AGENDA ITEM HISTORY SHEET

ITEM TITLE	AGENDA NO.
Ordinance 2026-	AGENDA DATE: 09-29-2026

FUNDING CERTIFICATION (Finance Director) (Signature, if applicable)

MANAGEMENT STAFF REVIEW (Signature)

MAYOR (Signature)

ITEM HISTORY (Previous Council reviews, action related to this item, and other pertinent history)

The PD's Policy and Procedures were last updated in September of 2023.
Ordinance 2023-23

ITEM COMMENTARY (Background discussion, key points, recommendations, etc.) Please identify any or all impacts this proposed action would have on the City budget, personnel resources, and/or residents.

The AACP has several policies that have been updated and need to implemented. We also revised some other preexisting policies.

(This section to be completed by the Mayor)

ACTION PROPOSED (Motion for Consideration)

ORDINANCE NO. 2026-__

AN ORDINANCE ADOPTING THE REVISIONS TO THE STANDARDS OF CONDUCT-POLICIES & PROCEDURES MANUAL OF THE BRYANT POLICE DEPARTMENT, PURSUANT TO ARKANSAS CODE ANN. §14-51-302, AND REPEALING AND REPLACING ALL PRIOR ORDINANCES PERTAINING THERETO

WHEREAS, the Bryant Police Department has determined that it needs to revise and update the Standards of Conduct-Policies & Procedures manual in accordance with the Arkansas Association of Chiefs of Police (AACP) current best practices or standards in order to provide efficient and effective delivery of service and protection of individual's rights;

WHEREAS, Arkansas Code Ann. §14-51-302 provides that employees in any police department shall be governed by rules and regulations set out by the Chief of Police after rules and regulations have been adopted by the governing body of the municipality;

WHEREAS, the Standards of Conduct-Policies & Procedures manual of the Bryant Police Department has been revised and updated to the AACP's current recommendations, and the Chief of Police wishes to repeal and replace all prior ordinances pertaining to the manual, and to incorporate the revisions to the manual for the Bryant Police Department;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BRYANT, SALINE COUNTY, ARKANSAS, that a document known as the Standards of Conduct-Policies & Procedures manual for the Bryant Police Department, dated September 29, 2026, is hereby adopted, pursuant to Arkansas Code Ann. §14-51-302, the employees of the Bryant Police Department shall be governed by this manual, and all prior ordinances pertaining to the manual of the Bryant Police Department are hereby repealed and replaced.

Emergency Clause. This is an exceptional situation and it is in the best interest of the personnel of the City of Bryant and Citizens of the City of Bryant, Saline County, Arkansas, that an Emergency is Declared; and this Ordinance shall be effective from and after its date of passage.

PASSED AND APPROVED this 29th day of September, 2026

_____

Mayor

ATTEST:

Approved as to Form:

_____

Mark Smith, City Clerk

_____

Ashley Clancy, City Attorney

ORDINANCE NO. 2023-23

AN ORDINANCE ADOPTING THE REVISIONS TO THE STANDARDS OF CONDUCT-POLICIES & PROCEDURES MANUAL OF THE BRYANT POLICE DEPARTMENT, PURSUANT TO ARKANSAS CODE ANN. §14-51-302, AND REPEALING AND REPLACING ALL PRIOR ORDINANCES PERTAINING THERETO

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WHEREAS, the Standards of Conduct-Policies & Procedures manual of the Bryant Police Department has been revised and updated to the AACP's current recommendations, and the Chief of Police wishes to repeal and replace all prior ordinances pertaining to the manual, and to incorporate the revisions to the manual for the Bryant Police Department;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BRYANT, SALINE COUNTY, ARKANSAS, that a document known as the Standards of Conduct-Policies & Procedures manual for the Bryant Police Department, dated September 26, 2023, is hereby adopted, pursuant to Arkansas Code Ann. §14-51-302, the employees of the Bryant Police Department shall be governed by this manual, and all prior ordinances pertaining to the manual of the Bryant Police Department are hereby repealed and replaced.

Emergency Clause. This is an exceptional situation and it is in the best interest of the personnel of the City of Bryant and Citizens of the City of Bryant, Saline County, Arkansas, that an Emergency is Declared; and this Ordinance shall be effective from and after its date of passage.

PASSED AND APPROVED this 26th day of September, 2023

_____

Mayor

ATTEST:

Approved as to Form:

_____

Mark Smith, City Clerk

_____

Ashley Clancy, City Attorney

Officer-Department Wellness	Related Policies: Critical Incident Early Intervention Post Officer Involved Incident
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.	
Applicable Arkansas Statutes:	
IACP Officer Safety and Wellness Guide	
Date Implemented: 9/27/2023	Review Date:

I. I. **PURPOSE**: This department has an obligation to ensure the mental and physical health and safety of all personnel. Officer wellness is not only an individual issue-- it is also an department issue and a public issue, as the negative consequences of poor mental and physical health can impact officer performance and affect community relationships. This department strives to address issues of officer stress and trauma, to reduce the stigma of seeking help and to create an environment of support.

The purpose of this policy is to focus on the physical and mental wellness of department personnel. The policy addresses the following areas:

A. Education of officers and executive-level staff on issues of physical health, including the importance of exercise and nutrition as a way of reducing stress and improving overall health outcomes.

B. Education of officers and executive-level staff on issues of mental health, to include suicide prevention and the range of possible reactions to trauma.

C. Access to multiple resources for mental and physical support to officers and their families, such as:

a. Employee Assistance Program resources, such as in-house and/or external clinicians, and other wellness staff who have knowledge of the law enforcement experience.

b. Peer support teams to augment (not replace) EAPs or in-house/external clinicians.

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c. Department chaplain.

d. Non-clinical interventions that promote mental and physical well-being, such as physical exercise, dietary guidance and sleep hygiene.

D. This department strives to be fair, transparent, and supportive of all personnel. Supportive supervision includes encouraging health and wellness through policies, practices, and programming, empowering formal and/or informal peer support, and providing quality leadership and supervision.

II. Discussion: Healthy officers create healthy agencies. The mental and physical health and welfare of officers is often overlooked, yet it is a vital consideration, not only to the officer, but also to the officer's family and loved ones, to the department in which the officer is employed, and even to the community in which the officer lives and works. Investing in officer wellness is a significant step that we can take to positively impact our officers' overall well-being and, as a result, to improve the community's trust and perceptions of legitimacy in this department.

Despite the potential for critical incidents to have a significant impact on officers, officers encounter such situations relatively infrequently. In contrast, chronic stressors can be just as, if not more, damaging to an officer than a single traumatic incident. Studies show the connection between the daily stressors of police work and physical and psychological ailments. Officers often bear witness to the pain of those victimized and are present in the moments soon after a dangerous and traumatic event. Research also demonstrates the strong association between chronic stress and organizational climate. That is why this department strives to be procedurally fair, allowing for effective and open communication, involvement in decision-making, and equitable treatment with a desired outcome resulting in greater officer well-being.

Officers play the role of being the helpers, not looking to others for help. One of the primary barriers to officers seeking help is the stigma associated with needing such treatment. This department encourages and supports officers to seek assistance and to provide assistance when needed. Regularly-occurring communication with officers about mental health signs and symptoms, wellness strategies, and available resources will de-stigmatize mental health discussions and reinforce our commitment to employees' overall health and wellbeing.

Prior to retirement, this department shall make available wellness resources to help an officer prepare, as the transition for those who separate or retire from active duty can be difficult.

III. Directives:

A. It is the policy of this department to work collaboratively with sworn officers, civilian personnel, family members and the community to improve and maintain officer wellness. The Chief of Police or his designee will establish a working relationship with the following persons or organization in fulfillment of this objective:

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a. Police Department - Human Resource Office

b. City - Human Resource Office

c. Medical Providers as per county or department contract

d. Local Mental Health Providers

e. Local Clergy / Chaplin's

f. Department Peer Support Officers or Partner Department Peer Support Team

g. Physical Fitness Facilities in the community

h. Local Dietician

i. Local Nutritionist

B. The department should adopt and train to the following **LLRMI** policies related to officer wellness and safety.

a. Early Intervention: A comprehensive Personnel Early Intervention System is an essential component of good discipline in a well-managed law enforcement department. The Early Intervention System is a supervisory tool and not a disciplinary process. The early identification of employees exhibiting symptoms of stress or other behavior that could pose a liability to the community, the department, or the officer must be detected as soon as possible. When appropriate, an intervention consisting of a menu of remedial actions can increase department accountability and offer employees a better opportunity to meet the department's values and mission statement.

b. Post Officer Involved Critical Incident: One of the most critical investigations in any law enforcement department is that of an officer-involved shooting. These shootings bring media attention; citizen inquiries; liability issues; and, if handled incorrectly, irreparable damage to the department's reputation and the officer's well-being. It is widely accepted that officers involved in shootings or other significant critical incidents require immediate support. The policy of this department is to provide the services, to prepare and respond to the health and well-being of law enforcement personnel following an officer-involved shooting or critical incident.

c. Critical Incident Review: In all cases, the Chief of Police or designee shall consider whether it is in the department's best interest to utilize the services of an outside department to conduct the major crimes investigation that accompanies any law enforcement critical incident which involves serious bodily injury or death. In cases where it is determined that the department lacks the resources to conduct a complete and thorough investigation of the event, an outside department shall be notified for assistance as soon as possible. <u>This section does not relieve the involved department of its responsibility to conduct an administrative investigation</u>

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of the critical incident and review the event for a determination as to the whether or not Office issues including policy and training issues are indicated by the action.

C. Education of physical health, exercise, nutrition, reducing stress and improving overall health. [1]

a. Officers can enhance their physical health through diet, exercise, and adequate sleep. Maintaining good physical health can reduce officers' risk of developing hypertension, heart disease, cancer, degenerative joint diseases, and diabetes. Those who maintain a healthy weight, or an active lifestyle, can reduce their risk and severity of injury.

b. While sleep deprivation is not exclusive to law enforcement, it is often amplified due to the unique stressors of the job and shift work. Sleep is essential to maintain and repair bodily functions and systems. Sleep, or lack of, has effects on all functions of the mind and body, which not only affects an officer's job, but also family wellness.

c. Be mindful of the connection between stress—work and life—and the food you consume. Choose healthy food options in times of stress to lead to clearer thinking, increased energy, and better overall health. Eating healthy while on the job can be particularly challenging given the unpredictability of law enforcement duties. Advance planning and thoughtful discussion of the realities of shift work can assist in better eating habits while on the job.

d. Fitness and wellness are important aspects of every officer's job. A properly maintained program will help keep personnel healthier, happier, and less prone to injuries. A successful program is beneficial to the individual officers, the department as a whole, and the community the department serves.

D. Education of officers and executive-level staff on issues of mental health, to include suicide prevention and the range of possible reactions to trauma.

a. Officers experience job-related stressors ranging from interpersonal conflicts to traumatic events. This cumulative exposure may affect officers' mental and physical health, contributing to problems such as post-traumatic stress symptoms, substance misuse, depression, and suicidal ideation. One officer suicide is one too many.

b. This department is committed to preventing officer suicide and supports the culture change required to provide help to officers who may be struggling. Browse through available resources and tools to raise awareness of and prevent officer suicide.

1. https://suicidepreventionlifeline.org/ 1-800-273-8255

2. Crisis Text Line: Text HOME to 741741

[1] IACP Officer Safety and Wellness

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3. The International Association for Suicide Prevention

E. Access to multiple resources for mental and physical support to officers and their families, such as:

a. Police Chaplain: This department provides officers with access to police chaplains. A police chaplain provides emotional, moral, and spiritual support to officers, staff, and their families. Although police chaplains may be of one denomination or religion, they provide support to all officers, even if that means locating resources for individuals who do not share the same belief system. A strong chaplaincy program can support a culture where officers feel comfortable seeking help and finding support. Police chaplains provide confidential support in several key areas of law enforcement and the communities they serve. These areas include but are not limited to officer wellness and support, spiritual support, and community-police engagement. Additionally, chaplains provide counseling and referrals to mental health services or other faith leaders for officers in need of help and confidentiality. Officers of this department are encouraged to visit the police chaplain.[2]

b. Peer Support: Many officers are more comfortable talking to fellow officers than with mental health professionals about stressful or traumatic situations. They feel that only another law enforcement officer can really understand their experiences and stresses. Officers are also often wary of using any mental health services that might appear on their employment or medical record. Well-trained peer support officers can offer confidential support and education, providing officers easy access to help they can trust. Some peer support programs also offer help lines to provide support for day-to-day stresses and teams that can be deployed to the scene of a critical incident.[3] This department provides access to Peer Support officers and encourages officers to reach out to the department designated officers.

c. Work-life Balance: focuses on managing time and energy while on- and off-duty. Having a healthy work-life balance ensures that officers perform effectively, reduce stress, avoid burnout, and enjoy their career.[4]

1. REFOCUS ON YOUR PURPOSE to help avoid burn out. This can be accomplished by assessing the impact of your daily routines.

2. TAKE CARE OF YOUR BODY by maintaining healthy exercise, nutrition, and sleep habits.

3. CONNECT WITH OTHERS by maintaining social relationships with those close to you. Activities to stay connected and improve your work-life balance.

4. AVOID OVEREXPOSURE to social media and the news. While staying informed is important, too much information can become overwhelming.

[2] IACP Officer Safety and Wellness
[3] IACP Officer Safety and Wellness
[4] IACP Officer Safety and Wellness

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5. SEEK HELP WHEN NEEDED by talking to those around you such as your fellow officers, command staff, executive leadership, chaplains, family, psychologist, or others you can confide in. Remember that you are not alone.

F. An annual review of this policy, and an assessment of the effectiveness of the department's wellness programs, with adjustments as needed based on feedback and/or other outcomes.

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Bryant Police Department

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Phone: (501) 943-0943 Fax: (501) 943-0977

Carl Minden
Chief of Police

J. W. Plouch
Assistant Chief

September 26th, 2023

TO: All Members of the Bryant Police Department

The **Uniform Standards of Conduct for Member Performance** represent a change in the approach to organizational rules and regulations. The intent is to state the expected standards for member behavior and performance in positive terms in a manner that communicates management's desired outcomes and business necessity rather than attempting to create an exhaustive listing of all required and prohibited acts.

The **Uniform Standards of Conduct** consist of twenty-one standards each accompanied by a stated business necessity. Non-exclusive illustrative statements of violations and non-violations are provided in separate sections to explain the member behaviors and performances expected by management. Although the Introduction and Orientation section of the document provides an excellent explanation of the Standards, the associated illustrative statements must be read along with each standard to facilitate a full understanding.

The **Uniform Standards of Conduct for Member Performance** are hereby adopted as the authority governing the behavior and performance of all members of the Bryant Police Department effective September 26th, 2023. All rules, regulations, or other directives in conflict are superseded and repealed on the above effective date.

_____

Carl Minden
Chief of Police

INTRODUCTION AND ORIENTATION

Notice to Members

This version of our Uniform Standards of Conduct is presented to you for your information and safekeeping. **It may not be reproduced in any form and remains the property of the Bryant Police Department.**

The manual contains our current 21 standards of conduct for each member. Each member is responsible for knowing about and complying with these standards and for directing any questions or misunderstandings about them to an appropriate supervisor.

The manual is divided into the following parts:

1. Introductory and orientation information concerning the standards of conduct and the need for the standards.

2. The 21 standards describing the behavior or conduct expressly required or prohibited. The format for each statement contains a standard referral number for reference purposes and a statement of business relationship to help members understand why the standard is necessary.

3. General enforcement guidelines.

4. Illustrative examples of what management would normally consider to be non-violations and violations of each standard.

The guidelines are subject to periodic revision (with notice to the membership) as are the examples. While studying the examples associated with each standard, **it is important to keep in mind that no attempt is being made to provide an exclusive listing of all possible examples that may or may not constitute a violation.** Others may exist and may periodically be added to these listings. **Examples communicate the intent**, which is as important as the wording of the standard itself. Members who have a problem understanding this format have an affirmative duty to bring their questions to the immediate attention of management.

Over the years, organizational rules evolve into an accumulation of several administrative decisions. It is good practice for management to periodically audit these rules to ensure they are still relevant to the needs of the Bryant Police Department and that members know what is expected of them in terms of their

conduct and performance. When this occurs, employer-member relations and member morale is improved and the potential for quality performance is enhanced. History has shown that each year thousands of tax dollars could be saved by reducing the potential for valid and frivolous complaints alike caused in part by unclear work standards.

No Change in Existing Relationships

These standards do not establish an implied or written contract or change existing relationships with members, or applicants for a job or position or continued job or position within the Bryant Police Department. Rather, their intent is to communicate reasonably to members the Department's desire in decisions affecting employment, continued employment, and termination. These standards may change in the future to reflect changes in laws, work environment, operations and other circumstances affecting this Department's operational needs.

The publication of these standards does not change the existing rights of the Department to make all employment, retention and termination decisions. These standards are not intended to provide an exhaustive list of the situations that could lead to discipline or termination. Some additional considerations that may affect a member's employment include:

1. The business necessity of the Department as permitted by equal employment opportunity and fair employment practices.

2. The economic necessity of the Department as determined by budgetary considerations existing at the time.

3. The performance necessity of the Department as determined by its mission and the member's ability to accomplish satisfactory performance results.

The following factors are not intended to be included in management's decisions in disciplinary or termination cases:

1. Illegal discrimination as defined by law and national and state fair employment practices.

2. Violations of public policy as defined by current trends in employment laws.

3. Violations of agreed upon collective bargaining contracts with this Department and its organized members.

Management's Rights to Establish Standards of Conduct

Management has the unilateral right to establish this agency's directives, as defined in General Policy. This authority extends to the periodic auditing and clarification of its existing standards of conduct as well as to the addition of new standards that relate to the effective, efficient and safe performance of its members. Directives may be oral or written as long as they fundamentally propose to:

1. Provide order.
2. Establish predictability in performance results.
3. Provide direction to members.
4. Create a sense of purpose and fairness in management procedures.
5. Assure the public that the Department's mission will be achieved.

When it becomes necessary to modify its rules, management will make a reasonable effort to notify members of such changes when such changes will affect their work positions. Normally, such notices occur through normal channels of communications. In turn, members are expected to self-initiate individual efforts to keep themselves abreast of such changes.

The Bryant Police Department's Uniform Standards of Conduct are based on the expectations that members accomplish the following:

1. Be at work on time and be available for work.
2. Give a full day's work and be productive during work.
3. Respond in a positive manner to management's directives.
4. Learn present job as well as new jobs.
5. Adjust to change.
6. Get along with others.
7. Know and follow the rules, policies, practices and procedures of the Department.

8. Be physically and mentally fit for work.

In publishing the uniform standards manual, management recognizes that members too have a need for job security and to be treated fairly in administrative decisions affecting their employment status, particularly in discipline and termination actions. Therefore, when members perform in a manner contrary to the Uniform Standards of Conduct, they can expect that management will:

1. Provide consistent and predictable responses to violations of standards.

2. Provide fair discipline based on facts.

3. Allow members a reasonable chance to question facts and present a defense.

4. Provide progressive discipline, unless infractions result in serious consequences that call for more serious action.

5. Use sound management practices to ensure reasonable job security for those who satisfy the performance standards of their job responsibilities, duties and tasks.

6. Provide responsible and humane supervision.

7. Set performance standards and be recognized for consistent achievement of those standards.

8. Provide reasonable training and direction on how to successfully achieve competent performance results on new tasks or old tasks that are not performed on a regular basis.

Procedural Justice

The Uniform Standards of Conduct promote the concept of procedural justice. This concept requires that management follow its own policies, procedures and practices when exercising its rights, particularly in disciplinary and termination procedures. While these elements require no specific policies, procedures or practices, they do incorporate the principle that members be treated fairly in an employment situation. In understanding procedural justice, it is helpful to think of it as an agreement between management and its members that, in cases of disciplinary or termination actions, management will follow its own processes,

and in return members will affirmatively work to promote the Bryant Police Department's image, mission, goals and objectives.

Procedural justice requires that:

1. Members be aware of what they can be disciplined for.

2. That evidence used to prove a case is substantially credible.

3. That members know all the facts of discovery at the appropriate time and in an appropriate manner.

4. That members have an opportunity to defend themselves.

5. That no elements of surprise exist.

For purposes of the Uniform Standards, cause to discipline or terminate is established when a member fails to comply with any of management's lawful directives, whether such directives be in writing or made verbally.

In a disciplinary or termination case, cause is established when:

1. Members receive advance notice of the possible or probable disciplinary consequences of their conduct.

2. A reasonable relationship exists between the rule and the safe and efficient operation of this agency.

3. Fact-finding efforts were made before disciplinary or termination action was imposed.

4. A fair and objective investigation was held.

5. Substantial evidence exists to prove the member is guilty as charged.

6. Discipline or removal actions are applied without unlawful discrimination. (Namely, demographic characteristics of the member)

7. The degree of discipline is reasonably related to the seriousness of the offense as well as the member's service record as a cooperative and productive member.

Policy versus Standards

Policy is one type of directive outlining management's intent or position on a given topic. Policies may be written or established by practice. They are designed to cover not every situation but the majority of situations expected to occur. Policies are most useful when they clarify management's intent, help improve decision making, and establish overall operational consistency. Policies are not rules.

Violations of the Standards call for mandatory sanctions, regardless of circumstances. Unlike in cases where deviation from policies because of circumstances can work to remove the possibility of sanction, circumstances can only work to mitigate the degree of sanction when the Standard is violated.

When sanctions are imposed, the concepts of progressive discipline will normally be followed if two circumstances exist. First, a review of the member's work history provides substantial evidence that the member will learn from the experience and future performance will improve. Second, the violation was not of sufficient nature or did not result in serious damage to this Department's business purposes, or retaining the member would not create an unreasonable risk to this Department's business needs.

Level of Proof in Violations of the Uniform Standards of Conduct

Violations of the Uniform Standards of Conduct are handled in administrative proceedings. The appropriate level of proof in such proceedings is "substantial." Under the substantial proof rule, all evidence is competent and may be considered, regardless of its source and nature, if it is the kind of evidence that a reasonable mind might accept as adequate to support a conclusion.

Fair Enforcement

The performance requirements of the Uniform Standards of Conduct shall apply to all members, whether full-time, part-time, volunteer, auxiliary or temporaries. The standards provide members with sufficient notice about:

1. The conduct expected of them.
2. How discipline will be used to enforce such standards.
3. How positions can be terminated.
4. The fair manner in which management will make decisions relevant to these standards.

When Enforcement is Appropriate

The purpose of disciplinary action is to correct improper performance after establishing that the member knew what was expected (or should have known) but failed to comply. Discipline is appropriate when other, less severe measures have failed to work. Likewise, discipline is applicable when the nature and the results of the improper performance are too serious to correct with lesser means of management action. Examples include instances where:

1. The Department's public image has been seriously damaged.

2. Serious risks of liability have been created.

3. Member safety has been seriously compromised.

4. The member has demonstrated, directly or constructively, that less severe corrective action did not change performance significantly.

Member culpability is also an important element in decisions to use disciplinary action. Culpability means the member violated the directive knowingly, purposefully, recklessly or negligently. Performance deficiency caused by culpability shows lack of regard for management's mission or priorities. Thus, it is a more serious performance problem than is performance error due to ignorance or lack of competency, even though the performance results are the same or similar.

When member culpability is shown or the elements of culpability have met the substantial evidence rule, discipline is appropriate if the member's evaluation and performance history demonstrate that the member's job is worth saving. In different situations, termination is appropriate.

This Department intends to enforce violations fairly and consistently. That means management will strive to treat all members equally when making decisions about the appropriate type of intervention to use in correcting a performance deficiency. Solutions include training, discipline, reassignment, demotion or termination. Whatever the management action, though, its amount and degree must be based on equity. As the term is used in the Uniform Standards of Conduct, equity means that management reviews each member's performance deficiency on a case-by-case basis. The following priority will help determine the nature and degree of management action that will be taken:

1. The seriousness of the deficiency or offense.

2. Management's expectation that the type and level of management action will facilitate or deter the conduct, work proficiencies or behaviors of others.

3. The member's overall conduct, work productivity, time between other violations (if other offenses have occurred) and behavior record.

4. Management's expectation based on the member's overt behavior, that the type and level of management action will improve the member's future performance. In other words, does the member respond positively to discipline?

5. The member's seniority.

When imposing discipline, infractions of the Standards that occurred more than two years beforehand will not be the determining factor in the final decision to discipline. That does not mean that this Department limits its right, power and authority to take whatever disciplinary or termination action it feels is appropriate under given circumstances.

Specific Notice to Members

Whenever disciplinary action is used, the member is informed in writing of the following specific elements:

1. The exact offense violated.

2. How the violation affects this Department's ability to be an effective, efficient or safe employer.

3. What the member must do to avoid future disciplinary action.

4. How much time the member has to correct the problem.

5. What further disciplinary action, possibly including termination, will occur if performance does not improve.

In the Event Termination is Recommended

If a member's performance requires an inquiry or an investigation, the member may be placed on suspension. Depending on the findings, the member may be recommended for termination. If this occurs, the member will be provided with information that includes:

1. The reasons for the recommendation or termination.

2. The effective date of termination.

3. Whom to contact regarding status of fringe and retirement benefits.

4. A statement that the content of the member's appointment record relating to the termination will be made available to the member according to law.

The Uniform Standards of Conduct

Unlike policies and practices, these standards are performance mandates. They do not permit deviation. When members violate standards they should expect to be disciplined or terminated according to the established policies of this agency.

Violating a standard of conduct has serious consequences for members. It is important, therefore, that members interpret the spirit of the standards and their literal meaning uniformly. Standards are concepts and are often subject to individual interpretation, which in turn is heavily influenced by individual motives and desires. Therefore, the examples of violations and non-violations contained in this manual should help those members with the ability and desire to understand and follow the rules. Members who do not understand the standard's meaning or management's intent are responsible for contacting a supervisor for clarification. Members who fail to clarify any agency directives after they are published may not use lack of understanding as a defense if charged with violating the directive.

Like all agency directives, these standards are subject to change with appropriate notice as conditions warrant.

Twenty-One Uniform Standards of Conduct

01 Affirmatively Promoting a Positive Public Image

Members shall conduct themselves (on duty as well as off duty) in a manner that does not damage or have the probable expectations (in the mind of a reasonable person) of damaging or bringing the public image, integrity or reputation of the Bryant Police Department into discredit or disrepute.

Business necessity for this standard

Members shall accept full responsibility for their behaviors and the results of their behaviors on duty as well as off duty. Behavior that may not be considered wrong in private employment could be wrong in the public sector because of the nature of the public service mission. Historically, citizens are quick to criticize and require that public safety members be right as well as look right in their conduct and behavior. Management recognizes its responsibility to balance standards of conduct designed to promote public trust while at the same time to avoid unnecessary infringements on the member's rights to privacy. At the same time, members who wish to hold the honor of a public position and enjoy the privileges of public trust share an affirmative responsibility to conduct themselves (on duty as well as off duty) in a manner that does not bring public image or trust into question. The member's right to privacy does not create an obligation on

management to finance those rights at the expense of effective, efficient, or safe operations of this agency.

02 Aiding Other Members

Members shall, during the line of duty, come to the aid of another member when a request or need is made known.

Business necessity for this standard

The nature of public safety work frequently requires the support, assistance and safety of other members. Knowing this support will be rendered in time of need promotes and maintains morale and a sense of well-being among all members.

03 Alcohol Use and Related Conduct

Members shall not possess or consume alcoholic beverages on duty or while in uniform on duty or off duty. Nor shall any member consume alcoholic beverages in proximate time to his or her reporting time for duty or report to duty with evidence of having consumed any alcoholic beverage.

Business necessity for this standard

The consumption or possession of alcoholic beverages by public officials is highly scrutinized by the public. Improper and excessive uses of such chemicals lead to severe criticisms of this agency and of all its members. Because a large portion of public safety work depends on the member's ability to evaluate critical situations and make judgments that often affect public confidence, life, liberty, and safety, it is critical that judgments be as unimpaired as practicable. The effects of alcoholic beverages interfere with this decision-making ability.

04 Maintaining an Acceptable Level of Availability for Work

Each member must maintain a level of availability for work during any regular reporting period that is at least that of the work unit's calculated average for the reporting period.

Business necessity for this standard

Public safety work requires team effort, and each member plays an important part as a member of the team. Unless members are regularly available for duty, work cannot go on effectively or efficiently. Excessive absenteeism causes unnecessary increases in official operating expenses. Members who are

excessively unavailable for work (regardless of cause) force others to carry their extra loads as well as tie up job opportunities and positions for more available personnel.

05 Committing or Condoning Illegal or Forbidden Harassment

Illegal or forbidden harassment (e.g., sex, race, religion, national origin, ethnic, disability or age) are prohibited as a basis for conduct, behavior, or decisions affecting another member's or potential member's terms or conditions of employment. Members shall not use sex, race, religion, national origin, ethnic background, disability or age in their words, actions, gestures, conducts or behaviors that could reasonably be construed or perceived by another member or potential member as hostile, offensive or intimidating.

Business necessity for this standard

It is management's right and responsibility to channel, control, and otherwise prohibit member behavior or conduct that has the potential to cause employer liability or disruption in the work force or to subject management to civil liability for violations of a member's civil rights. On-the-job or job-related sexual, ethnic, racial, national origin or religious harassment is a serious violation of a member's, or potential members, civil rights. Civil courts hold employers and members highly accountable and liable for controlling behavior and conduct in these areas.

06 Committing Unsafe Acts or Endangering Self or Others

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

Business necessity for this standard

Safe behavior in public service work is paramount due to the level of public trust and the nature of the equipment involved (e.g., firearms, motor vehicles, impact tools, chemicals, etc.). Unsafe behavior and unsafe use and handling of equipment significantly increases the risk of injuries to citizens and personnel plus increases the risk of potential liability for this agency.

07 Conflicts of Interest

Members shall not create conflicts of interest or potential conflicts of interest with the duties and obligations of their positions within this agency.

Business necessity for this standard

Public service work requires that members do not compromise the authority, integrity, trust, or confidence inherent in their offices.

Public safety officials have easy and often uncensored and unquestioned access to people, information, resources and positions of trust not easily available to the general citizen. This "freedom of office" must be governed and controlled if the public trust is to be preserved. Failure to do so will severely restrict the ability of this agency to provide its services in an effective and efficient manner. When conflicts of interest occur between the member's private rights as a citizen and the privileged rights attributed to the member's position with this agency, management attempts to bring about a reasonable balance, if possible. When this balance cannot be made and the members' interests are in promoting their own personal interests, management must initiate action designed to promote the mission of this agency.

08 Cooperation with Members and Other Officials

Members are required to seek affirmative ways to cooperate and work with other members, other public officials, and members of any organization with whom the member or this agency needs to have a good working relationship in order to deliver lawful, effective, efficient, and safe services.

Business necessity for this standard

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

09 Supervisors Shall Display Respect Towards Subordinate-Ranked Personnel

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

Business necessity for this standard

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

Because supervisors are management's representatives, higher levels of performance are expected of them in this area; and they are expected to set a positive example for others to follow.

10 Discriminating or Establishing Patterns of Discrimination in the Performance of Duties

In words, deeds, gestures, performance of jobs, duties, tasks and delivery of services, members shall not discriminate; nor shall they establish a pattern of adverse impact in the delivery of services when such discrimination has a basis in such areas as a person's sex, ethnic background, race, color, national origin, lifestyle, preferred sexual orientation, religion, criminal history, age, disability or social status.

Business necessity for this standard

Public members must strive to maintain neutrality in the performance of duties and delivery of services to all persons regardless of their personal characteristics, social status, or work conditions. Discriminatory services and treatment of all citizens creates a serious threat to the well-being of all as well as exposes this agency to the possibility of civil and/or criminal action.

11 Dishonesty or Untruthfulness

Members shall not lie, give misleading information, or falsify written or verbal communications in official reports or in their actions with another person or organization when it is reasonable to expect that such information may be relied upon because of the member's position or affiliation with this agency.

Business necessity for this standard

Public work is based on public trust and confidence. Performance standards in this area are much higher for public members than for the ordinary citizen. History has shown that having lost trust in its elected or appointed officials, the public is quick to react, often resulting in reductions in operating budgets, external review boards, replacement of officials, and in some cases abolishment of the organization.

12 Displaying Competent Performance and Achieving Competent Performance Results

Members shall willfully display competent performance and consistently achieve competent performance results on all assigned or assumed job responsibilities, duties and tasks

Business necessity for this standard

In a public safety organization where much of the work effort involves citizens' liberties and physical safety, incompetent performance cannot be tolerated. When incompetent performance is discovered, its source must be dealt with effectively and efficiently or the potential of damage or injury exists. When this potential occurs, the organization runs the risk of incurring severe criticism, the loss of public trust, and the creation of civil liability.

NOTICE: As the term is used here, competency is a characteristic of a performance outcome, not a characteristic of an individual. Members are hired to achieve results; and if a member brings about an acceptable performance outcome, he or she has displayed the ability to apply his or her combination of knowledge, skill, and attitude within the context of the situation to bring about a useful outcome for the organization. Knowledge, skill, and attitude are useless to the organization if the member is unable to apply them in a productive manner.

13 Establishing Patterns of Absenteeism

Members shall not establish patterns of absenteeism. Establishing a pattern of absenteeism is a violation of official standards regardless of whether any part of the absenteeism within the pattern has been approved or disapproved by management.

Business necessity for this standard

All absenteeism affects the effective, efficient, and safe operations of this agency. The nature of public safety/security work requires a cadre of workers capable and ready to handle any established or expected service demanded by the public. Public personnel have specialized and specific training that cannot be easily replaced or substituted by other persons, and replacement or substitutions are usually difficult for management

Management accepts the fact that a certain amount of "planned absenteeism" will occur in any organization, and in many cases the causes are justified by the nature of the individual and specific circumstances existing at the time. However,

when a member establishes patterns of absenteeism, management interprets this as substantial evidence of abuse and violation of this standard.

14 Physical and Mental Readiness to Perform Primary Duties and Tasks

Members shall report to work and while working remain mentally, physically, and emotionally ready to assume and competently perform all their responsibilities, duties, and tasks.

Business Necessity for this Standard

Effective, efficient and safe public service depends on members being ready to perform competently and effectively at a moment's notice. Public trust and quite often threats to member safety can occur in a public safety organization if management had to wait for nonperformance to occur before testing and monitoring for readiness. It is reasonable and logical to assume that members who are physically and mentally ready to perform will be better performers than those who are not as physically and mentally prepared.

Members who lack the physical and mental capabilities to assume the responsibilities and duties expected of their jobs create a public safety hazard for themselves as well as others who may depend on their performance to provide an effective, efficient and safe protective service.

It will be job tasks that are performed on a regular basis that are used to determine in part the expected level of the member's fitness and mental and emotional readiness. For example, it is reasonable to expect a uniformed member who encounters physical exertion on a regular basis to maintain a higher level of physical and mental readiness than perhaps an administrative member whose regular duties are more sedentary in nature

Conversely, the non-uniformed member who deals daily with administrative decisions is expected to be able to handle higher levels of administrative stress than perhaps the patrol officer. It is reasonable to expect differences in their levels of performance because of the priority and repetitive nature of their daily tasks.

15 Giving a Full Day's Work for a Full Day's Pay

Members shall give a full day's work for a full day's pay and not establish patterns of non-productive work time.

Business Necessity for this Standard

The concept of expecting members to give a full day's work for a full day's pay is heavily imbedded in American labor management. Although public work is typically reactive in nature, a large portion of non-responsive work time can be spent performing self-initiated work. It is during self-initiated work periods that the preventive and deterrent nature of protective and safety services is achieved and provides the greatest opportunities to effectively and efficiently deliver services. The concept of a full day's work for a full day's pay does not mean members are expected to have identical levels of work from one day to the next. However, work patterns do exist and an analysis of data on a monthly, quarterly, semiannual, or annual period provides a descriptive picture of the amount and type of work that can be reasonably expected from members who are truly giving a full effort.

16 Insubordination

Members shall willfully observe and obey the lawful verbal and written rules, duties, policies, procedures, and practices of the Bryant Police Department. They shall also subordinate their personal preferences and work priorities to the lawful verbal and written rules, duties, policies, procedures and practices of this agency, as well as to the lawful orders and directives of supervisors and superior command personnel of this agency. Members shall willfully perform all lawful duties and tasks assigned by supervisory and/or superior-ranked personnel. Direct, tacit or constructive refusal to do so is insubordination

Business necessity for this standard

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

Insubordination and insubordinate behavior are recognized by labor practices to be among the most serious offenses. If insubordination is allowed to go unchecked, management loses control and authority over its work force

17 Knowing, Observing, and Obeying All Directives, Rules, Policies, Procedures, Practices and Traditions

Members shall display an affirmative, consistent effort to observe and comply with the directives, rules, policies, procedures, practices and traditions

established for the effective, efficient, and safe operations of this agency. This standard applies to policies, procedures, and practices that are written as well as those established by past patterns or practices.

Affirmative effort as the term is used here means to self-initiate acceptable ways to comply. In other words, look for ways to comply with the standard and not look for the exceptions to the standard.

Business Necessity for this Standard

Policies, procedures, and practices are management's tools to achieve overall official efficiency and effectiveness in day-to-day operations and decision making. They are designed to communicate management's intent and to help management focus its resources.

18 Observance of Criminal and Civil Laws

Members shall obey the constitutional, criminal and civil laws of the city, county, state, and federal government.

Business necessity for this standard

Service and protection of the public, impartial administration and carrying out of duties, observing and obeying the very laws sworn to uphold, and providing equal service to all are covenants public officials have with citizens and are bound to honor if they wish to remain in public office. Officials who violate those very laws that they are sworn to uphold and observe destroy public faith and respect for this agency and weaken this agency's ability to perform its service mission.

19 Courteous and Respectful Behavior Toward Positions of Authority

Members shall be subordinate and display courtesy and respect in words, deeds, gestures, and actions towards personnel holding higher levels of official authority.

Business Necessity for this Standard

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

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

and objectives to the needs and mission of this agency. In addition, the willingness and ability of a member to subordinate personal interests and to display respect and courtesy to a supervisor is a reasonable assessment of the member's capabilities to set aside personal feelings and priorities when dealing with citizen

20 Use or Unlawful Sale or Possession of Illegal or Unauthorized Drugs

Members shall not unlawfully possess, sell, consume, use or assist in the use of any illegal or unauthorized drugs or medications on duty or off duty. Nor shall any member consume any unauthorized drug or medication in proximate time to his or her reporting time for duty, nor shall he or she report to duty with evidence of having consumed such drugs or medication

Note: Unauthorized means any substance, drug or medication that is illegal to possess as well as any legal substance, drug or medication that is used without medical approval in violation of Policy.

Business Necessity for this Standard

The illegal and improper use of drugs is a national problem. Public officials who are known to use illegal drugs or use authorized drugs in an improper manner subject this agency to severe public criticism and damage the image of the total agency. By its very nature, public safety work depends on the member's ability to evaluate critical situations and make judgments that affect public confidence and often citizen's lives, liberties and safety. It is critical that judgments be as unimpaired as practicable and free from the adverse effects of any drugs

21 Use and Care of Property and Equipment

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

Business necessity for this standard

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

Property means tangible and intangible ownership of goods, rights, or privileges of this agency (e.g., tools, weapons, copyrights, logos). Equipment is the tool by which this agency is able to accomplish its objectives and mission and represents a capital investment of public resources.

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

ILLUSTRATIVE EXAMPLES OF NON-VIOLATIONS

On the next several pages are non-exclusive listings of what management considers being illustrative examples of non-violations of the Uniform Standards of Conduct. A non-exclusive listing means that management, by publishing these listings, is not attempting to state all possible examples. Others may be applied, and the list is subject to periodic revision as deemed necessary by management.

These examples are provided for the sole purpose of assisting member understanding of the types of actions that management intends to prohibit or command.

Each member is required to review the Uniform Standards of Conduct and these examples periodically. If questions remain concerning what behaviors or conduct could be construed to be non-violations, members have an affirmative duty to bring their questions to management to avoid the potential of violating a standard.

Important notice, employees must read: By providing these examples, management does not intend to create an exclusive listing of all possible examples of non-violations of its standards. Examples are used to promote the connotative meaning of standards and other examples may apply. Standards and examples are subject to periodic change as deemed necessary by management.

Uniform Standards of Conduct
Non-Exclusionary Listing of Non-Violations

01 Affirmatively Promoting a Positive Public Image

Conduct off duty outside the community when the employee is not identified with this Department may be an exception if the conduct is not discovered by the general public or does not appear on the record associated with this department.

Off-duty conduct or behavior (non-criminal in nature) that has no impact or probable impact on the effectiveness or efficiency of this agency.

On-duty conduct or work behavior that is questioned by any person and through a formal administrative response can be honestly explained and justified by the business necessity of the situation existing at the time.

02 Aiding Other Members

Attempting to avoid responding to a call (giving a supervisor the reasons) if a prisoner is in the vehicle or under escort within a detention facility.

Attempting to avoid responding to a dispatched emergency call when the vehicle has insufficient fuel to respond appropriately and the deficiency is not the responsibility of the employee involved.

Being injured to such an extent that physical assistance would be impossible or impractical.

Not responding to situations in which a similarly trained and experienced member (based on the facts known at the time) would not suspect or be led to believe that assistance was necessary.

Refusing to assist another in what would amount to a violation of law.

03 Alcohol Use and Related Conduct

Lawful possession through duty necessity is not a violation of this standard.

Off-duty consumption within the privacy of the employee's residence, or in a cafe or tavern when the conduct has no probable adverse impact on the department's image.

Special events (out of uniform) when no reasonable expectations of assuming active duties exist, and the purpose is to establish work contacts or promote public relations (e.g., social events or gatherings).

04 Maintaining an Acceptable Level of Availability for Work

Approved bereavement leave.

Approved time in training, special work, or educational assignments.

Earned vacation time.

Minimal required military commitment time as permitted by law.

Personal days when used according to policy.

Time off for jury duty.

Time off on approved disability (e.g., serious injuries in the line of duty, pregnancy).

05 Committing or Condoning Illegal or Forbidden Harassment

Language (not slang) in reports or other communications that provides standard descriptions of witnesses, suspects, and others; for example, three black males, one white female.

The telling of stories or jokes that do not have an illegal basis (such as sex, race, ethnic, national origin, religion, sexual preference, age, handicap).

06 Committing Unsafe Acts or Endangering Self or Others

An act where risks occur because the employee has not received training comparable to that of others.

Assigning a member to perform a task or duty for which he or she has received the reasonable training or to assign equipment to use that is considered adequate under a reasonable standards rule is not a violation of this standard.

Equipment malfunctions when such malfunctions are beyond the control of the member.

Life-threatening situations where the probable consequences or actual consequences (as judged by a reasonable member) of committing the unsafe act are less dangerous than the actual or probable consequences of failing to perform.

07 Conflicts of Interest

Authorized off-duty employment that does not have a reasonable potential of interfering with work schedules, performance of job tasks, or the department's mission.

Freedom of speech and associated issues, provided the exercise of such rights does not conflict with this agency's business necessity (the member must establish the elements of "public concern").

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

Responding to an emergency, while on duty, of a personal nature (e.g., plumbing leak at home) if the supervisor verifies and approves the necessity and another's safety or public services are not at issue.

The right to associate with any person whose reputation, criminal history, moral character, or vested interest is not in conflict with the goals, objectives, ethics, or mission of this agency.

The right to join any group or association that does not have as its political doctrine the unlawful overthrow of the United States government or does not advocate unlawful criminal or civil actions against any individual or social group.

The right to vote in public elections, primaries, or referendums.

08 Cooperation with Members and Other Officials

Directing requests through the established Chain of Command when their approvals are necessary.

Members are not required to compromise professional integrity to gain the cooperation of another individual or organization.

Supervisors who use legitimate supervisory authority to direct and inform members of the consequences of their failure to comply with management's lawful directives is not a violation of this Standard, provided comments are directed at the member's performance shortcomings and not at the employee's persona.

09 Supervisors Shall Display Respect Towards Subordinate-Ranked Personnel

Humor, of a non-offensive manner, to relieve tension or stress, is not intended to be a violation of this standard. (NOTE: Should a particular member become the victim of targeted harassment, a violation of this standard exists).

Performing supervisory duties with respect to reprimands, counseling, etc., is not a violation of this standard as long as it conforms to good personnel relations practices.

Reacting during the excitement stage of an emergency to a subordinate without courtesy when the member initiates disrespectful, offensive, or threatening behavior towards the supervisor.

10 Discriminating or Establishing Patterns of Discrimination in the Performance of Duties

After a crime involving a black man, woman, Hispanic, etc., with personal identifying characteristics, the officer stops suspects with similar characteristics.

Segregation of known gang members, witnesses and others within the public safety facility for safety and business necessity.

Concentrated enforcement activity because of previously established violation

patterns.

Selective enforcement programs for specific violations of law, codes, or ordinances.

11 Dishonesty or Untruthfulness

Filing information that proves to be wrong when the member can provide substantial evidence that he or she had no intent to be in error.

Minor omissions or errors on reports or cases that have no significant impact on outcome and when the member has not been working with or has not worked with such reports or cases for a period of time.

Redirecting a criminal suspect or detainee's, or a potentially dangerous suspect or detainee's attention or focus in order to reduce the threat of injury, disruption of order, or jeopardizing of an important investigation is not a violation of this standard.

12 Displaying Competent Performance and Achieving Competent Performance Results

A member who asks questions and is not able to competently perform a duty or task because he or she has not had the training or experience available to the typical successful performer who does similar duties or tasks.

This standard is not intended to include those times when productive performance drops for a short period of time because of personal problem provided the employee recovers in a reasonable period of time (e.g., a few days or weeks).

13 Establishing Patterns of Absenteeism

Absenteeism due to restricted or light duty because of job-related injuries provided the associated time off does not establish an approved attachment pattern with regularly scheduled time off.

Annual pre-planned vacation time in accordance with leave policy.

Attendance at periodic training or special details that are prearranged, recognized, and approved by management.

Observance of scheduled days off.

Sick time used by members who have a serious (life-threatening) illness or injury to self or immediate member of the family shall not be calculated into any pattern

as long as such illness or injury is properly documented, the nature of the injury or illness is certified by a licensed physician approved by the department and such use is approved by management. (NOTE: All such approvals are subject to management audit and change).

14 Physical and Mental Readiness to Perform Primary Duties and Tasks

Failing to occasionally perform at peak performance, especially after a recent shift change is expected. However, the member never relinquishes the responsibility for adequate performance regardless of conditions.

15 Giving a Full Day's Work for a Full Day's Pay

Low productivity of a short-term nature (e.g., a day, week and perhaps even month) when atypical work conditions or situations exist.

Members given compensated time for the interruption of time off for such things as testifying in court, coming out to work early, etc., are not in violation of this standard.

Short-term (not exceeding 30-45 days) situations where the member has undergone a traumatic personal event (e.g., death in the family, divorce, severe injury on the job, involvement in the taking of a life, etc.).

16 Insubordination

Leaving an assigned area in situations where duty requires it and a reasonable effort to contact the supervisor has failed.

Refusing to obey unlawful (criminal or unconstitutional) directives. Mere belief on the part of the member that a directive was criminal or unconstitutional will not protect a member's job if such belief fails to be established in a later hearing.

Refusing to perform tasks that create an unreasonable safety hazard for which a member has not been trained or adequately equipped to handle safely.

17 Knowing, Observing, and Obeying All Directives, Rules, Policies, Procedures, Practices and Traditions

Deviations from policies, procedures, and practices (but not rules) may be permitted provided the member can provide (in writing) substantial proof that such deviations were necessary to business necessity.

Members who by virtue of inexperience (e.g., probationary or totally new job assignment) could not be reasonably expected to know the directives associated with the performance.

18 Observance of Criminal and Civil Laws

A minor infraction of a law (e.g., the failure to renew a license plate, motor vehicle inspection), would not normally be considered a violation of this Standard, provided they do not thwart management's goals to promote a positive public image.

Legislated exemptions (e.g., the operation of emergency vehicles under emergency conditions, the right to use force to effect a lawful arrest or detention, emergency medical response or hazardous materials spill).

19 Courteous and Respectful Behavior Toward Positions of Authority

Going to a federal, state, or local court or civil rights commission to report a legitimate violation of civil rights without going through the Chain of Command.

Merely asking questions concerning a supervisor's directions is not a violation; however, consistently challenging management's directions does display disrespect for authority.

Not following the Chain of Command when the immediate supervisor is part of the problem (particularly in cases of harassment), provided the member follows established procedures to bring his/her problem to the attention of another management member.

20 Use or Unlawful Possession or Sale of Illegal or Unauthorized Drugs

Prescription medicine permitted for use by an approved physician and management and that is used in the manner in which it is prescribed.

21 Use and Care of Property and Equipment

Any equipment damaged, torn loose, or damaged as a result of an altercation that was properly placed, secured, stored, or handled is not a violation of this standard. Unique uses of equipment in an emergency situation to save a life or prevent the potential of serious life-threatening injury is not a violation of this standard.

Unique uses of equipment under abnormal or emergency conditions to facilitate the saving of a life or prevention of further injury or serious damage to another person or property.

ILLUSTRATIVE EXAMPLES OF VIOLATIONS

On the next several pages are non-exclusive listings of what management considers to be illustrative examples of violations of the Uniform Standards of Conduct. A non-exclusive listing means that management, by publishing these listings, is not attempting to state all possible examples. Others may be applied, and the list is subject to periodic revision as deemed necessary by management.

These examples are provided for the sole purpose of assisting member understanding of the types of actions that management intends to prohibit or command.

Each member is required to review the Uniform Standards of Conduct and these examples periodically. If questions remain concerning what behaviors or conduct could be construed to be violations, members have an affirmative duty to bring their questions to management to avoid the potential of violating a standard.

Important notice, employees must read: By providing these examples, management does not intend to create an exclusive listing of all possible examples of violations of its standards. Examples are used to promote the connotative meaning of standards and other examples may apply. Standards and examples are subject to periodic change as deemed necessary by management.

Uniform Standards of Conduct

Non-Exclusionary Listing of Violations

01 Affirmatively Promoting a Positive Public Image

Causing a scene in a restaurant when a discount on meals is not given. (NOTE: This may also be a conflict of interest; see STANDARD 07.)

Consistent complaints from the member's neighbors concerning the member's behavior as it relates to violations of law.

Controversial conduct displayed on or off duty that brings public criticism and causes management or supervisory personnel to spend an atypical amount of time and management cost to investigate or respond to the criticism.

Failing to identify self, badge, and identification card and number to any member of the public. (NOTE: This does not include identifying self if working undercover or when the member's safety would be endangered.)

Failing to keep equipment clean and in proper order.

Failing to speak courteously to members of the public or treat them courteously (e.g., failing to give badge number when requested to do so, not letting a violator(s) ask questions about points of law or about the nature of the offense.

Failure to present proper grooming, uniform or dress appearance while on duty or representing this agency.

Loud and crude language in front of the public when such language has a direct and detrimental impact on public image.

Public criticisms of departmental operations when such actions cause the department to suffer the public's loss of faith and being unable to provide substantial evidence those actions were in the public's best interest.

Use of tobacco products in any form while meeting the general public on duty or in uniform, particularly while conducting official agency business.

Smoking in any place where smoking is prohibited.

Taking criticisms of the agency's operations to the general public when such actions cause the department to suffer the public's loss of faith and when the member cannot show that such actions were in the public's best interest.

Using profane or abusive language in front of members of the public.

02 Aiding Other Members

Establishing a pattern of being habitually not available or unable to respond to a request for assistance or to take a call

Failing to self-initiate an immediate and appropriate response in an emergency situation where another comparably trained employee with similar job responsibilities would self-initiate an immediate response without waiting to be told to do so by a supervisor, peer or dispatcher.

Responding to a request for assistance and then not seeking ways to provide such assistance.

The failure to conduct an inspection for another member or in another member's area when requested to do so.

The failure to participate as a backup for another member or the repeated dependence on another member to take the lead in potentially injurious or dangerous situations.

The failure to respond when a request for a backup is made by another member, or division, particularly if the failure was due to an unauthorized absence from duty or being out of an assigned work area.

The failure to respond when a request for a service is made by another member or division, particularly if the failure was due to an unauthorized absence from duty or being out of an assigned work area.

Through lack of self-preparation, failing to know enough about what is going on to do a job efficiently or effectively, or cause others to be inefficient or ineffective in the performance of duties.

03 Alcohol Use and Related Conduct

Alcohol consumption during assignments or authorized social events when the blood alcohol level exceeds the state's presumptive level or the member's behavior indicates that the member is under the influence of alcohol.

Consumption of alcohol during off duty while on work standby and, if called out, not being able to report to duty without violating this standard.

Reporting to or remaining on duty with the smell of an alcoholic beverage on one's breath or emitting erratic behavior that would indicate the member was under the influence or effects of an alcoholic beverage.

04 Maintaining an Acceptable Level of Availability for Work

All unauthorized absences.

Consistently scheduled personal appointments that coincide with scheduled duty time.

Failing to attend a scheduled training course or being absent for any period of time from a scheduled training course without direct approval from appropriate authority.

Reporting late for duty after receiving notice to correct; habitually unavailable, more so than the typical employee, for the assignment of overtime.

Time lost because of reporting to duty unfit or not ready for duty. This includes physical or mental fitness, and the failure to bring or wear necessary equipment or uniform.

Time lost doing re-work because such work was not completed properly the first time.

Time lost sleeping, loafing or watching television during restricted times on the job.

Time spent conducting personal business on work time.

Time spent correcting deficient work after receiving notice to improve.

Time spent on unauthorized tasks.

Time spent on extended lunch or work break after receiving notice to correct.

05 Committing or Condoning Illegal or Forbidden Harassment

A supervisor giving an atypical amount of preferential or non-preferential job assignments or favorable or unfavorable considerations to an employee with whom he or she currently has or has had a personal relationship.

Repeatedly asking an employee for dates once that employee has expressed no interest in starting or continuing a personal relationship.

Fails to demonstrate positive efforts to get along with a member of another race, sex, religion, national origin or refusing to work with such persons.

Inability to get along with an employee of another race, sex, religion or national origin, or refusing to work with such persons.

Making slurs based on sex, race, religion, national origin, age, physical disabilities, sexual preference or ethnic background to or about employees.

Posting derogatory graffiti, cartoons, or script on bulletin boards, chalkboards, walls, locker rooms, or vehicles, or failing to remove, or arrange for the removal of such prohibited graffiti, cartoons, or illustrations.

Telling sexual, racial, ethnic, national origin or religious, sexual preference, age or handicap jokes or stories.

06 Committing Unsafe Acts or Endangering Self or Others

All behaviors regulated or prohibited by specific guidelines, policies, procedures and practices that are designed to prohibit unnecessary risk to all persons' safety.

Allowing untrained or inexperienced employees or civilians to use equipment that has the potential of being damaged or injuring any person.

Being assigned to assist as a backup and habitually failing to be able to provide support or assistance is substantial evidence that the member is violating this standard.

Being on duty and failing to keep aware of events and circumstances ongoing during the shift that have reasonable expectation of causing a safety concern or others or self.

Failure to properly search prisoners.

Failure to properly restrain prisoners during transport.

Continuing a chase for a minor violation once a license number and driver identification are known and substantial evidence exists to indicate the person can be apprehended later on with less public endangerment.

Failing or refusing to wear a seat belt properly.

Failing to drive defensively, resulting in a chargeable motor vehicle accident or in the department's receiving a substantiated complaint.

Failing to notify the dispatcher of a location, particularly on a traffic stop or encounter with a suspicious person and during any prisoner transport.

Failing to provide known information or withholding information that results in another member or person being injured or subject to an unnecessary safety or health risk.

Failing to report damaged or dysfunctional equipment that has the probability of endangering self or others.

Handling, aiming, firing, unloading or loading a weapon contrary to established policies or procedures (includes accidental discharges of firearms, drawing weapons on citizens without reasonable cause to believe that the citizen is life-threatening).

Horseplay (e.g., the use of equipment for purposes not specifically designed or pranks that create the possibility of injury).

Leaving security doors open, ajar, or defeating the locking mechanism.

Leaving unsecured or improperly stored a weapon or potential weapon.

Introducing any weapon, chemical agent, or unauthorized device into a detention facility (Exception, e.g. authorized use during an emergency).

Making oneself unavailable for duty (e.g., leaving the station without notifying the dispatcher and immediate supervisor, not answering a radio when called, or unplugging the telephone to avoid taking a call, consistently taking longer than normal comfort breaks).

Purposefully going out of service (e.g., not answering a radio when called, unplugging the telephone to avoid taking a call, logging out of service) when substantial evidence indicates another member or person needs assistance.

The unauthorized and unnecessary divulging of information, communications or correspondence that identifies an investigative official.

Unauthorized as well as unnecessary divulging of information, communications, or correspondence that identifies or suggests the identification of an informant or undercover member of this agency or any other investigative official.

Failing to provide prisoner information upon detention pertaining to known, but unrecognizable facts (e.g., medical, suicide or security risk).

Unsafe and/or improper handling of equipment that carries a reasonable risk of endangering persons or property.

07 Conflicts of Interest

Accepting gratuities or rewards from any person or business without the authorization of the Police Chief.

Soliciting gratuities or rewards from any person or business.

Engaging in an illegal work slow-down, sit-down, or strike.

Failing to perform a duty because of personal interests.

To influence or arrange the outcome of any citation or prosecution by unlawful means.

Giving out unauthorized information or information in violation of policy to any person (e.g., news media, attorneys, bondsmen, parents).

Having a substantial interest in a business that does business with the employing governing body, without exposing such interest to the governing body.

Incurring financial liability or obligations for the department without job authority or written permission to do so.

Owning a business in whole or part that provides a service or product that conflicts with or jeopardizes the mission, goals or objectives of the department.

Performing a secondary job or private work while on duty (such as making business contacts, conducting follow-ups on outside work, delivering correspondence, selling).

Performing substandardly and holding a secondary job is substantial evidence that the secondary job is a conflict of interest in part or in whole.

Providing a secondary employer or employees of a secondary employer with special governmental services or treatment.

Purchasing from or for a prisoner or giving or accepting gifts from or for a prisoner.

Recommending a contractor, engineer, builder, architect to disaster victims.

Recommending the private or professional services of an attorney, bondsman, wrecker driver, etc., to a citizen, victim or prisoner.

Releasing or providing access to administrative or public information and/or documents or records without complying with established administrative procedures or laws governing the release or controlled release of such information.

Soliciting for any purpose on public premises without proper authorization.

Supervisors who place themselves in a financial obligation to a subordinate violate this Standard if the subordinate attempts to use such circumstances to gain special favors.

Using information gained from professional duties for personal gain.

Working for an individual or establishment that has a community or departmental reputation for violence, crime, vice, illegal drug trafficking, etc.

08 Cooperation with Members and Other Officials

Failing to seek affirmative ways to establish a working relationship with a member, or a member of another organization when it is found that such failure resulted in ineffective, inefficient or unsafe performance of the member's duties and responsibilities.

Failing to seek affirmative ways to establish a working relationship or share work-related information with a member of another section, division, bureau or work unit when it is found that such failure resulted in ineffective, inefficient, or unsafe performance of any member's duties and responsibilities.

Refusing to turn over a scene or incident to another agency that has greater or more appropriate jurisdiction.

Refusing to turn over care of an injury victim to certified emergency medical personnel when no substantial evidence exists to doubt the personnel's ability to handle the victim competently.

Threatening, intimidating, coercing or interfering with the work performance of another.

09 Supervisors Shall Display Respect Towards Subordinate-Ranked Personnel

A supervisor discusses a private conversation with another individual who has no business necessity to know about the conversation. (NOTE: The supervisor is required to inform the member prior to engaging in such a conversation whether or not the conversation will be relayed to other parties as well as the business necessity for such action.)

Criticisms directed at the member and not the member's performance or performance results (e.g., "there is no place in public service for your kind," etc.).

Failing to find a private place to speak with a member about performance problems or criticizing the member or the member's performance in front of others who have no need to know about the problem.

Gossiping or condoning continued gossip by others, about a member to other members or supervisors.

Having a problem with a subordinate and not coming to him/her to deal with it directly, using another person to convey dissatisfaction with the subordinate's performance.

Supervisor consistently admonishes the subordinate without full knowledge of the situation or circumstances of the situation or problem.

Using group meetings to criticize other members. (NOTE: This does not prohibit discussing important information of a performance nature when others at the meeting need to know the information to perform their jobs.)

10 Discriminating or Establishing Patterns of Discrimination in the Performance of Duties

Not patrolling in select neighborhoods compared to other members responsible for patrol of a particular neighborhood provides substantial evidence that this Standard is being violated.

Failure to remain impartial when handling disputes.

Exercising favoritism, as evidenced in the selection of work assignments and schedules for a specific individual or group of individuals.

The activities of an officer when compared to the typical activities of the work unit show a disproportional impact on a specific demographic group or against a specific individual or group of individuals.

11 Dishonesty or Untruthfulness

Conducting a performance evaluation in a manner that does not comply with the policies governing performance evaluations or does not comply with the spirit or intent of the evaluation process.

Covering up or purposefully failing to report damage or loss of equipment.

Failing to conduct a professional investigation and, because of it, an innocent person is prosecuted. (NOTE: This may also be a violation of STANDARD 12, the competency standard.)

Falsifying a job application, activity records, activity reports, attendance records, certification records, public documents, etc.

Falsifying a sick leave report, workers compensation or accident claim.

Falsifying any report in part or whole or failing to provide a complete and accurate report or account when it is evident to a reasonable and prudent person that a complete report would lead to a different conclusion.

Giving untruthful or misleading statements or partial truths during a legal proceeding, agency investigation, or administrative proceeding.

Intentionally claiming higher than appropriate damage to property on an official report to boost higher insurance payments. (NOTE: When intent is not an element, this behavior is an example of STANDARD 12 competency.)

Intentionally claiming higher than appropriate damage to property on an official report to render a structure dangerous or condemnable. (NOTE: When intent is not an element, this behavior is an example of STANDARD 12, competency.)

Making untruthful or misleading statements or partial truths about any employee, supervisor, command staff or their operations.

Providing any person with misleading or false information to avoid performance of duties or delivery of an expected service.

Requesting others to change or withdraw a report or notice, or causing the delay of any official communications.

12 Displaying Competent Performance and Achieving Competent Performance Results

A regular member having to be repeatedly told how to do the routine tasks of the job.

A supervisor violates this standard when he or she fails to correct a subordinate's infraction when such infraction is first made known or when the supervisor could have been expected by management to be aware of the problem.

Accepting and/or reporting information related to duties as true or factual without taking reasonable steps to verify the correctness and accuracy of the information.

Consistent failure to appear in full uniform or turn out gear.

Consistent failure to enter accurate report data on reports or into information storage files.

Consistent failure to pass regular qualifying exams or tests within the established time periods (e.g., firearms, emergency medical, knowledge of policies or procedures, certification examinations).

Consistent inability to comprehend or understand supervisory instructions, explanations, or directions for work performance through the normal communication channels or communications flow of the organization.

Consistently taking work breaks at times when it fails to promote the most effective and efficient flow of work going on at the time.

Failing to achieve consistently a minimum level of typical productivity on assigned tasks or management's chosen priority work tasks for the member or the members of the work unit.

Failing to conduct a performance evaluation according to procedure provided the failure is not due to actual or constructive intent (i.e., an act of insubordination).

Failing to demonstrate competent performance results on any assigned or assumed duty or task after receiving comparable training and experience as the typical member.

Habitually making the same types of mistakes and being defensive about accepting constructive criticism of performance.

Lacking purposeful intent, a member who consistently fails to respond to calls in a normal and timely manner displays in competency in his or her ability to manage autonomous work time and workloads.

Losing temper or composure and overreacting to another's verbal comments.

Not being equipped with proper tools, forms, or equipment to perform expected job duties and tasks when such items are available.

Repeated failure to complete reports when necessary information is available, after receiving notice to correct.

Taking frustrations out on others or failing to prevent such frustrations to lead to injury or damage to persons or property.

The failure to appear for hearings or trials without good cause and without giving advance notice to court officials.

Absences beginning or ending with specific shifts or time periods (e.g., preceding holidays, sports events, seasonal events).

13 Establishing Patterns of Absenteeism

Absences of short duration (less than three days) due to alleged sickness that are attached to scheduled days off or other scheduled absenteeism.

Establishing a pattern of scheduling doctor's appointments during busy or critical work times without displaying substantial written evidence that other times could not have been more appropriately arranged.

Consistently using sick leave hours within a short period of time in which they are earned.

Use of sick leave at a rate that consistently leaves the employee at or near zero (less than 16 hours).

14 Physical and Mental Readiness to Perform Primary Duties and Tasks

Behaving in a manner that would lead a reasonable person to suspect that the member's mental ability, attitude, or demeanor were atypical (e.g., hostile or offensive behavior, profuse anger beyond normal agitation).

Excessively using sick leave or time off taken due to illness or injury is direct evidence of the member's unreadiness to assume the duties, tasks and performances of the job.

Failing to pass any test or examination (e.g., fitness, drug, psychological) that is directly associated with the nature of the member's job tasks is substantial evidence of a state of unreadiness to assume the duties and responsibilities of the member's position.

Failing to perform an assigned task and an investigation into the matter reveals a lack of physical or mental readiness. This is substantial evidence of a violation of this standard.

Sleeping on duty. (NOTE: Acts of this nature usually violate other rules; e.g., STANDARD 04 Unavailable for Work, STANDARD 16 Insubordination).

15 Giving a Full Day's Work for a Full Day's Pay

Acting or behaving in such a manner that it unnecessarily disrupts the member's own performance or the performances of other members of the work force.

An analysis of a member's work record shows an established pattern of work productivity or non-productivity that is consistently associated with specific periods of time.

Consistently taking a longer than normal time on a task or job assignment which results in others having to handle the extra work load is "milking" the job to avoid carrying a fair share of the work load.

Failing to commence productive work at the beginning of the shift or stopping productive work prior to the end of the shift.

Failing to immediately resume normal duties (e.g., continuing to hang around for an additional period of time) after completing a call, normal break or other assigned detail.

Member consistently fails to self-initiate designed priority work during time not committed to demand tasks (e.g., dispatched calls, supervisory requests for sudden need-to-do work).

Non-productivity work period grouped around pay days; the last day of the work week; the first day back from normal weekly time off; days proceeding, following or in between holidays, etc.

Parking or hiding in out-of-the-way locations from the eyes of the public or supervisors when not on declared surveillance. (NOTE: Declared surveillance means the surveillance was prearranged with the supervisor or dispatcher has been notified.)

Productivity patterns that are grouped around the first hours of work and the rest of the work period show significant declines in work output.

Spending an atypical amount of time on station, leaving the field work for others to do.

Spending an atypical amount of time out of station, leaving the house-work for others to do.

The habitual non-productive member who consistently performs substandard work or performs below expectations, the member who works "hot" for a month or two and then works "cold" for a month or two.

16 Insubordination

Being absent without leave (AWOL) for a scheduled reporting time or from an assigned duty. (NOTE: See STANDARD 04 for a nonexclusive listing of examples that constitute AWOL)

Deliberate defiance of management's legitimate exercise of its rights.

Inciting others to react negatively to a lawful management directive or running management's decisions down behind management's back, causing disruption of the work force or creating a substantial risk of disrupting the work of another or affecting other's morale.

Leaving an assignment or assigned duty area without permission of the supervisor in charge.

Not responding to a call or delaying response to a call that has a history of false alarms.

Refusal to accept (directly or constructively) management's lawful directives or decisions (e.g., sign for the mission, code of ethics, oath of office, standards, policies or procedures). [NOTE: This Standard does not require that the member agree with management's directives. However, it does require that members comply.]

Refusing to comply positively (directly or constructively) with the lawful rules, policies, procedures, practices or directives of management.

Refusing to follow the requirements for the use of light duty or sick leave (NOTE: If sick leave is abused, the employee may expect to face departmental charges as well as criminal charges for theft in public office).

Refusing to perform assigned work duties or tasks for the position being held.

Refusing to perform the assigned work duties or tasks performed by the typical member in like or similar positions.

Refusing to report to a place of duty at the designated time and location.

Refusing to sign a performance evaluation review.

Refusing to submit to a lawful examination of body fluids or a chemical test when directed to do so by a supervisor.

Refusing to subordinate personal preferences to a supervisor's lawful directives or work instructions.

Refusing to turn in a report as specifically directed to do so by a supervisor or by a member in a superior-ranked position.

Refusing to work reasonable amounts of overtime or refusing to work overtime in an emergency situation. (NOTE: Having an established pattern of sick use and suddenly calling in sick prior to such assignments is substantial evidence of a violation of this rule.

Repeatedly being unable to be contacted for call-out when given standby notice.

Using the tactic of habitually asking for specific clarification of rules or directives that have the effect of slowing down work or frustrating supervisors or other members of the work unit. (NOTE: If circumstances indicate other conditions, STANDARD 12 may be used.)

17 Knowing, Observing, and Obeying All Directives, Rules, Policies, Procedures, Practices and Traditions

Consistent failing to know information in operational manuals, files, and agency directives.

Being the member who consistently gives the excuse, "I did not know it or see it," when no such problem exists for other members.

Using any firearms that are unauthorized by policies or procedures, or using any authorized firearms in a manner that is not authorized by policy or procedures.

Establishing a pattern of deviation from directives that is significantly different from the compliance rates of other members.

Failing to care for or protect the rights of all prisoners whether such prisoners are in the member's custody or when it is known or should be known that such rights are not being observed by others.

Habitually challenging policies, procedures, or practices without providing objective and documented facts (in written form) to support justification for such deviation.

18 Observance of Criminal and Civil Laws

Committing an unlawful search, seizure, or detention of another person or person's property.

Committing non-exempted infractions of traffic laws (e.g., driving over the speed limit, failing to observe traffic control devices, parking in unauthorized locations, failing to wear seat belts, etc.).

Inflicting punishment or mistreatment (includes both physical as well as mental) upon any person.

Non-exempted violations of any local, state, or federal criminal or civil codes or ordinances.

Refusing or failing to protect any person's civil rights when such need is made known or would have been known by a competent deputy.

Unprivileged publication of a false statement intending to harm the reputation of another member of this agency or any person in general (slander if done verbally and libel if put in written form.

Using excessive force to hold, affect an apprehension, arrest or detain any person.

Using prohibited devices, procedures, tactics or techniques to affect a holding, apprehension, arrest or detention of another. Members will be acting out of color of office without agency protection from civil liability in such independent actions.

19 Courteous and Respectful Behavior Toward Positions of Authority

After being instructed to do so, not addressing a superior-ranked member by his or her title, particularly while in public.

Failing to follow the designated Chain of Command to achieve work goals, objectives, mission, or otherwise resolve individual work-related differences (NOTE: Does not apply when the person in the member's Chain-of-Command is violating the employee's civil rights).

Failing to keep a superior in the direct line of supervision informed of pertinent information that affects or has the probability of affecting the effectiveness, efficiency or safety of any member, including self.

Using abusive language or gestures at, towards, or about a superior-ranked member this is particularly serious if committed in the presence of other members or made. Known to other members, or members of the public.

20 Use or Unlawful Possession or Sale of Illegal or Unauthorized Drugs

Involvement, either directly or indirectly, in the sale or distribution of any illegal drug, substance of abuse or related paraphernalia.

Not being able to account (through proper documentation) for any drugs or substance handled by the member.

Possession of illegal drug or substances of abuse, or using a substance in an abusive manner.

Reporting to duty or remaining on duty while displaying erratic behavior or actions that would lead a reasonable and prudent supervisor to believe the member was under the influence of drugs or medication.

The continued taking of a prescribed drug once the medical reason is no longer valid.

Use or possession of any unapproved drugs while on duty.

21 Use and Care of Property and Equipment

Failing to avoid damaging or purposefully damaging equipment.

Failing to perform routine and regular maintenance on assigned equipment.

Waste, misuse or indifference to the recommended application of any product or item supplied by the department.

Failing to report damaged or dysfunctional equipment. (NOTE: If the failure to report results in injury or high-risk danger to another person, or self, STANDARD 06 is the better charge.)

Leaving a departmental vehicle running and unsecured.

Misuse of radios by transmitting slang or other non-official communications

Private use of equipment without the approval of appropriate supervisory personnel.

Purposefully disabling or damaging equipment or equipment used by another without authorized cause.

Testing or using equipment in an unauthorized manner that results in damage.

Use of another's equipment without gaining the other member's prior approval.

Using special or restricted equipment without gaining proper supervisory authorization.

Secondary Employment	Related Policies:
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.	
Applicable Arkansas Statutes:	
CALEA Standard: **22.3.4; 22.3.5** ALEAP 4.05 Off-Duty Employment	
Date Implemented:	Review Date: 9/25/2025

I. Purpose: The purpose of this policy is to establish guidelines governing Extra Duty Details and outside employment by employees of this department.

II. Policy: It is the policy of this Department to allow employees the opportunity to perform Extra Duty Details within the scope of their job classifications and to allow them to engage in outside employment which does not conflict with their official duties.

III. Definitions

A. Extra Duty Details: Performance of law enforcement duties not within regularly scheduled hours provided to any business, person, or enterprise that has made an application to the Department and has been approved to secure the services of an employee of the Department. These services will be compensated according to an arrangement established by the Department.

B. Outside Employment: Employment of a non-police nature in which vested police powers are not a condition for employment. The work provides no real or implied law enforcement service to the employer and is not performed during assigned hours of duty.

IV. Procedures

A. [ALEAP 4.04] Approval Process: The Department will establish an approval process that will ensure compliance with all elements of this policy concerning Extra Duty Details. The approval process must be completed prior to a member of this department accepting a detail and will include the following:

i. A clearly established hourly rate with a two-hour minimum;

ii. The number of employees required to safely handle the detail; and

iii. All fees will be paid as directed in the agreement.

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B. **Compliance with department policies and procedures:** Employees shall comply with all department policies and procedures while employed in an Extra Duty Detail. Department provisions will supersede any of the entity hiring the employee. Employees shall comply with all departmental regulations concerning uniform standards and personal appearance during any Extra Duty Detail and will carry all necessary equipment subject to the nature of the assignment.

C. **[ALEAP 4.05] Schedule:** The Chief of Police or their designee will coordinate the Extra Duty Detail program. The Chief of Police or their designee will ensure that all employees interested in working are provided an equal opportunity for assignment via a rotating list or other mechanism to ensure fairness in the assignments.

D. **[ALEAP 4.05] Limitations:** The following are examples of limitations upon Extra Duty Details, overtime, and outside employment that would not be approved:

   i. Employees are not permitted to work more than 24 additional hours per week unless approved in writing by the Chief of Police or their designee.

   ii. Officers shall not work more than 16 hours in a calendar day unless an emergency exists and the Chief of Police or their designee has authorized the emergency schedule.

   iii. Employees shall not be eligible while on sick leave or within (8) eight hours of a sick leave.

   iv. Employees who are under suspension, relieved of duty, or placed on administrative leave are not eligible for assignment.

   v. Employees who have not completed the FTO program are not eligible for assignment.

E. **[ALEAP 4.05] Prohibitions:** Extra Duty Details will not be approved for the following types of assignments unless approved by the Chief of Police:

   i. Establishments where alcohol is the primary source of business;

   ii. Private Clubs requiring bouncers or related duties;

   iii. Private security agencies or private investigation agencies;

   iv. Bodyguard;

   v. Adult entertainment establishments; and

   vi. Any use of Departmental personnel that is not in the best interest of the Department.

F. **Outside Employment:** The Department will develop an Outside Employment Request Form, which will be utilized whenever an employee seeks to engage in employment during their off-duty hours. The form will at a minimum contain the following information:

   i. Description of the type of work to be performed (i.e. teaching, sales, construction, etc.) and information concerning the potential employer;

   ii. Maximum number of hours per week an employee will engage in outside employment (no more than 24 hours should be approved);

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iii. Statement indicating that no aspect of the employment could be considered questionable in nature such as placement in compromising situations, use of police powers, or have the potential to bring discredit to the Department; and

iv. Statement indicating the services rendered will not be connected with security work, investigations, or collection or repossession of property and will not involve any law enforcement duties.

G. **Approval:** Approval to engage in any outside employment will be submitted through the employee's chain of command, requiring final approval by the Chief of Police or their designee. Permission can be withdrawn at any time.

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Sex Offender Registration	Related Policies:
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.	
Applicable Arkansas Statutes: 12-12-902	
CALEA Standard:	
Date Implemented:	Review Date:

I. Purpose: Arkansas Statue 12-12-902 requires local police departments to register and maintain files of convicted sex offenders. The Criminal Investigation Division will register and maintain files of required registered sex offenders within the City of Bryant. Centralized Electronic Network of Sex Offender Registration (CENSOR) is used by the Bryant Police Department to register sex offenders. CENSOR eliminated the need for ACIC to mail certified notices to sex offenders. Registered sex offenders are required to report in person to their local law enforcement agencies every three or six months depending on their risk level. The new system eliminates the need for fax and paper forms and allows Detectives to register offenders immediately with up-to-date photos. The following procedures will be employed in compliance with this statutory requirement.

II. Policy: Assigned personnel will maintain records of the sex offenders, make community notifications, and act as liaison with Arkansas Crime Information Center (ACIC), other state entities, law enforcement agencies and others regarding offender registration issues.

III. Procedure: If an offender contacts Bryant Police Department after normal business hours for the purpose of registering, that employee will obtain the offender's name, race, sex, date of birth, home address, place of employment, and phone number(s), and advised the offender to report to the Criminal Investigation Division during business hours. This information shall be forwarded to the Criminal Investigation Division in a sealed envelope specifying the date, time, and location where contact was made with the offender.

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Sexual Misconduct	Related Policies: Harassment
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.	
Applicable Arkansas Statutes: §5-14-124; §5-14-125; §5-14-126; §5-14-127	
CALEA 26.1.1 Code of Conduct	
Date Implemented:	Review Date: 9/25/2025

I. Purpose: Law enforcement officers are empowered with authority by their government to protect the public from criminal activity. When an officer abuses this authority for sexual purposes and violates another person, the officer not only commits a crime against the victim, but also damages the credibility and trust of the entire law enforcement community with the public. The purpose of this policy is to caution all officers that any violation of the public trust involving sexual misconduct will result in severe consequences, including discipline, up to and including termination, and prosecution to the fullest extent possible.

II. Policy: The employer prohibits and will not tolerate any form of sexual misconduct or sexual contact. This policy expands upon, and is established in addition to, the employer policy on anti-harassment.

III. Definition:

A. Criminal Sexual Misconduct: The abuse of authority by a law enforcement officer for sexual purposes that violates the law.

B. Sexual Contact: Any contact for the purpose of sexual gratification.

C. Sexual Misconduct: Any sexual activity while on-duty, stemming from official duty, while on department business, on department property, or while utilizing department vehicles or equipment. Sexual misconduct includes, but is not limited to, any contact for the purpose of sexual gratification of a person while on duty is prohibited, and the use of official position and official resources to obtain information for purposes of pursuing sexual conduct.

D. Intimate Part: Genital area, inner thigh, groin, buttocks, or breasts of a person.

E. **Actor:** The person accused of sexual assault

F. **Sexual Contact:** Any contact for the purpose of sexual gratification of the actor with the intimate parts of a person not married to the actor.

IV. Prohibited Behavior:

The following conduct and behaviors are prohibited:

A. Sexual Misconduct

B. Any use of official position and official resources to obtain information for purposes of pursuing sexual conduct is prohibited.

C. Sexual contact of any nature while on duty, regardless of consent or relationship status, including sexual contact with a person in custody.

D. Any contact for the purpose of sexual gratification of the actor with the intimate parts of a person while on duty is prohibited.

E. A police officer shall not engage in sexual contact with another person who is in custody and such officer has supervisory or disciplinary authority over such other person.

F. Any other conduct that may be deemed inappropriate by a reasonable person while on duty, stemming from official duty, anywhere on department property, while utilizing a department vehicle or equipment, or on department business, whether or not such conduct occurs during work hours.

V. Reporting Requirements:

Any employee of this department who is made aware of allegations or complaints of prohibited conduct/behavior(s), or any potential violation of this policy, is required to report the conduct/behavior to their supervisor. Failure to make this report as prescribed will result in disciplinary or other appropriate action.

VI. Investigations:

A. Upon being made aware of allegations or complaints of prohibited conduct/behavior(s), the supervisor, EEO Officer, or Human Resources representative will promptly contact the Internal Affairs Section, or the command level personnel having Internal Affairs responsibility, who will initiate an investigation in accordance with their established investigative policy.

B. The investigation may involve other investigative elements of the department as necessary, and any forensic evidence will be protected and processed immediately.

C. The accused officer's supervisor will not attempt to resolve a complaint of this nature with the complainant, and is required to make immediate contact with Internal Affairs or the command level personnel having Internal Affairs responsibility.

D. The employer will make efforts to ensure that all investigations are kept as confidential as reasonably possible. Employees will be required to refrain from discussing the subject content with other employees or persons who may have

information pertinent to the investigation throughout the course of the investigation. Employees shall be required, upon request, to provide information to regulatory agencies. The employer will release information obtained only to those individuals involved in the investigation and the administration of the complaint with a business need-to-know, or as required by law.

E. The employer will communicate to the individual who made the initial complaint, as well as the individual against whom the complaint was made, will be made aware that the investigation is completed and appropriate action, if any, has been taken.

F. If evidence arises that a participant in the investigation made intentionally false statements, that employee will be subject to disciplinary action, up to and including termination.

G. If it is determined that a violation of this policy has occurred, the employee will be subject to disciplinary action up to and including termination. The employer will also initiate action to deter any future prohibited conduct/behavior(s) from occurring.

VII. Discipline:

A. Any officer found to be in violation of the provisions of this policy shall be disciplined up to and including termination and criminal charges where established.

B. Any employee who is made aware of allegations or complaints of prohibited conduct/behavior(s), or any potential violation of this policy, who fails to report the conduct/behavior shall be disciplined up to and including termination and criminal charges if appropriate. If the violation involves supervisory personnel, the reporting officer will notify the appropriate command-level officer and will not be strictly held to his or her chain of command.

VIII. Prohibition Against Retaliation

Retaliation is adverse treatment which occurs because of opposition to prohibited conduct/behavior(s) in the workplace. The employer will not tolerate any retaliation by management or by any other employee against an employee who exercises rights under this policy. Employees who believe they have been harassed, retaliated, or discriminated against in any manner whatsoever as a result of having filed a complaint, assisted another employee in filing a complaint, or participated in an investigative process should immediately notify the EEO Officer or alternative EEO Officer. The employer will promptly investigate and deal appropriately with any allegation of retaliation.

IX. TRAINING:

All sworn officers of this department, including supervisors, will receive annual training about the elements of sexual misconduct involving law enforcement officers. The training will also include all elements of this policy.

Using Social Networks for Investigative Purpose	**Related Policies:** **1.** Confidential Informants, **2**. Bias Free Policing, **3.** Stop, Arrest, and Search of Persons, **4.** Search of Residences, **5.** Vehicle Search, **6.**Social Networking **7.** Hiring and Retention
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.	
Applicable Arkansas Statutes:	
CALEA Standard:	
Date:	Review Date: 9/25/2025

I. Purpose: The purpose of this policy is to establish guidelines for the use of social media in pre-employment background investigations, crime analysis, criminal intelligence development, and criminal investigations.

Social media may be used for community outreach events such as providing crime prevention tips, providing crime maps, and soliciting tips about unsolved crimes. Social media may also be used to make time-sensitive notifications regarding special events, weather emergencies, or missing or endangered persons.

Social media is also a valuable investigative tool used to detect and prevent criminal activity. When conducting criminal investigations, employees must adhere to this policy to protect individuals' privacy, civil rights, and civil liberties, and to prevent employee misconduct.

II. Policy: It is the policy of this department to conduct criminal investigations for the purposes of preventing and solving crime in a manner that safeguards the constitutional protections of all persons.

III. Definitions:

A. Criminal Intelligence Information: Data which has been evaluated and determined to be relevant to the identification of criminal activity engaged in by individuals who, or organizations which, are reasonably suspected of involvement in criminal activity.

B. Crime Analysis and Situational Assessment Reports: Analytic activities that enable department personnel to identify and understand trends, causes, and potential indicators of criminal activity, including terrorism.

C. **Online Alias**: An online identity such as name, date of birth, and photograph, differing from the employee's actual identifiers, used by a member of this department on a nongovernmental Internet Protocol address. An online alias may be used to monitor activity on social media websites or to engage in authorized online undercover activities.

D. **Online Undercover Activity**: The utilization of an online alias to engage in interactions with a person via social media sites that may or may not be in the public domain (i.e. "friending a person on Facebook").

E. **Public Domain**: Any Internet resource that is open and available to anyone.

F. **Social Media:** A category of Internet-based resources that integrate user-generated content and user participation.

G. **Social Media Websites:** Sites which focus on building online communities of people who share interests and activities, and/or exploring the interests and activities of others. Social media websites are further categorized by Internet-based resources that integrate user-generated content and user participation. This includes, but is not limited to, social networking sites (Facebook, Twitter)

H. **Valid Law Enforcement Purpose:** A purpose for information/intelligence gathering development, or collection, use, retention, or sharing that furthers the authorized functions and activities of a law enforcement agency, which may include the prevention of crime, conducting criminal investigations, ensuring the safety of the public, furthering officer safety, and homeland security.

IV. PROCEDURE:

A. **Regarding investigations:** employees, as an official of the department, will only utilize social media to seek or retain information that:

a. Will assist the department in conducting criminal investigations and solving reported crime; or

b. Is based upon reasonable suspicion that an identifiable individual, or organization has committed an identifiable criminal offense or is involved in or is planning criminal conduct or activity that presents a threat to any individual, the community, or the nation, and the information is relevant to the criminal conduct or activity; or

c. Is relevant to the investigation and prosecution of suspected criminal incidents; the enforcement of sanctions, orders, or sentences; or the prevention of crime; or

d. Is relevant to pre-employment background investigations; or

e. Will assist this department in identifying and understanding trends, causes, and potential indicators of criminal activity, terrorism, and civil disturbances.

B. The utilization of a department-created online alias or social media monitoring tool will only be used for official business. The use of a department-created online alias or social monitoring tool for personal use is prohibited and considered employee misconduct.

C. This department will not utilize social media to seek or retain information about:

a. Individuals or organizations solely on the basis of their religious, political, social views or activities; or

b. An individual's participation in a particular non-criminal organization or lawful event; or

c. An individual's race, ethnicity, citizenship, place of origin, disability, gender, age, or sexual orientation, unless such information is relevant to the individual's criminal conduct or activity or if required to identify the individual; or

d. An individual's age other than to determine if someone is a minor.

D. Authorization to access social media websites:

a. Public Domain: No authorization is necessary for general research, topical information or other law enforcement uses that do not require the acquisition of an online alias.

b. Authorization for an online alias:

1. No online alias will be used by any member of this department without the written authorization of the Chief of Police or their designee.

2. Only officers are authorized to submit a request to create an online alias.

3. The request to create an online alias will be submitted to the officer's supervisor, who will determine whether an online alias would serve a valid law enforcement purpose. The supervisor will either deny the request or approve the request and forward the request up the chain of command for final approval or denial.

4. The supervisor must maintain the requests for online alias and their status (approved/denied) for two years from the date of deactivation of the online alias.

c. The request for an online alias must contain the following information:

1. Purpose for the request (i.e. type of investigative activity);

2. Username;

3. Identifiers and pedigree to be utilized for the online alias, such as email address, username, and date of birth.

4. Photograph to be used with online alias, if applicable.

a) State the purpose for which the photograph is being used;

b) State the source of the photograph and how it was obtained;

c) Attach a copy of the photograph.

5. Officers with an approved online alias may use their online alias to make false representations in concealment of personal identity in order to establish social media accounts (i.e. a Facebook account). The establishment of a social media account with an approved online alias must be documented.

6. The use of identifying information belonging to any person in constructing an online alias without their express written permission is strictly prohibited by this policy.

7. It is a violation of this policy to use a photograph, name, address, and date of birth, social security number or other means of identification that collectively belongs to a person and establishes that person's identity without their written consent.
8. The use of an existing photograph which has been digitally altered (ex. by means of photo shop) so as to render the identity of the person as unidentifiable, is not prohibited by this policy.
9. The mere authorization to create an online alias does not grant the officer the authorization to conduct online undercover investigations. Each online undercover investigation using the approved alias must be approved by the supervisor.

d. Authorization for Online Undercover Activity:

1. An officer who has an authorized online alias may also request authorization to engage in online undercover activity.
2. Online undercover activity occurs when the officer utilizing the online alias interacts with a person via social media. Online undercover operations will only be utilized when there is reasonable suspicion to believe that criminal offenses have been, will be or are being committed (e.g. internet chat rooms where child exploitation occurs) or to further criminal investigations assigned to the officer.
3. The request to engage in online undercover activity must contain the following information:
   - **a)** Online alias(es) to be used in the online undercover activity;
   - **b)** Social media accounts utilized;
   - **c)** Valid law enforcement purpose.
4. The supervisor must evaluate the request to determine whether online undercover activity is appropriate. If the request is approved, the authorization must be maintained in the file containing the record of the online undercover activity.
5. In situations involving exigent circumstances, the supervisor may provide verbal authorization for online undercover activity. The supervisor shall provide written documentation of the request, the exigent circumstances, and the circumstances of the verbal authorization as soon as practical.
6. A record will be maintained of all online undercover activity.
7. All approved online undercover activity requests will be reviewed monthly by the supervisor to ensure continued need for the online undercover activity. Approved online undercover activity that does not provide information regarding a valid law enforcement purpose within thirty (30) days will be discontinued.
8. A summary will be placed in the file indicating the date of termination of the online undercover activity.
9. The online alias may be maintained if it is anticipated that it will be utilized again.

E. Source Reliability:

a. Information developed from social media sites should be corroborated using traditional investigative tools including interviews, verification of address, verification of internet protocol address information, or other lawful means.

F. Documentation and retention of investigative information, files, documents:

a. All information obtained from social media websites shall be placed within a case file, suspicious activity report, or intelligence report. At no time should personnel maintain any social media files outside of these authorized files.

b. It is critical to evidence preservation that the investigating officer be aware that information on the internet can be changed or deleted at any time. Therefore, it is vital that evidence be seized and secured at the time it is discovered. Officers shall act to preserve and maintain proper custody of images, texts, photographs, or other potential evidence. Information identified as criminal in nature that is obtained in the course of an investigation from a social media site will be collected and retained using screen shots, photographs, printouts of chat logs, copying Uniform Resource Locators (URL's) for subpoena or investigatory purposes, or storing the information via secure digital means. When possible, employees will utilize investigative computer systems and software intended to record data from social media sites.

G. Personal equipment and personal social media websites and passwords.

a. The use of employee's personal or family internet accounts, social media, or internet service for official department business is prohibited. All investigative activities shall be conducted while on duty and with department authorized equipment.

H. Off Duty Activity:

a. An employee who becomes aware of potential criminal activity via the Internet while off duty shall contact their supervisor if the activity involves a minor child or exigent circumstances to determine the best course of action.

b. As soon as practical, following awareness of the potential criminal activity, the employee should prepare detailed notes to document a complete description of the information observed and specifics as to the events that occurred or action taken.

c. Employees shall act to preserve and maintain proper custody of images, texts, photographs, or other potential evidence.

I. Employment Background Investigations: The purposes of cyber-vetting are to verify information provided by the candidate at other stages of the application process, to identify candidates who have posted material that indicates involvement in or association with criminal activity and to identify candidates whose online behavior is contrary to the law enforcement mission.

a. As part of the department's employment background process, employees will conduct a search of social media websites and profiles in the public domain regarding the applicant. Applicants will be notified that this search will be conducted.

b. Only criminal comments or images will be collected as part of the background investigatory process. Employees will not collect or maintain information about the political, religious, or social views, associations, or activities of any individual or any group unless such information directly relates to criminal conduct or activity.

c. New employees: All candidates seeking employment with this department shall be required to complete an affidavit indicating their participation in any social networking sites. This affidavit shall include the names of the sites. The candidate shall provide the department with access to their site as part of any background examination.

J. Sanctions for Misuse:

a. Any employee who violates the provisions of this directive will be subject to disciplinary action.

K. Audits and Inspections:

a. This department will conduct audits and inspections of the department systems utilized for conducting online investigations with an emphasis on undercover and alias investigations.

b. The process of the inspection/audit shall respect the dignity of all department personnel and be conducted in a professional manner.

c. Each audit/inspection report that identified a deficiency or area of concern shall result in a follow-up audit/inspection within one month of the discovery of the deficiency.

d. All reports of audit/inspections shall be maintained in a secure location for a minimum of five (5) years or longer where required by Arkansas law.

e. The Chief of Police will review this directive at least annually and direct the updating of the policy and procedures as necessary.

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a. This department will conduct audits and inspections of the department systems utilized for conducting online investigations with an emphasis on undercover and alias investigations.

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d. All reports of audit/inspections shall be maintained in a secure location for a minimum of five (5) years or longer where required by Arkansas law.

e. The Chief of Police will review this directive at least annually and direct the updating of the policy and procedures as necessary.

Stop, Arrest, and Search of Persons	Related Policies:
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.	
Applicable Arkansas Statutes: Arkansas Criminal Procedure §3.1; §4.1; §4.2; §4.3;§4.4; §12-62-40; §16-43-102;§16-81-102; Constitution Art 3 §4; Art. 11§3; Arkansas Code 16-93-107.	
CALEA1.2.3 Compliance with Constitutional Requirements 1.2.4 Search and Seizure 1.2.5 Arrest with/without Warrant 1.2.8 Strip/Body Cavity Search ALEAP 7.02 Arrests with a Warrant 7.03 Arrests without a Warrant 7.04 Authority to Arrest Outside Jurisdiction 7.05 Probable Cause Determinations and First Appearances 10.04 Strip Searches 10,05 Body Cavity Searches 10.06 Consular Notifications	
Date:	Review Date: 9/25/2025

I. Purpose: The purpose of this policy is to direct the members of this department on the lawful limits of authority with respect to contacts with persons.

II. Policy: The policy of this department is to protect and serve the constitutional rights of all citizens when stopping, arresting, or searching individuals while balancing the needs of law enforcement in solving crime for the protection of the community.

III. DEFINITIONS:

A. Probable Cause: (search): Facts and circumstances based upon observations or information that would lead a reasonable law enforcement officer to believe that evidence of crime exists and that the evidence exists at the place to be searched.

B. Probable Cause: (arrest): Facts and circumstances based upon observations or information that would lead a reasonable law enforcement officer to believe that a crime has been or is being committed and the person to be arrested is the one who is or has committed the crime.

C. **Reasonable Grounds:** As used in this policy, reasonable grounds shall have the same meaning as probable cause.

D. **Reasonable Suspicion (temporarily detain):** Facts and circumstances based upon observations or information, short of probable cause but based upon articulated facts that would lead a reasonable law enforcement officer to believe that criminal activity is afoot.

E. **Reasonable Suspicion (frisk):** Facts and circumstances based upon observations or information, short of probable cause, but based upon articulated facts that would lead a reasonable law enforcement officer to believe that a person who is lawfully stopped is in possession of a weapon.

F. **Frisk (weapon):** A limited type of search where an officer may only conduct a search for weapons. With respect to a person, such a search is limited to a pat-down of the subject's outer clothing.

G. **Strip search:** The removal or rearrangement of clothing that results in the exposure or observation of a portion of the genitals, the buttocks, or the breasts of a female.

H. **Consensual Contact:** An interaction between a member of law enforcement and the public that is voluntary in nature. The law enforcement member has shown no authority that would cause a reasonable person to believe that they had no choice but to respond or comply with the officer's efforts. Under this type of contact an officer has no power to detain an individual who chooses not to participate in the contact.

I. **Arrest:** An arrest is the taking of a person into custody so that he may be held to answer for the alleged commission of a public offense.

J. **Fresh pursuit** shall include fresh pursuit as defined by the common law and also the pursuit of a person who has committed a felony or who is reasonably suspected of having committed a felony in this state. It shall also include the pursuit of a person suspected of having committed a supposed felony in this state, though no felony has actually been committed, if there is reasonable ground for so believing. Fresh pursuit, as used here, shall not necessarily imply instant pursuit, but pursuit without unreasonable delay.

IV. PROCEDURES:

A. Consensual Contact - An officer may approach anyone and attempt a consensual contact.

a. Officers are not required to have reasonable suspicion for this type of contact.

b. Officers may not take any steps through words or conduct to stop the person's movement under this type of stop.

c. A person cannot be compelled in any way to participate in the stop.

B. Reasonable Suspicion-Based Stops/Terry Stops- An officer who is aware of facts and circumstances that would lead a reasonable police officer to conclude that criminal activity is afoot may stop a person, using reasonable force short of deadly force, and detain the person for a reasonable amount of time to investigate further.

a. A law enforcement officer lawfully present in any place may, in the performance of his duties, stop and detain any person who he reasonably suspects is

committing, has committed, or is about to commit (1) a felony, or (2) a misdemeanor involving danger of forcible injury to persons or of appropriation of or damage to property, if such action is reasonably necessary either to obtain or verify the identification of the person or to determine the lawfulness of his conduct. An officer acting under this rule may require the person to remain in or near such place in the officer's presence for a period of not more than fifteen (15) minutes or for such time as is reasonable under the circumstances. At the end of such period the person detained shall be released without further restraint, or arrested and charged with an offense.

C. Reasonable Suspicion-Based Frisk - An officer may conduct a limited frisk/pat-down of a person's outer clothing when the officer has reasonable suspicion to believe that a person who has been lawfully stopped is in possession of a weapon that poses a danger to the officer or others present.

a. Items that may support reasonable suspicion:

1. The type of crime for which the stop is based is one that would lead a reasonable officer to conclude generally involves a weapon;

2. The officer observes a bulge in the subject's clothing that has the appearance of a weapon;

3. The officer has information (an anonymous tip merely providing description and location is not enough) indicating that a person is armed;

4. The officer is aware of the subject's history of carrying weapons;

5. The officer observes the subject reach as if reaching for, or reaching to hide a weapon (furtive movements);

b. Plain feel: an officer may retrieve items that the officer feels during the frisk under the following circumstances:

1. The officer is conducting a valid frisk; and

2. The officer feels an item that the officer knows is not a weapon;

3. The officer immediately recognizes the item as evidence or contraband without making a further intrusion. Squeezing or manipulating the item during the frisk would constitute a further intrusion under this section and would therefore invalidate the seizure.

c. The frisk is limited to a pat-down of the outer clothing and does not include reaching into pockets etc., unless the officer feels an item during the frisk that the officer reasonably believes is a weapon.

D. Arrest: An officer may arrest an individual if the officer has probable cause to believe that a crime has been committed and probable cause to believe that the person to be arrested is the person who committed that crime. Once probable cause is established, an officer may take custody of the subject and involuntarily transport the subject.

NOTE: If the person to be arrested is in a dwelling - refer to Home Search Policy. If the person to be arrested is in a vehicle - refer to Vehicle Search Policy.

E. Under Arkansas Law:

a. **Procedure on Arrest:** Upon making an arrest, a law enforcement officer shall:

1. identify himself as such unless his identity is otherwise apparent;
2. inform the arrested person that he is under arrest; and
3. as promptly as is reasonable under the circumstances, inform the arrested person of the cause of the arrest.

b. **Authority to arrest without warrant**. A law enforcement officer may arrest a person without a warrant if:

1. The officer has reasonable cause to believe that such person has committed a felony;
2. the officer has reasonable cause to believe that such person has committed a traffic offense involving:
   a) death or physical injury to a person; or
   b) damage to property; or
   c) driving a vehicle while under the influence of any intoxicating liquor or drug;
3. the officer has reasonable cause to believe that such person has committed any violation of law in the officer's presence;
4. the officer has reasonable cause to believe that such person has committed acts which constitute a crime under the laws of this state and which constitute domestic abuse as defined by law against a family or household member and which occurred within four (4) hours preceding the arrest if no physical injury was involved or 12 (twelve) hours preceding the arrest if physical injury, as defined in Ark. Code Ann. § 5-1-102, was involved;
5. The officer is otherwise authorized by law.

c. **Arrest with Warrant:**

1. Any law enforcement officer may arrest a person pursuant to a warrant in any county in the state.
2. A law enforcement officer need not have a warrant in his possession at the time of an arrest, but upon request he shall show the warrant to the accused as soon as possible. If the officer does not have the warrant in his possession at the time of the arrest, he shall inform the accused of the fact that the warrant has been issued.

d. **Authority to Arrest Outside of this Department's Jurisdiction:** It is the policy of this department to assist local, state, and federal law enforcement agencies in their legitimate law enforcement operations when requested. To provide such assistance, members of this department may travel outside this jurisdiction when requested by another law enforcement agency, under the terms of a mutual aid agreement, or when acting pursuant to applicable law. An officer of this department may make an arrest outside of this department's jurisdiction within the State of Arkansas under the following circumstances:

1. Fresh Pursuit; (16-81-301)
2. Warrant for Arrest; (16-81-104; ARCP 4.2)

3. When requested by the local law enforcement agency for assistance and the officer requested is from an agency that has a written policy covering arrests outside of his jurisdiction; (16-81-106 (c) (3)(4))

4. When a county sheriff requests or grants permission for an officer from a contiguous county to come into the sheriff's county for purposes of investigating and making arrests for violations of controlled substances laws. (12-12-102)

F. Search Incident to Arrest of a Person:

a. When an officer arrests a person on the street, the officer may conduct a thorough search of the subject's person (not a strip search) and the subject's immediate area of control.

b. When possible and practicable, cross-gender pat-downs and searches will be conducted by an authorized person of the same sex as the arrestee.

c. The purpose of this search is the following:

1. Protecting the officer from attack;

2. Preventing the person from escaping;

3. Discovering or seizing the fruits of the crime for which the person has been arrested; or

4. Discovering or seizing any instruments, articles, or things that are being used or which may have been used in the commission of the crime for which the person has been arrested.

d. This search may include the subject's pockets as well as any items they are in possession of at the time of the arrest.

e. Cell phone search incident to arrest: Officers are required to obtain either consent from the arrestee, a court-authorized search warrant, or articulate the existence of exigent circumstances before a cellular phone or hand-held device is opened and searched.

f. (For search incident to arrest in home-see home search policy-for incident to arrest search in vehicle see motor vehicle contacts policy)

G. Privilege from Arrest:

a. Diplomatic and Consular Immunity

1. Background: Diplomatic immunity is a principle of international law by which certain foreign government officials are not subject to the jurisdiction of local courts and other authorities for both their official and, to a large extent, their personal activities. It should be emphasized, however, that even at its highest level, diplomatic immunity does not exempt diplomatic officers from the obligation of conforming with national and local laws and regulations.

2. Categories of persons entitled to diplomatic immunity are as follows:

a) Diplomatic Agent: Enjoys the highest degree of privileges and immunity. Diplomatic Agents may not be handcuffed (except in extraordinary circumstances), arrested, or detained for any criminal

offense. Generally, they are immune to any civil suits, but are not immune from receiving a citation/summons. Family members of these persons enjoy the identical privileges and immunity.

b) Diplomatic Administrative and Technical Staff: Enjoy privileges and immunity similar to Diplomatic Agents. Diplomatic Administrative and Technical Staff may not be handcuffed, arrested, or detained for any criminal offense. They enjoy immunity from civil suits arising in connection with the performance of their official duties. Officers may issue a citation for a motor vehicle violation. Family members enjoy identical privileges or immunity.

c) Diplomatic Service Staff: They are accorded few privileges and immunities. Diplomatic Service Staff may be arrested or detained for criminal offenses. They enjoy immunity from civil suits arising in connection with the performance of their official duties. Officers may issue a citation for traffic violations. Family members enjoy no privileges or immunities.

d) Consular Officers: Enjoy privileges and immunity from criminal and civil matters arising from their performance of official duties. Consular Officers may be arrested or detained, pursuant to an arrest warrant, for felony offenses. They may be prosecuted for misdemeanors, but may not be arrested or detained prior to trial or other disposition of charges. Officers may issue a citation for traffic violations. Generally, family members enjoy no privileges or immunity.

e) Consular Employees: Enjoy privileges and immunity from criminal and civil matters arising from their performance of official duties. Consular Employees may be arrested or detained for criminal offenses. Officers may issue a citation for traffic offenses. Family members enjoy no privileges or immunity.

f) Honorary Consuls: Enjoy privileges and immunity from criminal and civil matters arising from their performance of official duties. Honorary Consuls may be arrested or detained for criminal offenses. Officers may issue a citation for a traffic offense. Family members enjoy no privileges and immunity.

b. Procedure for Notification When a Foreign National is Arrested:

1. Determine the foreign national's country. In the absence of other information, assume this is the country on whose passport or other travel documents the foreign national travels.

2. All foreign nationals must be told of their right to Consular notification.

3. If the foreign national's country is not on the mandatory notification list:

a) Offer, without delay, to notify the foreign national's consular officials of the arrest/detention.

b) If the foreign national asks that consular notification be given, notify the nearest consular officials of the foreign national's country without delay.

4. If the foreign national's country is on the list of mandatory notification countries:

    a) Notify that country's nearest consular officials, without delay, of the arrest/detention. Tell the foreign national that you are making this notification

5. Keep a written record of the provision of notification and actions taken.

c. Arkansas Exemptions from Arrest:

1. The organized militia shall be privileged from arrest during their attendance at muster and attendance at drills and in going to and returning from attendance at muster and drills in all cases except treason, felony, and breach of the peace.

2. The volunteer and militia forces shall, in all cases (except treason, felony, and breach of the peace) be privileged from arrest during their attendance at muster and the election of officers, and in going to and returning from the same.

3. All witnesses shall be privileged from arrest in all cases except treason, felony, or breach of the peace during their attendance on any court where their attendance is required by subpoena, and going to and returning from the place where they may be required to appear to testify, allowing one (1) day for every twenty-five (25) miles from their residence.

4. The members of the Senate and House of Representatives and the clerks, sergeants-at-arms, and doorkeepers of each branch of the General Assembly shall be privileged from arrest during the session of the General Assembly and for fifteen (15) days before the commencement and after the termination of each session.

5. All persons qualified to vote for representatives in the General Assembly shall be privileged from arrest during their attendance at any election and while on their way going to and returning from the election.

6. No person shall be arrested while doing militia duty under the order of his commanding officer or while going to or returning from the place of duty or parade.

7. No person shall be arrested in the Senate chamber or House of Representatives during their sitting, or in any court of justice during the sitting of the court.

8. Nothing contained in this section shall be so construed as to extend to cases of treason, felony, or breach of the peace or to privilege any person named from being served at any time or place specified in this section with a summons or notice to appear.

9. Electors shall, in all cases (except treason, felony and breach of the peace,) be privileged from arrest during their attendance at elections, and going to and from the same.

H. **[ALEAP 10.04] Strip Searches**: In order to conduct a strip search of an individual, two threshold issues must be met:

a. The person must first be arrested based upon probable cause to believe that the person has or is committing a crime.

b. Field: The officer must have probable cause to believe that the arrestee is concealing evidence, contraband, or weapons on their person. These searches shall be conducted at the police station or jail, unless exigent circumstances exist that make the search necessary to protect the officer or others from serious bodily harm or death. In such a case, the officer shall obtain supervisory authorization before making this search, unless no supervisor is available. In all cases, the officer must seek a private area to conduct the search, which is out of view of the public and other persons.

c. All strip searches conducted shall be performed by persons of the same sex as the arrested person, in a professional manner, and on premises where the search cannot be observed by persons not physically conducting the search.

d. Officers performing strip searches must obtain authorization from a supervisor for the purpose of authorizing the strip search.

e. In all cases where a strip search has been conducted, the officer will document the following:

1. The name of the person searched;
2. The person who conducted the search;
3. The supervisor who authorized the search;
4. The offense the suspect was arrested for;
5. Facts and circumstances that led the officer to believe that the suspect was hiding weapons or contraband on his or her person;
6. The manner in which the search was conducted;
7. The persons who were present during the search;
8. The location where the search occurred;
9. The items that were recovered as a result of the search.

I. **[ALEAP10.05] Body Cavity Searches**: No search of any body cavity other than the mouth shall be conducted without a duly executed search warrant. Any warrant authorizing a body cavity search shall specify that:

a. The search must be performed under sanitary conditions;

b. The search must be conducted by or under the supervision of a physician or registered nurse licensed in this state.

J. **Warrantless Search by Law Enforcement Officer for a Supervised Probationer or Parolee.**

a. A person who is placed on supervised probation or is released on parole is required to agree to a waiver as a condition of his or her supervised probation or parole that allows any certified law enforcement officer to conduct a warrantless search of his or her person, place of residence, or motor vehicle at any time, day or night, whenever requested by the certified law enforcement officer. A warrantless search that is based on a waiver shall be conducted in a reasonable manner **(16-93-106).**

b. Though Arkansas Law does not require an articulable suspicion that the person is committing or has committed a criminal offense, this department requires that an officer have some articulable law enforcement concern, however slight, prior to conducting such searches without the direct assistance of a parole or probation officer, or that the parolee/probationer be a party to an otherwise lawful stop based on reasonable suspicion or probable cause.

c. Examples of a law enforcement concern include but are not limited to: Anonymous tips/reports that would otherwise not be sufficient to conduct a search; parolee/probationer found in known crime areas or otherwise under suspicious circumstances less than reasonable suspicion for a terry stop; parolee/probationer is a party to a lawful traffic stop or other detention whereby a search would otherwise be unlawful.

d. Officers are prohibited from using this statute to harass.

e. Prior to a 4th amendment seizure (detention or stop) and or search of a parolee/probationer based on the sole fact that the person is merely a parolee/probationer, a member of this department shall verify the status of the person believed to be on supervised probation or parole and that a waiver exists prior to conducting a seizure and or search by one of the following methods:

1. As part of a consensual contact, a person admits to being on probation or parole, admits that a waiver exists, and consents to search. Under this scenario, no seizure has occurred and the Officer is conducting a search under the consent to search doctrine without having verified that a waiver exists via logical means.

2. Officer determines person is on probation/ parole via ACIC and confirms that a waiver is on file.

3. Officer determines person is on probation /parole and that a waiver exists through personal contact with the Departments of Correction or Community Correction or by contacting a Community Correction Officer prior to any warrantless search being conducted.

f. The officer conducting the search must make a request to search the supervised probationer or parolee prior to search; however, obtaining consent to search is not required if it is determined through appropriate means that a waiver exists as a condition of release.

g. Authority granted under this statute does not preclude other restrictions that may be applicable under law, including 3rd party rights, co-occupants, etc.

h. In the event a co-occupant or other lawful third party prevents the search of a residence where a parolee or probationer resides based on applicable law,

Officer will advise the third party that the parolee/probationer may be in violation of his/her parole based on their lawful objection and the Officer will report the incident to Parole/ Probation for their consideration of enforcement.

i. Officers will document all parole/probation searches or attempts to search in a manner approved by their agency. The report should document the date, time, location, parolee/probationer searched, scope of the search, the law enforcement concern that led to the search or an otherwise lawful stop, and the result of any such search.

j. In addition to typical enforcement that may occur, the discovery of any criminal violation will be immediately reported to the appropriate Parole/Probation Officer for further administrative consideration.

K. Training: [ALEAP 7.05] Probable Cause Determinations and First Appearances

a. The department trains appropriate personnel in the Arkansas Rules of Criminal Procedure regarding probable cause determinations and prompt first appearances.

Policy # **Synthetic Opioids: Preventing Exposure**	Related Policies: **Naloxone policy**
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.	
Applicable Arkansas Statutes	
CALEA Standard:	
Date Implemented:	Revise Date:

I. Purpose: The purpose of this policy is to provide first responding officers and other members of the department with guidelines, instructions, and procedures to prevent exposure to synthetic opioids and related substances.

II. Discussion: Synthetic opioids and related substances are designed to be absorbed into the body by all means, including injection, oral ingestion, contact with mucous membranes, inhalation, and via transdermal transmission (through the skin). As such, accidental exposure by first responders is a real danger.

Accidental exposure can occur under a number of circumstances, including during the execution of search or arrest warrants, the purchase of synthetic opioids during undercover operations, the processing of drug evidence containing synthetic opioids or related substances, or the processing of non-drug evidence (e.g., drug proceeds, pill presses, scales, or drug paraphernalia) which may be contaminated with these substances.

Due to the high potency of synthetic opioids and related substances, exposure to small quantities can cause serious negative health effects, respiratory depression, and even death.

However, synthetic opioids can be handled safely with proper training and equipment to include hazard recognition and use of personal protective equipment (PPE).

III. The following job categories have been identified as positions where responders might be exposed to synthetic opioids or its analogues.

A. Pre-Hospital Patient Care: Includes emergency medical services (EMS) providers, including first responders, fire department, police officers, and private companies who attend to individuals with suspected synthetic opioids overdose. Responders may encounter drugs or drug paraphernalia on or near the patient.

B. Law Enforcement: Law enforcement officers who perform day-to-day law enforcement duties. Law enforcement officers may come into contact with synthetic opioids during the course of their daily activities such as traffic stops, apprehending and searching subjects, and responding to synthetic opioids overdose calls.

C. Investigation and Evidence Handling: Law enforcement personnel who conduct investigations related to synthetic opioids. Activities may include executing search warrants and collecting, transporting, and storing evidence. Evidence collection activities in the field have the potential to aerosolize powders. In addition, law enforcement personnel who handle evidence in the chain of custody have the potential to be exposed to synthetic opioids unless controls are in place to prevent exposures.

D. Special Operations and Decontamination: Workers who conduct special operations where exposure to large amounts of synthetic opioids are expected. Examples include hazardous material incident response teams at a release or spill, and law enforcement officers executing search warrants on opioid processing or distribution sites or participating in other tactical operations. These activities may aerosolize powders.

E. Jails and Booking Officers: Arrestees who are transported to jails and booking stations pose a threat to the officer if these arrestees have been in contact with or using synthetic opioids.

IV. Procedures: Due to the hazardous nature of the synthetic opioids law enforcement personnel, jail and correctional officers, or any first responders who encounter synthetic opioids or related substances should NOT take samples or otherwise disturb any powdered substances without employing proper personal protective equipment (PPE), as this could lead to accidental exposure. Officers should follow established work practices as well as the following recommendations when synthetic opioids or related substances are known or suspected to be present.

If the presence of synthetic opioids is suspected, personnel should immediately contact the appropriate officials within this department who have been trained to handle hazardous materials, or contact the nearest DEA field office for assistance. Having specially trained law enforcement professionals (or a hazardous materials "HAZMAT" incident response team) equipped with the necessary equipment on-site, to include Level "A" PPE, to assess the situation prior to exposure or contamination is recommended. This includes situations involving unknown powdered substances and/or pill milling or encapsulating operations.

When encountering unknown powders, personnel should use, at the minimum, PPE to include nitrile gloves, N-95 dust mask, eye protection, disposable paper suit, or paper coveralls, and shoe covers. Naloxone should also be readily available for administration. ***SEE* Department stand-alone Naloxone policy.**



As matter of reference it has been determined that it would only take 2-3 milligrams of synthetic opioids to induce respiratory depression, arrest, and possibly death (see photo of penny). When visually compared, 2 to 3 milligrams of synthetic opioids is about the same as five to seven individual grains of table salt[1]

V. General Precautions:

A. Do not eat, drink, smoke, or use the bathroom while working in an area with known or suspected synthetic opioids.

B. Do not touch the eyes, mouth, and nose after touching any surface potentially contaminated with synthetic opioids.

C. Field-testing of synthetic opioids or their analogues is not recommended due to an increased risk of exposure to responders performing field-testing. However, if detection and identification of synthetic opioids is critical to the incident response, develop an incident specific plan to perform the field-testing in accordance with this department's policies and procedures. Personnel specifically trained to perform the field testing should perform the field testing **in the appropriate PPE**. **Never** handle synthetic opioids or their analogues without the appropriate PPE.

D. Avoid performing tasks or operations that may aerosolize synthetic opioids due to increased exposure risks. Activities that aerosolize synthetic opioids require higher levels of PPE, should be conducted by appropriately trained personnel, and completed in accordance with department policies and procedures.

E. Wash hands with soap and water immediately after a potential exposure and after leaving a scene where synthetic opioids is known or suspected to be present to avoid potential exposure and to avoid cross contamination.

F. Do not use hand sanitizers or bleach solutions to clean contaminated skin.

G. Officers who are exposed to synthetic opioids should immediately use soap and water to thoroughly wash and rinse contaminated skin. They should take care not to break the skin during the decontamination process and to cover all open wounds. Do not use hand sanitizers or bleach solutions to clean contaminated skin.

H. All contaminated clothing should be removed and laundered, being careful not to disturb any areas of contamination.

I. Shower immediately after a potential exposure.

J. Decontamination of **reusable** PPE and equipment should be done according to the manufacturer's recommendations.

K. Contaminated **single use** PPE should be placed in labeled durable 6 mil polyethylene bags and disposed of appropriately.[1]

VI. K-9 Working Dogs:

A. Police K-9s performing detection activities, are also at risk of exposure to synthetic opioids and its analogues. Working dogs should be removed from an area where suspect synthetic opioids are encountered. If exposed, residual drug powder might remain on the dog's body; therefore, the proper precautions and procedures mentioned above should be employed by those handling the dog.

[1] NIOSH Synthetic opioids: Preventing Occupational Exposure to Emergency Responders

“T” “U” Visa Certifications	
This policy is for internal use only and does not enlarge an employee’s civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.	
Applicable State Statutes: Ark. Code: 12-19-104	
CALEA Standard:	
Date Implemented:	Revise Date:

I. PURPOSE

T and U visas can greatly benefit law enforcement, as they encourage immigrant victims to work with law enforcement, prosecutors, and courts to investigate and prosecute human trafficking and other serious crimes.

A victim applying for a T visa or a U visa can help law enforcement by providing information about a crime and assisting in an investigation or prosecution of serious criminals, making the entire community safer.

The purpose of this directive is to establish guidelines and procedures for officers who receive requests for a U-Visa Certification (Form I-918, Supplement B). This Directive also specifies the certifying officer who will sign Form I-918, Supplement B.

II. POLICY

It is the policy of this department to review all “T” Visa and U-Visa Certifications to determine if a qualifying crime has occurred and that the victim was helpful, is being helpful, or is likely to be helpful in the detection, investigation, or prosecution of criminal activity.

An applicant for a T visa or a U visa must demonstrate assistance to law enforcement. The applicant will submit a law enforcement declaration or certification along with the T- or U-visa application. This document serves to inform USCIS about assistance the applicant provided toward an investigation or prosecution of the crime. A certifying official must sign the law enforcement declaration or certification.

III. DEFINITIONS

A. "T" Visa: The T nonimmigrant status visa (also known as the T visa) provides immigration protection to victims of severe forms of human trafficking who assist law enforcement in the investigation or prosecution of human trafficking cases.

B. "U" Visa: The U nonimmigrant status visa (also known as the U visa) provides immigration protection for victims of qualifying crimes who are helpful to law enforcement in the detection, investigation, or prosecution of the criminal activity.

C. 918B Form- the form that must be filled out by the law enforcement officer for certification of the victim's/witness' assistance to law enforcement. (See attached).

D. Helpfulness means the victim was, is, or is likely to be assisting law enforcement in the investigation or prosecution of the qualifying criminal activity of which he or she is a victim. This includes being helpful and providing assistance when reasonably requested. This also includes an ongoing responsibility on the part of the victim to be helpful. Those who unreasonably refuse to assist after reporting a crime will not be eligible for a U visa. The duty to remain helpful to law enforcement remains even after a U visa is granted, and those victims who unreasonably refuse to provide assistance after the U visa has been granted may have the visa revoked by USCIS. Law enforcement agencies should contact and inform USCIS of the victim's unreasonable refusal to provide assistance in the investigation or prosecution should this occur.

E. "Qualifying criminal activity" under federal law is defined by statute to be "activity involving one or more of the following or any similar activity in violation of federal, state, or local criminal law." The statute also includes the attempt, conspiracy, or solicitation to commit any of the crimes listed below:

a. Abduction
b. Incest
c. Rape
d. Abusive sexual contact
e. Involuntary servitude
f. Sexual assault
g. Blackmail
h. Kidnapping
i. Sexual exploitation
j. Domestic violence
k. Manslaughter
l. Slave trade
m. Extortion
n. Murder
o. Torture
p. False imprisonment
q. Obstruction of justice
r. Trafficking
s. Felonious assault
t. Peonage (Forced Labor-exploitation)

u. Perjury
v. Unlawful criminal restraint
w. Female genital mutilation
x. Witness tampering
y. Being held hostage
z. Prostitution
aa. Other related crimes - “Any Similar Activity” refers to other criminal activity, when the similarities are substantial, and the nature and elements of the criminal activity are comparable.

IV. Procedure

a. A law enforcement certification is required evidence of a victim’s cooperation; it **must** be submitted in support of a U-visa application. Without a law enforcement certification, the U-visa application will be denied.

b. For a T-visa, the law enforcement declaration is evidence of a victim’s cooperation; it **may** be submitted in support of a T-visa application. The declaration is not required for a T visa, but it is an important piece of evidence submitted by the applicant.

c. Any supervisor is designated to issue U-Visa Certification on behalf of the chief of police by completing Form I-918, Supplement B.

d. By signing a law enforcement certification, the department is stating that a qualifying criminal activity occurred, that the victim had information concerning the criminal activity, and that the victim was helpful, is being helpful, or is likely to be helpful in the investigation or prosecution of the qualifying crime. In addition, law enforcement may report information about any harm sustained by the victim that law enforcement has knowledge of or observed.

e. The certification process must be completed within (30) days after the receipt of the request for certification.

f. Eligibility:

i. He/she is the victim of qualifying criminal activity.

ii. He/she has suffered substantial physical or mental abuse as a result of having been a victim of criminal activity.

iii. He/she has information about the criminal activity. If under the age of 16 or unable to provide information due to a disability, a parent, guardian, or next friend may possess the information about the crime on the individual’s behalf.

iv. He/she was helpful, is being helpful, or is likely to be helpful to law enforcement in the investigation or prosecution of the crime. If under the age

of 16 or unable to provide information due to a disability, a parent, guardian, or next friend may assist law enforcement on behalf of the individual.

v. The crime occurred in the United States or violated U.S. laws

vi. He/she is admissible to the United States. If not admissible, an individual may apply for a waiver on a Form I-192, Application for Advance Permission to Enter as a Non-Immigrant.

g. Before completing a Form I-918, Supplement B (a request for a U-visa certification), the certifying official shall have verified the following:

i. The noncitizen was or is victim of a qualifying criminal activity that took place in the United States or its territories or occurred outside the United States but violates U.S. extraterritorial law; or

ii. The spouse or under-21-year-old child of a victim who is deceased because of murder or manslaughter, or who is incompetent or incapacitated; or

iii. The parents and unmarried under-18-year-old siblings of an under-21-year-old victim who is deceased because of murder or manslaughter, or who is incompetent or incapacitated.

iv. The noncitizen has been, is being, or is likely to be helpful to the investigation.

v. Note: The certification of a T or U visa does not require the initiation of a law enforcement investigation or a successful prosecution.

vi. A current investigation, the filing of charges, a prosecution, or conviction is not required to sign the law enforcement certification. Many instances may occur where the victim has reported a crime, but an arrest or prosecution cannot take place due to evidentiary or other circumstances. Examples of this include, but are not limited to, when the perpetrator has fled or is otherwise no longer in the jurisdiction, the perpetrator cannot be identified, or federal law enforcement officials have deported the perpetrator. There is no statute of limitations on signing the law enforcement certification. A law enforcement certification can even be submitted for a victim in a closed case.

h. The certifying official may contact the VAWA Unit of the U.S. Citizenship and Immigration Services to report the U-visa applicant's failure to continue cooperating with the department only when the failure to cooperate is considered unreasonable. To determine whether failure to cooperate is unreasonable, officials should review and consider the victim's history of abuse and victimization, and any threats the victim has experienced or is experiencing.

i. Written notification regarding withdrawal or disavowal should include:

i. The agency's name and contact information (if not included in the letterhead);

ii. The name and date of birth of the individual certified;

iii. The name of the individual who signed the certification and the date it was signed;

iv. The reason the agency is withdrawing/disavowing the certification including information describing how the victim's refusal to cooperate in the case is unreasonable;

v. The signature and title of the official who is withdrawing/ disavowing the certification; and

vi. A copy of the certification the agency signed (if a copy was retained by the agency).

vii. The letter should be either scanned and emailed to the Vermont Service Center at LawEnforcement_UTVAWA.vsc@uscis.dhs.gov, or mailed to: USCIS—Vermont Service Center ATTN: Division 6 75 Lower Welden Street St. Albans, VT 05479.

TASER Energy Weapon	Related Policies: Response to Resistance Reporting Response to Resistance
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this Department for non-judicial administrative action in accordance with the laws governing employee discipline.	
Applicable Arkansas Statutes:	
CALEA Standard: **1.3.1, 1.3.2, 1.3.5, 1.3.6., 1.3.7, 1.3.9, 1.3.10**	
Date Implemented:	Review Date: 11/17/2025

I. Purpose: The purpose of this policy is to direct members in the appropriate use and deployment of Taser Energy Weapon (TEW).

II. Policy: It is the policy of this Department to protect and serve all citizens, while at the same time respecting the rights of suspects, and balancing the need for member safety in response to resistance events. It is the policy of this Department that members will use only objectively reasonable force to bring an incident or event under control. Objectively reasonable force is only that force which is necessary to accomplish lawful objectives. All responses to resistance must be objectively reasonable.

III. Definitions

A. Active resistance: a subject actively resists when they take affirmative action to defeat an officer's ability to take them into custody.

B. Passive resistance: A subject who takes no affirmative action to defeat the member's ability to make an arrest but who does not respond to verbal commands and presents a refusal to move by sitting down or acting as dead weight.

IV. Procedure

A. TASER Energy Weapon

i. An electronic control device as a force option is the same level of force as chemical spray.

ii. TASER Energy Weapons must be worn on the weak-side in either a weak-hand draw or cross-draw position.

iii. TASER Energy Weapon deployment shall not be considered for the passively resistant subject. Active resistance shall be required.

iv. Flight from a member, standing alone, is not a justification for the use of a TEW. Members should consider the nature of the offense suspected; the level of suspicion with respect to the person fleeing; the risk of danger to others if

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the person is not apprehended immediately; and the surface on which the subject is fleeing which may lead to injury as a result of the resulting fall.

v. Members must be aware of the danger of combustibility as a result of the TEW's discharge when in a combustible environment or where the subject has been exposed to combustible agents.

vi. Multiple TEW deployments against an individual may increase the likelihood of serious injury where the individual is suffering from other symptoms such as cocaine intoxication or excited delirium. Members should minimize the successive number of discharges against an individual where possible.

vii. The Department recognizes, however, particularly where back-up members are unavailable, that multiple applications may be necessary to gain or maintain control of a combative individual.

viii. No more than one member should deploy a TEW against a single individual at the same time.

ix. A contributing factor to serious injury or death is the level of a subject's exhaustion. Studies recommend that when a member believes that control of a subject will be necessary and met with resistance, deployment of the TEW should be considered early on in the event so that the person has not reached a level of exhaustion prior to the TEW's use.

x. The preferred targeting is the center mass of the subject's back; however, it is recognized that it is not always possible to get behind the subject.

xi. Where back-targeting is not possible, frontal targeting should be lower center mass. Intentional deployments to the chest shall be avoided where possible.

xii. Members who are aware that a female subject is pregnant shall not use the TEW unless deadly force would be justified due to the danger created by the secondary impact or the possibility of muscle contractions leading to premature birth.

xiii. Members shall make all reasonable efforts to avoid striking persons in the head, neck, eyes, or genitals.

xiv. Members are prohibited from using the device as a punitive measure.

xv. TEW shall not be used against persons who are in physical control of a vehicle in motion unless deadly force would be justified based on an existing imminent threat.

xvi. A warning to the subject prior to deployment is preferred.

xvii. Members shall make all efforts to warn other members that a deployment is about to occur.

xviii. The device shall never be used on a handcuffed person to force compliance unless the subject poses a threat to the member through physical conduct or active resistance that cannot otherwise be reasonably controlled.

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xix. Members should consider the location and environment of the subject. Members shall avoid using TEWs in cases where the subject is elevated (i.e. roof, fire escape, tree, bridge, stairwell, loading dock etc. etc.) such that the secondary impact may cause serious injury.

xx. Members should be aware that a subject's heavy clothing may impact the effectiveness of the TEW.

xxi. Members should consider the particular subject and any vulnerability they may have, such as: a person who is small in stature or very frail will be more dramatically impacted (i.e., elderly, juveniles, pregnant females).

xxii. Alternative tactics shall be utilized where the member has prior information that the subject suffers from a disability which would increase the danger to that person by using the TEW (i.e., A person at the scene tells a member that the subject has a heart condition).

xxiii. Deployed probes that have been removed from a suspect should be treated as a bio-hazard.

xxiv. Where EMS is available, their services may be utilized for the removal of probes that have penetrated the skin, as long as such removal can be accomplished without causing further injury.

xxv. Any person who requests or appears to be having any form of physical distress following the deployment of a TEW shall be transported to a medical facility for a medical examination. It should be noted that studies indicate that persons who suffer from excited delirium may not be immediately impacted and the onset of difficulty may occur a period of time after the police control event.

xxvi. Mandatory medical clearance by a medical professional:

- **a.** Persons struck in a sensitive area-eyes, head, genitals, female breasts.
- **b.** Where the probes have penetrated the skin and either the officer or EMS cannot safely remove probes in accordance with this policy, the subject must be transported to a medical facility.
- **c.** Persons who do not appear to have fully recovered after a short period of time. Members who observe unusual physical distress should immediately call for medical assistance.
- **d.** Persons who fall into one of the vulnerable classes, such as young children, pregnant women, persons who are small in stature, persons who members become aware have a pre-existing medical condition that increases danger, and the elderly.
- **e.** Subjects who request medical assistance.

xxvii. Additional Documentation:

- **a.** All deployments of a TEW shall be documented, including those cases

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where a subject complies once threatened with such a device. By documenting the non-discharge uses, this Department establishes member judgment and control as well as the deterrent effect of this tool.

b. Photographs of the affected area should be taken following the removal of probes from the subject to document any injury. Where the drive-stun method has been used, photographs are extremely important due to the increased potential for this method to cause scarring.

c. Supervisory personnel shall be notified and review all TEW deployments for consistency with policy and training.

d. Probes/Cartridges may be properly stored and maintained as evidence following a discharge if it is deemed necessary for evidentiary value.

e. Probes/Cartridges shall be properly stored and maintained as evidence following a discharge if the discharge results in serious physical injury or death.

f. Members are required to complete a "response to active resistance form," which shall be reviewed by a supervisor following the TEW use.

g. All deployments shall be reviewed by the Chief of Police or their designee, as well as training personnel.

h. Where there is any indication of lasting injury, claim, or complaint, internal data from the device shall be maintained via AXON Evidence.

i. Each officer is required to dock the battery from their TEW at least once in every 30 days. This will ensure that there is a monthly download of all TEW data and that all TEWs stay up to date with the latest updates. It is noted that all data should reflect a function test at the beginning of each member's tour of duty.

j. After each TEW deployment, officers shall dock their TEW battery as soon as possible to allow it to download all information from the recent deployment.

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TATTOOS AND BODY PIERCING	Related Policies:
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.	
Applicable Arkansas Statutes:	
CALEA Standard:	
Date Implemented: 09/27/2022	Review Date:

I. Purpose: Many factors influence the community's confidence in our Department. The image we present to the community must be one of professionalism. Our appearance is of the utmost importance. It is the preference of the Department that should personnel obtain any tattoo, scarification, branding or piercing, it should be located in an area, which can be covered with a Department-approved uniform or business attire. This policy establishes specific guidelines concerning the display of tattoos, scarifications, brands and piercings by members of the Department. It places accountability for compliance not only upon each employee, but also upon their supervisors and commanding officers.

II. Policy: The display of any unauthorized tattoo, scarification or brand considered inappropriate, unprofessional or offensive, regardless of its location, by any member of the Department while on duty, or representing the Department in any official capacity is prohibited. While on duty all sworn personnel will not wear earrings. The piercing and wearing of associated jewelry in all other visible parts of the body is prohibited.

III. Definitions:

A. Tattoo – the act or practice of marking the skin with indelible designs, forms, figures, art, etc., by making punctures in the skin and inserting pigment.

B. Scarification – the act of intentional cutting of the skin for the purpose of creating a design, form, figure or art.

C. Branding – the act of intentional burning of the skin for the purpose of creating a design, form, figure or art.

D. Piercing – the act of creating a hole in any part of the body for the purpose of inserting an object, jewelry or ornamentation.

E. Uniformed personnel – includes sworn police officers including auxiliary and part-time officers.

F. Non-uniformed sworn personnel – includes investigative, administrative and all other non-uniformed assignments.

G. Excessive tattoos, scarifications or brands – excessive is defined as any tattoos, scarifications or brands that exceed above the collarbone readily visible when wearing an open collar uniform, and/or any which detract from an appropriate professional image.

H. Unauthorized tattoos, scarifications or brands – Unauthorized is defined, as any tattoos, scarifications or brands considered inappropriate, unprofessional or offensive.

IV. Procedure

A. Uniformed Personnel

1. Except as provided in Section G., any excessive tattoos, scarifications or brands worn by uniformed Police Department personnel shall NOT be visible while on duty or representing the Department in any official capacity. Excessive tattoos, scarifications or brands must be covered with a Department approved uniform including but not limited to a long-sleeve shirt, jacket, sweater, turtleneck sweater, dickey, or pants.
2. Uniformed personnel may be granted a one-time exemption by the Chief of Police for tattoos, scarifications, or brands already in existence on the date of this policy that cannot be covered by a Department approved uniform.
3. No exemption will be granted for any unauthorized tattoos, scarifications or brands considered inappropriate, unprofessional or offensive as outlined in Section E. 1..of this policy.

B. Non-uniformed SWORN personnel

1. Except as provided in Section IV. Any excessive tattoos, scarifications or brands as defined in Section I. G. of this policy, worn by sworn personnel working plain-clothes assignments shall not be visible while on duty or representing the Department in any official capacity. Excessive tattoos, scarifications or brands will be covered with approved clothing attire as outlined in Department Policy.
2. Non-uniformed sworn personnel may be granted a one-time exemption by the Chief of Police for tattoos, scarifications, or brands already in existence on the date of this policy that cannot be covered by Department approve business attire.
3. No exemption will be granted for any unauthorized tattoos, scarifications or Brands considered inappropriate, unprofessional or offensive as outlined in Section E. 1, of this policy.

C. Non-sworn CIVILIAN and VOLUNTEER personnel

1. Civilian and volunteer personnel may display tattoos, scarifications or brands, except as outlined in Section III. A, C, E., of this policy.

D. ALL Police Department personnel:

1. The following includes, but is not limited to, the types of unauthorized tattoos, scarifications or brands prohibited by this policy.

    a. Depictions of nudity or violence.
    b. Sexually explicit or vulgar art, words, phrases or profane language.
    c. Symbols likely to incite a strong reaction in the workplace, i.e., swastikas, pentagrams or similar symbols.
    d. Initials, acronyms or numbers that represent criminal or historically oppressive organizations, i.e., AB, KKK, SS, MM, BGF, HA, 666 or any street gang names, numbers and/or symbols.
2. Any member of the Department who obtains an unauthorized tattoo, Scarification or brand considered inappropriate, unprofessional or offensive, shall:

    a. Remove the tattoo, scarification or brand at their own expense; or,
    b. Cover the tattoo, scarification or brand with a Department- approved uniform Or,
    c. Cover the tattoo, scarification or brand with Department approved business or casual attire as appropriate.

E. PIERCINGS

1. While on duty, all members of the Department shall adhere to all sectionsof the department polices as it relates to the wearing of jewelry.

2. While on duty, non-sworn personnel may wear earrings only on the ear lobes. The earrings hall be no more than one inch in diameter and extendno further than one inch from the bottom of the ear. Earring styles and colors should not be excessive or offensive.

F. EXCEPTIONS

1. When deemed operationally necessary, sworn Department members in undercover assignments may display tattoos, scarifications, brands orjewelry otherwise prohibited by this policy, with approval of the Chief ofPolice.

2. Jewelry, tattoos, scarifications or brands that are a required part of an employee's race, color, religion, age, national origin or gender. The Bryant Police Department will not discriminate on the basis of race, color, religion, age, national origin or gender. Any employee who believes that they fall underthis exemption must immediately notify his/her supervisor.

G. EXEMPTIONS

1. Uniformed personnel and non-uniformed sworn personnel may be granteda one-time exemption by the Chief of Police for tattoos, scarifications, or brands already in existence on the date of this policy that cannot becovered by a Department-approved uniform or business attire as set forthin Department policy.

2. Members requesting this exemption must submit their request in writing to the Chief of Police with photographs documenting the tattoos,scarifications, or brands for which they are requesting exemption. Adecision will be rendered granting or denying the exemption within thirty (30) calendar days from receipt of the request by the Chief of Police. The final authority for granting any exemption will rest with the office of the Chief of Police or an appointed designee.

3. No exemption will be granted for any unauthorized tattoos, scarifications orbrands considered inappropriate, unprofessional or offensive as outlined in Section E. of this policy.

H. SPECIAL EVENTS and ASSIGNMENTS

1. Commanding Officers retain the authority to further limit the display of tattoos, scarifications, brands or piercings by officers within their command for a specific purpose, special events or assignments. For example, officers working special assignments requiring regular contact with juveniles, such as School Resource Officers, are considered role models to youth. As such, the officer(s) could be required to cover their tattoos, scarifications, or brands during their assignment to these units, even if the Chief of Police has previously granted the officer an exemption.

I. FINAL AUTHORITY

1. The Final authority for deciding the appropriateness of any tattoo, brand, scarification, piercing, jewelry will rest with the office of the Chief of Police, or an appointed designee.

Thermal Imaging Devices	Related Policies: Search of Residences
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.	
Applicable Arkansas Statutes:	
Date Implemented:	Review Date: 9/25/2025

I. Purpose: The purpose of this policy is to provide officers of the department with guidelines for the proper use of thermal imaging devices during search and rescue operations, and while conducting investigations. Thermal imaging devices are designed to find people in outdoor environments. The ability to use this device to search large areas quickly using the attached technology equipment will improve the resolution of search and rescue operations. The device can also be used while conducting criminal investigations by locating infrared surveillance cameras throughout the community which may contain evidence of a crime.

II. Policy: It is the policy of the department to protect and serve the community while safeguarding the constitutional rights of all citizens and balancing the needs of law enforcement in solving crime and locating lost or injured persons.

III. Definitions:

A. Thermal imaging: is a method of improving visibility of persons objects in a dark environment by detecting the person's objects' infrared radiation and creating an image based on that information.

B. Probable Cause: (search): Facts and circumstances based upon observations or information that would lead a reasonable law enforcement officer to believe that evidence of crime exists and that the evidence exists at the place to be searched.

C. Exigent Circumstances Entry: Making observations of a dwelling or business with a thermal imaging device without a warrant due to some existing emergency that would not allow an officer time to get a warrant.

D. **Consent:** The voluntary granting of permission for an officer to enter or scan with a thermal imaging device an area that is protected by the 4th Amendment, by a person who has a reasonable appearance of authority over that area.

E. **(IR) Infrared Security Cameras**: Security Cameras that have the capability to capture video in low light and no light areas.

IV. Procedure:

A. The department uses handheld thermal imaging devices for the purpose of supporting the primary mission of the department which is public safety. When department members are conducting a search and rescue operations thermal imaging devices can assist in finding lost or injured persons. This type of search generally does not require a warrant.

B. The department is aware that security cameras strategically placed throughout the community owned and operated by private citizens, corporations or government agencies have the capability to capture and record citizens movements and events. The recordings can greatly assist law enforcement officers in identifying individuals involved in criminal activity and clearing cases through arrest.

C. Courts have held that the use of a thermal imaging device in the hands of law enforcement from a public vantage point to monitor the radiation of heat from a person's home or business was a "search" within the meaning of the Fourth Amendment, and thus required a warrant.[1] A person has an expectation of privacy in his or her home and business and therefore, this department cannot conduct unreasonable searches, even with technology that does not enter the home.

D. When considering the use of a department owned thermal imaging device for either a search and rescue operation or to assist in a criminal investigation supervisory authorization must be sought.

E. Officers will not conduct unwarranted routine surveillance of residences or business with a thermal imaging device.

F. Officers will not direct any thermal imaging device at a private residence or business for the sole purpose of conducting a criminal investigation which targets occupants of that property without first obtaining a warrant, or articulating an exigent circumstance, or obtaining consent from the person who has standing and an expectation of privacy over the property.

G. All images captured by the thermal imaging device will be maintained in accordance with department policy and in accordance with Arkansas state law.

H. When a thermal imaging device is used in a criminal investigation the usage shall be documented in the police report or investigative files.

V. TRAINING:

Officers authorized to use the thermal imaging equipment of this department shall undergo annual training on this policy and the policy governing searches of residences.

[1] Kyllo v. United States, 533 U.S. 27 (2001),

Tire Deflation Device	Related Policies: Stops, Search & Arrest; Vehicle Pursuits, Use of Force.
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.	
Applicable Arkansas Statutes:	
CALEA Standard:	
Date	Revise Date:

I. **Policy:** A tire deflation device when properly used has the potential to save lives, reduce property damage, and reduce the potential for civil liability suits by reducing the hazards of police pursuits. Officers must be aware however, that any time the device is deployed, a vehicle – particularly a vehicle traveling at higher speeds – will lose some capability to effectively turn, stop, or accelerate. In making the decision to deploy a tire deflation device, an officer/supervisor must weigh the risk against that of allowing a pursuit to commence or continue.

The use of the tire deflation device must comply with the established Use of Force and Vehicle Pursuit Policy of this department.

II. **Purpose:** This directive is intended to establish a procedure for the deployment of a tire deflation device.

III. **Definitions:**

A. Stopped Vehicle: Any vehicle with four or more tires, which has the apparent ability to be driven away from the scene of an incident.

B. Moving Vehicle: Any vehicle with four or more tires, which is being operated in such a manner as to avoid the arrest of the occupant.

C. Tire deflation: Tire deflation devices are used by law enforcement agencies across the nation as a tool to end police pursuits by deflating the tires of the suspect vehicle. Tire deflations device are comprised of expandable segments with spikes that are connected and can be placed across a road. When a vehicle hits the device, it injects metal tubes into the tires that cause them to deflate slowly. The tires do not blow out rather they slowly deflate in several seconds.

IV. **Procedures:**

A. Stopped Vehicle

a. A tire deflation device may be deployed when the possibility exists that a wanted or dangerous person may enter a vehicle and leave an area of containment.

b. A tire deflation device may be utilized to contain a suspected drunken driver who refuses to exit a vehicle and may attempt to drive away after being stopped by an officer.

c. A tire deflation device may be used when an officer, based on the information available at the time, feels it is prudent to prevent or significantly slow a vehicle, which may leave the scene of an incident.

B. Moving Vehicle

a. A tire deflation device may be deployed when the operator of a vehicle is failing to stop for an officer who is attempting to stop and/or arrest the occupant.

b. Prior to deploying the tire deflation device, the deploying officer will advise the 911 center of the location of the deployment. Once the suspect vehicle has passed over the device, the deploying officer will remove the device from the roadway and advise the 911 center that the device has been removed.

C. General use of a tire deflation device

a. No officer will be permitted to deploy a tire deflation device until he or she has been trained in the proper use of the device.

b. A tire deflation device shall not be deployed until authorization has been received from a Supervisor.

c. A tire deflation device will not be deployed on two or three-wheeled motorcycles unless deadly force is authorized.

d. Officers shall evaluate the need to deploy tire deflation devices on vehicles carrying hazardous materials and buses carrying passengers, against the potential hazard of allowing continued movement of the vehicle. A tire deflation device works best on paved surfaces.

e. Officers must be vigilant at all times and recognize the dangers associated with high speed vehicles, suspect behavior and trailing officers focus on the vehicle being pursued and low light environment. An officer deploying the device shall use any available barriers, such as Guardrails, abutments, bridges, overpasses, or vehicles, to provide protection during deployment.

f. A deployment location should have a good line of sight distance for the deploying officer.

g. A tire deflation device should not be deployed around curves, along roads with steep shoulders, blind turns or on bridges.

h. The use of a tire deflation device may not force some individuals to stop.

D. Reporting

a. Deploying officers shall document in the offense report anytime a tire deflation device is deployed, outlining the circumstances of the deployment and any damage, which occurred.

b. Deploying officers will re-pack the tire deflation devices and place back into squad car and prior to the end of shift the tire deflation device will be inspected

and any missing spikes will be replaced at that time. The fully functional device will then be rolled and returned to the squad.

Title: Towing/ Wrecker Service	Related Policies:
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.	
Applicable Arkansas Statutes:	
CALEA Standard:	
Date Implemented:	Review Date:

I. Purpose: Officers of this agency must know when the towing of certain vehicles are authorized.

II. Policy: Whenever possible, owners or operators of vehicles for which towing are required will be encouraged to specify a towing service of their choice. When required, the officer will summons needed tow truck(s) according to established regulation, unless a specific request for a particular tow service has been made by the owner or operator of the vehicle to be towed.

III. Procedure:

A. Towing Situations:

1. Accident: Any vehicle involved in an accident shall be removed to the shoulder of the road or elsewhere as soon as possible after necessary accident investigation information has been obtained. Vehicles shall be removed from the shoulder without unnecessary delay.
2. Vehicles may be pushed at no expense to the owner to the shoulder of the road or other legal parking spot, which does not obstruct or impede vehicle travel on the roadway.
   a) If this is not possible, and a traffic hazard is potentially created, towing of the vehicle at the expense of the owner may be ordered by the investigating officer.
3. Emergency Situation: Any vehicle found illegally parked, in the vicinity of a fire, traffic or airplane accident or other area of emergency, which creates a traffic hazard or interferes with the necessary work of law enforcement, fire, or other rescue workers may be ordered towed, at the expense of the owner, by a law enforcement officer.
4. Impending/Danger to Traffic: No vehicle shall be stopped in such a manner as to impede or render dangerous the use of the highway of others, except in cases of mechanical breakdown or accident. If such disabled vehicle is not promptly removed and creates a traffic hazard

the law enforcement officer may order the vehicle towed at the expense of the owner.

5. Blocking Driveway: Any law enforcement officer discovering or having report of any motor vehicle, trailer, or other vehicle blocking a driveway or entrance from a public roadway, or interfering with the movement on any driveway may order the vehicle towed at the expense of the owner of the vehicle.
6. Unattended Traffic Hazard/Violation of Law: Officers may tow any motor vehicle found on the public street or grounds unattended by the owner/operator that constitutes a traffic hazard or is parked in such a manner as to be in violation of the law.
7. Unattended Vehicle: Whenever any motor vehicle is left unattended for more than 10 days upon any public or privately owned property other than the property of the vehicle owner, the law enforcement officer may order it towed at the expense of the owner of the vehicle.
8. Abandoned Vehicle: Whenever any motor vehicle is abandoned upon public or privately owned property, without permission of the owner, leasee, or occupant thereof, a law enforcement officer may order it towed at the expense of the owner of the vehicle. A vehicle may be presumed to be abandoned if:
    a) It is inoperable and left unattended on public property for more than 48 hours;

B. Removal from Private Property:
    a) Property owners may act immediately to have vehicles towed which are occupying lot, area, space, building or part thereof without their permission.
    b) Evidence/Crime Involvement: Vehicles that must be processed for or as evidence, having been involved in the commission of a crime, will normally be towed at the request of the officer to the department. When all evidentiary processing has been completed, vehicles may be released to owners upon presentation of proof of payment of tow bill.

C. Towing Regulation
1. The law enforcement officer should know under which provision of departmental rule the vehicle will be towed.
    a) In cases other than arrest, it is always preferred to have the vehicle owner/operator name the towing company to be used.
    b) If the owner/operator does not wish to specify a towing firm or is not available to make a choice, the officer will ask the dispatcher to send a wrecker according to established departmental regulation.
    c) In an emergency situation involving major traffic congestion and tie up, the officer will so notify the dispatcher and will request the closest/most readily available wrecker.
    d) If the vehicles involved are larger than normal passenger vehicle or pickup size, the officer should so advise the dispatcher who has a separate list of specially equipped wrecker services.
    e) When the wrecker arrives on the scene, the officer will advise the dispatcher of the time of arrival and any other subsequent problems.

f) Officer requests will be recorded on the dispatch and wrecker log.

g) Unless directed otherwise by the owner, a towed vehicle will normally be towed to and stored at the wrecker company towing the vehicle. It is then the responsibility of the wrecker company to collect the tow bill. On occasions where the vehicle is towed to the department for processing, the owner of the vehicle will arrange for the tow bill to be paid before the vehicle is released to the owner. A copy of this paid tow bill should be forwarded to the Chief's Office.

h) Towed vehicles will normally not have a "hold" placed on them by a law enforcement officer for reasons of defective equipment, altered equipment, etc., and will be release to the owner following payment of the tow bill.

D. Inventory

1. Vehicles that are towed at the request of the owner/operator or vehicles that are left legally parked will not be inventoried, officers are reminded of the "plain view doctrine" and the limitations upon the authority to search incidental to a lawful arrest.
2. A vehicle inventory tow-in report will be completed when an officer assumes responsibility for towing a vehicle. Obvious vehicle damage should be noted in the report.
3. Prior to the vehicle being removed, officers will obtain the tow truck drivers name for the inventory report and then provide them with a copy of the completed inventory report.
4. Officer should turn in a copy of the inventory report to the Records and Information Section when an electronic report is not available.

DI. Wreckers

1. Wrecker services wishing to be called by this agency must meet the following criteria:
   a) The Wrecker / Towing companies lot shall be within Saline County and within Ten (10) miles of the City of Bryant.
   b) Each towing and recovery company must submit a written request to the Chief of Police requesting to be placed on the department rotation list. The Chief shall have the authority to accept or reject such requests.
   c) Each requesting company must provide twenty-four (24) hour continuous service for both the acceptance and release of vehicles and for requests for service.
   d) Each requesting company must provide tow vehicles that are in good, mechanically safe conditions. Also required is a proper commercial vehicle license as required by state law. The towing and recovery company must also possess a license and decal issued by the Arkansas Towing and Recovery Board, which will be provided to the Chief of Police for departmental records.
   e) Each requesting company must maintain a minimum of two (2) wreckers equipped with the following:
      (1) At least one (1) ton vehicle.
      (2) Equipped with a wheel lift

(3) One (1) fire extinguisher (ABC type, not less than 10lb) per wrecker
(4) Shovel
(5) Broom
(6) Scotches - minimum one (1) set
(7) Dollies - minimum one (1) set for non-Rollback style wrecker.
(8) Bar lights, amber in color (meets requirements of ACA 27-36-305 and ACA 27-37-302)
(9) Brake Lock System
(10) Sand or Oil Dry

f) The Arkansas Towing and Recovery Board must properly permit all wreckers used to tow on behalf of this agency. All wrecker operations must meet the minimum insurance requirements set forth by the Arkansas Towing and Recovery Board, including on-hook cargo insurance.

g) The owner of the towing company shall provide the names and driver's license number of all employees that will operate and store towed vehicles.

h) Must have trained operators and use proper towing methods.

i) Maximum 30-minute response time from time dispatcher logs call until time the law enforcement officer reports arrival at scene.

j) Each towing and storage facility must maintain a lighted area surrounded by adequate fencing to prevent entrance by unauthorized persons and must hold itself responsible for any theft or vandalism of stored property.

k) The towing service shall provide the Chief of Police with a maximum of three (3) local telephone numbers where the service can be reached. At least one number shall be listed in the name of the business. Pager numbers shall not be accepted by this agency. If for some reason the dispatcher cannot make contact with the phone numbers provided, the towing company will lose its turn for that call.

l) No towing company shall proceed to any scene being investigated by this agency unless requested by this agency or the owner or person in control of the vehicle. Should a towing company or any of its employees receive notification that a tow truck is needed from a source other than a law enforcement agency of the owner or person in control of the vehicle, the towing company should immediately notify this department.

m) Upon arrival at a scene the tow operator shall not take any action until directed by the law enforcement officer in charge.

n) Rates charged will be "reasonable, necessary costs".

o) Towing companies shall provide a list of towing charges annually on January 31st. to the Chief of Police or his/her designee.

p) Responding Wrecker Services will be responsible for the cleaning of debris from the scene.

2. Wrecker services failing to meet the above criteria will be so advised in writing and warned only once. Any further discrepancies will result in

the wrecker service listing being deleted from the wrecker rotation list and being advised in writing accordingly.

F. Use of Wrecker Rotation List:
   1. Officer requests next wrecker and advises if special equipment needed.
   2. Dispatch will attempt to use one wrecker service per call when multiple wreckers are requested from the department rotation list.
   3. Dispatcher, using correct wrecker list, calls wrecker service whose turn is next.
   4. If phone is not answered or wrecker is not available, place “NA” on list and call next wrecker.
   5. On completed call, note time and service called on Wrecker Log.
   6. If a wrecker is called to a scene, and for any reason the tow is canceled, this will not count as a turn on the rotation list, unless the wrecker driver receives payment for services rendered. Dispatchers will note that the call was canceled, and when another wrecker is again required will call that wrecker company again.
   7. At least monthly, the Office Manager or designee will check the wrecker rotation list, slow arrival notes, and officer comments and make any needed recommendation for action regarding warning and/or disqualifying wrecker services to the Administrative Captain.
   8. Officer Feedback: To insure efficient tow service is being rendered, officers’ comments are strongly encouraged.

II. Complaints

A. Any complaints by the owner or person in charge of any vehicle that this agency has caused to be towed are to be made in written form to the Chief of Police. The Chief of Police shall make a determination of the merit of such complaint and take such actions as necessary to correct the matter if the complaint is validated.

Training Directive	Related Policies:
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.	
Applicable Arkansas Statutes § 12-9-101 through § 12-9-603	
CALEA Standard: 33.5.1; 33.6.1 ALEAP 3.01 Annual Firearms Qualifications and Training - 13.13 Annual Firearms Training 3.02 Response to Resistance / Use of Deadly Force / Duty to Intervene Training 3.03 Annual Inspection of Firearms 3.04 Use of Force Training and Proficiency 3.06 In-Service Sworn Officer Training 3.07 In-Service Non-Sworn Training 3.08 Supervisor Training	
Date Implemented:	Review Date: 09/25/2025

I. Purpose: The purpose of this policy is to direct continuous training for the members of this department, as well as the essential documentation of said training.

II. Policy: It is the policy of this department to provide officers with continuous training on the recurring, high risk, critical tasks that an officer will face.

III. Definitions:

A. High Risk Critical Tasks: These tasks include:

a. Tasks that the final policy maker of the department knows to a moral certainty that officers will face;

b. The task is made easier with training, or the policy maker knows that officers have historically made mistakes;

c. The wrong decision with respect to the task will lead to a physical or a constitutional injury.

IV. Procedure: Each member of the department will receive an annual block of training on each of the high-risk critical tasks in law enforcement, including:

A. Annual Training:

a. **[ALEAP 3.02]:** Use of force (Response to Resistance) to include qualification/certification of any weapons or special equipment the officer may utilize and duty to intervene.

   1. This deadly force training shall consist of a review of the deadly force policy of the department and other scenario-based training programs. Many agencies conduct this training as part of their annual firearms qualification but it can be done at any time during the year.

   2. **[ALEAP 3.03]:** The department requires the annual inspections of all authorized firearms by a designated person for proper functioning. This inspection may take place during firearms qualifications. Proof must clearly show each firearm (by serial number or another identifier) was inspected.

b. **[ALEAP 3.01]:** The department shall conduct at a minimum two (2) firearms training sessions per year, one of which must be an approved CLEST qualification course led by a CLEST certified instructor for all departmentally authorized firearms utilized by the officer. Training must require qualification with ALL firearms carried or used by an officer including handguns, rifles, back-up firearms, etc.;

c. **[ALEAP 3.02]**: The department trains its sworn personnel at least **annually** in the proper use of deadly force as well as prohibiting choke holds unless deadly force is justified;

d. Firearms training must include low-light shooting as well as decision-making scenarios;

e. **[ALEAP 3.03]** This department requires all sworn personnel to be trained in defensive tactics and less lethal weapons. Those who are authorized to use less lethal weapons (including, but not limited to:

   1. ECDs;

   2. pepper spray;

   3. distraction devices;

   4. less lethal munitions;

   5. batons, etc.)

   be trained at least annually and demonstrate proficiency for those weapons every (2) two years. The required training will be conducted by instructors having appropriate certification for the weapon or by instructors utilizing instructional materials for that weapon.

f. Firearms training must meet all other requirements promulgated by Arkansas Law Enforcement Officers Training and Standards Commission;

g. Motor vehicle pursuit training for each sworn officer and dispatcher under the control of the department;

h. Emergency operation of vehicles;

i. Search and seizure/arrest;

j. Care, custody, restraints, and transportation of prisoners;

k. Domestic violence and department employee involved domestic misconduct;

l. Off-duty conduct of officers / off-duty paid details;

m. Harassment / sexual misconduct;

n. Complaints and internal affairs investigations;

o. Special Operations: SWAT; narcotics, high risk warrants service;

p. Dealing with the disabled, including the mentally ill, emotionally disturbed persons, and persons with diminished capacity/excited delirium. In accordance with 12-9-119. behavioral health crisis intervention training. (2023);

q. [ALEAP 13.14] annual racial profiling training (ACA 12-12-1404).

B. Specialized Training:

a. All officers who are promoted or receive a functional re-assignment shall receive training related to skill development for their new position.

V. [ALEAP 3.06] In-Service Sworn Officer Training:

A. This department requires a minimum of 40 hours in service training or refresher training annually for all SWORN personnel employed/appointed by this department in accordance with training mandated by Arkansas Law or CLEST standards, and any other training designated by this department.

B. This refers to the mandated Continuing Education under CLEST standards as well as any training mandated by the agency. Reserve/Part-Time/Specialized officers are sworn officers and are required to have arrest, search and seizure training level 3 or 4 training would cover any CLEST requirement not covered by Standard 2.01 or 3.01.

VI. [ALEAP 3.07] In-Service Non-Sworn Training:

This department identifies the non-sworn positions, including volunteer positions that have any required state or agency pre-service and/or in-service training or certifications and provides the necessary training. (See policy on Volunteers)

VII. [ALEAP 3.08] Supervisor Training

A. This department provides for a minimum of 24 hours of training for newly promoted supervisors/commanders appropriate to their position/rank within 12 months of promotion.

B. This minimum of 24 hours of training applies to all ranks below Chief in the department. Newly promoted supervisors or commanders, (not just the initial supervisory rank) including non-sworn supervisors should be provided training "appropriate to their position/rank" and the training should take place within 12 months prior to or after promotion.

C. The CJI School of Law Enforcement Supervision and/or similar courses would be appropriate for all new Sergeants and possibly even first line non-sworn supervisors. Other supervision courses may be appropriate for Lieutenants and above

VIII. [ALEAP 3.05] Training Records:

This department has a written directive which describes its employee training records system which is in accordance with CLEST rules or other rules and regulations for appropriate personnel. Reporting of training through the Arkansas Commission on Law Enforcement Standards and Training may be used to document sworn training.

A. Each officer shall have a training file that indicates the training programs received by the officer to include:

- **a.** Subject matter of the training;
- **b.** Date of the training;
- **c.** Number of hours;
- **d.** Proficiency scores where applicable.

B. Department files will contain a lesson plan and outline of each in-house training session, which indicates the following:

- **a.** Subject matter;
- **b.** Lesson plan;
- **c.** Course objective;
- **d.** Course content;
- **e.** Handout materials;
- **f.** Dates training was given;
- **g.** Instructor of training.

C. This department will also retain as part of department records, documentation relating to any external program an officer attends as part of continued training.

D. The department will maintain a file on all training required by state mandate and shall document that training in accordance with this policy.

Policy # **Transportation and Restraint of Prisoners**	Related Policies: Response to Resistance
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.	
Applicable Arkansas Statutes:	
CALEA 70.1 Transport Operations ALEAP 10.01 Searching and Transport	
Date Implemented:	Date Reviewed: 09/25/2025

I. Purpose: To establish guidelines for the reasonable and safe transportation and restraint of prisoners.

II. Policy: Transportation and restraint by law enforcement agencies of persons who are in custody is a constant requirement and a frequent activity. Two general time periods are involved. The first is immediately after arrest when the person is taken to the police department or a jail facility for processing and holding. The second concerns the movement of detainees to court, to a detention facility, to medical facilities, or for other reasons. Regardless of the reason for the transportation of prisoners, potential hazards are always present. Therefore, it is the policy of this department to establish uniform procedures that provide adequately for the safety and security of prisoners, transporting officers, and the public during prisoner transport.

III. Definitions:

A. Contraband: Articles or substances prohibited from the possession of prisoners.

B. Handicapped prisoner: A prisoner with an anatomical, physiological, or mental impairment that hinders mobility.

C. Prisoner: A persons who has been arrested and taken into custody.

D. Proper search: The physical inspection of a prisoner's person, clothing, and effects for weapons or potentially hazardous articles to be used against law enforcement personnel. This search shall also have consideration for contraband, such as narcotics, narcotic paraphernalia and implements which may facilitate an escape from custody or confinement. A proper search shall be conducted in accordance

with federal and state constitutions and statutes and be consistent with this department's policy on searches.

E. Restraining device: Equipment such as handcuffs, flex-cuffs, leather restraint belts, leg irons, hobble devices, and maximal restraint tools, used to restrain the movement of the prisoner.

F. Security hazard: Any threat to the security of the prisoner, to the facility in which he/she is held, or to others with whom the prisoner may come into contact. Estimations of the degree of security hazard will govern the means of transport, the kinds of restraining devices to be used, and other actions to be taken by department personnel to provide proper protection for and security of the prisoner.

G. Transporting officer: A department employee who is responsible for transporting a prisoner from one point to another.

H. Transportation operations:

a. Vehicle inspections: At the beginning and end of each shift, all vehicles regularly used for prisoner transport shall be inspected by the department member assigned to that vehicle to determine that all safety devices are in working order and that the interior is free of weapons and contraband.

b. Prior to placing a prisoner in a vehicle for transport or detention, the officer shall inspect the interior for weapons and contraband. An additional inspection shall be conducted after the prisoner has been delivered to the detention facility or other destination.

c. Officers shall not engage in enforcement activities while transporting prisoners unless failure to act would risk death or serious bodily injury to another. In non-life-threatening yet serious situations, officers should call for back-up assistance and may remain on hand until such assistance has arrived.

I. Restraining devices:

a. Officers shall use only those restraining devices for which they have been trained.

b. With few exceptions, all prisoners shall be handcuffed, double locked and checked for proper application, with their hands behind their backs.

c. Officers shall document, in their report, that "subject was handcuffed, checked for fit, and double-locked."

d. Officers may use discretion in restraining persons or using other restraining devices in specific cases, such as:

1. Obvious state of pregnancy;

2. Prisoner has a physical handicap;

3. Prisoner has injuries that could be aggravated by standard handcuffing procedures;

4. Elderly and very young persons.

e. All prisoners shall be secured with seatbelts. No prisoner shall be handcuffed to any part of the police vehicle.

f. With the approval of a supervisor, leg irons, hobbles, or flex-cuffs may be applied to the ankles of a prisoner who violently resists arrest, is an escape risk, is prone to violent behavior, or manifests mental disorders that pose a threat to the prisoner, the transporting officer, or the public.

J. Supervisory notification for special circumstances: A supervisor, where feasible, will be notified in all cases where:

a. The officer is transporting a person who is handicapped;

b. The officer is transporting a person known to be mentally ill;

c. The officer is transporting a person with an injury;

d. The officer is transporting a person known to have a communicable disease.

K. In all such cases, the officer shall obtain necessary clearances from an appropriate mental health or medical professional as to the proper restraint and care of these individuals.

L. All transports involving the special circumstances outlined above shall be documented as to the occurrence as well as the action taken.

M. Transport:

a. Prior to transport, the officer shall thoroughly search all prisoners for any weapons, tools of escape, or contraband.

b. The transporting officer shall conduct a pat-down frisk for the purpose of seizing any weapons or tools of escape. The officer shall conduct a further search incident to the arrest for the purpose of seizing weapons, contraband, or evidence of the crime.

c. Officers shall properly secure and safeguard personal property belonging to the arrestee or prisoner.

d. In the event that the transporting officer and prisoner are of the opposite sex, the transporting officer may conduct a limited pat-down frisk for the purpose of seizing any weapons, tools of escape or contraband. This search should be observed, if possible, by a witness. The officer is advised to use the back of his/her hand or some object such as a pen.

e. When possible and practicable, a department member of the opposite sex should be requested for these types of searches.

f. Any search shall be documented by the transporting officer.

g. Prior to transporting a prisoner, the transporting officer shall notify the dispatcher:

1. Identity of the prisoner;

2. Arrest location and destination;

3. Vehicle odometer mileage;

4. Vehicle odometer mileage at time of arrival at the intended destination.

h. Prisoners shall be transported in the following manner:

1. If prisoners are routinely transported alone in the rear of department vehicles, the rear compartments are modified to minimize opportunities for exit without the aid of the transporting officer. Cages, safety barriers, deactivating power to windows and/or removal of window cranks and door handles from the rear compartment are modifications that should be considered by the department to minimize unauthorized exit from the vehicle
2. If the transport vehicle is equipped with a safety barrier, the prisoner shall be placed in the rear, right-side seat. The transporting officer(s) shall be positioned in the front seat.
3. If the transport vehicle is equipped with a safety barrier, and two prisoners are being transported, then two officers shall make the transport where feasible. The prisoners shall be placed in the rear seat. The transporting officers shall be positioned in the front seat.
4. Up to three prisoners may be transported in a vehicle equipped with a safety barrier, provided that two officers make the transport. The prisoners shall be placed in the rear seat. The transporting officers shall be positioned in the front seat.
5. A prisoner may be transported in a vehicle not equipped with a safety barrier. However, two officers must make the transport. One officer shall operate the vehicle while the second officer is seated in the rear seat, directly behind the operator of the vehicle. The prisoner shall be seated in the rear, right-side seat.
6. All prisoners being transported shall wear properly fastened seat belts.
7. Prisoners shall not be transported in a reclined position.
8. Any wheelchairs, crutches, prosthetic devices, and medication shall be transported with, but not in the possession of, the prisoner.
9. Prisoners shall not be left unattended while being transported.
10. Unless approved by a supervisor, no stops will be made while transporting a prisoner.
11. A transporting officer shall not respond to the need for law enforcement services or back-up unless the risk to other citizens or law enforcement officers is both clear and serious and the risk to the prisoner(s) is minimal. When the need for these services is of a non-serious nature, the officer shall notify dispatch.
12. Prisoners of the opposite sex shall not be transported in the same vehicle unless extraordinary circumstances exist, and only when approved by a supervisor.
13. If a prisoner is to be transported to court or any other facility, and the prisoner is believed to be a security hazard, the transporting officer(s) shall inform the receiving court of law enforcement personnel in order that they may prepare to accept custody of the prisoner.

14. If a prisoner becomes sick or injured incidental to arrest, the transporting officer, when possible, shall request emergency medical support to examine the prisoner prior to transport.

15. If emergency hospital treatment is necessary, the prisoner and at least one officer shall be transported by the rescue to the hospital. The officer shall remain with the prisoner (unless prevented by emergency circumstances or treatment needs) until the hospital personnel release the prisoner or until appropriate security can be arranged.

16. If emergency hospital treatment is not necessary, and a reasonable request is made by the prisoner to go to the hospital, the prisoner shall be transported in a department vehicle.

17. Prisoners with physical handicaps may be transported in department vehicles. All reasonable precautions shall be taken by the transporting officer to ensure the security and reasonable comfort of the prisoner, without compromising the safety of the transporting officer(s).

18. Appropriate measures for the security and control of prisoners in medical facilities shall be taken. Whenever an officer transports a prisoner, or is transported with a prisoner, to a medical facility, the officer shall:

    a) Maintain a constant view of the prisoner;

    b) Ensure that proper restraints are applied to the prisoner until the medical staff needs them removed for medical treatment. Once treatment is completed, proper restraints shall be reapplied;

    c) Guard against any injury to the officer and all medical staff;

    d) If required to guard the prisoner, and when possible, rotate guarding assignments at regular intervals to avoid complacency;

    e) Ensure that the prisoner does not have contact with visitors;

    f) Notify hospital security, if available, and the law enforcement department within the jurisdiction of the medical facility of the presence of a prisoner within the hospital;

    g) If the prisoner is admitted to the medical facility, and cannot be arraigned by a magistrate or appropriate official, or issued a summons, notify the supervisor to arrange for 24-hour guard coverage;

    h) Upon the prisoner's release from the medical facility, and prior to transport, the prisoner shall be thoroughly searched;

    i) Upon the prisoner's release from the medical facility, the transporting officer shall ensure that all medical records and instructions for future treatment are in the prisoner's possession and are provided to the detention facility.

19. Whenever a prisoner is to be transported and has been involved in the following types of incidents, special safety measures shall be adhered to:

    a) Was involved in a violent struggle during apprehension.

b) Was subjected to the use of a chemical agent, Taser, neck restraint hold, multiple body weight control, or impact strikes to the body.

c) Is highly intoxicated on either alcohol or drugs or a combination.

d) Is secured by maximal restraints, four-point restraints, or a hobble tool.

20. Evidences a difficulty in breathing**, the transporting officers shall:**

a) Ensure that the prisoner remains in a seated, upright position;

b) One officer shall maintain constant visual and audible observation of the prisoner;

c) If there is any indication that the prisoner is in medical distress the officer(s) shall administer emergency medical attention consistent with his/her level of training and shall immediately request emergency medical support;

d) Shall advise the detention staff accepting the prisoner of all of the above circumstances.

N. Escape:

a. The transporting officer shall:

1. Immediately notify the dispatcher and supervisory personnel;

2. Immediately coordinate with responding officers to establish a perimeter;

3. Brief responding supervisory personnel.

b. The responding supervisor shall:

1. Take command of the perimeter and search operation;

2. Determine the need for additional department resources;

3. Ensure that all proper notifications are made up the chain of command;

4. Ensure that the events surrounding the escape and search operation are properly documented through a report from each officer involved in the event.

O. Community Care Taking Transports: Officers serve numerous functions in society, some of which are totally separated from the investigation of crimes and arrest of suspects. These non-crime related duties are termed community caretaking functions, and for this section, “community caretaking transports.” Officers can expect to encounter citizens in numerous situations in which police assistance is requested, such as a stranded motorist in need of transportation, or cases where police assistance is necessary, such as intoxicated persons wandering in or near a roadway. The purpose of this section is to ensure the safe transportation of citizens and the safety of the transporting officers.

a. Citizens who are transported for a “community caretaking” purpose, such as individuals who flag down officers for assistance and are transported in the department vehicle, are not seized for Fourth Amendment purposes.

b. Citizens who are transported for a “community caretaking” purpose because they are ill or in distress, such as persons who pose a danger to self or others

due to mental health issues, impairment from drugs and alcohol etc. are not considered seized for purposes of the Fourth Amendment.

c. During the course of a community caretaking contact, officers may, without turning the contact into a seizure, take reasonable steps to ensure their safety.

d. An officer may request that the citizen take their hands out of their pockets and that the citizen keep their hands visible without converting the contact into a seizure or arrest.

e. When the officer has reason to believe the person to be transported may harm him/her, the officer may conduct a pat-down search of the citizen prior to transporting in the department vehicle in non-arrest situations.

f. Officers shall notify a supervisor and the dispatcher of the circumstances of the transport:

1. Reason for the transport;
2. Sex of the person. Male and female citizens may be transported together when they were originally together. Ex: Husband and wife stranded with a disabled vehicle request transportation;
3. Number of persons;
4. Starting location & destination;
5. Starting and ending mileage;
6. Time of start;
7. Time on arrival at destination.

g. All persons must wear seatbelts.

h. When the reason for the transport is due to impairment from drugs or alcohol, the officer is required to transport to a medical facility.

i. When the officer is dealing with a citizen in need of medical attention, the officer should first consider contacting EMS for evaluation before transport.

j. When the reason for transport involves the need for a mental health evaluation, the officer is required to transport to the appropriate mental health provider.

k. No stops shall be made along the way to the destination.

l. Officers shall not engage in a pursuit or conduct law enforcement activities while transporting citizens.

m. Officers are prohibited from dropping or stranding a citizen in a location that places the citizen in danger.

n. Coercing or facilitating homeless persons, vagrants, panhandlers etc. into transportation when they have no desire to leave the jurisdiction through transportation and drop-off is prohibited.

o. Officers should encourage the citizen to contact a person who will meet them or take them in. Where a citizen does not have a phone, officers can instruct the dispatcher to make the call.

p. Officers will ensure the safety of the citizen during the transport and drop the citizen in a safe location at the termination of the transport, such as:

1. The citizen's residence;
2. The residence of a family member or friend;
3. A medical facility or hospital;
4. A reputable local establishment such as hotel or restaurant;
5. A bus station, train station or cab company;
6. The department lobby area.

Policy # **Unmanned Aircraft System**	Related Policies: Arrest, Search and Seizure
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.	
Applicable Arkansas Statutes:	
Applicable FAA Regulations Drones in Public Safety: A Guide to Starting Operations 2019	
Date:	**Review Date:** December 2025

I. **Purpose:** A drone or UAS (Unmanned Aircraft System) has the ability to reach inaccessible or dangerous locations providing an advantage over manned helicopters because they reduce the risk to human life. UAS have the potential to help in search and rescue missions by covering more ground and keeping officers safe by providing an eye in the sky in dangerous situations. The UAS will be used to enhance public safety and to assist law enforcement search and rescue operations.

A. **Tactical Operations:** The UAS will be used to enhance and support tactical operations in areas of the Bryant Police Department's jurisdiction should a request for assistance be made and approval authorized. SWAT (Special Weapons and Tactics) and narcotics operations, and detectives during the execution of warrants, may utilize UAS to provide real time situational awareness of the target during high-risk operations. The ability to provide this aerial view may enhance officer safety and document movements of officers and civilians.

B. **Search and Rescue:** Unmanned systems equipped with a thermal / optical camera and multi-sensor navigation systems are designed to find people in rugged outdoor environments. The ability to use this aircraft to search large areas quickly using the attached technology equipment will improve the resolution of search and rescue operations.

C. **Crime and Collision Scene:** The UAS can also be used for crime scene over watch; as well as, used to document and record crime scenes and accident scenes.

II. Policy: It is the policy of this department to use UAS in coordination with law enforcement officers conducting specific missions as guided by the by the Federal Aviation Administration (FAA). This policy is designed to minimize risk to persons, property, and aircraft during the operation of the UAS while safeguarding constitutional protections and privacy interests of all persons.

III. Definitions:

A. UAS: Unmanned Aircraft Systems.

B. Operator (UA Pilot): The individual responsible for the overall flight operations of a specific mission.

C. Observer: Monitor the flight characteristics of the aircraft while in communication with the operator to ensure proper flight and that the aircraft remains clear of obstacles and low flying air traffic. The individual responsible for the operation of all camera and remote sensing functions during UAS operations.

D. The Bryant Police Department has two options to operate drones:[1]

a. Designate individual members of your team to earn FAA drone pilot certificates and fly under the rules for small unmanned aircraft systems (sUAS).

1. Most drone pilots operate under the sUAS rule, which is commonly known as Part 107 after the designated section of the federal code. Part 107 defines requirements for drone pilots and drones, and it sets operational limits for drone usage.

b. Receive an FAA certificate of authorization (COA) to function as a "public aircraft operator" that can self-certify its drone pilots and drones.

1. Rather than certify pilots and register aircraft under Part 107, your department may choose instead to request a COA from the FAA to become a public aircraft operator. This would allow your department to self-certify your drone pilots and drones for flights to perform governmental functions.

2. The first step is to ask your legal department to draft a Public Declaration Letter that certifies your department as a governmental entity and send it to the FAA. The FAA will send you a user ID and password to the UAS COA Online Application System, where you can complete your application. This process can take up to 60 days.

3. For more information about the COA process, please visit www.faa.gov/go/COA

IV. Procedures:

A. When the UAS is being flown the onboard cameras will be turned so as to be facing away from occupied structures, etc. to minimize inadvertent video or still images of uninvolved persons.

[1] Drones in Public Safety: A Guide to Starting Operations. FAA

B. All video and still images will be maintained in strict compliance with department policies and procedures and Arkansas Law.

C. The UAS unit will not conduct random surveillance activities. The use of the UAS will be tightly controlled and regulated the Chief of Police or their designee.

D. The authorized missions for the UAS are:

a. Video/photographs for investigative support (Homicide Scene, SWAT).

b. HAZMAT Response.

c. Search and Rescue.

d. Barricaded persons / Hostage situations / Active Shooters.

e. Traffic collisions.

f. Disaster Response (Floods, Tornado Damage, etc.)

g. Bomb Threats.

h. All other requested uses will be approved by the Chief of Police or their designee prior to deploying the UAS.

i. If UAS is going to be used over a residential property for an investigation, a warrant shall be obtained unless the UAS Commander can articulate probable cause that exigent circumstances exist. The warrant should be obtained as soon as practical.

j. Emergency Authorizations and Operations: To support emergency responders and other entities affiliated with them, the FAA can quickly issue authorizations for responses to natural disasters and other emergencies. For more information, please visit: www.faa.gov/go/EmergencyWaiver.

E. The UAS program will operate strictly within the law and regulations. If in doubt, prior to operating the UAS the Chief of Police or their designee will ensure that warrants are applied for and obtained. The department will balance all operations with the need to accomplish the mission while maintaining public privacy and the, freedom from intrusion.

F. A committee will be formed and meet at least annually, or when legal or regulatory issues arise, for the purpose of reviewing the existing UAS policy and procedures as well as new technologies and laws and regulations on UAS usage. The committee chaired by the Chief of Police will consist of personnel from UAS unit such as the UAS Unit Commander, Operators and Observers, Professional Standards / Internal Affairs, Special Operations, Detectives and Patrol representatives, civilians who have specialized knowledge of UAS operations such as the Manufacture or FAA representatives. A copy of the policies and procedures (electronic and/or paper) will be issued to every person having UAS responsibilities.

V. PERSONNEL:

A. The Chief of Police will designate a command level officer to be the UAS Unit Commander. The commander shall report directly to the Chief of Police or their

designee. The UAS Commander shall be responsible for the overall direction and performance of the UAS unit.

B. Responsibilities:

- **a.** Selection of UAS personnel;
- **b.** Maintaining all training, flight and maintenance records for each operator and observer as well as individual airframes;
- **c.** Maintain contact with the FAA and regulations as they change, calling for committee meeting when necessary to maintain up to date policies and procedures;
- **d.** Evaluate airframes based on mission needs;
- **e.** Prepare a written “After Action - Mission Report” and brief the Chief of Police or their designee.

C. Operators:

- **a.** An operator's primary duty is the safe and effective operation of UAS in accordance with the manufacturers' approved flight manual, FAA regulations and department policy and procedures. Operators must remain knowledgeable of all FAA regulations, UAS manufacturers’ flight manual and bulletins, and department policy and procedures.
- **b.** Operators may be temporarily removed from flight status at any time by the UAS Commander, Designee, or the Chief of Police for reasons including performance, proficiency, physical condition, etc. Should this become necessary, the operator will be notified verbally and in writing of the reason, further action to be taken and expected duration of such removal.

D. Observers: must have been provided with sufficient training to communicate clearly to the operator any turning instructions required to stay clear of conflicting traffic. An observer's primary duty is to operate the UAS's equipment including cameras, FLIR, radio communications with patrol units as well as be an observer for anything that may affect the operator's primary duty (see and avoid).

E. Outside Jurisdiction - Request for Support – Mutual Aid: Requests for support from other government agencies within, or outside the jurisdiction of this department will be forwarded to the UAS Commander who after consideration will either deny the request outright because the request is clearly outside the policy of the department or forward the request to the Chief of Police or their designee for approval for use of the UAS. Proper policy and procedure, as well as FAA regulations shall be followed when accepting mutual aid support for the UAS.

F. Safety: The Bryant Police Department is committed to having a safe and healthy workplace, including:

- **a.** The ongoing pursuit of an accident-free workplace, including no harm to people, no damage to equipment, the environment and property.

b. A culture of open reporting of all safety hazards in which management will not initiate disciplinary action against any personnel who, in good faith, disclose a hazard or safety occurrence due to unintentional conduct.

c. Support for safety training and awareness programs.

d. Conducting regular audits of safety policies, procedures, and practices.

e. Monitoring the UAS unit to ensure best safety practices are incorporated into the unit.

f. It is the duty of every member within the UAS unit to contribute to the goal of continued safe operations. This contribution may come in many forms and includes always operating in the safest manner practicable and never taking unnecessary risks. Any safety hazard, whether procedural, operational or maintenance related should be identified as soon as possible after, if not before, an incident occurs. Any suggestions in the interest of safety should be made to the UAS Commander.

g. If any member observes, or has knowledge, of an unsafe or dangerous act committed by another member, the UAS Commander is to be notified immediately so that corrective action may be taken.

h. In regards to safety, all members of the UAS unit are responsible for the following:

1. Ensuring all flight operations personnel understand applicable regulatory requirements, standards and organizational safety policies and procedures;
2. Observe and control safety systems by monitoring all operations;
3. Review standards and the practices of department personnel as they impact operational safety;
4. Communicate all reported safety related problems and the corrective action taken. If there were any in-flight problems (or learned experiences);
5. Reading and understanding all pertinent safety information;
6. Reading and understanding all emergency safety bulletins;
7. It is emphasized again that safety is the responsibility of ALL members of the UAS unit.

G. Medical Factors:

a. Operators and Observers should only deploy the UAS when rested and emotionally prepared for the tasks at hand.

b. Physical illness, exhaustion, emotional problems, etc., can seriously impair judgment, memory, and alertness. The safest rule is not to act as an operator or observer when suffering from, any of the above. Members are expected to "stand down" when these problems could reasonably be expected to affect their ability to perform flight duties.

c. A self-assessment of physical condition shall be made by all members during pre-flight activities.

d. Performance can be seriously hampered by prescription and over the counter drugs. Many medications cause drowsiness and hamper sound decision making abilities and reaction. The UAS commander will be advised anytime such drugs are being taken. If it is determined that the medication being taken could hamper an operator or observer, that member shall be prohibited from the deployment or exercise.

e. No member shall act as an operator or observer within eight hours after consumption of any alcoholic beverage, or while under the influence of alcohol.

H. Operational Hazard and Occurrence Report (OHOR) and Investigations

a. Occurrences are unplanned safety related events, including accidents and incidents that could impact safety.

b. A hazard is something that has the potential to cause harm. The systematic identification and control of all major hazards is foundational to safety.

c. The **OHOR** concept provides a mechanism to report hazards and occurrences, real and perceived, to those responsible for UAS operations.

d. There is no specific **OHOR** form. The information provided is what is important. Incidents should be documented without hesitation to report any anticipated, current, or experienced safety hazard, or occurrence. Further, the **OHOR** can be submitted anonymously, and to whatever level in the chain of command of this department to get the matter proper attention, without fear of reprisal.

e. Every hazard and/or occurrence will be investigated, with the results and corrective action taken communicated to all members. The investigation will be conducted by the UAS Commander and a designee of the Chief of Police who has authority over internal investigations. Due to the technical aspects of the UAS operations an independent subject matter expert may be necessary in some cases to assure a thorough and complete investigation.

f. ALL UAS MEMBERS ARE AUTHORIZED TO TAKE ACTION TO CORRECT A HAZARD if in that member's opinion delay will result in accident or injury. The UAS Unit Commander will be notified immediately in such situations.

I. Training:

a. The key to continued safe operations is by maintaining a professional level of competency. The first step in this process is establishing minimum qualifications for selecting members, and the second step involves training those personnel.

b. In conjunction with fulfilling all FAA requirements for operator/observer duties, the new member will also become familiar with the department UAS operations, and its related equipment.

c. Before a member can fly as an operator, they must complete at least 8 hours of flight training with the UAS instructors to show proficiency of the flight training

exercises and the airframe. This must be accomplished to show their ability and knowledge of the UAS in compliance with the manufacture's manual and instructions.

J. Call Out Procedures / Use of the UAS:

a. When feasible a supervisor will screen all initial requests to use a UAS from patrol or investigation units. All reasonable requests will be forwarded to the UAS Commander for consideration. In the absence of the supervisor the dispatcher will forward the request to the UAS Commander.

b. UAS Commander will screen the request using the following factors:

1. Is the proposed use of UAS within the capabilities of the UAS equipment and personnel to perform?
2. Does the proposed use of the UAS fall within the FAA and department policies and regulations for UAS usage?
3. Can the UAS be deployed safely given current weather conditions?
4. If the UAS deployment requires a warrant has one been requested and approved?
5. Are sufficient trained and qualified personnel available to safely operate the UAS?

c. The UAS Commander will either accept or decline the request for UAS support. If the request is denied the UAS commander will provide a reason for declining the support request to the requestor. If the UAS Unit Commander accepts the support request he/she will contact the Chief of Police or their designee for final authorization or denial.

d. If the Chief of Police or their designee accepts the support request the UAS Commander will contact a UAS operator and observer who will be provided all available mission information.

e. The UAS operator is responsible for transporting the UAS and all required equipment to the scene. Upon arriving at the requested location the UAS operator will contact the on scene Incident Commander and will check in and receive a briefing on the mission requested. The UAS operator will make an on scene determination of the ability of the UAS to perform the requested mission safely and within department and FAA policies and procedures.

f. If the UAS operator determines that the use of the UAS would violate department policy or directives then the UAS operator will inform the Incident Commander of the potential conflict along with recommendations for modifying the requested mission to conform to the department policies and procedures. As this is a change from the original approved mission the UAS operator will contact the UAS Commander for direction on how to proceed. As soon as possible after the completion of the mission, the UAS operator will make a full report of the circumstances and their concerns to the UAS Commander.

g. UAS operators will have sole discretion for declaring safety or violation of FAA rules. If the UAS operator determines that a requested mission would violate FAA rules or endanger civilians, then the UAS operator will respectfully inform the Incident Commander of the reasons for refusing to operate the UAS and contact the UAS Commander immediately. **The UAS will not be flown in this circumstance and the authority of the UAS operator is absolute.**

h. If the UAS operator determines that the requested mission will potentially damage the UAS or its associated equipment the UAS operator will inform the Incident Commander of their concerns. The UAS operator will contact the UAS Commander as this is a deviation of the originally, approved mission, The UAS operator will fully document and send a report to the UAS Commander.

i. The UAS shall not be used for the purpose of random surveillance.

j. If several separate requests for UAS support are received simultaneously, they shall be prioritized. In general terms, requests for UAS support are prioritized as:

1. Life Safety;
2. Evidence / Documentation.

K. FAA Operational Limits:[2]

a. Although there may be requests for UAS support outside the jurisdiction of this department the FAA restricts deployment to certain areas.

b. At no time shall UAS support be granted outside this department's jurisdiction without first obtaining an emergency FAA and approval by the UAS Commander.

c. Drones flown by remote pilots must weigh less than 55 lbs. This limitation includes any attached equipment or cargo, such as emergency aid in search-and rescue operations.

d. Remote pilots cannot fly their drones more than 400 feet above ground level (or more than 400 feet above the top of structures like communications towers).

e. Remote pilots must receive FAA authorization to fly in airspace near airports. They may use an automated system called Low Altitude Authorization and Notification Capability (LAANC).

f. Other limitations include not flying over people or at night. Your department may apply for waivers to certain rules. To request a waiver, visit faa.gov/uas/request_waiver.

g. No FAA airworthiness certificate is required to fly sUAS under Part 107, but your team must register each aircraft with the FAA. The remote pilot must confirm that an aircraft is in condition for safe operation before each flight.

[2] Drones in Public Safety: A Guide to Starting Operations. FAA

h. Line of Sight: All UAS operations shall be conducted within line of sight of the Operator or observer such that the Operator or Observer may detect and avoid hazards such as aircraft or property.

i. In a time of extreme emergencies to safeguard human life, first responders require the capability to operate their unmanned aircraft (UAS) beyond visual line of sight (BVLOS) to assess the operational environment such as a fire scene at a large structural fire, to conduct an aerial search on a large roof area for a burglary in progress, or to fly over a heavily forested area to look for a missing person. To support public UAS operators acting in an active first responder capacity, the FAA may approve "First Responder Tactical Beyond Visual Line of Sight" (TBVLOS) waivers to 14 CFR 91.113(b).[3]

These temporary BVLOS flights are flown to both reduce risk to first responders and to ensure the safety of the communities they serve. The FAA will issue in advance, upon receipt of a complete and accurate application, a 14 CFR 91.113(b) waiver that will allow temporary UAS TBVLOS operations within specific conditions and requirements as described in the information below:

1. The First Responder must already be flying under a valid Part 91 Certificate of Authorization
2. TBVLOS is only to be used in extreme emergency situations to safeguard human life.

L.Minimum Personnel Requirements:

a. Due to the nature of the law enforcement mission, the minimum personnel required on ALL missions will be an operator and observer. Under no circumstances will an operator attempt to complete a deployment alone.

b. Although training is not considered a mission, an observer will be used.

M. OPEN COMMUNICATION ACHIEVES SAFE OPERATIONS:

a. The operator is directly responsible for, and is the final authority over the actual operation of the UAS.

b. Operators have absolute authority to reject a flight based on personnel safety or violation of FAA regulations. No member of this department, regardless of rank, shall order an operator to make a flight when, in the opinion of the operator, it poses a risk to personnel or is in violation of FAA regulations.

c. Operators are responsible for compliance with this manual, department policy and procedure and FAA regulations.

d. The operator's main duty during the deployment of the UAS is to operate the UAS safely while accomplishing the goals of the deployment.

e. Operators shall see-and-avoid any obstacle that will lessen safety during the mission.

[3] FAA First Responder Tactical Beyond Visual Line of Sight (TBVLOS) 91.113 Waiver Guide

f. Operators shall be responsive to the requests of the observer in order to accomplish the deployment.

g. Operators shall be responsible for documentation for their mission training and updating of their flight books.

h. Observers shall see and avoid any obstacle that will lessen safety during the mission.

i. Observers are responsible for the law enforcement aspect of the deployment.

j. Observers shall operate any attachments to the UAS, allowing the operator to maintain complete focus on the operation of the UAS.

k. Observers shall remain alert for suspicious persons or activities on the ground and coordinate response by ground units.

l. Observers shall monitor the radio updates.

m. Observers shall assist the operator in the main objective of safe operations of the UAS.

n. Observers shall be responsible for documentation for their mission training and updating of their flight books.

N. Personal Equipment:

a. Operators/Observers shall wear eye protection at all times while the UAS is in flight.

b. Although there is no specific uniform for the UAS unit or required for proper operation of the UAS, the operator/observer should take necessary measures to deploy in a professional manner. Operators and observers will wear clothing that easily identifies them as members of this department.

c. Operators/Observers will take into consideration the current weather conditions when planning to deploy, and wear appropriate clothing to deploy comfortably.

d. Use of the radio, cell phone or other device is strictly prohibited **by the operator** during flight.

O. Pre-Flight/Post-Flight Actions:

a. Operators/Observers are both responsible for a thorough preflight inspection of the UAS.

b. Before and after each deployment (whether an incident or training), the operator and observer shall conduct a thorough inspection of the UAS in accordance with the instructions contained in the manufactures user's manual.

c. Any issues found that will put in jeopardy the safe operation of the UAS shall be documented and resolved immediately prior to flight.

d. It has been recognized that the use of a checklist is a significant method to combat UAS accidents. A pre-flight and post-flight checklist will be conducted in accord with the manufactures instruction and will be utilized prior to each flight.

e. Any physical equipment that cannot be resolved on-site, and which have an impact on safety or the mission, will override the deployment. These issues will be resolved before flight.

P. Weather:

a. Before each deployment the operator/observer will ensure that he/she gathers enough information to make themselves familiar with the weather situation existing throughout the area of deployment. The operator shall utilize FAA approved weather resources to obtain the latest and most current weather conditions.

b. An anemometer or wind meter should be utilized in order to better estimate the wind speed and determine if it is within the capabilities of the airframe being flown.

c. Operators/Observers should use the Beaufort Scale when making deployment decisions in regards to wind conditions. This scale can be located in the manufacture's user's manual.

d. The weather conditions reported for the operation shall be recorded in the flight log.

e. The operator shall ensure that the flight will occur within FAA VFR (Visual Flight Rules) weather requirements.

f. Inspection and weather will be documented prior to flight within the log book.

Q. Planning:

a. The operator/observer shall familiarize themselves with all available information concerning the deployment including, but not limited to, the weather conditions, hazards, description of the incident, deployment goals, etc.

b. Operators will ensure that the location for take-off and emergency landing is adequate for a safe deployment.

c. The take-off/landing location should be clearly marked and identifiable.

d. At least one emergency landing area should be identified per deployment.

e. Operators will ensure that they are aware of their surroundings in the event that an emergency landing is necessary. This includes the ability to recover the UAS.

R. Documentation:

a. After each flight, the operator will complete a statement documenting the UAS operations.

b. After each deployment, all video obtained by the UAS Operation will be submitted to evidence in accordance with department policy and Arkansas Law.

c. Aerial photography (still or video) shall be stored in accordance with department policy and procedure and Arkansas Law.

d. The operator of the UAS is responsible for evidence handling as well as writing any supporting documentation for the incident.

S. Maintenance:

a. Although there are few parts on the UAS that need servicing, it is necessary that the manufacturer's maintenance schedule is followed and properly documented.

b. Any issues that arise during maintenance that cannot be resolved by routine methods shall be forwarded to the manufacturer for further technical support.

c. Maintenance and service records associated with the UAS shall by maintained by the UAV Commander for UAV of the department.

d. Operators and or supervisors of Unmanned Aircraft Systems (UAS) shall maintain manufactures software updates and or operating requirements.

Vehicle Inspection	Related Policies:
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.	
Applicable Arkansas Statutes:	
CALEA Standard:	
Date Implemented	Revise Date:

I. Purpose: The purpose of this policy is to outline the duties and responsibilities of officers in inspecting vehicles of this Department prior to use.

II. Policy: It is the policy of this Department to ensure that emergency vehicles are maintained to provide for the maximum safety of officers, the public, and any persons who may be transported in a Department vehicle.

III. Procedure:

A. Duty: Officers of this Department who are assigned a vehicle shall inspect the vehicle prior to placement of the vehicle into service each tour of duty. This inspection shall occur on each shift. Where a vehicle is assigned as a take-home vehicle, the officer assigned the vehicle shall conduct the inspection prior to placing the vehicle into active service.

B. This inspection will include a determination as to the presence of safety equipment and the working order of this equipment.

C. The inspection will include: (See Equipment Report)

a. Lighting

b. Emergency Lighting and Siren (Note: Officers should consider location/time of day when checking functionality of siren)

c. Global Positioning System

d. Tires

e. Brakes

f. Engine Noise

g. Safety Barrier-Prisoner Transport

h. Required Emergency equipment i.e. fire extinguisher, road flares, blood-borne pathogen equipment etc.

D. If new visible damage is found on any vehicle, that damage shall be reported prior to placing the vehicle in service. If the damage affects the safety or operation of the vehicle, the vehicle shall not be used.

E. If during the inspection, or at any time during a shift, the global positioning system of the vehicle fails, a supervisor shall be immediately notified.

F. The interior of the vehicle shall be inspected prior to each shift and following the transport of any prisoner. This shall include a check under seats to ensure that no weapons or contraband have been left in the vehicle by a suspect who has been transported. If weapons or contraband is discovered, a found property report will be written and a supervisor will be notified to initiate appropriate action.

G. If the vehicle is found in a state of uncleanliness, steps shall be taken to have the vehicle cleaned immediately.

H. If a vehicle is damaged during the officer's shift, the officer shall report this damage immediately. The damage shall be documented in a report that includes a vehicle inspection sheet.

I. The officer assigned to the vehicle when damage occurs shall do a written report and the packet will be forwarded through to the officer's chain of command and the fleet maintenance officer.

J. Any time a vehicle is found with damage or in a state of disrepair or unclean, a report shall be filed indicating the items needing attention. Where such damage or disrepair affects the safe operation of the vehicle, the vehicle shall not be used.

K. Supervisors shall do proper vehicle inspections of his or her subordinates vehicles on a monthly basis.

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Vehicle Inventories	Related Policies:
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.	
Applicable Arkansas Statutes: **Arkansas Criminal Procedure §14; §12.1;§12.4;§12.6; §14.3**	
CALEA Standard: 61.4.3 Towing ALEAP 7.09 Searches Without a Warrant	
Date Implemented:	**Review Date:** December 2025

I. Purpose: The purpose of this policy is to direct officers in seizures of vehicles, evaluation of warrantless searches and inventories and options other than towing and impoundment

II. Policy: Officers are routinely faced with the question of whether to impound or tow motor vehicles for purposes of safekeeping property, securing evidence, or protecting the public, among other reasons. This policy provides guidelines that officers should use to decide issues related to impounding motor vehicles.

III. Discussion: When considering impoundment of a vehicle by members of this department officers will take into consideration the purpose of the impoundment and the reasons for conducting an inventory of the contents of the vehicle.

IV. Definitions:

A. Impoundment: For purposes of this policy, the seizing and temporary custody of a motor vehicle for a legitimate police purpose, such as for evidentiary or public safety purposes.

B. Public Assistance Towing: Impoundment should be contrasted with towing of disabled and other motor vehicles for public assistance or for purposes of public safety. While these may involve a legitimate police purpose, they normally do not involve custody of the vehicle by the police department or authorization of the police department for its release.

V. Procedure:

A. It is permissible to impound and inventory the contents of a vehicle when:

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a. The driver is arrested; or

b. When there is other good cause, such as when the driver is physically unable to drive the vehicle and leaving it by the side of the road would create a hazard.

c. Officers are not authorized to conduct general searches of disabled vehicles for evidence of ownership.

B. Impoundment of motor vehicles shall use contract commercial towing services, towing vehicles, and impoundment lots as authorized by this police department.

C. Motor vehicles shall not be impounded as a form of punishment, or as a means of conducting vehicle searches without a warrant or when probable cause does not exist or consent to search cannot be obtained.

D. When impoundments are ordered, the operator and any passengers should not be stranded. Officers shall take those measures necessary to ensure that the operator and any passengers of the vehicle are provided transportation.

E. Vehicles impounded by or otherwise taken into the custody of this department shall be inventoried in a manner consistent with this policy.

a. Inventories should be performed at the scene or at a safe place nearby whenever this can be done safely and effectively. A detailed inventory list will be written.

b. All compartments in the vehicle which the officer has access to, including those areas which the officer can open with a key or by activating a lock to the unlock position, without causing damage shall be searched. This includes, the trunk, glove compartment or containers of any type that are present within the vehicle at the time of the tow.

c. Officers shall complete forms authorized by this police department whenever a vehicle is towed for impoundment as evidence or for other purposes.

F. **Non-Criminal Impoundment Decisions:** Considerations for seizing/towing and conducting an inventory search of vehicle. With respect to the decision to impound officers should explore alternative arrangements short of impoundment. Specifically, the officers should advise the owner or operator of the options to impoundment:

a. The purpose of impoundment is to not investigative but to protect property and avoid false claims.

b. The officer may impound a vehicle when the motorist agrees to such impoundment and has had an opportunity to retrieve his or her belongings.

c. The owner or driver of the vehicle should have the ability to opt for alternatives that do not interfere with public safety. Options could include but are not limited to:

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i. Park-and-lock options on nearby streets or parking lots.

ii. Calling a friend or third party to drive the vehicle away.

iii. Release to properly licensed person in the vehicle.

iv. Impoundment of a vehicle should be permitted only if these options have been adequately explored.

d. When impoundment is contemplated, officers should ask the driver whether there is any property in the vehicle the driver wishes to retain. If so, the driver should be allowed to retrieve it. Vehicle operators may be permitted to remove unsecured valuables of a non-evidentiary nature from the vehicle prior to its removal for impoundment. The nature of these valuables shall be noted on the appropriate reporting document.

e. With respect to property left behind, officers may ask the driver whether there is anything of value requiring safekeeping and make a record of the response in order to protect the officer and the department from a later claim of theft of valuables.

f. All compartments in the vehicle which the officer has access to, including those areas which the officer can open with a key or by activating a lock to the unlock position, without causing damage shall be searched. This includes, the trunk, glove compartment or containers of any type that are present within the vehicle at the time of the tow.

g. Officers may properly secure closed containers found in plain view at the police department for safekeeping in accordance with the department property and evidence policy.

G. Impoundment of vehicles when the motorist is not present to give consent: In order to protect the officer and the department from a later claim of theft of valuables. Officers are allowed to properly secure closed containers found in plain view at the police station.

a. All compartments in the vehicle which the officer has access to, including those areas which the officer can open with a key or by activating a lock to the unlock position, without causing damage shall be searched. This includes, the trunk, glove compartment or containers of any type that are present within the vehicle at the time of the tow.

b. The property will be stored in compliance with the department property and evidence policy.

H. Impoundment for Evidence: A vehicle shall be towed if a subject is arrested for purposes of incarceration and one of the following circumstances exists:

a. The vehicle was used as a major instrument in a crime.

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b. The vehicle contains evidence of a crime that cannot be processed at the scene and must be secured to ensure its evidentiary integrity.

I. Officers should not unnecessarily impound motor vehicles for purposes of gathering evidence when such processing can be reasonably, effectively, and safely conducted at or near the scene.

J. A "hold" may be placed on any vehicle impounded for evidence for such period of time necessary to complete evidence collection.

a. Holds on vehicles must be approved by a department supervisor.

b. Investigating officers shall complete their investigation of the vehicle in a timely manner so that it can be released to the owner.

c. Recovered Stolen Vehicles

K. Impoundment of stolen vehicles or suspected stolen vehicles is appropriate when the following circumstances exist:

a. The owner cannot be contacted,

b. The owner is contacted and cannot or will not respond in a reasonable amount of time, or

c. Immediate removal is necessary for safety reasons or purposes of safekeeping.

L. Officers should document reasonable efforts to contact owners with means readily available.

M. Motor Vehicle Crashes:

a. Vehicles may be impounded if the vehicle is needed for purposes of the investigation following a vehicle crash. Such cases may but do not necessarily involve custody of the operator.

b. Following motor vehicle crashes, an officer may request impoundment when the operator is unwilling or unable to take charge of the vehicle, and

c. The vehicle cannot be legally parked and sufficiently secured at the scene, or

d. There is property in or attached to the vehicle that cannot be sufficiently secured at the scene or placed in the custody of a responsible third party.

N. Public Assistance Towing: Public assistance towing of motor vehicles should be distinguished from impoundment as it does not typically involve police custody of the motor vehicle. Officers may order that vehicles be towed under the following types of circumstances:

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a. Danger to the Public: Vehicles that present a danger to the public may be towed. Typically, these involve the following circumstances:

i. Abandoned or inoperable vehicles that have been left on or that cannot otherwise be moved from the roadway and that are in a position where they may impede traffic or create a hazard;

ii. Vehicles parked illegally

b. Aid to Motorists: Officers may request towing services for motorists:

i. following vehicle crashes or in other instances where involved vehicles are not operable; or

ii. When, following arrest of the owner/operator or for other reasons, the vehicle cannot be left at the scene without substantial risk of theft from or damage to the vehicle or personal property contained therein.

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Vehicle Pursuit & Emergency Vehicle Operation	Related Policies:
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.	
Applicable Arkansas Statutes: §27-51-901; 27-49-109; §27-49-219; §27-51-202, §27-51-204;	
CALEA Standard: 41.2.2, 41.2.3, 41.3.1 ALEAP 7.15 Vehicle Pursuits 7.17 Non-Emergency and Emergency Response 7.20 Roadblocks 7.21 Stop Sticks/Road Spikes	
Date Implemented:	**Review Date:** December 2025

I. Purpose: The purpose of this policy is to provide guidelines and directions for the establishment of responsibility for the safe operation of police vehicles during a pursuit; for the initiation or discontinuation of pursuits; for the responsibility of participating officers and supervisor; and to provide the essential balancing of the necessity for the pursuit and more immediate apprehension of the fleeing subject against the risks involved with the pursuit which might include death, injury and/or property damage.

II. Policy: The department recognizes its responsibility to apprehend criminals and lawbreakers, but it also recognizes that higher responsibility to protect and foster the safety of all persons in the operation of police vehicles under pursuit conditions. Officers operating under pursuit conditions shall be constantly aware that no assignment is too important and no task is to be expedited with such emphasis that any of the basic principles of safety are jeopardized. Therefore, officers shall only engage in pursuits when the need for apprehension outweighs the risk to the officer and the public.

III. Definitions

A. Authorized Emergency Vehicle: As defined by ACA 27-36-303 and 27-37-202, vehicles designated emergency police vehicles will be equipped with: blue rotating or flashing emergency lights and a siren, bell or whistle capable of emitting sound audible under normal conditions from a distance of not less than 500 feet.

B. Discontinue the pursuit: the law enforcement officer ends his or her involvement in the pursuit by slowing down to the posted speed limit and turning off his or her emergency light and siren.

C. **Authorization to continue pursuit:** verbal approval, transmitted over the assigned radio channel, by the supervisor and acknowledgment by the dispatcher and the officer driving the primary unit.

D. **Boxing-in:** surrounding a violator's vehicle with emergency vehicles that are then slowed to a stop, forcing the violator's vehicle to do likewise.

E. **Channelization:** a technique where objects or vehicles are positioned in a manner intended to direct or redirect a fleeing vehicle into a clearly identifiable and unobstructed path.

F. **Caravan:** operating emergency vehicles in a line or alongside each other in a pursuit.

G. **City vehicle:** any motor vehicle that is owned, leased, or borrowed by the city.

H. **Code-three emergency call:** a request for police service that presents an actual and immediate danger of death or serious bodily injury.(Should be adapted for local terminology.)

I. **Deadly force:** force which creates a substantial likelihood of death or serious bodily harm.

J. **Emergency operation:** driving an emergency vehicle according to state law and this procedure in response to a code-two or code-three (department coding as applicable) call or in pursuit of a fleeing vehicle.

K. **Inter-Jurisdictional Pursuit:** Any vehicle that crosses into a neighboring jurisdiction, such as across municipal, county or state line.

L. **Marked police vehicle:** a police vehicle displaying the emblem and marking of the police department equipped with emergency lights and audible warning devices per Arkansas statutes.

M. **Paralleling:** operating an emergency vehicle on streets or a route parallel to the pursuit route.

N. **Police vehicle:** a city vehicle assigned to the police department.

O. **Primary unit:** The authorized law enforcement vehicle that initiates a pursuit or any other unit, which assumes control of the pursuit.

P. **Secondary unit(s):** Any authorized law enforcement vehicle that becomes involved as a backup to the primary unit and follows the primary unit at a safe distance.

Q. **TVI (Tactical Vehicle Intervention):** a controlled deliberate contact with the rear of a fleeing vehicle by a police vehicle with the intention of spinning the vehicle in a predetermined direction to bring it to a stop.

R. **Ramming:** deliberate contact with a violator's vehicle by a marked police vehicle to force the violator's vehicle off the roadway.

S. **Roadblock:** a barricade or other physical obstruction across a roadway set up to stop or prevent the escape of a fleeing vehicle.

T. **Stop Stick/Spike Strip:** a rigid column or a strip of belting containing specially designed hollow spikes which when deployed across a lane of roadway, penetrates tires, slowing the pursued vehicle usually to a complete stop.

U. **Supervisor:** the supervisor assigned or assuming control of a pursuit situation.

V. **Terminate the Pursuit:** The decision to discontinue the pursuit.

W. **Unmarked police vehicle:** a police vehicle not displaying the emblem or marking of the police department and not having emergency warning devices to include emergency lighting and siren.

X. **Vehicle Pursuit:** an active attempt by a law enforcement officer operating an authorized law enforcement vehicle to apprehend a fleeing suspect who is actively attempting to elude the police.

Y. **Violent felony:** a serious felony that involves an actual or threatened attack that the officer has reasonable grounds to believe could result or has resulted in death or serious bodily injury (e.g. aggravated assault, armed robbery, and murder, etc.)

Z. **Mobile Video Recording: (MVR):** a recording device that records video and/or audio of a police event from a fixed camera mounted in a police vehicle.

IV. Emergency Vehicle Operation:

A. The driver of any authorized emergency vehicle when responding to an emergency call upon approaching a red or stop signal or any stop sign shall slow down as necessary for safety but may proceed cautiously past the red or stop sign or signal. At other times, drivers of authorized emergency vehicles shall stop in obedience to a stop sign or signal.

B. No driver of any authorized emergency vehicle shall assume any special privilege under the law except when the vehicle is operated in response to an emergency call or in the immediate pursuit of an actual or suspected violator of the law.

C. The driver of an emergency vehicle is not held to the prima facie speed limit or the maximum/minimum speed limits on the highway while on an emergency call. For purposes of this section, "emergency calls" means legitimate emergency situations which call for the operation of an emergency vehicle, including a police vehicle.

D. This law does not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the street, nor shall it protect the driver of any emergency vehicle from the consequence of a reckless disregard of the safety of others.

E. Officers will not engage in emergency vehicle operation when transporting prisoners, witnesses, suspects, complainants, or any person who is not a member of this department.

V. Procedure

A. Pursuit Restrictions

i. Only two emergency vehicles, -- a primary unit and a secondary unit, shall engage in a pursuit, unless additional emergency vehicles are authorized specifically by the managing supervisor.

ii. Mobile Video Recordings: In emergency vehicles equipped with mobile video recorders, officers shall ensure that the equipment is activated during the pursuit and remains running in accordance with the MVR policy.

iii. Officers shall not set up roadblocks, or deploy tire deflation devices without the approval of the supervisor when available.

iv. Officers shall not engage in ramming, boxing-in, caravanning or driving immediately alongside a fleeing vehicle unless authorized by the acting supervisor when available.

v. Pursuits shall not be undertaken where the officer is operating a two-or three-wheeled police motorcycle unless the officer has reasonable grounds to believe that the suspect has been or is involved in a violent felony. Once a police vehicle becomes available, the motorcycle shall discontinue its involvement in the pursuit.

vi. If a pursuit is discontinued by the primary vehicle, (unless for mechanical reasons), or the supervisor, then all officers shall discontinue the pursuit.

vii. Only emergency vehicles or marked police vehicles with emergency warning devices shall initiate a pursuit.

viii. Officers engaged in a pursuit shall not drive emergency vehicles the wrong way (against the regular flow of traffic) on a divided highway, interstate, or expressway or any other street or highway designated for one-way traffic, despite allowances in the state vehicular code. When a fleeing vehicle goes the wrong way against traffic, the primary officer shall:

a. Parallel the vehicle in the correct lane of traffic;

b. Notify dispatch of a wrong way driver;

c. Request assistance to shut down vehicular traffic on the highway coming in the fleeing subject's direction; and

d. Consider having communications notify Department of Transportation to activate reader boards to advise motorists of a wrong way driver where appropriate.

ix. Officers shall not engage in a pursuit when they are transporting prisoners, witnesses, suspects, complainants or any person who is not a member of this department.

B. **Environmental Considerations:** Officers shall carefully consider the facts and weigh the seriousness of the offense against the possible consequences of jeopardizing the safety of others by a continuous evaluation of the following at the time of the initiation and continuation of the pursuit:

i. Time of day and day of the week;

ii. Lighting conditions;

iii. Vehicular and pedestrian traffic;

iv. Type of roadway;

v. Condition of the roadway (e.g. dry, wet, paved, gravel, icy);

vi. Weather conditions (e.g. clear, overcast, rain, fog);

vii. Condition of the emergency vehicle and the condition and type of the fleeing vehicle;

viii. Driving ability of the officer; and

ix. Speeds of the emergency vehicle and the fleeing vehicle.

C. [ALEAP 7.15] Pursuits will not initiate under the following conditions:

i. When the danger created by the pursuit outweighs the necessity for immediate apprehension;

ii. The officer knows the suspect's identity and knows that the suspect is wanted only for a traffic violation, misdemeanor, or nonviolent felony; or

iii. The pursuing officer knows, or has reason to believe, that the fleeing vehicle is being operated by a juvenile who has committed a traffic violation, misdemeanor or nonviolent felony, and who is driving in such an unsafe manner that it is obvious he does not have the maturity to deal with the danger involved.

D. [ALEAP 7.15] Responsibilities of the Primary Vehicle Driver

i. At the earliest possible moment, activate the vehicle's emergency warning devices from the point of initiation to that of completion.

ii. Immediately notify communications of:

a. His or her unit number

b. The location

c. Direction of travel

d. Speed

e. Reasons for the pursuit

f. The description of the vehicle being pursued

g. The number of occupants

h. The presence of other law enforcement agencies

i. Location at the time the pursuit is discontinued

iii. Provide updated information regarding direction of travel, speed, and other pertinent details;

iv. Allow the secondary vehicle driver to assume all communications;

v. Abandon the pursuit if any mechanical problems develop in the primary vehicle;

vi. Discontinue the pursuit if the hazardous circumstances or environmental factors present an unreasonable risk to public safety.

E. Responsibilities of the Secondary Vehicle Driver

i. The first officer arriving to assist the primary vehicle driver shall notify communications and becomes the secondary vehicle driver;

ii. This officer shall activate all warning devices from the point of entry into the pursuit until it is ended while following the primary vehicle at a safe distance and shall assume the radio communications for the primary vehicle driver;

iii. This officer shall become the primary vehicle driver if the primary vehicle abandons the pursuit, or shall abandon the pursuit if any mechanical problems develop in the secondary vehicle.

F. **[ALEAP 7.15] Responsibilities of the Supervisor:** The role of the supervisor during the active pursuit includes but is not limited to assessing all incoming information, asserting control of all aspects of the pursuit and making objective decisions in compliance with this policy for the continuation or termination of the pursuit. In the event the supervisor initiates a pursuit he will, where feasible, turn over the role of Primary Vehicle Driver to the first back up officer who engages the pursuit. When the supervisor actively participates in the pursuit in the role of Secondary Vehicle Driver he is also responsible for fulfilling the role of supervisor in accordance with this policy.

i. Assert control over the pursuit.

ii. Continuously review the incoming data to determine whether the pursuit should be continued or terminated.

iii. Order units to clear intersections in the likely path of the pursuit where appropriate.

iv. Ensure that not more than two (2) emergency vehicles engage in the pursuit unless additional emergency or marked police vehicles are required based on the following circumstances:

a. The severity of the offense;

b. The number of occupants in the suspect vehicle;

c. The likelihood of the suspects being armed; or

d. Other relevant circumstances.

v. Direct and approve necessary tactics in the pursuit; including authorizing termination of the pursuit through approved tactics.

vi. Assign additional officers to traffic control, accident investigation, foot pursuit, and/or perimeter security;

vii. Order the discontinuation of the pursuit at any time hazardous circumstances or environmental factors present an unreasonable risk to public safety; and

viii. Respond in all situations to the scene of any arrest resulting from the pursuit to control the scene where practical.

G. **Responsibilities of the Communications Center:**

i. Assure that a supervisor is notified of the pursuit;

ii. Assure that all critical information is received from the officers involved and relayed to other units;

iii. Keep the supervisor apprised of all relevant traffic problems and other actions that might impact upon the conduct of the pursuit;

iv. Record all information received from the pursuing officer;

v. Clear the radio channel;

vi. Conduct an inquiry of the license plate through ACIC/NCIC;

vii. If appropriate, notify adjacent jurisdictions of the pursuit and the potential that it may enter their jurisdiction; and

viii. Continue monitoring the pursuit.

H. [ALEAP 7.21] Termination of Pursuit

i. Remember that roadblocks, the TVI maneuver, and Stop-Sticks or spike strips as well as the firearm, constitute seizures (i.e. a stopping of movement by a means intentionally applied). Roadblocks, the TVI maneuver, and tire deflation devices constitute a use of force. In using these tactics officers should consider:

a. How serious is the offense that the officer suspects at the time they use the tactic?

b. Is there a physical threat to the officer or any other person and how significant is that threat?

c. Is the suspect actively resisting or attempting to evade arrest by flight?

ii. Use of firearms:

a. The use of firearms to affect the apprehension of a fleeing suspect is a use of deadly force.

b. Officers shall not shoot at or from a moving vehicle unless:

1. The officer has a reasonable belief that an occupant of the vehicle poses an imminent threat of death or serious bodily injury to the officer or another person, or

2. The officer has a reasonable belief that an occupant is using the vehicle in a manner that poses an imminent threat of death or serious physical injury to the officer or another person, and there is no avenue of escape.

iii. **[ALEAP 7.20]** Roadblocks: Only in the case of suspected fleeing violent felons whose escape poses a danger to life, may an officer set up a stationary or rolling roadblock, a decision that shall be approved by the on-duty supervisor. This decision to establish a roadblock shall consider:

a. The safety of the officers

b. The risk of physical injury to the occupants of the pursued vehicle

c. The protection of citizens and their property

d. That all stationary roadblocks must be clearly visible at a distance sufficient to enable approaching vehicles to stop safely. The officer in charge of the roadblock shall notify communications of the exact location.

iv. TVI Maneuver: If authorized by a supervisor, officers trained in this particular maneuver can attempt to employ this procedure and shall not use this maneuver in speeds over 45 mph unless deadly force would be justified.

v. Stop Sticks/spike strips:

a. Only officers trained in the use of Stop Sticks/spike strips shall deploy them. Officers are responsible for making sure that their use is contained in the pursuit report. The deploying officer shall advise pursuing units and all other units that they should distance themselves from the pursued vehicle and be prepared to slow down before entering the deployment site. Other traffic shall be diverted from the site if at all possible.

b. Officers deploying spike strips should be mindful of their own safety during deployment and not take unnecessary risks in their attempt to lay out the spike strip.

I. Officers should employ felony/high risk traffic stop techniques at the end of pursuits when circumstances warrant.

J. Reasons for Discontinuation of Pursuit: Any officer involved in a pursuit shall terminate the pursuit, and immediately notify communications of his point of discontinuation under any of the following conditions:

i. When ordered by a supervisor, or any other higher-ranking member of the department;

ii. When the officer believes the level of danger created by the pursuit outweighs the necessity for immediate apprehension;

iii. When the risk conditions have increased and the subject's identity has been established to the point where later apprehension can be accomplished and there is no longer any need for immediate apprehension;

iv. When the location of the pursued vehicle is no longer known;

v. Discontinuation of a pursuit requires the officer(s) to abandon all active attempts to stop and/or follow the suspected vehicles and officer(s) shall turn off all emergency equipment.

K. Inter-jurisdictional Pursuits:

i. Pursuits from this jurisdiction into another jurisdiction:

a. Notify, through communications, the other jurisdiction as soon as possible of the reasons for the pursuit, the vehicle description and if assistance is requested.

b. Agencies in close proximity to State borders who pursue across state lines may not have the same privileges afforded to peace officers within the State of Arkansas.

ii. Pursuits from another jurisdiction into this jurisdiction:

a. The communications staff should determine the number of police vehicles from the other jurisdiction that are involved in the pursuit, find out the circumstances of the pursuit to include the offense, vehicle description and if assistance is requested;

b. Supervisors will only approve assistance from this jurisdiction if the offense is in keeping with our justification for a pursuit. If the pursuit does not conform to this policy, officers shall not engage in the pursuit but

may attempt to control intersections to promote the safety of innocent persons in the vicinity;

c. When feasible, a supervisor from this jurisdiction will proceed to the point of completion of the pursuit as quickly as possible; and

d. The initiating agency will remain in control of any pursuit that crosses into this jurisdiction and will remain responsible for the pursuit.

L. [ALEAP 7.16] Report and Review Process

i. The on-duty supervisor conducts an immediate investigation of the circumstances of the pursuit. The departmental Pursuit Report Form (or State designated pursuit form) shall be completed after any pursuit. The Police Incident Report will be attached to the Pursuit Report Form. The Pursuit Report Form will be forwarded via the chain of command to the Chief of Police or their designee.

ii. The Chief of Police or their designee will determine compliance with all statutes and policies.

a. The reasons for the pursuit;

b. The personnel involved;

c. The result of the pursuit, to include any injury, damage, or other significant events.

M. Training

i. Officers shall not participate in a pursuit unless they have received specialized pursuit driving training.

ii. Officers shall not be authorized to utilize any equipment or tactic during a pursuit unless the officer has received proper training and/or certification with respect to that equipment or tactic.

iii. Officers and dispatchers shall receive annual training on this policy.

VI. The Department shall prepare an annual report evaluating the pursuit history and frequency during that year. This report shall access the adequacy of the written policy, training and field implementation of the Department's pursuit policy.

VII. Supervisors should review the form for compliance with agency directives. The Annual Report of agency pursuits is more than a counting and sorting. The report should identify trends and draw conclusions about the need for policy changes, training or changes in equipment. If the agency does not engage in pursuits frequently and has less than four or five incidents annually, consideration should be given to reviewing more than one year together to get sufficient numbers to show specific trends if they exist. The Chief of Police should sign and date the form showing proof that he/she has reviewed the report.

Vehicle Use- Take Home Vehicle	Related Policies: Safe Storage of Firearms, Ride Along, Mobile Video Recorder, Off-duty action
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.	
Applicable Arkansas Statutes:	
Date: 9/27/2022	**Review Date:**

I. Purpose: This policy is established to ensure department-owned vehicles are used in accordance with the mission of the department. For the purposes of this policy, department-owned vehicle includes any vehicle owned, leased or rented by the department. This policy provides for the security of the citizens of the City of Bryant through an increased visibility and presence of marked and unmarked police units on the streets, highways and neighborhoods; providing for expedited response of off-duty personnel called back into service due to an emergency or disaster; deterring crime through the presence of additional police vehicles within the community; improving the department's ability to recruit, select and retain qualified candidates for employment.

II. Policy: The Chief of Police may assign take-home vehicles based on department need such as emergency response to critical incidents, tactical deployments, increased visibility in the community and other considerations. It is the policy of this department to assign police vehicles to full time sworn police officers who reside within 25 miles of the City limit for use pursuant to the following guidelines and procedures. The department will also assign police vehicles to full time sworn police officers who are assigned to certain positions within the department as identified by the Chief of Police. All personnel must recognize that they are representatives of the department and must be cognizant of the constant public scrutiny they will be under while operating their take-home vehicles off-duty. Officers must at all times conduct themselves in a professional manner.

III. Use of Vehicles:

A. Officers will be assigned either a marked or unmarked vehicle for use according to the responsibilities of the officer's position and the needs of the department.

B. Probationary officers are not allowed to participate in the take-home care program until they have successfully completed the Field Training Officer program and are no longer subject to probation.

C. Any officer on suspension is not authorized a take-home vehicle.

IV. The following rules apply to those officers who are assigned a take-home police vehicle:

A. Officers will maintain the vehicle in a state of readiness. The vehicle shall always have sufficient fuel to allow the officer to respond directly to the scene of an emergency.

B. Officers shall not operate a department vehicle at any time when under the influence of drugs and/or alcohol.

C. Officers while in an off-duty status and operating a department vehicle, marked or unmarked, shall not stop at or frequent a business whose primary business is the sale of alcohol. Example: liquor store / barroom.

D. Officers and passengers are prohibited from smoking tobacco products while in the vehicle.

E. Communications equipment such as radios and MDC will remain on during all vehicle usage. Officers will monitor the police radio at all times while operating a marked vehicle within City limits.

F. GPS equipment will remain on during all vehicle usage.

G. Officers responding to emergency situations shall not engage in a pursuit when a civilian passenger is present in their vehicle.

H. Officers are required to respond to any life-threatening call for service in their immediate vicinity and to stay on the scene until properly relieved (i.e., accident with injuries, etc.)

I. Officers shall obey all traffic regulations (e.g., speed limits, parking regulations, seat belts, shoulder harnesses, and child restraint seats.)

J. Officers shall not park their assigned take-home vehicle at any commercial, public, or private location for compensation.

K. Officers shall not permit any other person to operate their assigned take-home vehicle (e.g., spouse, children, and friends.)

L. Officers shall not use their take-home vehicle to transport pets, carry excessive loads, or carry protruding objects.

M. Officers may use the vehicle to conduct personal business within City limits.

N. Officers must notify dispatch when operating the marked vehicle within City limits.

O. Officers will dress appropriately when using the marked patrol vehicle:

a. Proper attire must be worn. Officers will wear some type of identifying attire, i.e., department approved shirt, hat, or display a badge on their person.

b. Officers will not wear tank tops, flip flops, etc. Officers shall not wear T-Shirts with inappropriate wording or offensive logos.

c. Officers will equip themselves with police identification, police radio, handcuffs, firearm, and spare magazines.

d. When driving an assigned vehicle to and from work outside of the jurisdiction of the City officers should avoid becoming directly involved in enforcement actions except in those circumstances where a potential threat to life or serious property damage exists.

e. While off duty and in civilian attire, officers will not take traffic enforcement action unless the violation is extremely hazardous.

f. Officers may render public assistance (e.g., to a stranded motorist, warning lights, calling for tow service) when deemed prudent.

g. Vehicles equipped with Mobile Video Recorders: When an officer initiates any law enforcement related citizen contact the officer will ensure the MVR is capturing the contact in its entirety.

P. Parking:

a. The vehicle shall be parked in the driveway or garage at the officer's residence.

b. In the event there is no residence parking the officer will park the department vehicle in a parking space closest to the residence, preferably within eyesight of the residence and under lighting during the nighttime.

c. Vehicles will be locked at all times.

d. If the vehicle is not secured inside a locked garage, all firearms and weapons shall be removed from the interior of the vehicle and properly secured in the residence with the exception of long-guns, which may be necessary for immediate response, may be stored in specially designed theft-proof rack systems. If a take home vehicle is to be parked unattended for more than a 24-hour period, all firearms shall be removed and placed in a safe storage locker in the member's home or an department facility.

e. When the officer will be away (e.g., on vacation) for periods exceeding one week the vehicle shall be stored in a secure garage at the member's residence or at the appropriate office facility.

f. All office identification, portable radios and equipment should be secured.

Q. Maintenance:

a. Officers are responsible for the cleanliness (exterior and interior) and overall maintenance of their assigned vehicles. The department will bear the cost of maintenance.

b. Officers shall make daily inspections of their assigned vehicles for service/maintenance requirements and damage. It is the assigned officer's responsibility to ensure that his/her assigned vehicle is maintained according to the established service and maintenance schedule.

R. Incident Reporting: Officers shall report to the department the following incidents:

a. All damage sustained to a vehicle.

b. Moving violations outside the jurisdiction.

c. Parking violations issued to the department vehicle.

d. Law enforcement citizen contacts made by the officer while operating the department.

Volunteers in Policing Service	Related Policies:
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.	
Applicable Arkansas Statutes: §21-13-101 through §21-13-110	
CALEA 45.3 Volunteers	
Date:	Review Date:

I. Purpose: The purpose of this policy is to set forth guidelines and mandates with respect to the use of volunteers to assist the department in providing for the public safety of the community.

II. Policy: It is the policy of this department to maintain an active group of civic-minded individuals who may serve as volunteers to assist this department in providing for the public-safety and welfare of the community. This department shall utilize volunteers in a capacity that diminishes risk to the volunteers and does not place the volunteer in a law enforcement function.

III. Definitions:

A. Volunteer Coordinator: A paid member of this department designated by the Chief of Police to manage the volunteer services.

B. Volunteer: A non-salaried individual over the age of 18 who offers his or her time for the benefit of this department, willingly and of his or her own accord for a limited time and without promise, expectation, or receipt of any type of compensation.

IV. Procedure:

A. Selection Process:

a. Application: Each person who seeks a position as a volunteer with this department must complete an application. This application shall include all information as well as confidentiality waivers such that a proper background examination of the individual may be conducted. Each applicant must supply the names of three non-related references who may be interviewed during the background examination. The applicant must also provide an employment history for review.

b. **Background Examination:** The department shall conduct a thorough and documented background examination of any person seeking to become a volunteer. This examination will be conducted by a sworn member of this department and shall include a criminal history check, traffic records check, employment history check and references interview.

c. **Status:** Once selected, volunteers must recognize that their status is "at-will" and that they may be dismissed at anytime without cause. Volunteers are non-salaried and have no benefits or labor relation rights.

B. Maintaining Good Standing as a Volunteer:

a. **Confidentiality:** Volunteers must maintain confidentiality in the business of this department. Volunteers shall not release any information concerning any police event or make any public representation of the department without the express authorization of the Chief of Police or their designee.

1. Non-disclosure: each volunteer should not disclose any confidential information coming into the volunteer's knowledge through their position as a volunteer with this department.
2. Any request for information from the media or from the public regarding confidential information should be courteously directed to the office of the Chief of Police or their designee.
3. At no time shall a volunteer appear in the media or in the public as a representative of this department without the express permission of the Chief of Police or their designee.

b. **Time Requirements:** This program requires a two-way commitment between the department and the volunteer. The department invests in the volunteer while the volunteer invests time in the department. Volunteers should complete four hours of volunteer time in the department per month in order to maintain their status as a volunteer.

c. **Training:** Volunteers shall be trained in accordance with the functions they will be expected to fulfill within the department. Training shall include:

1. Overview of the Justice System: familiarization of the agencies within the justice system to include law enforcement, corrections and the courts.
2. Department orientation: familiarization with the department organization and structure as well as facilities and public resources.
3. Department reports and records management.
4. Being a good witness: The premise of this program with respect to volunteers who are placed in any public situation on behalf of the department is that volunteers do not take action when there is a law enforcement need, but rather, volunteers observe and report. With this in mind, volunteers should be made aware of the needs of law enforcement with respect to being a good witness. Training shall include: taking note of descriptive factors; direction of travel; and the actions of the suspect during the event.
5. Traffic and Crowd Management: At times, volunteers may be utilized to assist sworn personnel at special events. During such events, volunteers

may be utilized to assist with traffic and crowd management. Training in this area should include instruction on the proper methods of traffic and crowd management.

C. **Use of Equipment:** Volunteers shall utilize equipment belonging to this department only when authorized to do so by the Chief of Police or their designee. At no time is a volunteer authorized to use any type of weapon belonging to this department.

a. **Vehicles:** Volunteers who are authorized to drive a vehicle belonging to this department are not authorized to drive the vehicle as an "emergency" vehicle as defined under Arkansas law. As such, any volunteer driving a vehicle belonging to this department shall obey all traffic laws.

b. **Vehicles:** No volunteer shall drive a vehicle belonging to the department unless it has been verified that the volunteer has a valid driver's license. Any volunteer who becomes aware of a change of their license status, shall immediately notify the department.

c. **Vehicles:** Vehicles that may be used by volunteers should be distinctively marked as volunteer vehicles or unmarked. This is necessary to ensure the safety of the volunteers who may be at risk if the public or persons who would harm an officer were to mistake a volunteer for an officer. Additionally, the expectations of the public upon seeing a marked vehicle belonging to this department may expect certain actions by law enforcement personnel that they would not expect from non-law enforcement personnel.

1. Seat belts shall be worn at all times while the vehicle is in motion.
2. Department vehicles shall be locked at all times when left unattended.
3. Department vehicles shall not be operated off paved roadways unless directed by a supervisor for special assignments or functions.
4. Department vehicles shall not be used for any purpose other than an assigned duty without permission of the Chief of Police or their designee.
5. No statements relating to a vehicle accident involving a department vehicle shall be made except that the volunteer shall provide information to the officer or supervisor investigating the accident.

d. **Lighting Equipment:** Vehicles that may be driven by volunteers may be equipped with "amber" emergency lighting to distinguish these vehicles from law enforcement vehicles. Volunteers shall not operate the lighting equipment while the vehicle is in motion. Emergency lighting shall only be used when the vehicle is in a stationary position and where said use is necessary for public safety.

e. **Damage or Loss of Department Property:** Volunteers shall not maliciously or unreasonably damage any department equipment or property. Any damage to department equipment or property should immediately be reported to a supervisor.

f. **Uniforms:** Volunteers shall wear the uniform prescribed by the Chief of Police or their designee, unless authorized to wear plainclothes. In such cases, the volunteer shall wear proper attire meeting the professional standards of this department.

D. Standards of Conduct

a. Expectations of Volunteers: Volunteers, like any member of this department, are expected to maintain the ethical standard of conduct demanded by this department. In all conduct relating to this department, volunteers are expected to act professionally and courteously to the public as well as to other department members. The role of a police volunteer does not include the duty to investigate crimes, pursue, apprehend or prosecute law breakers. Volunteers shall not go beyond an "observe and report" function.

b. Representations: Volunteers shall not, at any time, represent themselves in any manner as a sworn member of this department. They shall make it clear that they are volunteers of this department.

c. Weapons: Volunteers shall not be in possession of any weapon when acting in their capacity as a volunteer for this department.

d. Alcoholic beverages: Volunteers shall not report for an assignment after consuming any quantity of alcoholic beverages or while any quantity of alcohol is present in their system. If the volunteer is scheduled for an assignment, they shall notify on-duty department personnel that they are unable to fulfill their allotted assignment. Volunteers are prohibited from drinking alcoholic beverages while identified as a volunteer of this department irrespective of their duty status.

e. Prescription medications: Volunteers who are prescribed medications that may cause drowsiness or in some other way hamper their ability to function as a volunteer, shall report this fact to the department and should not be assigned volunteer duties.

f. Arrest or investigation: Any volunteer who becomes aware that they are the subject of an investigation by a law enforcement department or who has been arrested, shall immediately report this fact to the department.

E. Duties and Limitations: Duties of the volunteers shall be directed by the Chief of Police or their designee.

a. Administrative Duties: Assist with report taking function and other administrative duties deemed appropriate by the Chief of Police or their designee.

b. Search and Rescue.

c. Citizens on Patrol shall be limited to high-visibility, non-confrontational assignments where the overall objective is to deter crime through visibility. Where observations are made with respect to suspected criminal activity, volunteers are to observe and report and shall not take action. Volunteers utilized in this capacity shall be issued a police radio while on patrol in order to allow for immediate response to a volunteer's observation and report.

d. Community education programs- assist the department with crime prevention surveys and crime prevention education as well as other community education functions.

e. Special events: Volunteers may be utilized as directed by the Chief of Police or their designee to assist with special events to include traffic and crowd

management. Such assignments shall be limited to non-confrontational positions and functions.

f. Interpreter functions: In order to be utilized for this function, the volunteer must be certified as an interpreter unless such interpretation is for an emergency circumstance.

g. Special Skills: In cases where a volunteer has a special skill that may be utilized for the good of the department, the Chief of Police or their designee may assign the volunteer to this special function. Under no circumstances shall the special function include one which involves confrontation or foreseeable danger to the volunteer.

Weapons and Ammunition	Related Policies:
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.	
Applicable Arkansas Statutes: ALEAP 6.04 Weapons and Ammunition	
Date Implemented:	**Review Date:**

I. Purpose: The intent of this policy is to ensure that the Chief of Police is aware of and has approved all weapons and ammunition used by the department. This policy requires a specific list of the issued or approved weapons:

- **A.** Glock 45 (9mm)
- **B.** Remington 700 (.308)
- **C.** Blackrain Ordinance (5.56)
- **D.** Remington 870 (less lethal shotgun rounds)
- **E.** Anderson Arms (5.56)
- **F.** Bushmaster (5.56)
- **G.** DPMS (5.56)
- **H.** Windham Weaponry (5.56)
- **I.** Diamondback Arms (5.56)

II. The Bryant Police Department encourages officers to carry a backup weapon or off-duty weapon. We do not require a particular make or model for these backup weapons. Any weapons carried on-duty must be approved by the Chief of Police or designee.

III. Officers must also train and qualify with these weapons annually, and all weapons authorized for carry, including back-up and off-duty, should be documented by make, model, serial number, and qualification date, by the department.

IV. Approved ammunition for on–duty weapons:

- **A.** Remington Match 160gr BTHB
- **B.** Winchester Ranger 5.56
- **C.** Hornady Critical Duty 9mm

D. Any other ammunition has to be approved by the Chief of police or their designee. The request can be sent to the Chief via the chain of command by means of a memorandum.

Residential – Occupant Welfare Checks	Related Policies: Search and Seizure of Residences
This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this agency for non-judicial administrative action in accordance with the laws governing employee discipline.	
Applicable Arkansas Statutes:	
Caniglia v. Strom 593 U. S. (2021)	
Date:	Review Date: December 2025

I. Purpose: The purpose of this policy is to direct officers and supervisors with respect to residential occupants' welfare checks. Today, more than ever, many people, including many elderly persons, live alone. Many men and women fall in their homes, or become incapacitated for a variety of medical reasons, and unfortunately, there are many cases in which such persons cannot call for assistance. In those cases, the chances for a good recovery may fade with each passing hour.

II. Policy: The policy of this agency is to protect the constitutional rights of all citizens when conducting home entries for the purpose of checking on the welfare of the unresponsive occupant.

Officers may enter a home without a warrant in circumstances where it is objectively reasonable to enter a residence to help a person who has been out of contact and may have fallen and suffered a serious injury, or is experiencing a medical or mental health emergency that has rendered the person unresponsive or uncommunicative.

III. Definitions:

A. Exigent Circumstances Entry: Entry of a dwelling without a warrant due to some existing emergency that would not allow an officer time to get a warrant.

B. Consent: The voluntary granting of permission for an officer to enter an area that is protected by the 4th Amendment, by a person who has a reasonable appearance of authority over that area.

IV. Procedure:

At the outset officers are directed that there are only three lawful methods upon which he or she may enter a person's dwelling. These methods include a warrant (arrest or search-with differing rules for each), exigent circumstances, or consent.

A. **Consensual Entry-** Officers may, without reasonable suspicion or probable cause, enter a dwelling based upon the consent of a person who appears to have authority over the premises.

   a. Consent must be voluntary.

   b. Consent need not be in writing but written documentation will assist officers in proving that the consent was voluntary.

B. **Exigent Entry-**

   a. The exigent circumstance doctrine allows officers to enter a home without a warrant when they have an objectively reasonable belief that an occupant is injured and to render emergency assistance or to protect an occupant who is threatened with serious injury.

      1. Consider this example: Suppose that an elderly man is uncharacteristically absent from Sunday church services and repeatedly fails to answer his phone throughout the day and night. A concerned relative calls the police and asks the officers to perform a wellness check. Two officers drive to the man's home. They knock but receive no response. The officers may enter the home to conduct a welfare check of the occupant.
      The officers have an "objectively reasonable basis" for believing that an occupant is "seriously injured or threatened with such injury." Among other possibilities, the elderly man may have fallen and hurt himself, a common cause of death or serious injury for older individuals. The Fourth Amendment does not prevent the officers from entering the home and checking on the man's well-being.

      2. Officers and supervisors alike must take care that their actions in those kinds of cases are reasonable under the circumstances. But the above example, and others as well, such as cases involving unattended young children inside a home, illustrate the kinds of warrantless entries that are permitted under the exigent circumstances' doctrine.

   b. Where feasible, prior to entry, officers should notify a supervisor and inform them of the facts and circumstances and seek guidance.

   c. Where feasible, prior to entry, officers should request medical personnel respond to the scene in order to render aid once the occupant is located.

   d. In cases where officers are faced with an **immediate** emergency, they may enter the residence prior to speaking with a supervisor.