

**RHODE ISLAND
POLICE ACCREDITATION COMMISSION
RIPAC**

**ACCREDITATION
STANDARDS MANUAL**



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Preface

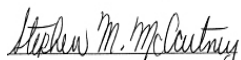
An accreditation program has long been recognized as a means of maintaining the highest standards of professionalism. The accreditation process is a progressive and time proven management model. Accreditation provides a means for law enforcement agencies to systematically conduct an internal review and assessment of the agencies' policies and procedures and an in-depth review of every aspect of the agency's organization, management and operations.

The development of an accreditation program for law enforcement agencies in Rhode Island was seen as a way of providing the tools necessary for agencies to evaluate and improve their overall performance that is reasonable and cost effective. The Rhode Island Law Enforcement Accreditation Program was formally established through the Rhode Island Police Chiefs Associations in 2012 as a private non-profit organization and is overseen by the Rhode Island Police Accreditation Commission, RIPAC.

The RIPAC accreditation program is a department initiated process by which police departments in Rhode Island voluntarily strive to meet and maintain standards that have been established for the police profession, by the police profession. Participation in the program is a signal to all of the citizens of Rhode Island that we are committed to professional standards, willing to be assessed by an Accreditation Commission and correct any deficiencies in order to re-establish compliance with the standards.

This Standards Manual is the cornerstone publication of the Rhode Island Police Accreditation Commission, RIPAC Law Enforcement Accreditation Program. The standards are dynamic, as they will be continually reviewed, updated, added to, or deleted as necessary to ensure compliance with contemporary standards and practices.

Other publications are under development that will outline the accreditation process, provide information on how to successfully negotiate the self-assessment phase, and outline the roles and responsibilities of accreditation assessors. Additional information on law enforcement accreditation will be made available through the web site for the Rhode Island Police Chiefs Association.



Colonel Stephen M. McCartney
RIPAC Chairperson

Table of Contents

	Page
Limitation of Liability	5
Mission Statement	5
Acknowledgement	5
The Standards	6
Guiding Principles	7
Chapter 1 – Management	9
Chapter 2 - Law Enforcement Authority & Role	13
Chapter 3 - Work Conditions & Benefits	22
Chapter 4 - Recruitment & Selection	28
Chapter 5 - Professional Standards	32
Chapter 6 – Training	35
Chapter 7 – Patrol	38
Chapter 8 - Criminal Investigations	42
Chapter 9 – Juveniles	49
Chapter 10 - Homeland Security & Incident Command	51
Chapter 11 – Traffic	54
Chapter 12 - Prisoner Transportation, Processing & Detention	58
Chapter 13 - Court Security	64
Chapter 14 – Communications	65
Chapter 15 – Records	69
Chapter 16 - Evidence & Property Control	71

Chapter 17 - Campus Law Enforcement	77
Glossary	82
Rhode Island Specific Standards	89
Appendices	96
Standard Titles	97

Limitation of Liability

The Rhode Island Police Accreditation Commission, RIPAC makes no warranty, expressed or implied, for the benefit of any person or entity with regard to any aspect of the accreditation standards included herein. These standards were developed by professional law enforcement officials and practitioners and adopted for the sole use by RIPAC for the exclusive purpose of providing Rhode Island law enforcement agencies with the industry recognized “Best Practices” of professional law enforcement and as a basis of determining compliance with these practices as part of the RIPAC Accreditation Program. There are no third party beneficiaries, either expressed or implied. These standards shall in no way be construed to be an individual act of any commission member or of any member, director, employee, agent, individual, or other legal entity associated with RIPAC or otherwise construed so as to create any personal liability of any commission member, or of any member, director, employee, agent, individual, or legal entity associated with RIPAC.

RIPAC Mission

The Mission of the Rhode Island Police Accreditation Commission is to enhance the delivery of law enforcement services through a voluntary accreditation program which fosters adherence to industry recognized best practices. The Commission strives to improve the ability of law enforcement agencies to deliver contemporary and professional law enforcement services to the communities they serve instilling public trust and confidence.

Acknowledgement

The Commission wishes to express its appreciation to the state law enforcement accreditation organizations that granted access to their materials and served as resources in the development of this manual. Many of the standards contained in this manual are consistent with or drawn from those developed by these organizations. Their willingness to share and collaborate further validates their commitment to accreditation and the ongoing professionalization of the public safety community.

The Massachusetts Police Accreditation Commission
The Connecticut Police Officers Standards and Training Council (POST)
The Texas Police Chiefs Association Foundation
The Washington Association of Sheriffs and Police Chiefs
The New York State Law Enforcement Accreditation Program
The International Association of Campus Law Enforcement Administrators (IACLEA)

RIPAC also acknowledges the Commission on Accreditation for Law Enforcement Agencies, Inc. (CALEA), which has served as a model for law enforcement accreditation services for more than thirty years.

The development of this Standards Manual would not have been possible without the combined hard work and unselfish dedication of the Standards Review and Interpretation Committee. The Commission wishes to acknowledge those individuals.

Chief Joseph T. Little Jr. – Committee Chairperson
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RI Interlocal Risk Management Trust

The Standards

The RIPAC standards are designed to be attainable by all agencies, regardless of size, with minimal impact on the fiscal assets of the agency. The program is designed to provide a basis from which a participating agency may seek national accreditation, if desired.

RIPAC standards are designed to reflect industry recognized best practices in each area of law enforcement: management, administration, operations and support services. They reflect *what* should be done, but do not specify the *manner* in which the agency is to accomplish the requirement, leaving implementation to the agency.

All RIPAC standards are mandatory. Agencies must comply with all of the standards which address life, health, and safety issues, legal matters, and controlling legislation. Standards (or portions of standards) which address functions for which the agency is not responsible or does not perform, are Not Applicable (N/A) by function.

The burden of proof of non-applicability rests with the agency. Questions regarding applicability should be forwarded to the RIPAC Executive Director.

Compliance with the standards can be demonstrated in a number of ways. Commonly accepted methods include the use of written directives, written documentation, observations, photographs and interviews. While some standards may require only a written directive, accreditation managers are encouraged to utilize multiple methods to prove compliance.

Standard Elements

There are two (2) elements to each standard:

- The Standard Statement is a declarative statement that places one or more requirements on the agency. The standard statement shall be interpreted in a strict, literal manner.
- Guidance is a suggested method of compliance. The guidance language supports the standard statement, but is not binding. It can serve as guidance for one or more possible ways to comply with the standard.

NOTE: *The agency has sole authority to determine the method to effectively meet the requirements of the standard statement and the agency bears sole responsibility to demonstrate compliance with the standard. The agency may decide to totally ignore the guidance language and comply with the standard statement in its own manner.*

Guiding Principles

Functions Performed

If an agency performs functions governed by standards designated as “not applicable,” the agency must comply with those standards.

If an agency occasionally performs a function governed by standards. The agency must be in compliance with the standard and cannot be designated as “not applicable”.

Standards

An agency can exceed the requirement of the standard. A semiannual reporting requirement may be done quarterly. This is but one example of how an agency’s performance can exceed the standard.

Unless otherwise indicated, standards related to personnel matters apply to all agency employees. Some standards indicate applicability to sworn or to civilian personnel.

Personnel shall be assessed according to the glossary terms. There is no need for an agency to change its definitions or titles for positions, employees, or other individuals affiliated with the agency.

Written Directives.

A written directive can be a policy, plan, procedure, rule, general order or special order, training directive, or other document that is binding upon agency personnel. The objective of a written directive standard is to require written policy. The form of the written policy can be what the agency has determined best fits its written directive system.

An agency does not need to have an individual directive for each standard requiring a written directive; the agency may have a single manual or directive covering several standards. The state accreditation process is not intended to generate unnecessary paperwork for member agencies.

A written directive presumes functional compliance with the directive. The integrity vested in agencies participating in this program dictates that the Commission initially presumes that the agency operates in compliance with its written directives.

CHAPTER 1 - MANAGEMENT

1.1 Organizational Structure

A written directive describes the agency's organizational structure and functions; and includes the following:

- a. The organizational structure is depicted graphically on an organizational chart and made available to all personnel; and
- b. The chart is reviewed and updated as needed.

Guidance: The agency may determine its own organizational structure. The intent of this standard is to provide a written description of the agency's organization. The agency's organizational chart should coincide with the written description and reflect the formal lines of authority and communications within the agency.

1.2 Authority & Accountability

A written directive requires that:

- a. Responsibility is accompanied by commensurate authority; and
- b. Each employee is accountable for the use of delegated authority;
- c. Supervisory personnel are accountable for the activities of employees under their immediate control; and
- d. Supervisory personnel are accountable for compliance with the exercise of functional authority.

Guidance: All agency personnel should be given the authority to make decisions necessary for the effective execution of their responsibilities. Functional authority exists when a staff specialist is authorized by agency policy to exercise authority outside of his or her chain of command. All managers at all levels can be bound by functional authority. For example, a lieutenant in command of the training function can direct a Patrol Captain to send personnel to a training program. The captain is obligated to follow the directive. A Sergeant or civilian Accreditation Manager should have the functional authority to require ranking personnel to perform activities required by agency policy relative to the accreditation standards.

1.3 Notification to the Chief

A written directive specifies the procedures for notifying the agency's chief executive officer of noteworthy events, to include potential agency liability and those incidents which result in heightened community interests.

Guidance: The directive should specify the nature of those complaints that should be brought immediately to the attention of the agency's chief executive officer and those that can be postponed to a later time

1.4 Command Protocol

A written directive establishes the command protocol for the following situations at a minimum:

- a. In the absence of the chief executive officer or designated agency officials;
- b. In exceptional situations;
- c. In a single operation where the situation involves personnel of different functions;
and
- d. During normal agency operations.

Guidance: A structure of succession should be established for when the agency's chief executive officer or other designated personnel are incapacitated, off duty, out of town, or otherwise unable to command. In the case of anticipated absences for extended periods, the CEO should designate, in writing, an "acting authority." Chain of Command Protocols also may be set for certain emergency or unusual occurrences and for specific operation activities. Any command protocol should explain authority, reduce confusion, and promote uninterrupted leadership.

1.5 Duty to Obey

A written directive requires employees to obey all lawful orders of any superior. This includes an order conveyed from a superior by an employee of the same or lesser rank. The written directive must also include procedures to be followed by employees when they receive a conflicting or unlawful order.

Guidance: None.

1.6 Written Directive System

A description of the agency's written directive system is distributed to all employees, including:

- a. Agency values and mission statement;
- b. A statement that vests in the agency's chief executive officer the authority to issue, modify, or approve agency written directives;
- c. Identification of the persons or positions, other than the agency's chief executive officer, authorized to issue written directives;
- d. Include a description of the system's structure and format;
- e. Procedures for indexing, purging, updating, and revising directives;
- f. Statements of agency policy;
- g. Rules and regulations;
- h. Procedures for carrying out agency activities; and
- i. Procedures for review of proposed policies, procedures, rules, and regulations prior to their promulgation, taking care to avoid contradictions with already existing laws or directives.

Guidance: A written description of the agency's written directive system should be issued to all employees; receipt of this document and all other official directives should

be documented and retained on file. A simple sign-off sheet, with a space for the date received and the employee's initials or a verifiable electronic receipt would be sufficient. This description should identify who, in addition to the chief executive, is authorized to issue official directives, including what type of directives individuals may issue, if applicable. The "written directive system" may be as simple or complex as the agency's needs dictate. It may consist solely of general orders and/or official memoranda or be broken down into general orders, special orders, personnel orders, etc., however, each type should be listed and described (purpose, format) to the degree necessary for employees to recognize all official directives. **(Revised September 18, 2013)**

1.7 Written Directives – Availability

The agency has a written directive system that is readily available to all employees that includes, but is not limited to, all policies, rules, regulations and procedures of the department. The written directive system will:

- a. Assure the receipt of directives by affected personnel; and
- b. Outline the process for a scheduled review of all policies, procedures and directives to ensure applicability and consistency with state law and institutional policy.

Guidance: The system should track the history of changed directives so that previous versions can be referenced if necessary. With the exception of those policies requiring specific reviews such as annually, every policy should be reviewed at a minimum of once every three years. **(Revised September 18, 2013)**

1.8 Annual Goals & Objective (Time Sensitive)

A written directive requires the formulation and annual updating of written goals and objectives for each organizational component within the agency; there exists a system for evaluating the progress of these goals and objectives; goals and objectives are disseminated to all affected personnel.

Guidance: For purposes of this standard, an "organizational component" is a bureau, division, or other component depicted on the organizational chart.

1.9 Reserve Officer Program

If the agency has sworn reserve officers, the following criteria are met:

- a. A written directive describes the program, to include authority, duties, responsibilities, limitations, and discretion.
- b. Such officers are required to attain the same certification as full-time officers;
- c. Such officers are required to receive the same minimum in-service training as full-time officers;
- d. Such officers are required to receive the same use-of-force training as full-time officers; and
- e. Such officers have the same liability protection as that provided to full-time officers.

Guidance: None.

1.10 Reserve Officer Selection

The selection criteria for reserves are the same as that for full-time officers, with the exception of mandatory educational requirements that are established.

Guidance: The hiring requirements for full time officers that measure physical fitness, aptitude, experience, and objective hiring criteria that apply to full time officers also apply to any reserve officers employed by the agency. The only exception would be that reserve officers would not be required to meet the educational requirements necessary for a full time officer to complete to be hired.

1.11 Reserve Officer Training

If an agency utilizes reserve officers, they are required to complete training and certification by the appropriate governing body prior to being assigned to any task or duty within that agency requiring the reserve officer to be armed with any weapon or exercise arrest powers. Reserve officers may perform administrative or non-enforcement duties.

Guidance: None.

1.12 Reserve Officer In-Service Training

All statutorily required in-service training requirements established for full-time officers also apply to any reserve officers employed by an agency.

Guidance: None.

1.13 Reserve Officer –Use of Force Training

Use of force training for reserve officers will include policy training, testing of weapons proficiency with the same frequency and type for those of full-time officers.

Guidance: Minimum use of force proficiency to include specific standards, Acceptable passing scores must be identical to those of full-time officers.

1.14 Auxiliaries

If the agency utilizes auxiliaries, they must have clearly defined duties and also receive training appropriate to those duties.

Guidance: None.

1.15 Cash Accounts (Time Sensitive)

The agency has a written directive that establishes procedures for collecting, safeguarding and dispersing cash to include:

- a. Maintenance of an accounting system, ensuring proper internal controls are in place;
- b. Authorization for cash disbursement, including the chief executive officer's

- authorization for expenses in excess of a given amount;
- c. A requirement that receipts or other documentation for disbursements be maintained;
 - d. Identification of persons, by name or position, who are authorized to accept and disburse funds;
 - e. Preparation of quarterly financial statements to include balances at the commencement of each period as well as expenditures and funds received during the period;
 - f. Reconciliation of account(s); and
 - g. Conducting an annual audit.

Guidance: Formal fiscal control procedures enable the agency to establish accountability, to comply with funding authorizations and restrictions, to ensure the disbursements are for designated and approved recipients and, more importantly, to alert agency management to possible problems requiring remedial action. **(Revised 3/11/2015)**

1.16 Operational Readiness

The agency has a written directive which requires that any equipment that is stored and used for special assignments, incidents, or for other than routine use, have a documented operational readiness inspection at regularly established intervals, not to exceed biannually. This equipment and its maintenance in a state of readiness is the responsibility of the unit or person to whom it is assigned or issued.

Guidance: This standard addresses any special use equipment such as radar trailers, message boards, generators, lighting systems, rescue equipment, weapons/equipment in an armory that is not issued, and emergency operations center equipment. Agencies should take care to identify all special use equipment that is held in reserve or storage and not utilized for routine use. It is suggested an inspection checklist be utilized to aid in inventory and inspection of all readiness equipment.

CHAPTER 2 – LAW ENFORCEMENT ROLE & AUTHORITY

2.1 Oath of Office

The agency has a written directive requiring that prior to assuming sworn status all officers take and abide by an oath to uphold the Constitution and to enforce the laws under their jurisdiction.

Guidance: The term "Constitution" refers to a set of fundamental principles or established precedents according to which a country, state, province or other governmental entity is governed. It is important that all officers in an organization understand all of their responsibilities including those to their agencies.

2.2 Code of Ethics (Time Sensitive)

A written directive requires a code or canon of ethics adopted by the agency be abided by all personnel and that ethics training be conducted at least biennially for all personnel.

Guidance: The Canon of Ethics or Law Enforcement Code of Ethics published by the International Association of Chiefs of Police will satisfy the intent of this standard.

2.3 Legal Authority

A written directive requires that the agency define the legal authority and responsibility of sworn personnel who possess arrest authority.

Guidance: The written directive should define the limits of law enforcement authority pertaining to the arrest authority of each sworn category, no matter how limited the scope of that authority. These limits may include enforcement of laws, statutes, ordinances, and arrests. Categories could include those “peace officer” positions as noted in RIGL 12-7-21 or other special class of officer having sworn duties, but limited arrest authority. **(Revised June 12, 2013)**

2.4 Interviews & Interrogations

A written directive describes procedures to be used by agency personnel conducting interviews (to include field interviews) and interrogations, to include applicable constitutional requirements and access to counsel.

Guidance: Interviews are a fundamental activity in any agency and the directive should help ensure that they are conducted in a professional manner. Procedures that ensure individual constitutional requirements and access to counsel are obviously critical. The directive should also address field interviews and the circumstances in which they are used. Valuable information can be collected during the process but caution must be taken to ensure legal requirements are met. There should be a process to document or record the circumstances of the field interview and the information collected.

2.5 Search & Seizure

A written directive governs search and seizure by personnel without a warrant including but not limited to:

- a. Consent search;
- b. Search incident to an arrest;
- c. Terry Pat-down search;
- d. Plain view seizure;
- e. Exigent circumstances;
- f. Vehicle searches, including moving exceptions;
- g. inventory of contents;
- h. Abandoned property;
- i. Public Place; and
- j. Open fields.

Guidance: This directive should provide guidance in the exceptions to the search warrant requirement in accordance with all other applicable constitutional requirements as well as institutional policy. It is highly recommended that search and seizure policy directives be reviewed periodically by the agency's legal counsel and/or the Attorney General's office. *"Comprehensive Community-Police Relationship Act." Section 31-21.2-5 concerning the provisions for the consent searches of pedestrians and juveniles and required documentation. (Revised 12/31/2015)*

2.6 Arrests

A written directive establishes the procedures and criteria for an arrest, whether with or without a warrant, to include:

- a. Documenting the arrest in a written report,
- b. Processing of the person arrested, to include fingerprints and photographs,
- c. Handling of foreign diplomats or officials,
- d. Scope of any search completed incident to an arrest, and
- e. Requirements that pertain to arrestee rights, to include right to counsel and a telephone call.

Guidance: The written directive should include procedures imposed by the U.S. Supreme Court, the courts of the State of Rhode Island, and any legislation pertaining to or governing the laws of arrest.

2.7 Strip Searches

The agency has a written directive outlining the procedures for conducting both strip and body cavity searches of arrested persons to include; circumstances for when such searches may be authorized, supervisory approval and documentation of the search in a written report.

Guidance: Field strip searches of prisoners shall be conducted only in the rarest of circumstances under exigent circumstances where the life of officers or others may be placed at risk, and only with the explicit approval of a supervisory officer. Strip searches should be conducted in a controlled environment by persons of the same sex. There should be a minimum number of additional personnel present to afford a reasonable balance between officer safety and an arrestee's right to privacy. Any strip or body cavity search must have supervisory approval prior to conducting the search and be documented in a written report. Body cavity searches must only be conducted by qualified medical personnel.

2.8 Biased Policing (Time Sensitive)

The agency has a written directive governing prohibitions against biased policing that includes the following provisions at a minimum:

- a. A prohibition in traffic contacts, field contacts and in asset seizure and forfeiture efforts against biased policing;

- b. Sworn personnel receive initial training in biased policing issues including legal aspects and refresher training at a minimum of once every three years;
- c. If biased policing occurs, what corrective measures are employed;
and
- d. An annual administrative review of agency practices, including citizen concerns, which is documented.

Guidance: Biased policing is the selection of individuals based solely on a common trait of a group. This includes but is not limited to race, ethnic background, gender, sexual orientation, religion, economic status, age, cultural group or any other identifiable characteristics. Law enforcement agencies should not condone the use of any biased policing in its enforcement programs as it may lead to allegations of violations of the constitutional rights of the citizens we serve and undermines the legitimate law enforcement efforts and may lead to claims of civil rights violations.

Additionally, biased policing alienates citizens, fosters distrust of law enforcement by the community, and invites media scrutiny, legislative action, and judicial intervention. Law enforcement personnel should focus on a person's conduct or other specific suspect information. They must have reasonable suspicion supported by specific articulated facts that the person contacted regarding their identification, activity or location has been, is, or is about to commit a crime or is currently presenting a threat to the safety of themselves or others.

Annually, the agency should include biased policing training that addresses how bias can affect police activities and decision making, such as field contacts, traffic stops, searches, asset seizure and forfeiture, interviews and interrogations. Training should emphasize the corrosive effects of biased policing on individuals, the community and the agency. Review for revisions based upon recent legislation. *Comprehensive Community-Police Relationship Act.* 2015. **(Revised 12/31/2015)**

2.9 Reasonable Force

The agency has a written directive that stipulates officers shall use reasonable force when force is necessary to affect lawful objectives.

Guidance: None.

2.10 Lethal Force

A written directive states that officers may use lethal force only under a reasonable belief that the action is in defense of their own or another human life or in defense of any person in imminent danger or facing a significant threat of serious physical injury.

Guidance: Key terms such as "reasonable belief," "imminent danger" and "significant threat" should be defined in the directive.

2.11 Warning Shots

A written directive prohibits the discharge or use of "warning" shots.

Guidance: None.

2.12 Less Lethal Weapons

A written directive specifies which less lethal weapons are approved for use by agency personnel including;

- a. Type and specification of authorized on duty less lethal weapons requirements;
- b. Agency less lethal weapons issuance and inventory control;
- c. Review, inspection and approval, by a certified less lethal weapons instructor or of all departmental or otherwise authorized less lethal weapons prior to use;
- d. A process to remove unsafe less lethal weapons;
- e. A documented safety inspection of all authorized less lethal weapons during training; and
- f. Guidelines for safe storage of all less lethal weapons.

Guidance: The agency should establish strict control over all less lethal weapons it allows members to carry and use in the performance of their official duties, both on and off duty. The directive should specify the type and other characteristics of authorized less lethal weapons. All authorized and approved less lethal weapons should be documented in agency records.

The user should demonstrate his or her proficiency in using the less lethal weapons before being approved, in writing, by the agency, to carry and use the less lethal weapon. A certified less lethal weapons instructor should inspect and approve the less lethal weapons and oversee the proficiency testing. Agency personnel will be required to safely store their less lethal weapons in accordance with applicable statutes and agency policies at all times, to include while in an agency facility, vehicle or at home. **(Revised 3/11/2015)**

2.13 Medical Attention

The agency has procedures mandating that appropriate medical attention is provided after a use of force incident at a level defined by the agency.

Guidance: Not every use of force incident must result in treatment of the subject at a medical facility. In some cases, the subject may only need to be observed by agency personnel or treated by emergency medical personnel on scene. "Appropriate medical aid" does not place the burden on the agency to have each injured person immediately evaluated at a medical facility. "Appropriate medical aid" may include increased observation to detect obvious changes in condition, flushing chemical agents from the eyes, applying first aid, evaluation by an emergency medical technician, or for more serious or life threatening incidents, immediate transport to a hospital for aid by medical professionals.

2.14 Use of Force Reporting (Time Sensitive)

A written directive requires a "use of force/response to resistance/ non compliance" form will be prepared by those officers who employ force when the following have occurred: The use of force results in death, injury, or an allegation of injury to a person; the drawing of a firearm on a person for the purpose of obtaining and/or maintaining control of that person; or a lethal force or a less-lethal force option is used on a person.

Guidance: A reportable use of force is defined as any incident in which a sworn department member exercises their police powers and uses lethal force or any force option including physical force.

Exceptions to reportable force: command presence; verbal commands; physical strength and skills which do not result in injury, the appearance of injury or complaint of pain (e.g., the use of a grip to control a suspect's hand while searching or handcuffing); or, that force objectively reasonable to overcome resistance due to physical disability or intoxication, which does not result in injury, the appearance of injury or complaint of pain (e.g., lifting an intoxicated person to a standing position). Written procedures should state by whom, when, and how the report will be submitted.

2.15 Use of Force Report Review (Time Sensitive)

A written directive requires that a documented review of each reported use of force incident be conducted by a defined level of authority.

Guidance: The process for reviewing use of force reports should be articulated in the policy. Each reportable use of force incident should be evaluated to determine whether the actions taken by the officer were within agency policies and applicable laws.

2.16 Use of Force Reassignment

A written directive requires that any personnel acting in an official capacity whose actions result in serious physical harm or death to another person, be reassigned/placed on administrative leave from regular duties pending a documented administrative review of the matter.

Guidance: The intent of this standard is to ensure that agencies take reasonable steps to remove an employee from his or her regular duties while a thorough administrative review of that employee's actions is conducted. By reassigning or placing an employee on administrative leave, the agency is demonstrating to the community that it takes the serious physical harm or death caused by the employee very seriously, and that an appropriate administrative inquiry will determine whether that employee can safely be returned to his or her usual assignments. Reassignment or being placed on administrative leave can also benefit the employee, in that it may afford that employee the best conditions to overcome the impact of having caused serious injury or death to another person. Any such reassignment or placement on administrative leave should be considered temporary and non-punitive, and the employee should continue to receive regular pay and benefits until such time that he or she has been authorized to return to regular duties. **(Revised 10/01/14)**

2.17 Firearms & Ammunition Approved

A written directive specifies the types of firearms and ammunition approved for use by the agency, including:

- a. Type and specification of authorized on duty firearms requirements;
- b. Type and specification of authorized off duty firearms requirements;
- c. Type and specification of authorized ammunition;
- d. Agency issuance and inventory control of all firearms;

- e. Review, inspection and approval, by a certified firearms instructor or department armorer, of all departmental or otherwise authorized firearms prior to use;
- f. A process to remove unsafe firearms;
- g. A documented annual safety inspection of all authorized firearms; and
- h. Guidelines for safe storage of all firearms.

Guidance: The agency should establish strict control over all firearms and ammunition it allows members to carry and use in the performance of their official duties, both on and off duty.

The directive should specify the type, caliber, and other characteristics of authorized firearms, as well as expressly prohibit unauthorized firearms and ammunition. All authorized and approved firearms should be documented in agency records. Each firearm should be identified, meet the agency's established criteria and be safe and in good working order.

The user should demonstrate his or her proficiency in using the firearm on an approved qualifying course before being approved, in writing, by the agency, to carry and use the firearm. A certified firearms instructor or armorer should inspect and approve the firearm and oversee the proficiency testing.

Agency personnel will be required to safely store both their on duty and off duty firearms in accordance with applicable statutes and agency policies at all times, to include while in an agency facility, vehicle or at home. **(Revised 3/11/2015)**

2.18 Proficiency

A written directive requires that agency personnel demonstrate proficiency in the use of any weapons they are authorized and approved to carry. Instruction on, and qualifications with weapons must be provided by a certified weapons instructor. Proficiency includes:

- a. Achieving minimum qualifying scores on a prescribed course;
- b. Attaining and demonstrating a knowledge of the laws concerning the use of authorized weapons and knowledge of agency policy(s) on the use of force, escalating force, and deadly force; and
- c. Being familiar with recognized safe-handling procedures for the use of these weapons.

Guidance: None.

2.19 Use of Force Training (Time Sensitive)

A written directive requires:

- a. Documented annual training on the agency's use of force policies;
- b. Documentation that officers qualify at least once each calendar year with any firearm and electronic control weapon they are authorized to use;

- c. Documented refresher training biennially for any issued or authorized weapons other than firearms; and
- d. Procedures for addressing duty status for those who fail to qualify with any issued or authorized weapon, to include remedial training.

Guidance: None.

2.20 Instruction – Use of Force Policies

A written directive requires that prior to being authorized to carry any lethal or less lethal weapon, agency personnel be instructed on and issued copies of agency use of force policies. This instruction and issuance must be documented by the agency.

Guidance: None.

2.21 Annual Analysis- Use of Force (Time Sensitive)

A written directive requires that a documented annual analysis be completed of all use of force/response to resistance/ non compliance” reports required by Standard 2.14.

Guidance: The intent of the analysis is to determine if there are patterns or trends that could indicate training needs, equipment upgrades, and/or policy modifications.

2.22 Firearms Training – POST Submission (State Specific)

Agencies under the authority of the Rhode Island Commission on Police Officers Standards and Training (RIPOST) shall submit to RIPOST, on an annual basis, a proposal for the training and qualification of their officers on all firearms which they are authorized to carry or use in the performance of their official duties. Each proposal shall include training and qualification and in accordance with POST protocols in the following areas:

- a. Decision shooting;
- b. Reduced lighting shooting;
- c. Moving targets;
- d. Use of cover;
- e. Non-dominant hand shooting;
- f. Alternate position shooting;
- g. Reloading drills;
- h. Malfunction drills.

Guidance: The purpose of this standard is to ensure compliance with RIGL 11-47-15.3. This standard applies only to those agencies under the authority of RIPOST. **(Revised June 2014)**

2.23 Lethal Force – Attorney General’s Protocols (State Specific)

A written directive requires that should an officer use lethal force in a manner outlined in Standard 2.14, the agency will comply with the current Rhode Island Attorney General’s

Protocols Regarding use of lethal force Incidents, in custody deaths and vehicular pursuits resulting in serious bodily injury or death.

Guidance: The Department of the Rhode Island Attorney General has noted that “one of the most sensitive investigations that law enforcement agencies are called upon to conduct is an investigation of the use of lethal force by a police officer. Experience has shown that these investigations frequently pose complex factual and legal issues, and are closely followed by the public we serve”. To that end, the Attorney General’s office has developed investigative protocols regarding the use of lethal force by police officers.

These protocols advise that a police agency involved in a lethal force incident promptly notify the Rhode Island State Police and the Rhode Island Attorney General’s office of the incident. Both agencies will work with local law enforcement to “conduct the most informed and efficient review [of the incident] as possible. **(Revised 9/18/13)**

2.24 Intra-State or Inter-State Non-Emergency Agreements (State Specific)

If an agency participates in either intra-state or inter-state non-emergency aid, a written agreement with the neighboring agencies must be in compliance with Rhode Island State Law, and a directive shall state the following:

- a. conditions under which the non-emergency mutual aid agreement may be initiated;
- b. training requirements for all sworn personnel on the implementation of the agreement;
- c. that the directive will be reviewed with all sworn personnel on an annual basis; and
- d. that the agreement will be re-affirmed with the neighboring agencies on the three year anniversary of the last re-affirmation.

Guidance: In recognition of the non-emergency law enforcement needs of Rhode Island cities and towns in state, as well as the geographical jurisdictions restrictions placed on law enforcement agencies in the state, Rhode Island General Law 45-42-2 authorized Rhode Island communities that “lie adjacent” to one another to enter into agreements to provide assistance in a non-emergency situation for “all those police services prescribed by law within any portion of the jurisdiction of the city or town ... granting the authority”. The law proscribes certain legal privileges and immunities to police officer operating under its provisions.

Rhode Island General Law 30-15.8-3 authorized Rhode Island communities that are “adjacent to and border” a community of a neighboring state to enter into agreements in a manner similar to Rhode Island General Law 45-42-2. That law also proscribes certain legal privileges and immunities to police officer operating under its provisions.

Where a community elects to enter into either of these agreements with neighboring communities, the agreements must follow the statutorily mandated protocols for the drafting and adoption of the agreements. Further, adopting agencies must make their sworn personnel aware of any such agreements, their provisions and limitations.

Whereas agreements created under these statutes are counterintuitive to the traditional legal/geographical authority of Rhode Island municipal police officers, said agreements are to be reviewed annually with sworn personnel and re-affirmed by the neighboring agencies every three years.

2.25 Contractual Services

A written agreement exists governing any contracted law enforcement services provided by the agency, and includes:

- a. A statement detailing services to be provided;
- b. Specific language outlining all details on financial agreements between the parties;
- c. Specification of the records to be maintained concerning the performance of services by the provider agency;
- d. Language dealing with the length, modification, and termination of the contract;
- e. Specific language dealing with legal contingencies;
- f. Stipulation that the provider agency maintains control over its personnel;
- g. Specific arrangements for the use of equipment and facilities; and
- h. A procedure for review and revision, if needed, of the agreement.

Guidance: None.

CHAPTER 3 – WORK CONDITIONS & BENEFITS

3.1 Job Descriptions

The agency maintains written job descriptions for each position in the organization, to include the duties and responsibilities as well as the knowledge, skills and abilities required to carry out those duties and responsibilities. Written job descriptions shall be made available to all personnel.

Guidance: The job description is the foundation upon which proper training, supervision, performance appraisal, and corrective action are based. Job descriptions are written to include the minimum level of proficiency necessary in job-related skills, knowledge, abilities and behaviors, and other qualifications for employment and for transfer or promotion to other job positions within the agency. Job descriptions should be reviewed on a regular basis.

3.2 Benefits

A written directive describes the agency's retirement program, disability and death benefits program, liability protection program and employee educational benefits if any.

Guidance: The agency's retirement program may be provided by a local jurisdiction, the state, or the federal Social Security Act. The program may indicate a minimum-age requirement and a mandatory age for retirement. The directive should note the extent to which each benefit is available to the various classes of personnel employed by the agency (full-time, part-time, auxiliary, and reserve personnel, as appropriate). The

agency should, through insurance programs or direct financial support, provide compensation for temporary, partial, or total service-connected disability.

A monthly compensation for survivors in case of a service-connected death should be provided. Specific provisions of the program should cover employees for actions or omissions directly related to their law enforcement function. The program should protect employees from liability arising from acts or omissions leading to personal injury, death, or property destruction that, in turn, could lead to legal civil action against them.

When offered, educational benefits go beyond those opportunities provided employees through in-service, specialized, and advanced training. Generally, the employees pursue higher education on their own initiative and on their own time. Because the value of employees to the organization is enhanced by their continuing education, the agency should encourage and facilitate their pursuit of higher education and provide whatever tangible benefits it can to them for academic achievement. Educational benefits may include leave, scheduling adjustments and accommodation, tuition reimbursement, and salary augmentation based on educational achievement.

3.3 Line of Duty Death/Serious Injury

A written directive covers services to be rendered following line-of-duty deaths or serious injuries to agency personnel and their families.

Guidance: Appropriate agency-provided services include notifying the family of the dead or injured officer in a timely, personal manner, assisting the family at the hospital, supporting the family at the funeral and burial, helping the family with legal and benefits matters, counseling the family regarding finances and other possible problems, supporting the family during criminal proceedings (if any), and maintaining long-term contact with the family and keeping informed of needs. Agencies should review line of duty death related resources periodically to ensure contact numbers and support information remains contemporary and appropriate for distribution to *affected families or beneficiaries*. Additional benefits may be available to dependents of officers killed in the line of duty or seriously injured through the RI Department of Labor and Training (401-462-8855) in accordance with RIGL 45-19-3. **(Revised 10/01/14)**

3.4 Personnel Identification

A written directive defines the provisions for personnel identification to include; providing an official identification that contains the employee's photograph and how employees are to respond to request to view their identification and provisions for verbal identification over the phone. **(Revised 10/01/14)**

Guidance: None.

3.5 Health & Fitness Standards

A written directive describes the agency's general health and physical fitness standards.

Guidance: The functions of a law enforcement agency require a level of physical fitness not demanded by many other occupations, and fitness requirements should be specified. Standards of fitness should be those that have been shown to be directly related to the tasks performed, and not serve to eliminate or penalize employees who can otherwise perform the tasks of their assignment, with or without reasonable accommodation.

3.6 Extra Duty Employment (Special Details)

If the agency allows sworn personnel to engage in extra-duty employment (aka: special details), a written directive establishes the following:

- a. That extra-duty employment must be approved by the agency;
- b. The applicability of agency rules, regulations, and other policies to employees during extra-duty employment;
- c. Recognition of the geographical jurisdiction limitations which, by law, limits an officer's legal authority beyond the borders of the officer's employing agency.
- d. Procedures for reviewing, approving, and documenting extra-duty employment;
- e. Designation of a point of coordination or administration within the agency to oversee adherence to the aforementioned policies, processes, and other matters deemed appropriate by the agency; and

Guidance: This standard refers to what are generally called "extra-duty" assignments or special details that is, where the exercise of police powers is anticipated. The employee will continue to represent the agency, and the agency should exercise strict control over the type of extra-duty employer and the behavior of its personnel. When addressing the issue of geographic jurisdiction, the written directive should recognize not only the legal limitation on officers' exercising police powers beyond the borders of their employing agency, but should set forth how the agency will address on-the-job injuries that might occur to officers providing police services beyond the borders of their employing agency. The written directive or directives governing such work may be a collective bargaining agreement, agency policy, or both; however, at a minimum the issue listed above should be addressed. **(Revised 12/31/2015)**

3.7 Grievance Procedures

A written directive establishes a grievance procedure, which includes the following:

- a. Identification of matters that are grievable (scope) and the levels in the agency or government to which the grievance may be filed and/or appealed;
- b. Establishment of time limitations for filing or appealing the grievance to the next level;
- c. A description of the type of information to be submitted when filing a grievance;
- d. Establishment of procedural steps and time limitations at each level in responding to grievances or appeals; and
- e. Establishment of criteria for employee representation.

Guidance: Since a formal grievance procedure is designed to resolve differences between the employee and employer, it follows logically that such procedures be written in clear, concise terms. *If grievance procedures are part of a collective bargaining agreement, such agreement would meet the definition of “written directive” as used in this standard. However; if each bulleted item is not addressed in the collective bargaining agreement, a separate written directive will be necessary to address items not contained within the agreement.* This standard applies to all agency employees. If more than one procedure exists, each should be described. A written statement of the grievance and the facts upon which it is based, a written allegation of the specific wrongful act and harm done, and a written statement of the remedy or adjustment sought are basic information that should be required from a grievant. A form may be designed for this purpose to include spaces for noting significant times, dates, and actions taken relative to a grievance. **(Revised 12/31/2015)**

3.8 Promotional Process

A written directive describes the agency's promotional process for sworn personnel, to include:

- a. Identifying a position, or positions, responsible for administering the promotional process;
- b. Describing the elements to be used in the promotional process;
- c. Ensuring all elements used in the promotional process are job related and nondiscriminatory;
- d. Ensuring that eligible employees have the opportunity to view promotional announcements;
- e. Establishing procedures for promotional candidates to review their performance on each element of the promotional process; and
- f. Security of promotional materials

Guidance: Posting promotional opportunities on the institution's centralized position vacancy website is sufficient for ensuring that eligible employees have the opportunity to view available promotional opportunities. The processes used to select candidates for promotion should be as transparent as possible. A process that is viewed as biased, secretive, or unfair will undermine employee morale and can also lead to a lack of respect for and confidence in those employees selected.

3.9 Supervisory Probation

A written directive describes the probationary period, if any, for all personnel who are promoted. **(Revised 3/12/14)**

Guidance: In the absence of a probationary period, unsatisfactory performance should be identified and corrected early through counseling, training, or other suitable personnel actions to safeguard against the promotion of employees beyond their capabilities.

3.10 Performance Appraisals

The agency has a written directive that describes the performance appraisal process and shall include at a minimum:

- a. Measurement definitions specific to the job being evaluated;
- b. Procedures for the use of the forms;
- c. Rater responsibilities; and
- d. Rater training.

Guidance: The purposes of performance appraisals are threefold. Performance appraisals provide a standardized and longitudinal view of employee performance. They also help assure the community that the agency's personnel are qualified to carry out their assigned duties. Most importantly, appraisals provide feedback to employees in areas in need of improvement or development. The employee's immediate supervisor should be the individual completing the evaluation. However, there may be times when this is not feasible such as when there are vacancies in supervisory positions or when the employee is newly promoted and may have a different supervisor. The intent of this requirement is that an employee's immediate supervisor, having the best first-hand knowledge of the employee's performance, should be the one to complete the evaluation.

3.11 Annual Performance Appraisals (Time Sensitive)

A written directive requires a performance appraisal for each agency employee to include Reserve Officers is conducted and documented at least annually.

Guidance: The purposes of performance evaluation are to standardize the nature of the personnel decision-making process, ensure the public that the agency's personnel are qualified to carry out their assigned duties, and provide job incumbents with necessary behavior modification information to allow them to maintain behaviors that are appropriate from the agency's standpoint and to eliminate inappropriate behaviors.

3.12 Performance Appraisal Counseling

A written directive requires that each employee be counseled in the following areas at the conclusion of the rating period:

- a. The results of the performance appraisal just completed;
- b. What the rating criteria will be, the level of performance expected, and any goals for the new reporting period; and
- c. Career counseling relative to such topics as advancement, specialization, or training appropriate for the employee's position

Guidance: The intent of this standard is to ensure that at least once each year, each employee is provided with feedback regarding employee performance. It is critical that counseling of this type include both a review of performance over the prior rating period and, as a matter of fairness to the employee, an indication of the expectations for the upcoming reporting period. This is also an appropriate time to review the employee's career goals within the agency.

3.13 Early Intervention (Time Sensitive)

A written directive establishes a Personnel Early Intervention System to identify agency employees who may require agency intervention efforts. The system shall include procedures for:

- a. Provisions to initiate a review based on specific patterns or threshold levels;
- b. Establishing requirements of both positive and negative entries;
- c. Reporting requirements for entries based upon behavior or conduct;
- d. The role of first-line supervisors and management levels of supervision;
- e. When remedial action should be taken;
- f. When employee assistance such as a formal Employee Assistance Program, peer counseling, is warranted or recommended; and
- g. Completing a documented annual evaluation of the system

Guidance: A comprehensive Personnel Early Intervention System is an essential component of good discipline in a well-managed law enforcement agency. The early identification of potential problem employees and a range of remedial actions can increase agency accountability and offer employees a better opportunity to meet the agency's values and mission statement.

The agency's System should be initiated when certain types of incidents occur and there should be an evaluation of collected material. Such material may include, but not necessarily be limited to: agency performance evaluations, citizen complaints, disciplinary actions, use of force incidents, internal affairs and pursuits.

The agency should not be faced with investigating an employee for a serious case of misconduct only to find there was an escalating pattern of less serious misconduct, which could have been abated through intervention. The failure of the agency to develop a comprehensive Personnel Early Intervention System can lead to the erosion of public confidence in the agency's ability to investigate itself, while putting the public and agency employees in greater risk of danger.

3.14 Social Media (State Specific)

A written directive governs the on-duty and off-duty use of social media by agency personnel and, at a minimum:

- a. Requires the Chief or his/her designee's approval of agency information released on social media outlets or clearly defined written guidelines of approved/prohibited content;
- b. Prohibits the revelation of agency-sensitive information, (i.e.: investigations, future plans, undercover officers, etc.); and
- c. Prohibits the revelation of information which has the effect of damaging the agency's reputation or credibility, or is detrimental to the agency's mission.

Guidance: Law enforcement's use of social media can enhance the effectiveness of an agency's daily operations. Social media can be utilized as an investigative tool, a means

of community outreach, and as part of recruitment efforts. However, the misuse of social media can be devastating to the reputation and credibility of individual employees, as well as to the effectiveness of their agency. The intent of this standard is not to prohibit the use of social media, but to ensure that written guidelines exist so that employee and agency use of social media is consistent with the agency's mission. **(Revised 9/18/13)**

CHAPTER 4 RECRUITMENT & SELECTION

4.1 Recruitment Plan

The agency has a recruitment plan for full-time, sworn personnel. The recruitment plan shall outline agency steps to achieve the goal of an ethnic, racial, and gender workforce composition within the sworn law enforcement ranks in approximate proportion to the makeup of the available workforce in the agency's service community. The recruitment plan shall include:

- a. A statement of recruiting objectives;
- b. A plan of action necessary to achieve the objectives identified in bullet (a);
- c. A commitment on the part of the agency to recruit minority and female candidates from areas beyond the agency's jurisdictional boundaries, and;
- d. Identify employees inside or outside the agency, responsible for plan administration.

Guidance: The agency's recruitment steps should be directed towards the goal of approximating within the sworn ranks, the workforce demographic composition of the community being served with regards to ethnic, cultural, racial, and gender makeup. The available work force is defined as those individuals who meet the minimum hiring requirements established by the agency's recruitment plan. The plan should be very specific with regards to the stated objectives and should clearly outline specific steps to be taken to achieve the objectives.

The recruitment plan should include contacts with various organizations, (i.e.: Rhode Island Municipal Police Training Academy, Rhode Island Department of Labor & training, (Mrs. Cheryl Burrell – 222-6397), NAACP, Urban League, Progresso Latino, etc.), to assist with disseminating the agency's recruitment literature.

The recruitment plan's objectives should be reasonable, attainable, and directed toward the goal of achieving a sworn workforce that is representative of the composition of the available workforce within the community being served. The specific action steps contained in the agency's recruitment plan should be reasonable to cause the agency to meet the objectives identified in the plan. Examples of specific action steps that should be identified in the recruitment plan include:

- Identify impediments and articulate specific steps taken based on an analysis to overcome those impediments;

- Utilizing in the agency's recruitment activities minority personnel who are fluent in the community's non-English languages and are aware of the cultural environment where this would be applicable;
- Depicting females and representatives of ethnic/cultural/race minority groups in law enforcement roles in the agency's recruitment literature;
- Conducting recruitment activities outside of the agency's jurisdiction to attract viable law enforcement candidates; and
- Establishing relationships with groups in and outside the community who represent targeted groups. **(Revised 3/11/2015)**

4.2 Recruitment Plan Review **(Time Sensitive)**

An annual review of the agency's recruitment plan will be conducted to ensure that objectives are being met, and if not what steps need to be taken to reach the stated objectives. Revisions to aid in reaching any goal or objective should be considered after the annual review and documented. The review will be conducted whether or not the agency held a recruitment process.

Guidance: The annual review should include a description of progress made toward the objectives. It should also include the results of recruitment efforts such as number of applicants from each recruitment source and the number of successful candidate hires. If the agency did not hold a recruitment process during the year, a review needs to be conducted to ensure the plan still meets the agency's stated objectives, ensure information for community contacts/media is updated, etc. **(Revised 3/11/2015)**

4.3 Selection Criteria

All elements of the selection process for sworn personnel use the following:

- a. Only those rating criteria or minimum qualifications that are job-related;
- b. Be administered, scored, evaluated, and interpreted in a uniform manner; and
- c. Include timetables, the order of events, administration, scoring, and other pertinent information.

Guidance: The intent of this standard is to ensure that candidates are evaluated by a selection process that measures traits or characteristics that are a significant part of the job. It is not sufficient for an agency to merely say in a directive that its procedures are job-related.

However, there are a variety of means by which job relatedness can be shown. An agency may choose, for example, to demonstrate that an oral examination measures traits that are shown by the task analysis to be significant or necessary to perform the job. An assessment center may be shown to measure the performance of tasks or skills that the task description has shown to be essential job functions. The agency may also

demonstrate job relatedness through a process, which validates the selection mechanism as a predictor of future job success.

A written test may be statistically validated as being able to assess skills necessary for the job of sworn officer. Many commercially produced tests have documentation that will support validation. Agencies are encouraged to seek assistance in this area from competent personnel resources as many of the validation concepts are technical and/or unfamiliar to police professionals. Nothing in this standard should be interpreted as preventing an agency from using a combination of methods to document the job relatedness of its selection process. The goal of this standard is to ensure that the agency has the documentation necessary to make a logical and persuasive case, in the event of legal challenge, that the elements of the selection process measure skills, knowledge, abilities, and traits needed to perform that job.

Operational elements of the selection process - time limits, oral instructions, practice problems, answer sheets, and scoring formulas - should be clearly set forth and carried out identically for all candidates. Failure to do so may preclude validation of the process and make the agency susceptible to legal challenges.

4.4 Background Investigations

The agency has a written directive that requires a background investigation be conducted of each civilian candidate for all civilian agency positions prior to appointment, and includes:

- a. Verification of qualifying credentials;
- b. A review of any criminal record; and
- c. Verification of at least three personal references.

Guidance: Conducting a background investigation in person is more reliable than telephone and mail inquiries, although the latter are appropriate in obtaining criminal history and driving records. Home visits with the candidate and his/her family should be considered, as well as interviews with neighbors. Background investigations are often initiated in the later stages of the selection process; however, they may be commenced much earlier. A background investigation may include, but is not limited to: family, education, residences, work record, organizations and affiliations, references and social contacts, credit history, DMV record, military history, county records such as liens and judgments, and criminal history record. It is recommended that all personnel conducting pre-employment background investigations receive training on how to do so. Employment laws often delineate the scope of pre-employment background investigations. Proper training will help to ensure compliance with applicable legal restrictions on areas that cannot be subject to inquiry during a background investigation. **(Revised 12/31/15)**

4.5 Medical Examination

The agency requires that a medical examination be performed by a licensed physician for each candidate for an officer's position, prior to appointment.

Guidance: A full and complete medical examination is necessary to ensure the health and physical condition of candidates for law enforcement and public safety employment. The physical examination should include a drug screening.

4.6 Psychological Examination

The agency requires a psychological exam, administered by a licensed psychologist or psychiatrist, for all sworn officers prior to their being employed by the agency.

Guidance: The mental and psychological health of a law enforcement officer is essential. It is especially important that officers whose duties require them to carry weapons have been evaluated in this manner prior to appointment. Consultation with the University of Rhode Island Psychological Testing Services is required pursuant to state statute, as the timing and conditions of these examinations may be subject to employment law restrictions.

4.7 Probationary Period

In the absence of controlling legislation, at least a six-month probationary period is required of all sworn personnel who are hired and following completion of the training academy with any exceptions defined.

Guidance: The agency should include a probationary period among the final steps in the process to ensure newly hired employees can assume the duties and responsibilities of the new positions. Employees on probation should be closely observed and evaluated frequently. Unsatisfactory performance should be identified and corrected early through counseling, training, or other suitable personnel actions to safeguard against the promotion of employees beyond their capabilities. Controlling legislation includes union contracts with agencies.

4.8 Background Investigation (State Specific)

A background investigation of each candidate for all sworn positions is conducted by personnel who have been trained in conducting background investigations and prior to admission to a state academy, or appointment to probationary status in a sworn position, and includes:

- a. An interview with the candidate;
- b. Verification of qualifying credentials;
- c. Verification of the applicant's employment history;
- d. A check of the applicant's military record;
- e. A review of any criminal record;
- f. A check of court history;
- g. A check of financial history;
- h. A verification of at least three personal references;
- i. A neighborhood canvas;
- j. Mental health inquiries;
- k. A check of the Internet and social media sites as per state law and;
- l. A report is completed which includes the information obtained from the checks and interviews required; an introduction; and a detailed summary.

Guidance: It is more reliable to conduct the inquiry in person, though telephone and mail inquiries are appropriate in obtaining criminal history and driving records. The investigation should routinely involve a home visit with the candidate and his or her family and interviews with neighbors. Background investigations are generally listed among the final stages in the selection process only to suggest that this is when they should be completed; they are likely to have commenced much earlier.

A person assigned to conduct the background investigation should be trained in conducting background investigations and the legal aspects of conducting background investigations. Recent legislation prohibits employers from compelling applicants from providing access to passwords for social media sites, RIGL, 28-56-1 -28-56-5. **(Revised 10/01/14)**

CHAPTER 5 PROFESSIONAL STANDARDS

5.1 Code of Conduct and Appearance Guidelines

The agency has a written directive that specifies the code of conduct and appearance regulations for agency personnel.

Guidance: Professionalism is the cornerstone of the provision of quality service to the community. The boundaries of appropriate behavior should be clearly defined for all agency personnel. It should be clear to all personnel that failure to conform to all agency directives may result in disciplinary action. In addition, because the community holds members of a public safety/law enforcement agency to high standards of conduct, directives should address the agency's stance regarding acceptable off-duty conduct. Uniform and other appearance standards such as cleanliness, grooming, jewelry and tattoos are also an important part of maintaining a professional image to the public. Standards for non-uniform positions should be included such as for investigators, administrators and administrative support staff. If special assignments are used, such as undercover narcotics investigators, specific exceptions to appearance rules should be made or specific approval from the chief executive officer or designee required.

5.2 Workplace Harassment Prohibited (Time Sensitive)

The agency has a written directive that prohibits sexual or other unlawful harassment. The written directive must provide for reporting procedures that include when it is appropriate to make a report outside the chain of command or outside the agency. The agency must provide initial and updated training to all personnel annually.

Guidance: Strong policies and directives prohibiting any such harassment (i.e., creation of an intimidating, hostile, or offensive work environment) must be established with a requirement that all allegations made of such activity will be immediately and thoroughly investigated. It is recommended that the directive include mention of "whistleblower" protection. The requirement for training does not have to be in the written directive, but proof of training must show that agency employees are aware of their responsibilities and the legal issues involved.

5.3 Accountability System

The agency has a written directive establishing an employee accountability system, to include:

- a. Procedures and criteria for using training as a function of accountability;
- b. Procedures and criteria for using counseling as a function of performance improvement and/or discipline;
- c. Procedures and criteria for taking punitive actions in the interest of discipline, which may include oral reprimands, written reprimands, reduction of leave, suspension, demotion, or dismissal; and
- d. Procedures and criteria for recognizing employees for exceptional performance including, but not limited to, letters of commendation, compensation, or awards for merit or valor.

Guidance: The components of the accountability/disciplinary system shall identify the measures to be applied to employee conduct in the interest of performance improvement. The system should be based on fairness to the employee and the agency and should also work to stimulate employee morale and motivation. An effective employee accountability system includes not only disciplinary actions be taken for poor, inappropriate, or unlawful actions but also recognizes noteworthy work performed by agency personnel and any remedial training and instruction options to mitigate performance deficiencies.

In recognizing noteworthy accomplishments by agency employees, procedures and criteria should be established to ensure the consistent and fair application of positive performance recognition throughout the agency. Agencies that present awards for meritorious and/or heroic acts should ensure that criteria are established as prerequisites for these awards. Training or performance development by instruction can also be a positive process when used as part of the accountability/disciplinary process. The written directive should encourage training as a means of improving employee productivity and effectiveness through positive and constructive methods. The role of supervisors, especially first-line supervisors, is crucial in the timeliness of addressing accountability/disciplinary issues. The directive should identify the conditions under which a supervisor or commander may act without approval from higher authorities to include, but not be limited to, such actions as remedial training, counseling, or formal discipline.

5.4 Appeal Procedures in Disciplinary Actions

The agency has a written directive describing the appeal process.

Guidance: This directive should include initiation procedures, timeframes, and method of recording and scope of the appeal process. The purpose of this standard is to outline procedures for submitting and responding to disciplinary appeals and/or grievances. These procedures should be consistent with institutional policies as well as applicable collective bargaining agreements.

5.5 Complaint Investigations

The agency has a written directive requiring the documentation and investigation of all complaints, including anonymous complaints, of misconduct or illegal behavior against the agency or its members.

Guidance: All complaints of misconduct should be investigated to ensure the integrity and professionalism of the agency's operations and personnel. The goal of internal affairs is to ensure that the integrity of the agency is maintained through an internal system where objectivity, fairness and justice are assured by intensive and impartial investigation and review. Anonymous complaints can be difficult to investigate; however, the agency should carefully review each complaint for validation before disregarding it for lack of a credible complainant.

5.6 Retain Secure Records of Complaints

The agency has a written directive requiring that a record of all complaints against the agency or employees be securely maintained to safeguard the confidentiality of all parties to a complaint.

Guidance: Internal affairs records should be secured and maintained separately from central records and in accordance with state records retention requirements.

5.7 Internal Affairs Function Reports to CEO

The agency has a written directive that identifies the position or individual designated within the agency as being responsible for the internal affairs function with the authority to report directly to the agency's chief executive officer.

Guidance: Internal affairs matters are among the most sensitive issues impacting the agency. Because of this, the agency's CEO should receive information about ongoing internal affairs matters directly.

5.8 Categories of Investigations

The agency has a written directive that establishes:

- a. What categories of complaints may be investigated by first-level supervisors; and
- b. What categories of complaints must be investigated through the internal affairs function.

Guidance: This directive should outline and inform the agency members of the specific types of complaints and how they will be investigated. In some agencies very minor complaints are documented and investigated by immediate supervisors. The directive may identify which categories of complaints should be handled at different levels in the organization and who bears the responsibility for that investigation. Examples of serious categories of complaints which should be investigated by the internal affairs function include, but are not limited to: corruption, brutality, death or serious injury, criminal misconduct and breach of civil rights. An agency must provide for the review of these types of investigations by a higher authority. Other categories of less serious complaints that might be investigated by an immediate supervisor include, but are not limited to: employee tardiness, rudeness and insubordination.

5.9 Time Limit for Internal Affairs Investigations

The agency has a written directive specifying the time limit in which internal affairs investigations are to be completed, as well as provisions for extensions.

Guidance: None.

CHAPTER 6 TRAINING

6.1 Lesson Plans

A written directive requires lesson plans be established for all training courses conducted by the agency, to include:

- a. Expected performance objectives;
- b. Training content and instructional techniques;
- c. Review and approval processes for the lesson plans; and
- d. Specification of assessments, if any, used in determining competency.

Guidance: Lesson plans provide an important link between the intended purpose of the training course as envisioned by planners and administrators and its delivery by providing a written framework within which instructors must work.

6.2 Remedial Training

A written directive establishes the policy concerning remedial training for agency personnel.

Guidance: The directive should include the circumstances and criteria used to determine the need for remedial instruction, the timetables under which remedial training is provided, and the consequences of participation or nonparticipation by the affected personnel. The directive should recognize the uses of remedial instruction in other than recruit training and should comment on the relationship between the inspections and training functions.

6.3 Training Records Updated

The agency has a written directive that requires the agency to update records of all personnel following their participation in training programs. To include training description, certificates received, and verification of attendance.

Guidance: None

6.4 Training Records

The agency maintains records of each training program presented by the agency to include:

- a. Course content (lesson plans);
- b. Names of agency attendees;
- c. Performance of individual attendees as measured by tests, if administered; and

- d. Identification of the instructors or outside organization presenting the course.

Guidance: The intent of this standard is to ensure that the agency documents the nature of the instruction, the identity of those attending and teaching the sessions, and the performance of the attendees. It should include all programs of instruction conducted or sponsored by the agency. The standard would be satisfied, in part, by maintaining on file the lesson plans used by the course instructors.

6.5 Recruit Academy Training

A written directive requires each sworn officer having the responsibility for the enforcement of criminal laws to include making arrests or who is authorized to carry a weapon to successfully complete a recruit training program certified by the Rhode Island Police Officers Commission on Standards & Training (RI POST).

Guidance: None.

6.6 Field Training Officer Program

The agency has a directive that requires newly hired officers to work under the direction of a designated field training officer (FTO). The directive should include, but is not limited to:

- a. Supervision of the field training program;
- b. A specified time period for the training;
- c. Selection and training criteria for field training officers;
- d. Specific performance criteria;
- e. Daily written evaluations;
- f. The process used to evaluate field training officers;
- g. Guidelines for the evaluation of recruits by field training officers; and
- h. Reporting requirements / responsibilities of field training officers.

Guidance: The field training program should be designed to meet the unique needs of the agency. A short period of classroom training on institutional or agency policies and procedures may be appropriate prior to assigning newly hired officers to an FTO. A newly hired officer should not be released for general duty until the field training requirements are satisfactorily completed. If the agency employs part-time officers, the field training program should ensure that part-time officers receive the same substantive field training as full-time officers.

6.7 Annual Retraining (Time Sensitive)

A written directive requires all officers to complete an annual retraining program which includes legal updates.

Guidance: Annual retraining should cover those topics determined by the agency to be of critical importance to the agency and its personnel. Topic areas may include, but are not limited to, changes to policies and procedures, search and seizure, transportation of detainees, emergency management, workplace harassment, property and evidence, cultural diversity, ethics / integrity, use of force, blood borne pathogens, firearms, all hazards plan, and dealing with the mentally ill or persons with diminished capacity.

6.8 Accreditation Training

Familiarization with the State accreditation process is provided to agency employees and reinforced prior to on-site visits.

Guidance: None.

6.9 Tactical Team Training

If the agency has a tactical team, a written directive requires all personnel assigned to the team engage in training exercises.

Guidance: By creating, equipping, and subsequently assigning a tactical team to act high-risk situations the agency assumes a responsibility to provide an appropriate level of training and preparation. All tactical team personnel should participate in regular training exercises designed to prepare each individual and the team as a whole for anticipated uses. If the agency also has a separate hostage / crisis negotiation team, its personnel should be required to train periodically with the tactical team.

6.10 Training upon Promotion

The agency provides job-related training to all personnel upon promotion.

Guidance: None.

6.11 Tactical Team POST Training (State Specific)

If the agency participates in a tactical team, as defined in the Rhode Island Commission on Police Officers Standards and Training (RIPOST) Tactical Team Training Standards, a written directive requires that all personnel assigned to the team, and all command and executive personnel who may oversee tactical operations, will engage in training as specified in the current RIPOST Tactical Team Training Standards. This standard applies only to those agencies under the authority of RIPOST, who has decreed that such agencies may not deploy its tactical team if the required personnel within the agency are not trained in accordance with its certified training program.

Guidance: Consistent with its authority under the Rhode Island General Laws, the Rhode Commission on Police Officers Standards and Training (RIPOST) has formally adopted a certified training program for all personnel assigned to an agency's tactical team as well as for those in positions of command who may be responsible for the deployment of their agency's tactical team.

6.12 Domestic Violence Training (State Specific) (Time Sensitive)

A written directive requires that sworn agency personnel receive initial training on domestic violence issues and refresher training on domestic violence issues at least once every three years, including legal updates.

Guidance: The agency shall ensure that sworn personnel receive initial domestic violence mandated in-service training under RIGL 12-29-6. Refresher training can be in

the form of classroom, shift briefing, computer based training and bulletins, or any combination of methods as determined by the agency.

CHAPTER 7 – PATROL

7.1 Agency owned Animals

If the agency has any animals, to include; horses, or canines, a written directive establishes the following:

- a. Circumstances under which they may be used and personnel authorized to do so;
- b. Authorization required for their use;
- c. Qualifications and training for personnel assigned to handle or control the animal;
- d. Procedures for care of the animal;
- e. Special equipment required for the animal;
- f. Instruction, conditions and limitations to use of the animal; and
- g. Statement of objectives of use of the animal.

7.2 Patrol Vehicle Response

Consistent with applicable laws, the agency has a written directive for responding to emergency and non-emergency calls for service, including the use of authorized emergency equipment on department vehicles.

Guidance: The agency should establish guidelines for handling calls for service for routine, urgent and emergency calls, and for the equipment to be used. These guidelines should permit designation of the seriousness of the call, when emergency lights and siren should be used, and when an emergency response is appropriate.

7.3 Motor Vehicle Pursuits (Time Sensitive)

The agency has a written directive that governs the pursuit of motor vehicles to include specific policies and procedures for:

- a. Evaluation of circumstances;
- b. Responsibilities of initiating officer;
- c. Responsibilities of secondary units;
- d. Responsibilities of communications personnel;
- e. Responsibilities of supervisory personnel;
- f. Termination of pursuit;
- g. Inter- and intra-jurisdictional pursuit;
- h. Roles and responsibilities of unmarked and special-purpose vehicles in pursuits;
- i. Post-pursuit administrative review; and
- j. Annual documented administrative review of pursuits. **(Revised 3/12/14)**

Guidance: The agency must balance the necessity for the pursuit and the apprehension of the suspect against the possibility of injury or death to those involved as well as innocent bystanders. The threat of property damage must also be

considered. Public safety and officer safety should be stressed. This standard does not apply to traffic safety checkpoints.

7.4 Roadblocks/Forcible Stops (Time Sensitive)

A written directive outlines when a roadblock or forcible stopping of a vehicle is authorized, to include:

- a. Detailing under what circumstances their use is warranted;
- b. Stating the procedures for implementation;
- c. Defining officer and supervisor responsibilities;
- d. Requiring training in authorized techniques for their use;
- e. Mandating a written report be completed after their use; and
- f. Requiring a documented administrative review of the incident.

Guidance: None.

7.5 First Responder Initiated Notifications

A written directive specifies the circumstances and establishes procedures for first responder notifications in emergency situations. **(Revised 3/12/14)**

Guidance: Agency procedures should address notification by first responder units of such agencies or persons as are appropriate to the situation. This could include, but would not necessarily be limited to, notification of police supervisor personnel, emergency medical service, fire service, the medical examiner, public works department or public utilities personnel. First responder notifications usually take the form of request for aid or assistance based on a specific specialized function of the persons, agencies or departments that are being contacted for emergency assistance. Notification checklists, protocols and/or procedures can be codified and coordinated with agency communications centers or dispatch personnel. Written directives should take into account those circumstances when an officer may need to make a notification without prior supervisory approval as part of need for immediate action. **(Revised 3/12/14)**

7.6 Adult Missing Persons

A written directive establishes procedures for handling missing persons, including at a minimum:

- a. Procedures for gathering and disseminating information, including entering information into RILETS/NCIC;
- b. Procedures for canceling a RILETS/NCIC when the individual is located;
- c. Procedures for other special situations;
- d. Follow-up and validation of missing person's reports;
- e. Noting any special considerations to address for critically missing or at-risk persons; and;
- f. Use of alert or notification systems when applicable.

Guidance: Written procedures should address gathering information and evaluating the situation in order to ensure an appropriate response by the agency. Responsibility for follow-up and canceling the report should be assigned.

7.7 Missing Children

The agency has a written directive concerning missing children, including runaway, abandonment, abducted or other missing status that includes the following:

- a. A policy statement concerning missing or unidentified children;
- b. Criteria for supervisory notification;
- c. Information required for immediate notification of appropriate inter- and intra- agency coordination;
- d. Criteria for activation of Amber Alert Systems or other public notification;
- e. Responsibilities of call takers, first responders, supervisors and investigators; and
- f. Follow-up responsibilities.

Guidance: The directive should consider the notification of appropriate agencies and their responsibilities for inter- and intra- agency support, such as federal law enforcement, social services, and the media. Systematic searches are common features of missing child investigations. The National Child Search Assistance Act of 1990 mandates law enforcement's immediate response to reports of missing children, and the prompt entry of descriptive information into the NCIC missing persons file. Agencies should insure that they include the use of the statewide AMBER Alert in their procedures for responding to children who are victims of non-family abductions. Proper recovery and case closure may need to involve more than just notifying proper authorities and clearing RILETS/NCIC entries. Based upon post-recovery interviews with the victims, additional investigation could lead to the discovery of further serious offenses committed or permitted by adults associated with the missing children. Detailed information and recommended policies and procedures are available from the National Center for Missing & Exploited Children, the IACP National Law Enforcement Policy Center, and the International Center for Missing & Exploited Children. Include provided information to the missing child clearinghouse as required.

7.8 Mental Illness (Time Sensitive)

A written directive establishes procedures for handling mentally ill individuals, to include:

- a. Guidelines for recognizing indicators of mental illness;
- b. Specific guidelines for agency personnel to follow in dealing with persons they suspect are mentally ill during investigations or contacts in the field;
- c. Procedures for accessing mental health resources; and
- d. Documented initial and refresher training for agency personnel, at least once every three years.

Guidance: The intent of this standard is to require that the agency provide guidance to its personnel in dealing with persons suspected of being mentally ill. While the most

serious consequences of officer interactions with the mentally ill are altercations or armed confrontations, other agency personnel who may come in contact with the public need guidance and training in dealing with the mentally ill.

Agency directives should be developed in collaboration with mental health professionals, who can train or assist the agency with training. Training should include access to the court system and applicable case law. The training should be reviewed and/or updated at least every three years. This training may be addressed for officers in the required use of force training or annual training and for all personnel during shift training, or other in-service program.

This directive should be cross-referenced with the agency's directives addressing detainee transportation and regarding receiving screening information.

Alternatives to arrest should be considered to ensure the best treatment options are used and to keep those with mental illness out of the criminal justice system.

7.9 Vehicle Equipment

A written directive specifies the equipment to be included in every patrol vehicle based on the use and purpose of the vehicle as well as statutory requirements. This directive should establish a system to ensure replacement or replenishment of supplies as needed to maintain operational readiness.

Guidance: Inspection regimes should be documented.

7.10 Body Armor

The agency makes body armor available to all sworn personnel, and a written directive defines those circumstances covering the availability and when it's wearing is required.

Guidance: Officers should be provided with and encouraged to wear protective body armor. The agency should ensure that personnel engaged in uniformed field duties or high-risk situations are wearing protective equipment. The issued body armor should, at a minimum, resist the ammunition carried by the officers on duty.

7.11 Protective Vests for High Risk Operations

A written directive requires all personnel who are engaged in high risk situations that are pre-planned be required to wear their protective vests.

Guidance: The intent of the standard is to require that personnel involved in execution of pre-planned high-risk or tactical duties are required to wear agency provided protective vests whenever discharging those responsibilities, regardless of exceptions that may have been delineated under agency guidelines for availability and wearing of vests in routine activities or day-to-day operations.

7.12 In-car Audio/Video Recording

If agency owned or operated, in-car audio or video recording systems are used, a written directive establishes policy and procedures for the following:

- a. Situations for use;
- b. Media security and access; and
- c. Media storage and retention schedule.

Guidance: This includes any recording medium. Reference should also be made to the “*Comprehensive Community-Police Relationship Act.*” Section 31-21.2-5 concerning the requirements for those law enforcement agencies that use video and/or audio surveillance cameras in law enforcement vehicles. **(Revised 12/31/2015)**

7.13 Media Access at Crime Scenes

A written directive describes media access to incidents or locations where the media's presence may interfere with law enforcement or public safety response operations.

Guidance: None.

CHAPTER 8 INVESTIGATIONS

8.1 Case Screening

The agency uses a case-screening system and specifies the criteria for continuing and/or suspending an investigative effort.

Guidance: The objective of case screening is to assign available personnel to those investigations that have the best chance of being resolved. The written directive should specify how such screening is to be conducted, by whom, and what criteria (solvability factors) should be used. Screening of preliminary investigative information should assist in the decision on whether a follow-up investigation should be made.

8.2 Intelligence (Time Sensitive)

A written directive describes the agency's intelligence function and must address the collection, processing, and sharing of suspicious incidents and criminal intelligence relating to criminal and homeland security activities. Procedures must be established to ensure the legality and integrity of its operations to include:

- a. Procedures for ensuring information collected is limited to criminal conduct and relates to activities that present a threat to the community;
- b. The responsibilities of all agency personnel;
- c. Descriptions of the types or quality of information that may be included in the system;
- d. The documentation, reporting, and dissemination of information;
- e. Procedures for safeguarding, securing, and storing information;
- f. Training of personnel;
- g. Methods for purging out-of-date or incorrect information; and
- h. An annual review of procedures and processes.

Guidance: The intent of this standard is to establish agency accountability for the criminal intelligence function in writing. The function should be developed and operated to effectively meet the agency's needs.

The placement of this function within the organizational structure is optional but carries with it the responsibility for complying with the standards in this chapter. Intelligence activities are important in all agencies, regardless of size. Certain essential activities should be accomplished by an intelligence function, to include a procedure that permits the continuous flow of raw data into a central point from all sources; a secure records system in which evaluated data are properly cross-referenced to reflect relationships and to ensure complete and rapid retrieval; a system of analysis capable of developing intelligence from both the records system and other data sources; and a system for dissemination of information to appropriate components. The intelligence activities should include information gathering, analysis, and dissemination to the appropriate functions/components. Activities undertaken in the intelligence effort should avoid indiscriminate collection or distribution of information.

Agency personnel should be trained and encouraged to document information gleaned from a variety of sources. Training should emphasize that all personnel, regardless of their assignment, have a role in criminal intelligence and the sharing of information. Training can range from roll-call to more advanced training and is frequently available at little or no agency cost.

8.3 Preliminary and Follow-up Investigations

A written directive specifies accountability for conducting preliminary and follow-up criminal investigations.

Guidance: To assign responsibility and to establish investigative continuity, a written directive should define which element of the agency is to accomplish the preliminary and/or follow-up investigation for various categories of incidents.

8.4 Informants

A written directive specifies policies and procedures to be followed when using informants, to include:

- a. Inclusion of informants in a master file;
- b. Content of the informant file, to include biographical and background information, criminal history record, if any;
- c. Code name or number of each informant;
- d. Maintenance of an informant file;
- e. Security of informant files and related codes;
- f. Other methods to protect the identity of informants;
- g. Criteria for paying informants, if applicable;
- h. Precautions to be taken with informants, generally;
- i. Special precautions to be taken with juvenile informants; and
- j. Procedures for the use of informants by patrol officers.

Guidance: The use of confidential informants is important to the satisfactory completion of many investigations, including patrol-related investigations; drug, vice, and organized crime control functions, as well as intelligence functions. Procedures should be established to provide for this resource within a controlled system to avoid abuse.

8.5 Interview Rooms

A written directive establishes procedures for use of rooms designated for interviews, to include:

- a. Security concerns, to include a search of the room prior to use;
- b. The presence of weapons in the interview room;
- c. Procedures for summoning help, if necessary;
- d. Procedures for continuous monitoring of unattended subjects; and
- e. Reasonable subject access to restrooms and water.

Guidance: The interview room is a commonly used tool in the investigative process. The intent of this standard is to ensure that officers understand and avoid the civil liability that can be incurred when the room is used to hold a person who is not under constant personal supervision. Constant visual observation can be achieved by sight or video equipment.

8.6 Vice, Drugs and Organized Crime

A written directive specifies policies for receiving, processing, and investigating vice, drug, and gang complaints, to include:

- a. Specifying procedures for receiving, and processing complaints;
- b. Maintaining a record of complaints received;
- c. Maintaining a record of information conveyed to and received from outside agencies; and
- d. Notifying the agency's Chief of Police of vice, drug, and gang crime activities.

Guidance: The agency should establish policies and procedures ensuring that each complaint received is recorded and investigated to the fullest extent possible. The directive should include a listing of complaint forms used, information needed, and preliminary actions to be taken. The agency should establish policies for conducting preliminary and follow-up investigations of vice, drug, and gang offenses. Every complaint received should be recorded and entered in a complaint filing system with provision for purging after a specified period of time. It is recognized that some agencies may not have functional responsibility for the investigation of vice, drug, or organized crime activities, notwithstanding, the agency should have procedures for meeting the standard, even if only in the normal course of the agency's reporting mechanism.

8.7 Undercover Operations

The agency has written procedures for conducting surveillance, undercover, decoy, and raid operations.

Guidance: The intent of the standard is to have contingency procedures for all types of operations. The procedures can be contained in a single directive or manual or in a series of directives and can be as simple as a checklist or more detailed depending upon the extent of the plans. Those agencies conducting operations as delineated in this standard should at a minimum take into considerations provisions for familiarizing officers with objective and details of the operation, the neighborhood, or target area; determining operational procedures for observation, arrests surveillance, (documentation and/or video/audio recording, high risk entries; supplying officers with expense funds; establishing means of routine and emergency communication; providing relief, backup, security, and perimeter protection for officers; supplying officers with false identity, disguises, and necessary credentials; obtaining authorization for the raid and use of force; designating a single person as a supervisor and coordinator; making contacts with suspects; searching for and seizing evidence and/or contraband; obtaining coordination and assistance from others both inside and outside of the agency; and agency report requirements.

8.8 Next of Kin Notification

A written directive provides the procedures for notifying next-of-kin of deceased, seriously injured, or seriously ill persons.

Guidance: The procedures should ensure that notifications are carried out promptly and in a considerate manner. Whenever possible, assistance should be obtained from the clergy, a relative, or a close friend. Procedures should also address notification requests initiated by other agencies. The agency may cover notifications for accident and non-accident situations in the same written directive.

8.9 Multi- Jurisdictional Task Forces (State Specific)

If agency personnel participate in formal, long term, multi-jurisdictional investigative task force(s), a written directive describes the task force activities, to include:

- a. The purpose;
- b. Defining authority and responsibilities;
- c. Evaluating results and the need for continued operation(s); and
- d. Written agreements which shall identify the following:
 - 1) Which agency to the agreement is responsible for the pay, pension, worker's compensation claims, medical expenses or employment benefits of the participants to the agreement;
 - 2) How responsibility for allegations of negligence against the participants to the agreement shall be apportioned among the participating agencies; and;
 - 3) Which participating agencies' operational policies and procedures are controlling for the individual participants to the agreement.

Guidance: The legal authority and the criteria for the use of the task forces should be specified in the directive. The kinds of offenses for which they should be used and the procedures for control and evaluation should be outlined. In addition, written

memorandums of understanding among the involved agencies should clearly outline which agency will be responsible for the employment benefits, injuries, and any allegations of wrongdoing involving the participants. The agencies should also identify which agency's policies and procedures will be controlling their participants to the agreement.

8.10 Custodial Interrogations – Capitol Offenses (State Specific)

A written directive requires that all custodial interrogations of suspects in capital cases be electronically recorded in their entirety using audio-visual equipment, and includes:

- a. A definitions section which incorporates definitions promulgated by the “Task Force to Investigate & Develop Policies & Procedures for Electronically Recording Custodial Interrogations;”
- b. A list of criminal offenses that require electronic recording of the custodial interrogation;
- c. Specific language requiring the audio recording of custodial interrogations in their entirety except when a good-faith determination has been made that audio-visual recording is impossible or impractical;
- d. Specific language requiring that a suspect's refusal to be recorded be memorialized either electronically or in writing;
- e. Specific language requiring documentation of custodial interrogations not electronically recorded due to exigent circumstances;
- f. Identification of agency approved audio-visual equipment and audio equipment, as well as procedures to be followed prior to and during custodial interrogations;
- g. Procedures for the preservation and storage of electronic recordings resulting from custodial interrogations;
- h. Procedures for the transcription of the electronic recordings resulting from custodial interrogations.

Guidance: In addition to guarding against false confessions, the electronic recording of custodial interrogations has many positive benefits for law enforcement in prosecuting the accused. For example, recordings make law enforcement officers more efficient and effective while questioning suspects, permitting officers conducting interrogations to focus more on a suspect's responses rather than taking written notes of such responses. Recordings also make it unnecessary for officers to struggle to recall details when later writing reports and testifying about what occurred during interrogations. Additionally, recordings offer prosecution and defense attorneys a reliable way of determining whether custodial interrogations were conducted consistent with legal requirements.

It must be recognized that an individual agency's space constraints may dictate how they most effectively record interrogations. It must also be recognized that agencies are not prohibited from conducting electronic recordings without a suspect's knowledge. In fact, because Rhode Island is a “One Party Consent State,” it is generally legal for suspects to be recorded without their knowledge. Consequently, agencies should consider when this type of recording is most appropriate.

If a suspect refuses to be recorded, agencies are permitted to dispense with the requirement of electronically recording the custodial interrogation; however, the suspect's refusal must be memorialized either electronically or in writing. Refusals memorialized in writing should be executed by the officer, suspect, or both. Agencies are also permitted to dispense with the requirement of electronically recording the custodial interrogation when there exist exigent circumstances that would cause a reasonable person to believe that prompt action was necessary to prevent physical harm to officers or other persons, the destruction of relevant evidence, the escape of a suspect, or some other consequence improperly frustrating legitimate law enforcement efforts.

Although this standard requires a list of criminal offenses in which recording is required, agencies should not be discouraged from expanding that list to include non-capital offense investigations.

Whether an interrogation has been recorded by means of a digital or cassette audio recorder, or digital or VHS audio-visual recorder, it is imperative that the agency maintain the integrity of original recordings and approved copies of such recordings. As such, the transfer of digital recordings to the agency's computer system should be consistent with industry standards relative to digital evidence. Original cassette and VHS recordings should be preserved and stored as any other piece of evidence, consistent with contemporary rules of evidence. The production and distribution of copies of all recordings such as in the case of copies of recordings being made for transcription purposes, should be well documented and under the direct control of the agency's property control function.

In light of the Task Force's (*Task Force to Investigate & Develop Policies & Procedures for Electronically Recording Custodial Interrogations*) focus on custodial interrogations occurring at a place of detention, where appropriate audio or audio-visual recording equipment should be available, it is highly recommended that agencies prohibit the use of personal devices, (i.e.: smart phones, iphones, etc.), to record custodial interrogations.

8.11 Eye Witness Identification – Photographic or Physical Line-Up

A written directive describes the procedures for using photographic or physical line-ups in eyewitness identification to include the following:

- a. composition of line-up;
- b. using video and/or audio recording;
- c. situations where more than one eye witness is available;
- d. instructing witnesses prior to viewing line-up;
- e. identifying the level of confidence expressed by the witness;
- f. prohibiting feedback by the administrator; and
- g. documenting line-up and the results.

Guidance: The intent of this standard is to establish reliable identification testimony by a witness. This standard needs to be evaluated in terms of the following factors that the courts have found to be relevant in identification testimony, namely: 1) the witness' opportunity to view the criminal during the crime; 2) the length of time between the crime and subsequent identification; 3) the level of certainty demonstrated by the witness at the identification; 4) the accuracy of the witness' prior description of the suspect; and 5) the witness' degree of attention during the crime. In addition, the confidence level of the witness should be evaluated in terms of the witness' statement, conduct or other relevant observations. **(New Standard effective April 1, 2016)**

8.12 Eye Witness Identification – Show-UP

A written directive describes the procedures for using show-ups in eyewitness identification to include the following:

- a. compelling reasons under which a show-up may occur;
- b. manner of transportation to the show-up;
- c. situations where more than one eye witness is available;
- d. instructing witnesses prior to viewing show-up;
- e. identifying the level of confidence expressed by the witness;
- f. prohibiting feedback by the administrator; and
- g. documenting show-up and the results.

Guidance: The intent of this standard is to establish reliable identification testimony by a witness. It should be noted that a show-up carries with it a dangerous degree of improper suggestiveness and should not be used absent compelling reasons for not using a physical or photographic line-up. This standard needs to be evaluated in terms of the following factors that the courts have found to be relevant in identification testimony, namely: 1) the witness' opportunity to view the criminal during the crime; 2) the length of time between the crime and subsequent identification; 3) the level of certainty demonstrated by the witness at the identification; 4) the accuracy of the witness' prior description of the suspect; and 5) the witness' degree of attention during the crime. In addition, the confidence level of the witness should be evaluated in terms of the witness' statement, conduct or other relevant observations. **(New Standard effective April 1, 2016)**

CHAPTER 9 – JUVENILE OPERATIONS

9.1 Juvenile Operations

A written directive describes the agency's juvenile operations function.

Guidance: The intent of this standard is to establish agency accountability for the juvenile function in writing. The agency should make a firm commitment to develop and perpetuate programs that are designed to prevent and control juvenile delinquency, while emphasizing that participation or support in the juvenile operations function is shared by all relevant components and personnel. Law enforcement agencies can also

take an active leadership role in developing community recreational programs for juveniles. If a recreational program is needed but does not exist, the agency is encouraged to organize one. However, once the program is established, it is best for the agency to turn over the management to professional recreational personnel or citizens' groups and allow agency personnel to participate in the program on a voluntary basis.

9.2 Dealing with Juveniles

The agency shall have a written directive requiring that officers dealing with juvenile offenders use the least coercive among reasonable alternatives and includes, at a minimum, provisions for the following:

- a. Outright release with no further action;
- b. Criteria and procedures for issuing written citations or summonses to juvenile offenders to appear at Family Court in lieu of taking them into custody; and
- c. Referral to Juvenile Hearing Board if applicable.

Guidance: Law enforcement agencies have a wide range of alternative remedies they may employ when dealing with juveniles, ranging from warning to intake. The agency should have guidelines for making diversion decisions, such as the nature of the offense, the age and circumstances of the offender, the offender's record, the availability of community-based rehabilitation programs, and recommendations for diversion from complainants or victims. **(Revised 12/31/15)**

9.3 Custody of Juveniles

The agency shall have written procedures for taking a juvenile into custody, including, at a minimum, provisions for the following:

- a. Determining whether the juvenile is alleged to have engaged in non-criminal misbehavior (a status offense) or criminal behavior;
- b. Determining whether the juvenile is alleged to have been harmed or to be in danger of harm;
- c. Ensuring that the constitutional rights of juveniles are protected;
- d. Bringing the juveniles to the Rhode Island Training School or the family court without delay (unless a juvenile is in need of emergency medical treatment);
- e. Procedures for fingerprinting and photographing of juveniles; and
- f. Ensuring that juveniles are always sight/sound separated from adult inmates (Juvenile Justice & Delinquency Prevention Act of 2002, as amended – Core requirement - Separation);
- g. Ensuring that accused delinquent juveniles are held no longer than 6 hours for the purposes of processing, investigation, and awaiting transport or parent/guardian (Juvenile Justice & Delinquency Prevention Act of 2002, as amended – Core requirement – Jail Removal);
- h. Ensuring that status-offenders, non-offenders and civil type offenders are not held in a secure area, as defined by OJJDP, for any length of time (Juvenile Justice &

Delinquency Prevention Act of 2002, as amended – Core requirement –
Deinstitutionalization of Status Offenders); and;

- i. Notifying parents or guardians of juveniles that the latter have been taken into custody. **(Revised 12/31/15)**

Guidance: The intent of this standard is to provide guidance to agency personnel in making custodial decisions in juvenile matters. For the purposes of this standard, the term "taking into custody" encompasses the concept of protective custody for juveniles. Agency procedures should also specify the responsibilities of law enforcement personnel during the processing of a juvenile taken into custody.

9.4 Custodial Interrogations – Juveniles

The agency shall have a written directive governing procedures for the custodial interrogation of juveniles, to include provisions for the following:

- a. Conferring with parents or guardians;
- b. Limiting the duration of the interrogation and limiting the number of officers involved in the interrogation; and
- c. Explaining agency and juvenile justice system procedures to juveniles being interrogated.

Guidance: In developing this directive, the agency should be aware that the voluntariness of the juvenile's confession will generally be the issue. In determining whether a confession is voluntary, the courts look to the totality of the circumstances which includes a review of the following factors related to the juvenile defendant: 1) age, intelligence, educational background, 2) mental capacity, including whether the defendant was nervous and physical condition, 3) prior experience in the criminal system, 4) whether the defendant is suffering from any injury or pain at the time the statement is given, 5) the duration of the questioning, 6) time of day, 7) whether the defendant is tired and is desirous of sleep, 8) length of confinement, 9) whether Miranda or police caution warnings were given, when, and whether he understood them, 10) whether the room size was of sufficient size and supplied with appropriate furniture, 11) whether defendant was cuffed or threatened, 12) whether defendant was refused the use of bathroom, food, or drink, 13) whether there was a promise of leniency, 14) whether the juvenile understood the interrogation process, 15) whether a youth officer is present during the interview, 16) whether the parents were notified, 17) whether the juvenile asked for a parent to be present, 18) whether the police prevented a concerned adult from speaking with the juvenile, which is a significant factor, and 19) familiarity with English or the official language.

CHAPTER 10 – HOMELAND SECURITY & INCIDENT COMMAND

10.1 Responsibility for Coordination

A written directive specifies a position or an individual in the agency responsible for coordinating the National Incident Management System (NIMS) for response to unusual occurrences.

Guidance: The person holding this position should be the principal advisor on unusual occurrences to the agency's chief executive officer. During large scale events involving unified command or area command, a person with the highest level of training or expertise in the all-hazard consequence should be assigned. **(Revised 12/31/15)**

10.2 All Hazard Plan

The agency has a written all-hazards plan for addressing the prevention of, preparation for, response to and recovery from critical incidents that is based on the National Incident Management System (NIMS) and the Incident Command System (ICS) and that will identify the role of the agency and its personnel in any critical response involving the agency.

Guidance: The plan should include specific incident departmental plans for responding to manmade and natural critical incidents as identified by the department. These should include but not be limited to bomb threats, natural critical threats inherent in the geographical area of the institution, and other high-risk, manmade critical incidents. The plan should also identify responsibilities of all command and general staff positions in any critical incident as they relate to the command, operations, planning, logistics and finance/administration functions.

10.3 ICS – Command Function (Time Sensitive)

When utilizing the Incident Command System (ICS), the command function shall address:

- a. Activating the ICS;
- b. Establishing staging area(s) and a command post;
- c. Activating agency mobilization procedures;
- d. Designating a public information officer (PIO) and media staging location;
- e. Designating a dedicated safety officer;
- f. Documenting all activities;
- g. Completing any required ICS reporting forms; and
- h. Preparing a written after action report of the incident.

Guidance: None.

10.4 ICS – Operations Function

The operations function will address the following, at a minimum:

- a. Establishing perimeters;

- b. Conducting evacuations;
- c. Maintaining command post and scene security;
- d. Providing for detainee transportation, processing, and confinement;
- e. Directing and controlling traffic; and
- f. Conducting post-incident investigation.

Guidance: The operations function is responsible for the management of all tactical operations directly related to the primary mission.

10.5 ICS – Planning Function

The planning function will address the following, at a minimum:

- a. Preparing a documented incident action plan;
- b. Gathering and disseminating information and intelligence; and
- c. Planning post-incident demobilization.

Guidance: The planning function is vital to the success of the critical incident plan. Preparation of a documented incident action plan is one of the first responsibilities of the planning function. This function is also responsible for collecting and evaluating information about the incident, the status of resources, and anticipated equipment and manpower needs. The planning function is typically tasked with assembling information on current and alternative strategies, identifying needs for special resources, providing periodic predictions on incident potential, and preparing recommendations for release of resources.

10.6 ICS – Logistics Function

The logistics function will address the following, at a minimum:

- a. Communications;
- b. Transportation;
- c. Medical support;
- d. Supplies; and
- e. Specialized team and equipment needs.

Guidance: The logistics function provides manpower, facilities, services, and materials in support of the critical incident.

10.7 ICS – Finance/Administration Function

The finance/administration function will address the following, at a minimum:

- a. Recording personnel time;
- b. Procuring additional resources;
- c. Recording expenses; and
- d. Documenting injuries and liability issues.

Guidance: The finance and administrative function is responsible for all financial and cost analysis aspects of the critical incident.

10.8 Training – All Hazard Plan (Time Sensitive)

Affected personnel are trained annually in the agency's All-Hazard Plan and Incident Command System.

Guidance: None.

10.9 Special Events

A written plan will be established for all special events to include provisions for the following:

- a. Designation of a single person or position as the supervisor/incident commander for the coverage of the event;
- b. Estimate of traffic, crowd control, and crime problems expected for the event;
- c. Logistical requirements; and
- d. Internal and External coordination of operations for the event.

Guidance: None.

10.10 Information Exchange

The agency maintains liaison for the exchange of information relating to terrorism with other agencies and organizations.

Guidance: The exchange of information should facilitate information sharing and multi-jurisdictional preemption of terrorist acts or events. Private agencies should be considered for participation in information sharing as necessary for various situations. **(Revised 12/31/2015)**

10.11 Hazardous Materials Training

The agency has awareness level training and written guidelines for officers responding to hazardous chemical, biological, radiological, nuclear or explosive material incidents.

Guidance: None.

10.12 All Threats Response (Time Sensitive) (effective 1/1/14)

A written directive provides procedures for responding to active threats to include:

- a. Notification to the community;
- b. Notification to other agencies, to include law enforcement requested for mutual aid and Fire/EMS;
- c. Public Sheltering, lockdown and/or containment of the incident;
- d. Response to threat if lives are in danger;
- e. Assaulting the threat if people are in imminent danger; and

- f. An annual review of training needs and of any policy/plan with associated stakeholders.

Guidance: Situations involving active threats are serious in nature and can occur in any environment. This may include such settings as educational campuses, malls, businesses, special events, the general workplace, and can include physical or virtual threats. **(New language 12/31/15)**

The term active threats would apply to active shooters, acts of terrorism, etc. The agency in partnership with the emergency management authorities and other stakeholders to include outside law enforcement and EMS agencies should agree on specific plans and actions to take in responding to these situations. It is important that all stake holders involved in the plan review and understand their responsibilities should such an incident occur. Training should cover aspects of response to include incident command and tactical responses, in the form of lecture, tabletop, actual exercises, multiple agency involvement, and may be in conjunction with specific plans required in other standards. Stakeholder review by its nature is from broad perspective of such incidents but should ensure any specifics responsibilities or functions outside of agency control are addressed by those persons or positions who do have ultimate responsibility for that area; i.e. notification systems, pre-determined shelter facilities, etc.

CHAPTER 11- TRAFFIC

11.1 Enforcement Action

A written directive establishes uniform procedures for taking enforcement action incidental to traffic law violations, which includes:

- a. Physical arrest;
- b. Notices of infraction; and
- c. Written warnings.

Guidance: The directive should establish guidelines that ensure enforcement actions are commensurate with applicable laws and address the degree and severity of the violation committed. This directive should also emphasize that traffic enforcement quality is at least as important as quantity.

11.2 Special Processing Requirements

The agency has a written directive for enforcing traffic law violations. The directive must: address violations committed by:

- a. Nonresidents;
- b. Legislators;
- c. Juveniles;
- d. Foreign diplomats/consular officials; and
- e. Military personnel.

Guidance: None.

11.3 Information for Motorist

A written directive requires notification to a motorist of specific information relative to the citation, at the time of issuance, which includes the following:

- a. Court appearance date, time and location;
- b. Whether court appearance by the motorist is mandatory;
- c. Whether the motorist may be allowed to enter a plea/and or pay the fine by mail or otherwise; and
- d. Any other information the agency indicates must be provided to the motorist prior to release.

Guidance: It is essential that officers fully explain the rights and requirements imposed on motorists upon arrest or issuance of a citation for a traffic violation. A brief publication explaining motorists' rights and responsibilities and a fine schedule issued with the citation may augment the information provided verbally by the officer. It may also help to dispel some of the confusion, and therefore some of the bad feeling on the part of the motoring public in what can be a negative situation.

11.4 Uniform Enforcement Policies

The agency has a written directive establishing uniform enforcement policies and procedures regarding:

- a. Driving under the influence of alcohol/drugs;
- b. Driving with a suspended license;
- c. Speed and other moving violations;
- d. Hazardous violations;
- e. Equipment violations;
- f. Public carrier/commercial vehicle violations;
- g. Non-hazardous violations;
- h. Off-road vehicle violations;
- i. Multiple violations;
- j. Newly enacted laws and/or regulations;
- k. Violations resulting in traffic collisions; and
- l. Pedestrian and bicycle violations.

Guidance: The public has a right to consistent and fair treatment. This goal should be reflected in agency directives that require consistent treatment for similar circumstances. The intent of this directive is to provide guidelines for uniform traffic law enforcement actions for routine situations. Uniform enforcement supports the ultimate aim of traffic law enforcement, that is, to achieve voluntary compliance with traffic laws and regulations. The policy cannot and should not supplant officer judgment, for it is impossible to foresee every conceivable situation involving traffic violations. In unusual circumstances, the officer must decide what enforcement action is proper based on a combination of training, experience and common sense.

11.5 Vehicle Stops

A written directive establishes procedures for officers in stopping, approaching and contacting traffic law violators, including unknown and high risk stops.

Guidance: A directive outlining procedures for stopping and approaching a motorist is important for several reasons. The purpose of a traffic stop is to favorably influence the violator's future driving habits. Because of the nature of these stops, these activities are often tense and dangerous. The officer's personal safety and the safety of others must also be addressed. Because contacts of this nature are some of the most frequent for law enforcement officers and the public, the officer must remember that officer/citizen relations are also important. The policy should reflect that officer safety, public relations, and the improvement of poor driving habits are all concerns that can be addressed.

11.6 Individuals Charged with DUI

A written directive establishes procedures to be followed when handling individuals charged with driving under the influence of alcohol or drugs.

Guidance: The arrest of a person for driving while intoxicated differs significantly from the handling of other traffic law violations. In Rhode Island for instance, implied consent statutes and legislation that defines intoxication in terms of blood alcohol levels have been enacted. These statutes include many provisions affecting an officer's authority. Therefore, detailed guidance should be provided to officers based on the pertinent legal requirements. Procedures should address the methods to be employed for proper administration of preliminary and evidentiary breath tests, safe transportation and final release of impaired arrestees, procurement of blood and urine testing where governing statutes give the arrestee the option of these tests in addition to a breath test, incarceration or release to a responsible third party, and disposition of the arrestee's vehicle. For those situations where the arrestee refuses to submit to a chemical test a search warrant may be obtained in accordance with R.I.G.L. 31-27-2.9. The Attorney General's Office should be contacted in such cases for guidance in obtaining a search warrant.

11.7 Traffic Direction and Control

The agency has a written directive that specifies procedures for traffic direction and control to include:

- a. Uniform hand signals and gestures for manual traffic direction and control;
- b. A requirement that personnel directing traffic wear reflective clothing at all times;
- c. Considerations during periods of adverse road or weather conditions;
- d. Circumstances warranting manual operation of traffic control devices;
- e. Use of temporary traffic control devices;
- f. At the scene of traffic collisions; and
- g. At the scene of critical incidents;

Guidance: Officers must exercise control of traffic through standardized hand signals that motorists will interpret correctly. For improved safety, officers should be

highly visible. Officers should wear high-visibility safety apparel that meets the Performance Class 2 or 3 requirements of the ANSI/ISEA 107–2004 publication entitled "American National Standard for High-Visibility Apparel and Headwear".

11.8 Escorts

The agency has a written directive that governs traffic escort services to include the escort of civilian vehicles for medical emergencies.

Guidance: The directive should clearly state under what conditions, if any, this service is provided. It should differentiate between the procedures to be used for escorting in emergency situations and the more mundane escort that may be provided as a matter of routine. The directive also should address escorts provided for unusual or hazardous loads as well as for oversize loads. The practice of escorting civilian vehicles in medical emergencies is inherently hazardous and should be avoided. If at all possible, any injured or ill person should be transported by ambulance. If the agency chooses to provide this service, strict guidelines should control the actions of the officers. This standard does not refer to student safety escort services.

11.9 Motorist Assistance

The agency has a written directive that governs the provision of assistance to motorists, to include:

- a. General assistance;
- b. Mechanical assistance and towing service;
- c. Protection of stranded persons; and
- d. Emergency assistance.

Guidance: This directive involves the elements of those services provided to needy motorists who utilize the highways within the agency's jurisdiction. The activities performed by the agency's personnel range from providing emergency first aid to obtaining ambulances, tow trucks, fire suppression equipment and personnel, and any other service that may be required for the preservation of life and property.

11.10 Roadway Hazards

The agency has a written directive that specifies procedures for taking action to correct highway/roadway hazards, to include:

- a. Alleviation of immediate hazards; and
- b. Reporting traffic/roadway hazards.

Guidance: Officers should be aware of the notification procedures to correct hazards on the highway/roadway. These situations may involve debris on the highway/roadway, road defects, missing or obstructed highway signs or traffic signals and disabled or abandoned vehicles.

11.11 Abandoned Vehicles

The agency has a written directive that governs the removal of vehicles to include:

- a. Identification of the circumstances and authority under which a vehicle may be removed/towed;
- b. Maintaining records of a removed/towed vehicle, its condition and location; and
- c. Any other requirements, such as property inventory.

Guidance: The directive should define the circumstances under which agency personnel may remove privately owned vehicles from both public and private property and when and how they are to be removed/towed.

CHAPTER 12- PRISONER TRANSPORTATION, PROCESSING & DETENTION

12.1 Prisoner Searches

A directive requires that all prisoners/detainees are searched for weapons and contraband prior to transport.

Guidance: The transporting officer is legally responsible for the safety and custody of the detainee being transported. It must be assumed that the detainee may have had an opportunity to obtain contraband or a weapon prior to the time he or she is accepted for transport by the officer. It should never be assumed by the officer that someone else has searched the detainee. Detainees should be searched each time they come into the transporting officer's custody, including transport to and from court appearances.

12.2 Search of Transport Vehicles

A written directive requires a search of all vehicles used for transporting detainees at the start of each shift and again prior to and after the transporting of any detainees.

Guidance: The intent of this standard is to ensure that all vehicles used to transport a detainee are free of weapons and contraband before and after the detainee comes in contact with the vehicle. An examination before beginning each shift will ensure the vehicle has not been tampered with since last used, is free of weapons and contraband, is mechanically safe, is free of damage or defect, and is properly equipped for use.

Each time a detainee is to be transported, the vehicle should be examined to ensure that no weapons or contraband are present. Some latitude may be allowed where an officer has been in constant control of the vehicle following the pre-shift examination and the introduction of the detainee to the vehicle; however, most vehicles will not have been under constant observation and officers should not assume that no opportunity has existed for the introduction of weapons, contraband, or other items.

12.3 Officer's Actions at Destination

The agency has a written directive that defines procedures for officers transporting detainees to facilities to include:

- a. Safety and security of firearms;
- b. Removing restraining devices;
- c. Transmittal of documentation confirming transfer and receipt of detainee;
- d. Advising receiving personnel of any potential medical or security concerns for or hazards posed by the detainee.

Guidance: Upon arrival at the transport facility, certain actions are necessary and important for public safety, officer safety, and the safety and security of the prisoner. The listed procedures are the responsibility of the law enforcement agency and the completion of them is a requirement of the transporting officer(s).

12.4 Detainee Escape During Transport (Time Sensitive)

A written directive details the actions to be taken following an escape of a detainee while being transported, by the transporting officer to include the following:

- a. Persons to be notified;
- b. Reports to be prepared; and
- c. Further actions to be taken.

Guidance: Considerations include notifying dispatch of the following: the location of escape; direction of flight; description; possible destination, if known; prisoner's name, if known; criminal history; any other pertinent information. The location and circumstances surrounding the escape may dictate if the prisoner should be pursued by the transporting officer.

If the escape occurs in another jurisdiction, the authority of the escort officer to take action in recovering the prisoner will depend upon the powers the escort officer(s) have in that jurisdiction. Depending upon the state, these will include peace officer powers anywhere within the state, within a mutual aid area, or only within the specific jurisdiction served by the officer.

12.5 Security Risk – Detainee

A written directive requires that the agency notify the appropriate agency or court when a detainee to be transported is considered an unusual risk.

Guidance: The notification is to allow the agency or court personnel the opportunity to authorize the use of restraining devices and the assignment of additional officers for security.

12.6 Detainee Restraints

A written directive requires all detainees to be restrained with department-approved devices during transport and methods to be used, with exceptions noted.

Guidance: It is necessary for officers to know when and how prisoners are to be restrained and when, where and how particular restraining devices are to be employed, including special and prohibited methods. For example, in transporting more than one prisoner, should each be handcuffed with hands in front and arms intertwining or may a prisoner be handcuffed to any part of the vehicle? The directive should also take into account circumstances under which the prisoner is to be transported by vehicle over a period of several hours.

12.7 Driver Safety Barrier

If detainees are routinely transported alone in the rear of agency vehicles, the rear compartments are modified to minimize opportunities for exit without the aid of the transporting officer.

Guidance: Modifications that should be considered are cages, safety barriers, deactivation of power to windows and or removal of window cranks and door handles. **(Compliance may be observed)**

12.8 Designated Area for Detainee Processing

The agency has a written directive requiring that the processing, testing and temporary detention of detainees occurs in designated room(s) within the facility.

Guidance: It may be necessary to use a room, space, or area in a law enforcement facility to separate persons under arrest, maintain control, complete reports and forms, conduct tests, wait for bonding, or help relieve a temporary booking backlog. When designating such rooms, consideration must be given to safety and security concerns to enhance the safety and security of detainees and department personnel.

12.9 Training -Temporary Detention Area(s) (Time Sensitive)

The agency has a written directive requiring the training of all personnel responsible for monitoring detainees on the use of temporary detention rooms/areas and retraining once every three years.

Guidance: Temporary detention occurring outside the confines of a facility such as a holding facility, can involve close contact with detainees under challenging and less than ideal conditions. To reduce complacency, officer safety issues should be a priority of the agency training for both initial and retraining sessions. A cooperative detainee can quickly turn uncooperative or combative. Agency training should address the resources that are available to agency personnel during the temporary detention phase and contingencies for dealing with unruly or combative detainees. A discussion of alternative procedures, such as immediately transferring combative or uncooperative detainees to a more secure facility, or delaying necessary processing or testing until a court order can be obtained, will create a more efficient and safe environment for detainees and agency personnel. This training should include communications personnel responsible for monitoring these areas via video camera or closed circuit TV.

12.10 Procedures — Temporary Detention and Holding Facility

The agency has a written directive that defines procedures for the following:

- a. Documenting the date, time and reason for detainees processed in and out of the facility;
- b. Providing food and water to detainees, including documentation of any meals provided;
- c. The separation of males, females and juveniles while in the facility or processing area;
- d. When and where individuals may be restrained by securing them to fixed objects and identification of those fixed objects designed for such use;
- e. Securing and monitoring individuals in locked spaces who are unattended, if allowed; and;
- f. Supervision of and responsibility for testing, processing, searching and detaining individuals within the facility.

Guidance: Documentation of those individuals taken into custody as well as the separation of males and females and juveniles is necessary to maintain compliance and reduce inappropriate behavior. Individuals should be restrained only to fixed objects that have been specifically identified for that purpose. Meeting applicable time constraints help ensure the agency's actions were necessary, defensible, and protect the agency from claims that a detainee was denied due process. **(Revised 12/31/15)**

12.11 Security Concerns — Temporary Detention

The agency has a written directive that addresses the security concerns in temporary detention areas, to include:

- a. Provisions to secure firearms prior to entering temporary detention and processing areas;
- b. Duress alarms;
- c. Escape prevention;
- d. Authorized access to detainee and area, if any;
- e. Face-to-face visual observation of unattended detainees at least every thirty minutes; and
- f. If utilized, electronic surveillance devices to monitor detainees between the face-to-face observations.

Guidance: Some detainees are a potential threat to themselves and agency staff, so appropriate safety precautions should be taken while maintaining legal and reasonable conditions of treatment. The use of portable radios with a designated signal and procedures for distress in the temporary detention area will suffice for panic or duress alarms. In addition to excluding firearms from the temporary detention room(s), the agency should consider any other items such as knives, batons, chemical sprays, etc. it may want to exclude from the temporary detention room(s).

12.12 Conditions of Temporary Detention Area

The agency's temporary detention area allows access to water and restrooms, and other needs.

Guidance: Water and restroom facilities are not required to be in the room. The security of their use when they are not should be taken into consideration. **(Compliance may be observed)**

12.13 Fire Prevention/Evacuation

There is a plan for fire prevention, evacuation and suppression in temporary detention areas.

Guidance: The plan should be in accordance with the prevailing fire code and may be part of a larger facility plan. **(Compliance may be observed)**

12.14 Inspection of Temporary Detention Area (Time Sensitive)

A written directive describes the frequency of and procedures for inspecting temporary detention areas. The directive shall include an administrative review of the temporary detention area procedures once every three years.

Guidance: None.

12.15 Security Concerns — Processing Areas

The agency has a written directive that addresses the security concerns in processing areas, to include:

- a. Provisions to secure weapons prior to entering temporary detention and processing areas;
- b. Duress alarms;
- c. Escape prevention; and
- d. Continual supervision.

Guidance: The control of firearms and other weapons must be of primary concern when dealing with prisoners. Authorized access and duress alarms assist with preventing escapes. Visual observation helps ensure the safety of the detainee.

12.16 Holding Facility Training (Time Sensitive)

A written directive requires that affected personnel receive training on the operation of the holding area commensurate with their level of assignment. Training will include fire suppression techniques and use of fire suppression and safety equipment provided for use. This training will include initial and refresher training at least once every three years.

Guidance: None.

12.17 Firearms - Holding Facility

The agency shall have a written directive specifying that firearms will be secured before entering the holding facility. If any exceptions or conditions are permitted in emergencies, they are included in the directive.

Guidance: The agency should consider any other items such as knives, batons, chemical sprays, electronic control weapons, etc., it may want to exclude from the holding area environment when formulating its directive on the exclusion of firearms.

12.18 Male/Female, Juvenile Separation

If males, females, and/or juveniles are required to be detained at the same time, they are separated by sight and sound.

Guidance: The intent of this standard is to ensure the segregation of males/females and juveniles. Juveniles should not be processed in the presence of adult violators and are to be held in areas separate from adult detainees. Females should be separated from areas where males are detained.

Sound, for the purpose of this standard, is defined as normal/loud conversation and does not include deliberate yelling or screaming. Yelling and screaming should be controlled by persons supervising detainees. **(Compliance may be observed)**

12.19 Fire Codes (State Specific)

If the agency maintains a holding facility, a written directive shall prescribe fire prevention practices and procedures, but in all cases the agency shall obtain from the state or local fire inspector written certification that the holding facility complies with all state or local fire codes.

Guidance: State and local fire codes address the minimum fire safety standards of police holding facilities. Police agencies that utilize in-house holding facilities must obtain an updated certification of compliance with state or local fire codes for their holding facilities from a state or local fire inspector at least once every three years.

12.20 Monitoring Detainees (State Specific)

A written directive governs the monitoring of detainees held in the agency's holding facility, regardless of the length of detention, and addresses:

- a. The frequency of physical checks of detainees;
- b. Use of audio and/or visual electronic surveillance;
- c. Procedures for monitoring detainees of a sex opposite that of the monitoring agency member;
- d. Detainee's personal privacy; and
- e. Mutual aid agreements with other agencies relative to the housing of detainees either for or by the agency.

Guidance: The presence of detainees within an agency's holding facility should always be cause for heightened awareness. The intent of this standard is to ensure that agencies take reasonable steps to avoid liability in providing for a detainee's safety, privacy, and basic needs from the moment a detainee arrives at the holding facility until the detainee is appropriately released.

Additionally, the agency should include as part of their regular training program training on the operations of the holding facility. The agency should also have provisions for the emergency evacuation of detainees, security inspections of cells, control of tools and culinary equipment, procedures to be followed in the event of an escape, availability of

first aid kits, distribution of prescription medications, visitor and/or attorney access to detainees, and access to basic necessities, (i.e.: food, water, bedding, toilets, etc.).

CHAPTER 13 – COURT SECURITY

13.1 Courtroom Security

If the agency is responsible for courtroom security the agency's written directive includes at a minimum:

- a. The agency's specific role and authority for court security;
- b. Court security for agency personnel assigned to the function; and
- c. Identification of an agency position responsible for court security.

Guidance: This standard is conditional upon the agency's obligation to provide security for a court facility as a part of its responsibility to include municipal courts. Responding to the court on routine calls for service is no different from other such requests and does not cause this chapter to be applicable.

If the court security function is shared by two or more agencies, a memorandum of agreement should identify the responsibilities of each.

13.2 Weapons Control

If policies prohibit weapons in areas of the court facility, a secure area will be provided in a controlled location having limited access by the public.

Guidance: The agency should consider any other items such as knives, batons, chemical sprays, etc., which it may want to exclude from the court facility.

13.3 External Communication

If the agency provides security for a court facility, at least one means of external communication is available to a member of the court staff for emergency situations.

Guidance: This may be a telephone, a two-way radio (fixed or portable), or an intercom system. The need to communicate orally with security personnel in specific emergencies, such as a medical emergency, hostage situation, or at other times when assistance is needed. **(Compliance may be observed)**

13.4 Weapons –Court Holding Facility

A written directive requires firearms to be secured before entering the court holding facility, and, if any exceptions or conditions are permitted in emergencies, they are included in the directive.

Guidance: The agency should consider any other items such as knives, batons, chemical sprays, etc., which it may want to exclude from the court holding facility.

13.5 Emergency Alert

The court holding facility has a system to alert a designated control point in the event of an emergency.

Guidance: An audio communication system may be enhanced by the use of video equipment to supplement personal supervision by staff. Detainees also can use the system to advise staff of emergency needs. **(Compliance may be observed)**

CHAPTER 14 – COMMUNICATIONS

14.1 Twenty-four Hour Voice and TDD Access

Agencies shall provide 24-hour telephone access for all calls for service. A TDD/TTY telephone device or an equivalent system for emergency calls for service will also be maintained.

Guidance: The public should be able to contact the public safety and/or law enforcement agency at all times for information or assistance. Agencies with first responder responsibilities should maintain 24-hour telephone service for both emergency and non-emergency situations. However, those that are not able to maintain 24-hour coverage should arrange for such service through neighboring public safety/law enforcement agencies. These 24-hour telephone access points are in addition to accepting emergency toll free calls from within the agency's jurisdiction (such as E-911 calls).

Each emergency answering point should be equipped with either: an operational communications device (TTY/TDY), **or** an equivalent system/service (711 Relay Services or relays from the E- 911 center), that is capable of communicating with persons who are hearing impaired. **(Compliance may be observed) (Revised 3/11/2015)**

14.2 Continuous Communication with Officers

The agency provides 24-hour, two-way radio capability that provides continuous communication between a communications center and its on-duty field personnel.

Guidance: Law enforcement and public safety personnel must have immediate communications capability that provides a measure of safety and security to both personnel and the public. Communication between a communication center and field personnel allows for the rapid exchange of information, requesting assistance, receiving orders or instructions, and responding to calls for service. Special assignments, such as undercover officers, might dictate an exception to the continuous communication requirement. **(Compliance may be observed)**

14.3 Recording Information

The agency has a written directive that establishes procedures for obtaining and recording appropriate information on each request for service or self-initiated activity, to include:

- a. Control number;
- b. Date and time of request;
- c. Name and address of complainant (if possible);
- d. Type of incident reported;
- e. Location of incident reported;
- f. Identification of officer(s) assigned as primary and backup units;
- g. Time of dispatch;
- h. Time of officer arrival;
- i. Time of officer return to service; and
- j. Disposition or status of reported incident.

Guidance: This standard ensures that the law enforcement or public safety agency has a comprehensive reporting system, CAD or other control system (i.e., a card, log, or computer entry), to record all calls for service. Information from requests received via telephone, letter, in person, self-initiated officer activity, or reports received directly by officers in the field should be recorded into an intake control system. This is especially important in critical incident calls for service, and checklists are recommended for such calls (e.g., bomb threats, hostage/barricade situations, crimes in progress, etc.).

14.4 Communications to and From Officers

The agency has a written directive establishing procedures for communications to and from officers, to include:

- a. Specifications of the circumstances requiring communications by all field personnel;
- b. The recording of the status of officers when out of service;
- c. The methods used for identifying officers during communications;
- d. Communication with interacting agencies;
- e. Criteria for the assignment of the number of officers in response to an incident;
- f. Circumstances that require the presence of a supervisor at the scene for the purpose of assuming command;
- g. Responding to emergency requests for assistance from field personnel; and
- h. Plain speak will be utilized and ten codes will be minimized to facilitate interoperability within and between agencies. Officer safety and certain investigations will require codes.

Guidance: The written directive should establish procedures for taking incoming telephone calls and radio information, determining the priority of these calls, and specifying the manner in which these calls will be dispatched. The directive should also include the handling of complaint cards and radio logs, tracking of on-duty officers and assignments, specifying supervisory authority, and other plans and procedures that are essential in the day-to-day operation of a communications network. Identification systems should be based on beat numbers or other assignment numbers, officer identification numbers, or a combination of the two. Field operations become much more efficient and officer safety is enhanced when officers, employees and supervisors know the status, location, call types and investigation developments. Administrative control systems can be in the form of a card, log sheet, computer record, or any other instrument that allows for a permanent record to be made.

14.5 Access to Resources

The agency provides communications personnel with immediate access to the following resources, at a minimum:

- a. Officer in charge;
- b. Duty schedule for all field personnel;
- c. Personnel roster containing the address and contact telephone number of every agency employee;
- d. Visual depictions of the agency's current service area;
- e. Officer/employee status information;
- f. Written procedures and telephone numbers for procuring emergency and necessary external services; and
- g. Tactical dispatching plans.

Guidance: Communications personnel should have easy access to listings that provide contact information and call-out procedures for agency members and other service agencies that may be needed in an emergency. This list should include information on mutual aid procedures and/or local public safety resources, utility companies and emergency services provided by other members of the private sector as well as state and federal law enforcement agencies.

Officer/employee status indicators not only help communication operators know the status of those employees under their control but also show who is available for service. Operations are more efficient and officer safety is enhanced when dispatchers, supervisors and fellow officers know the status of officers, their locations, the nature of cases and the developments in their investigation. The administrative control system can be maintained on a card, log sheet, computer record, or any instrument that permits a permanent record to be retained. The list should be available to all dispatchers.

Maps and reference materials give communications personnel a visual picture and important resource information for the area they are serving. These maps should not only detail the jurisdictional boundaries of the agency but also show the boundaries of any other agencies that may be under contract for dispatching services. It is advisable that the resources also include the immediate surrounding jurisdictions in which the agency is located. The additional information may become useful when routing other emergency services from their point of origin to their destination within the agency's jurisdiction during emergencies.

Dispatching plans greatly assist communications personnel in directing resources and obtaining information on crimes in progress (e.g., auto theft, burglary, bank robbery, pursuit, and/or tactical operations). **(Compliance may be observed)**

14.6 Immediate Play-Back

The agency maintains a continuous recording of radio transmissions and emergency telephone conversations within the Communications Center while having the ability to immediately play back radio and telephonic conversations. A written directive shall establish procedures for:

- a. Maintaining the recordings for a minimum of 30 days or in accordance with Rhode Island records retention protocols.

- b. Secure handling and storage of recordings; and
- c. Criteria and procedures for reviewing recorded conversations.

Guidance: Radio and telephonic recordings provide a source of information for criminal investigations, internal investigations, training, and service delivery audits. In addition, they grant a dispatcher the ability to relisten to a call for service in the event he/she misses some of the transmitted information. When in replay mode, the recording system should continue recording other calls and radio transmissions. Access to the recordings, however, should be made available and provided through a specific procedural means.

14.7 Misdirected Calls

The agency has a written directive that establishes procedures for the prompt handling and forwarding of misdirected and hang-up emergency calls.

Guidance: An agency may receive emergency calls intended for another law enforcement or public safety agency. All misdirected and hang-up emergency calls should be promptly forwarded to the agency having jurisdiction of the call.

14.8 First Aid Instruction Training

If an agency authorizes emergency first aid services over the telephone or radio, the agency must train its employees and provide them with immediate access to approved emergency medical guidelines or materials.

Guidance: Training should be provided by a skilled and experienced authority. The course of instruction should include what type of emergency life-saving information may be given to callers until medical personnel arrive. Refresher training should occur on a schedule established and/or approved by the competent authority. Materials and guidelines provided to the call-takers should be complementary to the training

14.9 Security Measures

The Communication Center maintains security measures to include:

- a. Limit access to the communications center to authorized personnel;
- b. Protect equipment;
- c. Provide for back-up resources; and
- d. Provide security for all methods of such as transmission lines, antennas, and power sources.

Guidance: The capability to maintain communications in all emergency situations dictates that security measures be implemented to protect communications personnel, facilities, and equipment. Protective measures may include locating the center and equipment in areas providing maximum security, installing bullet-resistant glass in areas of public access, and restricting access to the communications center. Providing security for equipment may be done with a combination of security cameras, fences, or other measures based on the needs of the agency. Consideration for systems such as VOIP, RISCOS, and other digital solutions which require cyber protective measures should be taken. **(Compliance may be observed)**

14.10 Alternate Power Source (Time Sensitive)

The agency's communication function (or its provider if not within the agency) maintains an alternate source of electrical power that is sufficient to ensure continued operations of emergency communications equipment in the event of the failure of the primary power source. The agency shall ensure:

- a. The operational readiness of the alternate source of power by scheduled and documented inspections and tests monthly, or in conformance with manufacturer recommendations;
- b. Document the date, time and duration of the alternate power system's operation during any power failure; and
- c. Documented annual tests operating the alternative power source under a full load.

Guidance: Ensuring continuous emergency communications capability through use of an alternative power source is critical to the public safety communication function's mission. Its state of readiness should be ensured by testing the alternative power source on a reasonable basis (i.e., monthly) to help ensure the agency is prepared for any power interruption. **(Revised December 2013)**

CHAPTER 15 – RECORDS

15.1 Legal Process

A written directive requires that the service, execution, and attempts to serve civil process are documented and include the following:

- a. Date and time received, served or attempted;
- b. Name and rank of server;
- c. Reason for non-service, if applicable;
- d. Type of Service, Criminal or Civil;
- e. Location of service or attempted service; and
- f. To whom the process was served.

Guidance: Documentation can be done utilizing the agency's CAD system **(Revised 12/9/2015)**

15.2 Security of Records

A written directive establishes the central records function and procedures for;

- a. Records storage;
- b. Records security;
- c. Records retrieval, including during non-business hours; and
- d. Release of records.

Guidance: While the majority of records may be kept and secured electronically, the directive should consider the storage and retrieval of paper reports, if kept, as

well as any attachments that may not necessarily be stored electronically. The standard does not require general access to otherwise closed records areas during non-business hours; but rather a method by which the records could be retrieved if necessary. The directive should also provide protocols for the release of records in accordance with the state of Rhode Island Open Records protocols.

15.3 Juvenile Records

A written directive establishes procedures for the collection, dissemination, and retention of agency records pertaining to juveniles. The directive should include:

- a. A system to distinguish juvenile records;
- b. Fingerprints, photographs, and other forms of identification;
- c. Physical security and controlling access to juvenile confidential information;
- d. Disposition of juvenile records after reaching adult age; and
- e. Court ordered expungements.

Guidance: The privacy and security of juvenile records should be follow agency protocols, local ordinance, and/or state statutes. The agency must identify juvenile records and separate them from adult criminal and identification records to prevent unauthorized access and release. The dissemination of juvenile information should meet the legal requirements that apply within the jurisdiction. The directive should also provide guidelines for the disposition of juvenile records when the juvenile reaches adult age and for the expungement of records when ordered by the court. The agency should determine the physical security requirements for the juvenile files and decide who has authorized access.

15.4 Security of Computerized Records (Time Sensitive)

The agency has a written directive describing security measures for the agency's computerized records, to include:

- a. The title of the individual designated as system administrator for the records management computer system;
- b. Data storage to include any off-site storage locations;
- c. Data backup and recovery procedures;
- d. Physical security measures; and
- e. Annual password audit procedures.

Guidance: The system administrator should be proactive in working to ensure both the physical and electronic security of computer hardware and software. Attention should also be given to network security issues, which may involve consultation with the agency's IT personnel. **(Revised December 2013)**

15.5 Field Reporting System

A written directive establishes a field reporting system, to include:

- a. Guidelines defining the circumstances when reports must be written;
- b. Required information;

- c. Forms to be used;
- d. Deadlines and procedures for submitting reports; and
- e. Process for submission and supervisory review.

Guidance: None.

15.6 Incident Reporting

A written directive requires a report and/or CAD in the following instances:

- a. Reports of crimes;
- b. Citizen complaints;
- c. Calls for service resulting in an officer being sent or assigned;
- d. Incidents resulting from officer-initiated activities; and
- e. Incidents resulting in arrests, citations, or summonses.

Guidance: The agency must ensure that records are maintained for actions taken by its personnel whether self-initiated or in response to a request for service. Other activities may be documented through a computer aided dispatch system or similar procedure. A feedback loop to correct deficiencies is recommended. **(Revised 12/31/15)**

15.7 Case Numbering System

A written directive establishes an incident numbering system, ensuring that a unique number is assigned to each incident or report.

Guidance: None.

15.8 Records of Traffic Citations

A written directive establishes procedures for maintaining traffic citation records, to include:

- a. Issuing citation forms to officers if applicable;
- b. Accounting for citations, both paper and electronic;
- c. Secure storage of all citations.

Guidance: Traffic citations do not include parking tickets. **(Revised 12/31/2015)**

15.9 Mobile Data Terminals **(New Standard Effective 1/31/16)**

If the agency has computerized mobile data access capabilities or other similar technologies, a written directive establishes procedures for its use.

Commentary: The intent of the standard is to cause agencies to develop procedures for the system's access, use, and security for its servers, workstations, mobile systems, or handheld devices either hardwired or connected wirelessly. Reference should also be made to the *"Comprehensive Community-Police Relationship Act." Section 31-21.2-5 concerning the requirements for those law enforcement agencies that use Mobile data Terminals.*

CHAPTER 16 – EVIDENCE & PROPERTY CONTROL

16.1 24-Hour Service Capabilities

If the agency does not provide 24-hour coverage for the investigation function, the agency will establish an on-call system of investigators.

Guidance: The standard only requires 24-hour coverage for the investigative function itself and does not require an agency to have dedicated investigators. In smaller agencies, on-duty patrol personnel frequently function as investigators and may be used to satisfy this standard so long as the function is covered on a 24-hour basis. If an outside agency is utilized for more serious crimes, the circumstances when and procedure by which the supporting agency is summoned should be described in writing and available to all personnel.

16.2 Transfer of Custody

The agency has a written directive that provides guidelines for collecting, processing, and preserving physical evidence in the field, and requires that a record be made each time a transfer of custody of physical evidence takes place. The directive shall include, but not be limited to:

- a. The date and time of transfer;
- b. The person's identity who receives the evidence;
- c. The reason for the transfer;
- d. The name and location of where the property was transferred; and
- e. Any examinations performed (if applicable).

Guidance: The agency must develop general guidelines for crime scene processing. The directive should dictate whether processing is to be conducted by field personnel or specialists. Processing procedures should determine the progression of tasks, such as photograph, sketch, fingerprint, mark, and collect.

The directive should also provide guidelines for the preferred methods of collecting, marking/labeling, and packaging/storing a variety of evidentiary items. Methods used are those that should preserve the condition of evidence in the process of collection, prevent the introduction of foreign materials to it, and ensure as complete a sample as possible and practical.

For physical evidence to be accepted by the court at time of trial, it is essential that the chain of evidence be maintained. The initial step in this process is marking or labeling the item at the time it is collected, seized, or received. Items should be marked so as not to damage or contaminate the evidence. Items that cannot be marked should be placed in an appropriate container, sealed, and the container labeled.

Vehicles used for processing crime scenes should have equipment to recover fingerprints, take photographs, sketch the crime scene, and collect and preserve evidence.

16.3 Processing Equipment

Personnel responsible for processing scenes have equipment available for the following purposes:

- a. Recovery of latent fingerprints;
- b. Photography;
- c. Sketch of the scene; and
- d. Collection and preservation of physical evidence.

Guidance: None.

16.4 Report Preparation

The agency has a written directive that describes the responsibilities of the person(s) who processes the scene of a crime or traffic collision to include the preparation of a report.

Guidance: The directive should identify the role of the person(s) responsible for this function to include, but not be limited to: photographing and sketching the scene, protecting, collecting, and preserving evidence, and elements to be included in the report.

16.5 Forensic Lab Submission

A written directive establishes procedures for the submission of evidence to a forensic laboratory, which include:

- a. The identification of person(s) responsible for evidence submissions;
- b. Transmitting and packaging of evidence;
- c. Documentation needed for transmitting and receiving evidence; and
- d. Requirement that laboratory results are documented and submitted in writing.

Guidance: The written directive should provide detailed procedures for submission of perishable evidence to the forensic laboratory such as fresh blood, blood stained objects, other physiological stains and tissue, and biological materials. Large and bulky items, firearms, drugs, and other items should be prepared in a uniform manner that is consistent with the requirements of the receiving laboratory.

The responsibility for requesting laboratory examinations and preparing and transmitting the evidence to the laboratory should be defined. Guidelines for the types and preparation of transmittal documents should be described. Chain of custody should be carefully maintained. A transmittal letter or written request, as a part of the evidence transmittal form should be used to request a written report of laboratory findings.

16.6 Receipt of Property/Evidence

The agency has a written directive establishing security measures and procedures for receiving all in-custody and evidentiary property obtained by employees into agency control, to include:

- a. Logging all property into agency records prior to the end of the employee's shift or under exceptional circumstances as defined by agency policy;
- b. Placing property in the appropriate property storage area prior to the end of the employee's shift or under exceptional circumstances as defined by agency policy;
- c. A written report describing each item of property and the circumstances by which the property came into the agency's possession;
- d. Guidelines for packaging and labeling of property being stored by the agency prior to submission;
- e. Special security and control measures in handling and/or storing exceptional, valuable, or sensitive items of property (i.e., money/negotiable instruments, high value items, weapons, drugs) while in custody of the agency;
- f. Procedures describing what efforts agency personnel should make to identify and notify the owner of property in the agency's custody; and
- g. Procedures for the temporary and final release of property items from the property and/or evidence control functions.

Guidance: An adequate property management system is necessary to protect the chain of custody and to maintain the agency's credibility with the judiciary and the public. The agency should establish specific controls and ensure strict adherence to all of its policies and procedures governing in-custody and evidentiary property. All evidentiary and property items coming into an employee's possession should be entered into the agency's property management control system prior to the end of the employee's shift. A descriptive inventory of the property should be documented and all property entered uniformly into storage. Responsibility and methods in the preparation, labeling, and recording of property should be established.

Items such as money, firearms and controlled substances pose significant security risks for public safety agencies. Placing these items on a shelf in the property room is not sufficient. Additional measures to provide enhanced security within the property room may include the use of a safe, the use of a lock and chain to secure firearms, and/or the installation of a floor to ceiling chain link fence. Controlled substances should be packaged in tamper-resistant packaging whenever they are received by, released by, or returned to the property custodian. All containers and packages containing controlled substances should be inspected for tampering as a safeguard against substitution. Perishable items, such as biological samples, may need to be secured in refrigerated containers. All procedures developed should conform to occupational health and safety standards.

Written reports should be submitted for all property taken into custody by agency employees. Property should be listed in the order it was obtained describing the circumstances associated with the custody. Written reports describing the circumstances by which the agency received the property should obviously be more detailed in those cases when the property will be used as evidence, as opposed to when it is merely being held for safekeeping. Case numbers should be used to cross-reference the property with the respective report(s).

Removal of property entered into the agency's custody should be clearly defined within agency's directive system. This includes such activities as court, release, further investigation, or any other official purpose. Written documentation should be required to show the uninterrupted chain of custody until final disposition. Employees

should be prohibited from storing property that came into the employee's or agency's possession within personal lockers, desks, vehicles, homes, or other places as it undermines the security and uninterrupted chain of custody. Personal use of any agency controlled evidence/property should be strictly prohibited.

Evidentiary and stored property should be released back to the owner, if known, as quickly as possible and consistent with applicable law. Reasonable attempts should be made to locate owners of property in agency custody and notify them of its status.

16.7 Secure Property/Evidence Storage

The agency shall have a designated, secure storage area for in-custody and evidentiary property that has access limited to authorized personnel.

Guidance: The security of every piece of property that the agency has become responsible for should be a major concern. Special security considerations should be given to items such as firearms, weapons, drugs, money, high value items, large, bulky and perishable items. It is very important not to make any assumptions about the security of the areas where evidence is held, and the area should be surveyed regularly for possible improvements. Precautions should also be taken to ensure that only authorized individuals are allowed in the area where property is stored to ensure its chain of custody and prevent the alteration, unauthorized removal, theft, or other compromise to stored property. **(Compliance may be observed)**

16.8 Secure Property/Evidence Temporary Storage

The agency shall have secure area(s) designated for the temporary storage of in-custody or evidentiary property during periods when the property room is closed or not accessible by end of tour of duty.

Guidance: Provisions should be made for the security of every piece of property that comes into the agency's possession when the property room is closed. This can be accomplished through the use of locking temporary property lockers, drop boxes, or specially designed containers. **(Compliance may be observed)**

16.9 Security of Controlled Substances/Weapons

If the agency uses controlled substances, weapons, or explosives for investigative or training purposes, a written directive establishes procedures for their security and accountability.

Guidance: Some agencies may choose to use controlled substances, weapons, or explosives for investigative or training purposes. It is critical that security protocols for every piece of property used in this manner are established to maintain the security and integrity of those items.

16.10 Property Records System

The agency maintains records showing the status of all found, recovered and evidentiary property maintained by the agency.

Guidance: A records system is fundamental to the integrity and accountability of an agency's property management system. The system should reflect the character, type

and amount of property maintained by the agency; property location; dates and times when the property was received, transferred and released (i.e., chain of custody); and final disposition. Bar-coding has become a popular property management system. Many computer-aided dispatch (CAD) systems have an integrated property management component.

16.11 Audit and Inspections (Time Sensitive)

A written directive states that property custodians are accountable for all property within their control and addresses at a minimum.

- a. At least semi-annually, the person responsible for the property and evidence control function, or his or her designee, conducts an inspection of adherence to procedures used for the control of property;
- b. Whenever the primary property custodian is assigned to and/or transferred from the property and evidence control function, an inventory of property is conducted jointly by the newly designated primary property custodian and a designee of the agency's chief executive officer, to ensure that records are correct and properly annotated;
- c. An annual audit of property and evidence held by the agency is conducted by an employee not routinely or directly connected with property control; **(SEE APPENDIX A)** and;
- d. At least once a year, the agency's chief executive officer directs the completion of an unannounced inspection of all property storage areas.

Guidance: The inspection is conducted to determine that the property room is being maintained in a clean and orderly fashion, that the integrity of the property is being maintained, that provisions of agency orders or other directives concerning the property management system are being followed, that property is being protected from damage or deterioration, that proper accountability procedures are being maintained and that property no longer needed is being disposed of promptly.

The purpose of the inventory is to ensure the continuity of custody and not to require the accounting of every single item of property. The inventory should be significant enough to ensure the integrity of the system and the accountability of the property, in particular, high risk items such as money, precious metals, jewelry, firearms and drugs. During the joint inventory, a significant number of property records should be reviewed carefully with respect to proper documentation and accountability. The person assuming custody of the property should ensure that all records are current and properly annotated. All discrepancies should be recorded prior to the assumption of property accountability by the newly appointed custodian.

The annual audit should be conducted in accordance with Appendix A to provide an adequate sampling of property to satisfy the auditor that policies and procedures are being followed. The person named to conduct the inventory should be appointed by the agency's chief executive officer. Under no circumstances should that inspector be appointed by supervisory or command officers having the property function under their control. **(Revised 3/11/2015)**

16.12 Department of Health Submission Guidelines (State Specific)

A written directive requires that evidence samples forwarded to the Rhode Island Department of Health (HEALTH) be forwarded consistent with HEALTH guidelines, and that agency personnel responsible for the submission of evidence samples have 24-hour access to such guidelines.

Guidance: To assist in providing for the efficient and effective processing of evidence, (i.e.: marijuana, pills, powders, blood, etc.), at the Rhode Island Department of Health (HEALTH), agencies must adhere to HEALTH’s “Forensic Biology Laboratory Evidence Policy” and “Forensic Drug Chemistry Evidence Submission Policy” when submitting evidence samples.

Additionally, personnel responsible for the submission of evidence samples to HEALTH should have immediate access to current policies, and should periodically contact representatives from HEALTH to ensure that the agency is referencing the most updated policies.

CHAPTER 17 – CAMPUS LAW ENFORCEMENT

17.1 Risk Assessments (Time Sensitive)

A written directive requires the agency to conduct a risk assessment and analysis at least once every three years to include the following;

- a. The areas to be included in the review and analysis;
- b. A description of the reports and/or documents to be utilized;
- c. Risks to the campus community resulting from criminal activity;
- d. Risks to the campus community resulting from accidents;
- e. Risks associated with property loss to the campus and individuals;
- f. Issues of potential liability; and
- e. Reporting requirements to include analysis conclusions and recommendations and distribution of the report.

Guidance: The risk assessment and analysis should encompass those areas where the security function has or may have responsibility. The analysis should identify areas where mitigating action can be taken to remove or limit injuries, property loss and costs. The assessment should analyze past data that indicates what has happened and provides insight to future occurrences. Frequency of past occurrences, the criticality of the event and loss or replacement costs should be considered. Some factors to consider are crime and incident reports, vehicle and personal accident reports, potential weather and geographic events, physical and building issues, the surrounding demographic environment, possible negligent human actions or criminal and terrorism actions.

17.2 Background Investigations for Campus Personnel

If the agency participates in conducting background investigations of students, faculty, staff, and other campus personnel a written directive defines this responsibility.

Guidance: Agencies should be cognizant of the applicable laws and regulations regarding background investigations.

17.3 Safety Escorts Staff Selection

If the agency is responsible for safety escort a written directive addresses:

- a. When security escorts services should be supplied;
- b. Advertising the service to the campus community;
- c. Supervision;
- d. Selection process;
- e. A documented background check
- f. Training; and
- g. Rules and regulations for security escorts.

Guidance: Personal safety escort services on college campuses are normally an integral part of the campus public safety program. Members of the community should be reasonably assured that the agency has taken appropriate measures to screen out individuals not suitable to be escorting members of the community during hours of darkness from one point on a campus to another. It is important that background investigations, screening of applicants, and training is conducted before they start their duties. If the escort service is provided by agency personnel and not students or civilians, the standard is N/A.

17.4 Emergency Notification

If the agency has partial or full responsibility for an emergency notification system, a written directive defines:

- a. authorization for system use;
- b. conditions that will initiate the notification system;
- c. methods by which the information will be released;
- d. who activates the notification system;
- e. testing; and
- f. administrative issues.

Guidance: A campus emergency notification system is an important and effective way to notify the campus community of dangerous conditions that currently exist, i.e. fire or shooting incident, conditions that may develop i.e. tornado warning, or when the campus community may assist in locating a missing person or an offender.

A primary aspect of these systems is some type of electronic personal notification which may require individual enrollment. This results in managing an ever changing data base,

system integrity, security and privacy issues so most systems involve more entities than just the law enforcement agency. Coordination and cooperation is critical.

This standard clarifies the agency's role and is designed, in part, to identify weakness in the total system for correction or coordination. The system should also consider periodic updates of the situation and notification to the campus community when the situation requiring the notice has ended. Besides e-notification, there can also be sirens or speakers, electronic bill boards, radio/TV announcements, and reverse phone calls. Federal and state regulations affecting these systems should be considered

~~17.5 All Threats Response~~ – Deleted December 2013 replaced with 10.12 All Threats Response

17.6 Behavioral Threat Assessment

A written directive describes the agency's involvement in the campus behavioral threat assessment process.

Guidance: The intent of this standard is to make appropriate campus resources aware of individuals that law enforcement has become aware of that demonstrate they are at risk physically or emotionally or may be a risk to others. This may be from an abusive relationship, excessive disregard of the consequences of excessive drinking, or drug use, or a serious inability to adapt to campus life which if the situation continues could result in harm to themselves or

17.7 Video Surveillance (Time Sensitive)

If the agency is responsible for security cameras a written directive addresses:

- a. Monitoring responsibilities and response to potential incidents;
- b. Testing and maintenance responsibilities;
- c. Security access protocols;
- d. Training;
- e. Media retention, requests to view and obtain copies (as it relates to video/surveillance recordings);
- f. Procedures for evaluating where cameras should be installed; and
- g. An annual re-evaluation of camera locations and incidents.

Guidance: Video surveillance, including closed circuit television and web-based systems, is a complex subject that has legal liability potential and requires standardized operating procedures to ensure adherence to the intended use of the particular application. All aspects of a video security system should be clearly spelled out in policy and procedures to guide agency members and to ensure appropriate controls. The placement of cameras, technical specifications, aim and field of view should be reevaluated in reference to their usefulness in investigating or deterring incidents.

17.8 Emergency Phones (Time Sensitive)

If the agency has installed emergency phones also known as "blue light" or other similar outdoor emergency telephones and they are transmitted to the agency's dispatch center, a written directive addresses:

- a. Response procedures;
- b. Testing and maintenance;
- c. Advertising the service to the campus community;
- d. Procedures for evaluating where the phones should be installed; and
- e. A review once every three years of needs based upon a documented security survey.

Guidance: Emergency telephones on a college campus are a critical component of the emergency access and emergency response system. Phones should be tested at reasonable intervals and any operating problems should be reported in a timely manner to the appropriate repair entities for immediate attention. Similarly, the phones should be periodically inspected for routine maintenance. All such checks should be documented.

17.9 Administrative Investigations

A written directive describes the procedures for conducting administrative investigations to include:

- a. Clarification of the administrative investigative goal;
- b. Reviewing and analyzing records, documentation and related materials;
- c. Conducting interviews;
- d. Additional information that may be requested;
- e. Preparing investigative reports and findings for review by appropriate administrative authorities; and
- f. Consulting with appropriate authorities in all instances when criminal activities are discovered during the non-criminal administrative investigation.

Guidance: It is not uncommon for campus law enforcement to serve a dual capacity as public peace officers and officers of the campus administration. Officers will be tasked to conduct non-criminal administrative investigations and excludes misconduct by agency personnel which is addressed in chapter 5 "Professional Standards".

17.10 Medical Center Security

If the campus has a medical center within its jurisdiction, a written directive governs the agency's role and responsibility in providing public safety services for the facility.

Guidance: Campus medical centers may be directly governed by the institution of higher learning or by a separate hospital authority with a strong affiliation to the institution of higher learning. These medical facilities often hire outside security companies, off-duty police officers, or have their own security personnel responsible for patrolling the facility. The directive should address the agency's role in patrolling the

facility and responding to calls for service at the facility. This standard does not apply to student, faculty, or staff health centers with limited operations.

17.11 Research Facility Responsibilities

If the campus has a research intensive facility or facilities within its jurisdiction, a written directive establishes the agency's role and responsibilities for response to these facilities that includes at a minimum:

- a. Identification of the position or campus agency responsible for coordinating the response to various incidents at the facility;
- b. The responsibilities of agency communications personnel;
- c. The responsibilities of responding agency personnel;
- d. Any risks and response training for agency personnel at least annually; and
- e. specialized equipment needs/requirements.

Guidance: Research facilities pose an elevated threat for both responding public safety personnel and the research facility. This includes response to emergency or non-emergency situations. The directive should provide for response procedures, availability of information and equipment necessary to ensure the safety of responders and ensure the safety of the research contained in the facility. It should be noted a variety of regulatory and safety provisions impact these facilities and should be referenced in developing policy and training.

17.12 Agency's Role in Clery Act Compliance (Time Sensitive)

A written directive defines the role of the agency in the preparation of the institution's Annual Campus Security Report (Clery Act) to include the following;

- a. Annual reporting requirements;
- b. Timely warnings to the campus community about crimes that are a threat to students and employees;
- c. Public crime log;
- d. Submission of data to the United States Department of Education;
- e. Establishing the rights of victims of sexual assaults; and
- f. Meeting other operational and reporting requirements as stipulated by the United States Department of Education.

Guidance: The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), codified as 20 USC 1092 (f) as part of the Higher Education Act of 1965, is a federal law that requires colleges and universities to disclose both timely specific information and annual summary information about campus crimes and security policies. All public and private institutions of postsecondary education participating in federal student aid programs are subject to the Clery Act. The 2008 Revision of the HEOA included changes in the testing of emergency response/evacuation procedures, fire safety, missing persons and program participation agreement policies within the annual campus security report. For the most current information, consult the Department of Education's Campus Security website at www.ed.00v/admins/lead/safetv/campus.html.

Glossary

ACTIVE THREAT

An active threat is any deliberate incident that poses an immediate or imminent danger to others. Although these events often involve the use of firearms by perpetrators, they may also involve the use of other types of weapons or implements with the intent to cause harm. **(12/31/15)**

ANALYSIS

A systematic process of reviewing agency records, reports, processes and procedures to identify and analyze patterns or trends. The documented analysis should include plans of action to address training needs, policy modification or agency liability, as well as agency successes. In the absence of sufficient data to conduct an analysis the agency still includes a review of their processes, policies, etc. as it relates to the subject.

ARREST

The restraint of the liberty of a person to come or go as he or she pleases, no matter how slight. An individual has been arrested when he or she is not free to go, regardless of whether formal words of arrest have been used.

The act of depriving a person of his/her liberty by legal authority, with or without a warrant including the authority to physically remove a person from their location and taking the person to a place of confinement or judicial authority.

AUDIT

The methodical examination and review of a random sampling of records or activities, but no less than ten percent, to ensure compliance with established controls, policies and operational procedures, and to recommend any indicated changes.

AUXILIARY OFFICER

A uniformed or non-uniformed person who contributes to the mission of the agency in a support capacity, but is not paid. Included are law enforcement cadets, explorers, senior citizen groups or other volunteer groups.

BIAS-BASED PROFILING

The selection of an individual, based solely on a trait common to a group, for enforcement action. This includes but is not limited to: race, ethnic background, gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable group.

BIENNIAL

Happening every two (2) years.

CRITICAL INCIDENT

An occurrence that causes, or may cause, substantial property damage or personal injury and that requires an emergency response to protect life or property. The event may be natural, accidental or manmade. Critical incidents are those that require supplemental resources be summoned to the scene, including but not

limited to police, fire, EMS, tactical, public utility, facilities, and/or media relations staff.

COMPUTER AIDED DISPATCH (CAD)

An automated system consisting of several modules that provide services at multiple levels in a dispatch center and in the field of public safety. These services include call input, call dispatching, call status maintenance, event notes, field unit status and tracking, and call resolution and disposition. **(12/31/2015)**

DETAINEE

Someone being held in custody or confinement (may be under physical restraint).

DIRECTIVE

See "WRITTEN DIRECTIVE"

ELECTRONIC DATA

Any and all information capable of being stored or transmitted in digital form. This includes, but is not limited to, text, pictures, video, audio, and the programs and applications required for storage, transport, and manipulation of such information. This definition commonly includes law enforcement records management databases, fingerprint databases, audio/video storage databases, and photographic databases as well as administrative information commonly used in the operation of a government entity. **(10/1/14)**

EMERGENCY

An actual or potential condition that poses an immediate threat to life or property. In the context of mutual aid, it means a situation that exceeds a local agency's capability to counteract successfully.

EMPLOYEE

All agency employees, regardless of role or function.

EQUAL EMPLOYMENT OPPORTUNITY

The provision of equitable opportunities for employment and conditions of employment to all employees regardless of race, creed, color, age, gender, religion, national origin, or physical impairment.

EQUAL EMPLOYMENT OPPORTUNITY PLAN

A document designed to state the steps the agency intends to take to ensure there are no artificial barriers that would prevent members of a protected group from a fair and equitable opportunity to be hired, promoted, or otherwise take advantage of employment opportunities.

FIELD TRAINING

A structured and closely supervised program provided to recruit/probationary officers to facilitate the application of skills and knowledge obtained in the academy/classroom to actual performance in on-the-job situations.

FIELD TRAINING OFFICER (FTO)

An officer who has been carefully selected and trained to deliver the field training program to recruit/probationary officers.

FIREARM

A weapon incorporating a metal tube from which bullets, shells, or other missiles are propelled by explosive force, such as a rifle, pistol, or other portable gun.

FOLLOW-UP INVESTIGATION

An extension of the preliminary investigation. Its purpose is to provide additional information in order to close a case, arrest an offender, and/or recover stolen property. An investigation may include the following activities: (1) identifying and apprehending the offender; (2) collecting, preserving, analyzing and evaluating evidence; (3) recovering stolen property; (4) interviewing victims and witnesses; (5) interrogating suspects; (6) determining in detail the exact circumstances of the offense; (7) determining if other crimes may have been committed by the suspect; (8) reporting information obtained; and (9) preparing the case for court presentation.

FUNCTION

A general term for the required or expected activity of a person or an organizational component, for example: patrol function, communications function, crime analysis function.

GRIEVANCE

Difference or dispute between the agency and the union or between the agency and any employee with respect to the interpretation, application or violation of any provision of the applicable collective bargaining agreement and/or employment contract. **(12/31/2015)**

HAZARDOUS MATERIALS

Any liquid, gas or solid compound that could be injurious to animal, vegetable or human life.

HOLDING AREA

Any locked area, space, or enclosure where a prisoner/detainee is placed to prohibit freedom of movement.

IN-SERVICE TRAINING

Instruction, in addition to recruit training, intended to enhance knowledge, skills, or abilities that may include periodic retraining or refresher training, specialized training, career development, promotional training, advanced training, or roll-call training.

INSPECTION

A comparison of an individual or an organizational component against established standards, such as policies, procedures, practices, or expected behaviors. Organizational component inspections are commonly referred to as staff inspections and encompass a full-scale review of the current operations of a unit or section of the agency. Inspection can also include all aspects of administration, personnel policies, directives, equipment and facilities.

INTERROGATION

A type of interview that is accusatory and persuasive in nature and is conducted for the purpose of eliciting a confession. A suspect need not be in custody for an interrogation to occur.

INTERVIEW

A conversation between officers and persons who are thought to have knowledge sought by the officer, whether those persons are victims, witnesses, suspects, or anyone who may possess relevant information. An interview may be relaxed and informal or highly structured and formal, depending on the circumstances.

JOB DESCRIPTION

A description of the tasks, duties, responsibilities and working conditions associated with a job. A job description generally contains information on what the employee will do; skills, knowledge, and abilities the job requires; and the job's working conditions and physical demands.

LETHAL FORCE

Force that is likely to cause death or great bodily harm and includes but is not limited to: (1) the firing of a firearm in the direction of the person to be arrested, even though no intent exists to kill or inflict great bodily harm; and (2) the firing of a firearm at a vehicle in which the person to be arrested is riding. The terms "deadly force" and "lethal force" are considered synonymous and may be used interchangeably.

LESSON PLAN

A detailed format an instructor uses to conduct a course. A lesson plan may include goals, specific subject matter, performance objectives, references, resources and method of evaluating or testing students.

LESS LETHAL FORCE

Force that is not likely to cause death or great bodily harm.

LINEUP (In-Person)

An identification procedure in which a victim or witness is asked to identify a suspect from among a group of persons in order to determine or confirm the suspect's identity.

LINEUP (Photographic)

An identification procedure in which an array of photographs, including a photograph of the suspected perpetrator and additional photographs of other persons not suspected of the offense, are displayed to an eyewitness either in hard copy form or via computer for the purpose of determining whether the eyewitness identifies the suspect as the perpetrator.

MUTUAL AID

A formal agreement or legal authority among emergency responders to lend assistance across jurisdictional boundaries when required by an emergency or disaster that exceeds local resources. This assistance includes but is not limited to such resources as facilities, equipment, services, supplies and personnel.

OFFICER

An agency employee, sworn or non-sworn, who performs a police or security function to include routine patrol, building security, emergency response and follow-up investigation. The term "officer" does not apply to clerical personnel or those employees in a strictly administrative role.

PATROL

The deployment of officers to repress and prevent criminal activities, investigate offenses, apprehend offenders, and furnish day-to-day law enforcement and/or security services to the campus.

PERFORMANCE EVALUATION SYSTEM

A formal process used to measure the level of effectiveness of an employee and to improve future work habits. Measurable and job-related objectives are used to measure work performance.

PLAN

A detailed scheme, program, or method worked out in advance for the accomplishment of an objective, proposed or tentative project, or goal. A plan may be a systematic arrangement of details, an outline, a drawing or a diagram.

POLICY

A written directive that is a broad statement of agency principles. Policy statements may be characterized by such words as "may" or "should" and usually do not establish fixed rules or set procedures for conduct of a particular activity, but rather provide a framework for development of procedures and rules and regulations. Policy is not necessarily specific but rather reflects intent, concepts and philosophy.

PROCEDURE

Provides specific guidance for an operation or activity. Procedure serves to define the policy and provides an acceptable method for carrying it out. A manner of proceeding, a way of performing or affecting something, an act composed of steps, a course of action, a set of established forms or methods for conducting the affairs of the agency.

PUBLIC SHELTERING

Also referred to as lockdown, to describe precautions to be taken by the public when violence has occurred or might occur (particularly in shootings) in the area and the perpetrator is believed to still be in the area but not apprehended. The public in the area is advised to carry out all the same tasks as a typical shelter-in-place but without the key step of sealing the shelter up to prevent outside air from circulating indoors, in this scenario people are simply urged to lockdown - stay indoors and "close, lock and stay away from external doors and windows."

PURSUIT

An active attempt by an officer, operating in a vehicle, to apprehend one or more occupants of another moving motor vehicle, where the driver of the fleeing vehicle is aware of the attempt and is resisting apprehension.

REMEDIAL TRAINING

Instruction conducted to correct an identified deficiency.

RESERVE OFFICER

Any person employed or appointed less than full time, as defined by an employing agency, who is vested with the same authority as full-time officers. Included are seasonal employees who may work full-time schedules during the academic year and are furloughed during non-peak times.

RESTRAINING DEVICES

Equipment used to restrict the movement of a prisoner/detainee.

ROLL-CALL TRAINING

Short training or informational sessions held just prior to, or just after, a member's tour of duty.

RULES AND REGULATIONS

Specific guidelines describing allowed and prohibited behavior, actions, or conduct.

SEMIANNUAL

Happening every six (6) months or twice a year.

SEXUAL HARRASSMENT

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

SHOW-UP

An identification procedure in which an eyewitness is presented a single suspect for the purpose of determining whether the eyewitness identifies this individual as the perpetrator.

SPECIAL EVENT

An activity that results in the need for control of traffic, crowds, or crime. Special events are normally time-specific, short-duration events, but they may be extended over a longer period of time.

SPECIALIZED TRAINING

Training to enhance skills, knowledge and abilities taught in either recruit or other in-service programs. Specialized training may address supervisory, management, and/or executive development training, or it may include technical and job-specific subjects, e.g., homicide investigation, fingerprint examination, or juvenile investigation.

SPECIAL PURPOSE VEHICLE

A vehicle that requires special training or authorization for deployment that is used because of weather, terrain, or the need for inconspicuous appearance, quietness, storage requirements, special operational needs, e.g., SWAT trucks, bomb disposal

vehicles, mobile command posts, all-terrain vehicles (ATVs), personal watercraft, boats, aircraft, prisoner transport vehicles, motorcycles, bicycles, and animals.

SPECIALIZED UNITS

Functions performed by an agency that may involve the use of equipment, tactics, or duties not usually performed by the patrol function, e.g., aviation, canine, bicycles, bomb disposal, mounted patrol, navigation, scuba or SWAT.

SUPERVISOR

An employee responsible for the day-to-day performance of a group, function or unit, whose job is to oversee and guide the work or activities of a group of other people.

SWORN OFFICER

An agency employee conferred with general police powers in furtherance of his/her employment with the agency, including the ability to make a full-custody arrest. See "OFFICER."

TEMPORARY HOLDING AREA

A location within the law enforcement agency, used for a brief period to process, question, arraign, or test individuals who are in the custody or care of the law enforcement agency. These areas would only be used until the processing is completed prior to the release of the person or until the person appears before a member of the judiciary.

WARNING SHOT

A gunshot, fired into the air or a nearby object, intended to be harmless but used to call attention and demand some action of compliance.

WRITTEN DIRECTIVE

A document used to guide the actions of members and establish agency policy and procedures/practices. The document may be generated from within or outside of the agency. Examples of written directives include but are not limited to: policy statements, standard operating procedures, general orders, memoranda, union contracts, laws, written orders, and instructional materials.

Rhode Island Specific Standards

2.22 Firearms Training – POST Submission (State Specific)

Agencies under the authority of the Rhode Island Commission on Police Officers Standards and Training (RIPOST) shall submit to RIPOST, on an annual basis, a proposal for the training and qualification of their officers on all firearms which they are authorized to carry or use in the performance of their official duties. Each proposal shall include training and qualification in the following areas:

- a. Decision shooting;
- b. Reduced lighting shooting;
- c. Moving targets;
- d. Use of cover;
- e. Non-dominant hand shooting;
- f. Alternate position shooting;
- g. Reloading drills;
- h. Malfunction drills.

Guidance: The purpose of this standard is to ensure compliance with RIGL 11-47-5.3. This standard applies only to those agencies under the authority of RIPOST.

2.23 Lethal Force – Attorney General’s Protocols (State Specific)

A written directive requires that should an officer use lethal force in a manner outlined in Standard 2.14, the agency will comply with the current Rhode Island Attorney General’s Protocols Regarding use of lethal force Incidents, in custody deaths and vehicular pursuits resulting in serious bodily injury or death.

Guidance: The Department of the Rhode Island Attorney General has noted that “one of the most sensitive investigations that law enforcement agencies are called upon to conduct is an investigation of the use of lethal force by a police officer. Experience has shown that these investigations frequently pose complex factual and legal issues, and are closely followed by the public we serve”. To that end, the Attorney General’s office has developed investigative protocols regarding the use of lethal force by police officers.

These protocols advise that a police agency involved in a lethal force incident promptly notify the Rhode Island State Police and the Rhode Island Attorney General’s office of the incident. Both agencies will work with local law enforcement to “conduct the most informed and efficient review [of the incident] as possible. **(Revised 9/18/13)**

2.24 Intra-State or Inter-State Non-Emergency Agreements (State Specific)

If an agency participates in either intra-state or inter-state non-emergency aid, a written agreement with the neighboring agencies must be in compliance with Rhode Island State Law, and a directive shall state the following:

- a. conditions under which the non-emergency mutual aid agreement may be initiated;
- b. training requirements for all sworn personnel on the implementation of the agreement;
- c. that the directive will be reviewed with all sworn personnel on an annual basis; and
- d. that the agreement will be re-affirmed with the neighboring agencies on the three year anniversary of the last re-affirmation.

Guidance: In recognition of the non-emergency law enforcement needs of Rhode Island cities and towns in state, as well as the geographical jurisdictions restrictions placed on law enforcement agencies in the state, Rhode Island General Law 45-42-2 authorized Rhode Island communities that “lie adjacent” to one another to enter into agreements to provide assistance in a non-emergency situation for “all those police services prescribed by law within any portion of the jurisdiction of the city or town ... granting the authority”. The law proscribes certain legal privileges and immunities to police officer operating under its provisions.

Rhode Island General Law 30-15.8-3 authorized Rhode Island communities that are “adjacent to and border” a community of a neighboring state to enter into agreements in a manner similar to Rhode Island General Law 45-42-2. That law also proscribes certain legal privileges and immunities to police officer operating under its provisions.

Where a community elects to enter into either of these agreements with neighboring communities, the agreements must follow the statutorily mandated protocols for the drafting and adoption of the agreements. Further, adopting agencies must make their sworn personnel aware of any such agreements, their provisions and limitations. Whereas agreements created under these statutes are counterintuitive to the traditional legal/geographical authority of Rhode Island municipal police officers, said agreements are to be reviewed annually with sworn personnel and re-affirmed by the neighboring agencies every three years.

3.14 Social Media (State Specific)

A written directive governs the on-duty and off-duty use of social media by agency personnel and, at a minimum:

- a. Requires the Chief or his her designee’s approval of agency information released on social media outlets or clearly defined written guidelines of approved/prohibited content;
- b. Prohibits the revelation of agency-sensitive information, (i.e.: investigations, future plans, undercover officers, etc.); and
- c. Prohibits the revelation of information which has the effect of damaging the agency’s reputation or credibility, or is detrimental to the agency’s mission.

Guidance: Law enforcement’s use of social media can enhance the effectiveness of an agency’s daily operations. Social media can be utilized as an investigative tool, a means of community outreach, and as part of recruitment efforts. However, the misuse of social media can be devastating to the reputation and credibility of individual employees, as

well as to the effectiveness of their agency. The intent of this standard is not to prohibit the use of social media, but to ensure that written guidelines exist so that employee and agency use of social media is consistent with the agency's mission. **(Revised 9/18/13)**

4.8 Background Investigation (State Specific)

A background investigation of each candidate for all sworn positions is conducted by personnel who have been trained in conducting background investigations and prior to admission to a state academy, or appointment to probationary status in a sworn position, and includes:

- a. An interview with the candidate;
- b. Verification of qualifying credentials;
- c. Verification of the applicant's employment history;
- d. A check of the applicant's military record;
- e. A review of any criminal record;
- f. A check of court history;
- g. A check of financial history;
- h. A verification of at least three personal references;
- i. A neighborhood canvas;
- j. Mental health inquiries;
- k. A check of the Internet and social media sites **as per state law** and;
- l. A report is completed which includes the information obtained from the checks and interviews required; an introduction; and a detailed summary.

(Revised 10/01/14)

Guidance: It is more reliable to conduct the inquiry in person, though telephone and mail inquiries are appropriate in obtaining criminal history and driving records. The investigation should routinely involve a home visit with the candidate and his or her family and interviews with neighbors. Background investigations are generally listed among the final stages in the selection process only to suggest that this is when they should be completed; they are likely to have commenced much earlier.

A person assigned to conduct the background investigation should be trained in conducting background investigations and the legal aspects of conducting background investigations. Recent legislation prohibits employers from compelling applicants from providing access to passwords for social media sites, RIGL, 28-56-1 -28-56-5.

6.11 Tactical Team POST Training (State Specific)

If the agency participates in a tactical team, as defined in the Rhode Island Commission on Police Officers Standards and Training (RIPOST) Tactical Team Training Standards, a written directive requires that all personnel assigned to the team, and all command and executive personnel who may oversee tactical operations, will engage in training as specified in the current RIPOST Tactical Team Training Standards. This standard applies only to those agencies under the authority of RIPOST, who has decreed that such agencies may not deploy its tactical team if the required personnel within the agency are not trained in accordance with its certified training program.

Guidance: Consistent with its authority under the Rhode Island General Laws, the Rhode Commission on Police Officers Standards and Training (RIPOST) has formally adopted a certified training program for all personnel assigned to an agency's tactical team as well as for those in positions of command who may be responsible for the deployment of their agency's tactical team.

6.12 Domestic Violence Training (State Specific) (Time Sensitive)

A written directive requires that sworn agency personnel receive initial training on domestic violence issues and refresher training on domestic violence issues at least once every three years, including legal updates.

Guidance: The agency shall ensure that sworn personnel receive initial domestic violence mandated in-service training under RIGL 12-29-6. Refresher training can be in the form of classroom, shift briefing, computer based training and bulletins, or any combination of methods as determined by the agency.

8.9 Multi- Jurisdictional Task Forces (State Specific)

If agency personnel participate in formal, long term, multi-jurisdictional investigative task force(s), a written directive describes the task force activities, to include:

- a. The purpose;
- b. Defining authority and responsibilities;
- c. Evaluating results and the need for continued operation(s); and
- d. Written agreements which shall identify the following:
 - 1) Which agency to the agreement is responsible for the pay, pension, worker's compensation claims, medical expenses or employment benefits of the participants to the agreement;
 - 2) How responsibility for allegations of negligence against the participants to the agreement shall be apportioned among the participating agencies; and;
 - 3) Which participating agencies' operational policies and procedures are controlling for the individual participants to the agreement.

Guidance: The legal authority and the criteria for the use of the task forces should be specified in the directive. The kinds of offenses for which they should be used and the procedures for control and evaluation should be outlined. In addition, written memorandums of understanding among the involved agencies should clearly outline which agency will be responsible for the employment benefits, injuries, and any allegations of wrongdoing involving the participants. The agencies should also identify which agency's policies and procedures will be controlling their participants to the agreement.

8.10 Custodial Interrogations – Capitol Offenses (State Specific)

A written directive requires that all custodial interrogations of suspects in capital cases be electronically recorded in their entirety using audio-visual equipment, and includes:

- a. A definitions section which incorporates definitions promulgated by the “Task Force to Investigate & Develop Policies & Procedures for Electronically Recording Custodial Interrogations;”
- b. A list of criminal offenses that require electronic recording of the custodial interrogation;
- c. Specific language requiring the audio recording of custodial interrogations in their entirety except when a good-faith determination has been made that audio-visual recording is impossible or impractical;
- d. Specific language requiring that a suspect’s refusal to be recorded be memorialized either electronically or in writing;
- e. Specific language requiring documentation of custodial interrogations not electronically recorded due to exigent circumstances;
- f. Identification of agency approved audio-visual equipment and audio equipment, as well as procedures to be followed prior to and during custodial interrogations;
- g. Procedures for the preservation and storage of electronic recordings resulting from custodial interrogations;
- h. Procedures for the transcription of the electronic recordings resulting from custodial interrogations.

Guidance: In addition to guarding against false confessions, the electronic recording of custodial interrogations has many positive benefits for law enforcement in prosecuting the accused. For example, recordings make law enforcement officers more efficient and effective while questioning suspects, permitting officers conducting interrogations to focus more on a suspect’s responses rather than taking written notes of such responses. Recordings also make it unnecessary for officers to struggle to recall details when later writing reports and testifying about what occurred during interrogations. Additionally, recordings offer prosecution and defense attorneys a reliable way of determining whether custodial interrogations were conducted consistent with legal requirements.

It must be recognized that an individual agency’s space constraints may dictate how they most effectively record interrogations. It must also be recognized that agencies are not prohibited from conducting electronic recordings without a suspect’s knowledge. In fact, because Rhode Island is a “One Party Consent State,” it is generally legal for suspects to be recorded without their knowledge. Consequently, agencies should consider when this type of recording is most appropriate.

If a suspect refuses to be recorded, agencies are permitted to dispense with the requirement of electronically recording the custodial interrogation; however, the suspect’s refusal must be memorialized either electronically or in writing. Refusals memorialized in writing should be executed by the officer, suspect, or both. Agencies are also permitted to dispense with the requirement of electronically recording the custodial interrogation when there exists exigent circumstances that would cause a reasonable person to believe that prompt action was necessary to prevent physical harm to officers or other persons, the destruction of relevant evidence, the escape of a

suspect, or some other consequence improperly frustrating legitimate law enforcement efforts.

Although this standard requires a list of criminal offenses in which recording is required, agencies should not be discouraged from expanding that list to include non-capital offense investigations.

Whether an interrogation has been recorded by means of a digital or cassette audio recorder, or digital or VHS audio-visual recorder, it is imperative that the agency maintain the integrity of original recordings and approved copies of such recordings. As such, the transfer of digital recordings to the agency's computer system should be consistent with industry standards relative to digital evidence. Original cassette and VHS recordings should be preserved and stored as any other piece of evidence, consistent with contemporary rules of evidence. The production and distribution of copies of all recordings such as in the case of copies of recordings being made for transcription purposes, should be well documented and under the direct control of the agency's property control function.

In light of the Task Force's (*Task Force to Investigate & Develop Policies & Procedures for Electronically Recording Custodial Interrogations*) focus on custodial interrogations occurring at a place of detention, where appropriate audio or audio-visual recording equipment should be available, it is highly recommended that agencies prohibit the use of personal devices, (i.e.: smart phones, iphones, etc.), to record custodial interrogations.

12.19 Fire Codes (State Specific)

If the agency maintains a holding facility, a written directive shall prescribe fire prevention practices and procedures, but in all cases the agency shall obtain from the state or local fire inspector written certification that the holding facility complies with all state or local fire codes.

Guidance: State and local fire codes address the minimum fire safety standards of police holding facilities. Police agencies that utilize in-house holding facilities must obtain an updated certification of compliance with state or local fire codes for their holding facilities from a state or local fire inspector at least once every three years.

12.20 Monitoring Detainees (State Specific)

A written directive governs the monitoring of detainees held in the agency's holding facility, regardless of the length of detention, and addresses:

- a. The frequency of physical checks of detainees;
- b. Use of audio and/or visual electronic surveillance;
- c. Procedures for monitoring detainees of a sex opposite that of the monitoring agency member;
- d. Detainee's personal privacy; and
- e. Mutual aid agreements with other agencies relative to the housing of

detainees either for or by the agency.

Guidance: The presence of detainees within an agency's holding facility should always be cause for heightened awareness. The intent of this standard is to ensure that agencies take reasonable steps to avoid liability in providing for a detainee's safety, privacy, and basic needs from the moment a detainee arrives at the holding facility until the detainee is appropriately released.

Additionally, the agency should include as part of their regular training program training on the operations of the holding facility. The agency should also have provisions for the emergency evacuation of detainees, security inspections of cells, control of tools and culinary equipment, procedures to be followed in the event of an escape, availability of first aid kits, distribution of prescription medications, visitor and/or attorney access to detainees, and access to basic necessities, (i.e.: food, water, bedding, toilets, etc.).

16.12 Department of Health Submission Guidelines (State Specific)

A written directive requires that evidence samples forwarded to the Rhode Island Department of Health (HEALTH) be forwarded consistent with HEALTH guidelines, and that agency personnel responsible for the submission of evidence samples have 24-hour access to such guidelines.

Guidance: To assist in providing for the efficient and effective processing of evidence, (i.e.: marijuana, pills, powders, blood, etc.), at the Rhode Island Department of Health (HEALTH), agencies must adhere to HEALTH's "Forensic Biology Laboratory Evidence Policy" and "Forensic Drug Chemistry Evidence Submission Policy" when submitting evidence samples.

Additionally, personnel responsible for the submission of evidence samples to HEALTH should have immediate access to current policies, and should periodically contact representatives from HEALTH to ensure that the agency is referencing the most updated policies.

Appendix A (RIPAC Standard 16.11)

Sample Size Determination for Annual Property and Evidence Audits

The purpose of the annual audit is to ensure the continuity of custody and not to require the accounting of every single item of property, unless the total number of items in custody is small. Agencies should draw a representative sample of property and evidence that is sufficiently large to establish confidence that proper procedures and systems are being followed. Minimum sample sizes should be as follows:

- If the agency has 100 or fewer items in custody, then the status of all items should be reviewed.
- If the agency has 101 or more items in custody, then a sample of 100 items should be selected for the annual audit according to these criteria –
 - If the agency has 100 or more high risk items, then the annual audit should review a minimum of 100 high risk items.
 - If the agency has fewer than 100 high risk items, then the annual audit should review all the high risk items, plus a representative sample of other items to bring the total reviewed to 100 at a minimum.

It is recognized that some agencies have thousands, even tens of thousands of items of property and evidence in custody. While the annual audit may review a small percentage of items in custody, it should be recognized that it is only one of several actions that are necessary to maintain control and accountability. Other actions include both semi-annual and unannounced annual inspections and an in-depth audit whenever there is a change-over in property and evidence custodian. **(New appendix 3/11/2015)**

Standard Titles

CHAPTER 1 - MANAGEMENT

- 1.1 Organizational Structure
- 1.2 Authority & Accountability
- 1.3 Notification to the Chief
- 1.4 Command Protocol
- 1.5 Duty to Obey
- 1.6 Written Directive System
- 1.7 Written Directives – Availability
- 1.8 Annual Goals & Objective **(Time Sensitive)**
- 1.9 Reserve Officer Program
- 1.10 Reserve Officer Selection
- 1.11 Reserve Officer Training
- 1.12 Reserve Officer In-Service Training
- 1.13 Reserve Officer –Use of Force Training
- 1.14 Auxiliaries
- 1.15 Cash Accounts **(Time Sensitive)**
- 1.16 Operational Readiness

CHAPTER 2 – LAW ENFORCEMENT ROLE & AUTHORITY

- 2.1 Oath of Office
- 2.2 Code of Ethics **(Time Sensitive)**
- 2.3 Legal Authority

- 2.4 Interviews & Interrogations**
- 2.5 Search & Seizure**
- 2.6 Arrests**
- 2.7 Strip Searches**
- 2.8 Bias Based Profiling (Time Sensitive)**
- 2.9 Reasonable Force**
- 2.10 Lethal Force**
- 2.11 Warning Shots**
- 2.12 Less Lethal Weapons**
- 2.13 Medical Attention**
- 2.14 Use of Force Reporting (Time Sensitive)**
- 2.15 Use of Force Report Review (Time Sensitive)**
- 2.16 Use of Force Reassignment**
- 2.17 Firearms & Ammunition Approved**
- 2.18 Proficiency**
- 2.19 Use of Force Training (Time Sensitive)**
- 2.20 Instruction – Use of Force Policies**
- 2.21 Annual Analysis- Use of Force (Time Sensitive)**
- 2.22 Firearms Training – POST Submission (State Specific)**
- 2.23 Lethal Force – Attorney General’s Protocols (State Specific)**
- 2.24 Intra-State or Inter-State Non-Emergency Agreements (State Specific)**
- 2.25 Contractual Services**

CHAPTER 3 – WORK CONDITIONS & BENEFITS

3.1 Job Descriptions

3.2 Benefits

3.3 Line of Duty Death/Serious Injury

3.4 Personnel Identification

3.5 Health & Fitness Standards

3.6 Extra Duty Employment

3.7 Grievance Procedures

3.8 Promotional Process

3.9 Supervisory Probation

3.10 Performance Appraisals

3.11 Annual Performance Appraisals (Time Sensitive)

3.12 Performance Appraisal Counseling

3.13 Early Intervention (Time Sensitive)

3.14 Social Media (State Specific)

CHAPTER 4 RECRUITMENT & SELECTION

4.1 Recruitment Plan

4.2 Recruitment Plan Review (Time Sensitive)

4.3 Selection Criteria

4.4 Background Investigations

4.5 Medical Examination

4.6 Psychological Examination

4.7 Probationary Period

4.8 Background Investigation (State Specific)

CHAPTER 5 PROFESSIONAL STANDARDS

- 5.1 Code of Conduct and Appearance Guidelines**
- 5.2 Workplace Harassment Prohibited (Time Sensitive)**
- 5.3 Accountability System**
- 5.4 Appeal Procedures in Disciplinary Actions**
- 5.5 Complaint Investigations**
- 5.6 Retain Secure Records of Complaints**
- 5.7 Internal Affairs Function Reports to CEO**
- 5.8 Categories of Investigations**
- 5.9 Time Limit for Internal Affairs Investigations**

CHAPTER 6 TRAINING

- 6.1 Lesson Plans**
- 6.2 Remedial Training**
- 6.3 Training Records Updated**
- 6.4 Training Records**
- 6.5 Recruit Academy Training**
- 6.6 Field Training Officer Program**
- 6.7 Annual Retraining (Time Sensitive)**
- 6.8 Accreditation Training**
- 6.9 Tactical Team Training**
- 6.10 Training upon Promotion**
- 6.11 Tactical Team POST Training (State Specific)**

6.12 Domestic Violence Training (State Specific) (Time Sensitive)

CHAPTER 7 – PATROL

7.1 Agency owned Animals

7.2 Patrol Vehicle Response

7.3 Motor Vehicle Pursuits (Time Sensitive)

7.4 Roadblocks/Forcible Stops (Time Sensitive)

7.5 First Responder Notification

7.6 Adult Missing Persons

7.7 Missing Children

7.8 Mental Illness (Time Sensitive)

7.9 Vehicle Equipment

7.10 Body Armor

7.11 Protective Vests for High Risk Operations

7.12 In-car Audio/Video Recording

7.13 Media Access at Crime Scenes

CHAPTER 8 INVESTIGATIONS

8.1 Case Screening

8.2 Intelligence (Time Sensitive)

8.3 Preliminary and Follow-up Investigations

8.4 Informants

8.5 Interview Rooms

8.6 Vice, Drugs and Organized Crime

8.7 Undercover Operations

8.8 Next of Kin Notification

8.9 Multi- Jurisdictional Task Forces (State Specific)

8.10 Custodial Interrogations – Capitol Offenses (State Specific)

8.11 Eye Witness Identification – Photographic or Physical Line-Up **Effective April 1, 2016**

8.12 Eye Witness identification – Show-Up **Effective April 1, 2016**

CHAPTER 9 – JUVENILE OPERATIONS

9.1 Juvenile Operations

9.2 Dealing with Juveniles

9.3 Custody of Juveniles

9.4 Custodial Interrogations – Juveniles

CHAPTER 10 – HOMELAND SECURITY & INCIDENT COMMAND

10.1 Responsibility for Coordination

10.2 All Hazard Plan

10.3 ICS – Command Function **(Time Sensitive)**

10.4 ICS – Operations Function

10.5 ICS – Planning Function

10.6 ICS – Logistics Function

10.7 ICS – Finance/Administration Function

10.8 Training – All Hazard Plan **(Time Sensitive)**

10.9 Special Events

10.10 Information Exchange

10.11 Hazardous Materials Training

10.12 Active Threat Response **(Time Sensitive) Effective January 1, 2014**

CHAPTER 11- TRAFFIC

11.1 Enforcement Action

11.2 Special Processing Requirements

11.3 Information for Motorist

11.4 Uniform Enforcement Policies

11.5 Vehicle Stops

11.6 Individuals Charged with DUI

11.7 Traffic Direction and Control

11.8 Escorts

11.9 Motorist Assistance

11.10 Roadway Hazards

11.11 Abandoned Vehicles

CHAPTER 12 – PRISONER TRANSPORTATION, PROCESSING & DETENTION

12.1 Prisoner Searches

12.2 Search of Transport Vehicles

12.3 Officer's Actions at Destination

12.4 Detainee Escape During Transport **(Time Sensitive)**

12.5 Security Risk – Detainee

12.6 Detainee Restraints

12.7 Driver Safety Barrier **(Observable)**

- 12.8 Designated Area for Detainee Processing
- 12.9 Training -Temporary Detention Area(s) **(Time Sensitive)**
- 12.10 Procedures — Temporary Detention
- 12.11 Security Concerns — Temporary Detention
- 12.12 Conditions of Temporary Detention Area **(Observable)**
- 12.13 Fire Prevention/Evacuation **(Observable)**
- 12.14 Inspection of Temporary Detention Area **(Time Sensitive)**
- 12.15 Security Concerns — Processing Areas
- 12.16 Holding Facility Training **(Time Sensitive)**
- 12.17 Firearms - Holding Facility
- 12.18 Male/Female, Juvenile Separation **(Observable)**
- 12.19 Fire Codes **(State Specific)**
- 12.20 Monitoring Detainees **(State Specific)**

CHAPTER 13 – COURT SECURITY

- 13.1 Courtroom Security
- 13.2 Weapons Control
- 13.3 External Communication
- 13.4 Weapons –Court Holding Facility
- 13.5 Emergency Alert **(Observable)**

CHAPTER 14 – COMMUNICATIONS

- 14.1 Twenty-four Hour Voice and TDD Access **(Observable)**
- 14.2 Continuous Communication with Officers **(Observable)**

- 14.3 Recording Information
- 14.4 Communications to and From Officers
- 14.5 Access to Resources (**Observable**)
- 14.6 Immediate Play-Back
- 14.7 Misdirected Calls
- 14.8 First Aid Instruction Training
- 14.9 Security Measures (**Observable**)
- 14.10 Alternate Power Source (**Time Sensitive**)

CHAPTER 15 – RECORDS

- 15.1 Legal Process
- 15.2 Security of Records
- 15.3 Juvenile Records
- 15.4 Security of Computerized Records (**Time Sensitive**)
- 15.5 Field Reporting System
- 15.6 Incident Reporting
- 15.7 Case Numbering System
- 15.8 Records of Traffic Citations
- 15.9 Mobile data terminals (**New Standard Effective 1/31/16**)

CHAPTER 16 – EVIDENCE & PROPERTY CONTROL

- 16.1 24-Hour Service Capabilities
- 16.2 Transfer of Custody
- 16.3 Processing Equipment
- 16.4 Report Preparation

- 16.5 Forensic Lab Submission
- 16.6 Receipt of Property/Evidence
- 16.7 Secure Property/Evidence Storage (**Observable**)
- 16.8 Secure Property/Evidence Temporary Storage (**Observable**)
- 16.9 Security of Controlled Substances/Weapons
- 16.10 Property Records System
- 16.11 Audit and Inspections (**Time Sensitive**)
- 16.12 Department of Health Submission Guidelines (State Specific)

CHAPTER 17 – CAMPUS LAW ENFORCEMENT

- 17.1 Risk Assessments (**Time Sensitive**)
- 17.2 Background Investigations for Campus Personnel
- 17.3 Safety Escorts Staff Selection
- 17.4 Emergency Notification
- ~~17.5 All Threats Response (**Time Sensitive**)~~ **DELETED December 2013**
- 17.6 Behavioral Threat Assessment
- 17.7 Video Surveillance (**Time Sensitive**)
- 17.8 Emergency Phones (**Time Sensitive**)
- 17.9 Administrative Investigations
- 17.10 Medical Center Security
- 17.11 Research Facility Responsibilities
- 17.12 Agency's Role in Clery Act Compliance (**Time Sensitive**)