircraft system (UAS) – An unmanned aircraft of any type that is capable of sustaining flight whether preprogrammed or remotely controlled (commonly referred to as an unmanned aircraft) and all of the supporting or attached systems designed for gathering information through imaging, recording or any other means.

609.2 POLICY

A UAS 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 constitutional and privacy rights and Federal Aviation Administration (FAA) regulations.

609.3 PRIVACY

The use of the UAS potentially involves privacy considerations. Absent a warrant or exigent circumstances, operators and observers shall adhere to FAA altitude regulations and shall not intentionally record or transmit images of any location where a person would have a reasonable expectation of privacy (e.g., residence, yard, enclosure). Operators and observers shall take reasonable precautions to avoid inadvertently recording or transmitting images of areas where there is a reasonable expectation of privacy. Reasonable precautions can include, for example, deactivating or turning imaging devices away from such areas or persons during UAS operations.

609.4 PROGRAM COORDINATOR

The Chief of Police will appoint a program coordinator who will be responsible for the management of the UAS program. The program coordinator will ensure that policies and procedures conform to current laws, regulations and best practices and will have the following additional responsibilities:

- 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.
- Developing uniform protocol for submission and evaluation of requests to deploy a UAS, including urgent requests made during ongoing or emerging incidents.
- Developing protocol for conducting criminal investigations involving a UAS, including documentation of time spent monitoring a subject.

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- Implementing a system for public notification of UAS deployment.
- Developing 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 (Utah Code 72-14-205).
- Developing 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 that all data intended to be used as evidence are accessed, maintained, stored and retrieved in a manner that ensures its integrity as evidence, including strict adherence to chain of custody requirements. Electronic trails, including encryption, authenticity certificates and date and time stamping, shall be used as appropriate to preserve individual rights and to ensure the authenticity and maintenance of a secure evidentiary chain of custody.
- Facilitating law enforcement access to images and data captured by its UAS.
- Developing protocols that ensure retention and purge periods are maintained in accordance with established records retention schedules.
- 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.
- Ensuring that data collected on a person, object, structure, or area that is not a target, as defined by Utah Code 72-14-202, is not used, copied or disclosed (Utah Code 72-14-204).

609.5 USE OF UAS

Only authorized operators who have completed the required training shall be permitted to operate the UAS.

Deployment of a UAS shall be the sole responsibility of the certified pilot, in accordance with Federal and State Statues.

Use of vision enhancement technology (e.g., thermal and other imaging equipment not generally available to the public) is permissible in viewing areas where there is no protectable privacy interest or where a warrant has been obtained. In all other instances, legal counsel should be consulted.

UAS operations shall only be conducted during daylight hours, or at night time in accordance with judicially recognized exceptions to warrant requirements.

A UAS shall not be flown over populated areas without FAA approval.

Members shall not obtain, receive or use data acquired through an UAS unless the data was obtained pursuant to a search warrant, obtained under a valid warrant exception, or used to locate

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a lost or missing person in an area where no person would have a reasonable expectation of privacy (Utah Code 72-14-203).

609.5.1 DATA COLLECTED BY PRIVATE CITIZEN
The Taylorsville Police Department may not accept or review data captured by a privately owned UAS unless one of the following conditions exists (Utah Code 72-14-203):

(a) The person delivering the UAS data informs the Department that the data appear to pertain to the commission of a crime.

(b) The receiving member, in good faith, that the data pertain to an imminent or ongoing emergency that involves the danger of death or serious bodily injury to another person and that the disclosure of the data will permit the Department to assist in responding to the emergency.

609.5.2 DOCUMENTATION
The following information must be documented in any related report or other record of the law enforcement encounter when the UAS is operated by a member of the Taylorsville Police Department, or when the Department obtains or receives data pursuant to Utah Code 72-14-203 (Utah Code 72-14-205):

(a) The presence and use of the UAS

(b) Any data acquired

(c) If applicable, the private citizen from whom the data was received

609.5.3 TEMPORARY FLIGHT RESTRICTION DUE TO WILDLAND FIRES
A department UAS shall not be used in an area under a temporary flight restriction as a result of a wildland fire without the permission of, and in accordance with the restrictions established by, the official in command of the fire response (Utah Code 65A-3-2.5).

609.6 PROHIBITED USE
The UAS video surveillance equipment shall not be used:

- To conduct random surveillance activities.
- To target a person based solely on 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.
- To harass, intimidate, or discriminate against any individual or group.
- To conduct personal business of any type.

The UAS shall not be weaponized (Utah Code 72-14-303).

609.7 RETENTION OF UAS DATA
The Records Section supervisor shall ensure that data collected by the UAS is deleted as soon as reasonably possible subject to applicable retention schedules under the Utah Government

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Records Access and Management Act (GRAMA) or a federal, state or local law (Utah Code 72-14-203; Utah Code 72-14-204).

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Chapter 7 - Equipment

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Department-Owned and Personal Property

700.1 PURPOSE AND SCOPE

Department employees are expected to properly care for Department property assigned or entrusted to them. Employees may also suffer occasional loss or damage to personal or Department property while performing their assigned duty. Certain procedures are required depending on the loss and ownership of the item.

700.2 CARE OF DEPARTMENTAL PROPERTY

Employees shall be responsible for the safekeeping, serviceable condition, proper care, use and replacement of Department property assigned or entrusted to them. An employee's intentional or negligent abuse or misuse of Department property may lead to discipline including, but not limited to the cost of repair or replacement.

(a) Employees shall promptly report through their chain of command any loss, damage to or unserviceable condition of any Department-issued property or equipment assigned for their use.

(b) The use of damaged or unserviceable Department property should be discontinued as soon as practical and replaced with comparable Department property as soon as available and following notice to a supervisor.

(c) Except when otherwise directed by competent authority or required by exigent circumstances, Department property shall only be used by those to whom it was assigned. Use should be limited to official purposes and in the capacity for which it was designed.

(d) Department property shall not be thrown away, sold, traded, donated, destroyed or otherwise disposed of without proper authority.

(e) In the event that any Department property becomes damaged or unserviceable, no employee shall attempt to repair the property without prior approval of a supervisor.

700.3 FILING CLAIMS FOR PERSONAL PROPERTY

Claims for reimbursement for damage or loss of personal property must be 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 Section 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.

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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.

The Department will not replace or repair luxurious or overly expensive items (jewelry, exotic equipment) 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, 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 Section 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 (PCD) but is intended to include all mobile telephones, personal digital assistants (PDA) 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, e-mailing, using video or camera features, playing games and accessing sites or services on the Internet.

701.2 POLICY

The Taylorsville Police Department allows employees 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, employees 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 employee and the employee's PCD records to civil or criminal discovery or disclosure under applicable public records laws.

Employees who have questions regarding the application of this policy or the guidelines contained herein are encouraged to seek clarification from supervisory personnel.

701.3 PRIVACY POLICY

Employees shall have no expectation of privacy with regard to any communication made with or stored in or through PCDs issued by the Department and shall have no expectation of privacy in their location should the device be equipped with location detection capabilities. The use of any department-provided or -funded PCD, computer, Internet service, telephone service or other wireless service while on-duty is without any expectation of privacy that the employee might otherwise have in any communication, including the content of any such communication. Communications or data reception on personal, password-protected, web-based e-mail accounts and any other services are subject to monitoring if department equipment is used.

In accordance with this policy, supervisors are authorized to conduct a limited administrative search of electronic files without prior notice, consent or a search warrant, on department-issued or personally owned PCDs that have been used to conduct department-related business. Administrative searches can take place for work-related purposes that may be unrelated to investigations of employee misconduct and, as practicable, will be done in the presence of the

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affected employee. Prior to conducting any search of personally owned devices, supervisors shall consult with the Chief of Police. All such searches shall be fully documented in a written report.

701.4 DEPARTMENT-ISSUED PCD

Depending on an employee's assignment and the needs of the position, the Department may, at its discretion, issue or fund a PCD. Department-issued or funded PCDs are provided as a convenience to facilitate on-duty performance only. Such devices and the associated telephone number shall remain the sole property of the Department and shall be subject to inspection or monitoring (including all related records and content) at any time without notice and without cause.

Unless an employee is expressly authorized by the Chief of Police or the authorized designee for off-duty use of the PCD, the PCD will either be secured in the workplace at the completion of the tour of duty or will be turned off when leaving the workplace.

701.4.1 PROHIBITED USE

Members shall not use their department-issued PCD outside of the United States.

701.5 PERSONALLY OWNED PCD

Employees may carry a personally owned PCD while on-duty, subject to the following conditions and limitations:

(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 employee's expense.

(d) The device should not be used for work-related purposes except in exigent circumstances (e.g., unavailability of radio communications). Employees will have a reduced expectation of privacy when using a personally owned PCD in the workplace and have no expectation of privacy with regard to any department business-related communication.

1. Members may use personally owned PCDs on-duty for routine administrative work as authorized by the Chief of Police.

(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 constitutes consent for the Department to access the PCD to inspect and copy data to meet the needs of the Department, which may include litigation, public records retention and release obligations and internal investigations. If

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the PCD is carried on-duty, employees will provide the Department with all telephone access numbers 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 Taylorsville 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.

Except with prior express authorization from their supervisor, employees are not obligated or required to carry, access, monitor or respond to electronic communications using a personally owned PCD while off-duty. If an employee is in an authorized status that allows for appropriate compensation consistent with policy or existing collective bargaining agreements, or if the employee has prior express authorization from his/her supervisor, the employee may engage in business-related communications. Should employees engage in such approved off-duty communications or work, employees entitled to compensation shall promptly document the time worked and communicate the information to their supervisors to ensure appropriate compensation. Employees who independently document off-duty department-related business activities in any manner shall promptly provide the Department with a copy of such records to ensure accurate record keeping.

701.6 USE OF PERSONAL COMMUNICATION DEVICES

The following protocols shall apply to all PCDs that are carried while on-duty or used to conduct department business:

(a) A PCD shall not be carried in a manner that allows it to be visible while in uniform, unless it is in an approved carrier.

(b) All PCDs in the workplace shall be set to silent or vibrate mode.

(c) A PCD may not be used to conduct personal business while on-duty, except for brief personal communications (e.g., informing family of extended hours). Employees shall endeavor to limit their use of PCDs to authorized break times, unless an emergency exists.

(d) Employees 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.

(e) Officers are prohibited from taking pictures, video or making audio recording 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.

(f) Employees will not access social networking sites for any purpose that is not official department business.

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(g) Using PCDs to harass, threaten, coerce or otherwise engage in inappropriate conduct with any third party is prohibited. Any employee having knowledge of such conduct shall promptly notify a supervisor.

701.7 SUPERVISORY RESPONSIBILITIES

Supervisors should ensure that members under their command are provided appropriate training on the use of PCDs consistent with this policy. Supervisors should monitor, to the extent practicable, PCD use in the workplace and take prompt corrective action if an employee is observed or reported to be improperly using a PCD. An investigation into improper conduct should be promptly initiated when circumstances warrant.

If, when carrying out any provision of this policy, the need to contact an employee who is off-duty arises, supervisors should consider delaying the contact, if practicable until the employee is on-duty as such contact may be compensable.

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, employees who are operating non-emergency vehicles shall not use a PCD while driving unless the device is specifically designed and configured to allow hands-free use (Utah Code 41-6a-1716). Hands-free use should be restricted to business-related calls or calls of an urgent nature.

701.9 OFFICIAL USE

Employees are reminded that PCDs are not secure devices and conversations may be intercepted or overheard. Caution should be exercised while utilizing PCDs to ensure that sensitive information is not inadvertently transmitted. As soon as reasonably possible, employees shall conduct sensitive or private communications on a land-based or other department communications network.

The following situations are examples of when the use of a PCD may be appropriate:

(a) Barricaded suspects

(b) Hostage situations

(c) Mobile Command Post

(d) Catastrophic disasters, such as plane crashes, earthquakes, floods, etc.

(e) Major political or community events

(f) Investigative stakeouts

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(g) Emergency contact with an allied agency or allied agency field unit

(h) When immediate communication is needed and the use of the radio is not available or appropriate and other means are not readily available

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Vehicle Maintenance

702.1 PURPOSE AND SCOPE

Employees are responsible for assisting in maintaining Department vehicles so that they are properly equipped, properly maintained, properly refueled and present a clean appearance.

702.2 DEFECTIVE VEHICLES

When a Department vehicle becomes inoperative or in need of repair that affects the safety of the vehicle, that vehicle shall be removed from service for repair. Proper documentation shall be promptly completed by the employee who first becomes aware of the defective condition, describing the correction needed. The paperwork shall be promptly forwarded to vehicle maintenance for repair.

702.2.1 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.

702.2.2 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.

702.2.3 REMOVAL OF WEAPONS

All firearms, weapons, computers, department issued equipment and control devices shall be removed from a vehicle and properly secured by the officer at his residence or the police department. Any firearms and less lethal equipment not able to be secured by the officer on his own, may be secured in the department armory prior to the vehicle being released for maintenance, service or repair.

702.3 VEHICLE EQUIPMENT

Certain items shall be maintained in all Department vehicles for emergency purposes and to perform routine duties.

702.3.1 PATROL VEHICLES

Officers shall inspect the patrol vehicle at the beginning of the shift and ensure that the minimum equipment, as listed below, is present in the vehicle:

- 1 Roll Crime Scene Barricade Tape if issued to the officer
- 1 Blood-borne pathogen kit, including protective gloves
- 1 Traffic Safety Vest

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- 1 Evidence collection kit
- Spikes or Tire Deflating Devices
- Necessary report writing and investigation documents
- Traffic cones if issued to the officer
- Mobile vehicle printer

702.3.2 UNMARKED VEHICLES
An employee driving unmarked Department vehicles shall ensure that the minimum equipment, as listed below, is present in the vehicle:

- 1 Roll Crime Scene Barricade Tape if issued to the officer
- 1 Blood-borne pathogen kit, including protective gloves
- 1 Traffic Safety Vest
- 1 Evidence collection kit
- Spikes or Tire Deflating Devices
- Necessary report writing and investigation documents

702.4 VEHICLE REFUELING
Absent emergency conditions or supervisor approval, officers officer who are driving patrol vehicles should not place a vehicle in service that has less than one-quarter tank of fuel. Vehicles shall only be refueled at the authorized location.

Only "Regular" grade gasoline may be purchased for Department vehicles, excluding those that require a premium grade. To obtain fuel, each vehicle has been assigned a "gas card." Each individual fuel user shall be assigned an "Employee Identification Number (EIN)." Fuel may be obtained by following the directions at the fuel pump or an authorized fuel station. Accurate vehicle mileage must be entered each time by the member. Gas cards shall not be shared between vehicles or members. Vehicles shall only be refueled at authorized locations.A list of authorized stations is available from the Fleet Manager.Questions or problems with the fuel system should be directed to the Fleet Manager.

Emergency purchase of fuel or oil will be paid for by the member and a receipt obtained for petty cash reimbursement.

702.5 WASHING OF VEHICLES
All department vehicles shall be kept clean and orderly at all times. Members are responsible for the cleaning, inside and out of the Department vehicle. Weather conditions permitting, vehicles should be washed as necessary to enhance their appearance. Members will limit car washes to two (2) per month. Members may only use approved gas station type drive-through or self-service

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car washes. Members are personally responsible for the cost of car washes purchased from non-contracted businesses. Members are prohibited from using full service washes such as Prompt and Supersonic without prior authorization from the Fleet Manager, or designee.

Members using a department vehicle shall remove any trash or debris by the end of their shift. Confidential material should be placed in a designated receptacle provided for the shredding of this matter.

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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 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 Taylorsville to provide assigned take-home vehicles.

703.2 POLICY

The Taylorsville Police Department provides vehicles for Department-related business use and may assign patrol and unmarked vehicles based on a determination of operational efficiency, economic impact to the Department, requirements for tactical deployments and other considerations.

703.3 USE OF VEHICLES

The use of Department vehicles is for the benefit of the organization and shall be used in accordance with this policy.

703.3.1 MEMBER DRIVING

Department vehicles shall only be operated by authorized Taylorsville Police Department members.

(a) Department vehicles shall only be operated by authorized Taylorsville Police Department members.

(b) Members whose job duties include the operation of a Department vehicle or who are authorized to use their personal vehicle for Department business must be in possession of a valid Utah driver license to include the appropriate class for the vehicle being operated. Under no circumstances shall a member whose license is not valid, operate a Department vehicle or a personal vehicle for official Department business. Supervisors shall verify annually each member's driver license status. The Department may also conduct periodic checks on the status of and/or moving violation convictions against member's driver's licenses who are required to possess a valid driver's license for employment.

(c) A member whose job duties include the operation of a Department vehicle or who is authorized to use their personal vehicle for Department business shall within one (1) business day notify in writing his/her Section Commander of any change in the status of his/her driver license or the receipt of any citation for a moving violation while operating a Department vehicle or while using a personal vehicle for Department business.

(d) Each member who operates a Department vehicle or who is authorized to use their personal vehicle for Department business shall obey all applicable traffic laws and shall operate their vehicle in a courteous manner for the road, traffic and weather conditions that appropriately represents the Department. Members shall park and

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operate a Department vehicle, or their personal vehicles being used for department business legally and shall be personally responsible for any citation(s) received.

(e) Each occupant of a Department vehicle, whether being used on-duty or off-duty, or of a personal vehicle being driven for Department business shall always wear a seatbelt while the vehicle is in motion.

(f) Occupants in vehicles equipped with air bags shall comply with the manufacturer's safety requirements and recommendations.

(g) Members shall not operate a Department owned or personally owned vehicle for official business with a blood alcohol level exceeding a.00 threshold.

(h) Members shall not perform any duty assignment or report to work with a blood alcohol level exceeding a.00 threshold.

(i) Members may not operate a Department vehicle or their personal vehicle while on official Department business, after consuming any drug, including, but not limited to, legally prescribed drugs, which may prohibit or impair their ability to operate a motor vehicle.

(j) No alcoholic beverages shall be transported in a Department vehicle except for official business.

(k) Smoking, or the use of any tobacco products (chew, snuff, etc.), is prohibited in department owned or leased vehicles, whether on- or off-duty.

(l) Employees may transport civilians as required to perform their duty functions. When transporting passengers of the opposite sex, including prisoners, members shall notify dispatch of their beginning and ending mileage.

(m) Animals/Pets shall not be placed in, or transported by, Department vehicles due to potential health and/or allergic reactions.

(n) Members on restricted duty status are prohibited from operating Department vehicles for either official or personal use, unless authorized by the Chief of Police.

703.3.2 ASSIGNED VEHICLES

The shift supervisor shall notify the Training Unit supervisor or designee managing fleet vehicles, if a member needs to exchange a vehicle during his/her shift, including, but not limited to, maintenance and damaged vehicles. The shift supervisor may check out a line vehicle to on-duty personnel during the shift for special assignments. The Taylorsville Police Department unit number shall be documented to maintain current records and operational status of fleet vehicles.

703.4 INSPECTIONS

Members shall be responsible for inspecting the interior and exterior of any assigned vehicle before taking the vehicle into service and at the conclusion of their shifts. 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

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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 that 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.

703.5 VEHICLE SECURITY AND UNATTENDED VEHICLES

Unattended Department vehicles should be locked and always secured. 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, or inclement weather).Officers who exit a vehicle rapidly in an emergency or to engage in a foot pursuit must carefully balance the need to exit the vehicle quickly with the need to secure the vehicle. No vehicle shall be left running while the officer is out of view of the vehicle or inside any structure.

Members shall ensure all weapons and any equipment are secured while the vehicle is unattended.

703.5.1 MOBILE DATA TERMINAL

Members assigned to vehicles equipped with a Mobile Data Terminals (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 the Dispatch Center or designated department personnel. Use of the MDT is governed by the Mobile Data Terminal Use Policy.

703.5.2 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 the 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.

System data may be accessed by supervisors at any time. However, access to historical data by personnel other than supervisors shall require Section Commander approval.

All data captured by the system shall be retained in accordance with the established records retention schedule.

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703.5.3 KEYS
Members approved to operate marked patrol vehicles should be issued a copy of the key as part of their initial equipment distribution. 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.

703.5.4 AUTHORIZED PASSENGERS
Members operating Department vehicles shall not permit persons other than city personnel or persons required to be conveyed in the performance of duty, or as otherwise authorized, to ride as passengers in the vehicle, except as stated in the Ride-Along Program Policy and Personal Use Policy while off duty.

703.6 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.

703.7 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 time.

Department vehicles should be parked in assigned stalls. Members shall not park privately owned vehicles in stalls assigned to Department vehicles or in other areas of the parking lot that are not so designated unless authorized by a supervisor. Privately owned motorcycles shall be parked in designated areas.

703.8 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 or command staff.

703.9 ON-DUTY USE OF ASSIGNED VEHICLE
Department 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.

703.10 TAKE HOME USE OF ASSIGNED VEHICLE
The main purposes of this program are to deter crime and to be a ready resource for response to the Department in case of an emergency or other need. The viability of this program is contingent upon reasonable and efficient use of fleet resources consistent with the following guidelines.

On occasion, assignments of take-home vehicles may be based on the location of the member's residence; the nature of the member's duties, job description and essential functions; and the

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member's employment or appointment status. Residence in the city of Taylorsville is a prime consideration for assignment of a take-home vehicle. Members who reside outside the city may be required to secure the vehicle at a designated location or the Department at the discretion of the Chief of Police.

Department members shall sign a take-home vehicle agreement that outlines certain standards, including, but not limited to, how the vehicle shall be used, where it shall be parked when the member is not on-duty, vehicle maintenance responsibilities and member enforcement actions.

Criteria for use of take-home vehicles include the following:

(a) Vehicles may be used for work related purposes, secondary employment and reasonable personal use off duty within Salt Lake County only. Any other use of the vehicle shall be at the discretion of the Chief of Police or designee.

(b) When a member is assigned to an on-call rotation for a particular assignment, the vehicle may be used off-duty for reasonable personal use within a 45-mile radius of Taylorsville City Hall, to allow the member to respond in a more-timely manner to any call-out situation.

(c) Vehicles may be used to transport the member to and from the member’s residence, but the distance shall not exceed 45 miles one way from Taylorsville City Hall.

(d) While operating the vehicle, authorized members shall carry and have accessible their duty firearms, badge and photo identification and be prepared to perform any function they would be expected to perform while on-duty.

(e) The two-way communications radio must be on and set to an audible volume when the vehicle is in operation.

(f) Unattended vehicles are to be locked and always secured.

    1. 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).

    2. All weapons shall be secured while the vehicle is unattended.

    3. All Department identification, portable radios and equipment should be secured.

(g) Vehicles shall be parked off-street at the member's residence unless prior arrangements have been made with the Chief of Police or the authorized designee. If the vehicle is not secured inside a locked garage, all firearms and less lethal impact weapons, computers and other equipment shall be removed and properly secured in the residence (see the Firearms Policy regarding safe storage of firearms at home).

(h) Vehicles are to be secured at the member's residence or the appropriate department facility, at the discretion of the Department when a member will be away (e.g., on vacation) for periods exceeding one week.

    1. If the vehicle remains at the residence of the member, the Department shall have access to the vehicle.

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2. If the member is unable to provide access to the vehicle, it shall be parked at the Department.

(i) While operating a vehicle off-duty, the member shall only be permitted to have another law enforcement officer and immediate family members as passengers in the vehicle, to include a spouse or significant other, children, etc. (Any children riding in the vehicle shall require the use of the appropriate child safety seat or equipment, as designated by law).

(j) Sworn members shall obtain and maintain supplemental insurance coverage for off-duty and personal use of a department vehicle. Sworn members shall sign a wavier indicating they have proper insurance coverage.

(k) Department vehicles will not be used outside the state of Utah, unless prior authorization has been given by the Chief of Police.

(l) Vehicles shall not be used for activities inconsistent with the obligation to respond to emergencies, such as carrying heavy loads or transporting objects protruding from windows or the trunk, etc.

(m) Vehicles shall not be used for secondary employment purposes, except astransportation to and from the work site within Salt Lake County, and except as otherwise authorized by the Chief of Police.When using a Department vehicle for secondary duty assignment, members shall check on and off-duty at their secondary assignment through dispatch or MDT.

(n) Members shall not trade their assigned vehicle or check out a line unit to facilitate a secondary employment function that may require a marked or unmarked vehicle presence without approval from their immediate supervisor or on-duty supervisor.

(o) Vehicles shall not be used as part of recreational activities (such as road rallies, scavenger hunts, camping, etc.).

(p) Department vehicles shall not be used to make personal custody exchanges of minor children in cases where conflict or potential conflicts between parents or guardians exist.

(q) There will be occasions where a member makes arrangements to park his/her vehicle at a location other than the members residence, because the member lives farther than the permitted 45 miles. Under these circumstances, the member will be required to secure the vehicle inside a garage or fenced area.

703.11 ENFORCEMENT ACTIONS

When driving a take-home vehicle to and from work outside of the jurisdiction or while off-duty, members shall not initiate enforcement actions except in those circumstances where a potential threat to life or serious property damage exist, or the behavior of the individual or motorist demonstrates reckless or negligent behavior likely to cause public front or alarm or injury to a third party, if enforcement action is delayed (see the Off-Duty Law Enforcement Actions and Law Enforcement Authority policies).

Members may render public assistance when it is deemed prudent (e.g., to a stranded motorist).

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703.12 MAINTENANCE

Members are responsible for the cleanliness (exterior and interior) and overall maintenance of their assigned vehicles. Cleaning and maintenance supplies may be provided by the Department, but the cleanliness of the vehicle is still the responsibility of the member. 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 leaving the vehicle for maintenance or repair, the member will complete a vehicle repair request explaining the service or repair and leave it where directed.

(f) All weapons, less lethal equipment, electronics, and other pertinent equipment shall be removed from any vehicle left for maintenance or repair.

(g) Supervisors shall make, at a minimum, monthly inspections of all marked vehicles assigned to members under their command, and quarterly inspections of unmarked vehicles, to verify the vehicles are being maintained in accordance with this policy. Exterior and interior photos shall be taken of all vehicles on a quarterly basis by the member's immediate supervisor, and when members are being transferred and the vehicle is being reassigned. Photos shall be download to the designated fleet maintenance files.

703.12.1 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 collision report shall be filed as dictated by the Department’s Traffic Collision Reporting Policy.

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 in memorandum format, and forwarded to the member's immediate supervisor. An administrative inquiry should be initiated to determine if there has been any vehicle abuse or misuse.

703.13 TOLL ROAD-HOV LANE USE

Law enforcement vehicles are not routinely exempted from incurring toll road charges.

To avoid unnecessary toll road charges, all members operating Department vehicles on a toll road or high occupancy vehicle road shall adhere to the following:

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(a) All members operating a Department vehicle for any reason other than in response to an emergency shall pay the appropriate toll charge or utilize the appropriate toll way transponder. Members may submit a request for reimbursement from the Department for any toll fees incurred while on official business.

703.14 ATTIRE AND APPEARANCE

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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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 Taylorsville 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, 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 every quarter. 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 command staff or the City.

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704.6 ROUTINE CASH HANDLING

Those who handle cash as part of their property or Neighborhood Street Crimes 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. The supervisor along with the officer and one other member will verify the money amount and sign/seal the evidence envelope prior to securing the property in an evidence locker. 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 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 Taylorsville 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 shall meet or exceed industry standards for use at firing ranges (29 CFR 1910.95; UAC R614-1-4).

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

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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.

The Armorer shall ensure eye protection meets or exceeds consensus standards set by the American National Standards Institute (29 CFR 1910.133; UAC R614-1-4).

705.6 HEAD AND BODY PROTECTION

Members who make arrests or control crowds should be provided ballistic head protection with an attachable face shield.

Padded body protection consisting of chest, arm, leg and groin protection should be provided as required by any collective bargaining agreement.

705.7 RESPIRATORY PROTECTION

The Administration Section Commander is responsible for ensuring a respiratory protection plan is developed and maintained by a trained and qualified member. The plan shall include procedures for (29 CFR 1910.134; UAC R614-1-4):

(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, 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), American National Standards Institute (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 shall

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reevaluate the continued effectiveness of the respirator and direct the member to leave the respirator use area when the scene commander reasonably believes (29 CFR 1910.134; UAC R614-1-4):

(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 (29 CFR 1910.134; UAC R614-1-4):

(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 (29 CFR 1910.134; UAC R614-1-4).

A scene commander may order the use of gas masks in situations where the use of a 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.

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(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.

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 shall be issued respiratory PPE until a proper fit testing has been completed by a designated member or contractor (29 CFR 1910.134; UAC R614-1-4).

After initial testing, fit testing for respiratory PPE shall be repeated (29 CFR 1910.134; UAC R614-1-4):

(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 shall be issued respiratory protection that forms a complete seal around the face until (29 CFR 1910.134; UAC R614-1-4):

(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 Administration Sergeant is responsible for maintaining records of all:

(a) PPE training.

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(b) Initial fit testing for respiratory protection equipment.

(c) Annual fit testing.

(d) Respirator medical evaluation questionnaires and any subsequent physical examination results.

1. These records shall be maintained in a separate confidential medical file.

The records shall be maintained in accordance with the department records retention schedule, 29 CFR 1910.1020 and UAC R614-1-4.

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 shall 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 (29 CFR 1910.132; UAC R614-1-4).

Members issued respiratory PPE shall attend annual training on the proper use of respiratory protection devices (29 CFR 1910.134; UAC R614-1-4).

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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 interrogations and arrests. Crime analysis can be useful to the Department's long-range planning efforts by providing estimates of future crime trends and assisting in the identification of enforcement priorities.

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
- Department of Public Safety, Bureau of Criminal Identification

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 the Department's strategic plans should be provided to the appropriate staff units. When information pertains to tactical and strategic plans, it should be provided to all affected units.

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VECC

801.1 PURPOSE AND SCOPE

This policy establishes guidelines for the basic functions of VECC. It addresses the immediate information needs of the Department in the course of its normal daily activities and during emergencies.

801.2 POLICY

It is the policy of the Taylorsville Police Department to provide 24-hour telephone service to the public for information and for routine or emergency assistance. The Department provides two-way radio capability for continuous communication between VECC and department members in the field.

801.3 VECC SECURITY

The communications function is vital and central to all emergency service operations. The safety and security of VECC, its members and its equipment must be a high priority. Special security procedures should be established in a separate operations manual for VECC.

Access to VECC shall be limited to VECC members, the Shift Sergeant, command staff and department members with a specific business-related purpose.

801.4 RESPONSIBILITIES

801.4.1 DISPATCH DIRECTOR

The Chief of Police shall appoint and delegate certain responsibilities to a Dispatch Director. The Dispatch Director is directly responsible to the Uniform Patrol Section Commander or the authorized designee.

The responsibilities of the Dispatch Director include, but are not limited to:

(a) Overseeing the efficient and effective operation of VECC in coordination with other supervisors.

(b) Scheduling and maintaining dispatcher time records.

(c) Supervising, training and evaluating dispatchers.

(d) Ensuring the radio and telephone recording system is operational.

1. Recordings shall be maintained in accordance with the established records retention schedule and as required by law.

(e) Processing requests for copies of VECC information for release.

(f) Maintaining VECC database systems.

(g) Maintaining and updating VECC procedures manual.

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1. Procedures for specific types of crime reports may be necessary. For example, specific questions and instructions may be necessary when talking with a victim of a sexual assault to ensure that his/her health and safety needs are met, as well as steps that he/she may take to preserve evidence.
2. Ensuring dispatcher compliance with established policies and procedures.

(h) Handling internal and external inquiries regarding services provided and accepting personnel complaints in accordance with the Personnel Complaints Policy.

(i) Maintaining a current contact list of City personnel to be notified in the event of a utility service emergency.

801.4.2 ADDITIONAL PROCEDURES

The Dispatch Director should establish procedures for:

(a) Recording all telephone and radio communications and playback issues.

(b) Storage and retention of recordings.

(c) Security of audio recordings (e.g., passwords, limited access, authorized reviewers, preservation of recordings past normal retention standards).

(d) Availability of current information for dispatchers (e.g., Shift Sergeant contact, rosters, member tracking methods, member contact, maps, emergency providers, tactical dispatch plans).

(e) Assignment of field members and safety check intervals.

(f) Emergency Medical Dispatch (EMD) instructions.

(g) Procurement of external services (e.g., fire suppression, ambulances, aircraft, tow trucks, taxis).

(h) Protection of essential equipment (e.g., surge protectors, gaseous fire suppression systems, uninterruptible power systems, generators).

(i) Protection of radio transmission lines, antennas and power sources for VECC (e.g., security cameras, fences).

(j) Handling misdirected, silent and hang-up calls.

(k) Handling private security alarms, if applicable.

(l) Radio interoperability issues.

801.4.3 DISPATCHERS

Dispatchers report to the Dispatch Director. The responsibilities of the dispatcher include, but are not limited to:

(a) Receiving and handling all incoming and transmitted communications, including:

1. Emergency 9-1-1 lines.
2. Business telephone lines.

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3. Telecommunications Device for the Deaf (TDD)/Text Telephone (TTY) equipment.
4. Radio communications with department members in the field and support resources (e.g., fire department, emergency medical services (EMS), allied agency law enforcement units).
5. Other electronic sources of information (e.g., text messages, digital photographs, video).

(b) Documenting the field activities of department members and support resources (e.g., fire department, EMS, allied agency law enforcement units).

(c) Inquiry and entry of information through VECC, department and other law enforcement database systems (e.g., Department of Motor Vehicle (DMV) records, the Utah Criminal Justice Information System (UCJIS) and NCIC).

(d) Monitoring department video surveillance systems.

(e) Maintaining the current status of members in the field, their locations and the nature of calls for service.

(f) Notifying the Shift Sergeant or field supervisor of emergency activity, including, but not limited to:

1. Vehicle pursuits.
2. Foot pursuits.
3. Assignment of emergency response.

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 dispatcher 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 dispatcher 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 (TRS), as mandated by the Americans with Disabilities Act (ADA).

If the dispatcher determines that the caller is a limited English proficiency (LEP) individual, the dispatcher should quickly determine whether sufficient information can be obtained to initiate an appropriate response. If language assistance is still needed, the language is known

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and a language-appropriate authorized interpreter is available in VECC, the dispatcher should immediately connect the LEP caller to the authorized interpreter.

If no authorized interpreter is available or the dispatcher is unable to identify the caller's language, the dispatcher will contact the contracted telephonic interpretation service and establish a three-party call connecting the dispatcher, the LEP individual and the interpreter.

Dispatchers 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 dispatcher has obtained all necessary information to ensure the safety of the responding department members and affected individuals.

Emergency calls should be dispatched immediately. The Shift Sergeant shall be notified of pending emergency calls for service when department members are unavailable for dispatch.

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 dispatcher to handle a higher priority or emergency call.

The reporting person should be advised if there will be a delay in the dispatcher 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 dispatchers 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 dispatcher with their radio identification call signs and current location.

(b) Dispatchers acknowledging and responding promptly to all radio transmissions.

(c) Members keeping the dispatcher advised of their status and location.

(d) Member and dispatcher acknowledgements shall be concise and without further comment unless additional information is needed.

The Dispatch Director 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.

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801.6.1 FEDERAL COMMUNICATIONS COMMISSION COMPLIANCE
Taylorsville 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 factors such as duty assignment, uniformed patrol assignment and/or member identification number. Dispatchers shall identify themselves on the radio with the appropriate station name or number, and identify the department member by his/her call sign. Members should use their call signs when initiating communication with the dispatcher. The use of the call sign allows for a brief pause so that the dispatcher can acknowledge the appropriate department member. Members initiating communication with other law enforcement or support agencies shall use their entire radio call sign, which includes the department/office station name or number.

801.7 DOCUMENTATION
It shall be the responsibility of VECC to document all relevant information on calls for service or self-initiated activity. Dispatchers shall attempt to elicit, document and relay as much information as possible to enhance the safety of 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.
- Disposition or status of reported incident.

801.8 CONFIDENTIALITY
Information that becomes available through VECC may be confidential or sensitive in nature. All members of VECC 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 DMV records, warrants, criminal history information, records of internal police files or medical information, shall only be made available to authorized

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law enforcement personnel. Prior to transmitting confidential information via the radio, an admonishment shall be made that confidential information is about to be broadcast.

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Property and Evidence

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 evidence and those persons authorized to remove and/or destroy property.

802.2 DEFINITIONS

Definitions related to this policy include:

Cohabitant - A person who is 18 years old or older, who resides in the same residence as the owner cohabitant, and is any of the following (Utah Code 53-5c-201):

- Living as if a spouse of the owner cohabitant.
- Related by blood or marriage to the owner cohabitant.
- Has one or more children in common with the owner cohabitant.
- Has an interest in the safety and well-being of the owner cohabitant.

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.

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.

Owner cohabitant - A person who owns, in whole or in part, a firearm and is related to a cohabitant as described in Utah Code 53-5c-102.

Property - Includes all items of evidence, items taken for safekeeping, and found property.

Safekeeping - Includes the following types of property:

- Property obtained by the Department for safekeeping such as a firearm.
- Personal property of an arrestee not taken as evidence.
- Property taken for safekeeping under authority of a law.

802.3 PROPERTY HANDLING

Any employee who first comes into possession of any property, shall retain such property in his/her possession until it is properly tagged and placed in the designated property locker or storage room along with a Property Form. 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 booking. The Property Form must be completed to document the release of property not booked and the owner shall sign the form acknowledging receipt of the item(s).

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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 Form describing each item of property separately, listing all serial numbers, owner's name, finder's name and other identifying information or markings.

(b) Mark each item of evidence with the booking employee's initials and the date booked using the appropriate method so as not to deface or damage the value of the property.

(c) Complete an evidence/property tag and attach it to each package or envelope in which the property is stored.

(d) Place the case number in the upper right hand corner of the bag.

(e) The original Property Form shall be submitted with the case report. A copy shall be placed with the property in the temporary property locker or with the property if property is stored somewhere other than a property locker.

(f) When the property is too large to be placed in a locker, the item may be retained in the supply room. Submit the completed property record into a numbered locker indicating the location of the property.

802.3.2 NARCOTICS AND DANGEROUS DRUGS

All narcotics and dangerous drugs shall be booked separately attaching a separate copy of the property report. Paraphernalia as defined by Utah Code 58-37a-3 shall also be booked separately from the drugs with a separate copy of the property report attached.

The officer seizing the narcotics and dangerous drugs shall place them in the designated locker accompanied by two copies of the form for the Records Section and Detectives. The remaining copy will be detached and submitted with the case report.

802.3.3 EXPLOSIVES

Officers who encounter a suspected explosive device shall promptly notify their immediate supervisor or the Shift Sergeant. 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 will not be retained in the police facility. Only fireworks that are considered stable and safe and road flares or similar signaling devices may be booked into property. All such items shall be stored in proper containers and in an area designated for the storage of flammable materials. The property and evidence technician is responsible for transporting to the fire department, on a regular basis, any fireworks or signaling devices that are not retained as evidence.

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802.3.4 EXCEPTIONAL HANDLING

Certain property items require a separate process. The following items shall be processed in the described manner:

(a) Bodily fluids such as blood or semen stains shall be air dried prior to booking.

(b) License plates found not to be stolen or connected with a known crime should be released directly to the property and evidence technician or placed in the designated container for return to the Utah Division of Motor Vehicles. No formal property booking process is required.

(c) All bicycles and bicycle frames require a property report. Property tags will be securely attached to each bicycle or bicycle frame. The property may be released directly to the property and evidence technician or placed in the bicycle storage area until a property and evidence technician can log it in.

(d) All cash shall be counted in the presence of a supervisor and the envelope initialed by the booking officer and the supervisor. The Shift Sergeant shall be contacted for cash in excess of $1,000 for special handling procedures.

City property, unless connected to a known criminal case, should be released directly to the appropriate City department. No formal booking is required. In cases where no responsible person can be located, the property should be booked for safekeeping in the normal manner.

802.3.5 FIREARMS SAFE HARBOR ACT

Officers shall accept a firearm for safekeeping from any cohabitant or owner cohabitant who requests it, and who believes that the owner cohabitant or another cohabitant with access to the firearm is an immediate threat to him/herself, to the owner cohabitant, or any other person (Utah Code 53-5c-201).

The officer receiving the firearm shall:

(a) Record the owner cohabitant’s name, address, and telephone number.

(b) Record the firearm’s serial number and the make and model of each firearm received.

(c) Record the date that the firearm was accepted for safekeeping.

(d) If the firearm was received from a cohabitant, require that the cohabitant sign a document attesting that he/she resides in a home with the owner cohabitant.

The person committing the firearm shall not be asked or required to provide the name of, or any other information about, the cohabitant who poses the threat.

The property and evidence technician shall hold a firearm accepted pursuant to this policy for an initial period of 60 days, renewable for an additional 60 days upon request of the cohabitant or owner cohabitant. At the expiration of this time or upon request by the owner cohabitant, the firearm shall be returned to the owner cohabitant or other owner (Utah Code 53-5c-201). If the person who committed the firearm for safekeeping cannot be located, the Department shall, after one year, dispose of the firearm in accordance with Utah Code 24-3-103.5 (Utah Code 53-5c-202).

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If a firearm received under the Act is determined to be illegal to possess or to own, the property and evidence technician shall confiscate and book the firearm according to current procedures, notify the person who requested that the firearm be taken for safekeeping of its confiscation, and dispose of the firearm in accordance with Utah Code 24-3-103.5 (Utah Code 53-5c-202).

The property and evidence technician shall destroy any record created exclusively to document the safekeeping of the firearm as soon as practicable but no later than five days after releasing the firearm to the owner cohabitant or other authorized person, or of otherwise disposing of the firearm under the Utah Firearms Safe Harbor Act (Utah Code 53-5c-201).

The property and evidence technician should promptly contact City counsel for assistance with a proper disposition when a non-owner cohabitant surrendered a firearm and an owner cohabitant at any time requests its return.

802.4 PACKAGING OF PROPERTY

Certain items require special consideration and shall be booked separately as follows:

(a) Narcotics and dangerous drugs.

(b) Firearms (ensure they are unloaded and booked separately from ammunition).

(c) Property with more than one known owner.

(d) Paraphernalia as described in Utah Code 58-37a-3.

(e) Fireworks.

(f) Contraband.

802.4.1 PACKAGING CONTAINER

Employees shall package all property, except narcotics and dangerous drugs, in a suitable container available for its size. 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 or group of items packaged together.

802.4.2 PACKAGING NARCOTICS

The officer seizing narcotics and dangerous drugs shall retain such property in their possession until it is properly weighed, packaged, tagged and placed in the designated narcotics locker, accompanied by two copies of the property report. Prior to packaging, and if the quantity allows, a presumptive test should be made on all suspected narcotics. 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 available in the report room. The booking officer shall initial the sealed envelope and the initials covered with cellophane tape. Narcotics and dangerous drugs shall not be packaged with other property.

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A completed property tag shall be attached to the outside of the container. The chain of evidence shall be recorded on the back of this tag.

802.5 RECORDING OF PROPERTY

The property and evidence technician receiving custody of evidence or property shall record his/her signature, the date and time the property was received and where the property will be stored on the property control card.

A property number shall be obtained for each item or group of items. This number shall be recorded on the property tag and the property control card.

Any changes in the location of property held by the Taylorsville Police Department shall be noted in the Property Logbook.

802.6 PROPERTY CONTROL

Each time the property and evidence technician receives property or releases property to another person, he/she shall enter this information on the property control card. Officers desiring property for court shall contact the property and evidence technician at least one day prior to the court date.

802.6.1 RESPONSIBILITY OF OTHER PERSONNEL

Every time property is released or received, an appropriate entry on the evidence package shall be completed to maintain the chain of possession. No property or evidence is to be released without first receiving written authorization from a supervisor or detective.

Request for analysis of items other than narcotics or drugs shall be completed on the appropriate forms and submitted to the property and evidence technician. This request may be filled out any time after booking of the property or evidence.

802.6.2 TRANSFER OF EVIDENCE TO CRIME LABORATORY

The transporting employee will check the evidence out of property, indicating the date and time on the property control card and the request for laboratory analysis.

The property and evidence technician releasing the evidence must complete the required information on the property control card and the evidence. The lab forms will be transported with the property to the examining laboratory. Upon delivering the item involved, the officer will record the delivery time on both copies, and indicate the locker in which the item was placed or the employee to whom it was delivered. The original copy of the lab form will remain with the evidence and the copy will be returned to the Records Section for filing with the case.

802.6.3 STATUS OF PROPERTY

Each person receiving property will make the appropriate entry to document the chain of evidence. Temporary release of property to officers for investigative purposes, or for court, shall be noted on the property control card, stating the date, time and to whom released.

The property and evidence technician shall obtain the signature of the person to whom property is released, and the reason for release. Any employee receiving property shall be responsible for

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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 on the property control card, indicating date, time and the person who returned the property.

802.6.4 AUTHORITY TO RELEASE PROPERTY

The Special Operations shall authorize the disposition or release of all evidence and property coming into the care and custody of the 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.

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 supervisor or detective and must conform to the items listed on the Property Form or must specify the specific item(s) to be released. Release of all property shall be documented on the Property Form.

With the exception of property specifically regulated by statute, found property and property held for safekeeping shall be held for a minimum of 90 days. During such period, property personnel shall attempt to contact the rightful owner by telephone and/or mail when sufficient identifying information is available. If the owner of any unclaimed property cannot be determined or notified, or if the owner has been notified and fails to appear and claim the property, the agency shall (Utah Code 77-24a-5):

(a) Publish at least one notice (giving a general description of the property and the date of intended disposition) of the intent to dispose of the unclaimed property in a newspaper of general circulation within the county.

(b) Post a similar notice in a public place designated for notice within the law enforcement agency.

(c) Post a similar notice on the City public website of the Taylorsville Police Department.

The final disposition of all such property shall be fully documented in related reports.

A property and evidence technician shall release the property upon proper identification being presented by the owner for which an authorized release form has been received. A signature of the person receiving the property shall be recorded on the original Property Form. After release of all property entered on the property control card, the card shall be forwarded to the Records Section for filing with the case. If some items of property have not been released, the property card will remain with the Evidence Room. Upon release, the proper entry shall be documented in the Property Log Form.

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802.6.6 DISPUTED CLAIMS TO PROPERTY
Occasionally more than one party may claim an interest in property being held by the Department, and the legal rights of the parties cannot be clearly established. Such property shall not be released until one party has obtained a valid court order or other undisputed right to the involved property.

All parties should be advised that their claims are civil and in extreme situations, legal counsel for the Department may wish to file an interpleader to resolve the disputed claim.

802.6.7 CONTROL OF NARCOTICS AND DANGEROUS DRUGS
The Special Operations will be responsible for the storage, control and destruction of all narcotics and dangerous drugs coming into the custody of the Department, including paraphernalia as described in Utah Code 58-37a-3.

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 an authorized release form for disposal. The property and evidence technician shall request a disposition or status on all property which has been held in excess of 120 days and for which no disposition has been received from a supervisor or detective.

802.7.1 EXCEPTIONAL DISPOSITIONS
The following types of property shall be destroyed or disposed of in the manner, and at the time prescribed by law, unless a different disposition is ordered by a court of competent jurisdiction:

- Weapons declared by law to be nuisances
- Animals, birds, and related equipment that have been ordered forfeited by the court
- Counterfeiting equipment
- Gaming devices
- Obscene matter ordered to be destroyed by the court
- Altered vehicles or component parts
- Narcotics (Utah Code 58-37-2 et seq.)
- Unclaimed, stolen or embezzled property
- Destructive devices

802.7.2 UNCLAIMED MONEY
If found or seized money is no longer required as evidence and remains unclaimed after nine days of being posted, as described in Release of Property, the Department shall notify the person who turned the money over to the local law enforcement agency. Any person employed by a law enforcement agency who finds or seizes money may not claim or receive the money (Utah Code 77-24a-5(2)(a)).

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802.7.3 PRESERVATION OF BIOLOGICAL EVIDENCE

The Evidence Room Supervisor shall ensure that no biological evidence held by the Department is destroyed without adequate notification to the following persons, when applicable:

(a) The defendant

(b) The defendant's attorney

(c) The appropriate prosecutor

(d) Any sexual assault victim

(e) The Special Operations Supervisor

Biological evidence shall be retained for a minimum of 12 months. Following the retention period, notifications should be made by certified mail and should inform the recipient that the evidence will be destroyed within 12 months 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 Special Operations 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.

Biological evidence related to sexual assaults must be retained in accordance with Utah Code 76-5-604 and Utah Code 76-5-605. If the evidence relates to an unsolved sexual offense, the victim shall be notified at least 60 days prior to destruction and provided with information on how to appeal the decision (Utah Code 77-37-3(3)).

802.7.4 PROPERTY NO LONGER NEEDED AS EVIDENCE

When a prosecuting attorney notifies the Department that evidence may be returned to the rightful owner, the property and evidence technician shall attempt to notify the rightful owner that the property is available for return (Utah Code 24-3-103). Prior to the release of the property, the owner shall provide:

(a) Documentation establishing ownership of the property.

(b) Documentation that the owner may lawfully possess the property.

When the property is returned, a receipt listing the detail of the property shall be signed by the owner and retained by the Department. A copy of the receipt shall be provided to the owner.

If the Department is unable to locate the rightful owner or the rightful owner is unable to lawfully possess the property, the Department may dispose of the property as provided by Utah Code 24-3-103.

If a court orders extraction and return of personal digital data from a computer determined to be contraband, the Department shall determine reasonable cost to provide the data, which shall be paid by the owner at the time the request is made (Utah Code 24-3-103).

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The Department shall dispose of confiscated or unclaimed firearms as provided by Utah Code 24-3-103.5.

802.8 INSPECTIONS OF THE EVIDENCE ROOM

(a) On a monthly basis, the supervisor of the evidence custodian 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 the Department shall be conducted by a Section Commander (as appointed by the Chief of Police) not routinely or directly connected with evidence control.

(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(s) not associated with the property room or its functions to ensure that records are correct and all evidence and property is accounted for.

802.9 ADMITTANCE TO EVIDENCE ROOM

Admittance to the Evidence Room should be restricted to the evidence custodian(s), the evidence supervisor, and others specifically designated by the Chief of Police. All other individuals entering the Evidence Room require escort and an Evidence Room access log entry shall be made indicating:

(a) Date and time of entry and exit.

(b) Name of individual(s) entering the Evidence Room.

(c) Reason for entry.

(d) Name of the escort.

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Records Section

803.1 PURPOSE AND SCOPE

This policy establishes the guidelines for the operational functions of the Taylorsville Police Department Records Section. The policy addresses department file access and internal requests for case reports.

803.2 POLICY

It is the policy of the Taylorsville Police Department to maintain department records securely, professionally, and efficiently.

803.3 RESPONSIBILITIES

803.3.1 RECORDSHEAD

The Chief of Police shall appoint and delegate certain responsibilities to a Records Manager. The Records Manager shall be directly responsible to the Administration Section Commander or the authorized designee.

The responsibilities of the Records Manager include but are not limited to:

(a) Overseeing the efficient and effective operation of the Records Section.

(b) Scheduling and maintaining Records Section time records.

(c) Supervising, training, and evaluating Records Section staff.

(d) Maintaining and updating a Records Section 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 RECORDSBUREAU

The responsibilities of the Records Section 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.

(b) Entering case report information into the records management system.

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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. This includes but is not limited to reporting:

1. Crime reporting and use of force data to the Bureau of Criminal Identification (BCI) (Utah Code 53-10-205).
2. Cold case reporting to the Criminal Investigations and Technical Services Division (Utah Code 53-10-115).

(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) Providing an annual report to BCI regarding firearm-related information as required by Utah Code 76-10-526.

(h) Receive, maintain, and remove voluntary restrictions on firearm purchase and possession in accordance with Utah Code 53-5c-301. This includes required notifications to the Bureau of Criminal Identification (Utah Code 53-5c-301).

803.4 FILE ACCESS AND SECURITY

The security of files in the Records Section 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 field interview (FI) cards, criminal history records, and publicly accessible logs, shall be maintained in a secure area within the Records Section accessible only by authorized members of the Records Section. Access to case reports or files when Records Section staff is not available may be obtained through the Shift Sergeant.

The Records Section will also maintain a secure file for case reports deemed by the Chief of Police as sensitive or otherwise requiring extraordinary access restrictions.

803.5 CONFIDENTIALITY

Records Section staff has access to information that may be confidential or sensitive in nature. Records Section staff shall not access, view, or distribute, or allow anyone else to access, view, or distribute any record, file, or report, whether in hard copy or electronic file format, or any other confidential, protected, or sensitive information except in accordance with Records Maintenance and Release and Protected Information policies and the Records Section procedure manual.

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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 Taylorsville Police Department is committed to providing public access to records in a manner that is consistent with the Utah Government Records Access and Management Act (GRAMA) (Utah Code 63G-2-101 et seq.).

804.3 RECORDS OFFICER RESPONSIBILITIES

The Chief of Police shall designate a Records Manager. The responsibilities of the Records Manager include, but are not limited to:

(a) Managing the records management system for the Department, including the retention, archiving, release and destruction of department public records.

1. This includes performing the duties specified for governmental entities under the Public Records Management Act (Utah Code 63G-2-307).
2. This includes the maintenance and destruction of imaging surveillance data as required by Utah Code 77-23d-105.

(b) Maintaining and updating the department records retention schedule including:

1. Identifying the minimum length of time the Department must keep records.
2. Identifying the section responsible for the original record.

(c) Establishing rules regarding the inspection and copying of department public records as reasonably necessary for the protection of such records.

(d) Identifying records or portions of records that are confidential under state or federal law and not open for inspection or copying.

(a) The Records Officer shall be responsible for filing a statement with the state archivist explaining the reasons a record series that is designated as private or controlled under GRAMA is being collected or used by the Department (Utah Code 63G-2-601).

(e) Establishing rules regarding the processing of subpoenas for the production of records.

(f) Ensuring a current schedule of fees for public records as allowed by law is available (Utah Code 63G-2-203).

(g) Forwarding requests to the appropriate agency when a requester seeks records that are not in the possession of the Department (Utah Code 63G-2-204).

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804.4 PROCESSING REQUESTS FOR PUBLIC RECORDS

Any department member who receives a request for any record shall route the request to the Records Officer or the authorized designee.

804.4.1 REQUESTS FOR RECORDS

The processing of requests for any record is subject to the following:

(a) The Department is not required to create records that do not exist.

(b) 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.

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/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.

(c) Requests for records must be in writing and contain the requester's name, contact information and a description of the record requested (Utah Code 63G-2-204).

(d) The Records Officer shall review each request for records within 10 business days unless the person has requested an expedited response. Expedited requests must be reviewed within five business days (Utah Code 63G-2-204).

(e) Unless the Records Officer is prohibited by law from releasing the requested record; extraordinary circumstances exist, as defined in Utah Code 63G-2-204; or the request is submitted by or on behalf of a person confined in a jail or other correctional facility, the record shall be released.

1. If the existence of extraordinary circumstances precludes approval or denial of the request within the time permitted under law, additional time may be granted.

2. Requests made by or on behalf of a person in jail or another correctional facility for a record that contains a specific reference to the individual so confined may be released up to five times per calendar year. This restriction does not apply to requests submitted by an attorney of the individual (Utah Code 63G-2-201).

(f) If the Records Officer denies a request, a notice of denial shall be sent to the requester. The notice shall contain a description of the record denied, the legal basis upon which the Records Officer relied in denying the request and information related to the appeal process available to the requester (Utah Code 63G-2-205).

804.4.2 APPEALS

The denial of a request for records by the Records Officer may be appealed to the Chief of Police. Upon receipt of a notice to appeal, the Chief of Police must review and make a determination within 10 business days (or five business days if the requester or interested party demonstrates that an expedited decision benefits the public). If a determination is not made within the specified time frame, the appeal shall be considered denied. If the Chief of Police affirms the denial, notice

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shall be sent to the requester informing him/her of the right to appeal the denial to the records committee, district court (or local appeals board, if established), the time limits for filing such appeal, and the contact information of the executive secretary of the records committee (or local appeals board, if established) (Utah Code 63G-2-401).

804.5 RELEASE RESTRICTIONS

Examples of release restrictions include, but are not limited to:

(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 license record, motor vehicle record or any department record, including traffic accident reports, are 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; Utah Code 53-3-109; Utah Code 41-6a-404).

(b) Victim information that may be protected by statutes (Utah Code 77-37-4).

(c) Personnel records (Utah Code 63G-2-302; Utah Code 63G-2-303).

1. Specific personnel information related to undercover officers or investigative personnel is exempt from disclosure if release could reasonably impair the effectiveness of investigations or endanger any individual's safety (Utah Code 63G-2-301).

(d) Properly classified records that contain medical, psychiatric or psychological data about a person if release would be detrimental to the person's mental health or safety, or would violate normal professional practice and medical ethics (Utah Code 63G-2-304).

(e) Records created exclusively in anticipation of potential litigation involving this department (Utah Code 63G-2-305).

(f) Automated license plate reader (ALPR) data (Utah Code 41-6a-2004).

(g) Imaging surveillance data (Utah Code 77-23d-105).

(h) Certain types of reports involving, but not limited to, child abuse and neglect (Utah Code 62A-4a-412).

(i) Certain audio and video recordings created by a body-worn camera that recorded sound or images:

1. Inside a home or residence (Utah Code 63G-2-302; Utah Code 77-7a-107).

2. Inside a hospital or health care facility, inside a clinic of a health care provider, or inside a human service program (Utah Code 63G-2-305).

(j) Certain data collected by an unmanned aircraft system (Utah Code 72-14-204).

(k) Any other information that may be appropriately denied by:

1. Utah Code 63G-2-302 (private records).

2. Utah Code 63G-2-303 (private information of government employees).

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3. Utah Code 63G-2-304 (controlled records).
4. Utah Code 63G-2-305 (protected records).

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 Records Officer 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 District Attorney, City Attorney 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 RECORDS TO BE MARKED

Each page of any written record released pursuant to this policy should be stamped in a colored ink or otherwise marked to indicate the department name and to whom the record was released.

Each audio/video recording released should include the department name and to whom the record was released.

804.8 EXPUNGEMENT

Expungement orders received by the Department shall be reviewed for appropriate action by the Records Officer. The Records Officer 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 expunged, members shall respond to any inquiry as though the record did not exist.

Upon receiving an order for vacatur, the Records Officer shall comply with the provisions of Utah Code 77-40-108.5.

804.9 TRAINING

The Records Manager shall, on an annual basis, successfully complete an online records management training course provided by the Utah Department of Administrative Services' Division of Archives and Records Service (Utah Code 63G-2-108).

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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 Taylorsville 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 Taylorsville 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.

User - Per Utah Administrative Rule R722-900, the definition of a USER is any person working for or with an agency who has direct access to UCJIS or a person (NON-ACCESS USER) who obtains UCJIS records from a person who has direct access. All users must sign a User Security Agreement upon being hired.

Non-user - The definition of a NON-USER is any person who does not have a UCJIS user ID and who has indirect access to criminal justice information from UCJIS. Indirect access is defined as:

(a) unescorted access to the computer terminal areas where information may be available either on a monitor, printed, or verbal;

(b) access to computer systems or programs that access UCJIS files. All non-users must sign a upon being hired.

805.2 POLICY

Members of the Taylorsville 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 Chief of Police shall select a member of the Department to 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), Department of Motor Vehicle (DMV) records and the Utah Criminal Justice Information System (UCJIS).

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(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.

805.4 ACCESS TO PROTECTED INFORMATION

Protected information shall not be accessed in violation of any law, order, regulation, user agreement, Taylorsville 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

Misuse of access to criminal history record information is a class B misdemeanor (Utah Code 53-10-108).

Divulging the content of any criminal record to anyone other than authorized personnel is a violation of the Standards of Conduct Policy.

Employees who obtain, or attempt to obtain, information from the department files other than which they are entitled in accordance with their official duties is a violation of the Standards of Conduct Policy.

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 (Utah Code 53-10-108).

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 Records Manager 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.

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Any such information should be released through the Records Section to ensure proper documentation of the release (see the Records Maintenance and Release).

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 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 Chief of Police will select a member of the Department to oversee the security of protected information (Department TAC--Terminal Agency Coordinator).

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.

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).

805.6.2 ACCESS SECURITY

Access to UCJIS files will be granted to Taylorsville Police Department members as directed by Division Commanders/Administrator and job description. Taylorsville Police Department members that do not have direct access to UCJIS that can request, receive, view, or hear UCJIS information must be added to UCJIS as non-users.

(a) Initial background checks will be done by Department TAC (Terminal Agency Coordinator) for all users and non-users when an initial log-on is requested. This check will include NCIC Wanted Person checks, Criminal History check both Ill and UCCH, and Statewide Warrants.

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(a) Fingerprint cards will be submitted to BCI for all UCJIS users/non-users for retainable prints. Fingerprints will be taken by TAYLORSVILLE POLICE DEPARTMENT Evidence Unit and submitted to BCI for retainable prints. The Forensic Unit will provide the agencies TAC the OTN number of these prints to be submitted to BCI.

(b) The Chief of Police may elect to send a letter to BCI requesting access to UCJIS if a positive criminal history is found for a user/non-user and BCI had denied the user access to the system.

(c) Division Commanders/Administrators will notify the Department TAC if a user/non-user is arrested or cited, excluding minor traffic offenses. The BCI account will be disabled until legal proceedings are concluded and access to UCJIS is approved by BCI.

(d) Division Commanders/Administrators will notify the Department TAC if a department member is placed on administrative leave so access to BCI can be suspended. When the department member returns from administrative leave the Division Commander/Administrator will notify the Department TAC so access to BCI can be restored.

1. Users will be provided an individual log on ID and password to access the UCJIS system. Users are responsible for information obtained from these files under their log-on. Users must log on to UCJIS at least once every thirty (30) days.

2. Users must sign a UCJIS User Security Agreement and return to the TAC within thirty days of log-on creation.

3. UCJIS files will only be accessed from authorized Taylorsville Police Department computers or MDC's. Access to UCJIS via department or personal Cell/Smart phone or I-pad/tablet is strictly prohibited.

4. Any misuse of the information contained in the UCJIS files will be investigated by the Taylorsville Police Department and/or BCI. If misuse is confirmed the user/non-user will be subject to disciplinary action and/or BCI actions which may include criminal charges for violations of State statute 53-10-108 (11a).

805.6.3 PHYSICAL SECURITY

Department computer sites/terminal areas will have adequate physical security to protect against any unauthorized personnel gaining access to the computer equipment or any stored data. This is includes protecting computer/MDC screens from public view.

Taylorsville Police Department staff must accompany all visitors, vendors and custodial staff working near computer centers or terminals at all times.

805.7 DATA SECURITY

Any documents containing UCJIS information must be shredded or burned. If an outside vendor is used to dispose of shredded data/documents the shredding of such documents must take place on

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site. A Taylorsville Police Department staff member must accompany and observe the destruction of this information.

805.8 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.

805.8.1 TESTING

(a) Members authorized to access UCJIS must be tested every two years. It is the responsibility of the member to successfully complete testing by their certification expiration date. Members who fail to test as required will lose access to UCJIS without warning.

1. It is the responsibility of the TAC to create tests as needed and maintain accurate testing records of the staff and tests used.
2. Users will be required to sign a "User Testing Agreement" upon completion of the test and give to agency TAC. The TAC will keep the original form in the member's BCI file.

805.8.2 INFORMATION DATABASES

Inquiries into computer databases will only be made in performance of official Department duties. Databases will not be used for personal use.

805.8.3 RECORDS MANAGEMENT SYSTEM (RMS VERSADEX)

(a) RMS Versadex is the Department records system.

(b) All official files, documents, records, reports, and information held by the Department or in the custody or control of a member of the Department shall be regarded as confidential.

(c) Members shall not disclose or permit the disclosure or use of such files, documents, reports, records, or information except as required in the performance of their official duties.

(d) The unauthorized use of information and/or unauthorized access of records obtained through employment with the Taylorsville Police Department can subject the member to possible disciplinary action and/or criminal prosecution. This includes information obtained from manually stored records, as well as information obtained from automated records.

805.9 UCJIS (UTAH CRIMINAL JUSTICE INFORMATION SYSTEM)

(a) UCJIS stands for the Utah Criminal Justice Information System. It is the state version of FBI- CJIS.

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(b) The Taylorsville Police Department will sign a user contract with BCI yearly and will comply with all state and federal statutes and regulations contained in this contract.

(c) Inquiries into the UCJIS files will only be made for criminal justice purposes and criminal justice employment.

(d) Dissemination of information contained in these files will follow Utah code 53-10-108(1) (a-c) and Taylorsville Police Department policy. Information will only be disseminated to law enforcement agencies or non-law enforcement agencies that have a signed dissemination agreement in place with the Department.

805.9.1 ACCESS SECURITY

Access to UCJIS files will be granted to Taylorsville Police Department members as directed by Division Commanders/Administrators and job description.

(a) Background checks will be done by a Department TAC (Terminal Agency Coordinator) for all users when an initial log-on is requested and every 2 years when the user is recertified for BCI access. This check will include NCICXQW, 111, UCCH, and SWW.

1. Fingerprint cards will be submitted to BCI for all non-POST certified personnel or any user that has a positive criminal history.
2. Retainable fingerprints will be submitted to BCI for all Users and Non-Users.
3. The Chief of Police may elect to send a letter to BCI requesting access to UCJIS if a positive criminal history is found for a user.
4. Division Commanders/Administrators will notify the Department TAC if a user is arrested or cited, excluding minor traffic offenses. The BCI account will be disabled until legal proceedings concluded and access to UCJIS is approved by BCI.

(b) Users will be provided an individual log-on ID and password to access the UCJIS system. Users are responsible for what information is obtained from these files under their log-on. Users must log onto UCJIS at least once every thirty (30) days to keep account active.

(c) UCJIS files will only be accessed from authorized Taylorsville Police Department computers/MDCs.

(d) Any misuse of the information contained in the UCJIS files will be investigated by the Taylorsville Police Department and/or BCI. If misuse is confirmed, the user will be subject to Taylorsville Police Department disciplinary action and/or BCI actions which may include criminal charges for violations of State statute 53-10-108 (11a).

805.9.2 TESTING

(a) Members authorized to access UCJIS must be tested every two years. It is the responsibility of the member to successfully complete testing by their anniversary date. Members who fail to test as required will lose access without warning.

1. It is the responsibility of the TAC to create tests as needed and maintain accurate testing records of the staff and tests used.

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2. Members are only required to test in areas authorized by their job assignments.

(b) Upon completion of testing, the member will sign a Security Agreement form. The TAC will keep the original form in the member's BCI file.

805.9.3 PHYSICAL SECURITY

(a) Department computer sites/terminal areas will have adequate physical security to protect against any unauthorized personnel gaining access to the computer equipment or any of the stored data. This includes protecting computer/MDC screens form public view.

(b) Taylorsville Police Department staff must accompany all visitors at computer centers and terminals at all times.

805.10 ENTRY AND INQUIRY PROCEDURES

(a) NCIC is a national computerized information center, which receives and disseminates information concerning stolen property, wanted persons, missing persons, criminal history files, and the Interstate Identification Index (Triple I).

(b) Inquiries into the system are only permitted to be made for criminal justice investigations and criminal justice employment. Inquiries for licensing purposes are prohibited.

(c) All use of the NCIC system will be made consistent with the rules, policies, and procedures of the NCIC Advisory Policy Board.

805.10.1 ENTRY AND INQUIRY PROCEDURES

An authorized member may enter or check on any suspect vehicle or person for a criminal justice purpose through NCIC if the member has the required information.

(a) Vehicles

1. The minimum information necessary for entry of a stolen vehicle is the vehicle identification number (VIN) and/or license plate (including state, year, and if available, the registration sticker number), vehicle year model, and style, date, place, and time stolen, owner, reported by, value and case number.

2. The minimum information necessary for vehicle inquiry is VIN and/or license plate number, including state.

3. Vehicle parts can also be added or searched for with required information.

4. Officers will make NCIC entries through dispatch prior to clearing the detail.

(b) License Plates

1. Entries are not limited to instances where both plates are stolen or missing. The minimum information necessary for entry is license plate number, state, year, type, date stolen and the case number. The year is to be indicated as the highest year in which the plate is valid. Also include, if possible, the most current registration sticker number. (Entries can be made if only one plate is stolen or

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missing after obtaining the owner's assurance that the remaining plate will not be used on a vehicle).

2. Provide license plate number, state, year, and type on all inquiries.

3. Officers will make NCIC entries through dispatch prior to clearing the detail.

(c) Guns

(a) All gun entries must include serial number, make, type, action, caliber, date stolen, and case number.

(b) Inquiries should be completed by serial number, make, and caliber.

(c) If all required information is available, officers are required to ensure NCIC entries are made immediately. NCIC entries will be made by an on-duty Records person. If personnel are unavailable, entries will be made by dispatch. In cases where the required information is not immediately available the entry will be made by Records Personnel upon receipt of the information.

(d) Other Articles

(a) Minimum entry information necessary is type; serial number or owner applied number, brand name, date stolen, and case number.

(b) Inquiry by type of article and complete serial number or owner-allied number.

(c) Specific files are available for securities and boats.

(d) Section detectives or secretaries will make entries into the NCIC databases for stolen articles. Exceptions can be made with the approval of the on-duty sergeant or lead officer in exigent circumstances.

(e) Wanted Persons

1. All wanted person entries must contain name and descriptive data (sex, race, height, weight, and hair color), DOB, offense, date of warrant, case number, and whether person will be extradited. Images, when available, of wanted persons will be entered into NCIC and attached to NCIC wanted persons.

2. If the driver's license is used, the state and expiration date must be included.

3. Inquiries of wanted person file may be made by name, sex, race, and at least one of the following numerical identifiers: complete DOB, FBI number. S.O. number, social security number, driver's license number, Selective Service number, Armed Services number, or other miscellaneous number.

4. NCIC Wanted person entries will be made by Taylorsville Police Department Investigations.

(f) Missing Persons

1. Missing person entries must include name, sex, race, DOB, height, weight, eye color, hair, date last seen, and case number. (Any medical or extenuating circumstance need to be included).

2. Images, when available, of missing persons will be entered into NCIC and attached to NCIC entry.

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3. Inquiries of missing person file are the same as wanted person inquiry.
4. Consistent with federal law requirements, entries for all missing persons under the age of 21 will be made immediately.
5. Dispatch will enter Missing Person on NCIC. The Investigation Division will review and modify the initial NCIC entry to ensure all available information has been entered.

805.10.2 ENTRY TIMELINES GUIDELINES

(a) NCIC records must be entered promptly to ensure maximum system effectiveness.

(b) Entry:

1. Wanted - Immediately following decision or authorization to arrest and whether and how far to extradite.
2. Missing Person - Immediately following officer contacting complainant and obtaining/ verifying information to complete NCIC entry for anyone under the age of 21 or 21 and older in extenuating circumstances.
3. Vehicle/Plate/Part- Immediately upon cross-checking with Motor Vehicle Files.
4. Gun/Article/Security File - Within a few hours of receiving complete information.

(c) Removal:

1. Wanted/Missing - Immediately upon arrest, receiving a locate message, or is no longer wanted.
2. All other Files- Immediately upon receiving a locate message or determining the entry serves no further purpose.

805.10.3 NCIC “HITS”

(a) An NCIC "hit" means the subject or item with a description the same as that indicated in the inquiry has previously been entered in the NCIC system. The validity of the "hit" must be verified with the originating agency to determine if the subject of the inquiry is the same as the one entered, and also to determine if the subject or item is still wanted.

(b) Verification Procedure:

1. Verification from the originating agency will be required by teletype.
2. Upon receiving a hit verification, a locate message will be immediately transmitted to the entering agency.
3. The appropriate investigative unit will be notified and shall be responsible for following up on the hit with the originating agency.

805.11 NLETS (NATIONAL LAW ENFORCEMENT TELETYPES)

NLETS is a computerized, high-speed message switching system created for and dedicated to the criminal justice community.

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805.11.1 SENDING TELETYPES

(a) Any member desiring to send a teletype will outline the message and list the person, agency, city, and state that the message is intended to reach and submit it to personnel authorized to transmit teletypes on division terminals.

(b) The message will then be sent to the agency or area requested.

(c) A message must be sent to the Taylorsville Police Department (UT0183900) to secure an original copy for filing.

(d) The original copy of the message will be routed to the requesting member.

805.11.2 INCOMING MESSAGES

(a) Incoming messages are read and classified.

(b) If the message is a reply to a message originating in the Taylorsville Police Department, one copy is attached to the original outgoing message in the file, and one copy is sent to the member requesting the original message.

(c) If the message is not a reply to a message originating from this Department, the message is simply routed to the member or division for whom the message is intended, or to the division for whom the message would have informative value.

805.11.3 STATEWIDE BROADCAST MESSAGE

(a) Definition - An administrative message sent to a state control terminal requesting the state send out a message to all on-line agencies in their state.

(b) It is the policy of NLETS that nationwide broadcasts are restricted. Contact BCI for specific restrictions.

(c) Send messages only to appropriate areas of interest.

805.12 UCCH (UTAH COMPUTERIZED HISTORY FILES) AND TRIPLE I (III)

UCCH is intended to be a complete and accurate criminal history record of all Utah arrests and dispositions of given arrestees. 111 is an interstate identification index database for criminal records outside of Utah. Information may be disseminated for the purpose of administration of criminal justice and criminal justice agency employment only.

805.12.1 DATA RETRIEVAL (UCCH AND (III)

(a) Requestor - your name (IS number and IS number of person requesting is being made for).

(b) Reason (purpose) - C for criminal investigation, J for criminal justice employment

(c) AUD - this is the reason for the request, case number should be used. If no case is assigned, a specific reason for the request must be used.

(d) Failure to use specific reasons may result in loss of access and disciplinary action.

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805.12.2 USE REQUIREMENTS

(a) Dissemination is controlled by state and federal regulations. This information may only be given to law enforcement agencies for a Criminal Justice purpose. Records may only be disseminated to law enforcement agencies or non-law enforcement agencies that have a current dissemination agreement in place with the Department.

(b) Confirmation of the existence or non-existence of UCCH information to any person or agency that would not be eligible to receive the complete UCCH information will not be made.

(c) Ill information may only be disseminated outside of the criminal justice system by authority of a federal or state statute. Records may only be disseminated to law enforcement agencies or non-law enforcement agencies that have a current dissemination agreement in place with the Department.

(d) Hard copies of UCCH and Ill records must be destroyed by burning or shredding. If an outside vendor is used for shredding purpose, they must bring the shredder on site.

805.12.3 REVIEW AND CORRECTION

(a) Individuals wishing to review their own criminal history record will be referred to the State Bureau of Identification (BCI) 3888 W. 5400 S.

(b) The requesting individual must:

    (a) submit to fingerprinting to verify identification, and

    (b) pay the established service fee.

(c) After complying with the above requirements, individuals wishing to correct or challenge Department records will justify such a request in writing. If such a request is found to be valid by the designated Taylorsville Police Department employee, appropriate corrections will be made in the Department Records. In addition, corrections will be sent to other agencies, which have received incorrect information from the Department, and to BCI and other records depositories.

(d) If the Taylorsville Police Department is not the originating source of the report to be corrected or the individual wishing the correction desires to appeal the Department decision, referral will be made to BCI.

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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 Taylorsville 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.

806.2.1 PROCEDURES

ANIMAL PROBLEMS PROCEDURE

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 RESPONSIBILITY

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 members generally should not attempt to capture and pick up any animal, but should keep the animal under observation until the arrival of appropriate assistance.

Members 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. Members 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 member should find appropriate placement for the animal.

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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.
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 Utah Code 76-9-301 et seq.

(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).

806.8 DANGEROUS ANIMALS

In the event responding members cannot fulfill a request for service because an animal is difficult or dangerous to handle, the Shift Sergeant will be contacted to determine available resources, including requesting the assistance of animal control services from an allied agency.

806.9 PUBLIC NUISANCE CALLS RELATING TO ANIMALS

Members should diligently address calls related to nuisance animals (e.g., barking dogs), as such calls may involve significant quality of life issues.

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806.10 DECEASED ANIMALS

When a member becomes aware of a deceased animal, all reasonable attempts should be made to preliminarily determine if the death of the animal is related to criminal activity.

Deceased animals on public property should be removed, sealed in a plastic bag, and 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 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.

806.11 INJURED ANIMALS

When a member becomes aware of an injured domesticated animal, all reasonable attempts shall be made to contact the 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

Members encountering injured wildlife should contact the Utah Division of Wildlife Resources or one of the Division's authorized wildlife rehabilitators.

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Jeanne Clery Campus Security Act

807.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines to ensure this department fulfills its obligation in complying with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act).

807.2 POLICY

The Taylorsville Police Department encourages accurate and prompt reporting of all crimes and takes all such reports seriously (20 USC § 1092(f)(1)(C)(iii)). Reports will be accepted in any manner, including in person or in writing, at any Taylorsville Police Department facility. Reports will be accepted anonymously, by phone or via email or on the institution's website.

It is the policy of the Taylorsville Police Department to comply with the Clery Act. Compliance with the Clery Act requires a joint effort between the Taylorsville Police Department and the administration of the institution.

Supervisors assigned areas of responsibility in the following policy sections are expected to be familiar with the subsections of 20 USC § 1092(f) and 34 CFR 668.46 that are relevant to their responsibilities.

807.3 POLICY PROCEDURE AND PROGRAM DEVELOPMENT

The Chief of Police will:

(a) Ensure that the Taylorsville Police Department establishes procedures for immediate emergency response and evacuation, including the use of electronic and cellular communication and testing of these procedures (20 USC § 1092(f)(1)(J)(i); 20 USC § 1092(f)(1)(J)(iii)).

(b) Enter into agreements as appropriate with local law enforcement agencies to:

1. Identify roles in the investigation of alleged criminal offenses on campus (20 USC § 1092(f)(1)(C)(ii)).
2. Assist in the monitoring and reporting of criminal activity at off-campus student organizations that are recognized by the institution and engaged in by students attending the institution, including student organizations with off-campus housing facilities (20 USC § 1092(f)(1)(G)).
3. Ensure coordination of emergency response and evacuation procedures, including procedures to immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation (20 USC § 1092(f)(1)(J)).

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4. Notify the Taylorsville Police Department of criminal offenses reported to local law enforcement agencies to assist the institution in meeting its reporting requirements under the Clery Act (20 USC § 1092(f)(1)(F)).

5. Notify the Taylorsville Police Department of criminal offenses reported to local law enforcement agencies to assist in making information available to the campus community in a timely manner and to aid in the prevention of similar crimes. Such disseminated information shall withhold the names of victims as confidential (20 USC § 1092(f)(3)).

(c) Appoint a designee to develop programs that are designed to inform students and employees about campus security procedures and practices, and to encourage students and employees to be responsible for their own security and the security of others (20 USC § 1092(f)(1)(D)).

(d) Appoint a designee to develop programs to inform students and employees about the prevention of crime (20 USC § 1092(f)(1)(E)).

(e) Appoint a designee to develop educational programs to promote the awareness of rape, acquaintance rape, domestic violence, dating violence, sexual assault and stalking, and what to do if an offense occurs, including but not limited to, who should be contacted, the importance of preserving evidence and to whom the alleged offense should be reported (20 USC § 1092(f)(8)(B)). The designee shall also develop written materials to be distributed to reporting persons that explains the rights and options provided for under 20 USC § 1092 (20 USC § 1092(f)(8)(C)).

(f) Appoint a designee to make the appropriate notifications to institution staff regarding missing person investigations in order to ensure that the institution complies with the requirements of 34 CFR 668.46(h).

807.4 RECORDS COLLECTION AND RETENTION

The Records Manager is responsible for maintaining Taylorsville Police Department statistics and making reasonable good-faith efforts to obtain statistics from other law enforcement agencies as necessary to allow the institution to comply with its reporting requirements under the Clery Act (20 USC § 1092(f)(1)(F)). The statistics shall be compiled as follows:

(a) Statistics concerning the occurrence of the following criminal offenses reported to this department or to local police agencies that occurred on campus, in or on non-campus buildings or property, and on public property including streets, sidewalks and parking facilities within the campus or immediately adjacent to and accessible from the campus (20 USC § 1092(f)(1)(F)(i); 34 CFR 668.46(c)):

1. Murder

2. Sex offenses, forcible or non-forcible

3. Robbery

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4. Aggravated assault
5. Burglary
6. Motor vehicle theft
7. Manslaughter
8. Arson
9. Arrests or persons referred for campus disciplinary action for liquor law violations, drug-related violations and weapons possession
10. Dating violence, domestic violence and stalking

(b) Statistics concerning the crimes described in the section above, theft, simple assault, intimidation, destruction, damage or vandalism of property, and other crimes involving bodily injury to any person where the victim was intentionally selected because of his/her actual or perceived race, sex, religion, gender, gender identity, sexual orientation, ethnicity or disability. These statistics should be collected and reported according to the category of prejudice (20 USC § 1092(f)(1)(F)(ii); 34 CFR 668.46(c)).

(c) The statistics shall be compiled using the definitions in the FBI's Uniform Crime Reporting (UCR) system and modifications made pursuant to the Hate Crime Statistics Act (20 USC § 1092(f)(7) and 34 CFR 668.46(c)(9)). For the offenses of domestic violence, dating violence and stalking, such statistics shall be compiled in accordance with the definitions used in the Violence Against Women Act (20 USC § 1092(f)(7); 34 USC § 12291; 34 CFR 668.46(a)). The statistics will be categorized separately as offenses that occur (20 USC § 1092(f)(12) and 34 CFR 668.46(c)(5)):

1. On campus.
2. In or on a non-campus building or property.
3. On public property.
4. In dormitories or other on-campus, residential or student facilities.

(d) Statistics will be included by the calendar year in which the crime was reported to the Taylorsville Police Department (34 CFR 668.46(c)(3)).

(e) Stalking offenses will include a statistic for each year in which the stalking conduct is reported and will be recorded as occurring either at the first location where the stalking occurred or the location where the victim became aware of the conduct (34 CFR 668.46(c)(6)).

(f) Statistics will include the three most recent calendar years (20 USC § 1092(f)(1)(F); 34 CFR 668.46(c)).

(g) The statistics shall not identify victims of crimes or persons accused of crimes (20 USC § 1092(f)(7)).

807.4.1 CRIME LOG

The Records Manager is responsible for ensuring a daily crime log is created and maintained as follows (20 USC § 1092(f)(4); 34 CFR 668.46(f)):

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(a) The daily crime log will record all crimes reported to the Taylorsville Police Department, including the nature, date, time and general location of each crime, and the disposition, if known.

(b) All log entries shall be made within two business days of the initial report being made to the Department.

(c) If new information about an entry becomes available, then the new information shall be recorded in the log not later than two business days after the information becomes available to the police department or security department.

(d) The daily crime log for the most recent 60-day period shall be open to the public for inspection at all times during normal business hours. Any portion of the log that is older than 60 days must be made available within two business days of a request for public inspection. Information in the log is not required to be disclosed when:

1. Disclosure of the information is prohibited by law.
2. Disclosure would jeopardize the confidentiality of the victim.
3. There is clear and convincing evidence that the release of such information would jeopardize an ongoing criminal investigation or the safety of an individual, may cause a suspect to flee or evade detection, or could result in the destruction of evidence. In any of these cases, the information may be withheld until that damage is no longer likely to occur from the release of such information.

807.5 INFORMATION DISSEMINATION

It is the responsibility of the Administration Section Commander to ensure that the required Clery Act disclosures are properly forwarded to campus administration and community members in accordance with institution procedures. This includes:

(a) Procedures for providing emergency notification of crimes or other incidents and evacuations that might represent an imminent threat to the safety of students or employees (20 USC § 1092(f)(3) and 34 CFR 668.46(e) and (g)).

(b) Procedures for notifying the campus community about crimes considered to be a threat to other students and employees in order to aid in the prevention of similar crimes. Such disseminated information shall withhold the names of victims as confidential (20 USC § 1092(f)(3)).

(c) Information necessary for the institution to prepare its annual security report (20 USC § 1092(f)(1); 34 CFR 668.46(b)). This report will include, but is not limited to, the following:

1. Crime statistics and the policies for preparing the crime statistics.
2. Crime and emergency reporting procedures, including the responses to such reports.
3. Policies concerning security of and access to campus facilities.
4. Crime, dating violence, domestic violence, sexual assault and stalking awareness and prevention programs, including:
   (a) Procedures victims should follow.

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(b) Procedures for protecting the confidentiality of victims and other necessary parties.

5. Enforcement policies related to alcohol and illegal drugs.
6. Locations where the campus community can obtain information about registered sex offenders.
7. Emergency response and evacuation procedures.
8. Missing student notification procedures.
9. Information addressing the jurisdiction and authority of campus security including any working relationships and agreements between campus security personnel and both state and local law enforcement agencies.

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IT Security: Software Licensing Policy

808.1 PURPOSE-IT SECURITY: SOFTWARE LICENSING POLICY

This policy is designed to ensure that all software installed on Taylorsville Police Department IT resources or systems is properly licensed and is used for Taylorsville Police Department business purposes only; and that software with license agreements restricting use exclusively to non-business or nongovernment settings, i.e., restricted to home or personal use, is not installed on Taylorsville Police Department IT resources or systems.

It is the objective of this policy to make all Department members aware that the use of unlicensed software may result in significant fines and criminal penalties.

808.2 SCOPE-IT SECURITY: SOFTWARE LICENSING POLICY

All Taylorsville Police Department employees and contractors, consultants, volunteers, and others with a business association with Taylorsville Police Department shall adhere to this policy insofar as they use IT resources and systems owned or leased by Taylorsville Police Department or any device that connects to the Taylorsville Police Department network or resides at a Taylorsville Police Department facility.

808.3 DEFINITIONS

Information Technology Resource(s) and/or System(s) (IT resource(s) and/or system(s)) - Computers, hardware, software, data, storage media, electronic communications (including, but not limited to, e-mail, fax, phones, phone systems and voice mail), networks, operational procedures and processes used in the collection, processing, storage, sharing or distribution of information within, or with any access, beyond ordinary public access to, the Department's shared computing and network infrastructure.

Taylorsville Police Department Management - Any of the following, or their designees: Chief of Police, Deputy Chiefs or Section Commanders.

808.4 POLICY-IT-SECURITY: SOFTWARE LICENSING POLICY

All software installed on Taylorsville Police Department IT resources or systems must be appropriately licensed and approved by Taylorsville Police Department management prior to installation. It is prohibited to download or install software on Taylorsville Police Department IT resources or systems where the license agreement prohibits business or government use.

(a) Taylorsville Police Department management shall be responsible for purchasing or obtaining written consent from the software vendor or author, or otherwise verifying Department ownership of or rights to software licenses for all products installed on the Department's IT resources and/or systems.

(b) Individuals responsible for installation of software products shall receive approved written verification from Taylorsville Police Department management attesting that

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they have secured the appropriate ownership of or rights to install the software application.

(c) Where software licenses are shared among divisions, Taylorsville Police Department management shall establish a written agreement, with participating sections, delineating roles, and responsibilities for compliance with this policy.

(d) Taylorsville Police Department management shall obtain a copy of all license agreements and review, understand, and comply with the terms therein.

(e) Taylorsville Police Department management shall maintain a current software inventory which includes at least the following: number of authorized and actual installations, license agreement, and proof of purchase. Taylorsville Police Department management shall conduct an annual review of their software inventory. Software inventories shall be Taylorsville Police Department whenever new software is acquired and/or installed or software is uninstalled, or the IT resource and/or system is transferred, decommissioned, or sent to surplus.

(f) Copies of Department-owned software may be made for uses specifically allowed by the vendor, author, or the license agreement, for example, archival copies for restoration.

(g) Amendments to roles and responsibilities defined in this policy can be made through a written service level agreement between Taylorsville Police Department Management and Technical Services.

808.5 EXCEPTIONS

Personally owned software may be installed on Taylorsville Police Department IT resources and systems where a valid business purpose exists, providing written approval is granted by Taylorsville Police Department management and Technical Services, and it does not create any conflicts with Taylorsville Police Department IT resources and/or systems and the use and installation is following the license agreement. Taylorsville Police Department management is responsible to include the software in their agency's software inventoryTaylorsville Police Department

808.6 ENFORCEMENT

(a) All software installations discovered by or reported to Taylorsville Police Department management to be in violation of this policy shall be removed from Taylorsville Police Department IT resources and systems.

(b) Members who become aware of the use or distribution of unauthorized software shall notify Technical Services, who shall be responsible for carrying out these enforcement provisions.

(c) Anyone found to have knowingly violated this policy shall be subject to disciplinary action, including but not limited to temporary loss of network connectivity, loss of Internet access, or complete and permanent termination of access to the Taylorsville Police Department network; and can lead to other disciplinary action up to and including dismissal from Taylorsville Police Department employment.

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IT Security: Software Licensing Policy

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IT Security: Virus Prevention

809.1 PURPOSE-IT-SECURITY: VIRUS PREVENTION

This policy is designed to ensure that IT resources and systems owned by Taylorsville Police Department employ effective anti-virus and anti-malware detection software; that IT resources and systems owned by Taylorsville Police Department are free from viruses and malicious code; and, that Taylorsville Police Department will monitor and enforce compliance with this policy. The objectives of this policy are to mitigate risk by effectively managing security exposure or compromise of IT resources and systems; eliminate viruses, worms, trojan horses and other malware programs that can cause significant damage to IT resources and systems; prevent the destruction, alteration, or disclosure of Department information; and prevent damage to the reputation of Taylorsville Police Department and of the individuals associated with Taylorsville Police Department.

809.2 SCOPE-IT SECURITY: VIRUS PREVENTION

The scope of this policy includes any device capable of propagating malicious code and that is used by any Taylorsville Police Department members or attached to the Taylorsville Police Department network by wired, wireless, or VPN connection.

809.3 DEFINITIONS

Information Technology Resources and Systems (IT resources and systems) - Computers, hardware, software, data, storage media, electronic communications (including, but not limited to, e-mail, fax, phones. phone systems and voice mail), networks, operational procedures and processes used in the collection, processing, storage, sharing or distribution of information within, or with any access beyond ordinary public access to, the Department's shared computing and network infrastructure.

Taylorsville Police Department Management - Any of the following, or their designees: Chief of Police, Deputy Chief and Second Commanders.

809.4 POLICY-IT SECURITY: VIRUS PREVENTION

Any Taylorsville Police Department IT resource or system capable of independently propagating malicious code must have approved anti-virus and anti-malware software installed, Taylorsville Police Department, and activated as specified by Technical Services.

(a) All devices will use the Department's standard virus prevention software as determined by Technical Services. Please refer to the "Recommended Configurations" documentation found on the Technical Services Intranet site.

(b) Virus prevention software must be configured to start automatically when the device powers up.

(c) Virus prevention software must have up to date signatures and will be configured to Taylorsville Police Department automatically on a timely basis.

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(d) Virus prevention software will be configured for "on access" scanning, where a file is scanned for viruses before an application is allowed to access the file.

(e) Members will not do anything to disable or hinder the operation of any virus prevention software.

(f) In order to prevent virus propagation, no executable software, regardless of the source, will be knowingly loaded on a device connected to the Taylorsville Police Department network without prior approval of Taylorsville Police Department management.

(g) All non-Department computing devices, especially laptop computers, must be checked by Technical Services staff before they will be allowed on the Taylorsville Police Department network.

(h) Technical Services will provide for the installation and maintenance of virus prevention software as a part of Taylorsville Police Department domain membership.

(i) Members using Apple, UNIX or LINUX computers will need to contact Technical Services to determine how they can comply with this policy.

809.5 EXCEPTIONS

(a) Devices connected to any Taylorsville Police Department "Guest" network (a network provided strictly for the convenience of the public) are exempt from this policy.

(b) Any exceptions to this policy must be explicitly approved in writing by Technical Services.

(c) No UCJIS information shall not be researched or utilized on the Taylorsville Guest Network.

809.6 ENFORCEMENT

Anyone found to have knowingly violated this policy shall be subject to disciplinary action, including but not limited to temporary loss of network connectivity, loss of Internet access, or complete and permanent termination of access to the Taylorsville Police Department Network and can lead to other disciplinary action, up to and including dismissal from Taylorsville Police Department employment.

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IT- Security: Security Incident Reporting

810.1 PURPOSE IT SECURITY: SECURITY INCIDENT REPORTING

The purpose of this policy is to ensure that all information technology security incidents are properly reported and responded to in a timely manner.

810.2 SCOPE- IT SECURITY: SECURITY INCIDENT REPORTING

All Taylorsville Police Department employees and contractors, consultants, volunteers, and others with a business association with Taylorsville Police Department shall adhere to this policy in so far as they use IT resources and systems owned or leased by Taylorsville Police Department or any device that connects to any Taylorsville Police Department network or resides at a Taylorsville Police Department facility.

810.3 DEFINITIONS

Information Technology Resource(s) and/or System(s) (IT resource(s) and/or system(s)) - Computers, hardware, software, data, storage media, electronic communications (including, but not limited to, e-mail, fax, phones, phone systems and voice mail), networks, operational procedures and processes used in the collection, processing, storage, sharing or distribution of information within, or with any access, beyond ordinary public access to, the Department's shared computing and network infrastructure.

Taylorsville Police Management - Any of the following, or their designees: Chief of Police, Deputy Chiefs, and Section Commanders.

Taylorsville Police Department Data - Written, printed or electronic information for Taylorsville Police Department purposes, including numbers, text, images, and sounds, which are created, generated, sent, communicated, received by and/or stored on Taylorsville Police Department IT resources or systems. Data does not include hardware, platforms, software, applications, or middleware.

Information Technology Security Incident - An information technology security incident is any act with the potential to: adversely affect the integrity or availability of Taylorsville Police Department data or a Taylorsville Police Department IT resource or system, provide unauthorized access to any Taylorsville Police Department IT resource or system, or allow a Taylorsville Police Department IT resource or system to be used to launch attacks against the resources and information of other individuals or organizations.

810.4 POLICY- IT SECURITY: SECURITY INCIDENT REPORTING

All Taylorsville Police Department members and others with a business association with Taylorsville Police Department shall report information technology security incidents. Examples of information technology security incidents include but are not limited to the following:

(a) The loss or theft of a Taylorsville Police Department IT resource or system.

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(b) The loss or theft of Taylorsville Police Department data.

(c) The unauthorized or improper alteration of Taylorsville Police Department data.

(d) Any successful or unsuccessful attempt to gain unauthorized access to a Taylorsville Police Department IT resource, and or system:

(e) Any successful or unsuccessful attempt to gain unauthorized access to Taylorsville Police Department data.

(f) Any violation of Taylorsville Police Department IT security policy.

(g) Any unauthorized request or attempt to obtain usernames or passwords.

(h) Any receipt of a suspicious, threatening, or malicious e-mail.

(i) Any performance issue with a Taylorsville Police Department IT resource or system that gives reason for concern.

(j) Any unsolicited or suspicious pop-ups, software downloads or software installations.

(k) Any unauthorized disposal of a Taylorsville Police Department IT resource or system containing Taylorsville Police Department data. Taylorsville Police Department IT resources or systems that contain Taylorsville Police Department data and that appear to have been improperly disposed of shall be secured until their status can be determined.

(l) Any activities or events that give reason for concern regarding IT security.

810.5 REPORTING AN INFORMATION TECHNOLOGY SECURITY INCIDENT

All information Technology security incidents shall be immediately reported to Technical Services.

In addition to the above notification procedures, members shall inform their division commander.

Taylorsville Police Department management should also reference Taylorsville Police Department Policy "Discovery and Reporting of Wrongdoing or Criminal Activity."

810.6 ENFORCEMENT

Anyone found to have knowingly violated this policy shall be subject to disciplinary action, including but not limited to temporary loss of network connectivity, loss of Internet access, or complete and permanent termination of access to the Taylorsville Police Department network; and can lead to other disciplinary action up to and including dismissal from Taylorsville Police Department employment.

810.7 TRAINING

Training will be provided to Taylorsville Police Department employees on this policy.

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IT Security: Mobile Device Protection

811.1 PURPOSE-IT SECURITY: MOBILE DEVICE PROTECTION

The objective of this policy is to protect Taylorsville Police Department data stored on Department issued mobile devices and to prevent the theft or loss of Taylorsville Police Department issued mobile devices.

811.2 SCOPE-IT SECURITY: MOBILE DEVICE PROTECTION

All Taylorsville Police Department members, contractors, consultants, volunteers, and others with a business association with Taylorsville Police Department shall adhere to this policy insofar as they use any Taylorsville Police Department issued mobile device.

811.3 DEFINITIONS

Information Technology Resource(s) and/or System(s) (IT resource(s) and/or system(s)) - Computers, hardware, software, data, storage media, electronic communications (including, but not limited to, email, fax, phones, phone systems and voice mail), networks, operational procedures and processes used in the collection, processing, storage, sharing or distribution of information within, or with any access, beyond ordinary public access to, the Department's shared computing and network infrastructure.

Taylorsville Police Department Data - Written, printed or electronic information for Department purposes, including numbers, text, images, and sounds, which are created, generated, sent, communicated, received by and/ or stored on Taylorsville Police Department IT resources or systems. Data does not include hardware, platforms, software, applications, or middleware.

Mobile Device - Laptop computers, cell phones, PDA's, flash drives, or any other portable device capable of storing data.

Logical Security Measures - Any security option available to lock out unauthorized use of a mobile device. Such options are found in the software or operating system on the mobile device. Examples might include screen saver passwords or keypad locks.

Physical Security Measures - Any security option available to limit visibility of and prevent unauthorized physical access to a mobile device. Such options might include a locking compartment, vehicle trunk, locking file cabinet, or locked office door.

811.4 POLICY-IT SECURITY: MOBILE DEVICE PROTECTION

Any Department issued mobile device used to store Taylorsville Police Department data shall be properly secured using the following methods:

(a) All Taylorsville Police Department issued laptop computers shall comply with the following:

1. All hard drives in Taylorsville Police Department issued laptop computers shall employ whole disk encryption.

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2. Encryption keys for whole disk encryption must be stored on a centralized server as approved by Technical Services.

3. Users of laptop computers shall employ physical and logical security measures.

(b) Users of any unattended Department issued mobile device actively connected to the Taylorsville Police Department network shall employ physical and logical security measures.

(c) Taylorsville Police Department data stored on any Department issued mobile device shall be protected with encryption.

(d) Users of Department issued mobile devices shall employ physical and logical security measures.

(e) Taylorsville Police Department data stored on any mobile device not issued by the Department will be the responsibility of the owner of the mobile device.

811.5 ENFORCEMENT

Anyone found to have knowingly violated this policy shall be subject to disciplinary action, including but not limited to temporary loss of network connectivity, loss of Internet access, or complete and permanent termination of access to the Taylorsville Police Department network; and can lead to other disciplinary action up to and including dismissal from Taylorsville Police Department employment.

811.6 EDUCATION

Training will be provided to Taylorsville Police Department employees on this policy.

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Chapter 9 - Custody

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Temporary Custody of Adults

900.1 PURPOSE AND SCOPE

This policy provides guidelines to address the health and safety of adults taken into temporary custody by members of the Taylorsville Police Department for processing prior to being released or transferred to a housing or other type of facility.

Temporary custody of juveniles is addressed in the Temporary Custody of Juveniles Policy. Juveniles will not be permitted where adults are in custody are being held.

Custodial searches are addressed in the Custodial Searches Policy.

900.1.1 DEFINITIONS

Definitions related to this policy include:

Holding cell/cell - Any locked enclosure for the custody of an adult or any other enclosure that prevents the occupants from being directly visually monitored at all times by a member of the Department.

Safety checks - Direct, visual observation by a member of this department performed at random intervals, within time frames prescribed in this policy, to provide for the health and welfare of adults in temporary custody.

Temporary custody - The time period an adult is in custody at the Taylorsville Police Department prior to being released or transported to a housing or other type of facility.

900.2 POLICY

The Taylorsville Police Department is committed to releasing adults from temporary custody as soon as reasonably practicable, and to keeping adults safe while in temporary custody at the Department. Adults should be in temporary custody only for as long as reasonably necessary for investigation, processing, transfer or release.

900.3 GENERAL CRITERIA AND SUPERVISION

No adult should be in temporary custody for longer than six hours.

900.3.1 INDIVIDUALS WHO SHOULD NOT BE IN TEMPORARY CUSTODY

Individuals who exhibit certain behaviors or conditions should not be in temporary custody at the Taylorsville Police Department, but should be transported to a jail facility, a medical facility or other type of facility as appropriate. These include:

(a) Any individual who is unconscious or has been unconscious while being taken into custody or while being transported.

(b) Any individual who has a medical condition, including pregnancy, or who may require medical attention, supervision or medication while in temporary custody.

(c) Any individual who is seriously injured.

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(d) Individuals who are a suspected suicide risk (see the Civil Commitments Policy).

1. If the officer taking custody of an individual believes that he/she may be a suicide risk, the officer shall ensure continuous direct supervision until evaluation, release or a transfer to an appropriate facility is completed.

(e) Individuals who are obviously in crisis, as defined in the Crisis Intervention Incidents Policy.

(f) Individuals who are under the influence of alcohol, a controlled substance or any substance to the degree that may require medical attention, or who have ingested any substance that poses a significant risk to their health, whether or not they appear intoxicated.

(g) Any individual who has exhibited extremely violent or continuously violent behavior.

(h) Any individual who has claimed, is known to be afflicted with, or displays symptoms of any communicable disease that poses an unreasonable exposure risk.

(i) Any individual with a prosthetic or orthopedic device where removal of the device would be injurious to his/her health or safety.

Officers taking custody of a person who exhibits any of the above conditions should notify a supervisor of the situation. These individuals should not be in temporary custody at the Department unless they have been evaluated by a qualified medical or mental health professional, as appropriate for the circumstances.

900.3.2 SUPERVISION IN TEMPORARY CUSTODY

An authorized department member capable of supervising shall be present at all times when an individual is held in temporary custody. The member responsible for supervising should not have other duties that could unreasonably conflict with his/her supervision. Any individual in custody must be able to summon the supervising member if needed. If the person in custody is deaf or hard of hearing or cannot speak, accommodations shall be made to provide this ability.

At least one female department member should be present when a female adult is in temporary custody. In the event that none is readily available, the female in custody should be transported to another facility or released pursuant to another lawful process.

Absent exigent circumstances, such as a medical emergency or a violent subject, members should not enter the cell of a person of the opposite sex unless a member of the same sex as the person in custody is present.

No individual in custody shall be permitted to supervise, control or exert any authority over other individuals in custody.

900.3.3 ENTRY RESTRICTIONS

Entry into any location where a person is held in custody should be restricted to:

(a) Authorized members entering for official business purposes.

(b) Emergency medical personnel when necessary.

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(c) Any other person authorized by the Shift Sergeant.

When practicable, more than one authorized member should be present for entry into a location where a person is held in custody for security purposes and to witness interactions.

900.4 INITIATING TEMPORARY CUSTODY

The officer responsible for an individual in temporary custody should evaluate the person for any apparent chronic illness, disability, vermin infestation, possible communicable disease or any other potential risk to the health or safety of the individual or others. The officer should specifically ask if the individual is contemplating suicide and evaluate him/her for obvious signs or indications of suicidal intent.

The receiving officer should ask the arresting officer if there is any statement, indication or evidence surrounding the individual's arrest and transportation that would reasonably indicate the individual is at risk for suicide or critical medical care. If there is any suspicion that the individual may be suicidal, he/she shall be transported to the City jail or the appropriate mental health facility.

The officer should promptly notify the Shift Sergeant of any conditions that may warrant immediate medical attention or other appropriate action. The Shift Sergeant shall determine whether the individual will be placed in a cell, immediately released or transported to jail or other facility.

900.4.1 SCREENING AND PLACEMENT

The officer responsible for an individual in custody shall:

(a) Advise the Shift Sergeant of any significant risks presented by the individual (e.g., suicide risk, health risk, violence).

(b) Evaluate the following issues against the stated risks in (a) to determine the need for placing the individual in a single cell:

1. Consider whether the individual may be at a high risk of being sexually abused based on all available known information (28 CFR 115.141), or whether the person is facing any other identified risk.

2. Provide any individual identified as being at a high risk for sexual or other victimization with heightened protection. This may include (28 CFR 115.113; 28 CFR 115.141):

   (a) Continuous, direct sight and sound supervision.

   (b) Single-cell placement in a cell that is actively monitored on video by a member who is available to immediately intervene.

3. Ensure individuals are separated according to severity of the crime (e.g., felony or misdemeanor).

4. Ensure males and females are separated by sight and sound when in cells.

5. Ensure restrained individuals are not placed in cells with unrestrained individuals.

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(c) Ensure that those confined under civil process or for civil causes are kept separate from those who are in temporary custody pending criminal charges.

(d) Ensure separation, as appropriate, based on other factors, such as age, criminal sophistication, assaultive/non-assaultive behavior, mental state, disabilities and sexual orientation.

900.4.2 CONSULAR NOTIFICATION

Consular notification may be mandatory when certain foreign nationals are arrested. The Uniform Patrol Section Commander will ensure that the U.S. Department of State's list of countries and jurisdictions that require mandatory notification is readily available to department members. There should also be a published list of foreign embassy and consulate telephone and fax numbers, as well as standardized notification forms that can be transmitted and then retained for documentation. Prominently displayed signs informing foreign nationals of their rights related to consular notification should also be posted in areas used for the temporary custody of adults.

Department members assigned to process a foreign national shall:

(a) Inform the individual, without delay, that he/she may have his/her consular officers notified of the arrest or detention and may communicate with them.

1. This notification should be documented.

(b) Determine whether the foreign national's country is on the U.S. Department of State's mandatory notification list.

1. If the country is on the mandatory notification list, then:

(a) Notify the country's nearest embassy or consulate of the arrest or detention by fax or telephone.

(b) Tell the individual that this notification has been made and inform him/her without delay that he/she may communicate with consular officers.

(c) Forward any communication from the individual to his/her consular officers without delay.

(d) Document all notifications to the embassy or consulate and retain the faxed notification and any fax confirmation for the individual's file.

2. If the country is not on the mandatory notification list and the individual requests that his/her consular officers be notified, then:

(a) Notify the country's nearest embassy or consulate of the arrest or detention by fax or telephone.

(b) Forward any communication from the individual to his/her consular officers without delay.

900.5 SAFETY, HEALTH AND OTHER PROVISIONS

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900.5.1 TEMPORARY CUSTODY LOGS

Any time an individual is in temporary custody at the Taylorsville Police Department, the custody shall be promptly and properly documented in a custody log, including:

(a) Identifying information about the individual, including his/her name.

(b) Date and time of arrival at the Department.

(c) Any charges for which the individual is in temporary custody and any case number.

(d) Time of all safety checks.

(e) Any medical and other screening requested and completed.

(f) Any emergency situations or unusual incidents.

(g) Any other information that may be required by other authorities, such as compliance inspectors.

(h) Date and time of release from the Taylorsville Police Department.

The Shift Sergeant should initial the log to approve the temporary custody and should also initial the log when the individual is released from custody or transferred to another facility.

The Shift Sergeant should make periodic checks to ensure all log entries and safety and security checks are made on time.

900.5.2 TEMPORARY CUSTODY REQUIREMENTS

Members monitoring or processing anyone in temporary custody shall ensure:

(a) Safety checks and significant incidents/activities are noted on the log.

(b) Individuals in custody are informed that they will be monitored at all times, except when using the toilet.

  1. There shall be no viewing devices, such as peep holes or mirrors, of which the individual is not aware.

  2. This does not apply to surreptitious and legally obtained recorded interrogations.

(c) There is reasonable access to toilets and wash basins.

(d) There is reasonable access to a drinking fountain or water.

(e) There are reasonable opportunities to stand and stretch, particularly if handcuffed or otherwise restrained.

(f) There is privacy during attorney visits.

(g) Those in temporary custody are generally permitted to remain in their personal clothing unless it is taken as evidence or is otherwise unsuitable or inadequate for continued wear while in custody.

(h) Clean blankets are provided as reasonably necessary to ensure the comfort of an individual.

  1. The supervisor should ensure that there is an adequate supply of clean blankets.

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(i) Adequate shelter, heat, light and ventilation are provided without compromising security or enabling escape.

(j) Adequate furnishings are available, including suitable chairs or benches.

900.5.3 MEDICAL CARE

First-aid equipment and basic medical supplies should be available to department members. At least one member who has current certification in basic first aid and CPR should be on-duty at all times.

Should a person in custody be injured or become ill, appropriate medical assistance should be sought. A supervisor should meet with those providing medical aid at the facility to allow access to the person. Members shall comply with the opinion of medical personnel as to whether an individual in temporary custody should be transported to the hospital. If the person is transported while still in custody, he/she will be accompanied by an officer.

Those who require medication while in temporary custody should not be at the Taylorsville Police Department. They should be released or transferred to another facility as appropriate.

900.5.4 ORTHOPEDIC OR PROSTHETIC APPLIANCE

Subject to safety and security concerns, individuals shall be permitted to retain an orthopedic or prosthetic appliance. However, if the appliance presents a risk of bodily harm to any person or is a risk to the security of the facility, the appliance may be removed from the individual unless its removal would be injurious to his/her health or safety.

Whenever a prosthetic or orthopedic appliance is removed, the Shift Sergeant shall be promptly apprised of the reason. It shall be promptly returned when it reasonably appears that any risk no longer exists.

900.5.5 TELEPHONE CALLS

Every individual in temporary custody should be allowed to make a reasonable number of completed telephone calls as soon as possible after arrival.

(a) Telephone calls may be limited to local calls, except that long-distance calls may be made by the individual at his/her own expense.

    1. The Department should pay the cost of any long-distance calls related to arranging for the care of a child or dependent adult (see the Child and Dependent Adult Safety Policy).

(b) The individual should be given sufficient time to contact whomever he/she desires and to make any necessary arrangements, including child or dependent adult care, or transportation upon release.

    1. Telephone calls are not intended to be lengthy conversations. The member assigned to monitor or process the individual may use his/her judgment in determining the duration of the calls.

(c) Calls between an individual in temporary custody and his/her attorney shall be deemed confidential and shall not be monitored, eavesdropped upon or recorded.

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900.5.6 RELIGIOUS ACCOMMODATION

Subject to available resources, safety and security, the religious beliefs and needs of all individuals in custody should be reasonably accommodated. Requests for religious accommodation should generally be granted unless there is a compelling security or safety reason and denying the request is the least restrictive means available to ensure security or safety. The responsible supervisor should be advised any time a request for religious accommodation is denied.

Those who request to wear headscarves or simple head coverings for religious reasons should generally be accommodated absent unusual circumstances. Head coverings shall be searched before being worn.

Individuals wearing headscarves or other approved coverings shall not be required to remove them while in the presence of or while visible to the opposite sex if they so desire. Religious garments that substantially cover the individual's head and face may be temporarily removed during the taking of any photographs.

900.5.7 FIREARMS AND OTHER SECURITY MEASURES

Firearms and other weapons and control devices shall not be permitted in secure areas where individuals are in custody or are processed. They should be properly secured outside of the secure area. An exception may occur only during emergencies, upon approval of a supervisor.

All perimeter doors to secure areas shall be kept locked at all times, except during routine cleaning, when no individuals in custody are present or in the event of an emergency, such as an evacuation.

900.6 USE OF RESTRAINT DEVICES

Individuals in custody may be handcuffed in accordance with the Handcuffing and Restraints Policy. Unless an individual presents a heightened risk, handcuffs should generally be removed when the person is in a cell.

The use of restraints, other than handcuffs or leg irons, generally should not be used for individuals in temporary custody at the Taylorsville Police Department unless the person presents a heightened risk, and only in compliance with the Handcuffing and Restraints Policy.

Individuals in restraints shall be kept away from other unrestrained individuals in custody and monitored to protect them from abuse.

900.6.1 PREGNANT ADULTS

Women who are known to be pregnant should be restrained in accordance with the Handcuffing and Restraints Policy.

900.7 PERSONAL PROPERTY

The personal property of an individual in temporary custody should be removed, inventoried and processed as provided in the Custodial Searches Policy, unless the individual requests a different disposition. For example, an individual may request property (i.e., cash, car or house keys, medications) be released to another person. A request for the release of property to another

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person must be made in writing. Release of the property requires the recipient's signature on the appropriate form.

Upon release of an individual from temporary custody, his/her items of personal property shall be compared with the inventory, and he/she shall sign a receipt for the property's return. If the individual is transferred to another facility or court, the member transporting the individual is required to obtain the receiving person's signature as notice of receipt. The Department shall maintain a copy of the property receipt.

The Shift Sergeant shall be notified whenever an individual alleges that there is a shortage or discrepancy regarding his/her property. The Shift Sergeant shall attempt to prove or disprove the claim.

900.8 HOLDING CELLS

A thorough inspection of a cell shall be conducted before placing an individual into the cell to ensure there are no weapons or contraband and that the cell is clean and sanitary. An inspection also should be conducted when he/she is released. Any damage noted to the cell should be photographed and documented.

The following requirements shall apply:

(a) The individual shall be searched (see the Custodial Searches Policy), and anything that could create a security or suicide risk, such as contraband, hazardous items, belts, shoes or shoelaces and jackets, shall be removed.

(b) The individual shall constantly be monitored by an audio/video system during the entire custody.

(c) The individual shall have constant auditory access to department members.

(d) The individual's initial placement into and removal from a locked enclosure shall be logged.

(e) Safety checks by department members shall occur no less than every 15 minutes.

1. Safety checks should be at varying times.
2. All safety checks shall be logged.
3. The safety check should involve questioning the individual as to his/her well-being.
4. Individuals who are sleeping or apparently sleeping should be awakened.
5. Requests or concerns of the individual should be logged.

900.9 SUICIDE ATTEMPT, DEATH OR SERIOUS INJURY

The Uniform Patrol Section Commander will ensure procedures are in place to address any suicide attempt, death or serious injury of any individual in temporary custody at the Taylorsville Police Department. The procedures should include the following:

(a) Immediate request for emergency medical assistance if appropriate.

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(b) Immediate notification of the Shift Sergeant, Chief of Police and Special Operation Section Commander.

(c) Notification of the spouse, next of kin or other appropriate person.

(d) Notification of the appropriate prosecutor.

(e) Notification of the City Attorney.

(f) Notification of the Medical Examiner.

(g) Evidence preservation.

900.10 RELEASE AND/OR TRANSFER

When an individual is released or transferred from custody, the member releasing the individual should ensure the following:

(a) All proper reports, forms and logs have been completed prior to release.

(b) A check has been made to ensure that the individual is not reported as missing and does not have outstanding warrants.

(c) It has been confirmed that the correct individual is being released or transported.

(d) All property, except evidence, contraband or dangerous weapons, has been returned to, or sent with, the individual.

(e) All pertinent documentation accompanies the individual being transported to another facility (e.g., copies of booking forms, medical records, an itemized list of his/her property, warrant copies).

(f) The individual is not permitted in any nonpublic areas of the Taylorsville Police Department unless escorted by a member of the Department.

(g) Any known threat or danger the individual may pose (e.g., escape risk, suicide potential, medical condition) is documented, and the documentation transported with the individual if he/she is being sent to another facility.

    1. The department member transporting the individual shall ensure such risks are communicated to intake personnel at the other facility.

(h) Generally, persons of the opposite sex, or adults and juveniles, should not be transported in the same vehicle unless they are physically separated by a solid barrier. If segregating individuals is not practicable, officers should be alert to inappropriate physical or verbal contact and take appropriate action as necessary.

(i) Transfers between facilities or other entities, such as a hospital, should be accomplished with a custodial escort of the same sex as the person being transferred to assist with his/her personal needs as reasonable.

900.11 ASSIGNED ADMINISTRATOR

The Uniform Patrol Section Commander will ensure any reasonably necessary supplemental procedures are in place to address the following issues:

(a) General security

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(b) Key control

(c) Sanitation and maintenance

(d) Emergency medical treatment

(e) Escapes

(f) Evacuation plans

(g) Fire- and life-safety

(h) Disaster plans

(i) Building and safety code compliance

900.12 TRAINING

Department members should be trained and familiar with this policy and any supplemental procedures.

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Custodial Searches

901.1 PURPOSE AND SCOPE

This policy provides guidance regarding searches of individuals in custody. Such searches are necessary to eliminate the introduction of contraband, intoxicants or weapons into the Taylorsville Police Department facility. Such items can pose a serious risk to the safety and security of department members, individuals in custody, contractors and the public.

Nothing in this policy is intended to prohibit the otherwise lawful collection of evidence from an individual in custody.

901.1.1 DEFINITIONS

Definitions related to this policy include:

Custody search - An in-custody search of an individual and of his/her property, shoes and clothing, including pockets, cuffs and folds on the clothing, to remove all weapons, dangerous items and contraband.

Physical body cavity search - A search that includes a visual inspection and may include a physical intrusion into a body cavity. Body cavity means the stomach or rectal cavity of an individual, and the vagina of a female person.

Strip search - A search that requires an individual to remove or rearrange some or all of his/her clothing to permit a visual inspection of the underclothing, breasts, buttocks, anus or outer genitalia. This includes monitoring an individual who is changing clothes, where his/her underclothing, buttocks, genitalia or female breasts are visible.

901.2 POLICY

All searches shall be conducted with concern for safety, dignity, courtesy, respect for privacy and hygiene, and in compliance with policy and law to protect the rights of those who are subject to any search.

Searches shall not be used for intimidation, harassment, punishment or retaliation.

901.3 FIELD AND TRANSPORTATION SEARCHES

An officer should conduct a custody search of an individual immediately after his/her arrest, when receiving an individual from the custody of another, and before transporting a person who is in custody in any department vehicle.

Whenever practicable, a custody search should be conducted by an officer of the same sex as the person being searched. If an officer of the same sex is not reasonably available, a witnessing officer should be present during the search.

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901.4 SEARCHES AT POLICE FACILITIES

Custody searches shall be conducted on all individuals in custody, upon entry to the Taylorsville Police Department facilities. Except in exigent circumstances, the search should be conducted by a member of the same sex as the individual being searched. If a member of the same sex is not available, a witnessing member must be present during the search.

Custody searches should also be conducted any time an individual in custody enters or re-enters a secure area, or any time it is reasonably believed that a search is necessary to maintain the safety and security of the facility.

901.4.1 PROPERTY

Members shall take reasonable care in handling the property of an individual in custody to avoid discrepancies or losses. Property retained for safekeeping shall be kept in a secure location until the individual is released or transferred.

Some property may not be accepted by a facility or agency that is taking custody of an individual from this department, such as weapons or large items. These items should be retained for safekeeping in accordance with the Property and Evidence Policy.

All property shall be inventoried by objective description (this does not include an estimated value). The individual from whom it was taken shall be required to sign the completed inventory. If the individual's signature cannot be obtained, the inventory shall be witnessed by another department member. The inventory should include the case number, date, time, member's Taylorsville Police Department identification number and information regarding how and when the property may be released.

901.4.2 VERIFICATION OF MONEY

All money shall be counted in front of the individual from whom it was received. When possible, the individual shall initial the dollar amount on the inventory. Additionally, all money should be placed in a separate envelope and sealed. Negotiable checks or other instruments and foreign currency should also be sealed in an envelope with the amount indicated but not added to the cash total. All envelopes should clearly indicate the contents on the front. The department member sealing it should place his/her initials across the sealed flap. Should any money be withdrawn or added, the member making such change shall enter the amount below the original entry and initial it. The amount of money in the envelope should always be totaled and written on the outside of the envelope.

901.5 STRIP SEARCHES

No individual in temporary custody at any Taylorsville Police Department facility shall be subjected to a strip search unless there is reasonable suspicion based upon specific and articulable facts to believe the individual has a health condition requiring immediate medical attention or is concealing a weapon or contraband. Factors to be considered in determining reasonable suspicion include but are not limited to:

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(a) The detection of an object during a custody search that may be a weapon or contraband and cannot be safely retrieved without a strip search.

(b) Circumstances of a current arrest that specifically indicate the individual may be concealing a weapon or contraband.

1. A felony arrest charge or being under the influence of a controlled substance should not suffice as reasonable suspicion absent other facts.

(c) Custody history (e.g., past possession of contraband while in custody, assaults on department members, escape attempts).

(d) The individual's actions or demeanor.

(e) Criminal history (i.e., level of experience in a custody setting).

No transgender or intersex individual shall be searched or examined for the sole purpose of determining the individual's genital status. If the individual's genital status is unknown, it may be determined during conversations with the person, by reviewing medical records, or as a result of a broader medical examination conducted in private by a medical practitioner (28 CFR 115.115).

901.5.1 STRIP SEARCH PROCEDURES

Strip searches at Taylorsville Police Department facilities shall be conducted as follows (28 CFR 115.115):

(a) Written authorization from the Shift Sergeant shall be obtained prior to the strip search.

(b) All members involved with the strip search shall be of the same sex as the individual being searched, unless the search is conducted by a medical practitioner.

(c) All strip searches shall be conducted in a professional manner under sanitary conditions and in a secure area of privacy so that it cannot be observed by those not participating in the search. The search shall not be reproduced through a visual or sound recording.

(d) Whenever possible, a second member of the same sex should also be present during the search, for security and as a witness to the finding of evidence.

(e) Members conducting a strip search shall not touch the breasts, buttocks or genitalia of the individual being searched.

(f) The primary member conducting the search shall prepare a written report to include:

1. The facts that led to the decision to perform a strip search.
2. The reasons less intrusive methods of searching were not used or were insufficient.
3. The written authorization for the search, obtained from the Shift Sergeant.
4. The name of the individual who was searched.
5. The name and sex of the members who conducted the search.
6. The name, sex and role of any person present during the search.
7. The time and date of the search.

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8. The place at which the search was conducted.
9. A list of the items, if any, that were recovered.
10. The facts upon which the member based his/her belief that the individual was concealing a weapon or contraband.

(g) No member should view an individual's private underclothing, buttocks, genitalia or female breasts while that individual is showering, performing bodily functions or changing clothes, unless he/she otherwise qualifies for a strip search. However, if serious hygiene or health issues make it reasonably necessary to assist the individual with a shower or a change of clothes, a supervisor should be contacted to ensure reasonable steps are taken to obtain the individual's consent and/or otherwise protect his/her privacy and dignity.

901.5.2 SPECIAL CIRCUMSTANCE FIELD STRIP SEARCHES

A strip search may be conducted in the field only with Shift Sergeant authorization and only in exceptional circumstances, such as when:

(a) There is probable cause to believe that the individual is concealing a weapon or other dangerous item that cannot be recovered by a more limited search.

(b) There is probable cause to believe that the individual is concealing controlled substances or evidence that cannot be recovered by a more limited search, and there is no reasonable alternative to ensure the individual cannot destroy or ingest the substance during transportation.

These special-circumstance field strip searches shall only be authorized and conducted under the same restrictions as the strip search procedures in this policy, except that the Shift Sergeant authorization does not need to be in writing.

901.6 PHYSICAL BODY CAVITY SEARCH

Physical body cavity searches shall be subject to the following (Utah Code 77-7-17.5):

(a) No individual shall be subjected to a physical body cavity search without written approval of the Shift Sergeant and only upon a search warrant or approval of legal counsel. A copy of any search warrant and the results of the physical body cavity search shall be included with the related reports and made available, upon request, to the individual or authorized representative (except for those portions of the warrant ordered sealed by a court).

(b) Only a physician may conduct a physical body cavity search.

(c) Except for the physician conducting the search, persons present must be of the same sex as the individual being searched. Only the necessary department members needed to maintain the safety and security of the medical personnel shall be present.

(d) Privacy requirements, including restricted touching of body parts and sanitary condition requirements, are the same as required for a strip search.

(e) All such searches shall be documented, including (Utah Code 77-7-17.5):

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1. The facts that led to the decision to perform a physical body cavity search of the individual.
2. The reasons less intrusive methods of searching were not used or were insufficient.
3. The Shift Sergeant's approval.
4. A copy of the search warrant.
5. The time, date, and location of the search.
6. The medical personnel present.
7. The names, sex, and roles of any department members present.
8. Any contraband or weapons discovered by the search.
9. The procedures followed in performing the search and a description of the body areas searched.

(f) A copy of the written authorization shall be retained and made available to the individual who was searched or other authorized representative upon request.

901.7 TRAINING

The Administration Sergeant shall ensure members have training that includes (28 CFR 115.115):

(a) Conducting searches of cross-gender individuals.

(b) Conducting searches of transgender and intersex individuals.

(c) Conducting searches in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs.

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Prison Rape Elimination

902.1 PURPOSE AND SCOPE

This policy provides guidance for complying with the Prison Rape Elimination Act of 2003 (PREA) and the implementing regulation that establishes standards (PREA Rule) to prevent, detect and respond to sexual abuse, harassment and retaliation against prisoners in the Taylorsville Police Department Temporary Holding Facilities (28 CFR 115.111).

902.1.1 DEFINITIONS

Definitions related to this policy include:

Intersex - A person whose sexual or reproductive anatomy or chromosomal pattern does not seem to fit typical definitions of male or female. Intersex medical conditions are sometimes referred to as disorders of sex development (28 CFR 115.5).

Sexual abuse - Any of the following acts, if the prisoner does not consent, is coerced into such act by overt or implied threats of violence or is unable to consent or refuse:

- Contact between the penis and the vulva or the penis and the anus, including penetration, however slight
- Contact between the mouth and the penis, vulva or anus
- Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object or other instrument
- Any other intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh or the buttocks of another person, excluding contact incidental to a physical altercation (28 CFR 115.6)

Sexual abuse also includes abuse by a staff member, contractor or volunteer as follows, with or without consent of the prisoner or resident:

- Contact between the penis and the vulva or the penis and the anus, including penetration, however slight
- Contact between the mouth and the penis, vulva or anus
- Contact between the mouth and any body part where the staff member, contractor or volunteer has the intent to abuse, arouse or gratify sexual desire
- Penetration of the anal or genital opening, however slight, by a hand, finger, object or other instrument, that is unrelated to official duties, or where the staff member, contractor or volunteer has the intent to abuse, arouse or gratify sexual desire
- Any other intentional contact, either directly or through the clothing, of or with the genitalia, anus, groin, breast, inner thigh or the buttocks, that is unrelated to official duties, or where the staff member, contractor or volunteer has the intent to abuse, arouse or gratify sexual desire

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- Any attempt, threat or request by a staff member, contractor or volunteer to engage in the activities described above
- Any display by a staff member, contractor or volunteer of his/her uncovered genitalia, buttocks or breast in the presence of a prisoner or resident
- Voyeurism by a staff member, contractor or volunteer (28 CFR 115.6)

Sexual harassment - Repeated and unwelcome sexual advances; requests for sexual favors; verbal comments, gestures or actions of a derogatory or offensive sexual nature by one prisoner or resident that are directed toward another; repeated verbal comments or gestures of a sexual nature to a prisoner or resident by a staff member, contractor or volunteer, including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures (28 CFR 115.6).

Transgender - A person whose gender identity (i.e., internal sense of feeling male or female) is different from the person's assigned sex at birth (28 CFR 115.5).

902.2 POLICY

The Taylorsville Police Department has zero tolerance toward all forms of sexual abuse and sexual harassment (28 CFR 115.111). The Department will not tolerate retaliation against any person who reports sexual abuse or sexual harassment or who cooperates with a sexual abuse or sexual harassment investigation.

The Taylorsville Police Department will take immediate action to protect prisoners who are reasonably believed to be subject to a substantial risk of imminent sexual abuse (28 CFR 115.162).

902.3 PREA COORDINATOR

The Chief of Police shall appoint an upper-level manager with sufficient time and authority to develop, implement and oversee department efforts to comply with PREA standards in the Taylorsville Police Department Temporary Holding Facilities (28 CFR 115.111). The PREA Coordinator's responsibilities shall include:

(a) Developing and maintaining procedures to comply with the PREA Rule.

(b) Ensuring that any contract for the confinement of Taylorsville Police Department prisoners includes the requirement to adopt and comply with applicable PREA and the PREA Rule, including the obligation to provide incident-based and aggregated data, as required in 28 CFR 115.187 (28 CFR 115.112).

(c) Developing a staffing plan to provide adequate levels of staffing and video monitoring, where applicable, in order to protect prisoners from sexual abuse (28 CFR 115.113). This includes documenting deviations and the reasons for deviations from the staffing plan, as well as reviewing the staffing plan a minimum of once per year.

(d) Developing methods for staff to privately report sexual abuse and sexual harassment of prisoners (28 CFR 115.151).

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(e) Developing a written plan to coordinate response among staff first responders, medical and mental health practitioners, investigators and department leadership to an incident of sexual abuse (28 CFR 115.165).

(f) Ensuring a protocol is developed for investigating allegations of sexual abuse in the Temporary Holding Facility. The protocol shall include (28 CFR 115.121; 28 CFR 115.122):

1. Evidence collection practices that maximize the potential for obtaining usable physical evidence based on the most recent edition of the U.S. Department of Justice's (DOJ) Office on Violence Against Women publication, "A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/ Adolescents" or a similarly comprehensive and authoritative protocol.

2. A process to ensure a criminal or administrative investigation is completed on all allegations of sexual abuse or sexual harassment.

3. A process to document all referrals to other law enforcement agencies.

4. Access to forensic medical examinations, without financial cost, for all victims of sexual abuse where appropriate. Such examinations shall be performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs) where possible. If SAFEs or SANEs cannot be made available, the examination can be performed by other qualified medical practitioners. The efforts to provide SAFEs or SANEs shall be documented.

5. In accordance with security needs, provisions to permit, to the extent available, prisoner access to victim advocacy services if the prisoner is transported for a forensic examination to an outside hospital that offers such services.

(g) Ensuring that prisoners with limited English proficiency and disabilities have an equal opportunity to understand and benefit from efforts to prevent, detect and respond to sexual abuse and sexual harassment. This includes, as appropriate, access to interpreters and written materials in formats or through methods that provide effective communication to those with disabilities (e.g., limited reading skills, intellectual, hearing or vision disabilities) (28 CFR 115.116).

1. The agency shall not rely on other prisoners for assistance except in limited circumstances where an extended delay in obtaining an interpreter could compromise the prisoner's safety, the performance of first-response duties under this policy, or the investigation of a prisoner's allegations of sexual abuse, harassment or retaliation.

(h) Publishing on the department's website:

1. Information on how to report sexual abuse and sexual harassment on behalf of a prisoner (28 CFR 115.154).

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2. A protocol describing the responsibilities of the Department and any other investigating agency that will be responsible for conducting sexual abuse or sexual harassment investigations (28 CFR 115.122).

(i) Establishing a process that includes the use of a standardized form and set of definitions to ensure accurate, uniform data is collected for every allegation of sexual abuse at facilities under this agency's direct control (28 CFR 115.187).

1. The data collected shall include, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence, conducted by DOJ, or any subsequent form developed by DOJ and designated for lockups.

2. The data shall be aggregated at least annually.

(j) Ensuring audits are conducted pursuant to 28 CFR 115.401 through 28 CFR 115.405 for all Temporary Holding Facilities used to house prisoners overnight (28 CFR 115.193).

(k) Ensuring contractors or others who work in the Temporary Holding Facility are informed of the agency's zero-tolerance policy regarding sexual abuse and sexual harassment (28 CFR 115.132).

902.4 REPORTING SEXUAL ABUSE AND HARASSMENT

Prisoners may make reports verbally, in writing, privately or anonymously of any of the following (28 CFR 115.151):

- Sexual abuse
- Sexual harassment
- Retaliation by other prisoners or staff for reporting sexual abuse or sexual harassment
- Staff neglect or violation of responsibilities that may have contributed to sexual abuse or sexual harassment

During intake the Department shall notify all prisoners of the zero-tolerance policy regarding sexual abuse and sexual harassment, and of at least one way to report abuse or harassment to a public or private entity that is not part of the Department and that is able to receive and immediately forward prisoner reports of sexual abuse and sexual harassment to agency officials. This allows the prisoner to remain anonymous (28 CFR 115.132; 28 CFR 115.151).

902.4.1 MEMBER RESPONSIBILITIES

Department members shall accept reports from prisoners and third parties and shall promptly document all reports (28 CFR 115.151).

All members shall report immediately to the Administrative Sergeant any knowledge, suspicion or information regarding:

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(a) An incident of sexual abuse or sexual harassment that occurs in the Temporary Holding Facility.

(b) Retaliation against prisoners or the member who reports any such incident.

(c) Any neglect or violation of responsibilities on the part of any department member that may have contributed to an incident or retaliation (28 CFR 115.161).

No member shall reveal any information related to a sexual abuse report to anyone other than to the extent necessary to make treatment and investigation decisions.

902.4.2 SHIFT SERGEANT RESPONSIBILITIES

The Shift Sergeant shall report to the department's designated investigators all allegations of sexual abuse, harassment, retaliation, neglect or violations leading to sexual abuse, harassment or retaliation. This includes third-party and anonymous reports (28 CFR 115.161).

If the alleged victim is under the age of 18 or considered a vulnerable adult, the Shift Sergeant shall also report the allegation as required under mandatory reporting laws and department policy.

Upon receiving an allegation that a prisoner was sexually abused while confined at another facility, the Shift Sergeant shall notify the head of the facility or the appropriate office of the agency where the alleged abuse occurred. The notification shall be made as soon as possible but no later than 72 hours after receiving the allegation. The Shift Sergeant shall document such notification (28 CFR 115.163).

If an alleged prisoner victim is transferred from the Temporary Holding Facility to a jail, prison or medical facility, the Department shall, as permitted by law, inform the receiving facility of the incident and the prisoner's potential need for medical or social services, unless the prisoner requests otherwise (28 CFR 115.165).

902.5 INVESTIGATIONS

The Department shall promptly, thoroughly and objectively investigate all allegations, including third-party and anonymous reports, of sexual abuse or sexual harassment. Only investigators who have received department-approved special training shall conduct sexual abuse investigations (28 CFR 115.171).

902.5.1 FIRST RESPONDERS

The first officer to respond to a report of sexual abuse or sexual assault shall (28 CFR 115.164):

(a) Separate the parties.

(b) Establish a crime scene to preserve and protect any evidence. Identify and secure witnesses until steps can be taken to collect any evidence.

(c) If the abuse occurred within a time period that still allows for the collection of physical evidence, request that the alleged victim not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking or eating.

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(d) If the abuse occurred within a time period that still allows for the collection of physical evidence, ensure that the alleged abuser does not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking or eating.

If the first responder is not an officer the responder shall request that the alleged victim not take any actions that could destroy physical evidence and should then notify a law enforcement staff member (28 CFR 115.164).

902.5.2 INVESTIGATOR RESPONSIBILITIES

Investigators shall (28 CFR 115.171):

(a) Gather and preserve direct and circumstantial evidence, including any available physical and biological evidence and any available electronic monitoring data.

(b) Interview alleged victims, suspects and witnesses.

(c) Review any prior complaints and reports of sexual abuse involving the suspect.

(d) Conduct compelled interviews only after consulting with prosecutors as to whether compelled interviews may be an obstacle for subsequent criminal prosecution.

(e) Assess the credibility of the alleged victim, suspect or witness on an individual basis and not by the person's status as a prisoner or a member of the Taylorsville Police Department.

(f) Document in written reports a description of physical, testimonial, documentary and other evidence, the reasoning behind any credibility assessments, and investigative facts and findings.

(g) Refer allegations of conduct that may be criminal to the prosecutor's office for possible prosecution, including any time there is probable cause to believe a prisoner sexually abused another prisoner in the Temporary Holding Facility (28 CFR 115.178).

(h) Cooperate with outside investigators and remain informed about the progress of any outside investigation.

902.5.3 ADMINISTRATIVE INVESTIGATIONS

Administrative investigations shall include an effort to determine whether staff actions or failures to act contributed to the abuse. The departure of the alleged abuser or victim from the employment or control of this department shall not be used as a basis for terminating an investigation (28 CFR 115.171).

902.5.4 SEXUAL ASSAULT AND ABUSE VICTIMS

No prisoner who alleges sexual abuse shall be required to submit to a polygraph examination or other truth-telling device as a condition for proceeding with the investigation of such an allegation (28 CFR 115.171(e)).

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Prisoner victims of sexual abuse shall receive timely, unimpeded access to emergency medical treatment. Treatment services shall be provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident (28 CFR 115.182).

902.5.5 CONCLUSIONS AND FINDINGS

All completed investigations shall be forwarded to the Chief of Police, or if the allegations may reasonably involve the Chief of Police, to the City Manager. The Chief of Police or City Manager shall review the investigation and determine whether any allegations of sexual abuse or sexual harassment have been substantiated by a preponderance of the evidence (28 CFR 115.172).

All personnel shall be subject to disciplinary sanctions up to and including termination for violating this policy. Termination shall be the presumptive disciplinary sanction for department members who have engaged in sexual abuse. All discipline shall be commensurate with the nature and circumstances of the acts committed, the member's disciplinary history and the sanctions imposed for comparable offenses by other members with similar histories (28 CFR 115.176).

All terminations for violations of this policy, or resignations by members who would have been terminated if not for their resignation, shall be criminally investigated unless the activity was clearly not criminal and reported to any relevant licensing body (28 CFR 115.176).

Any contractor or volunteer who engages in sexual abuse shall be prohibited from contact with prisoners and reported to any relevant licensing bodies (28 CFR 115.177). The Chief of Police shall take appropriate remedial measures and consider whether to prohibit further contact with prisoners by a contractor or volunteer.

902.6 RETALIATION PROHIBITED

All prisoners and members who report sexual abuse or sexual harassment or who cooperate with sexual abuse or sexual harassment investigations shall be protected from retaliation (28 CFR 115.167). If any other individual who cooperates with an investigation expresses a fear of retaliation, appropriate measures shall be taken to protect that individual.

The Shift Sergeant or the authorized designee shall employ multiple protection measures, such as housing changes or transfers for prisoner victims or abusers, removal of alleged abusers from contact with victims, and emotional support services for prisoners or members who fear retaliation for reporting sexual abuse or sexual harassment or for cooperating with investigations.

The Shift Sergeant or the authorized designee shall identify a staff member to monitor the conduct and treatment of prisoners or members who have reported sexual abuse and of prisoners who were reported to have suffered sexual abuse. The staff member shall act promptly to remedy any such retaliation. In the case of prisoners, such monitoring shall also include periodic status checks.

902.7 REVIEWS AND AUDITS

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902.7.1 INCIDENT REVIEWS

An incident review shall be conducted at the conclusion of every sexual abuse investigation, unless the allegation has been determined to be unfounded. The review should occur within 30 days of the conclusion of the investigation. The review team shall include upper-level management officials and seek input from line supervisors and investigators (28 CFR 115.186).

The review shall (28 CFR 115.186):

(a) Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect or respond to sexual abuse.

(b) Consider whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender or intersex identification, status or perceived status; gang affiliation; or was motivated or otherwise caused by other group dynamics at the facility.

(c) Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers in the area may enable abuse.

(d) Assess the adequacy of staffing levels in that area during different shifts.

(e) Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff.

The review team shall prepare a report of its findings, including any determinations made pursuant to this section and any recommendations for improvement. The report shall be submitted to the Chief of Police and the PREA Coordinator. The Chief of Police or the authorized designee shall implement the recommendations for improvement or shall document the reasons for not doing so (28 CFR 115.186).

902.7.2 DATA REVIEWS

The facility shall conduct an annual review of collected and aggregated incident-based sexual abuse data. The review should include, as needed, data from incident-based documents, including reports, investigation files and sexual abuse incident reviews (28 CFR 115.187).

The purpose of these reviews is to assess and improve the effectiveness of sexual abuse prevention, detection and response policies, practices and training. An annual report shall be prepared that includes (28 CFR 115.188):

(a) Identification of any potential problem areas.

(b) Identification of any corrective actions taken.

(c) Recommendations for any additional corrective actions.

(d) A comparison of the current year's data and corrective actions with those from prior years.

(e) An assessment of the department's progress in addressing sexual abuse.

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The report shall be approved by the Chief of Police and made readily available to the public through the department website or, if it does not have one, through other means. Material may be redacted from the reports when publication would present a clear and specific threat to the safety and security of the Temporary Holding Facility. However, the nature of the redacted material shall be indicated.

All aggregated sexual abuse data from Taylorsville Police Department facilities and private facilities with which it contracts shall be made readily available to the public at least annually through the department website or, if it does not have one, through other means. Before making aggregated sexual abuse data publicly available, all personal identifiers shall be removed (28 CFR 115.189).

902.8 RECORDS

The Department shall retain all written reports from administrative and criminal investigations pursuant to this policy for as long as the alleged abuser is held or employed by the Department, plus five years (28 CFR 115.171).

All other data collected pursuant to this policy shall be securely retained for at least 10 years after the date of the initial collection unless federal, state or local law requires otherwise (28 CFR 115.189).

902.9 TRAINING

All employees, volunteers and contractors who may have contact with prisoners shall receive department-approved training on the prevention and detection of sexual abuse and sexual harassment within this facility. The Administration Sergeant shall be responsible for developing and administering this training as appropriate, covering at a minimum (28 CFR 115.131):

- The Department's zero-tolerance policy and prisoners' right to be free from sexual abuse and sexual harassment, and from retaliation for reporting sexual abuse or harassment.
- The dynamics of sexual abuse and harassment in confinement settings, including which prisoners are most vulnerable.
- The right of prisoners and staff members to be free from sexual abuse and sexual harassment, and from retaliation for reporting sexual abuse or harassment.
- Detecting and responding to signs of threatened and actual abuse.
- Communicating effectively and professionally with all prisoners.
- Compliance with relevant laws related to mandatory reporting of sexual abuse to outside authorities.

Investigators assigned to sexual abuse investigations shall also receive training in conducting such investigations in confinement settings. Training should include (28 CFR 115.134):

- Techniques for interviewing sexual abuse victims.

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- Proper use of *Miranda* and *Garrity* warnings.
- Sexual abuse evidence collection in confinement settings.
- Criteria and evidence required to substantiate a case for administrative action or prosecution referral.

The Administration Sergeant shall maintain documentation that employees, volunteers, contractors and investigators have completed required training and that they understand the training. This understanding shall be documented through individual signature or electronic verification.

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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 Taylorsville 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 Taylorsville 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 personal integrity and high ethical standards.

1000.3 RECRUITMENT

The Administrative Sergeant 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 Administrative Sergeant shall avoid advertising, recruiting and screening practices that tend to stereotype, focus on homogeneous applicant pools or screen applicants in a discriminatory manner.

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.

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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) A comprehensive application for employment (including previous employment, references, current and prior addresses, education, military record)

(b) Driving record

(c) Reference checks

(d) Employment 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.

(e) Information obtained from public internet sites

(f) Financial history consistent with the Fair Credit Reporting Act (FCRA) (15 USC § 1681 et seq.)

(g) Local, state, and federal criminal history record checks

(h) Polygraph or voice stress analyzer (VSA) examination (when legally permissible)

(i) Medical and psychological examination (may only be given after a conditional offer of employment)

(j) Review board or selection committee assessment

1000.4.1 VETERAN PREFERENCE

The Department will provide veteran preference as required by Utah Code 71-10-2.

1000.5 BACKGROUND INVESTIGATION

Every candidate shall undergo a thorough background investigation 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 Taylorsville Police Department (Utah Code 53-6-203; Utah Code 53-6-302).

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 REVIEW OF SOCIAL MEDIA SITES

Due to the potential for accessing unsubstantiated, private or protected information, the Administrative Sergeant shall not require candidates to provide passwords, account information or access to password-protected social media accounts (Utah Code 34-48-201).

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The Administrative Sergeant may consider utilizing the services of an appropriately trained and experienced third party to conduct open source, internet-based searches and/or review information from social media sites to ensure that:

(a) The legal rights of candidates are protected.

(b) Material and information to be considered are verified, accurate and validated.

(c) The Department fully complies with applicable privacy protections and local, state and federal law.

Regardless of whether a third party is used, the Administrative Sergeant should ensure that potentially impermissible information is not available to any person involved in the candidate selection process.

1000.5.3 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 to decide whether to extend a conditional offer of employment. The report shall not include any information that is prohibited from use, including that from social media sites, in making employment decisions. The report and all supporting documentation shall be included in the candidate's background investigation file.

1000.5.4 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.

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1000.7 EMPLOYMENT STANDARDS

All candidates shall meet the minimum standards required by state law (Utah Code 53-6-203; Utah Code 53-6-302). 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 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 minimum standards established by the Utah Peace Officer Standards and Training (POST) Council (Utah Code 53-6-203):

(a) Citizen of the United States or lawful permanent resident who has legal authorization to work in the United States and has been in the United States legally for at least five years immediately preceding the day on which the application is made

(b) At least 21 years old

(c) High school graduate or possess an equivalent achievement

(d) Not have been convicted of a crime for which the candidate could be punished by imprisonment

(e) Demonstrate good moral character as determined through a background investigation. A candidate shall be considered to be of good moral character if he/she has not engaged in conduct that would violate Utah Code 53-6-211(1)

(f) Be free of any physical, emotional, or mental condition that might adversely affect the performance of the candidate's duties as a peace officer

(g) Criminal background check of local, state, and national criminal history files

(h) Not prohibited from possessing a firearm under state or federal law

(i) Meet all other standards required by POST

In addition to the standards established by POST, the department may establish additional standards concerning peace officer candidates (Utah Code 53-6-207).

1000.8 RESIDENCY REQUIREMENTS

All members of the Taylorsville Police Department will maintain primary residency in Utah at their own discretion.

Certain Department assignments may be limited to employees whose primary residency would facilitate a timely response from off-duty status to an emergency.

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1000.9 PROBATIONARY PERIODS

The Administrative Sergeant should coordinate with the Taylorsville Department of Human Resources to identify 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

The Department's employee performance evaluation system is designed to record work performance for both the Department and the employee, providing recognition for good work and developing a guide for improvement.

1001.2 POLICY

The Taylorsville Police Department utilizes a performance evaluation report to measure performance and to use as a factor in making personnel decisions that relate to merit increases, promotion, reassignment, discipline, demotion, and termination. The evaluation report is intended to serve as a guide for work planning and review by the supervisor and employee. It gives supervisors a way to create an objective history of work performance based on job standards.

The Department evaluates employees in a non-discriminatory manner based upon job-related factors specific to the employee's position, without regard to 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.

1001.3 EVALUATION PROCESS

Evaluation reports will cover a specific period of time and should be based on documented performance during that period. Evaluation reports will be completed by each employee's immediate supervisor. Other supervisors directly familiar with the employee's performance during the rating period should be consulted by the immediate supervisor for their input.

All sworn and civilian supervisory personnel shall attend an approved supervisory course that includes training on the completion of performance evaluations within one year of the supervisory appointment.

Each supervisor should discuss the tasks of the position, standards of performance expected and the evaluation criteria with each employee at the beginning of the rating period. Supervisors should document this discussion in the prescribed manner.

Assessment of an employee's job performance is an ongoing process. Continued coaching and feedback provides supervisors and employees with opportunities to correct performance issues as they arise.

Non-probationary employees demonstrating substandard performance shall be notified in writing of such performance as soon as possible in order to have an opportunity to remediate the issues. Such notification should occur at the earliest opportunity, with the goal being a minimum of 90 days written notice prior to the end of the evaluation period.

Employees who disagree with their evaluation and who desire to provide a formal response or a rebuttal may do so in writing in the prescribed format and time period.

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1001.4 FULL-TIME PROBATIONARY PERSONNEL

Civilian personnel are on probation for 12 months before being eligible for certification as permanent employees. An evaluation is completed monthly for all full-time civilian personnel during the probationary period.

Sworn personnel are on probation for 12 months before being eligible for certification as permanent employees. Probationary officers are evaluated daily, weekly and monthly during the probationary period. The probationary period for sworn personnel will start after the successful completion of the academy.

1001.5 FULL-TIME PERMANENT STATUS PERSONNEL

Permanent employees are subject to three types of performance evaluations:

Regular - An Employee Performance Evaluation shall be completed once each year by the employee's immediate supervisor on the anniversary of the employee’s date of hire, except for employees who have been promoted, in which case an Employee Performance Evaluation shall be completed on the anniversary of the employee’s date of last promotion.

Transfer - If an employee is transferred from one assignment to another in the middle of an evaluation period and less than six months have transpired since the transfer, then an evaluation shall be completed by the current supervisor with input from the previous supervisor.

Special - A special evaluation may be completed any time the rater and the rater's supervisor feel one is necessary due to employee performance that is deemed less than standard, and when follow-up action is planned (action plan, remedial training, retraining). The Performance Evaluation Form and the attached documentation shall be submitted as one package.

1001.5.1 RATINGS

When completing the Employee Performance Evaluation, the rater will place a check mark in the column that best describes the employee's performance. The definition of each rating category is as follows:

Exceeds Standards - Represents performance that is better than expected of a fully competent employee. It is superior to what is expected, but is not of such rare nature to warrant outstanding.

Meets Standards - Is the performance of a fully competent employee. It means satisfactory performance that meets the standards required of the position.

Needs Improvement - Is a level of performance less than that expected of a fully competent employee and less than standards required of the position. A Needs Improvement rating must be thoroughly discussed with the employee.

Space for written comments is provided at the end of the evaluation in the rater comments section. This section allows the rater to document the employee's strengths, weaknesses, and to make suggestions for improvement. Any rating under any job dimension marked unsatisfactory or outstanding shall be substantiated in the Rater Comments section.

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1001.6 EVALUATION INTERVIEW

When the supervisor has completed the preliminary evaluation, arrangements shall be made for a private discussion of the evaluation with the employee. The supervisor should discuss the results of the just completed rating period and clarify any questions the employee may have. If the employee has valid and reasonable protests of any of the ratings, the supervisor may make appropriate changes to the evaluation. Areas needing improvement and goals for reaching the expected level of performance should be identified and discussed. The supervisor should also provide relevant counseling regarding advancement, specialty positions and training opportunities. The supervisor and employee will sign and date the evaluation. Permanent employees may also write comments in the Employee Comments section of the performance evaluation report.

1001.6.1 DISCRIMINATORY HARASSMENT FORM

At the time of each employee's annual evaluation, the reviewing supervisor shall require the employee to read the City harassment and discrimination policies. Following such policy review, the supervisor shall provide the employee a form to be completed and returned by the employee certifying the following:

(a) That the employee understands the harassment and discrimination policies.

(b) Whether any questions the employee has have been sufficiently addressed.

(c) That the employee knows how and where to report harassment policy violations.

(d) Whether the employee has been the subject of, or witness to, any conduct that violates the discrimination or harassment policy which has not been previously reported.

The completed form should be returned to the supervisor (or other authorized individual if the employee is uncomfortable returning the form to the presenting supervisor) within one week.

The employee's completed answers shall be attached to the evaluation. If the employee has expressed any questions or concerns, the receiving supervisor or other authorized individual shall insure that appropriate follow up action is taken.

1001.7 EVALUATION REVIEW

After the supervisor finishes the discussion with the employee, the signed performance evaluation is forwarded to the rater's Section Commander. The Section Commander shall review the evaluation for fairness, impartiality, uniformity and consistency. The Section Commander shall evaluate the supervisor on the quality of ratings given.

1001.8 EVALUATION DISTRIBUTION

The original performance evaluation shall be maintained in the employee's personnel file in the office of the Chief of Police for the tenure of the employee's employment. A copy will be given to the employee and a copy will be forwarded to City Department of Human Resources.

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Promotion and Transfer

1002.1 PURPOSE AND SCOPE

The purpose of this policy is to establish required and desirable qualifications for promotion within the ranks of the Taylorsville Police Department.

1002.1.1 GENERAL REQUIREMENTS

The following considerations may l be used in evaluating employees for promotion or transfer to a specialty assignment:

(a) Present a professional, neat appearance.

(b) Maintain a good physical condition which aids in their performance of the essential job functions.

(c) Demonstrate the following traits:

1. Emotional stability and maturity.
2. Stress tolerance
3. Sound judgment and decision-making.
4. Personal integrity and ethical conduct.
5. Leadership
6. Initiative
7. Adaptability and flexibility.
8. Ability to conform to organizational goals and objectives in a positive manner.

1002.2 SWORN NON-SUPERVISORY SELECTION PROCESS

With the exception of promotional positions to supervisor, no other sworn positions within the Department shall be considered a promotion, and shall be deemed a transfer. Any exceptions to this will be specifically designated in writing by the Chief of Police in preparing for a promotional process.

1002.3 SELECTION PROCESS

The following criteria apply to transfers:

(a) Administrative evaluation as determined by the Chief of Police. This shall include a review of supervisor recommendations. Supervisors who have supervised or otherwise been involved with the candidate may be consulted for their recommendations prior to making a decision about a particular transfer.

(b) The supervisor recommendations will be submitted to the Chief of Police through the Section Commanderfor whom the candidate will work. The Section Commander may choose tol schedule interviews with each candidate.

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(c) Based on supervisor recommendations and those of the Section Commanderafter the interview, the Section Commander will submit recommendation(s) to the Chief of Police.

(d) Appointment by the Chief of Police.

This policy for all positions may be waived for temporary assignments, emergency situations or for training.

1002.4 PROMOTIONAL SPECIFICATIONS

Specifications for promotional opportunities and interdepartmental transfers shall be on file with the Taylorsville Department of Human Resources. The specifications for Department promotions and transfers will be established and updated as needed, and are subject to change at any time, depending on the promotional position and the specific interdepartmental position being sought.

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Grievances

1003.1 PURPOSE AND SCOPE

It is the policy of the Department that all grievances be handled quickly and fairly without discrimination against employees who file a grievance. The Department's philosophy is to promote open lines of communication between employees and supervisors.

1003.1.1 GRIEVANCE DEFINED

A grievance is any difference of opinion concerning terms or conditions of employment, or the dispute involving the interpretation or application of any of the following documents by the person affected:

- The employee Collective Bargaining Agreement (CBA)
- This Policy Manual
- City rules and regulations covering personnel practices or working conditions

Grievances may be brought by an individually affected employee or by a group representative.

Specifically outside the category of grievance are:

- Complaints related to allegations of discrimination or harassment are subject to the Discriminatory Harassment Policy.
- Personnel complaints consisting of any allegation of misconduct or improper job performance against any Department employee that, if true, would constitute a violation of any Department policy, federal, state, or local law as set forth in the Personnel Complaint Procedure Policy.

1003.2 PROCEDURE

Except as otherwise required under a collective bargaining agreement, if an employee believes that he/she has a grievance as defined above, then that employee shall observe the following procedure:

(a) Attempt to resolve the issue through informal discussion with an immediate supervisor.

(b) If after a reasonable amount of time, generally seven days, the grievance cannot be settled by the immediate supervisor, the employee may request an interview with the Section Commander of the affected section or bureau.

(c) If a successful resolution is not found with the Section Commander, the employee may request a meeting with the Chief of Police.

(d) If the employee and the Chief of Police are unable to arrive at a mutual solution, then the employee shall proceed as follows:

1. Submit a written statement of the grievance and deliver one copy to the Chief of Police and another copy to the immediate supervisor. Include the following information in the written statement:

    (a) The basis for the grievance (i.e., the facts of the case)

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(b) Allegation of the specific wrongful act and the harm done

(c) The specific policies, rules or regulations that were violated

(d) What remedy or goal is being sought by this grievance

The employee shall receive a copy of the acknowledgment signed by the supervisor including the date and time of receipt.

The Chief of Police and the City Manager will review and analyze the facts or allegations and respond to the employee within 14 calendar days. The response will be in writing, and will affirm or deny the allegations. The response shall include any remedies, if appropriate. The decision of the City Manager is considered final.

1003.3 EMPLOYEE REPRESENTATION

Employees are entitled to have representation during the grievance process. The representative may be selected by the employee from the appropriate employee bargaining group.

1003.4 GRIEVANCE RECORDS

At the conclusion of the grievance process, all documents pertaining to the process shall be forwarded to the Administration for inclusion into a secure file for all written grievances. A second copy of the written grievance will be maintained by the City Manager's office to monitor the grievance process.

1003.5 GRIEVANCE AUDITS

The Administration Sergeant shall perform an annual audit of all grievances filed the previous calendar year to evaluate whether or not any policy/procedure changes or training may be appropriate to avoid future filings of grievances. The Administration Sergeant shall record these findings in a confidential and generic memorandum to the Chief of Police without including any identifying information from any individual grievance. If the audit identifies any recommended changes or content that may warrant a critical revision to this Policy Manual, the Administration Sergeant should promptly notify the Chief of Police.

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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, ordinance or collective bargaining agreement.

1004.2 POLICY

The Taylorsville 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 Human Resources 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

The Utah Protection of Public Employees Act protects an employee who (Utah Code 67-21-1 et seq.):

(a) Communicates in good faith the waste or misuse of public funds, property, or manpower.

(b) Communicates in good faith a suspected violation of a state or federal law, rule, or regulation.

(c) Objects to or refuses to carry out a directive that the member reasonably believes violates state or federal law.

Members who believe they have been the subject of retaliation for engaging in such protected behaviors should promptly report it to a supervisor. Supervisors should refer the complaint to the Administration for investigation pursuant to the Personnel Complaints Policy.

1004.7.1 NOTICE OF EMPLOYEE PROTECTIONS AND OBLIGATIONS

The Department shall post a notice and use appropriate means to keep employees informed of their protections and obligations under the Utah Protection of Public Employees Act. The Department shall provide the employee with a copy of the Act (Utah Code 67-21-9):

(a) When the employee is hired.

(b) Upon a request by the employee.

(c) When the employee files a grievance under the Utah Protection of Public Employees Act.

1004.8 RECORDS RETENTION AND RELEASE

The Records Manager shall ensure that documentation of investigations is 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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Anti-Retaliation

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Reporting of Employee Convictions

1005.1 PURPOSE AND SCOPE

Convictions of certain offenses may restrict or prohibit an employee's ability to properly perform official duties. Therefore, all employees shall be required to promptly notify the Department Director of any past and current criminal convictions.

1005.2 DOMESTIC VIOLENCE CONVICTIONS AND RESTRAINING ORDERS

Federal law prohibits 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; Utah Code 76-10-503).

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.

Any person applying for or holding a concealed firearm permit and who is convicted of any offense involving domestic violence may have the permit refused, revoked or suspended (Utah Code 53-5-704(2)(a)(vi)).

1005.3 OTHER CRIMINAL CONVICTIONS

Utah Code 53-6-203(1)(d) prohibits any person convicted of a felony from being a peace officer in the State of Utah. This prohibition applies regardless of whether the guilt was established by way of a verdict, guilty or nolo contendere plea.

Moreover, while legal restrictions may or may not be imposed by statute or by the courts upon conviction of any criminal offense, criminal conduct by members of the Department may be inherently in conflict with law enforcement duties and the public trust.

1005.4 REPORTING PROCEDURE

All members of this department and all retired officers with an identification card issued by the Department shall promptly notify their immediate supervisor (or the Chief of Police in the case of retired officers) in writing of any past or current criminal arrest or conviction, regardless of whether the matter is currently on appeal and regardless of the penalty or sentence, if any.

All members and all retired officers with an identification card issued by the Department shall further promptly notify their immediate supervisor (or the Chief of Police in the case of retired officers) in writing if the member or retiree becomes the subject of a domestic violence restraining order or similar court order.

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Reporting of Employee Convictions

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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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 (41 USC § 8103).

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.

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 Sergeant 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 not use 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.

1006.3.2 MEDICAL CANNABIS

Possession, use, or being under the influence of medical cannabis on-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.

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.

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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 require an employee to submit to a screening test under any of the following circumstances:

(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 (excluding training or authorized euthanizing of an animal).

(c) The employee discharges a firearm issued by the Department while off-duty, resulting in injury, death, or substantial property damage.

(d) The employee drives a motor vehicle in the performance of his/her duties and becomes involved in an incident that results in bodily injury, death, or substantial damage to property.

1006.7.1 SUPERVISOR RESPONSIBILITY

The supervisor shall prepare a written record documenting the specific facts that led to the decision to require 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.

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(c) The employee may refuse the test, but refusal may result in dismissal or other disciplinary action.

1006.7.2 DISCIPLINE
An employee may be subject to disciplinary action if he/she:

(a) Fails or refuses to submit to a screening test.

(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.

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).

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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Communicable Diseases

1007.1 PURPOSE AND SCOPE

This policy provides general guidelines to assist in minimizing the risk of department members contracting and/or spreading communicable diseases.

1007.1.1 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 Taylorsville Police Department. (See the exposure control plan for further details to assist in identifying whether an exposure has occurred.)

1007.2 POLICY

The Taylorsville 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.

1007.3 EXPOSURE CONTROL OFFICER

The Chief of Police will assign a person as the Exposure Control Officer (ECO). The ECO shall develop an exposure control plan that includes:

(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:

    (a) The mandates of the Utah Occupational Safety and Health Act (Utah Code 34A-6-102 et seq.; UAC R614-1-1 et seq.).

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(b) Reporting known or suspected cases of communicable diseases to the local health department (Utah Code 26-6-6; UAC R386-702-4).

(c) Responding to requests and notifications regarding exposures covered under the Ryan White law (42 USC § 300ff-133; 42 USC § 300ff-136).

(d) Exposure control mandates in 29 CFR 1910.1030 (UAC R614-1-4).

The ECO should also act as the liaison with the Utah Occupational Safety and Health Division (UOSH) and may request voluntary compliance inspections. The ECO should annually review and update the exposure control plan and review implementation of the plan.

1007.4 EXPOSURE PREVENTION AND MITIGATION

1007.4.1 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 (29 CFR 1910.1030; UAC R614-1-4):

(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.

(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.

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(j) Disposing of biohazardous waste appropriately or labeling biohazardous material properly when it is stored.

1007.4.2 IMMUNIZATIONS
Members who could be exposed to HBV due to their positions may receive the HBV vaccine and any routine booster at no cost (29 CFR 1910.1030; UAC R614-1-4).

Members shall also be screened for tuberculosis pursuant to the guidelines established by UOSH (UAC R388-804).

1007.5 POST EXPOSURE

1007.5.1 INITIAL POST-EXPOSURE STEPS
Members who experience an exposure or suspected exposure shall (29 CFR 1910.1030; UAC R614-1-4):

(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.

1007.5.2 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 (29 CFR 1910.1030; UAC R614-1-4):

(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 and Death Reporting Policy).

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1007.5.3 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 (29 CFR 1910.1030; UAC R614-1-4).

The ECO 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 by the ECO.

1007.5.4 COUNSELING
The Department shall provide the member, and his/her family if necessary, the opportunity for counseling and consultation regarding the exposure (29 CFR 1910.1030; UAC R614-1-4).

1007.5.5 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 ECO. If the ECO is unavailable to seek timely testing of the source, it is the responsibility of the exposed member's supervisor to ensure testing is sought.

Source testing may be achieved by:

(a) Obtaining consent from the individual.

(b) Requesting testing through the local health department (Utah Code 26-6-4).

(c) Seeking a court order or warrant pursuant to Utah Code 78B-8-402.

Since there is the potential for overlap between the different manners in which source testing may occur, the ECO is responsible for coordinating the testing to prevent unnecessary or duplicate testing.

The ECO 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.

1007.6 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) (29 CFR 1910.1030; UAC R614-1-4; Utah Code 26-6-27). Test results from persons who may have been the source of an exposure are to be kept confidential as well.

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1007.7 TRAINING

All members shall participate in training regarding communicable diseases commensurate with the requirements of their position. The training (29 CFR 1910.1030; UAC R614-1-4):

(a) Shall 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) Shall 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

1008.1 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 Taylorsville 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.

1008.2 POLICY

The Taylorsville 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 (Utah Code 26-38-3).

1008.3 SMOKING AND TOBACCO USE

Smoking and tobacco use by members is prohibited anytime members are in public view representing the Taylorsville Police Department.

It shall be the responsibility of each member to ensure that no person under his/her supervision smokes or uses any tobacco product inside City facilities, buildings and vehicles.

1008.4 ADDITIONAL PROHIBITIONS

No person shall smoke tobacco products within 25 feet of any entrance way, exit or operable window of any public building (including any department facility), all enclosed indoor places of public access, or in any buildings where restrictions on use of tobacco products are posted or provided by other means, whether the person is present for training, enforcement or any other purpose (UAC R392-510-9).

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Personnel Complaints

1009.1 PURPOSE AND SCOPE

This policy provides guidelines for the reporting, investigation and disposition of complaints regarding the conduct of members of the Taylorsville 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.

1009.2 POLICY

The Taylorsville Police Department takes seriously all complaints regarding the service provided by the Department and the conduct of its members.

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 and the requirements of any memorandum of understanding or collective bargaining agreement.

It is also the policy of this department to ensure that the community can report misconduct without concern for reprisal or retaliation.

1009.3 PERSONNEL COMPLAINTS

Personnel complaints include any allegation of misconduct 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.

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.

1009.3.1 COMPLAINT CLASSIFICATIONS

Personnel complaints shall be classified in one of the following categories:

Informal - A matter in which the Shift Sergeant is satisfied that appropriate action has been taken by a supervisor of rank greater than the accused member.

Formal - A matter in which a supervisor determines that further action is warranted. Such complaints may be investigated by a supervisor of rank greater than the accused member or referred to the Administration, depending on the seriousness and complexity of the investigation.

Incomplete - A matter in which the complaining party either refuses to cooperate or becomes unavailable after diligent follow-up investigation. At the discretion of the assigned supervisor or the Administration, such matters may be further investigated depending on the seriousness of the complaint and the availability of sufficient information.

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1009.3.2 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 initiate a complaint based upon observed misconduct or receipt from any source alleging misconduct that, if true, could result in disciplinary action.

(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.

1009.4 AVAILABILITY AND ACCEPTANCE OF COMPLAINTS

1009.4.1 COMPLAINT FORMS

Personnel complaint forms will be maintained in a clearly visible location in the public area of the police facility and be accessible through the department website. Forms may also be available at other City facilities.

Personnel complaint forms in languages other than English may also be provided, as determined necessary or practicable.

1009.4.2 ACCEPTANCE

All complaints will be courteously accepted by any department member and promptly given to the appropriate supervisor. Although written complaints are preferred, a complaint may also be filed orally, either in person or by telephone. Such complaints will be directed to a supervisor. If a supervisor is not immediately available to take an oral complaint, the receiving member shall obtain contact information sufficient for the supervisor to contact the complainant. The supervisor, upon contact with the complainant, shall complete and submit a complaint form as appropriate.

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

1009.5 DOCUMENTATION

Supervisors shall ensure that all formal and informal complaints are documented on a complaint form. The supervisor shall ensure that the nature of the complaint is defined as clearly as possible.

All complaints and inquiries should also be documented in a log that records and tracks complaints. The log shall include the nature of the complaint and the actions taken to address the complaint. On an annual basis, the Department should audit the log and send an audit report to the Chief of Police or the authorized designee.

1009.6 ADMINISTRATIVE INVESTIGATIONS

Allegations of misconduct will be administratively investigated as follows.

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1009.6.1 SUPERVISOR RESPONSIBILITIES

In general, the primary responsibility for the investigation of a personnel complaint shall rest with the member's immediate supervisor, unless the supervisor is the complainant, or the supervisor is the ultimate decision-maker regarding disciplinary action or has any personal involvement regarding the alleged misconduct. The Chief of Police or the authorized designee may direct that another supervisor investigate any complaint.

A supervisor who becomes aware of alleged misconduct shall take reasonable steps to prevent aggravation of the situation.

The Chief of Police or any other supervisor who is made aware of an allegation against a certified peace officer or dispatcher employed by the Taylorsville Police Department shall conduct an administrative or internal investigation and report substantiated allegations to the Division of Peace Officer Standards and Training (POST) within 90 days (Utah Code 53-6-211; Utah Code 53-6-309; UAC R728-409-18).

If an officer or dispatcher who is the subject of the investigation resigns, retires, or otherwise separates from the agency before the conclusion of the investigation, the Chief of Police shall report the allegations and any investigation results to POST (Utah Code 53-6-211; Utah Code 53-6-309).

The Chief of Police shall notify POST within 30 days of the termination of an officer occurring during an open internal investigation for an alleged violation of Utah Code 53-6-211(1).

If the Taylorsville Police Department receives credible allegations and opens an internal investigation within two years of the termination of an officer, the Chief of Police shall provide notice of the investigation to POST and an estimated date of completion within 30 days. If the allegations involve violations of Utah Code 53-6-211(1), whether or not they result in an internal investigation, the Chief of Police shall notify POST (Utah Code 53-6-209).

The responsibilities of supervisors include but are not limited to:

(a) Ensuring that upon receiving or initiating any formal complaint, a complaint form is completed.

  1. The original complaint form will be directed to the Shift Sergeant of the accused member, via the chain of command, who will take appropriate action and/or determine who will have responsibility for the investigation.

  2. In circumstances where the integrity of the investigation could be jeopardized by reducing the complaint to writing or where the confidentiality of a complainant is at issue, a supervisor shall orally report the matter to the member's Section Commander or the Chief of Police, who will initiate appropriate action.

(b) Responding to all complainants in a courteous and professional manner.

(c) Resolving those personnel complaints that can be resolved immediately.

  1. Follow-up contact with the complainant should be made within 24 hours of the Department receiving the complaint.

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2. If the matter is resolved and no further action is required, the supervisor will note the resolution on a complaint form and forward the form to the Shift Sergeant.

(d) Ensuring that upon receipt of a complaint involving allegations of a potentially serious nature, the Shift Sergeant and Chief of Police are notified via the chain of command as soon as practicable.

(e) Promptly contacting the Department of Human Resources and the Shift Sergeant 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 Sergeant, who will determine whether to contact the complainant or assign the complaint for investigation.

(g) Informing the complainant of the investigator’s name and the complaint number within three days after assignment.

(h) Investigating a complaint as follows:

1. Making reasonable efforts to obtain names, addresses, and telephone numbers of witnesses.

2. When appropriate, ensuring immediate medical attention is provided and photographs of alleged injuries and accessible uninjured areas are taken.

(i) Ensuring that the procedural rights of the accused member are followed.

(j) Ensuring interviews of the complainant are generally conducted during reasonable hours.

1009.6.2 ADMINISTRATIVE INVESTIGATION PROCEDURES

Whether conducted by a supervisor or a member of the Administration, the following applies to employees:

(a) 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.

(b) Unless waived by the employee, interviews of an accused employee shall be at the Taylorsville Police Department or other reasonable and appropriate place.

(c) No more than two interviewers should ask questions of an accused employee.

(d) Prior to any interview, an employee should be informed of the nature of the investigation.

(e) All interviews should be for a reasonable period and the employee's personal needs should be accommodated.

(f) No employee should be subjected to offensive or threatening language, nor shall any promises, rewards or other inducements be used to obtain answers.

(g) 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.

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1. An employee should be given an order to answer questions in an administrative investigation that might incriminate the member in a criminal matter only after the employee has been given a *Garrity* advisement and after the investigator has consulted with the prosecuting agency. 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.

(h) The interviewer should record all interviews of employees and witnesses. The employee may also record the interview. If the employee has been previously interviewed, a copy of that recorded interview shall be provided to the employee prior to any subsequent interview.

(i) 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.

(j) All employees shall provide complete and truthful responses to questions posed during interviews.

(k) No employee may be compelled to submit to a polygraph examination, nor shall any refusal to submit to such examination be mentioned in any investigation.

1009.6.3 ADMINISTRATIVE INVESTIGATION FORMAT

Formal investigations of personnel complaints shall be thorough, complete and essentially 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.

Summary - List the allegations separately, including applicable policy sections, with a brief summary of the evidence relevant to each allegation. A separate recommended finding should be provided for each allegation.

Evidence - Each allegation should be set forth with the details of the evidence applicable to each allegation provided, including comprehensive summaries of member and witness statements. Other evidence related to each allegation should also be detailed in this section.

Conclusion - A recommendation regarding further action or disposition should be provided.

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Exhibits - A separate list of exhibits (e.g., recordings, photos, documents) should be attached to the report.

1009.6.4 DISPOSITIONS
Each personnel complaint shall be classified 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.

If an investigation discloses 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.

1009.6.5 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 one year from the date of discovery by an individual authorized to initiate an investigation.

1009.6.6 NOTICE TO COMPLAINANT OF INVESTIGATION STATUS
The member conducting the investigation should provide the complainant with periodic updates on the status of the investigation, as appropriate.

1009.7 ADMINISTRATIVE SEARCHES

Assigned lockers, storage spaces and other areas, including desks, offices and vehicles, may be searched as part of an administrative investigation upon a reasonable suspicion of misconduct.

Such areas may also be searched any time by a supervisor for non-investigative purposes, such as obtaining a needed report, radio or other document or equipment.

1009.8 ADMINISTRATIVE LEAVE

When a complaint of misconduct is of a serious nature, or when circumstances indicate that allowing the accused to continue to work would adversely affect the mission of the Department, the Chief of Police or the authorized designee may temporarily assign an accused employee to administrative leave. Any employee placed on administrative leave:

(a) May be required to relinquish any department badge, identification, assigned weapons and any other department equipment.

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(b) Shall be required to continue to comply with all policies and lawful orders of a supervisor.

(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.

1009.9 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.

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 Taylorsville 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.

1009.10 POST-ADMINISTRATIVE INVESTIGATION PROCEDURES

Upon completion of a formal investigation, an investigation report should be forwarded to the Chief of Police through the chain of command. Each level of command should review the report and include their comments in writing before forwarding the report. The Chief of Police may accept or modify any classification or recommendation for disciplinary action.

1009.10.1 SECTION COMMANDER RESPONSIBILITIES

Upon receipt of any completed personnel investigation, the Section Commander of the involved member shall review the entire investigative file, the member's personnel file and any other relevant materials.

The Section 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 Section 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 Section Commander shall include all relevant materials supporting the recommendation. Actual copies of a member's existing personnel file need not be provided and may be incorporated by reference.

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1009.10.2 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 Section 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:

(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 Police within five days of receiving the notice.

1. 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.

2. 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.

1009.10.3 NOTICE OF FINAL DISPOSITION TO THE COMPLAINANT

The Chief of Police or the authorized designee should ensure that the complainant is notified of the disposition (i.e., sustained, not sustained, exonerated, unfounded) of the complaint.

1009.11 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.

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(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.

1009.12 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.

1009.13 POST-DISCIPLINE APPEAL RIGHTS

An employee discharged, transferred to another position with less pay, or suspended without pay for more than two days may, within 10 days from the issuance by the Chief of Police of the order of discharge, transfer, or suspension, appeal to an appeal board or a hearing officer if one has been established. However, if the Department has established an internal grievance procedure, the employee must exhaust all available grievance remedies before making such an appeal (Utah Code 10-3-1106).

The employee may appear in person and may have counsel and a public hearing. The findings and decision of the appeal board or hearing officer shall be final.

Any final action or order of the appeal board or hearing officer may be appealed to the Court of Appeals within 30 days of the issuance of the final action or order of the appeal board or hearing officer.

1009.14 PROBATIONARY EMPLOYEES AND OTHER MEMBERS

At-will and probationary employees and members other than non-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.

1009.15 RETENTION OF PERSONNEL INVESTIGATION FILES

All personnel complaints shall be maintained in accordance with the established records retention schedule and as described in the Personnel Records Policy.

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Seat Belts

1010.1 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.

1010.1.1 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 (Utah Code 41-6a-1601).

1010.2 POLICY

It is the policy of the Taylorsville Police Department that members use safety and child restraint systems to reduce the possibility of death or injury in a motor vehicle collision.

1010.3 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 or rented 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 non-members of the Department, are properly restrained (Utah Code 41-6a-1803).

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.

1010.4 TRANSPORTING CHILDREN

A child younger than 8 years of age shall be secured using a child restraint system in the manner prescribed by the manufacturer of the system unless an exemption exists due to the child's height (Utah Code 41-6a-1803).

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 and 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 arrange alternate transportation when feasible.

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1010.5 TRANSPORTING SUSPECTS, PRISONERS OR ARRESTEES

Suspects, prisoners and arrestees shall be in a seated position and secured in the rear seat of any department vehicle with a prisoner restraint system or cage. When, a prisoner restraint system or cage is not available, the prisoner will be transported in the front seat of the vehicle. 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.

1010.6 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, 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.

1010.7 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.

1010.8 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

1011.1 PURPOSE AND SCOPE

The purpose of this policy is to provide law enforcement officers with guidelines for the proper use of body armor.

1011.2 POLICY

It is the policy of the Taylorsville 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.

1011.3 ISSUANCE OF BODY ARMOR

The Administration supervisor shall ensure that body armor is owned/issued to all officers when the officer begins service at the Taylorsville Police Department and that, when issued, the body armor meets or exceeds the standards of the National Institute of Justice.

The Administration supervisor shall establish a body armor replacement schedule and ensure that replacement body armor is replaced and/or purchased pursuant to the schedule or whenever the body armor becomes worn or damaged to the point that its effectiveness or functionality has been compromised.

1011.3.1 USE OF SOFT BODY ARMOR

Generally, the use of body armor is required subject to the following:

(a) Officers shall only wear agency-approved body armor.

(b) Officers shall wear body armor anytime they are in a situation where they could reasonably be expected to take enforcement action.

(c) Officers may be excused from wearing body armor when they are functioning primarily in an administrative or support capacity and could not reasonably be expected to take enforcement action.

(d) Body armor shall be worn when an officer is working in uniform or taking part in Department range training.

(e) An officer may be excused from wearing body armor when he/she is involved in undercover or plainclothes work that his/her supervisor determines could be compromised by wearing body armor, or when a supervisor determines that other circumstances make it inappropriate to mandate wearing body armor.

1011.3.2 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

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armor should be conducted by an authorized designee for fit, cleanliness and signs of damage, abuse and wear.

1011.3.3 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.

1011.4 ARMORER RESPONSIBILITIES

The training staff 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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Personnel Records

1012.1 PURPOSE AND SCOPE

This policy governs maintenance and access to personnel records. Personnel records include any file maintained under an individual member's name.

1012.2 POLICY

It is the policy of this department to maintain personnel records and preserve the confidentiality of personnel records pursuant to the Constitution and the laws of Utah (Utah Code 63G-2-302 et seq.).

1012.3 DEPARTMENT FILE

The department file shall be maintained as a record of a person's employment/appointment with this department. The department file should contain, at a minimum:

(a) Personal data, including photographs, marital status, names of family members, educational and employment history or similar information. A photograph of the member should be permanently retained.

(b) Election of employee benefits.

(c) Personnel action reports reflecting assignments, promotions and other changes in employment/appointment status. These should be permanently retained.

(d) Original performance evaluations. These should be permanently maintained.

(e) Discipline records, including copies of sustained personnel complaints.

(f) Adverse comments such as supervisor notes or memos may be retained in the department file after the member has had the opportunity to read and initial the comment.

1. Once a member has had an opportunity to read and initial any adverse comment, the member shall be given the opportunity to respond in writing to the adverse comment.
2. Any member response shall be attached to and retained with the original adverse comment.
3. If a member refuses to initial or sign an adverse comment, at least one supervisor should note the date and time of such refusal on the original comment. Such a refusal, however, shall not be deemed insubordination, nor shall it prohibit the entry of the adverse comment into the member's file.

(g) Commendations and awards.

(h) Any other information, the disclosure of which would constitute an unwarranted invasion of personal privacy.

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1012.4 SECTION FILE

Section files may be separately maintained internally by a member's supervisor for the purpose of completing timely performance evaluations. The Section file may contain supervisor comments, notes, notices to correct and other materials that are intended to serve as a foundation for the completion of timely performance evaluations.

1012.5 TRAINING FILE

An individual training file shall be maintained by the Administration Sergeant for each member. Training files will contain records of all training; original or photocopies of available certificates, transcripts, diplomas and other documentation; and education and firearms qualifications. Training records may also be created and stored remotely, either manually or automatically (e.g., Daily Training Bulletin (DTB) records).

(a) The involved member is responsible for providing the Administration Sergeant or immediate supervisor with evidence of completed training/education in a timely manner.

(b) The Administration Sergeant or supervisor shall ensure that copies of such training records are placed in the member’s training file.

1012.6 INTERNAL AFFAIRS FILE

Internal affairs files shall be maintained under the exclusive control of the Administration in conjunction with the office of the Chief of Police. Access to these files may only be approved by the Chief of Police or the Administration supervisor.

These files shall contain the complete investigation of all formal complaints of member misconduct, regardless of disposition. Investigations of complaints that result in the following findings shall not be placed in the member's department file but will be maintained in the internal affairs file:

(a) Not sustained

(b) Unfounded

(c) Exonerated

1012.7 MEDICAL FILE

A medical file shall be maintained separately (in Human Resources) from all other personnel records and shall contain all documents relating to the member’s medical condition and history, including but not limited to:

(a) Materials relating to a medical leave of absence, including leave under the Family and Medical Leave Act (FMLA).

(b) Documents relating to workers’ compensation claims or the receipt of short- or long-term disability benefits.

(c) Fitness-for-duty examinations, psychological and physical examinations, follow-up inquiries and related documents.

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(d) Medical release forms, doctor's slips and attendance records that reveal a member's medical condition.

(e) Any other documents or materials that reveal the member's medical history or medical condition, including past, present or future anticipated mental, psychological or physical limitations.

1012.8 SECURITY

Personnel records should be maintained in a secured location and locked either in a cabinet or access-controlled room. Personnel records maintained in an electronic format should have adequate password protection.

Personnel records are subject to disclosure only as provided in this policy, the Records Maintenance and Release Policy or according to applicable discovery procedures.

Nothing in this policy is intended to preclude review of personnel records by the City Manager, City Attorney or other attorneys or representatives of the City in connection with official business.

1012.8.1 REQUESTS FOR DISCLOSURE

Any member receiving a request for a personnel record shall promptly notify the Records Officer or other person charged with the maintenance of such records.

Upon receipt of any such request, the responsible person shall notify the affected member as soon as practicable that such a request has been made.

The responsible person shall further ensure that an appropriate response to the request is made in a timely manner, consistent with applicable law. In many cases, this may require assistance of available legal counsel.

All requests for disclosure that result in access to a member's personnel records shall be logged in the corresponding file.

1012.8.2 RELEASE OF PERSONNEL INFORMATION

Information such as the member's medical information, or the home address, telephone number and Social Security number of the member or of the member's family, that is contained in a personnel record is confidential and may not be released (Utah Code 63G-2-302; Utah Code 63G-2-303; Utah Code 63G-2-304).

The Department may release any factual information concerning a disciplinary investigation if the member who is the subject of the investigation (or the member's representative) publicly makes a statement that is published in the media and that the member (or representative) knows to be false. The disclosure of such information, if any, shall be limited to facts that refute any such false statement.

1012.9 MEMBER ACCESS TO HIS/HER OWN PERSONNEL RECORDS

Any member may request access to his/her own personnel records during the normal business hours of those responsible for maintaining such files. Any member seeking the removal of any

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item from his/her personnel records shall file a written request to the Chief of Police through the chain of command. The Department shall remove any such item if appropriate, or within 30 days provide the member with a written explanation of why the contested item will not be removed. If the contested item is not removed from the file, the member's request and the written response from the Department shall be retained with the contested item in the member's corresponding personnel record.

Members may be restricted from accessing files containing any of the following information:

(a) An ongoing internal affairs investigation to the extent that it could jeopardize or compromise the investigation pending final disposition or notice to the member of the intent to discipline.

(b) Confidential portions of internal affairs files that have not been sustained against the member.

(c) Criminal investigations involving the member.

(d) Letters of reference concerning employment/appointment, licensing or issuance of permits regarding the member.

(e) Any portion of a test document, except the cumulative total test score for either a section of the test document or for the entire test document.

(f) Materials used by the Department for staff management planning, including judgments or recommendations concerning future salary increases and other wage treatments, management bonus plans, promotions and job assignments or other comments or ratings used for department planning purposes.

(g) Information of a personal nature about a person other than the member if disclosure of the information would constitute a clearly unwarranted invasion of the other person's privacy.

(h) Records relevant to any other pending claim between the Department and the member that may be discovered in a judicial proceeding.

1012.9 RETENTION AND PURGING

Unless provided otherwise in this policy, personnel records shall be maintained in accordance with the established records retention schedule.

(a) During the preparation of each member's performance evaluation, all personnel complaints and disciplinary actions should be reviewed to determine the relevancy, if any, to progressive discipline, training and career development. Each supervisor responsible for completing the member's performance evaluation should determine whether any prior sustained disciplinary file should be retained beyond the required period for reasons other than pending litigation or other ongoing legal proceedings.

(b) If a supervisor determines that records of prior discipline should be retained beyond the required period, approval for such retention should be obtained through the chain of command from the Chief of Police.

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(c) If, in the opinion of the Chief of Police, a personnel complaint or disciplinary action maintained beyond the required retention period is no longer relevant, all records of such matter may be destroyed in accordance with the established records retention schedule.

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Request for Change of Assignment

1013.1 PURPOSE AND SCOPE

It is the policy of the Department that all requests for change of assignment are considered equally. To facilitate the selection process, the following procedure is established whereby all such requests will be reviewed on an equal basis as assignments are made.

1013.2 REQUEST FOR CHANGE OF ASSIGNMENT

Personnel wishing a change of assignment are to complete a written memorandum to their immediate supervisor. The form should then be forwarded through the chain of command to their section commander.

1013.2.1 PURPOSE OF FORM (COMBINE THE CHANGES IN THIS SECTION WITH 1014.2)
The Request for Change of Assignment memorandum will remain in effect until the officer is transferred or a reasonable alternative is made.

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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 Taylorsville Police Department and individuals from the community.

1014.2 POLICY

It is the policy of the Taylorsville 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.

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 CRITERIA

A meritorious or commendable act may include, but is not limited to:

- Superior handling of a difficult situation.
- Conspicuous bravery or outstanding performance.
- Any action or performance that is above and beyond typical duties.

1014.4.1 DEPARTMENT MEMBER DOCUMENTATION

Members of the Department should document meritorious or commendable acts. The documentation should contain:

(a) Identifying information:

1. For members of the Department - name, section and assignment at the date and time of the meritorious or commendable act
2. For individuals from the community - name, address, telephone number

(b) A brief account of the meritorious or commendable act with report numbers, as appropriate.

(c) The signature of the member submitting the documentation.

1014.4.2 COMMUNITY MEMBER DOCUMENTATION

Documentation of a meritorious or commendable act submitted by a person from the community should be accepted in any form. However, written documentation is preferred. Department members accepting the documentation should attempt to obtain detailed information regarding the matter, including:

(a) Identifying information:

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1. For members of the Department - name, section and assignment at the date and time of the meritorious or commendable act
2. For individuals from the community - name, address, telephone number

(b) A brief account of the meritorious or commendable act with report numbers, as appropriate.

(c) The signature of the person submitting the documentation.

1014.4.3 PROCESSING DOCUMENTATION

Documentation regarding the meritorious or commendable act of a member of the Department should be forwarded to the appropriate section commander for his/her review. The documentation will be forwarded to the Chief of Police for review.

The Chief of Police or the authorized designee will present the commendation to the department member for his/her signature. The documentation will then be returned to the office manager for entry into the member's personnel file. A supervisor may issue a letter of commendation at his/her discretion, which does not have any compensatory time attached. Any commendations that may be issued along with consideration for compensatory time shall be approved by the Chief of Police or his designee. All letters of commendation will be formally prepared by the department office manager to ensure all documents are prepared appropriately.

Documentation regarding the meritorious or commendable act of an individual from the community should be forwarded to the section commander. The documentation will be signed and forwarded to the Chief of Police for his/her review. An appropriate venue or ceremony to acknowledge the individual's actions should be arranged. Documentation of the commendation shall be maintained in the city personnel file and a designated Department for such records.

1014.5 AWARDS

Awards may be bestowed upon members of the Department and individuals from the community. These awards include:

MEDAL OF VALOR

The Medal of Valor is the Department's highest award. It is awarded for bravery, usually given for individual acts of extraordinary bravery or heroism performed in the line of duty at extreme, life-threatening, personal risk. It recognizes officers whose actions could be considered as having gone above and beyond the call of duty, or to recognize an officer who has performed an act of bravery displaying an extreme amount of courage while knowingly facing imminent danger. This award may be presented posthumously to the next-of-kin of the employee/officer who would have otherwise received the award.

MEDAL OF HONOR

The medal of honor Is the department's second highest award. It is awarded to members for acts of heroism and distinction in extremely hazardous circumstances. To be considered for this honor, an employee must exhibit unusual bravery in the performance of duty while facing the threat of

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death of serious injury. The Medal of Honor is awarded to officers where the circumstances did not rise to the level of a medal of valor.

POLICE STAR

The Police Star is awarded to police officers who perform an act of heroism while engaged in personal combat with an armed adversary, or an act where the member places him/her at personal risk-posing hazards that may pose or lead to serious injury or loss of life to the employee.

The Police Star is awarded to members where the circumstances did not rise to the level of a medal of honor.

PURPLE HEART

This recognition may be awarded to employees seriously injured or killed from acts of aggression or assaults upon them while performing job-related duties. The person's injuries must involve a substantial risk of death, permanent disfigurement or protracted loss or impairment of their body's ability to function. This award may be presented posthumously to the next-of-kin of the employee who would have otherwise received the award.

LIFESAVING

The Life Saving Award is given to an officer who makes a major contribution toward saving the life of another by providing essential medical treatment prior to the arrival of Emergency Medical Services (EMS) personnel.

DISTINGUISHED SERVICE AWARD

This commendation is presented to employees who have provided extraordinary service in the performance of their duties for an investigation or assignment which spanned over a period of time during an annual period, or for one particular act that exhibited extraordinary service of a member’s duties.

MERITORIOUS SERVICE AWARD

This commendation is awarded to an officer who makes a significant contribution to the mission of the department beyond the ordinary call of duty. It recognizes those incidents wherein the member's courage, resourcefulness, tenacity, and/or perseverance in the performance of the employee's duties has resulted in the protection of life or property, the prevention of a major crime, or the apprehension of an armed and dangerous criminal.

The meritorious service award is awarded to members where the circumstances did not rise to the level of a distinguished service award.

SUPERVISOR OF THE YEAR:

This award is presented annually to the supervisor who consistently throughout the year exhibits outstanding leadership and excellence in public safety through their personal actions, guidance, direction, professional involvement, and his/her dedication to the overall success of the Department.

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OFFICER OF THE YEAR:

This award is presented annually to the employee who consistently throughout the year exhibits outstanding performance, and excellence in public safety through their personal actions, guidance, direction, professional involvement, and his/her dedication to the overall success of the Department.

CIVILIAN EMPLOYEE OF THE YEAR:

This award is presented annually to the non-sworn employee who consistently throughout the year exhibits outstanding performance, and excellence through their personal actions, guidance, direction, professional involvement, outstanding work performance, initiative, leadership, and effective interpersonal relations and his/her dedication to the overall success of the Department.

UNIT CITATION:

This award is presented annually to the unit which consistently throughout the year exhibits outstanding performance, and excellence in public safety through their personal actions, guidance, direction, professional involvement, and his/her dedication to the overall success of the Department.

CHIEF'S AWARD:

This award is presented annually to a sworn member or non-sworn member of the Department and can also be awarded to a sworn member or non-sworn member of another outside law enforcement agency. The award is given to the person(s) for reasons determined by the Chief of Police. This can be for one particular incident or for a period of time throughout an annual period, which contributes to the success of the Department.

This medal can be awarded to more than one individual, which is always at the discretion of the Chief of Police.

1014.6 COMMENDATION BARS AND MEDALS

(a) All commendation bars will be of enamel construction and 1 3/8" by 3/8" in size. The surrounding color tone will be silver.

(b) Commendation bars will be worn over the right pocket flap with no more than three bars per row and centered. Subsequent bars will be worn over the first row in the same fashion.

(c) Multiples of the same commendation bar will be indicated by decorative bronze stars on that respective bar and should not exceed three stars.

(d) Commendation bars will be centered 1/8" above the name tag.

(e) Service stars should be worn centered 1/8" above the name tag.

(f) Name tag should be on top of the right pocket flap and 1/8" below commendation bars if commendation bars are worn. If commendations bars are not worn, then the name tag should be worn 1/8" above the right pocket flap.

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(g) Commendation bars and medals may only be worn on the Class A uniform. All previously awarded honor ribbons may be worn on the uniform. However, honor ribbons and enameled commendation bars may not be worn on the uniform at the same time.

(h) The Medal of Valor and Medal of honor may be worn around the neck and draped over the front of the tie. No other medals may be worn around the neck.

(i) All other medals, such as the Police Star and any other medal designated by the Chief of Police, will be worn on the right pocket flap and underneath the name tag.

(j) Any previously awarded medals may be worn in the fashion in which they were received.

(k) Previous commendation awards received while serving at another law enforcement agency may also be worn. The awards must be of the same enamel construction as described above.

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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 the Department remain fit for duty and able to perform the job functions.

1015.2 EMPLOYEE RESPONSIBILITIES

(a) It shall be the responsibility of each employee of the Department to maintain good physical condition sufficient to safely and properly perform essential duties of their position.

(b) Each employee of the Department shall perform his/her respective duties without physical, emotional and/or mental constraints.

(c) During working hours, all employees are required to be alert, attentive and capable of performing assigned responsibilities.

(d) Any employee who feels unable to perform his/her duties shall promptly notify a supervisor. In the event that an employee believes that another employee is unable to perform his/her duties, such observations and/or belief shall be promptly reported to a supervisor.

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 resolve the situation.

(b) Whenever feasible, the supervisor should attempt to ascertain the reason or source of the problem, and in all cases a preliminary evaluation should be made in an effort to determine the level of inability of the employee to perform his/her duties.

(c) In the event the employee appears to be in need of immediate medical or psychiatric treatment, all reasonable efforts should be made to provide such care.

(d) In conjunction with the Shift Sergeant or employee’s available Section Commander, a determination should be made whether the employee should be temporarily relieved from his/her duties.

(e) The Chief of Police and any other supervisor who is made aware that an officer may have a physical or mental disability affecting the officer's ability to perform his/her duties shall investigate the allegation (Utah Code 53-6-211).

(f) The Chief of Police or a designee shall ensure that any allegation that an officer has a physical or mental disability affecting the officer's ability to perform his/her duties is

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reported to Utah Peace Officer Standards and Training (POST) within 90 days if the allegation is found to be true (UAC R728-409-18). This applies even in those instances where an employee resigns or is terminated (Utah Code 53-6-211).

(g) The Chief of Police shall be promptly notified in the event that any employee is relieved from duty.

1015.4 NON-WORK-RELATED CONDITIONS

Any employee suffering from a non-work-related condition which warrants a temporary relief from duty may be required to use paid time off (PTO) in order to obtain medical treatment or other care.

1015.5 WORK-RELATED CONDITIONS

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.

Upon the recommendation of the Shift Sergeant or unit supervisor and concurrence of a Section Commander, any employee whose actions or use of force in an official capacity result in death or serious injury to another may be temporarily removed from regularly assigned duties and/or placed on paid administrative leave for the well being of the employee and until such time as the following may be completed:

(a) A preliminary determination that the employee's conduct appears to be in compliance with related policies.

(b) The employee has had the opportunity to receive necessary counseling and/or psychological clearance to return to full duty.

1015.6 FITNESS FOR DUTY EVALUATIONS

Fitness for duty medical evaluations may be performed under any of the following circumstances:

(a) Return to work from injury or illness.

(b) When a supervisor determines there is a direct threat to the health or safety of the employee or others.

(c) In conjunction with corrective action, performance or conduct issues or discipline.

(d) When it is a bona fide occupational qualification for selection, retention or promotion.

1015.7 LIMITATION ON HOURS WORKED

Absent emergency operations, members should not work more than:

- 16 hours in one day (24-hour) period or
- 30 hours in any 2 day (48-hour) period or
- 84 hours in any 7 day (168-hour) period

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Except in very limited circumstances members should have a minimum of 8 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 employee who has exceeded the above guidelines.

Limitations on the number of hours worked apply to shift changes, shift trades, rotation, holdover, training, general overtime, combination of on-duty and off-duty work and any other work assignments.

1015.8 APPEALS

An employee who is separated from paid employment or receives a reduction in salary resulting from a fitness for duty exam shall be entitled to an administrative appeal as outlined in the Personnel Complaints Policy.

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Meal Periods and Breaks

1016.1 PURPOSE AND SCOPE

This policy regarding meals and breaks, insofar as possible, shall conform to the policy governing all City employees that has been established by the City Manager.

1016.1.1 MEAL PERIODS

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 VECC prior to taking a meal period. Uniformed officers shall take their breaks within the City limits unless on assignment outside of the City or with the approval of a supervisor.

The time spent for the meal period shall not exceed the authorized time allowed.

1016.1.2 BREAKS

Each employee is entitled to a 15-minute break, near the mid-point, for each four-hour work period (UAC R477-8-3). Only one 15-minute break shall be taken during each 4-hours of duty. No breaks shall be taken during the first or last hour of an employee's shift unless approved by a supervisor.

Employees normally assigned to the police facility shall remain in the police facility for their breaks. This would not prohibit them from taking a break outside the facility if on official business.

Field officers will take their breaks in their assigned areas, subject to call, and shall monitor their radios. When field officers take their breaks away from their vehicles, they shall do so only with the knowledge and clearance of VECC.

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Lactation Breaks

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 this 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 infant 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 a reasonable effort will be made to provide additional time beyond authorized breaks, any such time exceeding the regularly scheduled break time will be unpaid.

Employees desiring to take a lactation break shall notify VECC or a supervisor prior to taking such a break. Such breaks may be reasonably delayed if it would seriously disrupt Department operations.

Once a lactation break has been approved, the break should not be interrupted except for emergency or exigent circumstances.

1017.3.1 PRESENCE OF CHILDREN

The Department is not required to allow the child of the employee to be present at the Department for purposes of accommodating breastfeeding (Utah Code 34A-5-106).

1017.4 PRIVATE LOCATION

The Department will make reasonable efforts to accommodate employees with the use of an appropriate room or other location to express milk in private. Such room or place should be in close proximity to the employee's work area and shall be other than a bathroom or toilet stall. The location must be shielded from view and free from intrusion from co-workers and the public (29 USC § 207).

Employees occupying such private areas shall either secure the door or otherwise make it clear to others that the area is occupied, and that the employee has a need for privacy. All other

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employees should avoid interrupting an employee during an authorized break, except to announce an emergency or other urgent circumstance.

Authorized lactation breaks for employees assigned to the field may be taken at the nearest appropriate private area.

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 Taylorsville 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 approving the payroll records for those under their commands.

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 to Administration as established by the City payroll procedures.

1018.5 RECORDS

The Administration Section Commander 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 Compensation Requests

1019.1 PURPOSE AND SCOPE

It is the policy of the Department to compensate non-exempt salaried employees who work authorized overtime either by payment of wages as agreed and in effect through the Collective Bargaining Agreement UAC R477-8-5.

1019.1.1 DEPARTMENT GUIDELINE

Because of the nature of police work and the specific needs of the Department, a degree of policy flexibility concerning overtime must be maintained.

Non-exempt employees are not authorized to volunteer work time to the Department. All requests to work overtime shall be approved in advance by a supervisor. If circumstances do not permit prior approval, then approval shall be sought as soon as practical during the overtime shift, and in no case later than the end of shift in which the overtime is worked.

Short periods of work at the end of the normal duty day (e.g., less than one-hour in duration) may be handled unofficially between the supervisor and the employee by flexing a subsequent shift schedule to compensate for the time worked rather than by submitting requests for overtime payments. If the supervisor authorizes or directs the employee to complete a form for such a period, the employee shall comply.

1019.2 ACCOUNTING FOR OVERTIME WORKED

Employees are to record the actual time worked in an overtime status. In some cases, the Collective Bargaining Agreement provides that a minimum number of hours will be paid, (e.g., three hours for court, three hours for outside overtime).

The supervisor who verifies the overtime earned shall verify that the overtime was worked before approving the request.

1019.2.1 ACCOUNTING FOR PORTIONS OF AN HOUR

When accounting for less than a full hour, time worked shall be rounded up to the nearest quarter of an hour as illustrated below:

- 1 to 15 minutes worked - Indicate .25 hour on card
- 16 to 30 minutes worked - Indicate .50 hour on card
- 31 to 45 minutes worked - Indicate .75 hour on card
- 46 to 60 minutes worked - Indicate 1.0 hour on card

1019.2.2 VARIATION IN TIME REPORTED

Where two or more employees are assigned to the same activity, case or court trial, and the amount of time for which payment is requested varies from that reported by the other officer, the Shift Sergeant or other approving supervisor may require each employee to include the reason for the variation in the notes section on the timecard.

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Outside Employment

1020.1 PURPOSE AND SCOPE

To avoid actual or perceived conflicts of interest for Department employees engaging in outside employment, all employees shall obtain written approval from the Chief of Police prior to engaging in any outside or secondary employment. Approval of outside employment shall be at the discretion of the Chief of Police in accordance with the provisions of this policy and Utah Code 53-13-114.

1020.2 DEFINITIONS

Outside Employment - Any employee of the Department who receives wages, compensation, or other consideration of value from another employer, organization or individual, as an actual employee or a self-employed contractor. For purposes of this section, the definition of Outside Employment includes those members who are not representing Taylorsville City or Taylorsville Police Department during this time, and where there is no expectation that the member would have to exercise the use of law enforcement powers.

Secondary Employment - Any employee of the Department who receives wages, compensation, or other consideration of value from another employer, organization, company, or individual, as an actual employee or a self-employed contractor, while representing Taylorsville City and the Taylorsville Police Department. Such outside overtime is generally worked based on the condition that the member may have to exercise the use of his/her law enforcement powers.

City Contracted Secondary Employment - Secondary employment jobs at City-owned facilities or which involves regular overtime where the payment to officers is processed through the City payroll system.

1020.3 SECONDARY EMPLOYMENT POLICY

It is the policy of the Taylorsville Police Department to permit secondary employment by members, consistent with the efficient operation of the Department and for the protection of the public, where actual or potential conflicts of interest exist, the Department may act to limit or prohibit secondary employment. Members have a duty to ensure their secondary employment complies with the stipulations of this policy.

1020.4 SECONDARY EMPLOYMENT COORDINATOR

(a) Outside Employment, Secondary Overtime and City Contracted Secondary Overtime shall be coordinated through the Department administration. A member of the Department may be appointed by the Chief of Police or designee to act as a coordinator for these assignments. The member shall coordinate with the command staff to facilitate the authorization of long-term or ongoing assignments. The coordinator may also be responsible for assignment of personnel, coordinating with city payroll, ensuring forms are submitted and up to date, and communication between the Department and the outside employers.

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(b) The member shall coordinate with the Department administration on methods or ideas that may be used for assignment of personnel and scheduling to assure fair and responsible staffing.

(c) The Secondary Employment Coordinator shall ensure with designated personnel that employers submit a signed Secondary Employment Employer Agreement, or have an agreement on file, before the member can be authorized to work a particular assignment. These forms shall be re-submitted annually (the secondary employer may submit one form indemnifying all officers that work for a particular employer, or it may be submitted for each individual officer).

(d) The Secondary Employment Coordinator shall ensure with designated personnel that members submit a signed Secondary Employment Authorization Form, or have an agreement on file, before the member can be authorized to work a particular assignment. These forms shall be reviewed annually (the secondary employment form must be completed for each officer separately and shall not be completed for multiple officers at a time).

1020.5 OUTSIDE EMPLOYMENT

Members may engage in outside employment which meets the following criteria:

(a) Such employment is of a non-law enforcement nature in which peace officer powers are not a condition of employment, the work provides no real or implied law enforcement service to the employer, and the work is not performed during on-duty hours.

(b) Such employment presents no actual or potential conflict of interest between their duties as a member of the Taylorsville Police Department and their duties for the secondary employer.

(c) A Secondary Employment Request Form is required, to ensure the member is not working for an employer where there is an obvious conflict or potential conflict of interest with Taylorsville City or Taylorsville Police Department. An updated form must be submitted when a member changes employer, or the duties, nature of job, or working hours change substantially.

1020.6 SECONDARY EMPLOYMENT

Sworn members may engage in Secondary Employment subject to approval and this policy.

(a) Secondary Employment or City Contracted Secondary Employment services may include:

1. Traffic control and pedestrian safety
2. Designated Police Security assignments
3. Crowd control
4. Protection of life and property
5. Law enforcement activities for governmental entities
6. Plain clothes assignments

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(b) Sworn members working Secondary Employment outside the jurisdiction of the Taylorsville Police Department shall complete all necessary reporting through their own agency reporting procedures. Any arrests made outside Taylorsville City, shall be cited, referred, screened, or filed through the local justice or district court where the incident occurred. The case may be handled by the outside agency if the member coordinates a resolution with that agency prior to concluding the investigation.

(c) While engaged in Secondary Employment within the Taylorsville Police Department's jurisdiction, officers shall handle law enforcement functions which occur on the premises of the employer to include:

1. Preliminary investigation, initial report, evidence handling.
2. Physical arrest or citation.
3. Custodial transportation, when required, shall be handled by on-duty personnel if available. If no on-duty personnel are available, it shall be the responsibility of the member working the extra-duty assignment, to complete the custodial transportation.
4. Any employee making an arrest or taking other official police action while working in an approved secondary Employment assignment shall be required to complete all related reports in a timely manner pursuant to Department policy. Time spent on the completion of such reports shall be considered incidental to the secondary Employment assignment and not compensated by the Department, unless prior approval is obtained by a supervisor.

(d) Department uniforms or insignias may be worn while engaged in Secondary Employment assignments. The Class "B", Class "C" duty uniform and seasonal summer/bike uniform for the assignment shall be the authorized uniforms and shall be worn in compliance with Department uniform policy. In limited circumstances, other Department approved uniforms may be authorized by the Chief of Police or his designee through coordination by the Secondary Employment Coordinator. Once the authorized uniform has been determined, all personnel working the assignment shall wear the designated uniform in accordance with Department policy. The Department reserves the right to mandate the wearing of the uniform, or not allow the wearing of the uniform in certain secondary employment situations, exclusive of any request.

(e) While engaged in Secondary Employment, sworn members shall act in accordance with the policies and procedures of Taylorsville Police Department.

(f) Members who desire to work a secondary Employment assignment which is not managed or coordinated through the Department, must obtain prior authorization to work the Employment assignment by submitting a Secondary Employment Request From through their chain of command to the Chief of Police.

(g) Any member of the Department shall be permitted to work a Secondary Employment assignment by means of three different methods listed below. The Secondary Employment assignment shall be permitted, provided the employer completes the following:

1. The employer may employ the member if their intent is to hire the member as a benefited employee. If the member is employed in this manner, the

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member is only required to complete the Secondary Employment Request Form but does not require any coordination with Taylorsville City or the Taylorsville Payroll Administrator. In this circumstance, the Department does not manage or coordinate any duties, schedules, or payroll for the member.

(a) A Secondary Employment Request form and Secondary Employment Employer Agreement form shall be required when working any secondary employment under this method. The agreement form shall outline the member's duties, wages as well as required indemnification requirements.

2. The second method is where an officer may work as an independent contractor, where the employer contracts with the police department to authorize and provide officers. The secondary employer directly pays the officers as independent contractors for the work performed. If the member is employed in this manner, the member is only required to complete the Secondary Employment Request Form but does not require any coordination with Taylorsville City or the Taylorsville Payroll Administrator. In this circumstance, the Department does not manage or coordinate any duties, schedules, or payroll for the member.

(a) A Secondary Employment Request form and Secondary Employment Employer Agreement form shall be required when working any secondary employment under this method. The agreement form shall outline the member's duties, wages as well as required indemnification requirements.

3. The third method is where the officer is employed by the Department. The secondary employer agrees to pay the police department a specified amount at a specified time. The details of the assignment, and wages paid to the officer, will be at the discretion of the Chief of Police. The details and wages shall always be specified to the members of the Department when managing this type of method.

(a) A Secondary Employment Request Form is not required for assignments that are coordinated through City Contracted Secondary Employment. (i.e., grant funding, including DUI enforcement grants, seatbelt enforcement grants, Taylorsville Days, and other authorized designated assignments).

(b) When a Secondary Employment Request Form is required, an updated form must be submitted when a member changes employer, or the duties, nature of job, or working hours change substantially.

(h) Distribution of Secondary Employment Request Forms:

1. Original to Secondary Employment Coordinator
2. Copy to personnel file (Human Resource Department)
3. Copy to member's Section Commander to be placed in Department file.
4. Copy to submitted member.

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1020.7 LIMITATIONS ON SECONDARY EMPLOYMENT

(a) The Taylorsville Police Department shall make every effort to equitably distribute secondary employment opportunities to all members. However, assignments may be based on other factors, if the assignment decision is not based on race, color, national origin, religion, sex, age, or any other protected class recognized by the Taylorsville Police Department. Some of these factors may include but are not limited to specialized training or skills, employer requests, equipment requests, and experience.

(b) Assignments of secondary employment opportunities that are made because of “other factors” shall be reviewed by the secondary employment coordinator through the chain of command. Members shall not engage in Secondary Employment during the hours the member is on sick leave, workers’ compensation leave or temporary restricted duty. With approval from the Chief of Police, members may engage in Outside Employment when it is not related to their regular scheduled working hours while on sick leave, workers’ compensation leave or temporary restricted duty.

(c) Members shall not engage in Secondary Employment while on administrative leave, unless authorized by their Section Commander through the Chief of Police.

(d) Work hours for all secondary employment must be scheduled in a manner that does not conflict with or interfere with the member's performance of duty.

(e) Members engaged in secondary employment are subject to call-out in case of Department needs or an emergency and may be required to leave their secondary employment assignment in such situations.

(f) Sworn members may only engage in Secondary Employment outside Taylorsville City or Salt Lake County with permission from the Chief of Police or designee.

(g) Employment that constitutes a threat to the status or dignity of the member as a member of the law enforcement profession is prohibited. Examples of employment presenting a threat to the status or dignity of the profession are:

1. Establishments which primarily deal in providing goods, entertainment, or material of a sexual nature.

2. Any employment where the sale, manufacture, consumption, or transport of alcoholic beverages is the primary activity of the business. Exceptions to this prohibition include employment by the State Alcoholic Beverage Control Department as a security officer. Additionally, an officer may work for a store, motel, hotel, restaurant, country club, or similar establishment as a security person, desk clerk, or similar capacity, provided no part of the officer's specific duties are related to or involve the bar area where alcoholic beverages are sold or dispensed, or the employment does not require "bouncer" duties, and the sale, dispensing, or handling of alcoholic beverages is not the primary business of the establishment.

3. Any gambling or gaming establishment.

4. Any pawn shop or second-hand store regulated by pawn statutes and/or ordinances.

5. Constable, Deputy Constable, or Process Server.

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6. Any other statutorily prohibited employment.

(h) Employees of the Department shall not work a combination of other employment and tour of duty hours that exceed sixteen (16) hours in one calendar workday. (Exceptions to this directive shall be in situations involving a critical incident or emergency circumstances. The immediate supervisor of the member shall have the discretion to authorize the additional work hours needed to work beyond the designated sixteen (16) hours, but also keep in mind the safety and welfare of the member, but also not to jeopardize the outcome of the investigation or incident.

(i) Employees shall not work a combination of other employment and regular tour of duty hours exceeding 64 hours in four consecutive calendar workdays or 48 hours in three consecutive calendar workdays if the member is scheduled to work a 12-hour work cycle.

(j) Employees shall be required to notify their shift supervisors when they are approaching the imposed maximum hours.

(k) If requested, the employee shall be required to notify their immediate supervisor of their secondary employment hours and days worked.

(l) To ensure compliance with Department policy and Taylorsville City employment and labor policies, members of the Department who work any Secondary Employment assignments, shall ensure that their scheduled work dates and hours are documented in the designated secondary employment software (When2Work). The schedules can be managed by a designated coordinator of any secondary assignment through the secondary employment coordinator, or individually by the officer. (This does not apply to any outside employment jobs where the member is not acting or expected to exercise their law enforcement authority).

(m) Any assignments that are managed by the Department through grants or other special assignments for employment purposes, will be managed by the Department administration or designated secondary employment coordinator. These assignments will be made available for all members to sign up for (When2Work).

(n) Any member who fails to document secondary employment assignments on When2Work software, may be subject to Department discipline.

1020.8 OBTAINING APPROVAL

No employee of the Department shall not engage in any outside employment or secondary employment assignment without first obtaining prior written approval of the Chief of Police. Failure to obtain prior written approval for outside employment or engaging in outside employment prohibited by this policy may lead to disciplinary action. To obtain approval for outside employment, the employee must complete a Secondary Employment Authorization Form, which shall be submitted to the employee's immediate supervisor. The application shall then be reviewed by the Chief of Police or designee for consideration and approval.

If approved, the employee shall be provided with a copy of the approved permit. Unless otherwise indicated in writing on the approved permit, a permit shall be valid through the end of the calendar year. Any employee seeking to renew a permit shall submit a new Secondary Employment

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Application in a timely manner. 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.

1020.9 APPEAL OR DENIAL OF SECONDARY OR OUTSIDE EMPLOYMENT

If an employee's Outside Employment or Secondary Employment Application is denied or withdrawn by the Department, the employee may file a written notice of appeal to the Chief of Police within 10 days of the date of denial. If the employee's appeal is denied, the employee may file a grievance.

1020.10 REVOCATION, SUSPENSION, OF OUTSIDE EMPLOYMENT OR SECONDARY EMPLOYMENT PERMITS

Any outside employment or secondary employment permit may be revoked or suspended under the following circumstances:

(a) Should an employee's performance at this Department decline to a point where it is evaluated by a supervisor as needing improvement to reach an overall level of competency, the Chief of Police may, at his/her discretion, revoke any previously approved outside employment permit(s). That revocation shall stand until the employee's performance has been reestablished at a satisfactory level and his/her supervisor recommends reinstatement of the outside employment permit.

(b) Suspension or revocation of a previously approved outside employment or secondary employment permit may be included as a term or condition of sustained discipline.

(c) If, at any time during the term of a valid outside employment or secondary employment permits, an employee's conduct, or employment conflicts with the provisions of Department policy, the permit may be suspended or revoked.

(d) When an employee is unable to perform at a full-duty capacity due to an injury or other condition, any previously approved outside employment or secondary employment permit may be subjected to similar restrictions as those applicable to the employee's full-time duties until the employee has returned to a full duty status.

1020.11 PROHIBITED OUTSIDE EMPLOYMENT

Consistent with the provisions of UAC R477-9-2, the Department expressly reserves the right to deny any Outside Employment Application submitted by an employee seeking to engage in any activity which:

(a) Interferes with an employee's efficiency performance.

(b) Conflicts with the interests of the Department or the State of Utah.

(c) Gives reason for criticism or suspicion of conflicting interests or duties.

1020.12 SPECIAL RESTRICTIONS

Except for an emergency or under certain circumstances, or with prior authorization from the Chief of Police or his designee, officers assigned to undercover or covert operational assignments,

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or other designated plain clothes assignments, shall not be eligible to work overtime or other assignments in a uniform or other capacity which might reasonably disclose the officer's law enforcement status or risk the safety of the officer and the security of the assignment or investigations the member may be conducting.

1020.13 DEPARTMENT RESOURCES

Employees are prohibited from using any Department equipment or resources during outside employment assignments for their own personal benefit. This shall include the prohibition of access to official records or databases of the Department or other agencies using the employee's position with this Department. (This directive does not apply to members who are actively taking law enforcement action on any investigation during their outside employment shifts).

1020.14 REVIEW OF FINANCIAL RECORDS

Employees approved for outside or secondary employment expressly agree that their personal financial records may be requested and reviewed/audited for potential conflict of interest. Prior to providing written approval for an outside employment position, the Department may request that an officer provide his/her personal financial records for review/audit to determine whether a conflict of interest exists. Failure of the employee to provide the requested personal financial records could result in denial of the off-duty work permit. If, after approving a request for an outside or secondary employment position, the Department becomes concerned that a conflict of interest exists based on a financial reason, the Department may request that the employee provide his/her personal financial records for review/audit. If the employee elects not to provide the requested records, his/her off-duty work permit may be revoked pursuant to the Revocation/Suspension of Outside Employment Status subsection of this policy.

1020.15 CHANGES IN OUTSIDE OR SECONDARY EMPLOYMENT STATUS

If an employee terminates his/her outside employment during the period of a valid permit, the employee shall promptly submit written notification of such termination to the Chief of Police or his designee. Any subsequent request for renewal or continued outside employment must thereafter be processed and approved through normal procedures set forth in this policy. A Secondary Employment Request Form is required when a member changes employer, or the duties, nature of job, or working hours change substantially.

1020.16 OUTSIDE OR SECONDARY EMPLOYMENT WHILE ON DISABILITY

Department members who have been placed on disability leave or any form of modified light-duty assignment, shall obtain prior approval from the Chief of Police and Taylorsville City Human Resource Department, to continue working any form of secondary outside employment, whether it be regular or extra-duty outside employment. In the event it is determined the member has violated the conditions of the disability leave or modified duty assignment, a notice of revocation of the employee's permit shall be forwarded to the involved employee, and a copy attached to the original work permit file.

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The criteria for revoking the outside or secondary employment permit include, but are not limited to, the following:

(a) The employment is medically detrimental to the total recovery of the disabled employee, as indicated by the City's professional medical advisors.

(b) The employment performed requires the same or similar physical ability as would be required of an on-duty employee.

(c) The employee's failure to comply with the restrictions made to the member under these circumstances. When the disabled employee returns to full duty with the Taylorsville Police Department, a request (in writing) may be made to the Chief of Police to restore the permit.

1020.17 SUSPENSION, REVOCATION OR AMMENDMENT TO THIS POLICY

State laws, department policies and city procedures regarding outside or secondary employment opportunities by law enforcement can often be very dynamic. Members need to be aware that legislative changes or other city-wide policies are subject to change at any time. Suspension, revocation, or any amendment to any or all portions of the Department Secondary Employment policy shall be at the discretion of the Chief of Police.

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Illness and Injury Prevention

1021.1 PURPOSE AND SCOPE

The purpose of this policy is to establish an ongoing and effective plan to reduce the incidence of illness and injury for members of the Taylorsville Police Department, in accordance with the requirements of the Utah Occupational Safety and Health Act (Utah OSHA) (Utah Code 34A-6-201).

This policy specifically applies to illness and injury that results in lost time or that requires medical treatment beyond first aid. Although this policy provides the essential guidelines for a plan that reduces illness and injury, it may be supplemented by procedures outside the Policy Manual.

This policy does not supersede, but supplements any related Citywide safety efforts.

1021.2 POLICY

The Taylorsville 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. The Department will establish and maintain an Illness and Injury Prevention program and will provide tools, training and safeguards designed to reduce the potential for accidents, illness and injuries. It is the intent of the Department to comply with all laws and regulations related to occupational safety.

1021.3 ILLNESS AND INJURY PREVENTION PLAN

The Chief's designee is responsible for developing an illness and injury prevention plan that shall include:

(a) Workplace safety and health training programs.

(b) Regularly scheduled safety meetings.

(c) Posted or distributed safety information.

(d) A system for members to anonymously inform management about workplace hazards.

(e) Establishment of a safety and health committee that will:

1. Meet regularly.
2. Prepare a written record of safety and health committee meetings.
3. Review the results of periodic scheduled inspections.
4. Review investigations of accidents and exposures.
5. Make suggestions to command staff for the prevention of future incidents.
6. Review investigations of alleged hazardous conditions.
7. Submit recommendations to assist in the evaluation of member safety suggestions.
8. Assess the effectiveness of efforts made by the Department to meet relevant standards.

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(f) Establishment of a process to ensure illnesses and injuries are reported as required under UAC R614-1-5.

1021.4 ADMINISTRATION SECTION COMMANDER RESPONSIBILITIES

The responsibilities of the Chief's designee include but are not limited to:

(a) Managing and implementing a plan to reduce the incidence of member illness and injury.

(b) Ensuring that a system of communication is in place that facilitates a continuous flow of safety and health information between supervisors and members. This system shall include:

1. New member orientation that includes a discussion of safety and health policies and procedures.
2. Regular member review of the illness and injury prevention plan.

(c) Ensuring that all safety and health policies and procedures are clearly communicated and understood by all members.

(d) Taking reasonable steps to ensure that all members comply with safety rules in order to maintain a safe work environment. This includes but is not limited to:

1. Informing members of the illness and injury prevention guidelines.
2. Recognizing members who perform safe work practices.
3. Ensuring that the member evaluation process includes member safety performance.
4. Ensuring department compliance to meet standards regarding the following:
   (a) Communicable diseases (Utah Code 34A-6-102; UAC R614-1-4)
   (b) Personal Protective Equipment (PPE) (see the Personal Protective Equipment Policy) (29 CFR 1910.132; Utah Code 34A-6-102; UAC R614-1-2; UAC R614-1-4)
   (c) General safety requirements (UAC R614-1-5)
   (d) Investigations of work-related injuries and occupational diseases and any sudden or unusual occurrence or change of conditions that pose a risk to members (UAC R614-1-5)
   (e) Emergency Action Plan (29 CFR 1910.38; UAC R614-1-4)
   (f) Walking-Working Surfaces (29 CFR 1910.21 et seq.; UAC R614-1-4)
   (g) Personal Fall Protection Systems (29 CFR 1910.140; UAC R614-1-4)

(e) Making available a form to document inspections, unsafe conditions or work practices, and actions taken to correct unsafe conditions and work practices.

(f) Making available a form to document individual incidents or accidents.

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(g) Making available a form to document the safety and health training of each member. This form will include the member's name or other identifier, training dates, type of training and training providers.

(h) Conducting and documenting a regular review of the illness and injury plan.

1021.5 SUPERVISOR RESPONSIBILITIES

Supervisor responsibilities include but are not limited to:

(a) Ensuring member compliance with illness and injury prevention guidelines and answering questions from members about this policy.

(b) Training, counseling, instructing, or making informal verbal admonishments any time safety performance is deficient. Supervisors may also initiate discipline when it is reasonable and appropriate under the Standards of Conduct Policy.

(c) Establishing and maintaining communication with members on health and safety issues. This is essential for an injury-free, productive workplace.

(d) Notifying the Chief's designee when:

  (a) New substances, processes, procedures, or equipment that present potential new hazards are introduced into the work environment.

  (b) New, previously unidentified hazards are recognized.

  (c) Occupational illnesses and injuries occur.

  (d) New and/or permanent or intermittent members are hired or reassigned to processes, operations, or tasks for which a hazard evaluation has not been previously conducted.

  (e) Workplace conditions warrant an inspection.

1021.6 HAZARDS

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).

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.

All significant actions taken and dates they are completed shall be documented on the appropriate form. This form should be forwarded to the Chief's designee via the chain of command.

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The Chief's designee will take appropriate action to ensure the illness and injury prevention plan addresses potential hazards upon such notification.

1021.7 INSPECTIONS

Safety inspections are crucial to a safe work environment. These inspections identify and evaluate workplace hazards and permit mitigation of those hazards. A hazard assessment checklist should be used for documentation and to ensure a thorough assessment of the work environment (UAC R614-1-5).

The Chief's designee shall ensure that the appropriate documentation is completed for each inspection.

1021.7.1 EQUIPMENT

Members are charged with daily vehicle inspections of their assigned vehicles and of their PPE prior to working in the field. Members shall complete the appropriate form if an unsafe condition cannot be immediately corrected. Members should forward this form to their supervisors.

1021.8 INVESTIGATIONS

Any member sustaining any work-related illness or injury, 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 to a supervisor. Members observing or learning of a potentially hazardous condition are to promptly report the condition to their immediate supervisors.

A supervisor receiving such a report should personally investigate the incident or ensure that an investigation is conducted. Investigative procedures for workplace accidents and hazardous substance exposures should include:

(a) A visit to the accident scene as soon as possible.

(b) An interview of the injured member and witnesses.

(c) An examination of the workplace for factors associated with the accident/exposure.

(d) Determination of the cause of the accident/exposure.

(e) Corrective action to prevent the accident/exposure from reoccurring.

(f) Documentation of the findings and corrective actions taken.

Additionally, the supervisor should proceed with the steps to report an on-duty injury, as required under the Occupational Disease and Work-Related Injury and Death Reporting Policy, in conjunction with this investigation to avoid duplication and ensure timely reporting.

1021.9 TRAINING

The Chief's designee should work with the Administration Sergeant to provide all members, including supervisors, with training on general and job-specific workplace safety and health practices. Training shall be provided:

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(a) To supervisors to familiarize them with the safety and health hazards to which members under their immediate direction and control may be exposed.

(b) To all members with respect to hazards specific to each member's job assignment.

(c) To all members given new job assignments for which training has not previously been provided.

(d) Whenever new substances, processes, procedures or equipment are introduced to the workplace and represent a new hazard.

(e) Whenever the Department is made aware of a new or previously unrecognized hazard.

1021.9.1 TRAINING TOPICS

The Administration Sergeant shall ensure that training includes:

(a) Reporting unsafe conditions, work practices and injuries, and informing a supervisor when additional instruction is needed.

(b) Use of appropriate clothing, including gloves and footwear.

(c) Use of respiratory equipment.

(d) Availability of toilet, hand-washing and drinking-water facilities.

(e) Provisions for medical services and first aid.

(f) Handling of bloodborne pathogens and other biological hazards.

(g) Prevention of heat and cold stress.

(h) Identification and handling of hazardous materials, including chemical hazards to which members could be exposed, and review of resources for identifying and mitigating hazards (e.g., hazard labels, Safety Data Sheets (SDS)).

(i) Mitigation of physical hazards, such as heat and cold stress, noise, and ionizing and non-ionizing radiation.

(j) Identification and mitigation of ergonomic hazards, including working on ladders or in a stooped posture for prolonged periods.

(k) Back exercises/stretches and proper lifting techniques.

(l) Avoidance of slips and falls.

(m) Good housekeeping and fire prevention.

(n) Other job-specific safety concerns.

1021.10 RECORDS

Records and training documentation relating to illness and injury prevention will be maintained in accordance with the established records retention schedule.

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Occupational Disease and Work-Related Injury and Death Reporting

1022.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance regarding the timely reporting of occupational diseases and work-related injuries and deaths.

1022.1.1 DEFINITIONS

Definitions related to this policy include:

Work-related injury or occupational disease - An accidental injury or occupational disease that arises out of and in the course of employment with the Taylorsville Police Department. The disease must be medically caused or aggravated by that employment. An occupational disease may include a physical, mental or emotional disease related to mental stress that arises out of and in the course of employment (Utah Code 34A-3-103; Utah Code 34A-3-106; UAC R612-100-2).

1022.2 POLICY

The Taylorsville Police Department will address occupational diseases and work-related injuries and deaths appropriately, and will comply with applicable state workers' compensation requirements (Utah Code 34A-2-407; UAC R612-200-1).

1022.3 RESPONSIBILITIES

1022.3.1 MEMBER RESPONSIBILITIES

Any member sustaining any occupational disease or work-related injury shall report such event as soon as practicable, but within 24 hours, to a supervisor, and shall seek medical care when appropriate.

1022.3.2 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 Citywide disease- or injury-reporting protocol shall also be followed.

Supervisors shall determine whether the Major Incident Notification and Illness and Injury Prevention policies apply and take additional action as required.

1022.3.3 SECTION COMMANDER RESPONSIBILITIES

The Section Commander who receives a report of an occupational disease or a work-related injury or death 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, the City's risk management entity, and the Administration Section Commander to ensure any required Utah Occupational Safety and

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Health Administration (OSHA) reporting is made as required in the injury and illness prevention plan identified in the Illness and Injury Prevention Policy.

1022.3.4 CHIEF OF POLICE RESPONSIBILITIES
The Chief of Police shall review and forward copies of the report to the Department of Human Resources. Copies of the report and related documents retained by the Department shall be filed in the member's confidential medical file.

1022.4 OTHER DISEASE OR INJURY

Diseases, injuries or deaths 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 Section Commander through the chain of command and a copy sent to the Administration Section Commander.

Unless the injury is extremely minor, this report shall be signed by the affected member, indicating that he/she desired no medical attention at the time of the report. By signing, the member does not preclude his/her ability to later seek medical attention.

Members who elect to participate in fitness and/or sports activities during normal duty hours may do so, on their own time, if a schedule adjustment is approved by the supervisor.use of a meal period, break, or combination is also considered to be on the members own time. Voluntary fitness and/or sports activities conducted will not be time worked and will not be covered by Workers' Compensation.

1022.5 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.

1022.5.1 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

1023.1 PURPOSE AND SCOPE

In order to project uniformity and neutrality toward the public and other members of the Department, it is the policy of the Department that employees shall maintain their personal hygiene and appearance to project a professional image appropriate for this department and for their assignment.

1023.2 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.

Members shall present a clean and neat appearance at all times when representing the Department. Uniforms should be in good repair, conform to standards, and be pressed and clean at all times. Clean personal hygiene should be paramount to members when representing the Department.

1023.3 HAIR

Hairstyles of all members shall be neat in appearance. For male sworn members, hair must not extend below the top edge of the uniform collar while assuming a normal stance.

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. It can be worn up or in a tightly wrapped braid or ponytail.

Many styles are acceptable in the Department and the acceptability of the style will be judged by the criteria described below:

(a) Hair will not be extreme in appearance or color.

(b) Bulk or length of hair will not interfere with the wearing of all standard headgear.

(c) Wigs and hairpieces will conform to the standard haircut criteria. Male Officer in Uniform:

(d) Hair will not fall over the top of the ears and will not extend over the eyebrows.

(e) Hair must be above the collar line. Female Officer in Uniform:

(f) Length may be long or short.

(g) Hair must be styled in such a manner that it does not hang in front of the face or hinder vision.

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1023.4 MUSTACHES

A short and neatly trimmed mustache may be worn. Mustaches shall not extend below the corners of the mouth or beyond the natural hairline of the upper lip.

1023.5 SIDEBURNS

Sideburns shall not extend below the bottom of the outer ear opening (the top of the earlobes) and shall be trimmed and neat.

1023.6 FACIAL HAIR

Traditional full beards may be worn if they are well groomed and neatly trimmed at all times in order to prevent a ragged appearance. Full beards and goatees are authorized, but patchy, spotty clumps of facial hair are not considered beards and as such are not permitted.

Full beards are defined as facial hair that follows the natural arch of the mouth, extending just below the cheekbones, down under the chin and jawbone, with the neck remaining clean shaven. Other variations or partial beards are prohibited unless authorized by the Chief of Police or designee.

Facial hair may be no longer than 3/8 of an inch. Designs shaved or trimmed into facial hair are not permitted. Soul patches and non-natural dyes are not allowed.

Beards and goatees shall Not be permitted at any time when members are wearing the Department Class “A” uniform.

EXAMPLES OF APPROPRIATE BEARD AND GOATEE:

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1023.7 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) Visible jewelry, other than those items listed below, shall not be worn with the uniform unless specifically authorized by the Chief of Police or designee.

1. Wristwatch
2. Wedding ring(s), class ring or other ring of tasteful design. A maximum of one ring/set may be worn on each hand. 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 the possibility of injury may occur.
3. Medical alert bracelet
4. Female officers- Earrings may be worn on the earlobe only and may not dangle from the ear (for safety, earrings are not allowed while in uniform).

(b) Necklaces shall not be visible above the shirt collar.

(c) Tie tacks or tie bars worn with civilian attire shall be conservative and present a professional image.

1023.8 TATTOOS

While on-duty or representing the Taylorsville Police Department in any official capacity, members should make every reasonable effort to conceal tattoos or other body art. At no time while the member is on-duty or representing the Department in any official capacity shall not display any offensive tattoo or body art. 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.

Officers with tattoos will wear assignment appropriate uniforms, clothing, or compression sleeves or bands (dark blue, black, or tan in color) that conceal any, and all body tattoos from public view if they are visible while wearing a Department uniform.

1023.9 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 shall be prohibited. Such body alteration includes, but is not limited to:

(a) Tongue splitting or piercing.

(b) The complete or transdermal implantation of any material other than hair replacement.

(c) Abnormal shaping of the ears, eyes, nose, or teeth.

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(d) Branding or scarification.

1023.10 EXCEPTIONS

(a) Officers of the Department on special assignment, where their attire and hairstyle must be conducive to the nature of the assignment and clientele dealt with, are exempt from this policy for the duration of the assignment, as it relates to facial hair and tattoos.

(b) In reference to body piercing or alteration, all officers will be required to comply as it is described in this policy, no matter what their assignment is with the Department. For the purpose of this directive, the Police Chief will determine what constitutes a special assignment within the meaning and intent of this exception.

(c) Exceptions to the facial hair and hair length provisions of this policy will be considered for those employees who, due to a religious belief or medical situation, are unable to comply with those sections.

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Uniform Regulations

1024.1 PURPOSE AND SCOPE

The uniform policy of the Taylorsville Police Department is established to ensure that uniformed officers will be readily identifiable to the public through the proper use and wearing of Department uniforms. Employees should also refer to the following associated policies:

- Department-Owned and Personal Property
- Body Armor
- Grooming Standards

The Uniform and Equipment Specifications manual is maintained and periodically updated by the Chief of Police or designee. That manual should be consulted regarding authorized equipment and uniform specifications.

1024.2 WEARING AND CONDITION OF UNIFORM AND EQUIPMENT

Police employees wear the uniform to be identified as the law enforcement authority in society. The uniform also serves an equally important purpose which is to identify the wearer as a source of assistance in an emergency, crisis, or other time of need.

(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 the Department shall possess and maintain at all times a serviceable Class A uniform and Class B uniform, and the necessary equipment to perform uniformed field duty.

(c) Personnel shall wear only the uniform specified for their rank and assignment.

(d) The uniform is to be worn in compliance with the specifications set forth in the Department's uniform specifications which are maintained separately from this policy.

(e) All supervisors will perform periodic inspections of their personnel to ensure conformance to these regulations.

(f) Civilian attire shall not be worn in combination with any distinguishable part of the uniform.

(g) Uniforms may only be worn off duty with the permission of the Chief of Police. If the uniform is worn off duty, the wearer will not engage in any activity which will reflect in a negative or discreditable way upon the uniforms, nor will the wearer be present in such places where the atmosphere may bring discredit upon the police service which the uniform symbolizes.

(h) Uniforms are only to be worn while on-duty, while in transit or from work, for court or at other official Department functions or events.

(i) Employees are not to purchase or drink alcoholic beverages while wearing any part of the Department uniform including the uniform pants.

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(j) Visible jewelry, other than those items listed below, shall not be worn with the uniform unless specifically authorized by the Chief of Police or designee.

1. Wristwatch
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 officers-Earrings may be worn on the earlobe only and may not dangle from the ear (for safety, earrings are not allowed while in uniform).

1024.2.1 DEPARTMENT-ISSUED IDENTIFICATION

The Department issues each employee an official Department identification card bearing the employee's name, identifying information and photo likeness. All employees shall be in possession of their Department-issued identification card at all times while on-duty or when carrying a Department weapon.

(a) Whenever on-duty or acting in an official capacity representing the Department, employees shall display their Department-issued identification in a courteous manner to any person upon request and as soon as practical.

(b) Officers working specialized assignments may be excused from the possession and display requirements when directed by their Section Commander.

1024.2.2 OWNERSHIP AND TRANSFER OF UNIFORM

The Department issues each employee an official Department identification card bearing the employee's name, identifying information and photo likeness. All employees shall be in possession of their Department-issued identification card at all times while on-duty or when carrying a Department weapon.

(a) All patches, insignia, badges, etc. bearing Department or city identification are owned by the Department and/or City, not by the employee. Prior to destruction, transfer of ownership, sale, donation, or trade of any uniform bearing such identification, the employee shall ensure that all identifiable markings, owned by the Department and/or City, are removed and turned back into the Department or destroyed by means that ensure they cannot be used again.

(b) The uniform and its component parts are available from approved commercial sources.

(c) That part of the uniform personally owned by the officer or employee, if stripped of all identifying marks, insignia, etc., may be sold, given, or transferred to another person.

(d) That part of the uniform personally owned by the officer or employee, if stripped of all identifying marks, insignia, etc., and not giving the appearance of a police uniform which might cause public confusion as to unlawful police authority, may be worn by a separated or retired officer or employee, or a person to whom said uniform has been sold or given.

(e) The right of an officer or employee to dispose of his personally owned uniform applies to the uniform considered as clothing only. Nothing in these regulations shall absolve

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a person from the charge of impersonating an officer, if he wears the uniform in a way that tends to cause public confusion as to lawful police authority.

(f) Taylorsville Police Department reserves the right to collect any equipment/uniform purchased within the last 12 months by an employee from Skaggs or any other vendor in which the equipment was purchases by the department.

1024.3 BASIC UNIFORM STANDARDS

All sworn officer personnel, regardless of assignment, will keep and maintain in good condition, the standard uniform as specified below. Uniform specifications and standards are subject to revision by the Chief of Police. Any variation or deviance from uniform standards policy must be approved by the Chief of Police.

1024.3.1 BODY ARMOR

Officers will be required to be wear their vests at all times while operating in any patrol environment and taking enforcement activities in uniform (refer to the Body Armor Policy).

(a) Body Armor: Survival Armor Paladin

1. Level 2 with 2 concealable carriers
2. Level 3A with 2 concealable carriers

1024.4 UNIFORM CLASSES

1024.5 CLASS “A” UNIFORM

All officers will possess and maintain a serviceable class “A” uniform at all times.

(a) <u>Long Sleeve shirt:</u>

1. Blaur-8450-04, Blauer poly/wool long sleeve shirt.
   - (a) Shoulder patches to be sewn on both sleeves ½” down from seam.
   - (b) Change shoulder strap and flap buttons to silver “P”.
   - (c) Years of service stars on nameplate.
   - (d) Shirt must have badge tab.

(b) <u>Name Plate:</u>

1. Name: ½” silver shiny, black color text.
2. Choice of:
   - (a) First initial last name.
   - (b) Full first and full last name.
   - (c) Last name only.

(c) <u>Duty Gear:</u>

1. SAF 87-XX-8 Safari land B/W duty belt silver buckle.
2. SAF 77-83-4 Safari land B/W double mag pouch silver.

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3. SAF 90-4 Safari land B/W cuff case silver snap.
4. SAF 65-4-4 Safari land B/W belt keepers silver snap.
5. SAF 6390-XX-481 Safariland ALS holster no light no RDS.
6. SAF 6390RDS-XXX-481 Safariland ALS holster/RDS and light.

(d) Pants:

1. Blauer 8561P6T-04, Blauer Poly/Wool 4 pocket pants, plus sap pocket.

(e) Tie:

1. Navy-Choice of clip on, velcro or self-tie.

(f) Class "A" duty gear to be a closed top B/W silver snap.

1024.5.1 COMMENDATION BARS AND MEDALS

(a) All commendation bars will be of enamel construction and 1 3/8” by 3/8” in size. The surrounding color tone will be silver**.**

(b) Commendation bars will be worn over the right pocket flap with no more than three bars per row and centered. Subsequent bars will be worn over the first row in the same fashion.

(c) Multiples of the same commendation bar will be indicated by decorative bronze stars on that respective bar and should not exceed three stars.

(d) Commendation bars will be centered 1/8” above the name tag.

(e) Service stars should be worn centered 1/8” above the name tag.

(f) Name tag should be on top of the right pocket flap and 1/8” below commendation bars if commendation bars are worn. If commendations bars are not worn, then the name tag should be worn 1/8” above the right pocket flap.

(g) Commendation bars and medals may only be worn on the Class A uniform. All previously awarded honor ribbons may be worn on the uniform. However, honor ribbons and enameled commendation bars may not be worn on the uniform at the same time.

(h) The Medal of Valor is to be worn around the neck and draped over the front of the tie. No other medals will be worn around the neck.

(i) All other medals, such as the Medal of Honor, Police Star and any other medal designated by the Chief of Police, will be worn on the right pocket flap and underneath the name tag.

(j) Any previously awarded medals may be worn in the fashion in which they were received.

(k) Previous commendation awards received while serving at another law enforcement agency may also be worn. The awards must be of the same enamel construction as described above.

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1024.6 CLASS "B" UNIFORM

All officers shall possess and maintain a serviceable Class “B” uniform at all times.

(a) Short Sleeve Shirts:

1. BLA 8446-04 Blauer poly/wool S/S Super shirt.
2. BLA 8460-04 Blauer poly/wool short sleeve shirt.
3. ELB 8840 Elbeco poly/wool short sleeve shirt.

(b) Alteration:

1. Shoulder patches to be sewn on both sleeves ½” down from seam.
2. Shirt must have badge tab.
3. Sgt. Stripes to be added as needed.

(c) Cargo Pocket Pants:

1. BLA 8565-04 Blauer poly/wool cargo pocket pants.
2. ELB E4030RN Elbeco poly/rayon cargo pocket pants.

(d) Non-Cargo Pocket Pants:

1. BLA 8561P6-04 Blauer poly/wool 4 pocket pants plus sap pocket.
2. ELB E494R Elbeco mens poly/wool 4 pocket no sap pants.
3. ELB E9494LCN Elbeco womens poly/wool 4 pocket no sap pants.

1024.7 UTILITY UNIFORM

(a) Outer Carrier:

1. SRA SA-SALEM-FOT-M Survival Armor Salem outer carrier-FOT:
   (a) Color to be dark navy #500.
   (b) ID panel front and back to be dark navy background grey color text to read POLICE.
   (c) Must specify 8x4 size back panel.
2. All outer carriers need a name-tape:
   (a) Name-tape: Black background. Cloud color text 5/8” (no name, ID numbers only).
   (b) POLICE on Left chest (if not supplied by factory).
   (c) Each vest will need 2 name-tapes (velcro needs to be added to the name-tape).
   (d) Armor carrier must have badge tab on left chest and members must wear the designated TAYLORSVILLE outer carrier badge.

(b) Pouches/Attachments:

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1. May be dark navy or black in color-No restrictions on brands.

(c) Duty Gear:

1. All duty gear on the utility uniform must be nylon.

(d) Pants:

1. RYL 74369-724 STRYKE pants 5.11 navy.

(e) Shirts:

1. BLA 8472-04 Blauer S/S Armor Skin Polo Street Shirt navy.
   (a) Shoulder patches on sleeve only.
2. BLA 8471-04 Blauer L/S Armor Skin Polo Street Shirt navy.
   (a) Shoulder patches on sleeve only.
3. FEC 57100-86 FEC Duty Guard Hybrid Shirt (pullover) XS-XL/L, 2X-5X.
   (a) Shoulder patches to be sewn on, no other alterations or embroidery.

(f) Mock T:

1. BLA 8110X-11 -Blauer Mock T.

1024.8 CLASS "C" UNIFORM

(a) Polo:

1. ELB K5134 Elbeco short sleeved Tactical Polo - navy.
2. ELB K5144 Elbeco long sleeved Tactical Polo - navy.
3. RYL 71049-724 5.11 Performance Polo short Sleeved - navy.
4. RYL 72049-724 5.11 Performance Polo long sleeve - navy.

(b) Shirt:

1. RYL 71152-019 5.11 Tactical shirt cotton short sleeved cotton - navy.
2. RYL 71175-019 5.11 Taclite poly cotton shirt short sleeved - navy.
3. RYL 72157-019 5.11 Tactical shirt cotton long sleeved - navy.

(c) Alterations/embroidery notes for above Polos/shirts:

1. TAYLORSVILLE breast patch to be sewn on. Centered above left chest.
2. Right Chest top line: rank and last name only spelled out in.38 lettering on the first line.
3. Bottom line: TAYLORSVILLE CITY POLICE.30 Cloud gray thread all upper case rank to be spelled out.
4. The word POLICE on both sleeves above sleeve trim.50 uppercase. Short sleeve only
5. The word POLICE to be EMB on back of Collar.50 upper case.

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6. No shoulder patches.

(d) PANT:

1. RYL 74369-092 5.11 Stryke Pants – Storm Grey
2. RYL 74369-0055 T.11 Stryke Pants-Khaki

1024.9 SEASONAL UNIFORM-BIKE UNIFORM: (MAY BE WORN ANYTIME BETWEEN MAY-SEPTEMBER).

(a) Shirt:

1. Only short sleeve shirt approved:
   (a) BLA 8133-65 Blauer s/s Polo shirt royal/navy.

(b) Alterations:

1. Taylorsville shoulder patches to be sewn on both sleeves.
2. Department breast (badge) patch to be sewn on left chest.
3. No rank or Sgt stripes to be sewn on.

(c) Embroidery:

1. Right chest top line rank spelled out i.e.: OFFICER, SERGEANT, DETECTIVE,.38 Saturn Grey color thread.
2. Right chest bottom line. First initial last name.
3. Heat press: Reflective Blauer font and size POLICE on back.

(d) Pants:

1. BLA8822Z-04 Blauer navy Flex force zip off pants.

(e) Shorts:

1. BLA 8842-04 Blauer navy bike shorts.

1024.10 JACKET-WINTER COAT

- Navy blue coat/jacket
- Police style
- Affixed Department-issued cloth badge
- Affixed Department-issued patches required.
- TAYLORSVILLE breast patch to be sewn centered over left chest of shell and on liner.
- Shell and liner, Shoulder patches will be placed ½” below shoulder seam.
- No lettering or patches on back of jacket

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Optional: Heat press to be done in-house of POLICE in 3” block across back pull-down panel on shell only in reflective 3M Blauer size and font.

1024.11 K-9 UNIFORM

(a) Short Sleeve Shirts:

1. RYL 71339-724 5.11 TDU RIPSTOP NAVY S/S SHIRT.
2. RYL 71354-724 5.11 Stryke short sleeve shirt dark navy.

(b) Long Sleeve Shirts:

1. RYL 72002-724 5.11 TDU RIPSTOP NAVY L/S SHIRT.
2. RYL 72399-724 5.11 Stryke long sleeve shirt dark navy.

(c) Alterations/Embroidery notes for above shirts:

1. Taylorsville patch to be sewn on. Centered above left chest Taylorsville shoulder patches.
2. K9 should be stitched in.38 lettering 40/120 Comp. on first line and first initial last name in.38 lettering 40/120 Comp. on second line right chest.
3. All lettering to be cloud in color and upper case.
4. POLICE on first line and K9 on second line should be stitched on back. All upper case and in cloud.

(d) Pants:

1. RYL 74003-724 5.11 TDU RIPSTOP PANT.
2. RYL 74369-724 5.11 Stryke pants dark navy.

1024.12 DUTY BELT AND EQUIPMENT

(a) Leather Duty Gear

1. Shall be black, basket weave, highly polished, and of the same brand.
2. Buckle and metal snaps shall be silver.
3. Keepers shall have silver snap.
4. Keepers will be the same.

(b) Optional Nylon Belt and Gear

1. Bianchi Accu Mold only.
2. Velcro, black or concealed closures.
3. Keepers shall be the same.

(c) Holster:

1. Black.

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2. Basket weave if leather.
3. Will cover the trigger, and the trigger guard.
4. Will snap securely.
5. Will have acceptable weapon retention security advantages with two points of retention minimum.
6. The holster shall be officer's preference and need not be of the same brand as the other duty gear.

(d) Handcuffs and Case:

1. Department-approved Handcuffs only (black, silver, or gray in color (no colored handcuffs).

(e) Radio and Case:

1. Black.
2. Snap and Velcro retention strap.
3. Department-issued radio.

(f) O.C. Case:

1. Black.
2. Snap or Velcro retention cover.
3. Department-issued O.C. Only.

(g) Impact Weapon Holder:

1. Approved ASP Holder.
2. Department-issued or approved ASP.

(h) Guns:

1. Department-issued weapon.
2. Department-approved weapon.

(i) Magazines:

1. Three Department-issued magazines for Department-issued weapons.

(j) Ammunition:

1. Department-issued duty ammunition only.

(k) Utility tool/knife:

1. Optional utility tool and/or knife may be worn on belt.
   (a) Must be in black case.
   (b) Leather basket weave or Bianchi Accu-mold.

(l) Under Shirt (Short):

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1. Not to hang below the sleeve of the uniform shirt.
2. White, dark blue or black T-shirt type with round neckline.

(m) Under Shirt (Long):

1. White, dark blue, or black with round neckline.
2. Turtleneck or long sleeve.
3. Not to hang below the sleeve of uniform shirt.

(n) Footwear:

1. Class A Uniform-BAT22141 Bates High Gloss Shoes.
2. Class B Uniform-(black in color-does not need to be a polishable toe).
3. Class C Utility Uniforms (black in color-does not need to be a polishable toe).

(o) Socks:

1. Black socks will be worn with footwear lower than mid-height and any footwear that allows the sock to be seen under the uniform pant.

(p) Safety Vest:

1. To be worn during traffic control and other incidents where high visibility is necessary for officer safety.

(q) Headwear:

1. Ball Cap-RIC PTS20-navy Logo EMB TBD.
2. Skull Cap-BLA 160-04 Blauer skull cap navy in color.

(r) Rain Pants: TBD.

(s) Flashlights-Sunglasses: To be purchased by the officer (No restrictions).

(t) ASP-To be purchased by the officer (No restrictions).

(u) O.C.- To be furnished by the department.

(v) Radio headsets, earpieces, and accessories-With the exception of the wired body mike for the portable radio, radio accessories are not provided by the Department.

1024.13 COURT ATTIRE

To establish a policy to ensure that uniformed officers/employees and other members of this Department present a professional demeanor and appearance while attending court on behalf of the city, county, state or federal.

(a) All officers and civilian employees will ensure that their attire and appearance professionally represent the Department and City at all times when involved in any criminal or civil court proceedings.

(b) All employees appearing at any court proceeding on behalf of the city shall wear:

1. Dress suits with slacks, shirt and tie.

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2. Appropriate professional business attire.
3. Sports coat and tie or a V-neck sweater.
4. Female employees appearing at any court proceeding on behalf of the city shall wear appropriate professional business attire.

(c) Uniformed employees appearing at any court proceeding on behalf of the city, have the option to wear:

1. Department-approved Class "A" uniform as specified above policy.
2. Department approved Class "B" uniform as specified above policy.
3. Department approved Class "C" uniform as specified above policy. (The Class "C" uniform shall not be worn when testifying in a jury trial).

The policy shall apply to all members of this Department regardless of their current assignment.

1024.14 MOURNING BADGE

Uniformed employees shall 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 the Department - From the time of death until midnight on the 14th day after the death.

(b) An officer from this state - From the time of death until midnight on the day of the funeral.

(c) As directed by the Chief of Police.

1024.15 CIVILIAN ATTIRE

There are assignments within the 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 and female administrative, investigative and support personnel who elect to wear civilian clothing to work shall wear button-style shirts with a collar, and pants or slacks that are casual in style. Any female personnel who elects to wear dresses or skirts, shall be professional and modest in appearance.

(c) The following items shall not be worn on-duty:

1. Tee-shirt alone.
2. Open-toed sandals or thongs.
3. Swimsuit, tube tops or halter-tops.
4. Spandex-type pants or see-through clothing.
5. Distasteful printed slogans, buttons or pins.

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(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 Taylorsville Police Department or the morale of the employees.

1024.16 POLITICAL ACTIVITIES, ENDORSEMENTS, AND ADVERTISEMENTS

Unless specifically authorized by the Chief of Police, Taylorsville 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 Taylorsville 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 web site.

1024.17 OPTIONAL EQUIPMENT-MAINTENANCE AND REPLACEMENT

(a) Any of the items listed in the Uniform and Equipment Specifications as optional shall be purchased totally at the expense of the employee. No part of the purchase cost shall be offset by the Department for the cost of providing the Department-issued item.

(b) Maintenance of optional items shall be the financial responsibility of the purchasing employee. For example, repairs due to normal wear and tear.

(c) Replacement of items listed in this order as optional 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 sustained in the course of the employee's duties, it shall be replaced following the procedures for the replacement of damaged personal property outlined in the Department-Owned and Personal Property Policy.

1024.18 UNAUTHORIZED UNIFORMS, EQUIPMENT AND ACCESSORIES

Taylorsville Police Department employees may not wear any uniform item, accessory or attachment unless specifically authorized in the Uniform and Equipment Specifications or by the Chief of Police or designee.

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Uniform Regulations

Taylorsville Police Department employees may not use or carry any safety item, tool or other piece of equipment unless specifically authorized in the Uniform and Equipment Specifications or by the Chief of Police or designee.

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Department Badges

1025.1 PURPOSE AND SCOPE

The Taylorsville Police Department badge and uniform patch as well as the likeness of these items and the name of the Taylorsville Police Department are property of the Department and their use shall be restricted as set forth in this policy.

1025.2 STANDARD

The uniform badge shall be issued to Department members as a symbol of authority. The use and display of Department badges shall be in strict compliance with this policy. Only authorized badges issued by this department shall be displayed, carried or worn by members while on-duty or otherwise acting in an official or authorized capacity.

1025.2.1 FLAT BADGE

Sworn officers, with the written approval of the Chief of Police, will be issued a flat badge capable of being carried in a wallet. The use of the flat badge is subject to the same policies as the uniform badge.

(a) An officer may sell, exchange or transfer the flat badge to another officer within the Taylorsville Police Department with the written approval of theChief of Police.

(b) Should the flat badge become lost, damaged or otherwise removed from the officer's control, he/she shall make the proper notifications as outlined in the Department-Owned and Personal Property Policy.

(c) An honorably retired officer may keep his/her flat badge upon retirement.

(d) The purchase, carrying or display of a flat badge is not authorized for civilian personnel.

1025.2.2 CIVILIAN PERSONNEL

Badges and Department identification cards issued to civilian personnel shall be clearly marked to reflect the position of the employee (e.g. Parking Control, Dispatcher).

(a) Civilian personnel shall not display any Department badge except as a part of his/her uniform and while on-duty or otherwise acting in an official and authorized capacity.

(b) Civilian personnel shall not display any Department badge or represent him/herself, on- or off-duty, in such a manner which would cause a reasonable person to believe that he/she is a sworn peace officer.

1025.2.3 RETIREE UNIFORM BADGE

Upon honorable retirement employees will be given his/her assigned duty badge for display purposes. It is intended that the duty badge be used only as private memorabilia, as other uses of the badge may be unlawful or in violation of this policy.

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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 or honorably retired peace officer.

Department badges are issued to all sworn employees and civilian uniformed employees for official use only. The Department badge, shoulder patch or the likeness thereof, or the Department name shall not be used for personal or private reasons including, but not limited to, letters, memoranda and electronic communications such as electronic mail, or Web sites and Web pages.

The use of the badge, uniform patch and Department name for all material (printed matter, products or other items) developed for Department use shall be subject to approval by the Chief of Police.

Employees shall not loan his/her Department 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 Department badge shall not be used without the expressed authorization of the Chief of Police and shall be subject to the following:

(a) The employee associations may use the likeness of the Department badge for merchandise and official association business provided they are used in a clear representation of the association and not the Taylorsville Police Department. The following modifications shall be included:

1. The text on the upper and lower ribbons is replaced with the name of the employee association.
2. The badge number portion displays the acronym of the employee association.

(b) The likeness of the Department badge for endorsement of political candidates shall not be used without the 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 collective bargaining agreements. 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 Taylorsville 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 Utah Antidiscrimination Act (Utah Code 34A-5-101 et seq.) shall be treated equally, without regard to any preference for a work-related injury.

No position in the Taylorsville 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 Section Commanders 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 Section 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.

Requests for a temporary modified-duty assignment of 20 hours or less per week may be approved and facilitated by the Shift Sergeant or Section Commander, with notice to the Chief of Police.

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 Section 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 Section Commander that contains a status update and anticipated date of return to full-duty when a temporary modified-duty assignment extends beyond 60 days.

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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:

(a) Periodically apprising the Section Commander of the status and performance of employees assigned to temporary modified duty.

(b) Notifying the Section 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 OF 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

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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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Performance History Audits

1027.1 PURPOSE AND SCOPE

Performance History Audits are collections of data designed to assist supervisors evaluating the performance of their employees. Performance History Audits can help identify commendable performance as well as early recognition of training needs and other potential issues. While it is understood that the statistical compilation of data may be helpful to supervisors, it cannot account for, and must be carefully balanced with the many variables in law enforcement such as:

- An officer's ability to detect crime.
- An officer's work ethic.
- An officer's work assignment and shift.
- An officer's physical abilities, stature, etc.
- Randomness of events.

1027.2 RESPONSIBILITIES

The officer's immediate supervisor and the Training Unit are responsible for collecting performance indicators and other relevant data to generate and provide monthly audit reports and quarterly Performance History Audit Report information by the Training Unit for each officer to the appropriate Section Commander.

1027.3 COMPONENTS OF PERFORMANCE HISTORY AUDITS

Performance History Audits will include the following components:

- Performance indicators
- Data analysis
- Employee review
- Follow-up monitoring

1027.4 PERFORMANCE INDICATORS

Performance indicators represent the categories of employee performance activity that the Chief of Police of Taylorsville Police Department has determined may be relevant data for the generation and analysis of Performance History Audits. Performance indicators may include but are not limited to:

(a) The frequency and findings of use of force incidents.

(b) Frequency of involvement and conduct during vehicle pursuits.

(c) Frequency and findings of citizen complaints.

(d) Number of commendations, compliments and awards (citizen and Department).

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(e) Claims and civil suits related to the employee's actions or alleged actions.

(f) Internal Affairs investigations.

(g) Frequency and reasons for District Attorney case rejections.

(h) Intentional or accidental firearm discharges (regardless of injury).

(i) Vehicle collisions.

(j) Missed court appearances.

(k) Documented counseling memos.

1027.5 COMPILATION OF DATA

The Training Unit will utilize secure systems and other confidential methods to compile and track information regarding performance indicators for each officer during each quarter in order to prepare Performance History Audit Reports.

1027.6 EMPLOYEE NOTIFICATION AND RESPONSE

All performance indicator audit results will be reviewed with each officer by their immediate supervisor. Any information or comments that will be inserted in an officer's Performance File, will be notified of the information in a monthly one-on-one meeting with their immediate supervisor. All supervisors will have access to performance files, in the event an officer is assigned to more than one supervisor during an annual review period. (Employee performance files do not replace department internal affairs files).

1027.7 DATA ANALYSIS AND ACTION

Upon receipt, the Section Commander will review each Performance History Audit Report with section supervisors and determine whether there are any issues or concerns to address with any particular officer. The officer's immediate supervisor will carefully review the Performance History Audit Report with the officer when necessary, to assess any potential trends or other issues which may warrant informal counseling, additional training or a recommendation for other action, including discipline. The supervisor shall document in the performance file that any audit or performance information was given to the member, and any comments made by the member, both positive or negative and any type of informal action plan that will take place to correct any negative behavior.

If a supervisor determines that an officer's performance warrants action beyond informal counseling, the supervisor shall advise the Section Commander of such recommendation. If the Section Commander concurs with the recommendation of the supervisor, he/she shall take steps to initiate the appropriate action.

If discipline or other adverse action is initiated against an officer as a result of a Performance History Audit, the officer shall be entitled to all rights and processes set forth in the Personnel Complaints Policy.

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1027.8 CONFIDENTIALITY OF DATA

Information, data and copies of material compiled to develop Performance History Audit Reports shall be considered confidential as part of the employee's personnel file and will not be subject to discovery or release except as provided by law. Access to the data in the system will be governed under the same process as access to an officer's personnel file as outlined in the Department Peace Officer Personnel Files Policy 1026.

1027.9 RETENTION AND PURGING

Except as incorporated in separate training or disciplinary records, all performance indicators and Performance History Audit Reports shall be purged from the Training Unit and all other locations within the Department one year from the date generated.

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Employee Speech, Expression and Social Networking

1028.1 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 bargaining unit or officer associations, about matters of public concern, such as misconduct or corruption.

Employees are encouraged to consult with their supervisor regarding any questions arising from the application or potential application of this policy.

1028.1.1 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.

1028.2 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 Taylorsville 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.

1028.3 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 Taylorsville 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.

1028.4 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 bargaining unit or officer associations, on a matter of public concern):

(a) Speech or expression made pursuant to an official duty that tends to compromise or damage the mission, function, reputation or professionalism of the Taylorsville 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 Taylorsville Police Department and tends to compromise or damage the mission, function, reputation or professionalism of the Taylorsville 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. For example, 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 transportations 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 Taylorsville 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 (Utah Code 67-16-4).

(g) Posting, transmitting or disseminating any photographs, video or audio recordings, likenesses or images of department logos, emblems, uniforms, badges, patches,

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marked vehicles, equipment or other material that specifically identifies the Taylorsville Police Department on any personal or social networking or other website or web page, without the express authorization of the Chief of Police.

(h) Posting, transmitting or disseminating any comments, materials, photographs, video or audio recordings, regarding department investigations (criminal, civil, and/or administrative) on any personal or social networking or other website or web page, without the express authorization of the Chief of Police.

(i) 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, except in the following circumstances:

1. When brief personal communication may be warranted by the circumstances (e.g., inform family of extended hours).
2. During authorized breaks, such usage should be limited as much as practicable to areas out of sight and sound of the public and shall not be disruptive to the work environment.

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).

1028.4.1 UNAUTHORIZED ENDORSEMENTS AND ADVERTISEMENTS

While employees are not restricted from engaging in the following activities as private citizens or as authorized members of a recognized bargaining unit or officer associations, employees may not represent the Taylorsville Police Department or identify themselves in any way that could be reasonably perceived as representing the Taylorsville Police Department in order to do any of the following, unless specifically authorized by the Chief of Police (Utah Code 20A-11-1206):

(a) Endorse, support, oppose or contradict any political campaign or initiative.

(b) Endorse, support, oppose or contradict any social issue, cause or religion.

(c) Endorse, support or oppose any product, service, company or other commercial entity.

(d) Appear in any commercial, social or nonprofit publication or any motion picture, film, video, public broadcast or any website.

(e) Use the email of Taylorsville Police Department for any political purpose (Utah Code 20A-11-1205).

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 Taylorsville 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

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bargaining unit or officer associations, on political subjects and candidates at all times while off-duty. However, employees may not use their official authority or influence to interfere with or affect the result of an election or a nomination for office. Employees are also prohibited from directly or indirectly using their official authority to coerce, command or advise another employee to pay, lend or contribute anything of value to a party, committee, organization, agency or person for political purposes (5 USC § 1502).

1028.5 PRIVACY EXPECTATION

Employees forfeit any expectation of privacy with regard to e-mails, texts or anything published or maintained through file-sharing software or any Internet site (e.g., Facebook, MySpace) that is accessed, transmitted, received or reviewed on any department technology system.

The Department reserves the right to access, audit and disclose for whatever reason any message, including attachments, and any information accessed, transmitted, received or reviewed over any technology that is issued or maintained by the Department, including the department e-mail system, computer network 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.

1028.6 CONSIDERATIONS

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.

1028.7 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

1029.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to members of the Taylorsville 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.

1029.1.1 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.

1029.2 POLICY

It is the policy of the Taylorsville 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.

1029.3 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 Sergeant and VECC.

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 Sergeant 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 Sergeant 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).

1029.4 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 Sergeant or the authorized designee should select at least two members to conduct notification of survivors, one of which may be the Department 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 section 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 Taylorsville Police Department members may be apprised that survivor notifications are complete.

1029.4.1 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.

1029.5 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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1029.6 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.

1029.6.1 DEPARTMENT LIAISON

The Department Liaison should be a Section 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.

1029.6.2 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 Taylorsville 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 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.

1029.6.3 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 Section 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.

If needed, the Survivor Support Liaison should be issued a personal communication device (PCD) owned by the Department to facilitate communications necessary to the assignment. The department-issued PCD shall be used in accordance with the Personal Communication Devices Policy.

1029.6.4 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.

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(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.

(f) Coordinating with the Administration Sergeant to have peer support team members complete a peer support training program approved by POST (Utah Code 78B-5-903).

1029.6.5 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.

1029.6.6 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 Taylorsville Police Department members can attend funeral services as possible.

The mutual aid coordinator should perform his/her duties in accordance with the Outside Agency Assistance Policy.

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1029.6.7 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:

(a) Confirming the filing of workers' compensation claims and related paperwork (see the Occupational Disease and Work-Related Injury and Death 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 available under Title 49, Utah State Retirement and Insurance Benefit Act
2. Health coverage benefits (Utah Code 53-17-201)
3. Death benefit assistance (Utah Code 53-17-501)
4. Educational benefits (Utah Code 53B-8c-103)

(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.

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1029.6.8 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.
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.

1029.7 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.

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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.

1029.8 DEPARTMENT CHAPLAIN

A Department chaplain may serve a significant role in line-of-duty deaths. His/her duties may include, but are not limited to:

- 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.

1029.9 INVESTIGATION OF THE INCIDENT

The Chief of Police shall ensure that line-of-duty deaths are investigated thoroughly via the investigation process outlined in the Officer-Involved Critical Incident 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.

1029.10 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.

1029.11 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.

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Attachments

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Taylorsville Police Department

Authorized Firearms and Firearm Equipment List

HANDGUNS:

The Department authorized handguns are:

1. Glock semi-automatic.
    a. All models will have the minimum 5.5 pound standard Glock trigger.
2. Smith and Wesson semi-automatic Military and Police (M&P).
3. Sig Sauer semi-automatic Classic Series P320 Standard Series, and P320 Pro Series.
4. Colt series 80 firearms in Single Action, Series 80s have firing pin safety blocks
    a. Finish Blue or Stainless
    b. Caliber 45ACP
    c. Models approved from Colt catalog Colt XSE in Government or Commander/Defender/Colt rail gun/Combat elite/Commander Series
5. Staccato P series.

Handguns that are Micro Red Dot Sight (MRDS) compatible are only approved with a milled slide from the manufacturer.

Authorized Primary Duty Weapons for administrative and investigative positions only:

1. Glock Model 43
2. Smith & Wesson M&P Shield iii
3. Sig Sauer 365

Revolvers are prohibited for primary duty.

Production competition versions of otherwise authorized handguns are prohibited for regular duty use.

Prior to their use, personal duty pistols will be inspected by the Training Unit and the officer certified.

RIFLES:

The Department authorized duty rifles are:

1. Colt Carbine/Rifle, semi-automatic 9 mm and .223(5.56) calibers.
2. Fabrique Nationale FN-15 Series (FN combat trigger only) semi-automatic,.223(5.56) caliber.
3. Colt M-16 "military purchase" converted to semi-automatic,.223(5.56) caliber (authorized personnel only).

4. D MK116 Pro Rifle, 16.1" Barrel, .223 Wylde, 3-Setting Adjustable Gas System, A-2 Flash hider.
5. Accuracy International AT and AX,.308 and.338 caliber (SWAT).
6. Colt Carbine automatic.223(5.56) caliber (SWAT).

OFF-DUTY FIREARMS:

The Department authorized off-duty firearms are:

1. All duty weapons
2. All Smith & Wesson J frame in. 38 special or.357 magnum.
3. Smith & Wesson Body Guard.380
4. Smith and Wesson Shield
5. Sig Sauer 365
6. Glock model 43 9mm and 42.380
7. Compact models of approved duty handguns for a MRDS

LIGHT SYSTEMS:

Officers must complete applicable training conducted by the Training Unit prior to mounting a light system.

Weapon mounted usage requirements: Approved lights. Light systems must be mounted to the weapon.

The Department authorized light systems are:

1. Sure Fire Model X200 or newer generation, or Stream Light Model TLR-1 or newer generation (pistol and rifle) approved by Training Unit.
2. Sure Fire 3 or 6 volt rifle mounted light (several variants) must be approved by Training Unit. Additional light systems as approved by the Training Unit.

Officer's holster must meet retention holster policy and properly fit their weapon and light system. Officers will re-certify in the use of light systems during annual Department weapon qualification.

LASER SYSTEMS:

Officers will complete applicable training conducted by the Training Unit prior to carry. Lasers must be approved and installed by the Training Unit.

Officers will re-certify in the use of lasers during annual Department weapon qualification.

EXTERNAL SIGHTING SYSTEMS:

External sighting systems are usually used on rifle systems. Due to the amount of different systems and their varying quality, external sighting systems must be approved by the Firearms Unit. Pre-approved sights are;

1. EoTec (sights made after January 1, 2016 as to meet correction by manufacturer on all models),
2. C-More
3. Trijcon
4. Aimpoint Pro/Comp M4/
5. Leupold Mark 4 CQ/ T
6. Bushnell CQTS
7. Vortex Sparc AR red dot (led upgrade)

Pre-approved MRDS for a handgun are:

1. Trijicon RMR (type 2)
2. Leupold Deltapoint Pro and Sig Sauer Romeo 1 with a protective shroud
3. The Holosun series

Back-up iron suppressor sights are required with use of a MRDS

No sighting system on a patrol rifle will exceed 4 power magnification.

Discipline Matrix.pdf

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BEHAVIOR	1	2	3	4	5
INSUBORDINATION		✓			
RUDE, DISCOURTEOUS, OR INAPPROPRIATE COMMENT(S), BEHAVIOR OR GESTURES INCLUDING PROFANE OBSCENE LANGUAGE	✓				
CONDUCT UNBECOMING		✓			
SEXUAL MISCONDUCT					✓
ALL INTENTIONAL MISREPESENTATION OR LYING ALLEGATIONS					✓
OFF DUTY VIOLATIONS	**1**	**2**	**3**	**4**	**5**
FAILURE TO TAKE REASONABLY REQUIRED ACTION		✓			
KNOWINGLY ASSOCIATING WITH PERSONS OF QUESTIONABLE CHARACTER, PATRONIZING PLACES SUSPECTED OF VIOLATING LAW (RELATIONSHIP/CONDUCT)		✓			
INVOLVEMENTS WITH FRIENDS, ASSOCIATES OR RELATIVES WHEN PROHIBITED BY STATE LAW OR DEPARTMENT POLICIES		✓			
FAILURE TO REPORT OFF DUTY INVOLVEMENT IN AN INCIDENT REQUIRING DEPARTMENTAL NOTIFICATION	✓				
SECONDARY EMPLOYMENT VIOLATIONS	**1**	**2**	**3**	**4**	**5**
WORKING SECONDARY EMPLOYEMENT WITHOUT DEPARTMENTAL AUTHORIZATION	✓				
VIOLATING RESTRICTIONS OR PROHIBITIONS (LOCATION, HOURS, JOB TYPE)		✓			
WORKING SECONDARY EMPLOYMENT W/O AUTHORIZATION WHILE ABSENT FROM PRIMARY DUTIES, ILLNES, ACCIDENT OR RESTRICTED DUTY			✓		
UNATHORIZIED USE/DISPLAY OF DEPARTMENTAL EQUIPMENT, BADGE, OR SERVICES		✓			
INAPPROPRITAE DISPLAY OF DEPARMENTAL	✓				
WORKING SECONDARY EMPLOYMENT DURING ON-DUTY HOURS					✓
PRISONER-RELATED VIOLATIONS	**1**	**2**	**3**	**4**	**5**
IMPROPER/UNATHORIZED SEARCHES		✓			
TRANSPORTATION OF PRISONER(S)		✓			
HANDLING, SECURITY, AND RESTRAINTS OF PRISONERS/ARRESTEE/DETAINEE		✓			
PRISONER PROPERTY HANDLING PROCEDURES		✓			
FAILURE TO PROVIDE REASONABLE AND DUE CARE		✓			
IMPROPER RELEASE OF PRISONER/ARRESTEE/DETAINEE		✓			
EVIDENCE & PROPERTY VIOLATIONS	**1**	**2**	**3**	**4**	**5**
PROCESSING, TESTING AND RECOVERY OF EVIDENCE		✓			
PRESERVATION OF CRIME/INCIDENT SCENE		✓			
THE HANDLING/RECEIPT OF EVIDENCE & PROPERTY (I.E. CHAIN OF CUSTODY)		✓			
RECOVERY OF, STORAGE, RELEASE, FOUND AND/OR ABANDONED PROPERTY		✓			
FIREARM/WEAPON VIOLATIONS (INCLUDES LESS LETHAL WEAPONS)	**1**	**2**	**3**	**4**	**5**
DELIBERATE FIREARM/WEAPON DISCHARGE VIOLATIION (ENDANGERING LIFE)					✓
DELIBERATE FIREARM//WEAPON DISCHARGE VIOLATION (NO LIFE ENDANGERMENT)				✓	
RECKLESS DISCHARGE AND/OR USE OF A FIREARM OR LESS LETHAL WEAPON			✓		
NEGLIGENT OR ACCIDENTAL DISCHARGE OF A FIREARM OR LESS LETHAL WEAPON		✓			
CARRING UNATHORIZED FIREARMS OR WEAPONS		✓			
FAILURE TO SECURE FIREARM OR WEAPONS (ON OR OFF DUTY)		✓			
CARRYING UNAUTHORIZED AMMUNITION (INCLUDING TYPE OR AMOUNT)	✓				
FAILURE TO PROPERLY MAINTAIN ISSUED/AUTHORIZED FIREARM OR WEAPON	✓				
FAILURE TO REPORT ACCIDENTAL DISCHARGE OF A FIREARM OR WEAPON			✓		

FAILURE TO REPORT AN INTENTIONAL DISCHARGE OF A FIREARM OR WEAPON				✓	
SUPERVISORY VIOLATIONS	**1**	**2**	**3**	**4**	**5**
FAILURE TO TAKE APPROPRIATE ACTION/NEGLECT OF DUTY		✓			
FAIULRE TO PERFORM ASSIGNED ADMINISTRATIVE DUTIES		✓			
FAILURE TO RESPOND TO SCENE WHEN REQUIRED OR PROVIDE APPROPRIATE INCIDENT SCENE SUPERVISION		✓			
FAILURE TO MAKE REQUIRED NOTIFICATION(S)	✓				
FAILURE TO MONITOR AND MAINTAIN PROPER PRISIONER SAFEGUARDS/HANDLING			✓		
FAILURE TO REVIEW AND PROPERLY ADMINISTER SEARCH/ARREST WARRANTS, CHARGING STATEMENTS, COURT DOCUMENTS/ORDERS AS DESIGNATED BY LAW		✓			
INFORMATION SECURITY VIOLATIONS	**1**	**2**	**3**	**4**	**5**
NEGLIGENT, IMPROPER OR UNAUTHORIZED DISSEMINATION OF INVESTIGATVE OR DEPARTMENT INFORMATION		✓			
INTENTIONAL, IMPROPER OR UNAUTHORIZED DISSEMINATION OF INVESTIGATIVE OR DEPARTMENTAL INFORMATION				✓	
MISCELLANEOUS VIOLATIONS	**1**	**2**	**3**	**4**	**5**
SEXUAL/RACIAL/ETHNIC/RELIGIOUS/SEXUAL ORIENTATION					✓
HARRASSMENT OR DISCRIMINATION					✓
BODY WORN CAMERA POLICY VIOLATIONS	✓				
FAILURE TO APPEAR FOR COURT OR JUDICIAL PROCEEDINGS WHEN LEGALLY SUMMONSED	✓				
LEAVING ASSIGNMENT OR WORK WITHOUT AUTHORIZATION		✓			
CHEATING ON TESTS, HOMEWORK, OR OTHER ASSIGNMENTS					✓
OBSTRUCTING OR HNDERING A CRIMINAL INVESTIGATION					✓
OBSTRUCTING/HINDERING AN INTERNAL AFFAIRS/ADMINISTRATIVE INVESTIGATION					✓
FAILURE TO ATTEND MANDATORY DEPARMENT TRAINING W/O LEGITIMATE EXCUSE	✓				
ABSENT WITHOUT AUTHORIZATION		✓			
UNIFORM/IMPROPER DRESS VIOLATIONS	✓				
UNAUTHORIZED RIDE-ALONG		✓			
UNAUTHORIZED SLEEPING ON DUTY		✓			
FAILURE TO FOLLOW CHAIN OF COMMAND/OBTAIN SUPERVISORY APPROVAL	✓				
INTOX/UNAUTHORIZED CONSUMPTION OF INTOXICATING SUBSTANCE ON DUTY					✓
FAILURE TO NOTIFY OR ADDRESS OR CONTACT INFORMATION CHANGE	✓				
ALL OTHER MISCELLANEOUS VIOLATIONS	✓				
CRIMINAL VIOLATIONS	**1**	**2**	**3**	**4**	**5**
ALL CLASS “B” MISDEMEANOR VIOLATIONS OR HIGHER					✓
ALL OTHER NON-ARRESTABLE VIOLATIONS OR INFRACTIONS	✓				
VEHICLE OPERATIONS/CARE OF EQUIPMENT	**1**	**2**	**3**	**4**	**5**
SPEEDING	✓				
VIOLATION OF PURSUIT POLICY		✓			
RECKLESS DRIVING		✓			
VIOLATION OF VEHICLE TAKE HOME POLICY	✓				
FAILURE TO PROPERLY MAINTAIN VEHICLE	✓				
LOSS OR DAMAGE TO DEPARTMENT EQUIPMENT		✓			
ALLOWING UNAUTHORIZED USE OF DEPARMENT EQUIPMENT		✓			

TRAFFIC ACCIDENTS	1	2	3	4	5
AT FAULT ACCIDENT (1ST OCCURRENCE)	✓				
AT FAULT ACCIDENT (2ND OCCURRENCE WITHIN 36 MONTHS) (LETTER OF REPRIMAND)		✓			
AT FAULT ACCIDENT (3RD OCCURRENCE WITHIN 24 MONTHS) (LETTER OF SUPENSION)		✓			
SUBSEQUENT INCIDENTS OF AT FAULT ACCIDENTS AT ANY TIME MAY RISE TO A HIGHER CATEGORY AND BE HANDLED SIMILAR TO ANY OTHER VIOLATION OF THE DEPARTMENT DISCIPLINE POLICY. FINAL ADJUDICATION OF SUBSEQUENT VIOLATIONS WILL BE AT THE DIRECTION OF THE CHIEF OF POLICE.					
ON OCCASION SUPERFICIAL OR MINOR DAMAGE MAY BE SUSTAINED TO A VEHICLE, (i.e., TIRE RIM DAMAGE) THE INCIDENT MAY BE HANDLED AS A PROPERTY DAMAGE AND NOT DEEMED A TRAFFIC ACCIDENT FOR THE PURPOSES OF THE DISCIPLINARY MATRIX. SHOULD THIS TYPE OF CASE OCCUR THE CHIEF OF POLICE WILL BE THE DECIDING FACTOR FOR FINAL ADJUDICATION.					

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