

Twin Falls Police Department

Twin Falls PD Policy Manual

VALUE STATEMENT OF THE TWIN FALLS POLICE DEPARTMENT

The Twin Falls Police Department has established a set of values that are foundational to the operation of the organization. These values represent the shared, fundamental principles from which every policy and procedure is derived and they permeate every facet of the Department's operation.

The ability therefore to articulate these values, as well as each member's personal commitment to them, contributes to the overall success of the organization and of the individual employee.

Because we are proud of our chosen profession, Department, City and work, the values to which we subscribe can be articulated as PRIDE:

Professionalism Respect Integrity Dignity Excellence

PROFESSIONALISM

- Honesty: We hold ourselves accountable for our words and our actions
- Attitude: We are knowledgeable, confident, positive, and optimistic
- Appearance: We maintain a professional demeanor
- Conduct: We value a strong work ethic to fulfill all of our responsibilities

RESPECT

- Teamwork: We strive for unity and understanding
- Authority: We recognize and value the public's trust to uphold constitutional rights and never abuse our authority
- Golden Rule: We will remain unbiased in our approach to providing public safety services
- Interaction: We will maintain a courteous comportment with everyone we encounter

INTEGRITY

- Integrity: We take pride in our actions
- Courage: We always strive to do the right thing
- Considerate: We are genuine with everyone we interact with
- Standards: We hold ourselves to the highest standards
- Honor: We always uphold our Oath of Office and the Law Enforcement Code of Ethics
- Trust: We will be trustworthy and lead by example

DIGNITY

- Commitment: We will foster a supportive culture
- Perseverance: We will remain reliable, loyal, and optimistic
- Judgment: We acknowledge the individual worth of everyone

VALUE STATEMENT OF THE TWIN FALLS POLICE DEPARTMENT

- Dedication: We are committed and dedicated to the mission and principles of the Twin Falls Police Department and the Law Enforcement profession

EXCELLENCE

- Connection: We strive to make positive connections with others through active listening and positive/constructive engagement
- Collaborate: We strive for positive engagement to promote, encourage, and cultivate meaningful relationships
- Stewardship: We are good and faithful stewards in all aspects of the public's trust
- Development: We always strive for personal improvement through education and training
- Service: We consistently strive to be the standard for quality

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LAW ENFORCEMENT CODE OF ETHICS

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

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

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

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

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

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

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MISSION OF THE TWIN FALLS POLICE DEPARTMENT

Our mission is to provide excellent service, professional law enforcement and effective crime prevention for a safe community.

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Chapter 1 - Law Enforcement Role and Authority

Law Enforcement Authority

100.1 PURPOSE AND SCOPE

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

100.2 PEACE OFFICER AUTHORITY

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

- (a) When a request for law enforcement assistance is made by another law enforcement agency.
- (b) When the officer has probable cause to believe a crime is occurring involving a felony or an immediate threat of serious bodily injury or death to any person.
- (c) When the officer is in fresh pursuit as defined in and pursuant to Chapter 7, Title 19, Idaho Code.
- (d) As authorized by this department pursuant to an existing mutual assistance compact with an outside jurisdiction.

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

100.2.1 PEACE OFFICER POWERS OF ARREST

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

- (a) For a public offense committed or attempted in his/her presence.
- (b) When a person arrested has committed a felony, although not in his/her presence.
- (c) When a felony has in fact been committed and he/she has reasonable cause for believing the person arrested to have committed it.
- (d) On a charge made, upon a reasonable cause, of the commission of a felony by the party arrested.
- (e) At night, when there is reasonable cause to believe that the suspect has committed a felony.
- (f) When upon immediate response to a report of a commission of any misdemeanor crime the officer must witness the commission of the violation or obtain an arrest warrant prior to making a physical arrest. In the event a citizen wishes to make a citizen's arrest, the officer should take into consideration the

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probable cause to believe the alleged misdemeanor crime was committed by the suspect, the availability to secure an arrest warrant, the threat posed by the suspect to others if the suspect is not immediately taken into custody. Whenever a physical arrest for a misdemeanor crime is necessary, the officers shall first seek to obtain an arrest warrant before allowing for a citizen's arrest to occur.

- (g) When there is reasonable cause to believe, based upon physical evidence observed by the officer or statements made in the presence of the officer upon immediate response to a report of a commission of a crime aboard an aircraft, that the person arrested has committed such a crime.

100.2.2 FELONY NARCOTICS ARRESTS WITH MISDEMEANOR CHARGES

In the event that an employee is tasked with making a FELONY narcotics arrest, DO NOT attach misdemeanor charges to the felony arrest. Please include the misdemeanor information in the body of the probable cause affidavit.

100.3 CONSTITUTIONAL REQUIREMENTS

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

100.4 POLICY

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

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

100.5 INTERSTATE PEACE OFFICER POWERS

Peace officer powers may be extended to other states:

- (a) As applicable under interstate compacts, memorandums of understanding, or mutual aid agreements in compliance with the laws of each state.
- (b) When an officer enters the following states while in pursuit of a person who the officer has probable cause to believe has committed a felony:
 - 1. Utah (Utah Code 77-9-1)
 - 2. Nevada (NRS 171.158)
 - 3. Oregon (ORS 133.430)
- (c) When an officer enters Montana while in pursuit of a person who the pursuing officer has probable cause to believe committed a crime (§ 46-6-411, MCA).
- (d) When an officer enters Washington while in pursuit of a person who the pursuing officer has probable cause to believe has committed a felony; or a violation related to driving while intoxicated, driving while under the influence of drugs or alcohol, driving while impaired, or reckless driving (RCW 10.89.010).

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

Chief Executive Officer

102.1 PURPOSE AND SCOPE

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

102.2 POLICY

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

102.3 CHIEF OF POLICE

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

102.4 TRAINING

Any person elected to head the Twin Falls Police Department as a first time Chief, unless previously certified as a chief of police, peace officer or detention deputy, shall complete all required training and tutorial requirements established by POST and the Idaho Sheriff's Association (Idaho Code 34-618(5)).

Policy Manual

106.1 PURPOSE AND SCOPE

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

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

106.2 POLICY

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

106.2.1 DISCLAIMER

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

106.3 AUTHORITY

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

106.4 DEFINITIONS

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

Adult - Any person 18 years of age or older.

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CFR - Code of Federal Regulations.

City - The City of Twin Falls.

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

Department/TFPD - The Twin Falls Police Department.

Employee/personnel - Any person employed by the Department.

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

ITD - The Idaho Transportation Department.

Juvenile - Any person under the age of 18 years.

Manual - The Twin Falls Police Department Policy Manual.

May - Indicates a permissive, discretionary or conditional action.

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

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

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

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

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

POST - The Idaho Peace Officer Standards and Training Council.

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

Shall or will - Indicates a mandatory action.

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

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

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

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

USC - United States Code.

106.5 ISSUING THE POLICY MANUAL

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

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

106.6 PERIODIC REVIEW OF THE POLICY MANUAL

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

106.7 REVISIONS TO POLICIES

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

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

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

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

Chapter 2 - Organization and Administration

Organizational Structure and Responsibility

200.1 PURPOSE AND SCOPE

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

200.2 DIVISION

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

- Administrative Services Division
- Patrol Division
- Criminal Investigations Division

200.2.1 ADMINISTRATIVE SERVICES DIVISION

The Administrative Services Division is commanded by a Captain, whose primary responsibility is to provide general management direction and control for the Administrative Services Division. The Administrative Services Division consists of Technical Services, , Administrative Services, and The Office of Professional Standards.

200.2.2 PATROL DIVISION

The Patrol Division is commanded by a Captain, whose primary responsibility is to provide general management direction and control for the Patrol Division. The Patrol Division consists of Uniformed Patrol and Special Operations, which includes Traffic.

200.2.3 CRIMINAL INVESTIGATIONS DIVISION

The Criminal Investigations Division is commanded by a Captain, whose primary responsibility is to provide general management direction and control for the Criminal Investigations Division. The Criminal Investigations Division consists of Investigations, special investigations, property and evidence, and forensic services.

200.3 COMMAND PROTOCOL

200.3.1 SUCCESSION OF COMMAND

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

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

- (a) Patrol / Criminal Investigations Division Commander
- (b) Administrative Services Division Commander
- (c) Patrol Lieutenant

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Organizational Structure and Responsibility

- (d) Criminal Investigations Lieutenant
- (e) Office Of Professional Standards Lieutenant
- (f) Shift Supervisor

200.3.2 UNITY OF COMMAND

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

200.3.3 ORDERS

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

200.3.4 ALLOCATION OF PERSONNEL

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

200.4 POLICY

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

200.5 AUTHORITY AND RESPONSIBILITIES

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

Hiring And Promotional Policy

201.1 PURPOSE AND SCOPE

This policy provides information regarding the hiring and testing qualifications and procedures for sworn and non-sworn positions in the Twin Falls Police Department. In addition, this policy provides information concerning the qualifications and testing procedures for supervisory and management positions in the Twin Falls Police Department.

Employees are encouraged to continually evaluate the information to ensure that their training, education, and performance are consistent with the qualifications necessary for promotional testing and advancement.

201.2 HIRING QUALIFICATIONS AND SELECTION PROCESS

Applicants for sworn, non-sworn and volunteer positions in the Twin Falls Police Department shall be selected within the general framework of the following procedure:

- (a) Written and Essay Test
- (b) Oral Interview
- (c) Background Investigation
- (d) FBI Fingerprint Check
- (e) Medical Examination
- (f) Physical Ability Test (Sworn Positions Only)
- (g) Psychological Evaluation by a qualified psychologist/psychiatrist who will provide recommendations based upon results of testing.
- (h) Polygraph or Voice Stress Examination

The selection process for all positions in the Twin Falls Police Department shall be administered by the City of Twin Falls Human Resource Director.

At the completion of the testing process, a pool of qualified applicants will be established. At the completion of the entire examination, the Chief of Police and Administrative Staff shall select qualified persons for the position.

201.2.1 ACCELERATED TESTING PROCESS

POST-certified or certifiable officers can participate in the Accelerated Testing Process. The accelerated process allows police officer candidates to complete most of the testing process at one time, on an individual basis. The testing process includes all components outlined in the regular testing process, less the written examination. In lieu of the written examination, a writing sample test may be conducted.

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After completion of the accelerated process, a background investigation, medical examination, polygraph or Voice Stress Examination, and psychological examination will be administered for successful candidates.

At the completion of the entire examination, the Chief of Police and Administrative Staff shall select qualified persons for the position.

201.3 PROMOTIONAL QUALIFICATIONS

201.3.1 CORPORAL

Qualifications: Eligibility for testing will require each candidate to meet the minimum standards.

- (a) Current Employment of not less than two (2) years as a full-time sworn police officer with the city of Twin Falls and a minimum of three (3) years total sworn experience in law enforcement. The following experience may not be substituted for any portion of the three (3) year minimum: military police, corrections, detention, or reserve police officer status.
- (b) Hold a POST Basic Certificate at the time of application closing date. Possession is defined as a signed certificate on record with the Idaho POST Academy.
- (c) Officers on a performance improvement plan which extends beyond the application closing date are not eligible to test.

Promotional Procedure

The testing and promotional procedure for the position of Police Corporal will be established pursuant to policies outlined in the City of Twin Falls Handbook. The testing and promotional policy is to provide all qualified employees a fair and equitable opportunity to comply for promotional positions within the department.

A job description shall be published and maintained by the Personnel Office for each position in the Department. The job description shall state the minimum qualifications for each position in the department. When a position becomes vacant, an applicant pool shall be formed through testing procedures, which may include, but not limited to, written test, oral interviews, and assessment center exercises. At least fifteen (15) days prior to the administration of a promotional test, a job notice shall be issued by the Personnel Office. The notice shall state the minimum qualifications for the job, the testing procedure to be used, and the weight to be given to each step in the procedure. Those passing each phase of the test shall be placed in the pool. The pool shall remain in effect for a period not to exceed one year and may be terminated prior to one year based on the discretion of the Chief of Police.

201.3.2 SERGEANT

Qualifications: Eligibility for testing will require each candidate to meet the minimum standards.

- (a) Current Employment of not less than two (2) years as a full-time sworn police officer with the city of Twin Falls and a minimum of three (3) years total sworn experience in law enforcement. The following experience may not be substituted for any portion of

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Hiring And Promotional Policy

the three (3) year minimum: military police, corrections, detention, or reserve police officer status.

- (b) Hold a POST Intermediate Certificate at the time of application closing date. Possession is defined as a signed certificate on record with the Idaho POST Academy.
- (c) Officers on a performance improvement plan which extends beyond the application closing date are not eligible to test.

Promotional Procedure

The testing and promotional procedure for the position of Police Sergeant will be established pursuant to policies outlined in the City of Twin Falls Handbook. The testing and promotional policy is to provide all qualified employees a fair and equitable opportunity to comply for promotional positions within the department.

A job description shall be published and maintained by the Personnel Office for each position in the Department. The job description shall state the minimum qualifications for each position in the department. When a position becomes vacant, an applicant pool shall be formed through testing procedures, which may include, but not limited to, written test, oral interviews, and assessment center exercises. At least fifteen (15) days prior to the administration of a promotional test, a job notice shall be issued by the Personnel Office. The notice shall state the minimum qualifications for the job, the testing procedure to be used, and the weight to be given to each step in the procedure. Those passing each phase of the test shall be placed in the pool. The pool shall remain in effect for a period not to exceed one year and may be terminated prior to one year based on the discretion of the Chief of Police.

201.3.3 POLICE LIEUTENANT

General Description of the position: The Police Lieutenant is a sworn position reporting directly to a Divisional Captain. This is a Department command position responsible for planning, organizing, and managing personnel and/or programs within the Police Department, as well as assisting in the development and implementation of goals, objectives, and policies for the Department as a whole.

Qualifications: MINIMUM QUALIFICATIONS MANDATORY

- (a) Must be of Sergeant or Staff Sergeant rank; and
- (b) Possess sixty-four (64) academic college credits from an accredited college or university at the time of application closing date; and
- (c) Eight (8) years of experience in various aspects of municipal police work, including four (4) years experience at a supervisory level at a law enforcement agency of comparable size to the Twin Falls Police Department or larger; and
- (d) Must hold the equivalent of an Idaho POST Supervisor Certification; and
- (e) Must hold the equivalent of an Idaho POST Advanced Certification

The testing and promotional procedure for the position of Police Lieutenant will be established pursuant to policies outlined in the City of Twin Falls Handbook.

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201.3.4 POLICE CAPTAIN

General Description of the position: The Police Captain is a sworn position reporting directly to the Chief of Police. This is a Department command position responsible for planning, organizing, and managing personnel and/or programs within the Police Department., as well as assisting in the development and implementation of goals, objectives, and policies for the Department as a whole. Divisional assignments will be made on a rotaional basis.

Qualifications: MINIMUM QUALIFICATIONS MANDATORY

- (a) Must be of Lieutenant rank; and
- (b) Possess sixty-four (64) academic college credits from an accredited college or university at the time of application closing date; and
- (c) Eight (8) years of experience in various aspects of municipal police work, including four (4) years experience at a supervisory level at a law enforcement agency of comparable size to the Twin Falls Police Department or larger; and
- (d) Must hold the equivalent of an Idaho POST Supervisor Certification; and
- (e) Must hold the equivalent of an Idaho POST Advanced Certification

The testing and promotional procedure for the position of Police Captain will be established pursuant to policies outlined in the City of Twin Falls Handbook.

Emergency Management Plan

205.1 PURPOSE AND SCOPE

This policy clarifies the role of the Twin Falls Police Department and responsibilities of its members pertaining to large scale emergencies and the Twin Falls County Emergency Operations Plan .

205.2 POLICY

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

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

205.3 ACTIVATING THE EMERGENCY OPERATIONS PLAN

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

Upon activation of the plan, the Chief of Police or the authorized designee should contact the Idaho Bureau of Homeland Security to assist with mutual aid response from local, state and federal law enforcement agencies.

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

205.3.1 RECALL OF PERSONNEL

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

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

205.4 LOCATION OF THE EMERGENCY OPERATIONS PLAN

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

205.5 EMERGENCY OPERATIONS PLAN REVIEW

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

Training

207.1 PURPOSE AND SCOPE

This policy establishes general guidelines for how training is to be identified, conducted, and documented. This policy is not meant to address all specific training endeavors or identify every required training topic.

207.2 POLICY

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

207.3 OBJECTIVES

The objectives of the Training Program are to:

- (a) Enhance the level of law enforcement service to the public.
- (b) Increase the technical expertise and overall effectiveness of our personnel.
- (c) Provide for continued professional development of personnel in this department.

207.4 TRAINING PLAN

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

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

207.5 TRAINING NEEDS ASSESSMENT

Prior to training requests being submitted for budgetary consideration, the Training Sergeant will conduct an annual training-needs assessment of this department. The needs assessment will be reviewed by staff. Upon approval by staff, the needs assessment will form the basis for the training plan for the fiscal year.

207.5.1 STATE-MANDATED TRAINING AND CERTIFICATION

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

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

Officers shall complete 40 hours of continuing training every two calendar years as specified by POST in IDAPA 11.11.01.131.

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Training

207.6 TRAINING AND TRAVEL PROCEDURES

The City of Twin Falls has established policies, which outline travel and training expenses. The procedures contained herein have been created to efficiently and effectively manage Department travel and training and meet the guidelines established by City policy.

207.6.1 TRAVEL AND TRAINING REQUESTS

All travel or training requests shall be submitted on a "Training Request" form along with a Training Contract Form. These forms shall be completed by the employee requesting travel or training. After completion, the employee shall forward the forms to his/her immediate supervisor for review and approval/denial. After review and approval/denial by the employee's supervisor, the request form shall be forwarded to the Training Sergeant for further review. The Training Sergeant shall coordinate final approval/denial with the Administrative Services Captain and Administrative Staff.

- In an effort to afford adequate time to process travel and training requests, all requests should be submitted, when possible, at least four (4) weeks prior to the training.

207.6.2 TRAINING ASSIGNMENTS

All assignments to training by the Department will be considered as a duty assignment and attendance is mandatory.

Training assignments given to employees are for the purpose of improving skills and performance and will be considered a duty assignment. Only those employees who report in ill, prior to the training, or who have prior approval from their Division Captain are exempt from attendance.

207.6.3 RETURN FROM TRAINING AND TRAVEL PROCEDURE

Upon return from Department-approved training or travel, a "TRAVEL/SCHOOL EXPENSE" form shall be completed by the employee. The form shall be submitted to the Training Sergeant within two (2) working days of the employee's return from training/travel. All receipts (excluding per diem) shall be submitted with the form.

- All completed "Travel/School Request For Approval" forms and "Travel/School Expense" forms shall be maintained in the employee's training file.

207.7 TRAINING REQUESTS AND POST CERTIFIED INSTRUCTORS

All employees who successfully complete instructor-level training must:

- (a) Complete the required paperwork to become a Peace Officer Standards and Training (POST) certified instructor within ninety (90) days of completion of the training.
- (b) All new employees granted instructor status by POST are required to maintain their POST certification for a minimum of five (5) years.
- (c) Instructors will be required to teach classes in their area of expertise as required by the Department.
- (d) After five (5) years as an instructor, the employee may ask permission to allow his/her instructor certification to lapse.

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- (e) The Administrative Staff may release an instructor from his/her five (5)-year commitment at their discretion.
- (f) Upon successful completion of an instructor-level course, employees will forward a copy of their certification of completion, diploma, etc., to the Training Sergeant.
- (g) The Training Sergeant will give the employee a POST Certified Instructor Packet to complete.
- (h) Within ninety (90) days, the employee will return the completed POST Certified Instructor Packet to the Training Sergeant.
- (i) The Training Sergeant will forward all course outlines and instructional material to the Administrative Staff for review prior to sending the POST Certified Instructor Packet to the POST Academy for approval.
- (j) The Training Sergeant will coordinate a convenient time for the POST Regional Training Specialist to observe the employee teach a class.

207.8 TRAINING/TRAVEL ATTIRE

All personnel will maintain a well-groomed appearance and deportment while attending Department-sponsored meetings and training. Some training offered to Department employees, both in house and out sourced such as firearms, arrest techniques, ground fighting and other hands-on disciplines, require clothing appropriate to the specific needs of the activity. Otherwise employees attending training shall maintain a well-groomed appearance and dress in business casual attire.

207.9 SUPERVISORY AND MANAGEMENT TRAINING REQUIREMENT

Every employee appointed or promoted to first-level supervisory position successfully completes at least 40 hours of supervisory training prior to or within two years of such appointment or promotion.

Every employee appointed or promoted to a mid-management position successfully completes at least 40 hours of management training prior to or within two years of such appointment or promotion.

207.10 TRAINING SERGEANT

The Chief of Police shall designate a Training Sergeant who is responsible for developing, reviewing, updating, and maintaining the [department/office] training plan so that required training is completed. The Training Sergeant should review the training plan annually.

Electronic Mail

211.1 PURPOSE AND SCOPE

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

211.2 EMAIL RIGHT OF PRIVACY

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

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

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

211.3 PROHIBITED USE OF EMAIL

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

Email messages addressed throughout the entire department should be used for official business related items that are of particular interest to all users. The use of the city email system for personal matters should be limited so as not to overly interfere with daily operations and work productivity.

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

211.4 EMAIL RECORD MANAGEMENT

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

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Electronic Mail

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

Retiree Concealed Firearms

219.1 PURPOSE AND SCOPE

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

219.2 POLICY

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

219.3 LEOSA

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

- (a) Separated from service in good standing from this department as an officer.
- (b) Before such separation, had regular employment as a law enforcement officer for an aggregate of 10 years or more or, if employed as a law enforcement officer for less than 10 years, separated from service after completing any applicable probationary period due to a service-connected disability as determined by this department.
- (c) Has not been disqualified for reasons related to mental health.
- (d) Has not entered into an agreement with this department where the officer acknowledges that he/she is not qualified to receive a firearm qualification certificate for reasons related to mental health.
- (e) Is not prohibited by federal law from receiving or possessing a firearm.

219.3.1 LEOSA IDENTIFICATION CARD FORMAT

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

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

219.3.2 AUTHORIZATION

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

- (a) In possession of photographic identification that identifies him/her as having been employed as a law enforcement officer, and one of the following:
 - 1. An indication from the person's former law enforcement agency that he/she has, within the past year, been tested or otherwise found by the law enforcement agency to meet agency-established active-duty standards for qualification in firearms training to carry a firearm of the same type as the concealed firearm.

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2. A certification, issued by either the state in which the person resides or by a certified firearms instructor who is qualified to conduct a firearms qualification test for active-duty law enforcement officers within that state, indicating that the person has, within the past year, been tested or otherwise found to meet the standards established by the state or, if not applicable, the standards of any agency in that state.
- (b) Not under the influence of alcohol or another intoxicating or hallucinatory drug or substance.
- (c) Not prohibited by federal law from receiving a firearm.
- (d) Not in a location prohibited by Idaho law or by a private person or entity on his/her property if such prohibition is permitted by Idaho law.

219.4 IDAHO IDENTIFICATION CARD

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

219.5 FORMER OFFICER RESPONSIBILITIES

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

219.5.1 RESPONSIBILITIES UNDER LEOSA

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

- (a) Sign a waiver of liability of the Department for all acts taken related to carrying a concealed firearm, acknowledging both his/her personal responsibility as a private person for all acts taken when carrying a concealed firearm as permitted by LEOSA and also that these acts were not taken as an employee or former employee of the Department.
- (b) Remain subject to all applicable department policies and federal, state, and local laws.
- (c) Demonstrate good judgment and character commensurate with carrying a loaded and concealed firearm.
- (d) Successfully pass an annual criminal history background check indicating that he/she is not prohibited by law from receiving or possessing a firearm.

219.6 FIREARM QUALIFICATIONS

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

Chapter 3 - General Operations

Use of Force

300.1 PURPOSE AND SCOPE

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

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

300.1.1 DEFINITIONS

Definitions related to this policy include:

Deadly force - Force reasonably anticipated and intended to create a substantial likelihood of causing death or great bodily harm.

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

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

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

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

300.2 POLICY

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

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

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

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300.2.1 DUTY TO INTERCEDE AND REPORT

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

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

300.3 USE OF FORCE

Officers shall use only that amount of force that reasonably appears necessary given the facts and circumstances perceived by the officer at the time of the event to accomplish a legitimate law enforcement purpose.

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

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

It is also recognized that circumstances may arise in which officers reasonably believe that it would be impractical or ineffective to use any of the tools, weapons or methods provided by the Department. Officers may find it necessary to improvise their response to rapidly unfolding conditions that they are confronting. In such circumstances, the use of any improvised device or method must nonetheless be reasonable and utilized only to the degree that reasonably appears necessary to accomplish a legitimate law enforcement purpose. Using improvised devices or techniques should be limited to only the time needed to control the situation. Approved techniques and devices should be resumed once the situation has been controlled.

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

300.3.1 ALTERNATIVE TACTICS - DE-ESCALATION

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

300.3.2 USE OF FORCE TO EFFECT AN ARREST

Officers executing a warrant or who have probable cause to believe that a person has committed an offense may use reasonable force to effect the arrest if the person either attempts to flee or

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forcibly resists the arrest. The arresting officer should make clear his/her intent to arrest the person before using force (Idaho Code 19-610).

300.3.3 FACTORS USED TO DETERMINE THE REASONABLENESS OF FORCE

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

- (a) Immediacy and severity of the threat to officers or others.
- (b) The conduct of the individual being confronted, as reasonably perceived by the officer at the time.
- (c) Officer/subject factors (e.g., age, size, relative strength, skill level, injuries sustained, level of exhaustion or fatigue, the number of officers available vs. subjects).
- (d) The effects of suspected drug or alcohol use.
- (e) The individual's mental state or capacity.
- (f) The individual's ability to understand and comply with officer commands.
- (g) Proximity of weapons or dangerous improvised devices.
- (h) The degree to which the individual has been effectively restrained and his/her ability to resist despite being restrained.
- (i) The availability of other reasonable and feasible options and their possible effectiveness.
- (j) Seriousness of the suspected offense or reason for contact with the individual.
- (k) Training and experience of the officer.
- (l) Potential for injury to officers, suspects, and others.
- (m) Whether the individual appears to be resisting, attempting to evade arrest by flight, or is attacking the officer.
- (n) The risk and reasonably foreseeable consequences of escape.
- (o) The apparent need for immediate control of the individual or a prompt resolution of the situation.
- (p) Whether the conduct of the individual being confronted no longer reasonably appears to pose an imminent threat to the officer or others.
- (q) Prior contacts with the individual or awareness of any propensity for violence.
- (r) Any other exigent circumstances.

300.3.4 PAIN COMPLIANCE TECHNIQUES

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

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- (a) The degree to which the application of the technique may be controlled given the level of resistance.
- (b) Whether the individual can comply with the direction or orders of the officer.
- (c) Whether the individual has been given sufficient opportunity to comply.

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

300.3.5 CAROTID CONTROL HOLD

A carotid control hold is a technique designed to control an individual by temporarily restricting blood flow through the application of pressure to the side of the neck and, unlike a chokehold, does not restrict the airway. The proper application of the carotid control hold may be effective in restraining a violent or combative individual. However, due to the potential for injury, the use of the carotid control hold is subject to the following:

- (a) At all times during the application of the carotid control hold, the response of the individual should be monitored. The carotid control hold should be discontinued when circumstances indicate that the application no longer reasonably appears necessary.
- (b) Any individual who has had the carotid control hold applied, regardless of whether he/she was rendered unconscious, shall be promptly examined by paramedics or other qualified medical personnel and should be monitored until such examination occurs.
- (c) The officer shall inform any person receiving custody, or any person placed in a position of providing care, that the individual has been subjected to the carotid control hold and whether the individual lost consciousness as a result.
- (d) Any officer attempting or applying the carotid control hold shall promptly notify a supervisor of the use or attempted use of such hold.
- (e) The use or attempted use of the carotid control hold shall be thoroughly documented by the officer in any related reports.

300.3.6 USE OF FORCE TO SEIZE EVIDENCE

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

300.3.7 RESPIRATORY RESTRAINTS

The use of a respiratory restraint, also known as a chokehold, is prohibited, except in situations where the use of deadly force is allowed by law.

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300.4 DEADLY FORCE APPLICATIONS

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

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

- (a) An officer may use deadly force to protect him/herself or others from what he/she reasonably believes is an imminent threat of death or serious bodily injury.
- (b) An officer may use deadly force to stop a fleeing subject when the officer has probable cause to believe that the individual has committed, or intends to commit, a felony involving the infliction or threatened infliction of serious bodily injury or death, and the officer reasonably believes that there is an imminent risk of serious bodily injury or death to any other person if the individual is not immediately apprehended. Under such circumstances, a verbal warning should precede the use of deadly force, where feasible.

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

300.4.1 MOVING VEHICLES

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

When feasible, officers should take reasonable steps to move out of the path of a moving vehicle instead of applying any form of deadly force, such as discharging their firearm at the vehicle or any of its occupants.

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

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

300.5 REPORTING THE USE OF FORCE

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

To collect data for purposes of training, resource allocation, analysis, and related purposes, the department may require the completion of additional report forms, as specified in department

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policy, procedure, or law. See the Report Preparation Policy for additional circumstances that may require documentation.

300.5.1 NOTIFICATIONS TO SUPERVISORS

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

- (a) The application caused a visible injury.
- (b) The application would lead a reasonable officer to conclude that the individual may have experienced more than momentary discomfort.
- (c) The individual subjected to the force complained of injury or continuing pain.
- (d) The individual indicates intent to pursue litigation.
- (e) Any application of the TASER™ or control device.
- (f) Any application of a restraint device other than handcuffs, shackles, or belly chains.
- (g) The individual subjected to the force was rendered unconscious.
- (h) An individual was struck or kicked.
- (i) An individual alleges unreasonable force was used or that any of the above has occurred.

300.6 MEDICAL CONSIDERATIONS

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

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

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

Individuals who exhibit extreme agitation, violent irrational behavior accompanied by profuse sweating, extraordinary strength beyond their physical characteristics, and imperviousness to pain

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(sometimes called “excited delirium”), or who require a protracted physical encounter with multiple officers to be brought under control, may be at an increased risk of sudden death. Calls involving these persons should be considered medical emergencies. Officers who reasonably suspect a medical emergency should request medical assistance as soon as practicable and have medical personnel stage away.

See the Medical Aid and Response Policy for additional guidelines.

300.7 SUPERVISOR RESPONSIBILITIES

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

- (a) Obtain the basic facts from the involved officers. Absent an allegation of misconduct or excessive force, this will be considered a routine contact in the normal course of duties.
- (b) Ensure that any injured parties are examined and treated.
- (c) When possible, separately obtain a recorded interview with the individual upon whom force was applied. If this interview is conducted without the individual having voluntarily waived his/her *Miranda* rights, the following shall apply:
 - 1. The content of the interview should not be summarized or included in any related criminal charges.
 - 2. The fact that a recorded interview was conducted should be documented in a property or other report.
 - 3. The recording of the interview should be distinctly marked for retention until all potential for civil litigation has expired.
- (d) Once any initial medical assessment has been completed or first aid has been rendered, ensure that photographs have been taken of any areas involving visible injury or complaint of pain, as well as overall photographs of uninjured areas.
 - 1. These photographs should be retained until all potential for civil litigation has expired.
- (e) Identify any witnesses not already included in related reports.
- (f) Review and approve all related reports.
- (g) Determine if there is any indication that the individual may pursue civil litigation.
 - 1. If there is an indication of potential civil litigation, the supervisor should complete and route a notification of a potential claim through the appropriate channels.
- (h) Evaluate the circumstances surrounding the incident and initiate an administrative investigation if there is a question of policy noncompliance or if for any reason further investigation may be appropriate.
- (i) Complete a department approved report documenting the use of force.

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

300.7.1 SHIFT SUPERVISOR RESPONSIBILITY

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

300.8 TRAINING

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

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

- (a) Guidelines regarding vulnerable populations, including but not limited to children, elderly, pregnant persons, and individuals with physical, mental, or intellectual disabilities.
- (b) De-escalation tactics, including alternatives to force.

300.9 USE OF FORCE ANALYSIS

300.9.1 USE OF FORCE REVIEW

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

Applications of force will be categorized into three separate sections as follows:

LEVEL ONE - This level of force includes:

- (a) shows of force (e.g., weapons display, ECW display, baton display in a loaded position),
- (b) take downs,
- (c) application of the WRAP system or hobbles,
- (d) application of a spit hood,
- (e) control holds,
- (f) ECW discharge,
- (g) OC discharge,
- (h) pain compliance techniques.

LEVEL TWO - This level of force includes:

- (a) open and/or close handed strikes,
- (b) kicks and knee strikes,
- (c) baton strikes,
- (d) take downs that cause significant injury,

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- (e) more than one ECW application against the same subject,
- (f) any application of level one force resulting in significant injury.

LEVEL THREE - This level of force includes:

- (a) deadly force (e.g., discharge of a firearm, baton strike to the head or other restricted area, choke holds, etc.),
- (b) use of a vehicle against a subject (e.g., PIT, ramming, etc.),
- (c) use of chemical munitions,
- (d) use of impact munitions,
- (e) carotid neck restraint,
- (f) canine bite,
- (g) any application of force resulting in serious injury,
- (h) any application of force where there is reasonable ground to believe Twin Falls Police Department policy was violated or a violation of state and/or federal law has occurred.

Shift Supervisors shall consult with the Division Lieutenant or Captain in regard to any force not clearly identified in the levels of force.

The Shift Supervisor shall notify the appropriate Division Lieutenant of any application of force that results in significant injury as soon as practical following the event, but no later than the end of the shift during which the event occurred. Notification of significant injury should take place in the form of a phone call or face to face with the Division Lieutenant. Significant injury is identified as any injury resulting in the need for medical treatment beyond EMS services. Minor injury is defined as any injury that does not require medical treatment, or that can be treated by EMS services. Notification of minor injuries or any other complaint of injury that does not require medical treatment beyond EMS services should take place in the form of an email to the appropriate Division Lieutenant.

300.9.2 REVIEW PROCESS

The Shift Supervisor shall complete an initial assessment and review of all applications of force to determine the appropriate category of force applied. For all applications of force, the Shift Supervisor shall complete a summary of the event resulting in force within Blue Team and include any attachments that exist documenting the event. Attachments may include, but are not limited to the following:

- (a) Body Worn Camera footage,
- (b) Other audio or video recordings,
- (c) Photographs,
- (d) Officer reports,
- (e) Witness statements.

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The Shift Supervisor will forward the Blue Team Entry to his/her Division Lieutenant for review and possible disposition.

Level One Applications of Force.

The Shift Supervisor shall insure the Blue Team Entry is complete and forward the Blue Team entry to the appropriate Division Lieutenant with a recommendation as to whether the application of force is "within policy" or "out of policy". The Division Lieutenant shall make the final disposition on all Level One applications of force found to be "within policy".

If the Shift Supervisor or Division Lieutenant believes the application of force to be "out of policy", the Division Lieutenant shall notify the Division Captain as soon as practical. The Chief of Police will determine if the event should be assigned to the Office of Professional Standards for further investigation.

Following any further investigation, the completed investigation shall be sent to the City Attorney for review and consultation. Following the City Attorney's review, the Command Staff shall meet to review the investigation and provide the Chief of Police with a recommendation for the final disposition. The Chief of Police may include any training officers or subject matter experts for consultation during the disposition meeting. The Chief of Police shall determine the final disposition of any force determined to be "out of policy".

Level Two Applications of Force.

The Shift Supervisor shall insure the Blue Team entry is complete and forward the Blue Team entry to the appropriate Division Lieutenant with a recommendation as to whether the application of force is "within policy" or "out of policy". The Lieutenant shall insure the Blue Team entry is complete and forward the Blue Team entry to the Division Captain with a recommendation as to whether the application of force is "within policy" or "out of policy". The Division Captain shall make the final disposition on all Level Two applications of force found to be "within policy".

If the Shift Supervisor, Division Lieutenant, or Division Captain believes the application of force was a violation of Twin Falls Police Department Policy, the Division Captain or Lieutenant shall notify the Chief of Police as soon as practical to determine if the event should be assigned to the Office of Professional Standards for further investigation.

Following any further investigation, the completed investigation shall be sent to the City Attorney for review and consultation. Following the City Attorney's review, the Command Staff shall meet to review the investigation and provide the Chief of Police with a recommendation for the final disposition. The Chief of Police may include any training officers or subject matter experts for consultation during the disposition meeting. The Chief of Police shall determine the final disposition of any force determined to be "out of policy".

Level Three Applications of Force.

The Shift Supervisor shall insure the Blue Team entry is complete and forward the Blue Team entry to the appropriate Division Lieutenant. The Division Lieutenant shall conduct a thorough investigation of all Level Three applications of force and insure the Blue Team entry is

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complete. During the Division Lieutenant's investigation, if there is reasonable cause to believe the application of force was a violation of Twin Falls Police Department Policy or a violation of state and/or federal law, the Division Lieutenant shall inform the Division Captain as soon as practical. The Chief of Police shall determine if the event should be assigned to the Office of Professional Standards for further investigation.

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

Following any further investigation, the completed investigation shall be sent to the City Attorney for review and consultation. Following the City Attorney's review, the Command Staff shall meet to review the investigation and provide the Chief of Police with a recommendation for the final disposition. The Chief of Police may include any training officers or subject matter experts for consultation during the disposition meeting. The Chief of Police shall determine the final disposition of all Level Three applications of force.

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

300.9.3 ANNUAL REPORT

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

- (a) The identification of any trends in the use of force by members.
- (b) Training needs recommendations.
- (c) Equipment needs recommendations.
- (d) Policy revision recommendations.

Handcuffing and Restraints

305.1 PURPOSE AND SCOPE

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

305.2 POLICY

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

305.3 USE OF RESTRAINTS

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

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

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

305.3.1 RESTRAINT AND TRANSPORT OF DETAINEES

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

Prior to transporting any detainee or prisoner, a physical search of the person shall be conducted by the transporting officer. It shall also be the policy of the Twin Falls Police Department to require that all prisoners should be restrained using Department approved restraints during transport.

305.3.2 RESTRAINT OF PREGNANT PERSONS

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

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No person who is in labor, delivery, or recovery after delivery shall be handcuffed or restrained except in extraordinary circumstances and only when a supervisor makes an individualized determination that such restraints are necessary for the safety of the arrestee, officers, or others. No leg or waist restraints may be used. If a person in labor must be restrained, the supervisor shall ensure that a written report is completed within 10 days documenting the extraordinary circumstances that required the use of restraints (Idaho Code 20-902).

305.3.3 RESTRAINT OF JUVENILES

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

305.3.4 NOTIFICATIONS

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

305.4 APPLICATION OF HANDCUFFS OR PLASTIC CUFFS

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

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

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

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

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

305.5 APPLICATION OF SPIT HOODS/MASKS/SOCKS

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

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

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Officers utilizing spit hoods should ensure that the spit hood is fastened properly to allow for adequate ventilation and that the restrained person can breathe normally. Officers should provide assistance during the movement of restrained individuals due to the potential for impaired or distorted vision on the part of the individual. Officers should avoid comingling individuals wearing spit hoods with other detainees.

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

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

305.6 APPLICATION OF AUXILIARY RESTRAINT DEVICES

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

305.7 APPLICATION OF LEG RESTRAINT DEVICES

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

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

- (a) Whether the officer or others could be exposed to injury due to the assaultive or resistant behavior of a suspect.
- (b) Whether it is reasonably necessary to protect the suspect from his/her own actions (e.g., hitting his/her head against the interior of the patrol unit, running away from the arresting officer while handcuffed, kicking at objects or officers).
- (c) Whether it is reasonably necessary to avoid damage to property (e.g., kicking at windows of the patrol unit).

305.7.1 GUIDELINES FOR USE OF LEG RESTRAINTS

When applying leg restraints the following guidelines should be followed:

- (a) If practicable, officers should notify a supervisor of the intent to apply the leg restraint device. In all cases, a supervisor shall be notified as soon as practicable after the application of the leg restraint device.
- (b) Once applied, absent a medical or other emergency, restraints should remain in place until the officer arrives at the jail or other facility or the person no longer reasonably appears to pose a threat.

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- (c) Once secured, the person should be placed in a seated or upright position, secured with a seat belt, and shall not be placed on his/her stomach for an extended period, as this could reduce the person's ability to breathe.
- (d) The restrained person should be continually monitored by an officer while in the leg restraint. The officer should ensure that the person does not roll onto and remain on his/her stomach.
- (e) The officer should look for signs of labored breathing and take appropriate steps to relieve and minimize any obvious factors contributing to this condition.
- (f) When transported by ambulance/paramedic unit, the restrained person should be accompanied by an officer when requested by medical personnel. The transporting officer should describe to medical personnel any unusual behaviors or other circumstances the officer reasonably believes would be potential safety or medical risks to the subject (e.g., prolonged struggle, extreme agitation, impaired respiration).
- (g) If hobbles are used as a temporary leg restraint, they shall not be secured directly to the handcuffs.

305.8 REQUIRED DOCUMENTATION

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

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

- (a) The factors that led to the decision to use restraints.
- (b) Supervisor notification and approval of restraint use.
- (c) The types of restraint used.
- (d) The amount of time the person was restrained.
- (e) How the person was transported and the position of the person during transport.
- (f) Observations of the person's behavior and any signs of physiological problems.
- (g) Any known or suspected drug use or other medical problems.

305.9 TRAINING

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

- (a) Proper placement and fit of handcuffs and other restraint devices approved for use by the Department.
- (b) Response to complaints of pain by restrained persons.
- (c) Options for restraining those who may be pregnant without the use of leg irons, waist chains, or handcuffs behind the body.

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

Control Devices and Techniques

307.1 PURPOSE AND SCOPE

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

307.2 POLICY

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

307.3 ISSUING, CARRYING AND USING CONTROL DEVICES

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

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

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

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

307.4 RESPONSIBILITIES

307.4.1 SHIFT SUPERVISOR RESPONSIBILITIES

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

307.4.2 RANGEMASTER RESPONSIBILITIES

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

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

307.4.3 USER RESPONSIBILITIES

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

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Any damaged, inoperative, outdated or expended control devices or munitions, along with documentation explaining the cause of the damage, shall be returned to the Quartermaster for disposition.

307.5 BATON GUIDELINES

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

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

307.6 TEAR GAS GUIDELINES

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

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

307.7 OLEORESIN CAPSICUM (OC) GUIDELINES

As with other control devices, oleoresin capsicum (OC) spray and pepper projectiles may be considered for use to bring under control an individual or groups of individuals who are engaging in, or are about to engage in violent behavior. Pepper projectiles and OC spray should not, however, be used against individuals or groups who merely fail to disperse or do not reasonably appear to present a risk to the safety of officers or the public.

307.7.1 OC SPRAY

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

307.7.2 TREATMENT FOR OC SPRAY EXPOSURE

Persons who have been sprayed with or otherwise affected by the use of OC should be promptly provided with clean water to cleanse the affected areas. Those persons who complain of further severe effects shall be examined by appropriate medical personnel.

307.8 POST-APPLICATION NOTICE

Whenever tear gas or OC has been introduced into a residence, building interior, vehicle or other enclosed area, officers should provide the owners or available occupants with notice of the possible presence of residue that could result in irritation or injury if the area is not properly

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cleaned. Such notice should include advisement that clean up will be at the owner's expense. Information regarding the method of notice and the individuals notified should be included in related reports.

307.9 KINETIC ENERGY PROJECTILE GUIDELINES

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

307.9.1 DEPLOYMENT AND USE

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

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

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

- (a) The suspect is armed with a weapon and the tactical circumstances allow for the safe application of approved munitions.
- (b) The suspect has made credible threats to harm him/herself or others.
- (c) The suspect is engaged in riotous behavior or is throwing rocks, bottles or other dangerous projectiles at people and/or officers.
- (d) There is probable cause to believe that the suspect has already committed a crime of violence and is refusing to comply with lawful orders.

307.9.2 DEPLOYMENT CONSIDERATIONS

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

- (a) Distance and angle to target.
- (b) Type of munitions employed.
- (c) Type and thickness of subject's clothing.
- (d) The subject's proximity to others.
- (e) The location of the subject.
- (f) Whether the subject's actions dictate the need for an immediate response and the use of control devices appears appropriate.

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

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

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

307.9.3 SAFETY PROCEDURES

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

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

When it is not deployed, the shotgun will be unloaded and properly and securely stored in the Equipment Storage Room. When deploying the kinetic energy projectile shotgun, the officer shall visually inspect the kinetic energy projectiles to ensure that conventional ammunition is not being loaded into the shotgun.

307.10 TRAINING FOR CONTROL DEVICES

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

- (a) Proficiency training shall be monitored and documented by a certified, control-device weapons or tactics instructor.
- (b) All training and proficiency for control devices will be documented in the officer's training file.
- (c) Officers who fail to demonstrate proficiency with the control device or knowledge of this agency's Use of Force Policy will be provided remedial training. If An officer cannot demonstrate proficiency with a control device or knowledge of this agency's Use of Force Policy after remedial training, the officer will be restricted from carrying the control device and may be subject to discipline.

307.11 REPORTING USE OF CONTROL DEVICES AND TECHNIQUES

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

Conducted Energy Device

308.1 PURPOSE AND SCOPE

This policy provides guidelines for the issuance and use of the conducted energy device (CED).

308.2 POLICY

The CED is used in an attempt to control a violent or potentially violent individual. The appropriate use of such a device may result in fewer serious injuries to officers and suspects.

308.3 ISSUANCE AND CARRYING THE CEDS

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

The department quartermasters should keep a log of issued CED devices and the serial numbers of cartridges/magazines issued to members.

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

Officers shall only use the CED and cartridges/magazines that have been issued by the Department. Cartridges/magazines should not be used after the manufacturer's expiration date.

Uniformed officers who have been issued the CED shall wear the device in an approved holster.

Officers who carry the CED while in uniform, shall carry it in a holster on the side opposite the duty weapon.

- (a) All CEDs shall be clearly distinguishable to differentiate them from the duty weapon and any other device.
- (b) For single-shot devices, whenever practicable, officers should carry an additional cartridge on their person when carrying the CED.
- (c) Officers should not hold a firearm and the CED at the same time.

Non-uniformed officers may secure the CED in a concealed, secure location in the driver's compartment of their vehicles.

308.3.1 USER RESPONSIBILITIES

Officers shall be responsible for ensuring that the issued CED is properly maintained and in good working order. This includes a function test and battery life monitoring, as required by the manufacturer, and should be completed prior to the beginning of the officer's shift.

CEDs that are damaged or inoperative, or cartridges/magazines that are expired or damaged, shall be returned to the Rangemaster for disposition. Officers shall submit documentation stating the reason for the return and how the CED or cartridge/magazine was damaged or became inoperative, if known.

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308.4 VERBAL AND VISUAL WARNINGS

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

- (a) Provide the individual with a reasonable opportunity to voluntarily comply.
- (b) Provide other officers and individuals with a warning that the CED may be deployed.

If, after a verbal warning, an individual fails to voluntarily comply with an officer's lawful orders and it appears both reasonable and feasible under the circumstances, the officer may, but is not required to, activate any warning on the device, which may include display of the electrical arc, an audible warning, or the laser in a further attempt to gain compliance prior to the application of the CED. The laser should not be intentionally directed into anyone's eyes.

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

308.5 USE OF THE CED

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

If sufficient personnel are available and can be safely assigned, an officer designated as lethal cover for any officer deploying a CED may be considered for officer safety.

308.5.1 APPLICATION OF THE CED

The CED may be used when the circumstances reasonably perceived by the officer at the time indicate that such application reasonably appears necessary to control a person who:

- (a) Is violent or is physically resisting.
- (b) Has demonstrated, by words or action, an intention to be violent or to physically resist, and reasonably appears to present the potential to harm officers, themselves, or others.

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

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

308.5.2 SPECIAL DEPLOYMENT CONSIDERATIONS

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

- (a) Individuals who are known to be pregnant.

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- (b) Elderly individuals or obvious juveniles.
- (c) Individuals with obviously low body mass.
- (d) Individuals who are handcuffed or otherwise restrained.
- (e) Individuals known to have been recently sprayed with a flammable chemical agent or who are otherwise known to be in close proximity to any known combustible vapor or flammable material, including alcohol-based oleoresin capicum (OC) spray.
- (f) Individuals whose position or activity is likely to result in collateral injury (e.g., falls from height, located in water, operating vehicles).

Any CED capable of being applied in the drive-stun mode (i.e., direct contact without probes as a primary form of pain compliance) should be limited to supplementing the probe-mode to complete the circuit, or as a distraction technique to gain separation between officers and the subject, thereby giving officers time and distance to consider other force options or actions.

308.5.3 TARGETING CONSIDERATIONS

Recognizing that the dynamics of a situation and movement of the subject may affect target placement of probes, when practicable, officers should attempt to target the back, lower center mass, and upper legs of the subject, and avoid intentionally targeting the head, neck, area of the heart, or genitals. If circumstances result in one or more probes inadvertently striking an area outside of the preferred target zones, the individual should be closely monitored until examined by paramedics or other medical personnel.

308.5.4 MULTIPLE APPLICATIONS OF THE CED

Once an officer has successfully deployed two probes on the subject, the officer should continually assess the subject to determine if additional probe deployments or cycles reasonably appear necessary. Additional factors officers may consider include but are not limited to:

- (a) Whether it is reasonable to believe that the need to control the individual outweighs the potentially increased risk posed by multiple applications.
- (b) Whether the probes are making proper contact.
- (c) Whether the individual has the ability and has been given a reasonable opportunity to comply.
- (d) Whether verbal commands or other options or tactics may be more effective.

Given that on certain devices (e.g., TASER 10™) each trigger pull deploys a single probe, the officer must pull the trigger twice to deploy two probes to create the possibility of neuro-muscular incapacitation.

308.5.5 ACTIONS FOLLOWING DEPLOYMENTS

Officers should take appropriate actions to control and restrain the individual as soon as reasonably practicable to minimize the need for longer or multiple exposures to the CED. As soon as practicable, officers shall notify a supervisor any time the CED has been discharged. If needed for evidentiary purposes, the expended cartridge, along with any probes and wire, should

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be submitted into evidence (including confetti tags, when equipped on the device). The evidence packaging should be marked "Biohazard" if the probes penetrated the subject's skin.

308.5.6 DANGEROUS ANIMALS

The CED may be deployed against an animal if the animal reasonably appears to pose an imminent threat to human safety.

308.5.7 OFF-DUTY CONSIDERATIONS

Officers are not authorized to carry department CEDs while off-duty.

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

308.6 DOCUMENTATION

Officers shall document all CED discharges in the related arrest/crime reports and the CED report forms. Photographs should be taken of any obvious probe impact or drive-stun application sites and attached to the CED report form. Notification shall also be made to a supervisor in compliance with the Use of Force Policy. Unintentional discharges, pointing the device at a person, audible warning, laser activation, and arcing the device, other than for testing purposes, will also be documented on the report form. Data downloads from the CED after use on a subject should be done as soon as practicable using a department-approved process to preserve the data.

308.6.1 CED REPORT FORM

As applicable based on the device type, items that shall be included in the CED report form are:

- (a) The brand, model, and serial number of the CED and any cartridge/magazine.
- (b) Date, time, and location of the incident.
- (c) Whether any warning, display, laser, or arc deterred a subject and gained compliance.
- (d) The number of probes deployed, CED activations, the duration of each cycle, the duration between activations, and (as best as can be determined) the duration that the subject received applications.
- (e) The range at which the CED was used.
- (f) The type of mode used (probe or drive-stun).
- (g) Location of any probe impact.
- (h) Location of contact in drive-stun mode.
- (i) Description of where missed probes went.
- (j) Whether medical care was provided to the subject.
- (k) Whether the subject sustained any injuries.
- (l) Whether any officers sustained any injuries.

The Training Sergeant should periodically analyze the report forms to identify trends, including deterrence and effectiveness. The Training Sergeant should also conduct audits of CED

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device data downloaded to an approved location and reconcile CED report forms with recorded activations. CED information and statistics, with identifying information removed, should periodically be made available to the public.

308.6.2 REPORTS

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

- (a) Identification of all personnel firing CEDs
- (b) Identification of all witnesses
- (c) Medical care provided to the subject
- (d) Observations of the subject's physical and physiological actions
- (e) Any known or suspected drug use, intoxication, or other medical problems

308.7 MEDICAL TREATMENT

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

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

- (a) The person is suspected of being under the influence of controlled substances and/or alcohol.
- (b) The person may be pregnant.
- (c) The person reasonably appears to be in need of medical attention.
- (d) The CED probes are lodged in a sensitive area (e.g., groin, female breast, head, face, neck).
- (e) The person requests medical treatment.

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

The transporting officer shall inform any person providing medical care or receiving custody that the individual has been subjected to the application of the CED (see the Medical Aid and Response Policy).

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308.8 SUPERVISOR RESPONSIBILITIES

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

A supervisor should review each incident where a person has been exposed to a CED. The device's internal logs should be downloaded by a supervisor or Rangemaster and saved with the related arrest/crime report. The supervisor should arrange for photographs of probe sites to be taken and witnesses to be interviewed.

308.9 TRAINING

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

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

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

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

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

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

The Training Sergeant should include the following training:

- (a) A review of this policy.
- (b) A review of the Use of Force Policy.
- (c) Performing weak-hand draws or cross-draws until proficient to reduce the possibility of unintentionally drawing and firing a firearm.
- (d) Target area considerations, to include techniques or options to reduce the unintentional application of probes to the head, neck, area of the heart, and groin.
- (e) Scenario-based training, including virtual reality training when available.
- (f) Handcuffing a subject during the application of the CED and transitioning to other force options.
- (g) De-escalation techniques.

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- (h) Restraint techniques that do not impair respiration following the application of the CED.
- (i) Proper use of cover and concealment during deployment of the CED for purposes of officer safety.
- (j) Proper tactics and techniques related to multiple applications of CEDs.

Officer-Involved Shootings and Deaths

309.1 PURPOSE AND SCOPE

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

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

309.2 POLICY

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

309.3 TYPES OF INVESTIGATIONS

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

- (a) A criminal investigation of the suspect's actions.
- (b) A criminal investigation of the involved officers actions.
- (c) An administrative investigation as to policy compliance by involved officers.
- (d) A civil investigation to determine potential liability.

309.4 CONTROL OF INVESTIGATIONS

This department conforms to the Critical Incident Task Force (CITF) Protocol for investigating officer-involved shootings and deaths. The responsibility for activation of the CITF Protocol rests solely with the Chief of Police. The following scenarios outline the jurisdictional responsibilities for investigating officer-involved shootings and deaths.

309.4.1 CRIMINAL INVESTIGATIONS

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

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

309.4.2 ADMINISTRATIVE AND CIVIL INVESTIGATION

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

309.5 INVESTIGATION PROCESS

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

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309.5.1 UNINVOLVED OFFICER RESPONSIBILITIES

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

- (a) Secure the scene and identify and eliminate hazards for all those involved.
- (b) Take reasonable steps to obtain emergency medical attention for injured individuals.
- (c) Request additional resources from the Department or other agencies.
- (d) Coordinate a perimeter or pursuit of suspects.
- (e) Check for injured persons and evacuate as needed.
- (f) Brief the supervisor upon arrival.

309.5.2 SHIFT SUPERVISOR DUTIES

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

309.5.3 NOTIFICATIONS

[PIO]The following persons shall be notified as soon as practicable:

- Chief of Police
- Operations Captain, Administrative Services Captain
- Criminal Investigations Division Lieutenant, Patrol Lieutenants, Administrative Services Lieutenant, OPS Lieutenant

Any additional notifications required shall be handled by the Division Commander. All outside inquiries about the incident shall be directed to the [PIO].

309.5.4 INVOLVED OFFICERS

The following shall be considered for the involved officer:

- (a) Any request for or legal or union representation will be accommodated.
 1. Involved officers shall not be permitted to meet collectively or in a group with an attorney or any representative prior to providing a formal interview or report.
 2. Requests from involved non-TFPD officers should be referred to their employing agency.
- (b) Discussions with licensed attorneys will be considered privileged as attorney-client communications.
- (c) Discussions with agency representatives/employee groups will be privileged only as to the discussion of non-criminal information.
- (d) A psychotherapist shall be arranged by Twin Falls Police Department for each involved TFPD officer. A licensed psychotherapist may also be provided to any other affected TFPD members, upon request.

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1. Interviews with a licensed psychotherapist will be considered privileged.
 2. An interview or session with a licensed psychotherapist may take place prior to the member providing a formal interview or report. However, involved members shall not be permitted to consult or meet collectively or in a group with a licensed psychotherapist prior to providing a formal interview or report.
 3. A separate fitness-for-duty exam may also be required (see the Fitness for Duty Policy).
- (e) Although the department will honor the sensitivity of communications with peer counselors, there is no legal privilege to such communications. Peer counselors are cautioned against discussing the facts of any incident with an involved or witness officer.

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

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

309.5.5 SUPERVISOR RESPONSIBILITIES

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

- (a) Attempt to obtain a brief overview of the situation from any uninvolved officers.
 1. In the event that there are no uninvolved officers who can supply adequate overview, the supervisor should attempt to obtain a brief voluntary overview from one involved officer.
- (b) If necessary, the supervisor may administratively order any TFPD officer to immediately provide public safety information necessary to secure the scene, identify injured parties and pursue suspects.
 1. Public safety information shall be limited to such things as outstanding suspect information, number and direction of any shots fired, perimeter of the incident scene, identity of known or potential witnesses and any other pertinent information.
 2. The initial on-scene supervisor should not attempt to order any involved officer to provide any information other than public safety information.
- (c) Provide all available information to the Shift Supervisor and the Communications Center. If feasible, sensitive information should be communicated over secure networks.
- (d) Take command of and secure the incident scene with additional TFPD members until properly relieved by another supervisor or other assigned personnel or investigator.

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- (e) As soon as practicable, ensure that involved officers are transported (separately, if feasible) to a suitable location for further direction.
 - 1. Each involved TFPD officer should be given an administrative order not to discuss the incident with other involved officers or TFPD members pending further direction from a supervisor.
 - 2. When an involved officer's weapon is taken or left at the scene for other than officer-safety reasons (e.g., evidence), ensure that he/she is provided with a comparable replacement weapon or transported by other officers.

309.6 CRIMINAL INVESTIGATION

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

If available, CITF personnel from this department may be assigned to partner with investigators from outside agencies to avoid duplicating efforts in related criminal investigations.

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

The following shall be considered for the involved officer:

- (a) TFPD supervisors and Internal Affairs Investigator personnel should not participate directly in any voluntary interview of TFPD officers. This will not prohibit such personnel from monitoring interviews or providing the criminal investigators with topics for inquiry.
- (b) If requested, any involved officer will be afforded the opportunity to consult individually with a representative of his/her choosing or an attorney prior to speaking with criminal investigators. However, in order to maintain the integrity of each involved officer's statement, involved officers shall not consult or meet with a representative or an attorney collectively or in groups prior to being interviewed.
- (c) If any involved officer is physically, emotionally or otherwise not in a position to provide a voluntary statement when interviewed by criminal investigators, consideration should be given to allowing a reasonable period for the officer to schedule an alternate time for the interview.
- (d) Any voluntary statement provided by an involved officer will be made available for inclusion in any related investigation, including administrative investigations. However, no administratively coerced statement will be provided to any criminal investigators unless the officer consents.

309.6.1 REPORTS BY INVOLVED TFPD OFFICERS

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

While the involved officer may write the report, it is generally recommended that such reports be completed by assigned investigators who should interview involved officers as victims/witnesses. Since the purpose of these reports will be to facilitate criminal prosecution, statements of involved

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officers should focus on evidence to establish the elements of criminal activities by involved suspects. Care should be taken not to duplicate information provided by involved officers in other reports.

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

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

309.6.2 WITNESS IDENTIFICATION AND INTERVIEWS

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

- (a) Identify all persons present at the scene and in the immediate area.
 - 1. When feasible, a recorded statement should be obtained from those persons who claim not to have witnessed the incident but who were present at the time it occurred.
 - 2. Any potential witness who is unwilling or unable to remain available for a formal interview should not be detained absent reasonable suspicion to detain or probable cause to arrest. Without detaining the individual for the sole purpose of identification, attempts to identify the witness prior to his/her departure should be made whenever feasible.
- (b) Witnesses who are willing to provide a formal interview should be asked to meet at a suitable location where criminal investigators may obtain a recorded statement. Such witnesses, if willing, may be transported by a member of the Department.
 - 1. A written, verbal or recorded statement of consent should be obtained prior to transporting a witness. When the witness is a minor, consent should be obtained from the parent or guardian, if available, prior to transportation.
- (c) Promptly contacting the suspect's family and associates to obtain any available and untainted background information about the suspect's activities and state of mind prior to officersthe incident.

309.6.3 INVESTIGATIVE PERSONNEL

Once notified of an officer-involved shooting or death, it shall be the responsibility of the designated Criminal Investigative Division supervisor to assign appropriate investigative personnel to form the CITF to handle the investigation of related crimes. Department investigators will be assigned to work with investigators from the CITF and may be assigned to separately handle the investigation of any related crimes not being investigated by CITF.

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

309.7 ADMINISTRATIVE INVESTIGATION

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

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

- (a) Any officer involved in a shooting or death may be requested or administratively compelled to provide a blood sample for alcohol/drug screening. Absent consent from the officer, such compelled samples and the results of any such testing shall not be disclosed to any criminal investigative agency.
- (b) If any officer has voluntarily elected to provide a statement to criminal investigators, the assigned administrative investigator should review that statement before proceeding with any further interview of that involved officer.
 - 1. If a further interview of the officer is deemed necessary to determine policy compliance, care should be taken to limit the inquiry to new areas with minimal, if any, duplication of questions addressed in the voluntary statement. The involved officer shall be provided with a copy of his or her prior statement before proceeding with any subsequent interview(s).
- (c) In the event that an involved officer has elected to not provide criminal investigators with a voluntary statement, the assigned administrative investigator shall conduct an administrative interview to determine all relevant information.
 - 1. Although this interview should not be unreasonably delayed, care should be taken to ensure that the officer's physical and psychological needs have been addressed before commencing the interview.
 - 2. If requested, the officer shall have the opportunity to select an uninvolved representative to be present during the interview. However, in order to maintain the integrity of each individual officer's statement, involved officers shall not consult or meet with a representative or attorney collectively or in groups prior to being interviewed.
 - 3. Administrative interviews should be recorded by the investigator. The officer may also record the interview.
 - 4. The officer shall be informed of the nature of the investigation. If an officer refuses to answer questions, he/she should be given his/her *Garrity* rights and ordered to provide full and truthful answers to all questions. The officer shall be informed that the interview will be for administrative purposes only and that the statement cannot be used criminally.

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5. The Internal Affairs Investigator shall compile all relevant information and reports necessary for this department to determine compliance with applicable policies.
6. Regardless of whether the use of force is an issue in the case, the completed administrative investigation shall be submitted to the Use of Force Review Board, which will restrict its findings as to whether there was compliance with Use of Force Policy.
7. Any other indications of potential policy violations shall be determined in accordance with standard disciplinary procedures.

309.8 AUDIO AND VIDEO RECORDINGS

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

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

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

309.9 CIVIL LIABILITY RESPONSE

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

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

309.10 DEBRIEFING

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

309.10.1 CRITICAL INCIDENT/STRESS DEBRIEFING

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

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

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

309.10.2 TACTICAL DEBRIEFING

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

309.11 MEDIA RELATIONS

Any media release shall be prepared with input and concurrence from the supervisor and department representative responsible for each phase of the investigation. Releases will be available to the Shift Supervisor, Criminal Investigations Division Commander and Press Information Officer in the event of inquiries from the media.

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

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

The prosecuting attorney's office should review any press release related to an incident prior to its dissemination to media outlets.

Internal Active Shooter Response Policy

310.1 PURPOSE AND SCOPE

Active shooter attacks are dynamic incidents that vary greatly from one attack to another. Unlike a defined crime, such as a murder or mass killing, the active aspect inherently implies that both law enforcement personnel and citizens have the potential to affect the outcome of the event based upon their responses. The Department of Homeland Security defines an active shooter as: "an individual actively engaged in killing or attempting to kill people in a confined and populated area, in most cases active shooters use firearm(s) and there is no pattern or method to the selection of their victims."

Source: NYPD Active Shooter Study, 2011

In the event of an active shooter event at a Twin Falls Police Department (TFPD) facility, civilian employees should be mentally prepared and have a predetermined personal safety plan in responding to and surviving such an incident. Because TFPD employees routinely encounter individuals who may be upset, angry or threatening, it is imperative that all employees who work within a TFPD facility are familiar with this policy and have previously developed a plan to either run, hide or fight in order to survive such an event.

310.2 PROCEDURE

Run:

- Have an escape route and plan in mind
- Leave your belongings behind
- Evacuate regardless of whether others agree to follow
- Help others escape, if possible
- Do not attempt to move wounded people
- Prevent others from entering an area where the active shooter may be
- Call 911 when you are safe

Hide:

- Hide in an area out of the shooter's view
- Lock the door or block the entry to you hiding place
- Silence your cell phone (including vibration mode) and remain quiet

Fight:

- Fight as a last resort and only when your life is in imminent danger
- Attempt to incapacitate the shooter
- Commit to your actions...your life depends on it

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- Look to use improvised weapons to defend yourself

When Law Enforcement Arrives:

- Remain calm and follow instructions
- Put down any items in your hands (i.e. bags, jackets)
- Raise hands and spread fingers
- Keep hands visible at all times
- Avoid quick movements towards officers such as holding onto them for safety
- Avoid pointing, screaming or yelling
- Do not stop to ask officers for help or direction when evacuating

Information to provide 911 operator:

- Location of the active shooter
- Number of shooters
- Physical description of shooters
- Number and type of weapon in the possession of the shooters
- Number of potential victims at the location

310.3 ADDITIONAL SAFETY INSTRUCTIONS

The first officers to arrive at the scene will not stop to help injured persons. Expect rescue teams to follow the initial officers. These rescue teams will treat and remove the injured. Once you have reached a safe location, you will likely be held in that area by law enforcement until the situation is under control, and all witnesses have been identified and questioned. Do not leave the area until law enforcement authorities have instructed you to do so.

Firearms

311.1 PURPOSE AND SCOPE

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

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

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

311.2 POLICY

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

311.3 AUTHORIZED FIREARMS, AMMUNITION AND OTHER WEAPONS

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

All other weapons not provided by the Department, including, but not limited to, edged weapons, chemical or electronic weapons, impact weapons or any weapon prohibited or restricted by law or that is not covered elsewhere by department policy, may not be carried by members in the performance of their official duties without the express written authorization of the member's Division Commander. This exclusion does not apply to the carrying of a single folding pocketknife that is not otherwise prohibited by law. Members are also authorized to carry the TDI Ka Bar fixed blade knife. The blade length shall not exceed 2-5/16 inches and the overall length of the knife shall not exceed 5-5/8 inches. The knife shall be carried as designed, that is fully sheathed and inside the duty belt. Knives are not provided by the Twin Falls Police Department, but may be purchased by the member for duty use.

311.3.1 HANDGUNS

The authorized department-issued handguns are the Glock Models 17 - 9mm, 34 - 9mm, 43X - 9mm, 41 - .45, and 21 - .45.,.

311.3.2 PATROL RIFLES

The authorized department-issued patrol rifles include the Smith and Wesson M&P 15 and Colt AR15. Personally owned patrol rifles are also approved for on duty carry as outlined in Twin Falls Police Department Policy 432, Personally Owned Patrol Rifles. Personally owned patrol rifles carried on duty shall meet the specifications as outlined in Twin Falls Police Department Policy

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Firearms

432.3, Specifications. Officers shall qualify with their personally owned patrol rifle or a department issued patrol rifle prior to deploying any patrol rifle on duty.

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

- (a) Situations where the member reasonably anticipates an armed encounter.
- (b) When a member is faced with a situation that may require accurate and effective fire at long range.
- (c) Situations where a member reasonably expects the need to meet or exceed a suspect's firepower.
- (d) When a member reasonably believes that there may be a need to fire on a barricaded person or a person with a hostage.
- (e) When a member reasonably believes that a suspect may be wearing body armor.
- (f) When authorized or requested by a supervisor.
- (g) When needed to euthanize an animal.

When not deployed, the patrol rifle shall be properly secured consistent with department training in a locking weapons rack in the patrol vehicle with the chamber empty, magazine loaded and inserted into the magazine well, the bolt forward, the dust cover closed, and the selector lever on safe.

311.3.3 AUTHORIZED SECONDARY HANDGUN

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

- (a) The handgun shall be in good working order.
- (b) Only one secondary handgun may be carried at a time.
- (c) The purchase of the handgun and ammunition shall be the responsibility of the member unless the handgun and ammunition are provided by the Department.
- (d) The handgun shall be carried concealed at all times and in such a manner as to prevent unintentional cocking, discharge or loss of physical control.
- (e) The handgun shall be inspected by the Rangemaster prior to being carried and thereafter shall be subject to inspection whenever it is deemed necessary.
- (f) Ammunition shall be the same as department issue. If the caliber of the handgun is other than department issue, the Chief of Police or the authorized designee shall approve the ammunition.
- (g) Prior to carrying the secondary handgun, members shall qualify under range supervision and thereafter shall qualify in accordance with the department qualification schedule. Members must demonstrate proficiency and safe handling, and that the handgun functions properly.

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

311.3.4 AUTHORIZED OFF-DUTY FIREARMS

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

- (a) A personally owned firearm shall be used, carried and inspected in accordance with the Personally Owned Duty Firearms requirements in this policy.
 - 1. The purchase of the personally owned firearm and ammunition shall be the responsibility of the member.
- (b) The firearm shall be carried concealed at all times and in such a manner as to prevent unintentional cocking, discharge or loss of physical control.
- (c) It will be the responsibility of the member to submit the firearm to the Rangemaster for inspection prior to being personally carried. Thereafter the firearm shall be subject to periodic inspection by the Rangemaster.
- (d) Prior to carrying any off-duty firearm, the member shall demonstrate to the Rangemaster that he/she is proficient in handling and firing the firearm and that it will be carried in a safe manner.
- (e) The member will successfully qualify with the firearm prior to it being carried.
- (f) Members shall provide written notice of the make, model, color, serial number and caliber of the firearm to the Rangemaster, who will maintain a list of the information
- (g) If a member desires to use more than one firearm while off-duty, he/she may do so, as long as all requirements set forth in this policy for each firearm are met.
- (h) Members shall only carry department-authorized ammunition.
- (i) When armed, officers shall carry their badge and Twin Falls Police Department identification cards under circumstances requiring possession of such identification.

311.3.5 AUTHORIZED OUTSIDE-OF-ASSIGNMENT FIREARMS

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The carrying of firearms by members while outside-of-assignment is permitted by the Chief of Police but may be rescinded should circumstances dictate (e.g., administrative leave).

Definition: Outside-of-assignment is to be considered anytime a department member is working outside of their assigned on-duty position and not in uniform.

Members who choose to carry a firearm while outside-of-assignment, based on their authority as peace officer, will be required to meet the following guidelines:

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- (a) A personally owned firearm shall be used, carried and inspected in accordance with the Personally Owned Duty Firearms requirements in this policy.
 - (a) The purchase of the personally owned firearm and ammunition shall be the responsibility of the member.
- (b) The firearm may be carried openly on the waistband in a holster with at least one form of retention aside from passive retention as to prevent unintentional cocking, discharge, or loss of physical control.
 - (a) Passive Retention- The firearm is held in place only by friction from the holster.
- (c) The firearm may be carried concealed and in such a manner as to prevent unintentional cocking, discharge or loss of physical control.
- (d) It will be the responsibility of the member to submit the firearm to the Rangemaster for inspection prior to being personally carried. Thereafter the firearm shall be subject to periodic inspection by the Rangemaster.
- (e) Prior to carrying any outside-of-assignment firearm, the member shall meet the requirements set forth in this policy.
- (f) Members shall provide written notice of the make, model, color, serial number and caliber of the firearm to the Rangemaster, who will maintain a list of the information.
- (g) Members shall only carry department-authorized ammunition.
- (h) When armed, officers shall carry their badge and Twin Falls Police Department identification cards under circumstances requiring possession of such identification.

311.3.6 SHOTGUNS

The authorized department-issued shotgun is the Remington Model 870 12ga.

When not deployed the shotgun shall be properly secured in the locking weapons rack in the patrol vehicle with the tube loaded, the action closed on an empty chamber, the trigger depressed, and the safety in the safe position.

311.3.7 AMMUNITION

Members shall carry only department-authorized ammunition. Members shall be issued fresh duty ammunition in the specified quantity for all department-issued firearms as determined by the Rangemaster. Replacements for unserviceable or depleted ammunition issued by the Department shall be dispensed by the Rangemaster when needed, in accordance with established policy.

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

311.4 EQUIPMENT

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

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311.4.1 REPAIRS OR MODIFICATIONS

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

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

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

311.4.2 HOLSTERS

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

311.4.3 TACTICAL LIGHTS/LASERS

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

311.4.4 RED DOT SIGHTS

Authorized red dot sights include the following:

- (a) Trijicon RMR Type II
- (b) Holosun 507C, 508T and 509
- (c) Aimpoint Acro P2

Red dot sights may only be used on a factory modular system, such as Glock MOS, or a slide milled for the optic. Dovetail mounts and other mounts are prohibited.

When a RDS is mounted on the Glock MOS platform, an approved red dot adapter plate is required.

Firearms with a red dot sight must be equipped with iron sights that can be used without removing the optic from the firearm.

Members are responsible for proper care of the red dot sight including battery changes at least once a year. If the optic must be removed to change the battery, the member will confirm the optic is sighted in prior to use.

Other red dot sights may only be installed on a firearm carried on-duty after they have been examined and approved by the Rangemaster. Any approved sight shall only be installed in strict accordance with manufacturer specifications. Once approved sights have been properly installed

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on any firearm, the member shall qualify with the firearm to ensure proper functionality and sighting of the firearm prior to carrying it.

Prior to carrying a firearm with a red dot sight, members shall complete a department approved RDS user training course.

311.4.5 OPTIONAL EQUIPMENT

Authorized optional equipment must be purchased at the member's expense and includes the following:

- (a) Talon Grips (Non-permanent, adhesive grip enhancers)
- (b) Kagwerks extended and raised slide release
- (c) Magazine extension (+2 or +5):
 - (a) Glock +2 magazine extension
 - (b) Arredondo +5 magazine extension

Other equipment and/or brands may only be installed on a firearm carried on-duty after it has been examined and approved by the Rangemaster. Any approved equipment shall only be installed in strict accordance with manufacturer specifications.

311.5 SAFE HANDLING, INSPECTION AND STORAGE

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

- (a) Members shall not unnecessarily display or handle any firearm.
- (b) Members shall be governed by all rules and regulations pertaining to the use of the range and shall obey all orders issued by the Rangemaster. Members shall not dry fire or practice quick draws except under Rangemaster supervision.
- (c) Members shall not clean, repair, load or unload a firearm anywhere in the Department, except where clearing barrels are present.
- (d) Shotguns or rifles removed from vehicles or the equipment storage room shall be loaded and unloaded where clearing barrels are present.
- (e) Members shall not place or store any firearm or other weapon on department premises except where the place of storage is locked. No one shall carry firearms into the jail section or any part thereof when securing or processing an arrestee, but shall place all firearms in a secured location.
- (f) Members shall not use any automatic firearm, heavy caliber rifle, gas or other type of chemical weapon or firearm from the armory, except with approval of a supervisor.
- (g) Any firearm authorized by the Department to be carried on- or off-duty that is determined by a member to be malfunctioning or in need of service or repair shall not be carried. It shall be promptly presented to the Department or a Rangemaster approved by the Department for inspection and repair. Any firearm deemed in need of repair or service by the Rangemaster will be immediately removed from service. If

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the firearm is the member's primary duty firearm, a replacement firearm will be issued to the member until the duty firearm is serviceable.

311.5.1 INSPECTION AND STORAGE

Handguns shall be inspected regularly and upon access or possession by another person. Shotguns and rifles shall be inspected at the beginning of the shift by the member to whom the weapon is issued. The member shall ensure that the firearm is carried in the proper condition and loaded with approved ammunition. Inspection of the shotgun and rifle shall be done where clearing barrels are present.

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

311.5.2 STORAGE AT HOME

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

311.5.3 ALCOHOL AND DRUGS

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

311.6 FIREARMS TRAINING AND QUALIFICATIONS

All members who carry a firearm while on-duty are required to successfully complete training quarterly with their duty firearms. In addition to quarterly training, all members will qualify at least annually with their duty firearms. Members will qualify with off-duty, outside-of-assignment, and secondary firearms at least annually. If a member wishes to carry multiple firearms of similar platform off-duty or outside-of-assignment, that member will not be required to qualify with each firearm, rather they will qualify with one to show proficiency on the platform. Training and qualifications must be on an approved range course.

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

311.6.1 NON-CERTIFICATION OR NON-QUALIFICATION

If any member fails to meet minimum standards for firearms training or qualification for any reason, including injury, illness, duty status or scheduling conflict, that member shall submit

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a memorandum to his/her immediate supervisor prior to the end of the required training or qualification period.

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

- (a) Additional range assignments may be scheduled to assist the member in demonstrating consistent firearm proficiency.
- (b) Members shall be given credit for a range training or qualification when obtaining a qualifying score or meeting standards after remedial training.
- (c) No range credit will be given for the following:
 - 1. Unauthorized range make-up
 - 2. Failure to meet minimum standards or qualify after remedial training

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

311.7 FIREARM DISCHARGE

Because of the high probability that warning shots will further escalate tensions during a critical incident, warning shots are generally prohibited. Members shall not discharge any firearm for the purpose of issuing a warning without the express permission of the shift supervisor or incident commanding officer.

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

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

- (a) If on-duty at the time of the incident, the member shall file a written report with his/her Division Commander or provide a recorded statement to investigators prior to the end of shift, unless otherwise directed.
- (b) If off-duty at the time of the incident, a written report shall be submitted or a recorded statement provided no later than the end of the next regularly scheduled shift, unless otherwise directed by a supervisor.

311.7.1 DESTRUCTION OF ANIMALS

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

In circumstances where there is sufficient advance notice that a potentially dangerous animal may be encountered, department members should develop reasonable contingency plans for dealing

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with the animal (e.g., fire extinguisher, TASER™, oleoresin capsicum (OC) spray, animal control officer). Nothing in this policy shall prohibit any member from shooting a dangerous animal if circumstances reasonably dictate that a contingency plan has failed or becomes impractical.

311.7.2 INJURED ANIMALS

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

311.8 RANGEMASTER DUTIES

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

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

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

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

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

311.9 FLYING WHILE ARMED

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

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

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- (b) Officers must carry their Twin Falls Police Department identification card, bearing the officer's name, a full-face photograph, identification number, the officer's signature and the signature of the Chief of Police or the official seal of the Department, and must present this identification to airline officials when requested. The officer should also carry the standard photo identification needed for passenger screening by airline and TSA officials (e.g., driver's license, passport).
- (c) The Twin Falls Police Department must submit a National Law Enforcement Telecommunications System (NLETS) message prior to the officer's travel. If approved, TSA will send the Twin Falls Police Department an NLETS message containing a unique alphanumeric identifier. The officer must present the message on the day of travel to airport personnel as authorization to travel while armed.
- (d) An official letter signed by the Chief of Police authorizing armed travel may also accompany the officer. The letter should outline the officer's need to fly armed, detail his/her itinerary, and include that the officer has completed the mandatory TSA training for a law enforcement officer flying while armed.
- (e) Officers must have completed the mandated TSA security training covering flying while armed. The training shall be given by the department-appointed instructor.
- (f) It is the officer's responsibility to notify the air carrier in advance of the intended armed travel. This notification should be accomplished by early check-in at the carrier's check-in counter.
- (g) Any officer flying while armed should discreetly contact the flight crew prior to take-off and notify them of his/her assigned seat.
- (h) Discretion must be used to avoid alarming passengers or crew by displaying a firearm. The officer must keep the firearm concealed on his/her person at all times. Firearms are not permitted in carry-on luggage and may not be stored in an overhead compartment.
- (i) Officers should try to resolve any problems through the flight captain, ground security manager, or other management representative of the air carrier.
- (j) Officers shall not consume alcoholic beverages while aboard an aircraft, or within eight hours prior to boarding an aircraft.

311.10 FIREARMS TRAINING RANGE

The Twin Falls Police Department Firearms Training Range is the responsibility of the Department's Firearms Instructor corps. The range is for the intended use of TFPD personnel. Outside agencies/officers may use the facility with the express permission of a TFPD Firearms Instructor. In every case that the range is in use, a TFPD Firearms Instructor or a representative of the TFPD shall be present.

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Keys to the range will be distributed to TFPD personnel on a need basis. Keys will not be copied or loaned to other agencies without the written authorization of the Chief of Police or a member of the Administrative Staff.

311.11 CARRYING FIREARMS OUT OF STATE

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

- (a) The officer shall carry his/her Department identification card whenever carrying such weapon.
- (b) The officer is not the subject of any current disciplinary action.
- (c) The officer may not be under the influence of alcohol or any other intoxicating or hallucinatory drug.
- (d) The officer will remain subject to this and all other Department policies (including qualifying and training).

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

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

Crime Prevention

312.1 PURPOSE AND SCOPE

The purpose of a crime prevention program is to develop, implement and administer prevention and suppression programs designed to educate and develop partnerships in the community in an effort to deter criminal activity and reduce the likelihood of becoming a victim of crime. The primary function of Crime Prevention is aimed at creating in the minds of Twin Falls residents and business persons, an awareness of the role they can individually and collectively play in the reduction and/or prevention of crime, and then encouraging individual, group, school, neighborhood, and community follow-up and activities to reduce/prevent crime or the fear of crime. This program is preventative in nature.

312.1.1 FUNCTION

Crime prevention is an ongoing pro-active function of policing requiring the active participation of all members of this department. All members will endeavor to prevent crime through investigative processes, through problem solving processes; by engaging in open communication with citizens, other agencies, service groups and each other; by seeking out opportunities for partnering with schools, civic groups, business associations, and citizens groups to initiate and implement crime prevention strategies or programs

312.1.2 ADMINISTRATION

The administration, direction and control of the Crime Prevention Officer is under the immediate supervision of the Administrative Services Division Commander.

Vehicle Pursuits

313.1 PURPOSE AND SCOPE

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

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

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

313.1.1 PURSUIT DEFINED

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

313.1.2 FAILURE TO YIELD

Refers to the actions of a vehicle operator who fails to stop or respond to the emergency light(s) and siren of a law enforcement vehicle. Generally, the vehicle operator continues to travel forward at or below the speed limit, observes applicable rules of the road and does not change the direction of travel in an evasive manner (Idaho Code 49-625).

313.2 OFFICER RESPONSIBILITIES

While engaging in a vehicle pursuit, officers must drive with due regard for the safety of all other persons. However, while engaging in a vehicle pursuit, officers are generally not required to follow the rules of the road. In addition, this exemption from following the rules of the road only applies when the officer is operating an authorized emergency vehicle. The following policy is established

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to provide officers with guidelines for driving with due regard and caution for the safety of all persons (Idaho Code 49-623).

313.2.1 WHEN TO INITIATE A PURSUIT

Officers are authorized to initiate a pursuit when it is reasonable to believe that a suspect is attempting to evade arrest or detention by fleeing in a vehicle.

The following factors individually and collectively shall be considered in deciding whether to initiate a pursuit:

- (a) Seriousness of the known or reasonably suspected crime and its relationship to community safety.
- (b) The importance of protecting the public and balancing the known or reasonably suspected offense and the apparent need for immediate capture against the risks to officers, innocent motorists and others.
- (c) Apparent nature of the fleeing suspect (e.g., whether the suspect represents a serious threat to public safety).
- (d) The identity of the suspect has been verified and there is comparatively minimal risk in allowing the suspect to be apprehended at a later time.
- (e) Safety of the public in the area of the pursuit, including the type of area, time of day, the amount of vehicular and pedestrian traffic and the speed of the pursuit relative to these factors.
- (f) The pursuing officer's familiarity with the area of the pursuit, the quality of radio communications between the pursuing units and the dispatcher/supervisor and the driving capabilities of the pursuing officer under the conditions of the pursuit.
- (g) Weather, traffic and road conditions that substantially increase the danger of the pursuit beyond the worth of apprehending the suspect.
- (h) Performance capabilities of the vehicles used in the pursuit in relation to the speeds and other conditions of the pursuit.
- (i) Vehicle speeds.
- (j) Other persons in or on the pursued vehicle (e.g., passengers, co-offenders and hostages).
- (k) The police unit is carrying passengers other than police officers. Pursuits should not be undertaken with a prisoner in the police vehicle.

313.2.2 WHEN TO TERMINATE A PURSUIT

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

The factors listed in this policy are expressly included herein and will apply equally to the decision to discontinue as well as the decision to initiate a pursuit. Officers and supervisors must objectively

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and continuously weigh the seriousness of the offense against the potential danger to innocent motorists and themselves when electing to continue a pursuit. In the context of this policy, the term "terminate" shall be construed to mean discontinue or to stop chasing the fleeing vehicle.

In addition to the factors listed elsewhere in this policy, the following factors should also be considered in deciding whether to terminate a pursuit:

- (a) Distance between the pursuing officers and the fleeing vehicle is so great that further pursuit would be futile or require the pursuit to continue for an unreasonable time and/or distance.
- (b) Pursued vehicle's location is no longer definitely known.
- (c) Officer's pursuit vehicle sustains any type of damage that renders it unsafe to drive.
- (d) Extended pursuits of violators for misdemeanors not involving violence or risk of serious harm (independent of the pursuit) are discouraged.
- (e) There are hazards to uninvolved bystanders or motorists.
- (f) If the identity of the offender is known and it does not reasonably appear that the need for immediate capture outweighs the risks associated with continuing the pursuit, officers should strongly consider discontinuing the pursuit and apprehending the offender at a later time.
- (g) The pursuing officer is directed by a supervisor to terminate the pursuit.

When terminating a pursuit, officers shall turn off all emergency lights and siren and stop their patrol vehicle or turn their patrol vehicle to travel in the opposite direction than the fleeing vehicle.

313.2.3 SPEED LIMITS

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

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

- (a) Whether the pursuit speeds are unsafe for the surrounding conditions.
- (b) Whether the speeds being reached are beyond the driving ability of the officer.
- (c) Whether the speeds are beyond the capabilities of the police vehicle, thus making its operation unsafe.

313.3 PURSUIT UNITS

Pursuit units should be limited to two vehicles; however, the number of units involved will vary with the circumstances. An officer or supervisor may request additional units to join a pursuit if, after assessing the factors outlined above, it appears that the number of officers involved would be insufficient to safely arrest the suspect. All other officers should stay out of the pursuit, but should remain alert to its progress and location. Any officer who drops out of a pursuit may then,

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if necessary, proceed to the termination point at legal speeds, following the appropriate rules of the road.

313.3.1 MOTORCYCLE OFFICERS

A distinctively marked patrol vehicle equipped with emergency overhead lighting should replace a police motorcycle as primary and/or secondary pursuit unit as soon as practical.

313.3.2 VEHICLES WITHOUT EMERGENCY EQUIPMENT

Vehicles not equipped with a flashing light and siren are generally prohibited from initiating or joining in any pursuit. Officers in such vehicles, however, may become involved in emergency activities involving serious crimes or life-threatening situations. Those officers should terminate their involvement in any pursuit immediately upon arrival of a sufficient number of emergency police vehicles.

313.3.3 PRIMARY UNIT RESPONSIBILITIES

The initial pursuing unit will be designated as the primary pursuit unit and will be responsible for the conduct of the pursuit unless it is unable to remain reasonably close enough to the violator's vehicle. The primary responsibility of the officer initiating the pursuit is the apprehension of the suspect without unreasonable danger to him/herself or other persons.

The initial pursuit unit should notify the Communications Center that a vehicle pursuit has been initiated and as soon as practical provide information including, but not limited to the following:

- (a) Reason for the pursuit
- (b) Location and direction of travel
- (c) Speed of the fleeing vehicle
- (d) Description of the fleeing vehicle and license number, if known
- (e) Number of known occupants
- (f) The identity or description of the known occupants
- (g) Information concerning the use of firearms, threat of force, injuries, hostages or other unusual hazards

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

313.3.4 SECONDARY UNIT RESPONSIBILITIES

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

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

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- (b) The secondary unit should remain a safe distance behind the primary unit unless directed to assume the role of primary officer or if the primary unit is unable to continue the pursuit.
- (c) The secondary unit should be responsible for broadcasting the progress of the pursuit unless the situation indicates otherwise.

313.3.5 PURSUIT DRIVING TACTICS

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

- (a) Officers, considering their driving skills and vehicle performance capabilities, will space themselves from other involved vehicles so they are able to see and avoid hazards or react safely to maneuvers by the fleeing vehicle.
- (b) Because intersections can present increased risks, the following tactics should be considered:
 - 1. Available units not directly involved in the pursuit may proceed safely to controlled intersections ahead of the pursuit in an effort to warn cross traffic.
 - 2. Pursuing units should exercise due caution when proceeding through controlled intersections.
- (c) As a general rule, officers should not pursue a vehicle driving left of center (wrong way) on a freeway. In the event that the pursued vehicle does so, the following tactics should be considered:
 - 1. Requesting assistance from an air unit.
 - 2. Maintaining visual contact with the pursued vehicle by paralleling it on the correct side of the roadway.
 - 3. Requesting other units to observe exits available to the suspect.
- (d) Officers should notify the Idaho State Police and/or other agency if it appears that the pursuit may enter their jurisdiction.
- (e) Officers involved in a pursuit should not attempt to pass other units unless the situation indicates otherwise or they are requested to do so by the primary unit.

313.3.6 TACTICS/PROCEDURES FOR UNITS NOT INVOLVED IN THE PURSUIT

There should be no paralleling of the pursuit route. Officers are authorized to use emergency equipment at intersections along the pursuit path to clear intersections of vehicular and pedestrian traffic to protect the public.

Non-pursuing personnel needed at the termination of the pursuit should respond in a non-emergency manner, observing the rules of the road.

The primary and secondary units should be the only units operating under emergency conditions unless other units are assigned to the pursuit.

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313.3.7 PURSUIT TRAILING

In the event the initiating unit from this agency either relinquishes control of the pursuit to another unit or jurisdiction, that initiating unit may, with permission of supervisor, trail the pursuit to the termination point in order to provide necessary information and assistance for the arrest of the suspect.

The term trail means to follow the path of the pursuit at a safe speed while obeying all traffic laws and without activating emergency equipment. If the pursuit is at a slow rate of speed, the trailing unit will maintain sufficient distance from the pursuit units so as to clearly indicate an absence of participation in the pursuit.

313.4 SUPERVISORY CONTROL AND RESPONSIBILITY

It is the policy of this department that available supervisory and management control will be exercised over all vehicle pursuits involving officers from this department.

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

- (a) Upon becoming aware of a vehicle pursuit, immediately ascertaining all reasonably available information to continuously assess the situation and risk factors associated with the pursuit in order to ensure that the pursuit is conducted within guidelines established by this department.
- (b) Engaging in the pursuit, when appropriate, to provide on-scene supervision.
- (c) Exercising management and control of the pursuit even if not engaged in it.
- (d) Ensuring that no more than the number of required police units needed are involved in the pursuit under the guidelines set forth in this policy.
- (e) Directing that the pursuit be terminated if, in his/her judgment, it is unjustified to continue the pursuit under the guidelines of this policy.
- (f) Ensuring that the proper radio channel is being used.
- (g) Ensuring the notification and/or coordination of outside agencies if the pursuit either leaves or is likely to leave the jurisdiction of this agency.
- (h) Controlling and managing TFPD units when a pursuit enters another jurisdiction.
- (i) Preparing post-pursuit critique and analysis of the pursuit for training purposes.

313.5 COMMUNICATIONS

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

313.5.1 COMMUNICATION CENTER RESPONSIBILITIES

Upon notification that a pursuit has been initiated, the Communications Center will:

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- (a) Coordinate pursuit communications of the involved units and personnel.
- (b) Notify and coordinate with other involved or affected agencies as practical.
- (c) Ensure that a field supervisor is notified of the pursuit.
- (d) Assign an incident number and log all pursuit activities.
- (e) Broadcast pursuit updates as well as other pertinent information as necessary.
- (f) Notify the Shift Supervisor as soon as practical.

313.5.2 LOSS OF PURSUED VEHICLE

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

313.6 INTER-JURISDICTIONAL CONSIDERATIONS

When a pursuit enters another agency's jurisdiction, the primary officer or supervisor, taking into consideration distance traveled, unfamiliarity with the area, and other pertinent facts, should determine whether or not to terminate the pursuit or request the other agency to assume the pursuit. Unless entry into another jurisdiction is expected to be brief, it is generally recommended that the primary officer or supervisor ensure that notification is provided to each outside jurisdiction into which the pursuit is reasonably expected to enter, regardless of whether or not such jurisdiction is expected to assist.

313.6.1 ASSUMPTION OF PURSUIT BY ANOTHER AGENCY

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

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

Notification of a pursuit in progress should not be construed as a request to join the pursuit. Requests to or from another agency to assume a pursuit should be specific and should be by, and to, the supervisor.

313.6.2 PURSUITS EXTENDING INTO THIS JURISDICTION

The agency that initiates a pursuit shall be responsible for conducting the pursuit. Units from this department should not join a pursuit unless specifically requested to do so by the agency whose peace officers are in pursuit. The exception to this is when a single unit from the initiating agency is in pursuit. Under this circumstance, a unit from this department may join the pursuit until sufficient units from the initiating agency join the pursuit.

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

- (a) Ability to maintain the pursuit
- (b) Circumstances serious enough to continue the pursuit
- (c) Adequate staffing to continue the pursuit
- (d) The public's safety within this jurisdiction
- (e) Safety of the pursuing officers

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

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

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

313.7 PURSUIT INTERVENTION

Pursuit intervention is an attempt to terminate the ability of a suspect to continue to flee in a motor vehicle through tactical application of technology, road spikes, blocking, boxing, PIT (Pursuit Intervention Technique), ramming or roadblock procedures.

313.7.1 WHEN USE IS AUTHORIZED

Use of pursuit intervention tactics should be employed only after approval of a supervisor. In deciding whether to use intervention tactics, officers/supervisors should balance the risks of allowing the pursuit to continue with the potential hazards arising from the use of each tactic to the public, the officers and persons in or on the pursued vehicle. With these risks in mind, the decision to use any intervention tactic should be reasonable in light of the circumstances confronting the officer at the time of the decision.

It is imperative that officers act within the bounds of legality, good judgment and accepted practices.

313.7.2 DEFINITIONS

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

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

Ramming - The deliberate act of impacting a violator's vehicle with another vehicle to functionally damage or otherwise force the violator's vehicle to stop.

Roadblocks - A tactic involving any structure, device, or means used by duly authorized law enforcement officers for the purpose of controlling all traffic through a point on a highway whereby all vehicles may be slowed or stopped (Idaho Code 19-620).

Spikes or Tack Strips - A device that extends across the roadway designed to puncture the tires of the pursued vehicle.

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

313.7.3 USE OF FIREARMS

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

313.7.4 INTERVENTION STANDARDS

Any pursuit intervention tactic, depending upon the conditions and circumstances under which it is used, may present dangers to the officers, the public, or anyone in or on the vehicle being pursued. Certain applications of intervention tactics may be construed to be a use of deadly force and subject to the requirements for such use. Officers who have not received training certified by this department in the application and use of any intervention tactic or equipment shall consider these facts and requirements prior to deciding how, when, where, and if an intervention tactic should be employed.

- (a) Only those officers trained in the use of the PIT will be authorized to use this procedure and only then with approval of a supervisor upon consideration of the circumstances and conditions presented at the time, including the potential for risk of injury to officers, the public and occupants of the pursued vehicle. Application of PIT is generally discouraged at speeds exceeding 35 mph.
- (b) Blocking or vehicle intercept should only be considered in cases involving felony suspects or impaired drivers who pose a threat to public safety when officers reasonably believe that attempting a conventional enforcement stop will likely result in the driver attempting to flee in the vehicle. Because of the potential risks involved this technique should only be employed by officers who have received training in such tactics after giving consideration to the following:
 - 1. The need to immediately stop the suspect vehicle or prevent it from leaving substantially outweighs the risks of injury or death to occupants of the suspect vehicle, officers, or other members of the public.

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2. All other reasonable intervention techniques have failed or reasonably appear ineffective.
 3. Employing the blocking maneuver does not unreasonably increase the risk to officer safety.
 4. The target vehicle is stopped or traveling at a low speed.
 5. At no time should civilian vehicles be used to deploy this technique.
- (c) Ramming a fleeing vehicle should be done only after other reasonable tactical means at the officer's disposal have been exhausted. This tactic should be reserved for situations where there does not appear to be another reasonable alternative method. Ramming a vehicle is generally discouraged at speeds exceeding 35 mph. This policy is an administrative guide to direct officers in their decision-making process before ramming another vehicle. When ramming is used as a means to stop a fleeing vehicle, one or more of the following factors should be present:
1. The suspect is an actual or suspected felon who reasonably appears to represent a serious threat to the public if not apprehended.
 2. The suspect is driving with willful or wanton disregard for the safety of other persons or is driving in a reckless and life-endangering manner.
 3. If there does not reasonably appear to be a present or immediately foreseeable serious threat to the public, the use of ramming is not authorized.
- (d) As with all intervention techniques, pursuing officers should obtain supervisor approval before attempting to box-in a suspect vehicle during a pursuit. The use of such a technique must be carefully coordinated with all involved units, taking into consideration the circumstances and conditions presented at the time as well as the potential risk of injury to officers, the public and occupants of the pursued vehicle.
- (e) The use of spike strips should be approved in advance by a supervisor and deployed only when it is reasonably certain that only the pursued vehicle will be affected by their use. Officers should carefully consider the limitations of such devices as well as the potential risks to officers, the public and occupants of the pursued vehicle. If the pursued vehicle is a motorcycle, a vehicle transporting hazardous materials, or a school bus transporting children officers and supervisors should weigh the potential consequences against the need to immediately stop the vehicle.
- (f) Idaho Code 19-622 sets the minimum requirements for establishing roadblocks for the purpose of warning and protecting the public. Because roadblocks involve a potential for serious injury or death to occupants of the pursued vehicle if the suspect does not stop, the intentional placement of roadblocks in the direct path of a pursued vehicle is generally discouraged and should not be deployed without prior approval of a supervisor and only then under extraordinary conditions when all other reasonable intervention techniques have failed or reasonably appear ineffective and the need to immediately stop the pursued vehicle substantially outweighs the risks of injury or death to occupants of the pursued vehicle, officers or other members of the public.

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313.7.5 CAPTURE OF SUSPECTS

Proper self-discipline and sound professional judgment are the keys to a successful conclusion of a pursuit and apprehension of evading suspects. Officers shall use only that amount of force, which reasonably appears necessary under the circumstances, to properly perform their lawful duties.

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

313.8 REPORTING REQUIREMENTS

The following reports should be completed to comply with appropriate local and state regulations:

- (a) The primary officer shall complete appropriate crime/arrest reports.
- (b) The Shift Supervisor shall review the officer's completed report summarizing the pursuit and submit it to the Division Commander to evaluate the pursuit in terms of policy compliance. This pursuit report shall minimally contain the following information:
 - 1. Date and time of pursuit
 - 2. Length of pursuit
 - 3. Involved units and officers
 - 4. Initial reason for pursuit
 - 5. Starting and termination points
 - 6. Disposition: arrest, citation, etc. Arrestee information should be provided if applicable
 - 7. Injuries and/or property damage
 - 8. Medical treatment
 - 9. Name of supervisor at scene
 - 10. A preliminary determination, simply stating whether the pursuit appeared to be in compliance with this policy

313.8.1 REGULAR AND PERIODIC PURSUIT TRAINING

In addition to initial and supplementary Idaho Peace Officer Standards and Training (POST) training on pursuits, all sworn members of this department will participate no less than annually in regular and periodic training by this department addressing this policy and the importance of vehicle safety and protecting the public at all times, including a recognition of the need to balance the known offense and the need for immediate capture against the risks to officers and others.

313.8.2 POLICY REVIEW

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

Officer Response to Calls

315.1 PURPOSE AND SCOPE

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

315.1.1 POLICY

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

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

315.2 RESPONSE TO CALLS

The Twin Falls Police Department recognizes the following radio "Code" definitions:

Code One - At your earliest convenience.

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

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

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

Code Two Status - May be used only by the supervisor and only in extreme circumstances. Advises dispatch to automatically hold all priority three and four calls for service and only dispatch priority one and two calls for service. Prohibits patrol units from taking breaks, making low-priority traffic stops or engaging in other low priority activities.

When a situation is not under control the officer shall either respond to the dispatch security check by saying, "Negative" or by requesting additional patrol officers and advising what level of response is appropriate. A "Negative" response shall mean that any other patrol officers who have already been dispatched to the call should continue, but no others should respond. If the officer on scene wishes for additional officers to respond, he/she should ask for them.

Officers dispatched "Code-3" shall consider the call an emergency response and proceed immediately. Officers responding Code-3 shall continuously operate emergency lighting equipment and shall sound the siren.

During both Code 2 and Code 3 operations, Officers shall come to a stop before entering an intersection against the traffic control device (red light, flashing red light, stop sign and the like), as well as before entering any blind intersection, or any intersection where hazards are present and other drivers cannot see oncoming lanes of traffic. If entering an intersection with right of

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way, Officers will slow and ensure that the intersection is clear before proceeding. If the vehicle is equipped with an Opticom light cyler, the use of the device on public highways is authorized by Officers for any legitimate law enforcement purpose. Officers will not however assume the traffic signal has cycled and will ensure each lane of traffic has stopped before proceeding through the intersection.

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

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

315.3 REQUESTING EMERGENCY ASSISTANCE

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

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

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

315.4 RESPONSIBILITIES OF RESPONDING OFFICER(S)

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

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

Upon receiving authorization or determining a Code-3 response is appropriate, an officer shall immediately give the location from which he/she is responding.

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315.5 COMMUNICATIONS RESPONSIBILITIES

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

- (a) Conduct an ETA search.
- (b) Attempt to assign the closest available unit to the location requiring assistance.
- (c) Immediately notify the Shift Supervisor.
- (d) Confirm the location from which the unit is responding.
- (e) Notify and coordinate allied emergency services (e.g., fire and ambulance).
- (f) Continue to obtain and broadcast information as necessary concerning the response and monitor the situation until it is stabilized or terminated.
- (g) Control all radio communications during the emergency and coordinate assistance under the direction of the Shift Supervisor or field supervisor.

315.6 SUPERVISORY RESPONSIBILITIES

Upon being notified that a Code-3 response has been initiated, the Shift Supervisor or the field supervisor shall verify the following:

- (a) The proper response has been initiated.
- (b) No more than those units reasonably necessary under the circumstances are involved in the response.
- (c) Affected outside jurisdictions are being notified as practical.

The field supervisor shall monitor the response until it has been stabilized or terminated and assert control by directing units into or out of the response if necessary. If, in the supervisor's judgment, the circumstances require additional units to be assigned a Code-3 response, the supervisor may do so.

It is the supervisor's responsibility to terminate a Code-3 response that, in his/her judgment is inappropriate due to the circumstances.

When making the decision to authorize a Code-3 response, the Shift Supervisor or the field supervisor should consider the following:

- The type of call
- The necessity of a timely response
- Traffic and roadway conditions
- Weather conditions such as snow or rain
- Low visibility conditions such as dust and windy conditions

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- The location of the responding units

315.7 FAILURE OF EMERGENCY EQUIPMENT

If the emergency equipment on the vehicle should fail to operate, the officer must terminate the Code-3 response and respond accordingly. In all cases, the officer shall notify the Shift Supervisor, field supervisor, or the Communications Center of the equipment failure so that another unit may be assigned to the emergency response.

315.8 PARKING OF POLICE VEHICLES

The safe operation of department vehicles is imperative. Given this, it is important that employees safely and effectively secure department vehicles when parked. This is instrumental in preventing the injury of police employees, members of the community, and the damage of property. Public Roadways: Police employees, when operating a department vehicle, shall comply with the provisions of Idaho Code 49-602 when parking on public roadways. Private Parking Lots, Driveways, and Other Private Areas not specifically mentioned herein: Police employees, when operating a department vehicle, shall comply with the following policy when parking in private parking lots, driveways, and all other areas not specifically mentioned herein: When parking, the employee driving or in charge of the department vehicle shall:

- Stop the engine
- Lock the ignition
- Set the park (emergency) brake
- Lock the vehicle (if leaving it unattended) Exceptions: It is clearly understood that in some specific situations the provisions of this policy cannot be met. These situations may include:
 - Traffic stops (including high-risk traffic stops)
 - Pursuit situations
 - During emergency situations where the immediate safety of the officer or community would prevent compliance with this policy.
- Whereas K-9 vehicles shall be required to have the park brake set and the vehicle locked as defined by policy, the provision for stopping the engine shall be waived. This will allow for the safety of the patrol dog in various weather conditions.

315.9 RESIDENTIAL AND BUSINESS INTRUSION/PANIC ALARMS

It is recognized that silent and audible intrusion/panic alarms pose a significant danger for police officers, regardless of the time of day. All intrusion/panic alarms must be treated as a crime in progress.

It shall be the policy of this department that a minimum of two officers shall be dispatched and shall respond to all residential and business intrusion/panic alarms, regardless of the time of day.

a. Once officers are notified by Dispatch of an intrusion/panic alarm, response shall be in accordance with Twin Falls Police Department policy 316.2, "Response to Calls". b. Silent or

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invisible deployment is crucial to the successful containment of potential suspects. c. Initial deployment by the responding officers requires an immediate perimeter search, including the exterior of the structure. d. When there are physical signs of forced entry, such as a broken window or an open door, officers shall set a perimeter and notify the K-9 unit. e. When no physical signs of forced entry are present, officers must consider that a suspect may have entered the building through the roof. Prior to officers entering the building to conduct a search, every attempt should be made to assign at least one officer to remain outside of the building, posted at the most likely escape route(s). In cases where a suspect(s) is still inside of the building, this will aid officers in the successful apprehension of the suspect. f. If available, a K-9 team should respond to all business/panic alarms. If it is known that an unauthorized person is still inside the building, a K-9 team should be summoned to conduct a search for the suspect(s), prior to officers making entry. (TFPD Policy 318.2) g. When a business owner or key holder is not able to respond and the perimeter of the structure appears secure, the officers may clear from the call after completing an alarm ordinance form. If the business owner or key holder has a delayed response time, the shift supervisor is encouraged to use discretion before clearing the officers from the call. This discretion must be based on current call load and calls for service.

315.10 RESPONSE OUT OF CITY JURISDICTION

Officers may respond to emergency situations outside of the Twin Falls City limits only when requested to respond by dispatch or a supervisor of the jurisdiction involved, and upon the approval of the shift supervisor.

Officers responding out of city jurisdiction shall assist in neutralizing the emergency situation and shall return to their area of assignment as soon as possible.

Evidence

316.1 PURPOSE AND SCOPE

This policy provides for the proper collection, storage, and security of property. Additionally, this policy provides for the protection of the chain of evidence and those persons authorized to remove and/or destroy property.

316.2 DEFINITIONS

"Property" includes all items of evidence, items taken for safekeeping and found property.

"Evidence Packaging Manual" refers to the manual that is stored at the evidence packaging workstation.

316.2.1 EVIDENCE

Evidence includes items taken or recovered in the course of an investigation that may be used in the prosecution of a case. Photographs, latent fingerprints, digital recordings, DVD interviews are included in this class.

316.2.2 SAFEKEEPING

Safekeeping generally includes the following types of property:

- Property turned over to the Police Department by a citizen for safekeeping.
- Personal property of an arrestee not taken as evidence.
- Other property taken by officers for the protection of citizens such as firearms.

316.2.3 FOUND PROPERTY

"Found Property" is property found by any person that has no apparent evidential value and where the owner cannot be readily identified or contacted.

Where ownership can be established as to found property with no apparent evidentiary value, such property may be released to the owner. Property & Evidence CSO's and the P&E Sergeant are the only employees that shall release found property after the evidence has been entered into RMS and secured in the evidence facility. Property owners must sign a Property Release Receipt before the property is turned over to them. Field and lobby employees can release found property that has not been submitted to evidence. Property must be submitted into evidence for safekeeping if the employee is unable to return the property by the end of their shift. Employees must complete a report showing that the property was released.

316.3 PROCEDURES

316.3.1 EVIDENCE HANDLING

Specific packaging rules can be found in the Evidence Packaging Manual. Any member of this agency who has evidence to be placed in the property room shall make a complete inventory and RMS description entry of that evidence before it is submitted to the property room. The inventory and RMS entry shall include the following information:

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(a) Impounding officers shall properly handle, mark, package, and transport all evidence to the evidence packaging area and store it in an approved locker or other authorized location as soon as possible. Items submitted for latent print examination or with any other special handling instructions shall be packaged in a manner to prevent contamination. Officers are responsible for insuring that no other items of value are contained in submitted evidence. No property seized by officers shall be stored in unauthorized locations.

(b) Description of the item (including make, model, and serial number if any).

(c) Source (from whom or location obtained).

(d) Name of the person primarily responsible for collecting the item or items.

(e) Employees shall make a detailed description of the evidence when completing the Property Item Detail page in RMS - to include the Related Names line of the entry.

(f) All RMS entries shall be completely filled out. This will include the case number, incident number, crime designation, item description, suspect and victim's FULL name, the name address and phone number of the rightful owner, as well as the name and badge number of the officer that submitted the evidence. The entry shall also include the processing requests, special handling instructions, and if the evidence shall be held, destroyed or returned to the owner.

(g) Evidence not meeting policy standards will be returned to the submitting officer. Evidence personnel will forward a message to the responsible officer and their supervisor for refused evidence and the reason for refusal. Officers shall retrieve the refused evidence from the return locker, correct the problem, and return the evidence to the property room. This shall be done during their immediate tour of duty following notification,

(h) Drug and paraphernalia evidence - refer to the instructions in the Evidence Packaging Manual for packaging procedures.

(i) Drug and paraphernalia evidence will be stored in a secured narcotics vault within the property room. The vault will be secured with an electronic lock that is secured with two proximity card readers. Vault employee access level will be limited to Property and Evidence employees and supervisory access level will be assigned to the Operations Captain, Office of Professional Standards Lieutenant, Criminal Investigation Division's (CID) Lieutenant, CID Sergeant and P&E Sergeant. The vault can only be opened when a Property and Evidence employee and an approved supervisor is present with their proximity card. At no time will any employee be allowed in the narcotics vault alone.

(j) Prescription Drug Lobby Drop: The prescription drug lobby drop bin shall be securely fastened to the floor in the front lobby where it can be monitored 24 hours a day. The bin is designated for prescription pills and patches that citizens submit for destruction. Guidelines for packaging and acceptance of medications are posted on the bin and at the lobby counter. The bin shall be secured with two locks. The keys will be kept in the Property and Evidence office. The bin shall be checked weekly and emptied when the holding bag is full. When full, the bag shall be removed, weighed, secured with evidence tape, labeled with the weight and bag number, and secured in

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the narcotics vault. The bag number and weight shall also be recorded in the prescription drug bin log. Destruction of this evidence will be coordinated with the Idaho State Police.

(k) Monies - refer to the instructions in the Evidence Packaging Manual for packaging procedures.

1. Property and Evidence personnel will insure that the monies are properly entered into RMS. All monies over the amount of twenty dollars (20) shall be transferred to the Twin Falls City Finance Office. Exceptions will be made for monies that require lab processing, must be held as evidence at a prosecutor's direction, narcotics buy funds retained as evidence, or monies contaminated with a biological or foreign substance. These monies will be stored within the safe in the narcotics vault. Monies under twenty dollars can be stored on a property shelf in the evidence room. Monies deposited at City Finance will be opened by Property and Evidence personnel in the presence of a Finance employee. Finance will deposit the money and issue a receipt to the submitting employee. This receipt shall be scanned into RMS by Records. The transaction shall be documented in RMS by Property and Evidence.

2. Monies may be reclaimed by owners before they are given to Finance (or under twenty dollars). The packaging containing the monies shall be opened in the presence of the owner. The owner shall sign a Property Release Receipt and the transaction will be recorded in RMS by the releasing employee. Monies that have been deposited at Finance will be remitted to the owner via a check issued by Finance.

3. Precious metals, jewelry, and gemstones will be stored within a safe that is secured in the locked narcotics vault.

(l) Firearms - refer to the instructions in the Evidence Packaging Manual for packaging procedures.

1. Firearms will be stored within a locked area in the property room. Keys will be maintained by Property and Evidence personnel. All weapons seized will be made safe prior to storage in the evidence facility. "Make Safe" shall be defined as: All weapons will be unloaded by removing any bullets in the cylinder, chamber, and/or magazine of the weapon. Officers will indicate whether a revolver was loaded and the condition of each chamber located within the cylinder. The ammunition will be packaged separately from the firearm itself. All firearms will be stored within a locked area within the evidence facility. Keys will be maintained by evidence personnel.

2. All firearms seized as evidence will have a Bureau of Alcohol, Tobacco, Firearms, and Explosives (BATFE) firearms trace conducted. Questionable ownership will be verified through reasonable documentation of the purchase and an affidavit of ownership. The seizing officer shall contact the BATFE on any firearm seized from a person prohibited under federal law from possessing a firearm to ascertain if BATFE will pursue federal charges. In cases where BATFE will pursue federal charges, evidence personnel shall provide to the BATFE the appropriate case information and place a hold on the firearm(s). When the BATFE will not pursue federal charges, the case is adjudicated, and the firearm can be lawfully released to another person; the prohibited person may relinquish ownership to a person that is not prohibited from possessing a firearm or release the firearm to the City of Twin Falls to be sold at auction.

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3. Firearms seized for safekeeping will be logged into evidence and a BATFE firearms trace will be conducted. These weapons can be returned to the owner at a time determined by the seizing officer. The release will be made only after consideration of the circumstances under which the firearm(s) were seized. Firearms seized from persons placed on a mental hold may not be released until the person submits a letter from their doctor indicating that the person is no longer a threat to themselves or others. This letter shall be scanned into RMS. Anyone retrieving a firearm from the Twin Falls Police Department will need a criminal background check clearance completed by Records.

(m) Hazardous Materials:

1. Biological material: All blood kits, sexual assault test kits, and urine kits collected by officers shall be placed in the pass through refrigerator in the evidence packaging area. Bodily fluids such as semen or blood stains shall be air dried prior to booking. Officers shall contact Property and Evidence when assistance is needed with drying or storing biological evidence.

2. Flammable material will not be stored at the Twin Falls Police building. Whenever items are seized that contain gasoline, kerosene, diesel, or other fuels - these items and their contents shall be stored within the fenced yard at the Department storage facility at 725 Shoshone St S. Seizing officers shall notify Property and Evidence via email. When the item has no evidentiary value, it will be photographed and the photos uploaded to the appropriate file. The item will then be disposed of in the large white storage tank at the City Shop.

(n) Hazardous waste products, including waste from drug laboratories, will not be held unless special circumstances exist. This will be based on the need for such evidence and the requirements needed for safe storage.

(o) Explosive devices will not be held in the evidence facility. All such items shall be stored in the outside fireworks bunker. Explosive devices, fireworks, or similar material will not be held without the approval of a member of the Administrative Staff or unless special circumstances exist. The Department Hazardous Devices Unit will oversee the transport, storage, and destruction of the material as needed.

(p) Digital Photographic Evidence: Officers shall use Department issued cameras to take photographs or videos of crime scenes, auto accidents, or other incidents they are involved in as part of their duties. Officers may use their personally owned cameras if:

1. Department issued cameras are not readily available.
2. Evidence will be destroyed, contaminated, or otherwise lost if not photographed or filmed immediately.
3. Officers must treat this evidence as if it were obtained using a Department issued camera. Officers are prohibited from keeping or sharing evidence captured on their personally owned device.

(a) Officers will upload all digital evidence they collect to evidence.com and name the file with the corresponding case or incident number.

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(b) ICAC evidence shall never be uploaded to evidence.com but shall be retained on a card or disc, placed in a digital media envelope and submitted to evidence.

4. Only trained and approved personnel are authorized to download or copy digital evidence. This evidence will be shared via an emailed link to evidence.com or copied to appropriate storage media. Under no circumstances will the evidence on the media be changed or altered.

5. All copies or emailed links will be made only if prior approval has been made by the prosecuting attorney or by order of subpoena in criminal cases or the Chief of Police in personnel matters.

6. Digital evidence requiring enhancement will be made to copies of the original evidence.

(q) Latent Fingerprint Cards - refer to the instructions in the Evidence Packaging Manual.

(r) Computers and other electronic evidence.

1. If an examination of the computer, storage media, or other electronic device such as a tablet, PDA, or cell phone is required, forward a request to the appropriate agency or an in-house Forensic Examiner. The request shall contain:

(a) Copies of reports involving the device.

(b) Copy of a consent to search form signed by the device owner or the person in possession of the device, or a copy of the search warrant authorizing the search of the device.

(c) A list of the items to search for (e.g., photographs, financial records, email, documents).

2. When seizing a computer the following steps should be taken:

(a) Photograph the computer, front and back, including cable connections to other items.

(b) If the computer is off, do not turn it on.

(c) If the computer is on, do not shut it down normally and do not click on anything or examine any files. Photograph the screen and note any programs or windows that appear to be open. Disconnect the power cable from the computer.

(d) Officers should document the following in their report:

1. Where the computer was located and whether or not it was in operation.

2. Who has access to it and if anyone claimed ownership.

3. If it can be determined, how was it used.

(a) In most cases where a computer is involved in criminal acts and is in possession of the suspect, all media storage devices associated with the computer should be seized,

(b) Do not review, access, or open digital media prior to submission. If the information is needed for immediate investigation, request that Property and Evidence copy the contents to an appropriate form of storage media.

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(s) Personal communication devices such as cell phones, PDA's, or other hand held devices connected to any communication network must be handled with care to preserve evidence that may be on the device.

1. Officers should not attempt to access, review, or search the contents of such devices prior to examination by a forensic expert.
2. Do not turn the device on or off - attempt to place in Airplane Mode if on and disable the Bluetooth feature.
3. Seize the charging units if they are available.

(t) Body Worn Camera (BWC) evidence:

1. Officers are responsible for entering their BWC footage into evidence (when associated with a case report) by completing a police report documenting the submission of the BWC footage.

316.3.2 IMPOUNDING EVIDENCE AND EVIDENCE INSPECTIONS/AUDITS

The Evidence Tech receiving custody of evidence or property shall record the transaction in the RMS property management module, to include the date received and where the property will be stored. A property barcode shall be obtained for each item or group of items. This barcode shall be affixed to the property. Any changes in the location of property held by the Twin Falls Police Department shall be noted in the RMS property management module.

- (a) Property and Evidence personnel shall be responsible for receiving, storing, maintaining, releasing, and accounting for all evidence in compliance with Department policy.
- (b) When evidence is deposited with Property and Evidence or in an approved holding facility, the items will be logged into the RMS property management module. The entry shall include all necessary information to insure proper documentation for chain of custody.
- (c) Each time Property and Evidence receives property or releases property to another person, the Evidence Tech shall enter this information in the RMS property management module.
- (d) Officers desiring property for court shall contact Property and Evidence at least one day prior to the court date.
- (e) Received property will be documented in the RMS evidence module by an evidence tech. Temporary release of property for investigative purposes or court shall be noted in the RMS property management module, noting the date, time, and to whom the property was released to. Any employee receiving property shall be responsible for such property until it is properly returned to Property and Evidence or properly released to another authorized person or entity. The return of the property shall be recorded in the RMS property management module, indicating date, time, and the person who returned the property.

Requests for analysis will be selected in the "hold reason" section of the submitting officer's RMS entry. If further or special requests cannot be made within that section, then the submitting officer should email the request to Lab@tfid.org.

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(g) On a regular basis, the Property and Evidence supervisor shall make an inspection of the Property and Evidence facilities and practices to insure adherence to appropriate policies and procedures.

(h) An annual audit of the property storage areas shall be conducted by a supervisor who is not part of the property control function, and managed by the Office of Professional Standards. - (From ICOPA Standard 3.5.C)

(i) A complete inventory matching current records against a current physical inventory of property should be done whenever the person responsible for the Property and Evidence control function is replaced. The newly designated control person and a member of the Administrative Staff shall jointly conduct the inventory - (From ICOPA Standard 3.5.B).

(j) The Chief of Police or their designee may conduct unannounced inspections of Property and Evidence storage areas.

(k) The narcotics vault and the narcotics training aids shall be inspected and audited on a quarterly basis. This audit shall be conducted by a Lieutenant from the Office of Professional Standards and another Department supervisor. An annual audit of the narcotics vault, including the narcotics training aids, shall be conducted by a qualified officer familiar with property and evidence storage best practices from another law enforcement agency.

(l) All audits shall be documented in a report that shall be presented to the Administrative Staff for review and kept on permanent file by the Office of Professional Standards as directed by the Office of the Chief of Police.

316.3.3 STORAGE OF EVIDENCE

- (a) The Property/Evidence personnel shall assign a storage location to each item of evidence and record this information on the RMS. The inventory number will be a numerical bar code that is assigned by RMS.
- (b) The secure storage of items of property requiring added protection, to include currency, precious metals, jewelry, gemstones, weapons and controlled substances, shall be stored in a separate and locked area within the property storage area.
- (c) Evidence requiring added security or special handling/storage shall be stored as deemed necessary by the evidence personnel.

316.3.4 ACCESS TO THE EVIDENCE ROOM

- (a) Only members of this Department authorized by the Chief of Police may enter the evidence room. Only those listed below will be given prox card to the evidence room.
 - 1. The Property/Evidence CSOs.
 - 2. The Property/Evidence Sergeant
 - 3. The Chief of Police
- (b) The Property/Evidence personnel may allow other personnel to enter the evidence room to assist in evidence entry and removal. No one is allowed in the evidence room

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unattended unless authorized by this policy. A log sheet will be maintained by the Property/Evidence personnel of all personnel entering the evidence facility.

316.3.5 RECORDING TRANSFERS OF CUSTODY

The transporting employee will check the evidence out of property management, indicating the date of checkout. The lab forms will be transported with the property to the examining laboratory.

a. The Property/Evidence personnel shall be responsible for maintaining an electronic RMS file that documents all changes in custody of physical evidence retained in the evidence room. The file shall be capable of readily identifying the individual or organization currently maintaining custody of all evidence.

- (a) Department work groups may request specific items be transferred to their custody through a memo to the Administrative Staff.
- (b) Final approval for any property transfer will rest with the Chief of Police.

b. Members of this Department who assume custody of evidence from the evidence room shall bear full responsibility for ensuring its security, proper storage, maintenance, and ready retrieval of such evidence upon demand. If evidence is released or destroyed by those assuming custody, they will advise the Property/Evidence personnel immediately of its disposition through a written memorandum.

316.3.6 RELEASE AND DISPOSAL OF EVIDENCE AND PROPERTY

Release and disposal of evidence and property requires approval from either the investigating officer, detective, or the prosecuting attorney. Some low-level offenses or general property, that is not considered evidence, can be released or disposed of by evidence techs after a thorough process, such as: confirming the case has been adjudicated, there are no outstanding warrants in the case, or outstanding indictments in the case.

All reasonable attempts shall be made to identify the rightful owner of found property or evidence not needed for an investigation. Release of all property shall be documented in the RMS property module. Found property and property held for safekeeping will be held in accordance with Idaho Code 55-403. Property personnel shall attempt to contact the rightful owner as set out below. Property not claimed within 30 days after notification will be auctioned, destroyed, or disposed of as the removing authority deems appropriate.

Retention Periods:

- Firearms: Six (6) months
- Personal Property: Ninety (90) days
- Bicycles: Sixty (60) days
- Personal Property with fair market value under \$25: Thirty (30) days

A member of Property and Evidence shall release the property upon proper identification being presented by the owner for which an authorized release has been received, except for found

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property and safe-keeping items. A signature of the person receiving the property shall be recorded. Upon release, the proper entry shall be documented in the RMS property management module. Property held by a law enforcement agency for more than six months is presumed abandoned.

(a) When no longer needed for evidentiary purposes, all evidence, with the exception of drugs, drug contraband, alcoholic beverages, tobacco products, cigarette lighters and perishable items, shall be returned to its lawful owner.

(b) Drug evidence will be disposed of by the Idaho State Police, Investigations Division, in accordance with the procedures established by the State. Drug paraphernalia will be transported to the Southern Idaho Solid Waste Twin Falls Transfer Station (by appointment), where it will be crushed by a transfer station employee and witnessed by two Twin Falls Police employees. Each item of paraphernalia will be labeled "destroyed" in the RMS.

(c) Alcoholic beverages, tobacco products, cigarette lighters, fireworks and perishable items will be disposed of through photographing, dumping and recording the date of the destruction along with the person who destroyed it in RMS. The photographs will be placed into evidence.com.

(d) Occasionally more than one party may claim an interest in property being held by this department, and the legal rights of the parties cannot be clearly established. Such property shall not be released until one party has obtained a valid court order or other undisputed right to the involved property.

(e) Biological evidence related to a homicide shall be retained indefinitely and may only be destroyed with the written approval of the Chief of Police and the head of the applicable prosecutor's office. Property and Evidence personnel (and supervisor) shall ensure that no biological evidence held by the Department is destroyed without adequate notification to the following persons;

- (a) The appropriate prosecutor
- (b) The Criminal Investigations Division commander.

(f) Per Twin Falls City Council Resolution No. 1932, firearms in the possession of the Twin Falls Police Department and unclaimed for a period of six (6) months (Idaho Code 55-403) shall be disposed of as follows:

- (a) Unusable or unsafe firearms shall be scrapped by melting or other method of destruction, as provided by Idaho Code 55-403 (4)(b);
- (b) Some firearms may be converted to City ownership for official law enforcement purposes, as provided by Idaho Code 55-403(4)(a)..
- (c) All other firearms shall be sold at public auction to authorized firearm dealers by sealed or open bids, pursuant to Idaho Code 55-403(4)(a);
- (d) Notice of the auction shall be published not less than five (5) nor more than ten (10) days prior to the auction, pursuant to Idaho Code 55-403. Notice shall also be mailed,

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postage prepaid, to any known owner or other person entitled to possession, at least five (5) days prior to the auction, pursuant to Idaho Code 55-403;

- (e) Each firearm shall be sold individually. The minimum bid on any firearm shall be twenty dollars (\$20.00);
- (f) A bill of sale shall be given to the highest bidder upon payment of the amount bid. Each successful bidder shall execute a Release and Indemnification to the City of Twin Falls, its employees, agents and representatives;
- (g) Any firearm that is not sold after being offered for sale at two auctions shall be destroyed.

316.3.7 LOST AND FOUND PROPERTY

- (a) Whenever any citizen notifies the Twin Falls Police Department of property that has been found, an officer will be assigned and an officer's report completed (if necessary). The report will contain the property report listing the identity of the property found. Copies of any NCIC inquiries or records checks made should be attached.
 - 1. Upon the officer's response to a call for service regarding found property, the officer may, at their discretion, discard said property (leave the item at the location found) which:
 - (a) Has no evidentiary or monetary value; and/or
 - (b) Ownership cannot be established; and/or
 - (c) The item has been clearly discarded.
 - 2. If at this time the officer deems the property meets the above criteria, they will state this on the call for service notes, as well as giving a brief description of the articles, and state that the items were left at the location and/or discarded.
 - 3. Officers shall determine if the found property is governed by the provisions of Idaho Code 55-405 Found Personal Property, If so governed, the officer shall inform the person reporting the found property of the requirements and provisions of the code.
- (b) Found property with no evidentiary value where ownership can be established, may be released to the owner without having to book the property into evidence. If the property cannot be returned by the officer prior to going off shift, the property will be logged into evidence.
- (c) The Property/Evidence personnel will then log the property into the appropriate evidence facility. Attempts will be made to locate the owner through review of previous and subsequent stolen property reports. Those items whose owners cannot be identified will be sold or destroyed according to the Idaho Code and Department policy, as listed above.

316.3.8 LOST AND FOUND BICYCLES

- (a) Whenever an officer is dispatched to recover a found bicycle, one is brought into the station by private citizen or picked up by another City Department, the following procedure will be followed:

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1. The officer will complete an Officers Report and create a RMS property entry listing the make, model, color, serial number, and description of bicycle.
2. The officer will affix a tag with the case number to the bicycle, place the bicycle in the TFPD impound yard located at 725 Shoshone Street South and secure the bicycle. The officer will then place a a RMS property barcode sticker in one of the TFPD pass-through evidence lockers.
3. The Property/Evidence personnel will take the bicycle into "custody" in RMS and place an evidence barcode on the bicycle.
4. Records personnel will use the Officers Report to cross-reference the information for possible stolen reports.

In the event the bicycle is stolen, a recovered stolen report will be completed by the recovering officer. A Property Release Form will be signed prior to the release of the bicycle.

316.3.9 RADIO AND TELEPHONE RECORDINGS

All requests for copies of radio and telephone communications from City Dispatch or SIRCOMM will be requested through the Property and Evidence Personnel as outlined below:

- (a) An e-mail request will be made to the Lab.
- (b) Date of Request, Incident Number, Case number, Officer name, date and time of the incident as well as victim or suspect name(s) and location will be listed.
- (c) The type of incident must also be listed: i.e., 10--50, Domestic Battery, etc.
- (d) Any priority need or date needed by should also be listed.
- (e) During normal duty hours the request may be taken directly to property/evidence personnel. After business hours, the request will will be made via email to PDlab@tfid.org.

Property/Evidence personnel will then contact SIRCOMM and order the recordings on the next available workday. City Dispatch recordings will be located internally through Higher Ground and emailed to the officer for review and added to the incident in evidence.com.

Canines

317.1 PURPOSE AND SCOPE

This policy establishes guidelines for the use of canines to augment law enforcement services in the community, including but not limited to locating individuals and contraband and apprehending criminal offenders.

317.2 POLICY

It is the policy of the Twin Falls Police Department that teams of handlers and canines meet and maintain the appropriate proficiency to effectively and reasonably carry out legitimate law enforcement objectives.

317.3 ASSIGNMENT

Canine teams should be assigned to assist and supplement the Patrol Division to function primarily in assist or cover assignments. However, they may be assigned by the Shift Supervisor to other functions, such as routine calls for service, based on the current operational needs.

Canine teams should generally not be assigned to handle routine matters that will take them out of service for extended periods of time. If such assignment is necessary, it should only be made with the approval of the Shift Supervisor.

317.4 CANINE COORDINATOR

The canine coordinator shall be appointed by and directly responsible to the Patrol Division Commander or the authorized designee.

The responsibilities of the coordinator include, but are not limited to:

- (a) Reviewing all canine use reports to ensure compliance with policy and to identify training issues and other needs of the program.
- (b) Maintaining a liaison with the vendor kennel.
- (c) Maintaining a liaison with command staff and functional supervisors.
- (d) Maintaining a liaison with other agency canine coordinators.
- (e) Maintaining accurate records to document canine activities.
- (f) Recommending and overseeing the procurement of equipment and services for the teams of handlers and canines.
- (g) Scheduling all canine-related activities.
- (h) Ensuring the canine teams are scheduled for regular training to maximize their capabilities.
- (i) Ensure DEA license is maintained.
- (j) Ensure Canine training aids are maintained and updated.

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317.5 REQUESTS FOR CANINE TEAMS

Patrol Division members are encouraged to request the use of a canine. Requests for a canine team from department units outside of the Patrol Division shall be reviewed by the Shift Supervisor.

317.5.1 OUTSIDE AGENCY REQUEST

All requests for canine assistance from outside agencies must be approved by the Shift Supervisor and are subject to the following:

- (a) Canine teams shall not be used for any assignment that is not consistent with this policy.
- (b) The canine handler shall have the authority to decline a request for any specific assignment that he/she deems unsuitable.
- (c) Calling out off-duty canine teams is discouraged.
- (d) It shall be the responsibility of the canine handler to coordinate operations with agency personnel in order to minimize the risk of unintended injury.
- (e) It shall be the responsibility of the canine handler to complete all necessary reports or as directed.

317.5.2 PUBLIC DEMONSTRATION

All public requests for a canine team shall be reviewed and, if appropriate, approved by the canine coordinator prior to making any resource commitment. The canine coordinator is responsible for obtaining resources and coordinating involvement in the demonstration to include proper safety protocols. Canine handlers shall not demonstrate any apprehension work unless authorized to do so by the canine coordinator.

317.6 APPREHENSION GUIDELINES

A canine may be used to locate and apprehend a suspect if the canine handler reasonably believes that the individual has committed, is committing, or is threatening to commit any serious offense and if any of the following conditions exist:

- (a) There is a reasonable belief the suspect poses an imminent threat of violence or serious harm to the public, any officer, or the handler.
- (b) The suspect is physically resisting or threatening to resist arrest and the use of a canine reasonably appears to be necessary to overcome such resistance.
- (c) The suspect is believed to be concealed in an area where entry by other than the canine would pose a threat to the safety of officers or the public.

It is recognized that situations may arise that do not fall within the provisions set forth in this policy. Such events require consideration of the totality of the circumstances and the use of an objective reasonableness standard applied to the decision to use a canine.

Absent a reasonable belief that a suspect has committed, is committing, or is threatening to commit a serious offense, mere flight from a pursuing officer, without any of the above conditions, shall not serve as the basis for the use of a canine to apprehend a suspect.

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Use of a canine to locate and apprehend a suspect wanted for a lesser criminal offense than those identified above requires approval from the Shift Supervisor. Absent a change in circumstances that presents an imminent threat to officers, the canine, or the public, such canine use should be conducted on-leash or under conditions that minimize the likelihood the canine will bite or otherwise injure the individual.

In all applications, once the suspect has been located and no longer reasonably appears to present a threat or risk of escape, the handler should secure the canine as soon as it becomes reasonably practicable.

If the canine has apprehended the suspect with a secure bite, and the handler believes that the suspect no longer poses a threat, the handler should promptly command the canine to release the suspect.

317.6.1 PREPARATION FOR DEPLOYMENT

Prior to the use of a canine to search for or apprehend any suspect, the canine handler and/or the supervisor on-scene should carefully consider all pertinent information reasonably available at the time. The information should include but is not limited to:

- (a) The nature and seriousness of the suspected offense.
- (b) Whether violence or weapons were used or are anticipated.
- (c) The degree of resistance or threatened resistance, if any, the suspect has shown.
- (d) The suspect's known or perceived age.
- (e) The potential for injury to officers or the public caused by the suspect if the canine is not utilized.
- (f) Any potential danger to the public and/or other officers at the scene if the canine is released.
- (g) The potential for the suspect to escape or flee if the canine is not utilized.

As circumstances permit, the canine handler should make every reasonable effort to communicate and coordinate with other involved members to minimize the risk of unintended injury.

It is the canine handler's responsibility to evaluate each situation and determine whether the use of a canine is appropriate and reasonable. The canine handler shall have the authority to decline the use of the canine whenever he/she deems deployment is unsuitable.

A supervisor who is sufficiently apprised of the situation may prohibit deploying the canine.

Unless otherwise directed by a supervisor, assisting members should take direction from the handler in order to minimize interference with the canine.

317.6.2 WARNINGS AND ANNOUNCEMENTS

Unless it would increase the risk of injury or escape, a clearly audible warning announcing that a canine will be used if the suspect does not surrender should be made prior to releasing a canine. The handler should allow a reasonable time for a suspect to surrender and should quiet the canine

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momentarily to listen for any verbal response to the warning. If feasible, other members should be in a location opposite the warning to verify that the announcement could be heard. If available, warnings given in other languages should be used as necessary.

If a warning is not to be given, the canine handler, when practicable, should first advise the supervisor of his/her decision before releasing the canine. In the event of an apprehension, the handler shall document in any related report how the warning was given and, if none was given, the reasons why.

317.6.3 REPORTING DEPLOYMENTS, BITES, AND INJURIES

Handlers should document canine deployments in a canine use report. Whenever a canine deployment results in a bite or causes injury to an intended suspect, a supervisor should be promptly notified and the injuries documented in the canine use report. The injured person shall be promptly treated by Emergency Medical Services personnel and, if appropriate, transported to an appropriate medical facility for further treatment. The deployment and injuries should also be included in any related incident or arrest report.

Any unintended bite or injury caused by a canine, whether on- or off-duty, shall be promptly reported to the canine coordinator. Unintended bites or injuries caused by a canine should be documented in an administrative report, not in a canine use report.

If an individual alleges an injury, either visible or not visible, a supervisor shall be notified and both the individual's injured and uninjured areas shall be photographed as soon as practicable after first tending to the immediate needs of the injured party. Photographs shall be retained as evidence in accordance with current department evidence procedures. The photographs shall be retained until the criminal proceeding is completed and the time for any related civil proceeding has expired.

317.7 NON-APPREHENSION GUIDELINES

Properly trained canines may be used to track or search for non-criminals (e.g., lost children, individuals who may be disoriented or in need of medical attention). The canine handler is responsible for determining the canine's suitability for such assignments based on the conditions and the particular abilities of the canine. When the canine is deployed in a search or other non-apprehension operation, the following guidelines apply:

- (a) Absent a change in circumstances that presents an imminent threat to officers, the canine, or the public, such applications should be conducted on-leash or under conditions that minimize the likelihood the canine will bite or otherwise injure the individual, if located.
- (b) Unless otherwise directed by a supervisor, assisting members should take direction from the handler in order to minimize interference with the canine.
- (c) Throughout the deployment, the handler should periodically give verbal assurances that the canine will not bite or hurt the individual and encourage the individual to make him/herself known.
- (d) Once the individual has been located, the handler should place the canine in a down-stay or otherwise secure it as soon as reasonably practicable.

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317.7.1 ARTICLE DETECTION

A canine trained to find objects or property related to a person or crime may be used to locate or identify articles. A canine search should be conducted in a manner that minimizes the likelihood of unintended bites or injuries.

317.7.2 NARCOTICS DETECTION

A canine trained in narcotics detection may be used in accordance with current law and under certain circumstances, including:

- (a) The search of vehicles, buildings, bags and other articles.
- (b) Assisting in the search for narcotics during a search warrant service.
- (c) Obtaining a search warrant by using the narcotics-detection trained canine in support of probable cause.

A narcotics-detection trained canine will not be used to search a person for narcotics.

317.7.3 BOMB/EXPLOSIVE DETECTION

Because of the high risk of danger to the public and officers when a bomb or other explosive device is suspected, the use of a canine team trained in explosive detection may be considered. When available, an explosive-detection canine team may be used in accordance with current law and under certain circumstances, including:

- (a) Assisting in the search of a building, structure, area, vehicle or article where an actual or suspected explosive device has been reported or located.
- (b) Assisting with searches at transportation facilities and vehicles (e.g., buses, airplanes, trains).
- (c) Preventive searches at special events, VIP visits, official buildings and other restricted areas. Searches of individuals should remain minimally intrusive and shall be strictly limited to the purpose of detecting explosives.
- (d) Assisting in the search of scenes where an explosion has occurred and an explosive device or secondary explosive device is suspected.

At no time will an explosive-detection trained canine be used to render a suspected device safe or clear.

317.7.4 POST CERTIFICATION ELIGIBILITY AND STANDARDS

Refer to IDAPA Rule 11.11.01.213.

317.8 HANDLER SELECTION

The minimum qualifications for the assignment of canine handler include:

- (a) An officer who is currently off probation.
- (b) Residing in an adequately fenced, single-family residence (minimum 5-foot high fence with locking gates).
- (c) Agreeing to be assigned to the position for a minimum of three years.

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317.9 HANDLER RESPONSIBILITIES

The canine handler shall ultimately be responsible for the health and welfare of the canine and shall ensure that the canine receives proper nutrition, grooming, training, medical care, affection and living conditions.

The canine handler will be responsible for the following:

- (a) Except as required during appropriate deployment, the handler shall not expose the canine to any foreseeable and unreasonable risk of harm.
- (b) The handler shall maintain all department equipment under his/her control in a clean and serviceable condition.
- (c) When not in service, the handler shall maintain the canine away from public view.
- (d) When a handler is off-duty for an extended number of days, the assigned canine vehicle should be stored at the Twin Falls Police Department facility.
- (e) Handlers shall permit the canine coordinator to conduct spontaneous on-site inspections of affected areas of their homes as well as their canine vehicles to verify that conditions and equipment conform to this policy.
- (f) Any changes in the living status of the handler that may affect the lodging or environment of the canine shall be reported to the canine coordinator as soon as possible.
- (g) When off-duty, the canine shall be in a kennel provided by the City at the home of the handler. When a canine is kenneled at the handler's home, the gate shall be secured with a lock. When off-duty, the canine may be let out of the kennel while under the direct control of the handler.
- (h) The canine should be permitted to socialize in the home with the handler's family for short periods of time and under the direct supervision of the handler.
- (i) Under no circumstances will the canine be lodged at another location unless approved by the canine coordinator or Shift Supervisor.
- (j) When off-duty, the handler shall not involve the canine in any law enforcement activity or official conduct unless approved in advance by the canine coordinator or Shift Supervisor.
- (k) Whenever a canine handler is off-duty for an extended number of days, it may be necessary to temporarily relocate the canine. In those situations, the handler shall give reasonable notice to the canine coordinator so that appropriate arrangements can be made.

317.9.1 AUTHORIZATION FOR OBTAINING CONTROLLED SUBSTANCES

The Canine Coordinator or Trainer will obtain a Controlled Substance Registration Number from the Drug Enforcement Administration (DEA) and will register with the Idaho Board of Pharmacy. In the event that the Canine Coordinator or Trainer is reassigned or terminates employment with the Department, the DEA Controlled Substance Registration and the Board of Pharmacy Registration will be immediately reassigned to the new Canine Coordinator or Trainer as per DEA policy.

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317.9.2 ACQUISITION OF CONTROLLED SUBSTANCES

When the controlled substances are received from the DEA or through the court, Crime Lab personnel and the Canine Coordinator or Trainer will inspect the contents shipped for weight and content accuracy. The items will then be repackaged for training. The Administrative Staff will be notified immediately if there are any discrepancies in the controlled substance amounts received from the DEA or through the court.

When the narcotics/controlled substances are received from the DEA, a copy of the receipt will be retained by Crime Lab personnel.

317.9.3 DISPOSAL OF CONTROLLED SUBSTANCES

When the narcotics/controlled substances have reached their maximum usefulness, they will be turned over to the Crime Lab Supervisor, along with the original DEA receipt or motion from the court for disposal.

317.9.4 STORING/PACKAGING OF CONTROLLED SUBSTANCES

All training aids are to be in packaging or containers that will prevent or minimize loss of training aids, but will allow for sufficient odor to properly train the Department canines. The following information will be kept on a separate ledger in the canine training aid audit file.

- (a) Type of aid.
- (b) Weight of drug.
- (c) Weight of drug and package.
- (d) Current date of packaging.

317.9.5 HANDLING OF DAMAGED TRAINING AIDS

In the event a narcotic training aid is spilled and cannot be contained and thoroughly collected, the handler will immediately secure the scene and will notify the on-duty Supervisor. The Supervisor should respond to the scene and document the incident on an administrative report to the Administrative Staff. Damaged or spilled training aids will be handled like all narcotic evidence as outlined in 317.3.1(g).

317.9.6 QUANTITIES ALLOWED FOR TRAINING

The maximum amount of controlled substances allowed for canine training:

- (a) Marijuana 1/2 pound
- (b) Black Tar Heroin 28 grams
- (c) Amphetamines 28 grams
- (d) Cocaine 28 grams
- (e) Powder Heroin 28 grams
- (f) Ecstasy 28 grams

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Training aids may be packaged into varying sizes to facilitate training. Repackaging will be done by the Crime Lab supervisor and the canine supervisor, both being present.

317.9.7 STORAGE/DISBURSEMENT OF CONTROLLED SUBSTANCES

The canine trainer will have a contamination resistant container of sufficient size secured in the trunk of his/her patrol car to secure narcotic training aids while being transported for training. The canine supervisor or, in his/her absence, an assigned designate and the Crime Lab supervisor or, in his/her absence, an assigned designate will each have a key to the secured container. When narcotic training aids are not being used for training, the training aids will immediately be logged back into the narcotics storage vault. In the event that training aids are to be checked out for evening or weekend training, the training aids will then be secured in the temporary evidence lockers upon completion of the training. The training aids must be checked back into the narcotics storage vault on the next business day.

The canine trainer may recall and reissue narcotic training aids at anytime, and they will be replaced once every twelve (12) months. The previously used training aids should be disposed of as described in Idaho Code, Department Policy and DEA Guidelines.

317.9.8 STORAGE REQUIREMENTS WHEN NOT IN USE

All narcotic training aids must be stored in the narcotics vault when not being used for training. A canine narcotic training aid master log shall be maintained by the Divisional Captain overseeing the Canine Program to document the entry and exit of all narcotic training aids from the narcotics storage vault. The Crime Lab supervisor or, in his/her absence, an assigned designate and the canine supervisor or, in his/her absence, an assigned designate must be present when narcotic training aids are checked out or returned. The integrity of the master log shall be reviewed during the quarterly and annual audits.

317.9.9 AUDITS OF CONTROLLED SUBSTANCES

The Captain of Administrative Services or his/her designee shall audit all of the canine narcotic training aids a minimum of once every three (3) months. A sample of each training aid shall be tested using the Department-approved field testing kit during each audit. An independent audit by the Department of Law Enforcement shall be conducted annually. The audit shall include a comprehensive examination of all narcotic training aids to ascertain condition and integrity. Additionally, the audit shall include an examination of the narcotic sign in/out logbook. A written report of the quarterly and independent audits shall be forwarded, upon completion, to the Administrative Staff for their review.

317.9.10 CANINE IN PUBLIC AREAS

The canine should be kept on a leash when in areas that allow access to the public. Exceptions to this rule would include specific law enforcement operations for which the canine is trained.

- (a) A canine shall not be left unattended in any area to which the public may have access.

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- (b) When the canine vehicle is left unattended, all windows and doors shall be secured in such a manner as to prevent unauthorized access to the canine. The handler shall also ensure that the unattended vehicle remains inhabitable for the canine.

317.10 CANINE INJURY AND MEDICAL CARE

In the event that a canine is injured, or there is an indication that the canine is not in good physical condition, the injury or condition will be reported to the canine coordinator or Shift Supervisor as soon as practicable and appropriately documented.

All medical attention shall be rendered by the designated canine veterinarian, except during an emergency where treatment should be obtained from the nearest available veterinarian. All records of medical treatment shall be maintained in the handler's personnel file.

317.11 TRAINING

Before assignment in the field, each Twin Falls Police Department canine team shall be trained and certified to meet current Idaho POST certification standards. Cross-trained canine teams or those canine teams trained exclusively for the detection of narcotics and/or explosives also shall be trained and certified by Idaho POST (IDAPA 11.11.01.091).

The canine coordinator shall be responsible for scheduling periodic training for all department members in order to familiarize them with how to conduct themselves in the presence of department canines. Because canines may be exposed to dangerous substances such as opioids, as resources are available, the canine coordinator should also schedule periodic training for the canine handlers about the risks of exposure and treatment for it.

All canine training shall be conducted while on-duty unless otherwise approved by the canine coordinator or Shift Supervisor.

317.11.1 CONTINUED TRAINING

Each canine team shall thereafter be recertified to a current nationally recognized standard or other recognized and approved certification standards on an annual basis. Additional training considerations are as follows:

- (a) Canine teams should receive training as defined by the current Twin Falls Police Department canine trainer .
- (b) Canine handlers are encouraged to engage in additional training with approval of the canine coordinator.
- (c) To ensure that all training is consistent, no handler, trainer or outside vendor is authorized to train to a standard that is not reviewed and approved by this department.

317.11.2 FAILURE TO SUCCESSFULLY COMPLETE TRAINING

Any canine team failing to graduate or obtain certification shall not be deployed in the field for tasks the team is not certified to perform until graduation or certification is achieved. When reasonably practicable, pending successful certification, the canine handler shall be temporarily reassigned to regular patrol duties.

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317.11.3 TRAINING RECORDS

All canine training records shall be maintained in the canine handler's and the canine's training file.

317.11.4 TRAINING AIDS

Training aids are required to effectively train and maintain the skills of canines. Officers possessing, using or transporting controlled substances for canine training purposes must comply with federal and state requirements regarding the same. Alternatively, the Twin Falls Police Department may work with outside trainers with the applicable licenses or permits.

317.11.5 CONTROLLED SUBSTANCE TRAINING AIDS

Officers acting in the performance of their official duties may possess or transfer controlled substances for the purpose of narcotics-detection canine training in compliance with state and federal laws (21 USC § 823(f); Idaho Code 37-2743; Idaho Code 37-2747).

The Chief of Police or the authorized designee may authorize a member to seek a court order to allow controlled substances seized by the Twin Falls Police Department to be possessed by the member or a narcotics-detection canine trainer who is working under the direction of this department for training purposes, provided the controlled substances are no longer needed as criminal evidence.

As an alternative, the Chief of Police or the authorized designee may request narcotics training aids from the Drug Enforcement Administration (DEA).

These procedures are not required if the canine handler uses commercially available synthetic substances that are not controlled narcotics.

317.11.6 CONTROLLED SUBSTANCE PROCEDURES

Due to the responsibilities and liabilities involved with possessing readily usable amounts of controlled substances and the ever-present danger of the canine's accidental ingestion of these controlled substances, the following procedures shall be strictly followed:

- (a) All controlled substance training samples shall be weighed and tested prior to dispensing to the canine trainer.
- (b) The weight and test results shall be recorded and maintained by this department.
- (c) Any person possessing controlled substance training samples pursuant to court order or DEA registration shall maintain custody and control of the controlled substances and shall keep records regarding any loss of, or damage to, those controlled substances.
- (d) All controlled substance training samples will be inspected, weighed and tested quarterly. The results of the quarterly testing shall be recorded and maintained in the Chief's office in the audit file.
- (e) All controlled substance training samples will be stored in locked, airtight and watertight cases at all times, except during training. The locked cases shall be secured in the trunk of the canine handler's assigned patrol vehicle during transport and stored in an appropriate locked container. There are no exceptions to this procedure.

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- (f) The canine coordinator shall periodically inspect every controlled substance training sample for damage or tampering and take any appropriate action.
- (g) Any unusable controlled substance training samples shall be returned to the Property and Evidence Bureau or to the dispensing agency.
- (h) All controlled substance training samples shall be returned to the dispensing agency upon the conclusion of the training or upon demand by the dispensing agency.

317.11.7 EXPIRATION OF CERTIFICATION

The canine coordinator is responsible to ensure that the canine team is evaluated prior to the expiration of their certification. Certification shall lapse if the handler and the dog cease to perform canine functions together (IDAPA 11.11.01.091).

Electronic Tracking System

318.1 PURPOSE AND SCOPE

The Electronic Tracking System (ETS) is a system that electronically tracks stolen property from a transmitting device (ETS TracPac) that has been concealed in the stolen money or property.

Monitoring and/or Tracking equipment is used both by Dispatch and field units to track the signal being emitted from the TracPac to determine the location of the stolen money or property.

318.2 TRAINING REQUIREMENTS

Officers shall attend ETS operator training prior to using a Vehicle Tracker to track a suspect in an actual robbery or other crime.

318.3 ETS PROGRAM RESPONSIBILITIES

The Criminal Investigation Division Staff Sergeant shall be responsible for the management of ETS investigations while the Quartermaster remains responsible for maintaining the equipment and program.

318.4 PROPERTY CRIMES

The Quartermaster shall ensure that portable Tracker units are available for marked and unmarked cars and shall have the responsibility for inventory control of Tracker equipment.

Patrol Supervisors shall ensure that Tracker equipment is deployed in Patrol vehicles during the operating hours of financial institutions in the area.

318.5 GOLD ACTIVATION RESPONSE GUIDELINES

"Gold Activation" is the discrete term selected to be used by Dispatch and Police Officers to communicate the activation of a track one to another when the signal activation is detected by the Area Wide Monitor or a Vehicle Tracker.

In those cases in which a stake out tag is deployed for tracking (a "stake out tag" is a tag used by law enforcement for stake out applications), the tag will be set to transmit on the training frequency. In this instance, if an activation occurs, responding Officers will set their vehicle trackers to the training frequency to track the tag.

The Idaho State Police (ISP) Region IV is a participating agency and has the necessary equipment installed to assist during a Gold Activation. When a Gold activation occurs, city dispatch personnel shall notify the ISP dispatch center and provide detailed information pertaining to the activation. It may be necessary for the ISP to communicate on city police frequency during a Gold Activation. City dispatch personnel shall notify ISP dispatch when the Gold activation is no longer in-progress.

318.6 PROGRAM CONFIDENTIALITY

The ETS Program's success is contingent upon the commitment of those having knowledge of the system's existence to keep that knowledge in the strictest confidence. Twin Falls Police

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Electronic Tracking System

Department employees shall not reveal or discuss the program or equipment with anyone outside of law enforcement personnel including the various media outlets.

ETS tag activation shall be referred to as a Gold Activation and at no time shall radio traffic refer to ETS or Electronic Tracking System.

When completing Police reports relative to an incident in which ETS was deployed, all references to ETS shall be noted as having received information from "a credible and reliable source".

318.7 SEARCH WARRANTS

Investigating Officers will coordinate with the on-call Prosecutor should a search warrant be necessary for entry into a dwelling or other structure not open to the public.

Domestic Violence

319.1 PURPOSE AND SCOPE

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

319.1.1 DEFINITIONS

Definitions related to this policy include:

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

319.2 POLICY

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

319.3 OFFICER SAFETY

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

319.4 INVESTIGATIONS

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

- (a) Calls of reported, threatened, imminent, or on-going domestic violence and the violation of any court order are of extreme importance and should be considered among the highest response priorities. This includes incomplete 9-1-1 calls.
- (b) When practicable, officers should obtain and document statements from the victim, the suspect, and any witnesses, including children, in or around the household or location of occurrence.
- (c) Officers should list the full name and date of birth (and school if available) of each child who was present in the household at the time of the offense. The names of other children who may not have been in the house at that particular time should also be obtained for follow-up.
- (d) When practicable and legally permitted, video or audio record all significant statements and observations.

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- (e) All injuries should be photographed, regardless of severity, taking care to preserve the victim's personal privacy. Where practicable, photographs should be taken by a person of the same sex. Victims whose injuries are not visible at the time of the incident should be asked to contact the Criminal Investigative Division in the event that the injuries later become visible. The infliction of a traumatic injury may elevate a domestic violence from a misdemeanor to a felony (Idaho Code 18-918).
- (f) Officers should complete the Idaho Domestic Violence Supplement form, or the Twin Falls Police Department Chart for Strangulation Cases. Officers should refer to the Risk Assessment for Dangerousness factors in considering what steps may be required to keep the victim as safe as possible. Cases which receive a risk assessment score of 6-7 factors require that the Criminal Investigations Supervisor and Domestic Violence Investigator be notified. Followup with the victim should occur within 48 hours whenever possible.
 - 1. In cases where a risk assessment score includes any of the italicized factors, officers should contact the On-Call Detective or the Domestic Violence Investigator for possible immediate investigation. Follow-up with the victim should occur within 24 hours if a detective does not immediately respond to the call.
 - 2. Officers shall request paramedics respond to the scene to examine and provide treatment to victims of strangulation.
- (g) While completing the Idaho Domestic Violence Supplement form, officers may learn of additional crimes that require assistance of the Criminal Investigations Division or the Domestic Violence Investigator. Examples: victim was forced to have sex (rape), or threats of violence (aggravated assault or battery).
- (h) Officers should request that the victim complete and sign an authorization for release of medical records related to the incident when applicable.
- (i) If the suspect is no longer at the scene, officers should make reasonable efforts to locate the suspect to further the investigation, provide the suspect with an opportunity to make a statement, and make an arrest or seek an arrest warrant if appropriate.
- (j) When completing an incident or arrest report for violation of a court order, officers should include specific information that establishes that the offender has been served, including the date the offender was served, the name of the agency that served the order, and the provision of the order that the subject is alleged to have violated. When reasonably available, the arresting officer should attach a copy of the order to the incident or arrest report.
- (k) Officers should take appropriate enforcement action when there is probable cause to believe an offense has occurred. The following factors should not be used as sole justification for declining to take enforcement action:
 - 1. Whether the suspect lives on the premises with the victim
 - 2. Claims by the suspect that the victim provoked or perpetuated the violence
 - 3. The potential financial or child custody consequences of arrest
 - 4. The physical or emotional state of either party

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5. Use of drugs or alcohol by either party
6. Denial that the abuse occurred where evidence indicates otherwise
7. A request by the victim not to arrest the suspect
8. Location of the incident (public/private)
9. Speculation that the complainant may not follow through with the prosecution
10. Actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, disability, or marital status of the victim or suspect
11. The social status, community status, or professional position of the victim or suspect
12. Ensuring reports of domestic violence are provided to the Records Supervisor for timely filing to the appropriate prosecuting attorney (Idaho Code 39-6316). See the Records Bureau Policy for additional guidance.

319.4.1 IF A SUSPECT IS ARRESTED

If a suspect is arrested, officers should:

- (a) Advise the victim that there is no guarantee the suspect will remain in custody.
- (b) Provide the victim's contact information to the jail staff to enable notification of the victim upon the suspect's release from jail.

319.4.2 IF NO ARREST IS MADE

If no arrest is made, the officer should:

- (a) Advise the parties of any options, including but not limited to:
 1. Voluntary separation of the parties.
 2. Appropriate resource referrals (e.g., counselors, friends, relatives, shelter homes, victim witness unit).
- (b) Document the resolution in a report.
- (c) Forward the case number and pertinent facts to the Criminal Investigations Division Supervisor and the Domestic Violence Investigator for follow-up.

319.5 VICTIM ASSISTANCE

Victims may be traumatized or confused. Officers should:

- (a) Recognize that a victim's behavior and actions may be affected.
- (b) Provide the victim with the Department's domestic violence victim information handout, even if the incident may not rise to the level of crime.
- (c) Alert the victim to any available victim advocates, shelters and community resources.
- (d) Stand by for a reasonable amount of time when an involved person requests law enforcement assistance while removing essential items of personal property.

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- (e) Seek medical assistance as soon as practicable for the victim if he/she has sustained injury or complains of pain.
- (f) Ask the victim whether he/she has a safe place to stay. Assist in arranging to transport the victim to an alternate shelter if the victim expresses a concern for his/her safety or if the officer determines that a need exists.
- (g) Make reasonable efforts to ensure that children or dependent adults who are under the supervision of the suspect or victim are being properly cared for.
- (h) Seek or assist the victim in obtaining an emergency order if appropriate.

319.6 DISPATCH ASSISTANCE

All calls of domestic violence, including incomplete 9-1-1 calls, should be dispatched as soon as practicable.

Dispatchers are not required to verify the validity of a court order before responding to a request for assistance. Officers should request that dispatchers check whether any of the involved persons are subject to the terms of a court order (Idaho Code 18-922; Idaho Code 18-7907).

319.7 FOREIGN COURT ORDERS

Various types of orders may be issued in domestic violence cases. Any foreign court order properly issued by a court of another state, Indian tribe or territory shall be enforced by officers as if it were the order of a court in this state. An order should be considered properly issued when it reasonably appears that the issuing court has jurisdiction over the parties and reasonable notice and opportunity to respond was given to the party against whom the order was issued (18 USC § 2265). An otherwise valid out-of-state court order shall be enforced, regardless of whether the order has been properly registered with this state.

319.8 VERIFICATION OF COURT ORDERS

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

- (a) Ask the subject of the order about his/her notice or receipt of the order, his/her knowledge of its terms and efforts to respond to the order.
- (b) Check available records or databases that may show the status or conditions of the order.
- (c) Contact the issuing court to verify the validity of the order.
- (d) Contact a law enforcement official from the jurisdiction where the order was issued to verify information.

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

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319.9 LEGAL MANDATES AND RELEVANT LAWS

Idaho law provides for the following:

319.9.1 STANDARDS FOR ARRESTS

An otherwise misdemeanor act of domestic violence may constitute a felony if the suspect has qualifying prior convictions for domestic violence. However, foreign convictions for domestic violence may not be considered by officers in elevating an arrest to a felony since only a court may determine whether a foreign conviction qualifies (Idaho Code 18-918).

A warrant is required for arrest in cases of misdemeanor domestic violence offenses not committed in the presence of an officer, including a violation of a protection order, ex parte temporary protection order, or a no contact order.

Studies have shown that an arrest of the offender reduces further acts of domestic violence by up to 50%. To protect victims to the fullest extent possible, officers are encouraged to apply immediately for a warrant if there is probable cause that a crime of domestic battery or assault has occurred. Officers may need to contact the On-Call Detective or the Domestic Violence Investigator for assistance.

319.9.2 SERVICE OF COURT ORDERS

If an officer determines that an otherwise valid foreign protection order cannot be enforced because the subject has not been notified or served with the order, the officer shall inform the subject of the order, shall make a reasonable effort to serve the order upon the subject, and allow the subject a reasonable opportunity to comply with the order before enforcing the order (Idaho Code 39-6306A(4)).

The patrol supervisor shall ensure that all court orders received for service upon a restrained person are processed and served as required by law. (Idaho Code 39-6311 and Idaho Code 18-922).

319.9.3 VICTIM TRANSPORTATION

Officers shall make every effort to facilitate transportation of the victim to a hospital for treatment of injuries or to a place of safety or shelter (Idaho Code 39-6316).

Search and Seizure

321.1 PURPOSE AND SCOPE

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

321.2 POLICY

It is the policy of the Twin Falls Police Department to respect the fundamental privacy rights of individuals. Members of this department will conduct searches in strict observance of the constitutional rights of persons being searched. All seizures by this department will comply with relevant federal and state law governing the seizure of persons and property.

The Department will provide relevant and current training to officers as guidance for the application of current law, local community standards and prosecutorial considerations regarding specific search and seizure situations, as appropriate.

321.3 SEARCHES

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

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

- Valid consent
- Incident to a lawful arrest
- Legitimate community caretaking interests
- Vehicle searches under certain circumstances
- Exigent circumstances
- Stop and/or frisk (Terry Stops) of an individual are permitted under circumstances where the officer can articulate reasons for fear for his/her safety

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

Because case law regarding search and seizure is constantly changing and subject to interpretation by the courts, each member of this department is expected to act in each situation according to current training and his/her familiarity with clearly established rights as determined by case law.

Whenever practicable, officers are encouraged to contact a supervisor to resolve questions regarding search and seizure issues prior to electing a course of action.

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Search and Seizure

321.4 SEARCH PROTOCOL

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

- (a) Members of this department will strive to conduct searches with dignity and courtesy.
- (b) Officers should explain to the person being searched the reason for the search and how the search will be conducted.
- (c) Searches should be carried out with due regard and respect for private property interests and in a manner that minimizes damage. Property should be left in a condition as close as reasonably possible to its pre-search condition.
- (d) In order to minimize the need for forcible entry, an attempt should be made to obtain keys, combinations or access codes when a search of locked property is anticipated.
- (e) When the person to be searched is of the opposite sex as the searching officer, a reasonable effort should be made to summon an officer of the same sex as the subject to conduct the search. When it is not practicable to summon an officer of the same sex as the subject, the following guidelines should be followed:
 - 1. Another officer or a supervisor should witness the search.
 - 2. The officer should not search areas of the body covered by tight-fitting clothing, sheer clothing or clothing that could not reasonably conceal a weapon.
 - 3. All strip searches shall be conducted at the Twin Falls County Jail by Twin Falls County personnel with the exception of limited strip searches of confidential informants during approved operations. Refer to TFPD Policy 608.

Temporary Custody of Juveniles

323.1 PURPOSE AND SCOPE

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

323.1.1 DEFINITIONS

Definitions related to this policy include:

Juvenile non-offender - An abused, neglected, dependent, or alien juvenile who may be legally held for his/her own safety or welfare. This also includes any juvenile who may have initially been contacted for an offense that would not subject an adult to arrest (e.g., fine-only offense) but was taken into custody for his/her protection or for purposes of reuniting the juvenile with a parent, guardian, or other responsible person.

Juvenile offender - A juvenile 17 years of age or younger who is alleged to have committed an offense that would subject an adult to arrest (a non-status offense) or who has violated Idaho Code 18-3302F by possessing a handgun (28 CFR 31.303).

Non-secure custody - When a juvenile is held in the presence of an officer or other custody employee at all times and is not placed in a locked room, cell, or behind any locked doors. Juveniles in non-secure custody may be handcuffed but not to a stationary or secure object. Personal supervision, through direct visual monitoring and audio two-way communication is maintained. Monitoring through electronic devices, such as video, does not replace direct visual observation.

Secure custody - When a juvenile offender is held in a locked room, a set of rooms, or a cell. Secure custody also includes being physically secured to a stationary object.

Examples of secure custody include:

- (a) A juvenile left alone in an unlocked room within the secure perimeter of the adult temporary holding area.
- (b) A juvenile handcuffed to a rail.
- (c) A juvenile placed in a room that contains doors with delayed egress devices that have a delay of more than 30 seconds.
- (d) A juvenile being processed in a secure booking area when an unsecure booking area is available.
- (e) A juvenile left alone in a secure booking area after being photographed and fingerprinted.
- (f) A juvenile placed in a cell within the adult temporary holding area, whether or not the cell door is locked.
- (g) A juvenile placed in a room that is capable of being locked or contains a fixed object designed for cuffing or restricting movement.

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

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

323.2 POLICY

The Twin Falls Police Department is committed to releasing juveniles from temporary custody as soon as reasonably practicable and keeping juveniles safe while they are in temporary custody at the Twin Falls Police Department. Juveniles should be held in temporary custody only for as long as reasonably necessary for processing, transfer or release.

323.3 JUVENILES WHO SHOULD NOT BE HELD

Juveniles who exhibit any of the following conditions should not be held at the Twin Falls Police Department:

- (a) Unconscious
- (b) Seriously injured
- (c) A known suicide risk or obviously severely emotionally disturbed
- (d) Significantly intoxicated
- (e) Extremely violent or continuously violent

Officers taking custody of a juvenile who exhibits any of the above conditions should take reasonable steps to provide medical attention or mental health assistance and notify a supervisor of the situation.

These juveniles should not be held at the Twin Falls Police Department unless they have been evaluated by a qualified medical and/or mental health professional.

If the officer taking custody of the juvenile believes the juvenile may be a suicide risk, the juvenile shall be under continuous direct supervision until evaluation, release or a transfer is completed.

323.4 CUSTODY OF JUVENILES

Officers should take custody of a juvenile and temporarily hold the juvenile at the Twin Falls Police Department when there is no other lawful and practicable alternative to temporary custody. Refer to the Child Abuse Policy for additional information regarding detaining a juvenile that is suspected of being a victim.

No juvenile should be held in temporary custody at the Twin Falls Police Department without authorization of the arresting officer's supervisor or the Shift Supervisor.

Any juvenile taken into custody shall be released to the care of the juvenile's parent or other responsible adult or transferred to a juvenile custody facility or to other authority as soon as

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practicable and in no event shall a juvenile be held beyond six hours from the time of his/her entry into the Twin Falls Police Department (34 USC § 11133).

323.4.1 CUSTODY OF JUVENILE NON-OFFENDERS

Non-offenders taken into protective custody in compliance with the Child Abuse Policy should generally not be held at the Twin Falls Police Department. Custodial arrangements should be made for non-offenders as soon as reasonably possible. Juvenile non-offenders may not be held in secure custody (34 USC § 11133).

323.4.2 CUSTODY OF JUVENILE STATUS OFFENDERS

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

323.4.3 CUSTODY OF JUVENILE OFFENDERS

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

Generally, juvenile offenders may be taken into custody (Idaho Code 20-516):

- (a) When there is probable cause to believe the juvenile has committed an act which would be a misdemeanor or felony if committed by an adult without a warrant.
- (b) When, in the presence of an officer or private citizen, the juvenile has violated any local, state or federal law or municipal ordinance.
- (c) Upon written order or warrant signed by a judge (such as a detention order).

As soon as practicable after the juvenile is taken into custody, the officer shall notify the parents, guardian or other person responsible for the juvenile.

The officer taking the juvenile into custody shall release the juvenile to the custody of his/her parents, guardian or other responsible person in this state, unless the court has issued a warrant of arrest/detention or there is probable cause to believe that the welfare of the juvenile or others may be endangered by his/her release (Idaho Code 20-516).

If a juvenile is taken into custody and not released to the parent, guardian or other responsible person and the juvenile court has not instructed that he/she be released to an authorized person, the officer shall take the juvenile to the Juvenile Detention facility, shelter care or public or private agency designated by the court and notify the court that the juvenile has been taken into custody.

Except where the juvenile is taken into custody under an order of the court, the officer taking the juvenile into custody shall promptly complete a report detailing the circumstances and actions taken. A copy of the completed report shall be sent to the juvenile prosecuting attorney's office and this department's juvenile detention unit.

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323.5 NO-CONTACT REQUIREMENTS

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

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

323.6 TEMPORARY CUSTODY REQUIREMENTS

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

- (a) The Shift Supervisor should be notified if it is anticipated that a juvenile may need to remain at the Twin Falls Police Department more than four hours. This will enable the Shift Supervisor to ensure no juvenile is held at the Twin Falls Police Department more than six hours.
- (b) A staff member of the same sex shall supervise personal hygiene activities and care, such as changing clothing or using the restroom, without direct observation to allow for privacy.
- (c) Personal visual checks and significant incidents/activities shall be noted on the log.
- (d) There shall be no viewing devices, such as peep holes or mirrors, of which the juvenile is not aware. Therefore, an employee should inform a juvenile under his/her care that the juvenile will be monitored at all times, unless he/she is using the toilet. This does not apply to surreptitious and legally obtained recorded interrogations.
- (e) Juveniles shall have reasonable access to toilets and wash basins.
- (f) Food should be provided if a juvenile has not eaten within the past four hours or is otherwise in need of nourishment, including any special diet required for the health of the juvenile.
- (g) Juveniles shall have reasonable access to a drinking fountain or water.
- (h) Juveniles shall have reasonable opportunities to stand and stretch, particularly if handcuffed or restrained in any way.
- (i) Juveniles should have privacy during family, guardian and/or lawyer visits.
- (j) Juveniles should be permitted to remain in their personal clothing unless the clothing is taken as evidence or is otherwise unsuitable or inadequate for continued wear while in custody.
- (k) Blankets should be provided as reasonably necessary.
- (l) Adequate shelter, heat, light and ventilation should be provided without compromising security or enabling escape.
- (m) Juveniles shall have adequate furnishings, including suitable chairs or benches.

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- (n) Juveniles shall have the right to the same number of telephone calls as an adult in custody.
- (o) No discipline may be administered to any juvenile, nor may juveniles be subjected to corporal or unusual punishment, humiliation or mental abuse.

323.7 USE OF RESTRAINT DEVICES

Juvenile offenders may be handcuffed in accordance with the Handcuffing and Restraints Policy. A juvenile offender may be handcuffed at the Twin Falls Police Department when the juvenile presents a heightened risk. However, non-offenders and status offenders should not be handcuffed unless they are combative or threatening.

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

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

323.8 PERSONAL PROPERTY

The officer taking custody of a juvenile offender or status offender at the Twin Falls Police Department shall ensure a thorough search of the juvenile's property is made and all property is removed from the juvenile, especially those items that could compromise safety, such as pens, pencils and belts.

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

323.9 SUICIDE ATTEMPT, DEATH OR SERIOUS INJURY OF A JUVENILE

The Shift Supervisor will ensure procedures are in place to address the suicide attempt, death or serious injury of any juvenile held at the Twin Falls Police Department. The procedures will address:

- (a) Immediate notification of the on-duty supervisor, Chief of Police and Criminal Investigative Division supervisor.
- (b) Notification of the parent, guardian or person standing in loco parentis, of the juvenile.
- (c) Notification of the appropriate prosecutor.
- (d) Notification of the City Attorney.
- (e) Evidence preservation.

323.10 INTERVIEWING OR INTERROGATING JUVENILE SUSPECTS

No interview or interrogation of a juvenile should occur unless the juvenile has the apparent capacity to consent, and does consent to an interview or interrogation.

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323.11 RESTRICTION ON FINGERPRINTING AND PHOTOGRAPHING

A juvenile offender may be photographed or fingerprinted in connection with being taken into custody. The fingerprints and photographs of juveniles will be maintained separately from those of adults.

323.12 RECORDS OF JUVENILES

Records of juveniles shall be kept separate from records of adults and shall be subject to disclosure according to Chapter 1, Title 74 of the Idaho Code (Idaho Code 20-516).

Adult Abuse

325.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the investigation and reporting of suspected abuse of certain adults who may be more vulnerable than others. This policy also addresses mandatory notification for Twin Falls Police Department members as required by law.

325.1.1 DEFINITIONS

Definitions related to this policy include:

Adult abuse - Any offense or attempted offense involving violence or neglect of an adult victim when committed by a person responsible for the adult's care, or any other act that would mandate reporting or notification to a social service agency or law enforcement.

325.2 POLICY

The Twin Falls Police Department will investigate all reported incidents of alleged adult abuse and ensure proper reporting and notification as required by law.

325.3 MANDATORY NOTIFICATION

Members of the Twin Falls Police Department shall immediately notify the Idaho Commission on Aging (ICOA)'s local Area Agency on Aging when there is reasonable cause to believe that abuse, neglect or exploitation of a vulnerable adult has occurred (Idaho Code 39-5303).

The following definitions apply to mandatory notification (Idaho Code 39-5302):

- Abuse means the intentional or negligent infliction of physical pain, injury or mental injury.
- Neglect means failure of a caretaker to provide food, clothing, shelter or medical care reasonably necessary to sustain the life and health of a vulnerable adult, or the failure of a vulnerable adult to provide those services for him/herself.
- Exploitation means an action which may include, but is not limited to, the unjust or improper use of a vulnerable adult's financial power of attorney, funds, property or resources by another person for profit or advantage.
- Vulnerable adult is a person 18 years or older who is unable to protect himself/herself from abuse, neglect or exploitation due to a physical or mental impairment which affects the adult's judgment or behavior to the extent that he/she lacks sufficient understanding or capacity to make, communicate or implement decisions regarding his/her person.

325.4 QUALIFIED INVESTIGATORS

Qualified investigators should be available to investigate cases of adult abuse. These investigators should:

- (a) Conduct interviews in appropriate interview facilities.
- (b) Be familiar with forensic interview techniques specific to adult abuse investigations.

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- (c) Present all cases of alleged adult abuse to the prosecutor for review.
- (d) Coordinate with other enforcement agencies, social service agencies and facility administrators as needed.
- (e) Provide referrals to therapy services, victim advocates, guardians and support for the victim and family as appropriate.
- (f) Participate in or coordinate with multidisciplinary investigative teams as applicable (Idaho Code 39-5308).

325.5 INVESTIGATIONS AND REPORTING

All reported or suspected cases of adult abuse require investigation and a report, even if the allegations appear unfounded or unsubstantiated.

Investigations and reports related to suspected cases of adult abuse should address, as applicable:

- (a) The overall basis for the contact. This should be done by the investigating officer in all circumstances where a suspected adult abuse victim is contacted.
- (b) Any relevant statements the victim may have made and to whom he/she made the statements.
- (c) If a person is taken into protective custody, the reasons, the name and title of the person making the decision, and why other alternatives were not appropriate.
- (d) Documentation of any visible injuries or any injuries identified by the victim. This should include photographs of such injuries, if practicable.
- (e) Whether the victim was transported for medical treatment or a medical examination.
- (f) Whether the victim identified a household member as the alleged perpetrator, and a list of the names of any other potential victims or witnesses who may reside in the residence.
- (g) Identification of any prior related reports or allegations of abuse, including other jurisdictions, as reasonably known.
- (h) Previous addresses of the victim and suspect.
- (i) Other potential witnesses who have not yet been interviewed, such as relatives or others close to the victim's environment.

Any unexplained death of an adult who was in the care of a guardian or caretaker should be considered as potential adult abuse and investigated similarly.

325.6 PROTECTIVE CUSTODY

Before taking an adult abuse victim into protective custody when facts indicate the adult may not be able to care for him/herself, the officer should make reasonable attempts to contact ICOA. Generally, removal of an adult abuse victim from his/her family, guardian or other responsible adult should be left to the welfare authorities when they are present or have become involved in an investigation.

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Generally, members of this department should remove an adult abuse victim from his/her family or guardian without a court order only when no other effective alternative is reasonably available and immediate action reasonably appears necessary to protect the victim. Prior to taking an adult abuse victim into protective custody, the officer should take reasonable steps to deliver the adult to another qualified legal guardian, unless it reasonably appears that the release would endanger the victim or result in abduction. If this is not a reasonable option, the officer shall ensure that the adult is delivered to ICOA.

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

When adult abuse victims are under state control, have a state-appointed guardian or there are other legal holdings for guardianship, it may be necessary or reasonable to seek a court order on behalf of the adult victim to either remove the adult from a dangerous environment (protective custody) or restrain a person from contact with the adult.

325.6.1 ICOA ASSISTANCE

An officer shall cooperate with ICOA when assistance is requested and the officer reasonably believes an emergency exists which requires immediate entry on public or private property to ensure the safety of a vulnerable adult who is allegedly being abused, neglected or exploited. Assistance may also include transporting the vulnerable adult to a medical facility, care-providing facility or other appropriate and safe environment (Idaho Code 39-5305).

325.7 INTERVIEWS

325.7.1 PRELIMINARY INTERVIEWS

Absent extenuating circumstances or impracticality, officers should audio record the preliminary interview with a suspected adult abuse victim. Officers should avoid multiple interviews with the victim and should attempt to gather only the information necessary to begin an investigation. When practicable, investigating officers should defer interviews until a person who is specially trained in such interviews is available.

325.7.2 DETAINING VICTIMS FOR INTERVIEWS

An officer should not detain an adult involuntarily who is suspected of being a victim of abuse solely for the purpose of an interview or physical exam without his/her consent or the consent of a guardian unless one of the following applies:

- (a) Exigent circumstances exist, such as:
 - 1. A reasonable belief that medical issues of the adult need to be addressed immediately.
 - 2. A reasonable belief that the adult is or will be in danger of harm if the interview or physical exam is not immediately completed.

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3. The alleged offender is a family member or guardian and there is reason to believe the adult may be in continued danger.
- (b) A court order or warrant has been issued.

325.8 MEDICAL EXAMINATIONS

When an adult abuse investigation requires a medical examination, the investigating officer should obtain consent for such examination from the victim, guardian, agency or entity having legal custody of the adult. The officer should also arrange for the adult's transportation to the appropriate medical facility.

In cases where the alleged offender is a family member, guardian, agency or entity having legal custody and is refusing to give consent for the medical examination, officers should notify a supervisor before proceeding. If exigent circumstances do not exist or if state law does not provide for officers to take the adult for a medical examination, the supervisor should consider other government agencies or services that may obtain a court order for such an examination.

325.9 DRUG-ENDANGERED VICTIMS

A coordinated response by law enforcement and social services agencies is appropriate to meet the immediate and longer-term medical and safety needs of an adult abuse victim who has been exposed to the manufacturing, trafficking or use of narcotics.

325.9.1 SUPERVISOR RESPONSIBILITIES

The Criminal Investigative Division supervisor should:

- (a) Work with professionals from the appropriate agencies, including ICOA, other law enforcement agencies, medical service providers and local prosecutors, to develop community-specific procedures for responding to situations where there are adult abuse victims endangered by exposure to methamphetamine labs or the manufacture and trafficking of other drugs.
- (b) Activate any available interagency response when an officer notifies the Criminal Investigative Division supervisor that he/she has responded to a drug lab or other narcotics crime scene where an adult abuse victim is present or where evidence indicates that an adult abuse victim lives.
- (c) Develop a report format or checklist for use when officers respond to drug labs or other narcotics crime scenes. The checklist will help officers document the environmental, medical, social and other conditions that may affect the adult.

325.9.2 OFFICER RESPONSIBILITIES

Officers responding to a drug lab or other narcotics crime scene where an adult abuse victim is present or where there is evidence that an adult abuse victim lives should:

- (a) Document the environmental, medical, social and other conditions of the adult, using photography as appropriate and the checklist or form developed for this purpose.
- (b) Notify the Criminal Investigative Division supervisor so an interagency response can begin.

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325.10 STATE MANDATES AND OTHER RELEVANT LAWS

Idaho requires or permits the following:

325.10.1 RECORDS BUREAU RESPONSIBILITIES

The Records Bureau is responsible for:

- (a) Providing a copy of the adult abuse report to ICOA as required by law.
- (b) Retaining the original adult abuse report with the initial case file.

325.10.2 RELEASE OF REPORTS

Information related to incidents of adult abuse or suspected adult abuse shall be confidential and may only be disclosed pursuant to state law and the Records Maintenance and Release Policy (Idaho Code 39-5307; Idaho Code 74-105(11)).

325.11 TRAINING

The Department should provide training on best practices in adult abuse investigations to members tasked with investigating these cases. The training should include:

- (a) Participating in multidisciplinary investigations, as appropriate.
- (b) Conducting interviews.
- (c) Availability of therapy services for adults and families.
- (d) Availability of specialized forensic medical exams.
- (e) Cultural competence (including interpretive services) related to adult abuse investigations.
- (f) Availability of victim advocates or other support.

Discriminatory Harassment

327.1 PURPOSE AND SCOPE

The purpose of this policy is to prevent members of this department from being subjected to discriminatory harassment, including sexual harassment and retaliation. Nothing in this policy is intended to create a legal or employment right or duty that is not created by law.

327.2 POLICY

The Twin Falls Police Department is an equal opportunity employer and is committed to creating and maintaining a work environment that is free of all forms of discriminatory harassment, including sexual harassment and retaliation. The Department will not tolerate discrimination against a member in hiring, promotion, discharge, compensation, fringe benefits, and other privileges of employment. The Department will take preventive and corrective action to address any behavior that violates this policy or the rights and privileges it is designed to protect.

The non-discrimination policies of the Department may be more comprehensive than state or federal law. Conduct that violates this policy may not violate state or federal law but still could subject a member to discipline.

327.3 DEFINITIONS

Definitions related to this policy include:

327.3.1 DISCRIMINATION

The Department prohibits all forms of discrimination, including any employment-related action by a member that adversely affects an applicant or member and is based on actual or perceived race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, pregnancy, genetic information, veteran status, marital status, and any other classification or status protected by law.

Discriminatory harassment, including sexual harassment, is verbal or physical conduct that demeans or shows hostility or aversion toward an individual based upon that individual's protected class. It has the effect of interfering with an individual's work performance or creating a hostile or abusive work environment.

Conduct that may, under certain circumstances, constitute discriminatory harassment can include making derogatory comments; making crude and offensive statements or remarks; making slurs or off-color jokes; stereotyping; engaging in threatening acts; making indecent gestures, pictures, cartoons, posters, or material; making inappropriate physical contact; or using written material or department equipment and/or systems to transmit or receive offensive material, statements, or pictures. Such conduct is contrary to department policy and to a work environment that is free of discrimination.

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327.3.2 RETALIATION

Retaliation is treating a person differently or engaging in acts of reprisal or intimidation against the person because the person has engaged in protected activity, filed a charge of discrimination, participated in an investigation, or opposed a discriminatory practice. Retaliation will not be tolerated.

327.3.3 SEXUAL HARASSMENT

The Department prohibits all forms of discrimination and discriminatory harassment, including sexual harassment. It is unlawful to harass an applicant or a member because of that person's sex.

Sexual harassment includes but is not limited to unwelcome sexual advances, requests for sexual favors, or other verbal, visual, or physical conduct of a sexual nature when:

- (a) Submission to such conduct is made either explicitly or implicitly a term or condition of employment, position, or compensation.
- (b) Submission to, or rejection of, such conduct is used as the basis for any employment decisions affecting the member.
- (c) Such conduct has the purpose or effect of substantially interfering with a member's work performance or creating an intimidating, hostile, or offensive work environment.

327.3.4 ADDITIONAL CONSIDERATIONS

Discrimination and discriminatory harassment do not include actions that are in accordance with established rules, principles, or standards, including the following:

- (a) Acts or omission of acts based solely upon bona fide occupational qualifications under the Equal Employment Opportunity Commission and Idaho Commission on Human Rights guidelines.
- (b) Bona fide requests or demands by a supervisor that the member improve the member's work quality or output, that the member report to the job site on time, that the member comply with City or department rules or regulations, or any other appropriate work-related communication between supervisor and member.

327.4 RESPONSIBILITIES

This policy applies to all department members, who shall follow the intent of these guidelines in a manner that reflects department policy, professional standards, and the best interest of the Department and its mission.

Members are encouraged to promptly report any discriminatory, retaliatory, or harassing conduct or known violations of this policy to a supervisor. Any member who is not comfortable with reporting violations of this policy to the member's immediate supervisor may bypass the chain of command and make the report to a higher-ranking supervisor or manager. Complaints may also be filed with the Chief of Police, the Personnel Director, or the City Manager.

Any member who believes, in good faith, that the member has been discriminated against, harassed, or subjected to retaliation, or who has observed harassment, discrimination, or

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retaliation, is encouraged to promptly report such conduct in accordance with the procedures set forth in this policy.

Supervisors and managers receiving information regarding alleged violations of this policy shall determine if there is any basis for the allegation and shall proceed with resolution as stated below.

327.4.1 SUPERVISOR RESPONSIBILITIES

The responsibilities of supervisors and managers shall include but are not limited to:

- (a) Continually monitoring the work environment and striving to ensure that it is free from all types of unlawful discrimination, including harassment or retaliation.
- (b) Taking prompt, appropriate action within their work units to avoid and minimize the incidence of any form of discrimination, harassment, or retaliation.
- (c) Ensuring that their subordinates understand their responsibilities under this policy.
- (d) Ensuring that members who make complaints or who oppose any unlawful employment practices are protected from retaliation and that such matters are kept confidential to the extent possible.
- (e) Making a timely determination regarding the substance of any allegation based on all available facts.
- (f) Notifying the Chief of Police or the Personnel Director in writing of the circumstances surrounding any reported allegations or observed acts of discrimination, harassment, or retaliation no later than the next business day.

327.4.2 SUPERVISOR'S ROLE

Supervisors and managers shall be aware of the following:

- (a) Behavior of supervisors and managers should represent the values of the Department and professional standards.
- (b) False or mistaken accusations of discrimination, harassment, or retaliation can have negative effects on the careers of innocent members.

Nothing in this section shall be construed to prevent supervisors or managers from discharging supervisory or management responsibilities, such as determining duty assignments, evaluating or counseling members, or issuing discipline in a manner that is consistent with established procedures.

327.4.3 QUESTIONS OR CLARIFICATION

Members with questions regarding what constitutes discrimination, sexual harassment, or retaliation are encouraged to contact a supervisor, a manager, the Chief of Police, the Personnel Director, or the City Manager for further information, direction, or clarification.

327.5 INVESTIGATION OF COMPLAINTS

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

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complaints of discrimination, retaliation, or harassment shall be fully documented, and promptly and thoroughly investigated.

327.5.1 SUPERVISOR RESOLUTION

Members who believe they are experiencing discrimination, harassment, or retaliation should be encouraged to inform the individual that the behavior is unwelcome, offensive, unprofessional, or inappropriate. However, if the member feels uncomfortable or threatened or has difficulty expressing the member's concern, or if this does not resolve the concern, assistance should be sought from a supervisor or manager who is a rank higher than the alleged transgressor.

327.5.2 FORMAL INVESTIGATION

If the complaint cannot be satisfactorily resolved through the supervisory resolution process, a formal investigation will be conducted.

The person assigned to investigate the complaint will have full authority to investigate all aspects of the complaint. Investigative authority includes access to records and the cooperation of any members involved. No influence will be used to suppress any complaint and no member will be subject to retaliation or reprisal for filing a complaint, encouraging others to file a complaint, or for offering testimony or evidence in any investigation.

Formal investigation of the complaint will be confidential to the extent possible and will include but is not limited to details of the specific incident, frequency and dates of occurrences, and names of any witnesses. Witnesses will be advised regarding the prohibition against retaliation, and that a disciplinary process, up to and including termination, may result if retaliation occurs.

Members who believe they have been discriminated against, harassed, or retaliated against because of their protected status are encouraged to follow the chain of command but may also file a complaint directly with the Chief of Police, the Personnel Director, or the City Manager.

327.5.3 ALTERNATIVE COMPLAINT PROCESS

No provision of this policy shall be construed to prevent any member from seeking legal redress outside the Department. Members who believe that they have been harassed, discriminated against, or retaliated against are entitled to bring complaints of employment discrimination to federal, state, and/or local agencies responsible for investigating such allegations. Specific time limitations apply to the filing of such charges. Members are advised that proceeding with complaints under the provisions of this policy does not in any way affect those filing requirements.

327.6 DOCUMENTATION OF COMPLAINTS

All complaints or allegations shall be thoroughly documented on the appropriate forms and in a manner designated by the Chief of Police. The outcome of all reports shall be:

- (a) Approved by the Chief of Police, the City Manager, or the Personnel Director, depending on the rank of the involved parties.
- (b) Maintained in accordance with the established records retention schedule.

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327.6.1 NOTIFICATION OF DISPOSITION

The complainant and/or victim will be notified in writing of the disposition of the investigation and the action taken to remedy or address the circumstances giving rise to the complaint.

327.7 TRAINING

All new members shall be provided with a copy of this policy as part of their orientation. The policy shall be reviewed with each new member. The member shall certify by signing the prescribed form that the member has been advised of this policy, is aware of and understand its contents, and agrees to abide by its provisions during the member's term with the Twin Falls Police Department.

All members shall receive annual training on the requirements of this policy and shall certify by signing the prescribed form that they have reviewed the policy, understand its contents and agree that they will continue to abide by its provisions.

Child Abuse

329.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the investigation of suspected child abuse. This policy also addresses when Twin Falls Police Department members are required to notify the Department of Health and Welfare of suspected child abuse.

329.1.1 DEFINITIONS

Definitions related to this policy include:

Child - Unless otherwise specified by a cited statute, a child is any person under the age of 18 years.

Child abuse - Any offense or attempted offense involving violence or neglect with a child victim when committed by a person responsible for the child's care or any other act that would mandate notification to a social service agency.

329.2 POLICY

The Twin Falls Police Department will investigate all reported incidents of alleged criminal child abuse and ensure the Department of Health and Welfare is notified as required by law.

329.3 MANDATORY NOTIFICATION

Members of the Twin Falls Police Department shall notify the Department of Health and Welfare when they have received a report of abuse, abandonment or neglect of a child or there is reason to believe that a child has been abused, abandoned or neglected, or an officer observes the child being subjected to conditions or circumstances which would reasonably result in abuse, abandonment or neglect (Idaho Code 16-1605(1)).

For purposes of notification, abuse includes injuries without a justifiable explanation and sexual conduct (e.g., rape, molestation, incest, other sexual exploitation). Abandonment and neglect include failure to provide support, regular contact, care, subsistence, medical care, etc. (see Idaho Code 16-1602 for full definitions).

329.3.1 NOTIFICATION PROCEDURE

Notification should occur as follows (Idaho Code 16-1605):

- (a) Notification shall be made as soon as practicable but in all cases within 24 hours to the Department of Health and Welfare.
- (b) The date and time of the notification shall be documented in the related report.

329.4 QUALIFIED INVESTIGATORS

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

- (a) Conduct interviews in child appropriate interview facilities.
- (b) Be familiar with forensic interview techniques specific to child abuse investigations.

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- (c) Present all cases of alleged child abuse to the prosecutor for review.
- (d) Coordinate with other enforcement agencies, social service agencies and school administrators as needed.
- (e) Provide referrals to therapy services, victim advocates, guardians and support for the child and family as appropriate.
- (f) Participate in or coordinate with multidisciplinary investigative teams as applicable (Idaho Code 16-1617).

329.4.1 CHILD PORNOGRAPHY/IMAGES OF THE SEXUAL EXPLOITATION OF MINORS

Child pornography is a unique form of contraband in that it is the singular type of contraband that can only be absorbed using the human sense of sight. Unlike drugs and chemicals that are often introduced to the body through the lungs, bloodstream, or stomach, child pornography must be viewed by the eyes.

Images of child pornography are quickly and easily duplicated by Internet child pornography traffickers. Once an image is exposed to cyberspace, it can be nearly impossible to permanently retrieve and extinguish.

Digital media-based child pornography is also unique because it is easily and quickly duplicated. Wireless computers can connect with one another to quietly traffic images. Cellular telephones with tiny embedded cameras can be used to replicate images displayed on a computer screen. Small thumb-sized media storage devices now have the memory capacity to retain hundreds of images or movie files. Duplication of the original contraband can be done without leaving any trace of the duplication and without degrading the original image.

329.4.2 INVESTIGATIVE PRACTICES

Police training regarding child pornography does not include depictions of contraband images. The images shown at police training seminars are cropped or altered so that genitalia is covered or blacked out. The Twin Falls Police Department's investigators handle digital media containing contraband similarly to the manner in which narcotics drugs are handled, based on the following guidelines:

Peer- to- Peer (P2P) and undercover on-line chat investigations are components of ICAC investigations. Therefore the investigative practices outlined shall apply equally to these types of investigations. Peer- to- Peer (P2P) and undercover on-line chat investigations may require establishing controlled computer accounts to implement Peer-to-Peer and/or undercover on-line chat investigations. When controlled accounts are created they will be utilized for the purpose of ICAC investigations only. Any controlled account created for ICAC investigations shall be documented in the police report.

- (a) The Internet Crimes office, where child pornography is investigated, is located separately from other police investigative offices to prevent unwitting individuals from unnecessarily exposing themselves to contraband images.

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- (b) The Internet Crimes office is kept secured and locked during non-business hours. No public access to the office is authorized. The office door is kept closed when investigators are conducting duties that obligate them to review images of child pornography. A sign on the office door requests that other employees knock before entering so that investigators may conceal child pornography that may be in plain view.
- (c) Unauthorized Twin Falls Police Department personnel are not permitted access to the Internet Crimes office when child pornography is exposed. Unauthorized personnel shall not frequent the Internet Crimes office.
- (d) Seized contraband child pornography is secured and handled similarly to narcotics in that unauthorized persons are not permitted to handle or view it.
- (e) Images of child pornography are never unnecessarily reproduced nor duplicated. Only written textual descriptions of contraband images are provided in law enforcement reports. Actual images of child pornography are not included with, nor attached to, police reports.
- (f) Computer forensics examiners who review contraband images work in secure facilities that are inaccessible to persons not involved with investigations.
- (g) During the computer forensics examination for contraband, suspected unlawful images are copied to a compact disk that is secured and handled as contraband evidence.
- (h) During the investigation and pre-submittal process, digital media-based images of child pornography are sometimes reviewed by a pediatrician who provides age estimates of the victim(s) depicted. The review process occurs as follows:
 - 1. The suspected unlawful image(s) are copied onto a compact disk (CD) by the police computer forensic examiner.
 - 2. The compact disk is secured as evidence until the investigator takes custody of it and transports the disk, along with a laptop computer, to the pediatrician.
 - 3. At the pediatrician's private office, the investigator places the CD in the laptop computer and shows the image(s) to the pediatrician. The pediatrician then comments in writing on the apparent age(s) of the victim(s) in the image(s).
 - 4. The investigator then removes the CD and the laptop computer. Under no circumstances is the CD or laptop computer left in the unsupervised possession of the pediatrician.
 - 5. After the pediatrician's evaluation, the CD is returned to a police facility and secured. The laptop computer's hard drive is periodically transferred onto an external hard drive and maintained in evidence.

329.4.3 POST-ADJUDICATION

Contraband child pornography is not returned to a defendant at the end of a court proceeding. Printed images are destroyed through incineration by employees of the Property and Evidence section of the Police Department and computer media storage devices are bored through using an electric drill bit that renders the media storage device useless.

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Computer hardware and media storage devices are not forensically "wiped" and returned to owners. Attempting to wipe and return digital media containing contraband would prolong the contraband handling process, expose the contraband to possible loss, theft or exposure to unwitting viewers. Additionally, attempting to forensically wipe digital media storage devices would also require protracted law enforcement effort and time.

Computers and other digital media storage devices may be utilized by law enforcement in the furtherance of investigating ICAC cases. Computers and other media storage devices that have been seized as evidence may only be acquired if awarded by the court through the restitution process pursuant to a plea agreement. Any computer or media storage device awarded by the court shall be forensically wiped prior to utilizing in a criminal investigation.

329.5 INVESTIGATIONS AND REPORTING

In all reported or suspected cases of child abuse, a report will be written. Officers shall write a report even if the allegations appear unfounded or unsubstantiated.

Investigations and reports related to suspected cases of child abuse should address, as applicable:

- (a) The overall basis for the contact. This should be done by the investigating officer in all circumstances where a suspected child abuse victim was contacted.
- (b) The exigent circumstances that existed if officers interviewed the child victim without the presence of a parent or guardian.
- (c) Any relevant statements the child may have made and to whom he/she made the statements.
- (d) If a child was taken into protective custody, the reasons, the name and title of the person making the decision, and why other alternatives were not appropriate.
- (e) Documentation of any visible injuries or any injuries identified by the child. This should include photographs of such injuries, if practicable.
- (f) Whether the child victim was transported for medical treatment or a medical examination.
- (g) Whether the victim identified a household member as the alleged perpetrator, and a list of the names of any other children who may reside in the residence.
- (h) Identification of any prior related reports or allegations of child abuse, including other jurisdictions, as reasonably known.
- (i) Previous addresses of the victim and suspect.
- (j) Other potential witnesses who have not yet been interviewed, such as relatives or others close to the victim's environment.

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

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329.6 PROTECTIVE CUSTODY

Before taking any child into protective custody, the officer should make reasonable attempts to contact the Department of Health and Welfare. Generally, removal of a child from his/her family, guardian or other responsible adult should be left to the child welfare authorities when they are present or have become involved in an investigation.

Generally, members of this department should remove a child from his/her parent or guardian without a court order only when no other effective alternative is reasonably available and immediate action reasonably appears necessary to protect the child. Prior to taking a child into protective custody, the officer should take reasonable steps to deliver the child to another qualified parent or legal guardian, unless it reasonably appears that the release would endanger the child or result in abduction. If this is not a reasonable option, the officer shall ensure that the child is delivered to the Department of Health and Welfare.

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

Children may only be removed from a parent or guardian in the following situations:

- (a) When a court order has been issued authorizing the removal of the child.
- (b) Without a court order, when a child is abandoned or endangered and prompt removal is necessary to prevent serious physical or mental injury to the child (Idaho Code 16-1608).

329.6.1 PROCEDURE

When a child is taken into emergency protective custody without a court order, the officer shall immediately take the following actions (Idaho Code 16-1609):

- (a) Take the child to a place of approved shelter.
- (b) Notify the court of the action taken and the place to which the child was taken.
- (c) Except in the case of child abandonment pursuant to the Idaho Safe Haven Act, notify each of the parents, guardian or other legal custodian that the child has been taken into shelter care, the type and nature of shelter care, and that the child may be held for a maximum of 48 hours, excluding Saturdays, Sundays and holidays, and that within which time there must be a shelter care hearing pursuant to Idaho Code 16-1615.

329.6.2 SAFE HAVEN ACT PROVISIONS

If a child has been abandoned pursuant to the Idaho Safe Haven Act, the investigating officer shall take protective custody of the child, immediately notify the Department of Health and Welfare and transfer the child to their custody. If the child requires medical evaluation, the child shall be left in the care of a hospital. The officer shall notify the court and prosecutor of the action taken and the location of the child (Idaho Code 39-8204).

329.7 INTERVIEWS

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329.7.1 PRELIMINARY INTERVIEWS

Absent extenuating circumstances or impracticality, officers should record the preliminary interview with suspected child abuse victims. Officers should avoid multiple interviews with a child victim and should attempt to gather only the information necessary to begin an investigation. When practicable, investigating officers should defer interviews until a person who is specially trained in such interviews is available. Generally, child victims should not be interviewed in the home or location where the alleged abuse occurred.

329.7.2 DETAINING SUSPECTED CHILD ABUSE VICTIMS FOR AN INTERVIEW

An officer should not detain a child involuntarily who is suspected of being a victim of child abuse solely for the purpose of an interview or physical exam without the consent of a parent or guardian unless one of the following applies:

- (a) Exigent circumstances exist, such as:
 - 1. A reasonable belief that medical issues of the child need to be addressed immediately.
 - 2. A reasonable belief that the child is or will be in danger of harm if the interview or physical exam is not immediately completed.
 - 3. The alleged offender is the custodial parent or guardian and there is reason to believe the child may be in continued danger.
- (b) A court order or warrant has been issued.

329.7.3 AUDIO AND VIDEO RECORDING OF INVESTIGATIVE INTERVIEWS

Unless otherwise demonstrated by good cause, all investigative interviews of alleged child abuse victims shall be documented by audio or video recording (Idaho Code 16-1618).

329.8 MEDICAL EXAMINATIONS

If the child has been the victim of abuse that requires a medical examination, the investigating officer should obtain consent for such examination from the appropriate parent, guardian or agency having legal custody of the child. The officer should also arrange for the child's transportation to the appropriate medical facility.

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

329.9 DRUG-ENDANGERED CHILDREN

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

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329.9.1 SUPERVISOR RESPONSIBILITIES

The Criminal Investigative Division Supervisor should:

- (a) Work with professionals from the appropriate agencies, including the Department of Health and Welfare, other law enforcement agencies, medical service providers and local prosecutors to develop community specific procedures for responding to situations where there are children endangered by their exposure to methamphetamine labs or the manufacture and trafficking of other drugs.
- (b) Activate any available interagency response when an officer notifies the Criminal Investigative Division Supervisor that the officer has responded to a drug lab or other narcotics crime scene where a child is present or where evidence indicates that a child lives there.
- (c) Develop a report format or checklist for use when officers respond to drug labs or other narcotics crime scenes. The checklist will help officers document the environmental, medical, social and other conditions that may affect the child.

329.9.2 OFFICER RESPONSIBILITIES

Officers responding to a drug lab or other narcotics crime scene where a child is present or where there is evidence that a child lives should:

- (a) Document the environmental, medical, social and other conditions of the child using photography as appropriate and the checklist or form developed for this purpose.
- (b) Notify the Criminal Investigative Division Supervisor so an interagency response can begin.

329.10 TRAINING

The Department should provide training on best practices in child abuse investigations to members tasked with investigating these cases. The training should include:

- (a) Participating in multidisciplinary investigations, as appropriate.
- (b) Conducting forensic interviews.
- (c) Availability of therapy services for children and families.
- (d) Availability of specialized forensic medical exams.
- (e) Cultural competence (including interpretive services) related to child abuse investigations.
- (f) Availability of victim advocate or guardian ad litem support.

Missing Persons

331.1 PURPOSE AND SCOPE

This policy provides guidance for handling missing person investigations.

331.1.1 DEFINITIONS

Definitions related to this policy include:

At-risk - This includes persons who are:

- (a) 13 years of age or younger.
- (b) Regardless of age, believed or determined to be experiencing one or more of the following circumstances:
 - 1. Is out of the zone of safety for his/her chronological age and developmental stage.
 - 2. Has a mental or behavioral disability.
 - 3. Is drug dependent, including prescribed medication and/or illegal substances, and the dependency is potentially life-threatening.
 - 4. Has been absent from home for more than 24 hours before being reported to law enforcement as missing.
 - 5. Is in a life-threatening situation.
 - 6. Is in the company of others who could endanger his/her welfare.
 - 7. Is absent in a way that is inconsistent with established patterns of behavior and that cannot be readily explained. Most children have an established and reasonably predictable routine.
 - 8. Is involved in a situation that would cause a reasonable person to conclude the person should be considered at risk.

Missing person - Any person who is reported missing to law enforcement when that person's location is unknown. This includes a person that is less than 18 years of age who is reported to the Department as abducted, lost or as a runaway (Idaho Code 18-4508(2); Idaho Code 18-4508(3)).

Missing person networks - Databases or computer networks that are available to law enforcement and are suitable for obtaining information related to missing person investigations. This includes the National Crime Information Center (NCIC), the Idaho Law Enforcement Telecommunications System (ILETS) and the Idaho Missing Person Clearinghouse.

331.2 POLICY

The Twin Falls Police Department does not consider any report of a missing person to be routine and assumes that the missing person is in need of immediate assistance until an investigation reveals otherwise. The Twin Falls Police Department gives missing person cases priority over property-related cases and does not require a specific amount of time to have passed before beginning a missing person investigation.

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331.3 REQUIRED FORMS AND BIOLOGICAL SAMPLE COLLECTION KITS

The Criminal Investigative Division supervisor shall ensure the following forms and kits are developed and available:

- Missing Person Report Form
- Missing Person Investigation Checklist that provides investigation guidelines and resources that could be helpful in the early hours of a missing person investigation
- Missing Person School Notification Form
- Medical Records Release Form/Dental Records
- Biological sample collection kits

331.4 ACCEPTANCE OF REPORTS

Any member encountering a person who wishes to report a missing person or runaway shall render assistance without delay. This can be accomplished by accepting the report via telephone or in person and initiating the investigation. Those members who do not take such reports or who are unable to give immediate assistance shall promptly dispatch or alert a member who can take the report.

A report shall be accepted in all cases and regardless of where the person was last seen, where the person resides or any question of jurisdiction.

331.5 INITIAL INVESTIGATION

Officers or other members conducting the initial investigation of a missing person should take the following investigative actions as applicable:

- (a) Respond to a dispatched call as soon as practicable.
- (b) Interview the reporting party and any witnesses to determine whether the person qualifies as a missing person and, if so, whether the person may be at-risk.
- (c) Notify a supervisor immediately if there is evidence that a missing person is either at-risk or may qualify for a public alert, or both (see the Public Alerts Policy).
- (d) Broadcast a "Be on the Look-Out" (BOLO) bulletin if the person is under 18 years of age or there is evidence that the missing person is at-risk. The alert should be broadcast as soon as practicable but in no event more than one hour after determining the missing person is under 18 years of age or may be at-risk.
- (e) Ensure that entries are made into the appropriate missing person networks, as follows:
 1. Immediately when the missing person is under the age of 21 or at-risk.
 2. In all cases, as soon as the officer has the minimal information for entry, the missing person should be entered immediately or within two hours. The entry should be made no later than two hours from the time the initial call comes into the Communications Center.
- (f) Complete the appropriate report forms accurately and completely and initiate a search as applicable under the facts.

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- (g) Collect and/or review:
 - 1. A photograph and a fingerprint card of the missing person, if available.
 - 2. A voluntarily provided biological sample of the missing person, if available (e.g., toothbrush, hairbrush).
 - 3. Any documents that may assist in the investigation, such as court orders regarding custody.
 - 4. Any other evidence that may assist in the investigation, including personal electronic devices (e.g., cell phones, computers).
- (h) When circumstances permit and if appropriate, attempt to determine the missing person's location through his/her telecommunications carrier.
- (i) Contact the appropriate agency if the report relates to a missing person report previously made to another agency and that agency is actively investigating the report. When this is not practicable, the information should be documented in an appropriate report for transmission to the appropriate agency. If the information relates to an at-risk missing person, the member should notify a supervisor and proceed with reasonable steps to locate the missing person.

331.6 REPORT PROCEDURES AND ROUTING

Members should complete all missing person reports and forms promptly and advise the appropriate supervisor as soon as a missing person report is ready for review.

331.6.1 SUPERVISOR RESPONSIBILITIES

The responsibilities of the supervisor shall include, but are not limited to:

- (a) Reviewing and approving missing person reports upon receipt.
 - 1. The reports should be promptly sent to the Records Bureau.
- (b) Ensuring resources are deployed as appropriate.
- (c) Initiating a command post as needed.
- (d) Ensuring applicable notifications and public alerts are made and documented.
- (e) Ensuring that records have been entered into the appropriate missing persons networks.
- (f) Taking reasonable steps to identify and address any jurisdictional issues to ensure cooperation among agencies.
 - 1. If the case falls within the jurisdiction of another agency, the supervisor should facilitate transfer of the case to the agency of jurisdiction.

331.6.2 RECORDS BUREAU RESPONSIBILITIES

The responsibilities of the Records Bureau receiving member shall include, but are not limited to:

- (a) As soon as reasonable under the circumstances, notifying and forwarding a copy of the report to the law enforcement agency having jurisdiction over the missing person's residence in cases where the missing person is a resident of another jurisdiction.

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- (b) Notifying and forwarding a copy of the report to the law enforcement agency in whose jurisdiction the missing person was last seen.
- (c) Notifying and forwarding a copy of the report to the law enforcement agency having jurisdiction over the missing person's intended or possible destination, if known.
- (d) Forwarding a copy of the report to the Criminal Investigative Division.
- (e) Updating the missing person record in the NCIC computer networks updated with additional information obtained from missing person investigations (34 USC § 41308).

331.7 CRIMINAL INVESTIGATIVE DIVISION FOLLOW-UP

In addition to completing or continuing any actions listed above, the investigator assigned to a missing person investigation:

- (a) Shall ensure that an Idaho elementary or secondary school is immediately notified when an enrolled child is reported missing (Idaho Code 18-4509(2)).
 - 1. The notice shall be in writing and should also include a photograph.
 - 2. The investigator should meet with school officials as appropriate to stress the importance of including the notice in the child's student file, along with the investigator's contact information if the school receives a call requesting the transfer of the missing child's files to another school.
- (b) Should recontact the reporting person and/or other witnesses within 30 days of the initial report and within 30 days thereafter to determine if any additional information has become available.
- (c) Should consider contacting other agencies involved in the case to determine if any additional information is available.
- (d) Shall verify and update the Idaho Missing Person Clearinghouse, the ILETs, the NCIC and any other applicable missing person networks within 30 days of the original entry into the networks and every 30 days thereafter until the missing person is located (34 USC § 41308).
- (e) Should continue to make reasonable efforts to locate the missing person and document these efforts at least every 30 days.
- (f) Shall maintain a close liaison with state and local child welfare systems and the National Center for Missing and Exploited Children (NCMEC) if the missing person is under the age of 21 and shall promptly notify NCMEC when the person is missing from a foster care family home or childcare institution (34 USC § 41308).
- (g) Should make appropriate inquiry with the [Medical Examiner/JOP].
- (h) Should obtain and forward medical and dental records, photos, X-rays and biological samples, as applicable.
- (i) Shall attempt to obtain the most recent photograph for persons under 18 years of age if it has not been obtained previously and forward the photograph to the Idaho State Police and enter the photograph into applicable missing person networks (34 USC § 41308).

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- (j) Should consider making appropriate entries and searches in the National Missing and Unidentified Persons System (NamUs).
- (k) In the case of an at-risk missing person or a person who has been missing for an extended time, should consult with a supervisor regarding seeking federal assistance from the FBI and the U.S. Marshals Service (28 USC § 566).

331.8 WHEN A MISSING PERSON IS FOUND

When any person reported missing is found, the assigned officer or investigator shall document the location of the missing person in the appropriate report, notify the reporting party and other involved agencies and refer the case for additional investigation if warranted. **Before a missing person is cleared from NCIC, law enforcement must make face-to-face contact with the missing person to insure their well-being. Any missing adult may sign off their own missing person paperwork after making face-to-face contact with a Twin Falls Police Department patrol officer, investigator or community service officer. Missing person paperwork may also be signed off by the officer or investigator if necessary.**

The Records Supervisor should insure that, upon receipt of information that a missing person has been located, the following occurs:

- (a) Notification is made to Idaho State Police.
- (b) A missing child's school is notified.
- (c) Entries are made in the applicable missing person networks, including immediately in NCIC.
- (d) Notification shall be made to any other law enforcement agency that took the initial report or participated in the investigation.

331.8.1 UNIDENTIFIED PERSONS

Department members investigating a case of an unidentified person who is deceased or a living person who cannot assist in identifying him/herself should:

- (a) Obtain a complete description of the person.
- (b) Enter the unidentified person's description into the NCIC Unidentified Person File.
- (c) Use available resources, such as those related to missing persons, to identify the person.

331.9 CASE CLOSURE

The Criminal Investigations Division supervisor may authorize the closure of a missing person case after considering the following:

- (a) Closure is appropriate when the missing person is confirmed returned or evidence matches an unidentified person or body.
- (b) If the missing person is a resident of Twin Falls or this department is the lead agency, the case should be kept under active investigation for as long as the person may still be alive. Exhaustion of leads in the investigation should not be a reason for closing a case.

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- (c) If this department is not the lead agency, the case can be made inactive if all investigative leads have been exhausted, the lead agency has been notified and entries are made in the applicable missing person networks, as appropriate.
- (d) A missing person case should not be closed or reclassified because the person would have reached a certain age or adulthood or because the person is now the subject of a criminal or civil warrant.

A Child Is Missing Alert Program

332.1 PURPOSE AND SCOPE

The purpose of this policy is to establish an orderly and uniform process for the use of A Child Is Missing Alert Program.

332.2 POLICY STATEMENT

The first several hours after a child, elderly, college student on campus, or disabled person is reported missing can be critical to the successful outcome of the case. A Child Is Missing (ACIM) Alert is a valuable tool for law enforcement if used properly. A Child Is Missing Alert will generate telephone calls to local residents within fifteen (15) minutes after initiation by law enforcement.

It is the policy of the Department to utilize A Child Is Missing Alert only for missing children, elderly, college students on campus and disabled persons whenever the criteria of the following procedures are met.

A Child Is Missing Alert is an additional tool for law enforcement. It does not replace or preclude a thorough investigation and/or search by law enforcement officers in the field.

332.3 DEFINITIONS

- (a) Missing Persons according to ACIM
 - 1. Whenever an officer receives a report of a missing person, the case will be investigated without delay.
 - 2. If the missing person is a child (0-20), an elderly person (with Alzheimer's), college student on campus, or a disabled person (in danger) law enforcement may immediately notify ACIM.
 - 3. All other circumstances would need approval for the use of ACIM.
- (b) Factors For Determining The Use Of ACIM
 - 1. Juveniles:
 - (a) The juvenile should be 20 years or younger (age depends on the state regulations).
 - (b) The reporting person must be an adult family member, teacher, or another adult who is responsible for the child/individual.
 - (c) If the juvenile is a habitual runaway, ACIM would be used if foul play is suspected.
 - (d) A first-time runaway should be called on.
 - (e) Stranger abduction prior to calling the Amber Alert.
 - (f) College students (Living on Campus).
 - 2. Senior Citizens:
 - (a) The person must be sixty-five (65) years of age or older.

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- (b) Being missing must be out-of-character for the elderly person.
 - (c) ACIM will be used even if an elderly person is a frequent walk away from a nursing facility.
 - (d) Known Alzheimer's patient.
- 3. Disabled Person:
 - (a) There is no age stipulation for a disabled person.
 - (b) Caution must be used when determining whether a person is truly disabled because there are many definitions of a disabled person. For purposes of the guideline, a disabled person will fall into one of the following categories:
 - 1. The person has a physical or mental impairment that severely limits self-care.
 - 2. The person is disoriented or unable to respond to simple questions.
 - 3. The person is dependent upon life sustaining medication or unconscious.
 - 4. The approving supervisor may take into account exigent circumstances that may influence using ACIM even if the person is a habitual runaway or walk-away. Examples of these circumstances are: suspected foul play, imminent severe weather and the like.

332.4 USING ACIM

- (a) When the decision to use ACMI has been made, dispatch will be notified and will immediately call ACIM at 1-888-875-2246 or page the operator at 954-492-4778.
- (b) Suggested calling times are from 7:00AM to 10:30PM. Calls can be placed after 10:30 PM (in all time zones) if extenuating circumstances exist and only with agency supervisor's approval.
- (c) The City Communications Center phone number 208-735-4357 (HELP) will be provided to ACIM as the contact number for the public to call with information about the missing person.

332.5 INVESTIGATING INFORMATION RECEIVED FROM ACIM

- (a) If a sighting of the missing person is confirmed, the supervisor may want to consider using ACIM again using the most recent known location in the notification of residents. This is particularly important if the sighting location is in a different Zip Code than the original report.
- (b) Dispatch- If ACIM is used more than once in the same case, there is no need to make out additional paper work. A notation of each instance will be written on the report provided by ACIM. The notation will include each subsequent use by date, time, and location the missing person was last seen.

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332.6 WHEN THE MISSING PERSON IS FOUND

- (a) When the missing person is found, dispatch will call ACIM to report the recovery. A "Case Follow-Up Report" will be faxed to dispatch. Dispatch will fill out the report and fax it back to ACIM (954-763-4569).
- (b) If the missing person is not found in twenty-four (24) hours, the supervisor may pass the case on to the next shift and make them aware that ACIM is working with them on the case and, if additional calls are necessary, ACIM will know what areas have been called and can assist the Department in further searches.

Public Alerts

333.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for alerting the public to important information and soliciting public aid when appropriate.

333.2 POLICY

Public alerts may be employed using the Emergency Alert System (EAS), local radio, television and press organizations and other groups to notify the public of incidents, or enlist the aid of the public, when the exchange of information may enhance the safety of the community. Various types of alerts may be available based upon each situation and the alert system's individual criteria.

333.3 RESPONSIBILITIES

333.3.1 MEMBER RESPONSIBILITIES

Members of the Twin Falls Police Department should notify their supervisor, Shift Supervisor, or Criminal Investigative Division supervisor as soon as practicable upon learning of a situation where public notification, a warning, or enlisting the help of the media and public could assist in locating a missing person, apprehending a dangerous person, or gathering information.

333.3.2 AMBER ALERTS RECEIVED

Amber Alerts received at the Twin Falls Police Department will be received at the e-mail address of amberalert@tfid.org. Incoming e-mail to this address will be automatically forwarded to all records personnel and all dispatch personnel. Dispatch personnel will be responsible for periodically checking the e-mail box throughout their tour of duty and immediately forwarding the information to the Shift Supervisor and broadcasting the Amber Alert. Records personnel will be responsible to forward the information to the Detective Supervisor immediately during the business day. If an Idaho Amber Alert is received on the weekend, after hours, or on a holiday, the Shift Supervisor shall be notified by dispatch. Amber Alerts will be received from Idaho and surrounding states only. If there is a local activation, the on-call Detective shall be notified immediately.

333.3.3 SUPERVISOR RESPONSIBILITIES

A supervisor apprised of the need for a public alert is responsible to make the appropriate notifications based upon the circumstances of each situation. The supervisor shall promptly notify the Chief of Police, the appropriate Division Commander and the Press Information Officer when any public alert is generated.

The supervisor in charge of the investigation to which the alert relates is responsible for the following:

- Updating alerts
- Canceling alerts
- Ensuring all appropriate reports are completed

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- Preparing an after-action evaluation of the investigation to be forwarded to the Division Commander

333.4 AMBER ALERTS

The Idaho AMBER Alert™ system disseminates accurate information statewide, as quickly as possible, about the disappearance of a child. The broadcast contains descriptive information that can readily identify the child and the abductor.

333.4.1 ALERT CRITERIA

An AMBER Alert should only be implemented in the following cases:

- (a) The initial investigation indicates that the child is known or suspected to have been abducted.
- (b) The abduction occurred within 12 hours of the initial activation of an AMBER Alert.
- (c) The child is under 18 years of age.
- (d) The initial investigation indicates that the child is in imminent danger of serious bodily harm or death.
- (e) There must be enough descriptive information to believe that an AMBER Alert will assist in the recovery of the child and must include as much of the following information as possible:
 1. Abduction location and time
 2. Where the child was last seen
 3. Physical and clothing description of the abducted child
 4. Suspect vehicle information
 5. Physical description of the suspect

The missing child must be entered into the National Crime Information Center (NCIC) database.

333.4.2 PROCEDURE

Upon initiation of an AMBER Alert, the Shift Supervisor or supervisor should:

- (a) Ensure prompt entry of information into the ILETS and NCIC databases.
- (b) Ensure the preparation of an initial press release that includes all pertinent information and any other available information that might aid in locating the child, such as:
 1. A photograph.
 2. Details regarding the location of the incident, direction of travel, or potential destinations, if known.
 3. Name and telephone number of the Press Information Officer or other authorized point of contact to handle media and law enforcement liaison regarding the alert.
 4. A telephone number and point of contact for the public to call with leads or information.

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- (c) Consider the following resources or contacts if direct action is dictated by the circumstances:
 - 1. National Center for Missing and Exploited Children (NCMEC) 800-843-5678
 - 2. Local allied law enforcement agency resources
 - 3. FBI local office
- (d) The investigation unit supervisor or other individual responsible for making notifications shall prepare and distribute follow-up press releases with updates regarding the search and investigation.
- (e) Also see Twin Falls Police Department Policy 333 *A Child Is Missing*.

333.5 BLUE ALERTS

Blue Alerts are used to provide a statewide system for the rapid dissemination of information regarding a violent criminal who has seriously injured or killed a peace officer or when a peace officer becomes missing in the line of duty under circumstances warranting concern for the officer's safety (Idaho Code 67-2920).

333.5.1 CRITERIA

A Blue Alert may be activated if all of the following criteria are met (Idaho Code 67-2920):

- (a) A peace officer has been killed, seriously injured, or is missing in the line of duty under circumstances warranting concern for his/her safety.
- (b) The suspect has not been apprehended and may be a serious threat to the public.
- (c) Sufficient information is available to disseminate to the public that could assist in locating the suspect or the missing peace officer.

333.5.2 PROCEDURE

The supervisor should notify the Idaho State Police to request activation of a Blue Alert after verification of all criteria has been met. The request should include information about the appropriate boundaries of the alert, based on information about the suspect and the nature of the crime or the last known location of the missing officer (Idaho Code 67-2920).

333.6 ENDANGERED PERSON ALERTS

The endangered person alert program is a system of voluntary cooperation between broadcasters, cable systems, and local and state agencies to enhance the public's ability to assist in recovering missing and endangered persons (Idaho Code 67-2922).

333.6.1 CRITERIA

A missing person qualifies for an endangered person alert if the person (Idaho Code 67-2922):

- (a) Is a temporary or permanent resident of Idaho.
- (b) Cannot be located by people familiar with the missing person.
- (c) Meets one of the following criteria:

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1. Incapable of returning home without assistance by reason of mental illness, intellectual disability, dementia, some other form of incapacity, or weather conditions.
2. Abduction (but does not meet the criteria for an AMBER Alert or Blue Alert).
3. Missing under unexplained, involuntary, or suspicious/dangerous circumstances (e.g., crime victim, threat recipient).
4. Needs medical attention or medication.

333.6.2 PROCEDURE

An endangered person alert may be initiated by contacting the Idaho State Police and following any associated protocol.

Victim and Witness Assistance

335.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that crime victims and witnesses receive appropriate assistance, that they are provided with information from government and private resources, and that the agency meets all related legal mandates.

335.1.1 VICTIM'S RIGHTS

The Twin Falls Police Department is committed to protecting the rights of all crime victims. Officers will make all reasonable efforts to treat victims equally with fairness, dignity, privacy and respect throughout the criminal justice process (Idaho Code 19-5306).

335.2 POLICY

The Twin Falls Police Department is committed to providing guidance and assistance to the victims and witnesses of crime. The employees of the Twin Falls Police Department will show compassion and understanding for victims and witnesses and will make reasonable efforts to provide the support and information identified in this policy.

335.3 VICTIM SERVICES

335.3.1 CRISIS CENTER CALL-OUT

- (a) In the event that a police officer needs the assistance of a victim/witness representatives, he or she shall notify the on-duty shift Supervisor of this need.
- (b) Officers are reminded that victim/witness representatives can be used to assist officers in various situations including sexual assault cases, child endangerment cases, or any cases in which the services of a victim coordinator can be used.
- (c) The decision to call out the victim/witness representatives after hours will be made by the shift Supervisor.

335.4 CRIME VICTIMS

Officers should provide all victims with the applicable victim information handouts.

Officers should never guarantee a victim's safety from future harm but may make practical safety suggestions to victims who express fear of future harm or retaliation. Officers should never guarantee that a person qualifies as a victim for the purpose of compensation or restitution but may direct him/her to the proper written department material or available victim resources.

335.4.1 VICTIMS OF DOMESTIC VIOLENCE AND SEXUAL ASSAULT REQUIRED HANDOUTS

Officers shall provide all victims of domestic violence or sexual assault with the applicable victim information on the availability of a shelter or other resources in the community and any written notices provided by the Idaho State Police (Idaho Code 39-6316).

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335.5 CRIME VICTIMS COMPENSATION

Victims of crimes, or if deceased their survivors or dependents, and certain other eligible parties defined in Idaho Code Title 72 Chapter 10, have rights which apply to any criminal court and/or juvenile court proceeding. Victims, their survivors or dependents may be eligible for compensation from the State of Idaho.

335.6 WITNESSES

Officers should never guarantee a witness' safety from future harm or that his/her identity will always remain confidential. Officers may make practical safety suggestions to witnesses who express fear of future harm or retaliation.

Officers should investigate allegations of witness intimidation and take enforcement action when lawful and reasonable.

Malicious Harassment

337.1 PURPOSE AND SCOPE

This department recognizes and places a high priority on the rights of all individuals guaranteed under the Constitution and the laws of this state. When such rights are infringed upon by fear, intimidation, harassment, and physical harm, this department will utilize all available resources to see that justice is served under the law. This policy provides members of this department with guidelines for identifying and investigating incidents and crimes that may be motivated by hatred or other bias.

337.2 DEFINITIONS

Malicious Harassment - It is unlawful for any person, maliciously and with specific intent to intimidate or harass another person because of that person's actual or perceived race, color, religion, ancestry, national origin, ethnicity, gender, sexual orientation, gender identity or expression, or disability of the victim, to:

- (a) Cause physical injury to another person; or
- (b) Damage, destroy, or deface any real or personal property of another person; or
- (c) Threaten, by word or act, to do the acts prohibited if there is reasonable cause to believe that any of the acts described in subsections (a) and (b) of this section will occur.

For purposes of this section, "deface" shall include, but not be limited to, cross-burnings or the placing of any word or symbol commonly associated with racial, religious or ethnic terrorism on the property of another person without his or her permission (Idaho Code 18-7902).

337.3 CRIMINAL STATUTES

Idaho Code 18-7902 - Prohibits the malicious and intentional intimidation or harassment of another person because of that person's race, color, religion, ancestry, or national origin.

Idaho Code 18-7902(a) - Prohibits causing physical injury to another person.

Idaho Code 18-7902(b) - Prohibits damaging, destroying, or defacing any real or personal property of another person.

Idaho Code 18-7902(c) - Prohibits threatening, by word or act, to do the acts prohibited if there is reasonable cause to believe that any of the acts described in Idaho Code 18-7902(a) and (b) will occur.

18 USC § 245 - Federal law also prohibits discrimination-based acts and may be considered in addition to or in lieu of state law, depending on circumstances.

337.4 PENALTIES - CIVIL AND CRIMINAL

Idaho Code 18-7903:

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- (a) Malicious harassment is punishable by imprisonment in the state prison for a period not to exceed five (5) years or by fine not exceeding five thousand dollars (\$5,000) or by both.
- (b) In addition to the criminal penalty provided in subsection (a) of this section, there is hereby created a civil cause of action for malicious harassment. A person may be liable to the victim of malicious harassment for both special and general damages, including but not limited to damages for emotional distress, reasonable attorney fees and costs, and punitive damages.
- (c) The penalties provided in this section for malicious harassment do not preclude victims from seeking any other remedies, criminal or civil, otherwise available under law.

337.5 PREVENTING AND PREPARING FOR LIKELY MALICIOUS HARASSMENT

While it is recognized that not all crime can be prevented, this department is committed to taking a proactive approach to preventing and preparing for likely Malicious Harassment by among other things:

- (a) Officers should make an affirmative effort to establish contact with persons and groups within the community who are likely targets of Malicious Harassment to form and cooperate with prevention and response networks.
- (b) Monitor evolving racial and ethnic tensions.
- (c) Support the development of policies, practices, and procedures to respond to Malicious Harassment led by local officials and community leader

337.6 PROCEDURE FOR INVESTIGATING MALICIOUS HARASSMENT

Whenever any member of this department receives a report of a suspected Malicious Harassment or other activity that reasonably appears to involve a potential Malicious Harassment, the following should occur:

- (a) Officers will be promptly assigned to secure the scene and possible evidence, contact the victim, witness, or reporting party to investigate the matter further as circumstances may dictate.
- (b) A supervisor should be notified of the circumstances as soon as practical.
- (c) Once “in progress” aspects of any such situation have been stabilized (e.g., treatment of victims, apprehension of present suspects, etc.), the assigned officer(s) will take all reasonable steps to preserve available evidence that may tend to establish that a Malicious Harassment was involved.
- (d) The assigned officer(s) will interview available witnesses, victims and others to determine what circumstances, if any, indicate that the situation may involve a Malicious Harassment. The officer(s) will request the assistance of translators when needed and record if the victim and offender were from different racial, religious, ethnic/national origin, sexual orientation or gender groups. Property damage involving

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malicious harassment will be photographed, and any physical evidence will be collected per policy of this department.

- (e) Depending on the situation, the assigned officer(s) or supervisor may request additional assistance from detectives or other resources to further the investigation.
- (f) The assigned officer(s) will include all available evidence indicating the likelihood of Malicious Harassment in the relevant report(s). All related reports will be clearly marked as "Malicious Harassment" and, absent prior approval of a supervisor, will be completed and submitted by the assigned officer(s) before the end of the shift.
- (g) The assigned officer(s) should make reasonable efforts to assist the victim(s) by providing available information on local assistance programs and organizations and giving victim(s) police contact information so that he/she can obtain further information as the case develops.
- (h) The assigned officer(s) and supervisor should take reasonable steps to ensure that any such situation does not escalate further.

337.6.1 FOLLOW-UP RESPONSIBILITY

If a case is assigned to the Criminal Investigative Division, the assigned detective will be responsible for following up on the reported Malicious Harassment as follows:

- (a) Coordinate further investigation with the Prosecuting Attorney and other appropriate law enforcement agencies, as appropriate.
- (b) Maintain contact with the victim(s) and other involved individuals as needed.
- (c) Complete a detailed report and forward a copy to the Records Bureau.

The Records Bureau will maintain statistical data on suspected Malicious Harassment and report such data to the director of the Idaho State Police (Idaho Code 67-2915).

337.7 TRAINING

All members of this department should receive training on recognition and investigation of crimes related to malicious harassment during the Field Training Officer program and during in-service training sessions.

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338.1 PURPOSE AND SCOPE

Law enforcement personnel are the most conspicuous representatives of the City of Twin Falls and the public closely scrutinizes their conduct. The public expects employees to follow laws, rules, and regulations while providing reliable service and meeting the highest standards of law enforcement. The public demands that employees be fair and honest when engaging the people they serve and their fellow employees. Employees are also expected to conduct their duties and personal affairs in a manner that earns the respect, credibility and confidence of the community they serve and protect.

This code of conduct establishes the expected behavioral standards for all employees. The Twin Falls Police Department sets these requisite standards of conduct so that employees do not bring discredit to themselves, the Department, or the City of Twin Falls. Members shall not fail, either on or off duty, to follow any of the policies, procedures, rules or regulations in this manual. The topic of ethics and employee conduct should be covered during Department training. All employees will be required to review and acknowledge this policy on an annual basis.

338.2 LAW ENFORCEMENT CODE OF ETHICS

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

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

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

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

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

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

338.3 SAFETY

- (a) Failure to observe or violating Twin Falls Police Department safety standards or safe working practices.
- (b) Failure to maintain current licenses or certifications required for the assignment or position (e.g., driver's license, first aid).
- (c) Failure to maintain good physical condition sufficient to adequately and safely perform law enforcement duties.
- (d) Unsafe firearm or other dangerous weapon handling to include loading or unloading firearms in an unsafe manner, either on- or off-duty.
- (e) Carrying, while on the premises of the work place, any firearm or other lethal weapon that is not authorized by the member's appointing authority.
- (f) Unsafe or improper driving habits or actions in the course of employment or appointment.
- (g) Any personal action contributing to a preventable traffic collision.
- (h) Concealing or knowingly failing to report any on-the-job or work-related accident or injury as soon as practicable but within 24 hours.

338.4 SUPERVISOR RESPONSIBILITIES

Supervisors and managers are required to follow all policies and procedures and may be subject to discipline for:

- (a) Failure to be reasonably aware of the performance of their subordinates or to provide appropriate guidance and control.
- (b) Failure to promptly and fully report any known misconduct of a member to his/her immediate supervisor or to document such misconduct appropriately or as required by policy.
- (c) Directing a subordinate to violate a policy or directive, acquiesce to such a violation, or are indifferent to any such violation by a subordinate.
- (d) The unequal or disparate exercise of authority on the part of a supervisor toward any member for malicious or other improper purpose.

338.5 UNBECOMING CONDUCT

The term "Unbecoming Conduct" refers to improper and unacceptable behavior of an officer or employee of the Twin Falls Police Department, either on or off duty. Conduct not specifically mentioned herein but tending to bring discredit to you personally or to the Twin Falls Police Department may also be just cause for disciplinary action.

- (a) Failure to obey the laws of the United States, the State of Idaho, the City and County of Twin Falls, or of any jurisdiction in which an employee may enter, either on or off duty.

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- (b) Conviction of any felony or misdemeanor crime within the United States.
- (c) Membership in any organization which advocates any illegal activities or overthrowing the government.
- (d) Any attempt in which an employee uses, threatens to use, or tries to use personal or political influence to secure a promotion, transfer or any other employee benefits.
- (e) Being offensive through language or conduct in public or to any other person without justifiable cause.
- (f) Engagement in any personal or outside business activities while on duty or use of departmental property or services for such activities.
- (g) Intentional association with known criminal offenders or persons engaged in criminal activities, except in the course of official duty.
- (h) Failure to treat the official business of the Twin Falls Police Department as confidential or revealing information contrary to law or requirements of this manual.

338.5.1 RELATIONSHIPS

- (a) Unwelcome solicitation of a personal or sexual relationship while on-duty or through the use of one's official capacity.
- (b) Engaging in on-duty sexual activity including, but not limited to, sexual intercourse, excessive displays of public affection or any other sexual activity to include viewing pornography outside the scope of an official work assignment or authorized investigation.
- (c) Establishing or maintaining an inappropriate personal or financial relationship, as a result of an investigation, with a known victim, witness, suspect or defendant while a case is being investigated or prosecuted, or as a direct result of any official contact.
- (d) Associating with or joining a criminal gang, organized crime and/or criminal syndicate when the member knows or reasonably should know of the criminal nature of the organization. This includes any organization involved in a definable criminal activity or enterprise, except as specifically directed and authorized by this department.
- (e) Associating on a personal, rather than official basis with persons who demonstrate recurring involvement in serious violations of state or federal laws after the member knows, or reasonably should know of such criminal activities, except as specifically directed and authorized by this department.

338.6 INSUBORDINATION

Insubordination shall be defined as the failure to obey any proper and legal direction of a Supervisor, or Commanding Officer, or employee of higher rank than oneself. Any of the following acts shall also constitute insubordination.

- (a) The use of derogatory remarks or criticism directed toward or about a superior officer or employee of higher rank than oneself.
- (b) Inducing or trying to induce another Twin Falls Police Department employee to participate in any of the above listed actions.

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No member is required to obey any order that appears to be in direct conflict with any federal law, state law or local ordinance. Following a known unlawful order is not a defense and does not relieve the member from criminal or civil prosecution or administrative discipline. If the legality of an order is in doubt, the affected member shall ask the issuing supervisor to clarify the order or shall confer with a higher authority. The responsibility for refusal to obey rests with the member, who shall subsequently be required to justify the refusal.

338.7 IMMORAL CONDUCT

Members of the Twin Falls Police Department shall maintain a level of moral conduct in their personal and business affairs that is in keeping with the highest standards of the law enforcement profession. Members shall not participate in any act that may impair their ability to perform their duties as an employee of the Twin Falls Police Department that may reflect negatively upon the Department's efficiency or effectiveness or that brings the Department into disrepute.

338.8 TRUTHFULNESS

Members of the Twin Falls Police Department shall always speak the truth regarding Police matters.

338.9 LOYALTY

Members shall be faithful to their Oath of Office, principles of public service, and goals of the Twin Falls Police Department. They shall not allow personal motives to govern their decisions and conduct in discharging their duties.

338.10 COURTESY

Members of the Twin Falls Police Department shall be courteous, respectful and civil to the public and their fellow employees, listening to and properly answering all inquiries.

- (a) **Courteous Manner.** Members shall be tactful in their duties, control their temper, use the utmost patience and discretion, and not engage in argumentative dialogue even in the face of strong provocation. They shall avoid using profane, coarse or imprudent language or gestures.
- (b) **Courteous Demeanor.** Members shall develop a fair, impartial and reasonable attitude, posture and manner of speech that does not intentionally antagonize, insult, defame or degrade any person, race, religion, nationality or culture.
- (c) **Courteous Deportment.** Members shall undergo their tasks in a businesslike manner, keeping statements to the public free from personal opinion, bias or editorial comment.

338.11 ABUSE OF AUTHORITY

Members shall not use, threaten to use, or try to use any authority of their official capacity, title or position in the Twin Falls Police Department to do anything, on or off duty, that law or the contents of this manual disallow.

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338.12 ENDORSEMENT OF PRODUCTS AND SERVICES

Members shall not use their official capacity, title or position in the Department, on or off duty, to endorse any business, product or professional service.

338.13 IMPROPER CARE OF PROPERTY AND EQUIPMENT

Members shall not be careless, negligent or unsafe in the care, maintenance or use of Department property, vehicles, equipment or moneys.

338.14 UNAUTHORIZED USE OF ALCOHOL

Members shall not have alcohol in their system when reporting either for duty or during duty hours. Members shall not possess alcohol while on duty, unless approved for an assignment, authorized training purposes or evidentiary purposes.

338.15 UNAUTHORIZED USE OF DRUGS

Members of the Department shall not, either on or off duty, be under the influence of, in the possession of or using illegal drugs, with the exception of possessing for evidentiary purposes.

338.16 UNAUTHORIZED USE OF TIME

Inappropriate use of duty time may also be just cause for disciplinary action.

(a)

(b)

338.16.1 COMPETENCY

Members shall not be incompetent, unfit or inefficient in completing the duties of their position.

338.16.2 EFFICIENCY

- (a) Neglect of duty.
- (b) Unsatisfactory work performance including but not limited to failure, incompetence, inefficiency, or delay in performing and/or carrying out proper orders, work assignments, or the instructions of supervisors without a reasonable and bona fide excuse.
- (c) Concealing, attempting to conceal, removing, or destroying defective or incompetent work.
- (d) Unauthorized sleeping during on-duty time or assignments.
- (e) Failure to notify the Twin Falls Police Department within 30 days of any change in residence address or contact numbers.
- (f) Failure to notify the Twin Falls Police Department of changes in relevant personal information (e.g., information associated with benefits determination) in a timely fashion.

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338.16.3 PERFORMANCE

- (a) Failure to disclose or misrepresenting material facts, or making any false or misleading statement on any application, examination form, or other official document, report or form, or during the course of any work-related investigation.
- (b) The falsification of any work-related records, making misleading entries or statements with the intent to deceive or the willful and unauthorized removal, alteration, destruction and/or mutilation of any Twin Falls Police Department record, public record, book, paper or document.
- (c) Failure to participate in, or giving false or misleading statements, or misrepresenting or omitting material information to a supervisor or other person in a position of authority, in connection with any investigation or in the reporting of any Twin Falls Police Department related business.
- (d) Being untruthful or knowingly making false, misleading or malicious statements that are reasonably calculated to harm the reputation, authority or official standing of this department or its members.
- (e) Disparaging remarks or conduct concerning duly constituted authority to the extent that such conduct disrupts the efficiency of this department or subverts the good order, efficiency and discipline of this department or that would tend to discredit any of its members.
- (f) Unlawful gambling or unlawful betting at any time or any place. Legal gambling or betting under any of the following conditions:
 - 1. While on Twin Falls Police Department premises.
 - 2. At any work site, while on-duty or while in uniform, or while using any Twin Falls Police Department equipment or system.
 - 3. Gambling activity undertaken as part of an employee's official duties and with the express knowledge and permission of a direct supervisor is exempt from this prohibition.

338.16.4 UNAUTHORIZED ACCESS, DISCLOSURE, OR USE

- (a) Unauthorized and inappropriate intentional release of confidential or protected information, materials, data, forms, or reports obtained as a result of the member's position with this department.
- (b) Disclosing to any unauthorized person any active investigation information.
- (c) The use of any information, photograph, video, or other recording obtained or accessed as a result of employment or appointment to the Twin Falls Police Department for personal or financial gain or without the express authorization of the Chief of Police or the authorized designee.
- (d) Loaning, selling, allowing unauthorized use, giving away, or appropriating any Twin Falls Police Department property for personal use, personal gain, or any other improper or unauthorized use or purpose.

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- (e) Using Twin Falls Police Department resources in association with any portion of an independent civil action. These resources include but are not limited to personnel, vehicles, equipment, and non-subpoenaed records.

338.16.5 ATTENDANCE

- (a) Leaving the job to which the member is assigned during duty hours without reasonable excuse and proper permission and approval.
- (b) Unexcused or unauthorized absence or tardiness.
- (c) Excessive absenteeism or abuse of leave privileges.
- (d) Failure to report to work or to the place of assignment at the time specified and fully prepared to perform duties without reasonable excuse.

338.17 ACCEPTANCE OF GRATUITIES, BRIBES AND REWARDS

Members shall not take for their personal use any gratuity, bribe, reward or other valuable thing while on duty or engaged in Department activity. Whether on or off duty, members shall not accept a valuable thing when given in expectation of receiving a favor or better treatment than that accorded other persons. No members shall accept any food, beverage, goods or services for free or at a reduced price if it may reasonably be inferred to be connected with member's official position with the Department. However, a member may accept an individual serving of a non-alcoholic beverage offered for free or at a reduced price if:

- (a) Payment is offered and refused, and the member's purpose in entering the establishment was not to obtain a free beverage.
- (b) The member does not project a negative image to the public by frequent or regular stops at such establishments to obtain discounted or free beverages.

Members may accept unsolicited discounts on purchases, or may accept items of advertising or giveaway material such as pens, pads, calendars, diaries or similar items of little or nominal value that are also offered to members of the general public. Members receiving an unsolicited gift or reward, which may reasonably be inferred to be connected to the member's official position, shall immediately report the receipt of such gifts or rewards to the Chief of Police, who shall determine its appropriate disposition.

338.18 POLITICAL ACTIVITY OF EMPLOYEES

- (a) Members shall avoid all political or religious arguments while on duty. They shall not use their position for political influence. A member shall not sign or circulate any petition, legal or otherwise, in his or her capacity as a Twin Falls Police Officer unless authorized by the Chief of Police.
- (b) Any member who runs for a partisan office must take a leave of absence while campaigning for that office. Should the member win and accept the office, he or she shall be required to resign his or her position as a member of the Department when, in the opinion of the Chief of Police, a conflict of professional interest exists.

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- (c) Members may run and hold office in nonpartisan positions upon approval from the Chief of Police where it is determined that no conflict of interest exists.
- (d) No member shall solicit any assessments, contributions or services for any political party, or be an officer in any political party.

Nothing contained herein shall affect the right of an employee a member to hold membership in, and privately support a political party. Nor does it affect the right to vote as he or she chooses, or to privately express his or her opinion on any political subject or candidate, or to maintain political neutrality, or to attend political meetings as a private citizen.

338.19 HARASSMENT

The Twin Falls Police Department recognizes that all its employees, regardless of their status of employment, have a right to work in an environment free from ridicule, intimidation or harassment based on sex, race, color, age, religion, national origin or disability. Members of the Twin Falls Police Department will avoid offensive or inappropriate behavior at work and will be held responsible for insuring that the work place is free from all types of harassment.

338.19.1 OTHER FORMS OF HARASSMENT

These include ethnic slurs, racial jokes, verbal/physical abuse or other offensive or persistently annoying conduct directed at someone's race, color national origin, age, religious beliefs, ethnic background or disability which:

- (a) Has the effect or purpose of creating an intimidating or hostile environment;
- (b) Unreasonably interferes with an individual's work performance; or,
- (c) Otherwise adversely affects an individual's employment opportunities.

Harassment shall also include any act of retaliation taken against any person bringing a complaint of harassment or assisting another person or participating in such an act, during an investigation of a possible unlawful act of employment discrimination.

338.19.2 SEXUAL HARASSMENT

Sexual harassment is defined as any behavior of a sexual nature, which is unwelcome, not asked for, and not returned. The behavior can be verbal, nonverbal or physical.

338.19.3 PROCEDURE FOR REPORTING HARASSMENT

Any member of the Twin Falls Police Department who believes that he or she has been subjected to harassment may bring a complaint, either verbally or in writing, to their immediate Supervisor. If the facts of the complaint conflict with presenting the issue through the normal chain of command, members may bring the complaint directly to the Chief of Police, the City Personnel Director, the City Manager, the City Attorney or representatives of the Idaho Human Rights Commission.

338.20 INVESTIGATION OF COMPLAINT

Any Supervisor receiving a complaint of harassment shall bring this complaint immediately to the attention of his or her Divisional Captain and the Chief of Police. Complaints of harassment will be investigated as expeditiously and professionally as possible in the interest of maintaining

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confidentially and protecting the integrity of all parties involved. Where investigations confirm the allegations, appropriate corrective action will be taken. An employee found to be in violation of this policy shall be subject to disciplinary action, up to and including dismissal.

338.21 DISCRIMINATION, OPPRESSION, OR FAVORITISM

Unless required by law or policy, discriminating against, oppressing, or providing favoritism to any person because of actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, economic status, cultural group, veteran status, marital status, and any other classification or status protected by law, or intentionally denying or impeding another in the exercise or enjoyment of any right, privilege, power, or immunity, knowing the conduct is unlawful.

338.22 ADDRESSING RACIALLY BIASED POLICING & PERCEPTIONS THEREOF

The Twin Falls Police Department is committed to unbiased policing. This policy is intended to reaffirm and clarify the circumstances in which Officers can consider race/ethnicity when making law enforcement decisions and to reinforce procedures that serve to assure the public that we are providing service and enforcing laws in an equitable way.

338.22.1 POLICING IMPARTIALLY

Investigative detentions, traffic stops, arrests, searches, and property seizures by Officers will be based on a standard of reasonable suspicion or probable cause in accordance with the Fourth Amendment of the U.S. Constitution. Officers must be able to articulate specific facts and circumstances that support reasonable suspicion or probable cause for investigative detentions, traffic stops, arrests, nonconsensual searches, and property seizures.

Except as provided below, Officers shall not consider race/ethnicity in establishing either reasonable suspicion or probable cause. Similarly, except as provided below, Officers shall not consider race/ethnicity in deciding to initiate even those nonconsensual encounters that do not amount to legal detentions or to request consent to search.

Officers may take into account the reported race or ethnicity of a specific suspect or suspects based on trustworthy, locally relevant information that links a person or persons of a specific race/ethnicity to a particular unlawful incident(s). Race/ethnicity can never be used as the sole basis for probable cause or reasonable suspicion.

Except as provided above, race/ethnicity shall not be motivating factors in making law enforcement decisions.

338.22.2 PREVENTING PERCEPTIONS OF BIASED POLICING

In an effort to prevent inappropriate perceptions of biased law enforcement, each Officer shall do the following when conducting pedestrian and vehicle stops:

- Pedestrian and vehicle stops will be transmitted via voice communication over the radio. Further, activities such as field interviews or potential enforcement actions shall also be relayed by voice communications. These voice communications shall include the stop location, license plate number and state of issue and the general vehicle

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description. When employee safety and safe vehicle operation permits, unit status changes such as en route confirmations, clearing from calls and clearing from self-initiated activities, may be accomplished via the MDC.

- Be courteous and professional.
- Introduce him- or herself to the citizen (providing name and agency affiliation).
- State the reason for the stop as soon as practical, unless providing this information will compromise Officer or public safety. In vehicle stops, the Officer shall provide this information before asking the driver for his or her license and registration.
- Ensure that the detention is no longer than necessary to take appropriate action for the known or suspected offense and that the citizen understands the purpose of reasonable delays.
- Answer any questions the citizen may have, including explaining options for traffic citation disposition, if relevant.
- Provide his or her name and badge number when requested, in writing or on a business card.
- Apologize and/or explain if he or she determines that the reasonable suspicion was unfounded (e.g., after an investigatory stop).

338.22.3 COMPLIANCE

Violations of this policy shall result in disciplinary action as set forth in the Department's rules and regulations.

338.22.4 SUPERVISION AND ACCOUNTABILITY

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

338.23 OFFICIAL OATH OF OFFICE

I (their name), do solemnly swear that I will support the Constitution of the United States of America, and the Constitution and Laws of the State of Idaho, and the laws and ordinances of the City of Twin Falls, and the Rules and Regulations of the Twin Falls Police Department and that I will well and faithfully discharge the duties of the office of Police Officer, Twin Falls Police Department, to which I have been appointed according to law and to the best of my ability.

Customer Service

340.1 RETURN CALLS

As part of the Twin Falls Police Department's philosophy and mission, customer service is something to which we assign a high priority. To that end, it is imperative that we, as a Department, respond to inquiries, correspondence and contacts in every instance.

Please recognize that a request to "return a call" is a mandatory part of your assigned duty. You shall perform this duty at your earliest possible convenience during regular duty hours.

All citizen requests for on-duty patrol officers to return phone calls shall be entered as a call for service in CAD and handled as such.

Information Technology Use

341.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the proper use of department information technology resources, including computers, electronic devices, hardware, software and systems.

341.1.1 DEFINITIONS

Definitions related to this policy include:

Computer system - All computers (on-site and portable), electronic devices, hardware, software, and resources owned, leased, rented or licensed by the Twin Falls Police Department that are provided for official use by its members. This includes all access to, and use of, Internet Service Providers (ISP) or other service providers provided by or through the Department or department funding.

Hardware - Includes, but is not limited to, computers, computer terminals, network equipment, electronic devices, telephones, including cellular and satellite, pagers, modems or any other tangible computer device generally understood to comprise hardware.

Software - Includes, but is not limited to, all computer programs, systems and applications, including shareware. This does not include files created by the individual user.

Temporary file, permanent file or file - Any electronic document, information or data residing or located, in whole or in part, on the system including, but not limited to, spreadsheets, calendar entries, appointments, tasks, notes, letters, reports, messages, photographs or videos.

341.2 POLICY

It is the policy of the Twin Falls Police Department that members shall use information technology resources, including computers, software and systems, that are issued or maintained by the Department in a professional manner and in accordance with this policy.

341.3 PRIVACY EXPECTATION

Members forfeit any expectation of privacy with regard to emails, texts or anything published, shared, transmitted or maintained through file-sharing software or any Internet site that is accessed, transmitted, received or reviewed on any department computer system.

The Department reserves the right to access, audit and disclose, for whatever reason, any message, including attachments, and any information accessed, transmitted, received or reviewed over any technology that is issued or maintained by the Department, including the department email system, computer network and/or any information placed into storage on any department system or device. This includes records of all keystrokes or Web-browsing history made at any department computer or over any department network. The fact that access to a database, service or website requires a username or password will not create an expectation of privacy if it is accessed through department computers, electronic devices or networks.

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341.4 RESTRICTED USE

Members shall not access computers, devices, software or systems for which they have not received prior authorization or the required training. Members shall immediately report unauthorized access or use of computers, devices, software or systems by another member to their supervisors or Shift Supervisors.

Members shall not use another person's access passwords, logon information and other individual security data, protocols and procedures unless directed to do so by a supervisor.

341.4.1 SOFTWARE

Members shall not copy or duplicate any copyrighted or licensed software except for a single copy for backup purposes in accordance with the software company's copyright and license agreement.

To reduce the risk of a computer virus or malicious software, members shall not install any unlicensed or unauthorized software on any department computer. Members shall not install personal copies of any software onto any department computer.

When related to criminal investigations, software program files may be downloaded only with the approval of the information systems technology (IT) staff and with the authorization of the Chief of Police or the authorized designee.

No member shall knowingly make, acquire or use unauthorized copies of computer software that is not licensed to the Department while on department premises, computer systems or electronic devices. Such unauthorized use of software exposes the Department and involved members to severe civil and criminal penalties.

Introduction of software by members should only occur as part of the automated maintenance or update process of department- or City-approved or installed programs by the original manufacturer, producer or developer of the software.

Any other introduction of software requires prior authorization from IT staff and a full scan for malicious attachments.

341.4.2 HARDWARE

Access to technology resources provided by or through the Department shall be strictly limited to department-related activities. Data stored on or available through department computer systems shall only be accessed by authorized members who are engaged in an active investigation or assisting in an active investigation, or who otherwise have a legitimate law enforcement or department-related purpose to access such data. Any exceptions to this policy must be approved by a supervisor.

341.4.3 INTERNET USE

Internet access provided by or through the Department shall be strictly limited to department-related activities. Internet sites containing information that is not appropriate or applicable to department use and which shall not be intentionally accessed include, but are not limited to, adult forums, pornography, gambling, chat rooms and similar or related Internet sites. Certain

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exceptions may be permitted with the express approval of a supervisor as a function of a member's assignment.

Downloaded information shall be limited to messages, mail and data files.

341.4.4 OFF-DUTY USE

Members shall only use technology resources provided by the Department while on-duty or in conjunction with specific on-call assignments unless specifically authorized by a supervisor. This includes the use of telephones, cell phones, texting, email or any other "off the clock" work-related activities. This also applies to personally owned devices that are used to access department resources.

Refer to the Personal Communication Devices Policy for guidelines regarding off-duty use of personally owned technology.

341.5 INSPECTION OR REVIEW

A supervisor or the authorized designee has the express authority to inspect or review the computer system, all temporary or permanent files, related electronic systems or devices, and any contents thereof, whether such inspection or review is in the ordinary course of his/her supervisory duties or based on cause.

Reasons for inspection or review may include, but are not limited to, computer system malfunctions, problems or general computer system failure, a lawsuit against the Department involving one of its members or a member's duties, an alleged or suspected violation of any department policy, a request for disclosure of data, or a need to perform or provide an agency service.

The IT staff may extract, download or otherwise obtain any and all temporary or permanent files residing or located in or on the department computer system when requested by a supervisor or during the course of regular duties that require such information.

341.6 PROTECTION OF AGENCY SYSTEMS AND FILES

All members have a duty to protect the computer system and related systems and devices from physical and environmental damage and are responsible for the correct use, operation, care and maintenance of the computer system.

Members shall ensure department computers and access terminals are not viewable by persons who are not authorized users. Computers and terminals should be secured, users logged off and password protections enabled whenever the user is not present. Access passwords, logon information and other individual security data, protocols and procedures are confidential information and are not to be shared. Password length, format, structure and content shall meet the prescribed standards required by the computer system or as directed by a supervisor and shall be changed at intervals as directed by IT staff or a supervisor.

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It is prohibited for a member to allow an unauthorized user to access the computer system at any time or for any reason. Members shall promptly report any unauthorized access to the computer system or suspected intrusion from outside sources (including the Internet) to a supervisor.

Report Preparation

343.1 PURPOSE AND SCOPE

Report preparation is a major part of each officer's job. The purpose of reports is to document sufficient information to refresh the officer's memory and to provide sufficient information for follow-up investigation and successful prosecution. Report writing is the subject of substantial formalized training and on-the-job training.

343.1.1 REPORT PREPARATION

Employees should insure that reports are sufficiently detailed for their purpose and free from errors prior to submission. It is the responsibility of the assigned employee to complete and submit all reports taken during the shift before going off-duty unless permission to hold the report has been approved by a supervisor. Generally, reports requiring prompt follow-up action on active leads, or arrest reports where the suspect remains in custody should not be held.

Employees who dictate reports shall use appropriate grammar, as content is not the responsibility of the typist. Employees who generate reports on computers are subject to all requirements of this policy.

All reports shall accurately reflect the identity of the persons involved, all pertinent information seen, heard or assimilated by any other sense, and any actions taken. Employees shall not suppress, conceal or distort the facts of any reported incident, nor shall any employee make a false report orally or in writing. Generally, the reporting employee's opinions should not be included in reports unless specifically identified as such.

Unless the victim adamantly refuses, officers shall obtain and document the victim's cell phone number in the initial report of all crime reports. A victim's refusal shall be noted in the crime report.

343.2 REQUIRED REPORTING

Reports are required in all of the following situations on the appropriate approved form unless otherwise approved by a supervisor. Officers shall clearly articulate in their report reasons for the actions that are taken, particularly describing exceptions to the warrant clause of the 4th Amendment as they exist under the totality of circumstance. Refer to Twin Falls Police Department Policy 322 governing Search and Seizure.

343.2.1 CRIMINAL ACTIVITY

When a member responds to a call for service, or as a result of self-initiated activity becomes aware of any activity where a crime has occurred, the member shall document the incident regardless of whether a victim desires prosecution. This shall include all department members who are on scene whether they were the primary officer or an assisting officer.

Activity to be documented in written report includes:

- (a) All arrests

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- (b) All felony crimes to include Child Enticement and Kidnapping
- (c) Non-felony incidents involving threats or stalking behavior
- (d) Situations covered by separate policy. These include:
 - (a) Use of Force Policy (300)
 - (b) Domestic Violence Policy (320)
 - (c) Child Abuse Policy (330)
 - (d) Adult Abuse Policy (326)
 - (e) Malicious Harassment Policy (338)
- (e) All misdemeanor crimes where the victim desires a report

Misdemeanor crimes where the victim does not desire a report shall be documented using the department-approved alternative reporting method (e.g., dispatch log).

343.2.2 NON-CRIMINAL ACTIVITY

Incidents that shall be documented using the appropriate approved report include:

- (a) Any time a person is reported missing, regardless of jurisdiction (see the Missing Persons Policy, 332).
- (b) Any traffic collisions above minimum reporting level (see the Traffic Collision Reporting Policy, 502).
- (c) Suspicious incidents that may place the public or others at risk.
- (d) All protective custody detentions (418).
- (e) Whenever the employee believes the circumstances should be documented or at the direction of a supervisor.
- (f) Narcan documentation absent another report (467.9.3)

343.2.3 DEATH CASES

Death investigations require specific investigation methods depending on circumstances and should be handled in accordance with the Death Investigations Policy. An officer handling a death investigation should notify and apprise a supervisor of the circumstances surrounding the incident and a determination will be made on how to proceed. The following cases shall be appropriately investigated and documented using the approved report:

- (a) Sudden or accidental deaths.
- (b) Suicides.
- (c) Homicide or suspected homicide.
- (d) Unattended deaths (No physician or qualified hospice care in the 20 days preceding death).
- (e) Found dead bodies or body parts.

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Type of report will be documented as an officer's report for any accidental death, suicide, unattended or attended deaths, a death investigation or found dead bodies/parts. Members will then place a secondary code in the second box defining what type of death (example: 0801-0809).

343.2.4 INJURY OR DAMAGE BY CITY PERSONNEL

Reports shall be taken if an injury occurs that is a result of an act of a City employee. Additionally, reports shall be taken involving damage to City property or City equipment.

343.2.5 MISCELLANEOUS INJURIES

Any injury that is reported to this department shall require a report when:

- (a) The injury is a result of drug overdose.
- (b) Attempted suicide.
- (c) The injury is major/serious, whereas death could result.
- (d) The circumstances surrounding the incident are suspicious in nature and it is desirable to record the event.

The above reporting requirements are not intended to be all-inclusive. A supervisor may direct an employee to document any incident he/she deems necessary.

343.2.6 CRITERIA FOR WALK-IN REPORTS WITH NO DICTATION REQUIRED

A brief explanation of the event should be completed in the synopsis area of the report.

- (a) Lost or found property.
- (b) Misdemeanor thefts of property, other than firearms or materials that threaten public safety, when there is no suspect information, serial number or ability to trace the item.
 - 1. Misdemeanor thefts of cellular telephones may be reported even though they have a serial number.
- (c) Misdemeanor vandalism with no suspect information and no hate crime implications.
- (d) Vehicle burglaries with no suspect information or evidence.
- (e) Stolen vehicle attempts with no suspect information or evidence.
- (f) Annoying telephone calls with no suspect information.
- (g) Identity theft without an identifiable suspect.
- (h) Online or email fraud solicitations without an identifiable suspect and if the financial loss classifies the crime as a misdemeanor.
- (i) Hit-and-run vehicle collisions with no suspect or suspect vehicle.
- (j) Supplemental property lists.

After appropriate report documentation, members may refer victims to online victim assistance programs (e.g., Federal Communications Commission (FCC) website for identity theft, Internet Crime Complaint Center (IC3) website for computer crimes).

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343.3 GENERAL POLICY OF EXPEDITIOUS REPORTING

In general, all officers and supervisors shall act with promptness and efficiency in the preparation and processing of all reports. An incomplete report, unorganized reports or reports delayed without supervisory approval are not acceptable. Reports shall be processed according to established priorities or according to special priority necessary under exceptional circumstances.

343.4 REPORT CORRECTIONS

Supervisors shall review reports for content and accuracy. If a correction is necessary, the reviewing supervisor or Records employee will reject the report, electronically returning it to the officer's dashboard for corrections. The report will show on the officer's dashboard for the officer to make corrections as soon as practical. It shall be the responsibility of the originating officer to ensure that any report returned for correction is processed in a timely manner.

343.5 REPORT CHANGES OR ALTERATIONS

This policy establishes the procedure pertaining to the review and timely approval of narratives. The primary objectives of this policy are to:

- Have narratives reviewed in a timely manner by the Officer;
- Have reports approved and available for the public in a timely manner;
- Ensure that, once a report is filed by records, there are no further corrections made to the original document;
- If there is an error noted after the report has been filed, a supplemental report with dictation should be completed to explain any further corrections.

Once the narrative has been typed it will be electronically routed back to the officer's dashboard. Each officer is responsible for reviewing their narratives for accuracy. Officers shall review their narratives on their scheduled workday. Officers may make minor corrections to the narrative(s) as needed. If there are significant corrections or additions, the officer should make note of those and forward them to the transcription unit to make the corrections. Once the officer deems the narrative to be correct they will click the report complete box which moves the report to the officer's supervisor for review and approval.

343.6 OFFICER'S REPORTS

Classification of an officer's report:

An officer's report shall only be used if no crime has occurred, it is strictly an informational report for documentation purposes only. Officer's reports do not require a narrative but only a brief description of the incident shall be placed in the synopsis area. Exceptions to this are reports with a secondary code of death investigation or suicide. All officer's reports shall have a secondary code listed indicating what it is in reference to. This code shall be placed in the second box on the initial entry screen.

343.7 DISPOSITION OF CASES

- (a) **Cleared.** An arrest has been made in this case or citation issued.

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- (b) **Unfounded.** An unfounded report is usually made in the belief that the offense actually occurred, but, in fact, it did not.
- (c) **Active.** Case is currently being worked and should be forwarded to an assigned officer/detective/CSO for follow up.
- (d) **Inactive.** All leads have been exhausted. No suspect listed. No further investigation is possible or practical until new leads develop. Victim cannot supply any additional information. The case is still open; however, it is currently inactive as there are no other leads or evidence that can be followed up on -- the case should be listed as inactive.
- (e) **INA/ROA.** Inactive referred to other agency (i.e. PC and charging request to send to the prosecutor or routing report for review to the City prosecutor or the officer is referring the case/report to another agency for follow up investigation.)

343.7.1 EXCEPTION

In order to clear an offense by exceptional means, you must have clearly identified the suspect, the suspect's address and have an age or date of birth, sex and race. Exceptional clearances can be made and should be reported under one of the following circumstances. Exceptional clearances can only be used on crime reports, not officer's reports.

- (a) **Death of Offender.** Offender accidentally killed or dies of natural causes after warrant is obtained, suicide of the offender, double murder, deathbed confession, offender killed by police or citizen.
- (b) **Prosecution Declined.** By the Prosecutor for other than lack of probable cause, e.g., offense falls outside prosecution guidelines by virtue of value of loss, first time offender.
- (c) **Extradition Denied.** Offender prosecuted by state or local authorities in another city for a different offense or prosecuted in another city or state by the federal government for an offense which may be the same (an attempt is made to return the offender for prosecution, but the other jurisdiction will not allow the release).
- (d) **Victim Refused to Cooperate.** Victim refuses to cooperate in the prosecution of the case. This does not apply to domestic battery/assault cases.
- (e) **Juvenile / No Custody.** The handling of a juvenile without taking him/her into custody but rather by oral or written notice given to the parents or legal guardian in a case involving a minor offense.

News Media Relations

345.1 PURPOSE AND SCOPE

This policy provides guidelines for media releases and media access to scenes of disasters, criminal investigations, emergencies and other law enforcement activities.

345.2 RESPONSIBILITIES

The ultimate authority and responsibility for the release of information to the media shall remain with the Chief of Police, however, in situations not warranting immediate notice to the Chief of Police and in situations where the Chief of Police has given prior approval, Division Commanders, Shift Supervisors and designated Press Information Officer(s) may prepare and release information to the media in accordance with this policy and the applicable law.

345.2.1 MEDIA REQUEST

- (a) Any media request for information or access to a law enforcement situation shall be referred to the media representative as designated by this department, or if unavailable, to the first available supervisor. Prior to releasing any information to the media, employees shall consider the following:
 - 1. At no time shall any employee of this department make any comment or release any official information to the media without prior approval from a supervisor or the designated media representative.
 - 2. In situations involving multiple law enforcement agencies, every reasonable effort should be made to coordinate media releases with the authorized representative of each involved agency prior to the release of any information by this department.
 - 3. Under no circumstance should any member of this department make any comment(s) to the media regarding any law enforcement incident not involving this department without prior approval of the Chief of Police.
 - 4. Restricted information not authorized for release (e.g., as outlined in the Restricted Information subsection of this policy).
- (b) Information authorized for routine release includes:
 - 1. Defendant information: Defendant's name, age, city of residence, employment, and similar identifying information unless juvenile.
 - 2. Violations: The substance of the charge and statutes violated.
 - 3. Agency: The identity of the investigating and/or arresting agency and the duration of the investigation.

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4. Circumstances: The circumstances immediately surrounding an arrest or incident including the time and place, resistance, if any, and description of items seized at the time of arrest.
5. Victim information: The name, age and city of residence of the victim, unless a juvenile, and unless in the opinion of the investigating officer the disclosures are not required at the time due to the state of the investigation, or the nature of the case, or other factors involving the safety, privacy or welfare of the victim, such as in sex crimes.

345.3 MEDIA ACCESS

Authorized members of the media shall be provided access to scenes of disasters, criminal investigations, emergencies and other law enforcement activities subject to the following conditions:

- (a) The media representative shall produce valid press credentials that shall be prominently displayed at all times while in areas otherwise closed to the public.
- (b) Media representatives may be prevented from interfering with emergency operations and criminal investigations.
 1. Reasonable effort should be made to provide a safe staging area for the media that is near the incident and that will not interfere with emergency operations or a criminal investigation. All information released to the media should be coordinated through the Press Information Officer or other designated spokesperson.
 2. Whenever the presence of media or other aircraft poses a threat to public or officer safety or significantly hampers incident operations, the field supervisor should consider requesting a Temporary Flight Restriction (TFR). All requests for a TFR should be routed through the Shift Supervisor. The TFR request should include specific information regarding the perimeter and altitude necessary for the incident and should be requested through the appropriate control tower. If the control tower is not known, the Federal Aviation Administration (FAA) should be contacted (14 CFR 91.137).
- (c) No member of this department who is currently under investigation shall be subjected to media visits or interviews without the consent of the involved employee.
- (d) Media interviews with individuals who are in custody shall not be permitted without the approval of the Chief of Police and the express consent of the person in custody.

A tactical operation should be handled in the same manner as a crime scene, except the news media should be permitted within the outer perimeter of the scene, subject to any restrictions as determined by the supervisor in charge. Department members shall not jeopardize a tactical operation in order to accommodate the news media.

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345.3.1 PROVIDING ADVANCE INFORMATION

To protect the safety and rights of officers and other persons, advance information about planned actions by law enforcement personnel, such as movement of persons in custody or the execution of an arrest or search warrant, should not be disclosed to the news media, nor should media representatives be invited to be present at such actions except with the prior approval of the Chief of Police.

Any exceptions to the above should only be considered for the furtherance of legitimate law enforcement purposes. Prior to approving any exception the Chief of Police will consider, at minimum, whether the release of information or presence of the media would unreasonably endanger any individual, prejudice the rights of any person or is otherwise prohibited by law.

345.3.2 RELEASE OF INFORMATION TO MEDIA

It is the policy of the Twin Falls Police Department to make available promptly to the media certain reports of newsworthy activities and information which are not detrimental to the location, apprehension or interrogation of a criminal suspect and which are not personally damaging to the victim of the criminal act or of a personally sensitive nature. Cooperation with all accredited representatives of the media and other accredited agencies and publications is important in promoting good public relations. A cooperative attitude and a courteous explanation, when necessary, will result in a more desirable presentation of the facts.

During a critical event, media personnel may call the dispatch center requesting information about the occurrence. Dispatch personnel may provide the media with incident type, location, and time of call. If media personnel inquire about additional details surrounding a particular critical event, please inform the media person that the Media Relations Officer will be notified and will get back with them as soon as possible. Obtain a telephone number from the media representative if possible for callback and document the media request in the CAD call for service.

For inquiries regarding on-going investigations, media representatives should be referred to the department media relations officer.

345.4 RESTRICTED INFORMATION

It shall be the responsibility of the authorized employee dealing with media requests to ensure that restricted information is not inappropriately released to the media by this department. When in doubt, authorized and available legal counsel should be obtained.

Subpoenas and Court Appearances

347.1 PURPOSE AND SCOPE

This procedure has been established to provide for the acceptance of subpoenas and to ensure that employees appear when subpoenaed, or are available to appear in court when requested and present a professional appearance.

347.2 POLICY

Twin Falls Police Department members will respond appropriately to all subpoenas and any other court-ordered appearances.

347.3 SUBPOENAS

Only department members authorized to receive a subpoena on behalf of this department or any of its members may do so.

A civil subpoena may be served upon the named member in the subpoena in accordance with I.R.C.P. Rule 45. Prior to accepting service for a civil subpoena, appropriate witness fees shall be demanded as allowed by law (I.R.C.P. Rule 45).

A criminal subpoena may be served on a member by one of the following :

- (a) Personally served by showing the original subpoena to the member and personally informing him/her of the contents (Idaho Code 19-3007).
- (b) Delivered by mail or messenger and the member acknowledges receipt to the sender by telephone, mail or in person with identifying information as prescribed in Idaho Code 19-3007A.

347.3.1 CIVIL SUBPOENA

The Department will compensate members who appear in their official capacities on civil matters arising out of their official duties.

The Department should seek reimbursement for the member's compensation through the civil attorney of record who subpoenaed the member.

347.3.2 OFF-DUTY RELATED SUBPOENAS

Members receiving valid subpoenas for off-duty actions not related to their employment or appointment will not be compensated for their appearance. Arrangements for time off shall be coordinated through their immediate supervisors.

347.4 FAILURE TO APPEAR

Any member who fails to comply with the terms of any properly served subpoena or court-ordered appearance may be subject to discipline. This includes properly served orders to appear that were issued by a state administrative agency.

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347.5 STANDBY

To facilitate standby agreements, members are required to provide and maintain current information on their addresses and contact telephone numbers with the Department.

If a member on standby changes his/her location during the day, the member shall notify the designated department member of how he/she can be reached. Members are required to remain on standby until released by the court or the party that issued the subpoena.

347.6 COURTROOM PROTOCOL

When appearing in court, members shall:

- (a) Be punctual and prepared to proceed immediately with the case for which they are scheduled to appear.
- (b) Dress in the department uniform or business attire.
- (c) Observe all rules of the court in which they are appearing and remain alert to changes in the assigned courtroom where their matter is to be heard.

347.6.1 TESTIMONY

Before the date of testifying, the subpoenaed member shall request a copy of relevant reports and become familiar with the content in order to be prepared for court.

347.7 OVERTIME APPEARANCES

When a member appears in court on his/her off-duty time, he/she will be compensated.

347.8 NOTIFICATION OF UNAVAILABILITY FOR COURT

Employees who have scheduled vacation or who are scheduled to attend a Department-sanctioned event shall immediately, upon becoming aware of this vacation/event, complete an Affidavit of Unavailability. The affidavit shall be filled in completely, signed by the employee, notarized, and submitted to the employee's immediate supervisor for approval. The original signed/notarized affidavit will then be submitted to Records with the supervisor's daily report package. The original affidavit will be put in the investigative secretary's box in Records, and she will take the original affidavit to the Clerk of the Court and copies will be provided to both the County and City Prosecutors' Offices Monday through Friday mornings. Records personnel will make a copy of each affidavit of unavailability and will keep the copies in a file in the Records Department.

The City and County Prosecutors' Offices have informed the Department that judges will not grant continuances when an officer has had notice of vacation and training dates scheduled prior to the date the trial was set, and has not informed the Clerk of the Court and the Prosecutors' Offices of his/her unavailability. It is, therefore, imperative that officers submit affidavits of unavailability as soon as they know that they will be unavailable for court.

Affidavits of unavailability shall be kept in the Officers' Room. It shall be the responsibility of the patrol supervisors to ensure that adequate forms are available for officers at all times.

Shift Differential Compensation

348.1 PURPOSE AND SCOPE

To provide guidelines for differential compensation for shifts traditionally considered "swing" and "graveyard."

The City of Twin Falls recognizes the challenges of those employees regularly assigned to work shifts that start or continue after the normal business day and has established a program to provide additional compensation for those affected. The purpose of this policy is to establish the guidelines for employee eligibility for this benefit and the parameters under which this program will function.

While it will be the intent of the Administrative and Supervisory Staff to develop fair and objective employee work schedules, it may become necessary to adjust these schedules to meet the safety, staffing and financial needs of the Department and the community. Eligible employees of this program are expected to recognize that they are not entitled to this compensation unless they actually work an eligible shift.

348.2 ELIGIBILITY

- The employee must be a full-time employee assigned to either the Uniform (Patrol) Division or the City of Twin Falls Communications Center.
- Eligibility for this type of compensation shall exclude the members of the Administrative Staff.
- Members of the Juvenile Crime Unit and Traffic Unit shall only be eligible for shift differential compensation during summer or emergency deployments.
- Detectives shall only be eligible for this pay when working as a uniformed officer covering an eligible shift.

348.3 DEFINITIONS

- Swing Shift - Between the hours of 3:00 p.m. and 3:00 a.m. To be eligible for swing shift differential pay, the shift must begin at, or after 3:00 p.m and the employee must be covering a regularly scheduled shift..
- Graveyard Shift - Between the hours of 6:00 p.m. and 6:00 a.m. To be eligible for graveyard shift differential pay, the shift must begin at, or after 6:00 p.m and the employee must be covering a regularly scheduled shift. .
- Eligible Shift - Those work assignments dedicated to performing commonly assigned work in the Uniform Division or in the City of Twin Falls Communications Center during the parameters established for either a swing or graveyard shift.

348.4 ESTABLISHED PARAMETERS

- Holdovers - Those employees held over at the end of an eligible shift by a supervisor shall be entitled to receive shift differential compensation during those additional hours worked.

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- Shift Trades - The employee working the eligible shift shall be entitled to the shift differential compensation.
- Extra Shifts - Those eligible employees assigned to work in the absence of another employee taking leave during an eligible shift shall receive shift differential compensation.
- FTO Holdovers - Those approved employees that are training a new employee and are entitled to receive an additional hour to complete Police Training Officer paperwork shall receive shift differential compensation for that hour if they were assigned to an eligible shift.
- Called in Early for Eligible Shift - Shift differential compensation shall not be paid prior to timeline established above. Employees called into work early before an eligible shift may receive overtime for these hours.
- Grant/Special Assignment/Temporary Assignment Shifts - Hours worked in these assignments are ineligible for shift differential compensation. Examples of this type of assignment include DUI emphasis, directed enforcement patrols and coverage for block training.
- Canine Maintenance/Training/Court/Special Events - Hours worked in these assignments are ineligible for shift differential compensation.
- Leave Hours - Any leave hours claimed shall be ineligible for shift differential compensation.
- Members of the Juvenile Crime Unit and Traffic Unit may be assigned to work eligible shifts during the summer to address specific staffing or enforcement issues. Members of these units would be eligible for shift differential compensation in these instances.

Death Policy

349.1 PURPOSE AND SCOPE

Deceased police personnel, active or retired, will be provided with the appropriate departmental honors. The next of kin will be informed, and upon request, these services will be rendered.

Police Department policy does not permit any honors or services to be provided for personnel who have died as a result of their own criminal act.

349.2 RESPONSIBILITIES- DUTY RELATED DEATHS

349.2.1 THE CHIEF OF POLICE, OR IN HIS/HER ABSENCE, AN OFFICER OF COMMAND RANK

1. Be physically present when notifying the next of kin.
2. Contact a Police Chaplain to be present during notification of next of kin.
3. Notify the City Manager and other city officials.
4. Make all necessary departmental funeral arrangements in cooperation with the family of the deceased.
5. Arrange for transmittal of inter/intrastate computer message concerning funeral arrangements.
6. If necessary, contact other police agencies to help provide coverage on the street during the viewing, services, and interment.
7. Arrange for security at the residence of the deceased officer during the viewing, services, and interment.

349.2.2 COMMAND ALL POLICE ACTIVITIES CONCERNED WITH THE VIEWING, SERVICES, AND INTERMENT

1. Make necessary arrangements for members of the department to act as pallbearers and provide an honor guard of two at the bier for viewing, if desired by the family.
2. A firing squad and bugler will be supplied, if requested by the family.
3. When outside police departments attend funeral services, ensure that a list containing the names of the departments, the names and proper addresses of their Chiefs, is obtained and forwarded to the Chief of Police.
4. Direct all police personnel to wear mourning crepe on their badges for 30 days.
5. Direct all police vehicles on the day of the funeral to operate with headlights on from 0800 hours until after the funeral.
6. Direct all uniformed police personnel to be in the uniform of the day. Uniform shall be clean and worn neatly.

349.3 RESPONSIBILITIES- NON DUTY RELATED DEATHS

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349.3.1 THE CHIEF OF POLICE OR HIS/HER DESIGNEE, UPON NOTIFICATION OF THE DEATH OF AN ACTIVE POLICE OFFICER

1. Consult with the family to ascertain if escort, pallbearers, firing squad, and bugler are desired.
2. Arrange for traffic control for the viewing, services, and escort of the funeral cortege to the cemetery.
3. Arrange for security at the residence of the deceased officer during the viewing, services, and interment.

349.3.2 COMMAND ALL POLICE ACTIVITIES CONCERNED WITH THE VIEWING, SERVICES, AND INTERMENT

1. The ranking officer in attendance will be the funeral escort commander, and upon appearance of the casket, will command "Present Arms"(Hand Salute). Personnel in civilian attire will come to attention and hold their hand over their heart. When the casket has been placed in the hearse, the escort commander will "Order Arms".
2. An honor guard may be supplied for deaths of active personnel off duty.
3. Represent the department at the interment.

349.4 RESPONSIBILITIES-PENSIONED PERSONNEL

349.4.1 THE CHIEF OF POLICE, OR HIS/HER DESIGNEE, WILL BE IN CHARGE OF ALL POLICE ACTIVITIES CONCERNING THE VIEWING, SERVICES AND INTERMENT

1. Make all necessary traffic control arrangements for the viewing, services, and escort of the funeral cortege to the cemetery upon request of the family.
2. Upon request of the family of the deceased, arrange for pallbearers, firing squad, and bugler.

349.5 DEATH OF IMMEDIATE FAMILY MEMBER OF ACTIVE PERSONNEL

When immediate family members of an active police officer dies, the Chief of Police, or his/her designee, will be the department representative and attend the viewing. If there is no viewing, the Chief of Police will attend the funeral services.

349.5.1 THE OFFICER'S DIVISIONAL COMMANDING OFFICER WILL

1. Consult with the family to ascertain if funeral escort is desired.
2. Arrange for security at the officer's residence during the viewing, services, and interment.

349.5.2 THE COMMANDING OFFICER, UNIFORM DIVISION, WILL

1. Arrange for traffic control for the viewing, services, and escort of the funeral cortege to the cemetery.

Mutual Aid and Outside Agency Assistance

350.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to officers in the request of or answering the request for assistance involving another law enforcement agency.

It is the policy of this department to provide assistance whenever possible, consistent with the applicable laws of arrest and detention policies of this department, when another law enforcement agency requests assistance with an arrest or detention of any person. This department may also request an outside agency to provide assistance.

350.1.1 ASSISTING OUTSIDE AGENCIES

Generally, calls for assistance from other agencies are routed to the Shift Supervisor for approval. When an authorized employee of an outside agency requests the assistance of this department in taking a person into custody, available officers shall respond and assist in making a lawful arrest. If an officer receives a request in the field for assistance, that officer shall notify a supervisor. Arrestees may be temporarily detained by our agency until arrangements for transportation are made by the outside agency. Only in exceptional circumstances will this department provide transportation of arrestees to other county facilities.

When such assistance is rendered, a case number will be issued and the officer shall document in an Officer's Report the action taken by Twin Falls Police Department personnel.

350.1.2 REQUESTING ASSISTANCE FROM OUTSIDE AGENCIES

If assistance is needed from another agency, the employee requesting assistance shall first notify a supervisor of his/her intentions. The handling officer or supervisor should direct assisting personnel to where they are needed and to whom they should report when they arrive.

The requesting officer should secure radio frequencies for use by all involved agencies so that communication can be coordinated as needed. If necessary, reasonable effort should be taken to provide radio equipment capable of communicating on the assigned frequency to any personnel who do not have compatible radios.

If an officer requires the assistance of either City of Twin Falls Attorney's Office or the Twin Falls County Prosecutor's Office, the contact information for their on-call staff is maintained with the City of Twin Falls Communication Center. Any police officer is empowered to contact the appropriate on-call prosecutor should the need arise.

350.1.3 ARREST AND TRANSPORTING

When arresting and transporting people arrested for outside agencies, officers shall follow normal arrest processing procedures.

Major Incident Notification

356.1 PURPOSE AND SCOPE

Incidents that are of significant nature and that fall into listed criteria require notification to certain members of this department. It is critical that staff members are informed of certain incidents in order to apprise their superiors and properly address inquiries from members of the press.

356.2 MINIMUM CRITERIA FOR NOTIFICATION

Most situations where the media show a strong interest are also of interest to the Chief of Police and the affected Division Commander. The following list of incident types is provided as a guide for notification and is not intended to be all-inclusive:

- Homicides
- Traffic accidents with fatalities
- Officer-involved shooting - on or off duty (see the Officer-Involved Shootings and Deaths Policy for special notifications)
- Significant injury or death to employee - on or off duty
- Death of a prominent Twin Falls official
- Arrest of an Twin Falls Police Department employee or prominent Twin Falls official
- Aircraft crash with major damage and/or injury or death
- In-custody deaths

356.3 SHIFT SUPERVISOR RESPONSIBILITY

The Shift Supervisor is responsible for making the appropriate notifications. The Shift Supervisor shall make reasonable attempts to obtain as much information on the incident as possible before notification. The Shift Supervisor shall attempt to make the notifications as soon as practical. Notification should be made by calling the home phone number first and then any other contact numbers supplied.

356.3.1 STAFF NOTIFICATION

In the event an incident occurs described in the Minimum Criteria for Notification subsection of this policy, the Chief of Police shall be notified along with the affected Division Commander if that division is affected.

356.3.2 TRAFFIC UNIT NOTIFICATION

In the event of a traffic fatality or major injury, the Traffic Sergeant shall be notified who will then contact the appropriate accident investigator.

356.3.3 PRESS INFORMATION OFFICER (PIO)

The Press Information Officer shall be called after members of staff have been notified that it appears the media may have a significant interest in the incident.

Death Investigation

358.1 PURPOSE AND SCOPE

The investigations of cases involving death include those ranging from natural cause to homicide. Some causes of death may not be readily apparent and some cases differ substantially from what they appeared to be initially. The thoroughness of death investigations cannot be emphasized enough.

358.2 INVESTIGATION CONSIDERATIONS

Death investigation cases require certain actions be taken. A supervisor shall be notified in all death investigations.

358.2.1 CORONER REQUEST

Twin Falls Police Department has a statutory responsibility to investigate all unattended deaths. Officers must ensure that the pertinent facts are properly documented. Officers must approach their investigation with a sense of dignity, compassion, and professionalism toward the deceased and the family. Officers shall:

- (a) Notify the shift supervisor.
- (b) Treat the scene as a crime scene.

358.2.2 DEATH NOTIFICATION

The primary responsibility for death notification is with the Coroner's Office. Calls from other jurisdictions with request to deliver a death message will be routed to the Shift Supervisor for determination of how the request will be handled.

358.2.3 SUSPECTED HOMICIDE

The Investigations Division shall be notified and a Detective shall respond to and investigate all unattended deaths.

358.2.4 ASSISTED LIVING CENTER/HOSPICE DEATHS

In the event of a death at an assisted living center, the Shift Supervisor shall determine if there are any suspicious circumstances surrounding the death. If it appears that the death is not suspicious, the Shift Supervisor shall initiate the request for the coroner and may elect not to notify the on-call detective.

In the event of a death investigation involving a HOSPICE patient or a subject with a Do Not Resuscitate (DNR) order, it shall be the discretion of the Shift Supervisor to have the on-call detective respond. If the on-call detective does not need to respond, the Shift Supervisor shall initiate the request for the coroner.

Identity Theft

360.1 PURPOSE AND SCOPE

Identity theft is a growing trend that frequently involves related crimes in multiple jurisdictions. This policy is intended to provide guidelines for the reporting and investigation of such crimes.

360.2 REPORTING

- (a) In an effort to maintain uniformity in reporting, officers presented with the crime of identity theft (Idaho Code 18-3126) shall initiate a report for victims residing within the jurisdiction of this department. For incidents of identity theft occurring outside this jurisdiction, officers should observe the following:
 - 1. For any victim not residing within this jurisdiction, the officer may either take a courtesy report to be forwarded to the victim's residence agency or the victim should be encouraged to promptly report the identity theft to the law enforcement agency where he or she resides.
- (b) While the crime of identity theft should be reported to the law enforcement agency where the victim resides, officers of this department should investigate and report crimes occurring within this jurisdiction which have resulted from the original identity theft (e.g., the identity theft occurred elsewhere, but the credit card fraud occurred and is reported in this jurisdiction).
- (c) Officers should include all known incidents of fraudulent activity (e.g., credit card number applied for in victim's name when the victim has never made such an application).
- (d) Officers should also cross-reference all known reports made by the victim (e.g., U.S. Secret Service, credit reporting bureaus, U.S. Postal Service and ITD) with all known report numbers.
- (e) Following supervisory review and processing by this department, the initial report may be forwarded to the Criminal Investigations Division for follow up investigation, coordination with other agencies and prosecution as circumstances dictate.

360.3 NCIC ENTRY

An identity theft record may be entered into NCIC if the following criteria have been met:

- (a) Someone is using the means of identification of the victim.
- (b) The victim's identity is being used or intended to be used to commit an unlawful activity.
- (c) The victim has signed a consent waiver and has provided a unique password, which is retained by the victim for potential future police encounters.
- (d) Information on a deceased person may be entered if it is deemed by the reporting officer that the victim's information has been stolen. A consent waiver is not required in this circumstance. The password for deceased persons will be "DECEASED".
- (e) The signed waiver with password is attached to the officer's report.

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(f) Entry procedure:

1. Run a driver's history with image request (DQ or KQ for out of state driver) on the victim.
2. Run an NCIC criminal history (QH) on the victim.
3. Run the FBI number (QR) if the QH query returns one.
3. Run an Idaho criminal history (IQ) on the victim.
4. Run a criminal history (IQ) for any other states the victim may have been in.
5. Run a full query (FQ) using the state identification numbers returned with the IQ.
6. Query victim's information using the Identity Theft Query mask (QID).
6. Enter the victim's information into NCIC using the Identity Theft entry mask (EID).
7. Enter the victim's photo into the Identity Theft Supplemental mask (EIN).
8. Query the entry using the Identity Theft Query mask (QID).
9. Print (and log if applicable) the victim's criminal history information for officer's report.
10. Print the initial Identity Theft query and the return from the post entry query, initial and have a second party check the entry.

Private Persons Arrests

362.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance for the handling of private person's arrests made pursuant to Idaho Code 19-604.

362.2 ARRESTS BY PRIVATE PERSONS

Idaho Code 19-604 provides that a private person may arrest another:

- (a) For a public offense committed or attempted in his or her presence.
- (b) When the person arrested has committed a felony, although not in his or her presence.
- (c) When a felony has been in fact committed, and he or she has reasonable cause for believing the person arrested has committed it.

362.3 OFFICER RESPONSIBILITIES

Any officer presented with a private person wishing to make an arrest should determine whether or not there is reasonable cause to believe that such an arrest would be lawful.

- (a) Should any officer determine that there is no reasonable cause to believe that a private person's arrest is lawful; the officer should contact his/her immediate supervisor and advise him/her of the existing circumstances. At the discretion of the supervisor, either the supervisor or the officer should, out of the presence of the potential arrestee, explain to the private person wishing to make the arrest the officer's concerns about the absence of reasonable cause for the arrest and the potential ramifications should the person chose to proceed with the arrest.
- (b) The officer should also explain another option available would be to complete a long form complaint against the person which would result in an investigation, a review by the prosecuting attorney and the possibility of a trial date being set and the citizen needing to appear as a witness in the trial against the person he/she wanted arrested.
- (c) The officer should prepare a detailed report documenting all pertinent facts regarding such situations including but not limited to the following:
 - 1. The basis for the officer's concerns about the absence of reasonable cause for the citizen's arrest,
 - 2. The officer's efforts to explain his/her concerns to the citizen about the situation,
 - 3. The citizen's response to the officer's explanation,
 - 4. The officer's communications with and response of his/her supervisor,
 - 5. The officer's explanation of options to the citizen and the citizen's response.

362.4 REPORTING REQUIREMENTS

In all circumstances in which a private person is claiming to have made an arrest, that individual must complete and sign a voluntary statement provided by this department. The statement will include their personal knowledge which provides probable cause to believe that the crime as charged has been committed and that the person arrested in fact committed the crime. The

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person's statement will include their personal information as well as contact information and phone number(s).

Officers must prepare a full and complete narrative report regarding the circumstances and statements from all available and pertinent witnesses assembled and send the report to the Prosecutor for disposition of the incident.

Communications with Persons with Disabilities

368.1 PURPOSE AND SCOPE

This policy provides guidance to members when communicating with individuals with disabilities, including those who are deaf or hard of hearing, have impaired speech or vision, or are blind.

368.1.1 DEFINITIONS

Definitions related to this policy include:

Auxiliary aids - Tools used to communicate with people who have a disability or impairment. They include but are not limited to the use of gestures or visual aids to supplement oral communication; a notepad and pen or pencil to exchange written notes; a computer or typewriter; an assistive listening system or device to amplify sound; a teletypewriter (TTY) or videophones (video relay service or VRS); taped text; qualified readers or a qualified interpreter.

Disability or impairment - A physical or mental impairment that substantially limits a major life activity, including hearing or seeing, regardless of whether the disabled person uses assistive or adaptive devices or auxiliary aids. Individuals who wear ordinary eyeglasses or contact lenses are not considered to have a disability (42 USC § 12102).

Qualified interpreter - A person who is able to interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary. Qualified interpreters include oral interpreters, transliterators, sign language interpreters, and intermediary interpreters. Qualified interpreters should be licensed as required by Idaho Code 54-2904.

368.2 POLICY

It is the policy of the Twin Falls Police Department to reasonably ensure that people with disabilities, including victims, witnesses, suspects, and arrestees, have equal access to law enforcement services, programs, and activities. Members must make efforts to communicate effectively with individuals with disabilities.

The Department will not discriminate against or deny any individual access to services, rights, or programs based upon disabilities.

368.3 AMERICANS WITH DISABILITIES

Depending on the balance of the factors available for consideration at the time, this department will make every reasonable effort to provide meaningful and timely assistance to disabled individuals through a variety of services, where available. Disabled individuals may elect to accept such assistance at no cost, choose to provide their own communication services at their own expense or any combination thereof. In any situation, the individual's expressed choice of communication method shall be given primary consideration and honored unless the employee can adequately demonstrate that another effective method of communication exists under the circumstances.

Officers should document the type of communication utilized in any related report and whether a disabled or impaired individual elected to use services provided by this department or some

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other identified source. Services provided by this department may include, but are not limited to the following:

368.4 FACTORS TO CONSIDER

Because the nature of any law enforcement contact may vary substantially from one situation to the next, members of this department should consider all information reasonably available to them when determining how to communicate with an individual with a disability. Members should carefully balance all known factors in an effort to reasonably ensure people who are disabled have equal access to services, programs, and activities. These factors may include but are not limited to:

- (a) Members should not always assume that effective communication is being achieved. The fact that an individual appears to be nodding in agreement does not always mean he/she completely understands the message. When there is any doubt, members should ask the individual to communicate back or otherwise demonstrate their understanding.
- (b) The nature of the disability (e.g., deafness or blindness vs. hard of hearing or low vision).
- (c) The nature of the law enforcement contact (e.g., emergency vs. non-emergency, custodial vs. consensual contact).
- (d) The availability of auxiliary aids. The fact that a particular aid is not available does not eliminate the obligation to reasonably ensure access. However, in an emergency, availability may factor into the type of aid used.

368.5 INITIAL AND IMMEDIATE CONSIDERATIONS

Recognizing that various law enforcement encounters may be potentially volatile and/or emotionally charged, members should remain alert to the possibility of communication problems.

Members should exercise special care in the use of all gestures, and verbal and written communication to minimize initial confusion and misunderstanding when dealing with any individual with known or suspected disabilities.

In a non-emergency situation, when a member knows or suspects an individual requires assistance to effectively communicate, the member shall identify the individual's choice of auxiliary aid or service.

The individual's preferred communication method must be honored unless another effective method of communication exists under the circumstances (28 CFR 35.160).

Factors to consider when determining whether an alternative method is effective include:

- (a) The methods of communication usually used by the individual.
- (b) The nature, length, and complexity of the communication involved.
- (c) The context of the communication.

In emergency situations involving an imminent threat to the safety or welfare of any person, members may use whatever auxiliary aids and services that reasonably appear effective under

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the circumstances. This may include, for example, exchanging written notes or using the services of a person who knows sign language but is not a qualified interpreter, even if the person who is deaf or hard of hearing would prefer a qualified sign language interpreter or another appropriate auxiliary aid or service. Once the emergency has ended, the continued method of communication should be reconsidered. The member should inquire as to the individual's preference and give primary consideration to that preference.

If an individual who is deaf, hard of hearing, or has impaired speech must be handcuffed while in the custody of the Twin Falls Police Department, consideration should be given, safety permitting, to placing the handcuffs in the front of the body to facilitate communication using sign language or writing.

368.6 TYPES OF ASSISTANCE AVAILABLE

Twin Falls Police Department members shall never refuse to assist an individual with disabilities who is requesting assistance. The Department will not charge anyone to receive auxiliary aids, nor shall they require anyone to furnish their own auxiliary aid or service as a condition for receiving assistance. The Department will make every reasonable effort to provide equal access and timely assistance to individuals who are disabled through a variety of services.

368.7 QUALIFIED INTERPRETERS

A qualified interpreter may be needed in lengthy or complex transactions (e.g., interviewing a victim, witness, suspect or arrestee), if the individual to be interviewed normally relies on sign language or speechreading (lip-reading) to understand what others are saying. The qualified interpreter should not be a person with an interest in the case or the investigation. A person providing interpretation services may be required to establish the accuracy and trustworthiness of the interpretation in a court proceeding.

Qualified interpreters should be:

- (a) Available within a reasonable amount of time but in no event longer than one hour if requested.
- (b) Experienced in providing interpretation services related to law enforcement matters.
- (c) Familiar with the use of VRS and/or video remote interpreting services.
- (d) Certified in either American Sign Language (ASL) or Signed English (SE).
- (e) Able to understand and adhere to the interpreter role without deviating into other roles, such as counselor or legal adviser.
- (f) Knowledgeable of the ethical issues involved when providing interpreter services.

Members should use department-approved procedures to request a qualified interpreter at the earliest reasonable opportunity, and generally not more than 15 minutes after a request for an interpreter has been made or it is reasonably apparent that an interpreter is needed. No individual who is disabled shall be required to provide his/her own interpreter (28 CFR 35.160).

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368.8 TTY AND RELAY SERVICES

In situations where an individual without a disability would have access to a telephone (e.g., booking or attorney contacts), members must also provide those who are deaf, hard of hearing or have impaired speech the opportunity to place calls using an available TTY (also known as a telecommunications device for deaf people, or TDD). Members shall provide additional time, as needed, for effective communication due to the slower nature of TTY and TDD communications.

The Department will accept all TTY or TDD calls placed by those who are deaf or hard of hearing and received via a telecommunications relay service (28 CFR 35.162).

Note that relay services translate verbatim, so the conversation must be conducted as if speaking directly to the caller.

368.9 COMMUNITY VOLUNTEERS

Interpreter services may be available from community volunteers who have demonstrated competence in communication services, such as ASL or SE, and have been approved by the Department to provide interpreter services.

Where qualified interpreters are unavailable to assist, approved community volunteers who have demonstrated competence may be called upon when appropriate. However, department members must carefully consider the nature of the contact and the relationship between the individual with the disability and the volunteer to ensure that the volunteer can provide neutral and unbiased assistance.

368.10 FAMILY AND FRIENDS

While family or friends may offer to assist with interpretation, members should carefully consider the circumstances before relying on such individuals. The nature of the contact and relationship between the individual with the disability and the person offering services must be carefully considered (e.g., victim/suspect).

Children shall not be relied upon except in emergency or critical situations when there is no qualified interpreter reasonably available.

Adults may be relied upon when (28 CFR 35.160):

- (a) There is an emergency or critical situation and there is no qualified interpreter reasonably available.
- (b) The individual with the disability requests that the adult interpret or facilitate communication and the adult agrees to provide such assistance, and reliance on that adult for such assistance is reasonable under the circumstances.

368.11 REPORTING

Whenever any member of this department is required to complete a report or other documentation, and communication assistance has been provided, such services should be noted in the related report. Members should document the type of communication services utilized and whether the individual elected to use services provided by the Department or some other identified source.

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If the individual's express preference is not honored, the member must document why another method of communication was used.

All written communications exchanged in a criminal case shall be attached to the report or placed into evidence.

368.12 FIELD ENFORCEMENT

Field enforcement will generally include such contacts as traffic stops, pedestrian stops, serving warrants and restraining orders, crowd/traffic control and other routine field contacts that may involve individuals with disabilities. The scope and nature of these activities and contacts will inevitably vary.

The Department recognizes that it would be virtually impossible to provide immediate access to complete communication services to every member of this department. Members and/or supervisors must assess each situation and consider the length, complexity and importance of the communication, as well as the individual's preferred method of communication, when determining the type of resources to use and whether a qualified interpreter is needed.

Although not every situation can be addressed in this policy, it is important that members are able to effectively communicate the reason for a contact, the need for information and the meaning or consequences of any enforcement action. For example, it would be meaningless to verbally request consent to search if the officer is unable to effectively communicate with an individual who is deaf or hard of hearing and requires communications assistance.

If available, officers should obtain the assistance of a qualified interpreter before placing an individual with a disability under arrest. Individuals who are arrested and are assisted by service animals should be permitted to make arrangements for the care of such animals prior to transport.

368.12.1 FIELD RESOURCES

Examples of methods that may be sufficient for transactions, such as checking a license or giving directions to a location or for urgent situations such as responding to a violent crime in progress, may, depending on the circumstances, include such simple things as:

- (a) Hand gestures or visual aids with an individual who is deaf, hard of hearing, or has impaired speech.
- (b) Exchange of written notes or communications.
- (c) Verbal communication with an individual who can speechread by facing the individual and speaking slowly and clearly.
- (d) Use of computer, word processing, personal communication device, or similar device to exchange texts or notes.
- (e) Slowly and clearly speaking or reading simple terms to individuals who have a visual or mental impairment.

Members should be aware that these techniques may not provide effective communication as required by law and this policy depending on the circumstances.

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368.13 CUSTODIAL INTERROGATIONS

In an effort to ensure that the rights of individuals who are deaf, hard of hearing or have speech impairment are protected during a custodial interrogation, this department will provide interpreter services before beginning an interrogation, unless exigent circumstances exist or the individual has made a clear indication that he/she understands the process and desires to proceed without an interpreter. The use of a video remote interpreting service should be considered, where appropriate, if a live interpreter is not available. *Miranda* warnings shall be provided to suspects who are deaf or hard of hearing by a qualified interpreter or by providing a written *Miranda* warning form.

In order to ensure that communications during custodial investigations are accurately documented and are admissible as evidence, interrogations should be recorded whenever reasonably possible. See guidance on recording custodial interrogations in the Investigation and Prosecution Policy.

368.14 COMPLAINTS

The Department shall ensure that individuals with disabilities who wish to file a complaint regarding members of this department are able to do so. The Department may provide a qualified interpreter or forms in enlarged print, as appropriate.

Investigations into such complaints shall be handled in accordance with the Personnel Complaints Policy. Qualified interpreters used during the investigation of a complaint should not be members of this Department.

Chaplain Program

371.1 PURPOSE AND SCOPE

The Twin Falls Police Department Chaplain Program is established for the purposes of providing spiritual and emotional support to all members of the Department, their families and members of the public.

371.2 POLICY

It is the policy of this department that the Chaplain Program shall be a non-denominational, ecumenical ministry provided by volunteer clergy without financial compensation.

371.3 GOALS

Members of the Chaplain Program shall fulfill the program's purpose in the following manner:

- (a) By serving as a resource for department personnel when dealing with the public in such incidents as accidental deaths, suicides, suicidal subjects, serious accidents, drug and alcohol abuse, and other such situations that may arise.
- (b) By providing an additional link between the community, other chaplain programs and the Department.
- (c) By providing counseling, spiritual guidance and insight for department personnel and their families.
- (d) By being alert to the spiritual and emotional needs of department personnel and their families.
- (e) By familiarizing themselves with the role of law enforcement in the community.

371.4 REQUIREMENTS

Candidates for the Chaplain Program shall meet the following requirements before formally being designated as a Law Enforcement Chaplain:

- (a) Must be above reproach, temperate, prudent, respectable, hospitable, able to teach, not be addicted to alcohol or other drugs, not contentious and free from excessive debt. Must manage their household, family and personal affairs well. Must have a good reputation with those outside the church.
- (b) Must be ecclesiastically certified and/or endorsed, ordained, licensed or commissioned by a recognized religious body.
- (c) Must successfully complete an appropriate level background investigation.
- (d) Must have at least five years of successful ministry experience within a recognized church or religious denomination.
- (e) Must possess a valid Idaho Driver's License.

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371.5 SELECTION PROCESS

Chaplain candidates are encouraged to participate in the ride-along program before and during the selection process. Chaplain candidates shall successfully complete the following process prior to deployment as a chaplain:

- (a) Appropriate written application.
- (b) Support from their church elders, board or council.
- (c) Interview with Chief of Police and Chaplain Supervisor.
- (d) Successfully complete an appropriate level background investigation.
- (e) Complete an appropriate probationary period as designated by the Chief of Police.

371.6 DUTIES AND RESPONSIBILITIES

The duties of a chaplain include, but are not limited to, the following:

- (a) Assist police officers in the field at the officer's discretion.
- (b) Make death notifications when requested.
- (c) Visiting sick or injured law enforcement personnel in the hospital or at home.
- (d) Attending and participating, when requested, in funerals of active or retired members of the Department.
- (e) Assisting sworn personnel in the diffusion of a conflict or incident when requested.
- (f) Provide Department personnel with instruction relative to stress management, ethics, family life and pre-retirement issues.
- (g) Serve as liaison with other clergy in the community.
- (h) Counseling officers and other personnel with personal problems when requested.
- (i) Furnish informed answers to religious questions.
- (j) Offer prayer at special occasions such as award ceremonies, retirement celebrations and other law enforcement and City gatherings.
- (k) Serve on review and award boards as well as other committees.

Chaplains may not proselytize or attempt to recruit members of the department or the public into a religious affiliation while on duty unless the receiving person has solicited spiritual guidance or teaching. If there is any question as to the receiving person's intent, chaplains should verify that the person is desirous of spiritual counseling or guidance before engaging in such discussions.

Chaplains may not accept gratuities for any service or follow-up contact that was provided while functioning as a chaplain for the Twin Falls Police Department.

371.7 CLERGY-PENITENT CONFIDENTIALITY

No person who provides chaplain services to members of the department may work or volunteer for the Twin Falls Police Department in any capacity other than that of chaplain.

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Department chaplains shall be familiar with state evidentiary laws and rules pertaining to the limits of the clergy-penitent privilege and shall inform department members when it appears reasonably likely that the department member is discussing matters that are not subject to the clergy-penitent privilege. In such cases, the department chaplain should consider referring the member to a non-department counseling resource.

No chaplain shall provide counsel to or receive confidential communications from any Twin Falls Police Department employees concerning an incident personally witnessed by the chaplain or concerning an incident involving the chaplain.

371.8 COMMAND STRUCTURE

- (a) Under the general direction of the Chief of Police or his/her designee, chaplains shall report to the Senior Chaplain and/or Shift Supervisor.
- (b) The Chief of Police shall make all appointments to the Chaplain Program and will designate a Senior Chaplain/Chaplain Commander.
- (c) The Senior Chaplain shall serve as the liaison between the Chaplain Unit and the Chief of Police. He/she will arrange for regular monthly meetings, act as chairman of all chaplain meetings, prepare monthly schedules, maintain records on all activities of the Chaplain Unit, coordinate activities that may concern the members of the Chaplain Unit and arrange for training classes for chaplains.
- (d) All chaplain personnel records shall be maintained by the Office of the Chief of Police.

371.9 OPERATIONAL GUIDELINES

- (a) The chaplain shall be permitted to ride with officers during any shift and observe Twin Falls Police Department operations with the approval of the on-duty Shift Supervisor.
- (b) The chaplain may be required to report on employees' conduct.
- (c) While chaplains may assist an officer, at his/her direction, in responding to incidents, the chaplain shall never function as an officer.
- (d) When responding to in-progress calls for service, the chaplains may be required to stand-by in a secure area until the situation has been deemed safe.
- (e) All police chaplains are required to complete a minimum of ten hours service time per month.

371.9.1 DRESS CODE

Refer to Policy 1044 Personal Appearance Standards

371.10 TRAINING

Police chaplains will be expected and encouraged to participate in all departmental training and exercises as personal time permits. Mandatory Department training will consist of:

- (a) Orientation to Police Department (tour, organizational structure and Divisional responsibilities).

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(b) Orientation to patrol including reporting districts, vehicle operations and patrol equipment.

(c) Orientation to radio procedures, firearms and street survival training.

(d) Policies, procedures, rules and regulations of the Twin Falls Police Department manual.

The Department will establish a minimum number of training hours and standards for Department chaplains. The training may include stress management, death notifications, legal liability and confidentiality, ethics, responding to crisis situations, the law enforcement family, substance abuse, suicide, officer injury or death and sensitivity and diversity as approved by the Chief of Police.

Mobile Command Post Deployment

374.1 PURPOSE AND SCOPE

To provide a field command post for critical incidents or scheduled events requiring a location for extended operational command, or other special command needs.

374.2 DEFINITIONS

Emergency Response - The response of Mobile Command Post to events of a critical or of an emergency nature, i.e. Special Weapons and Tactics (SWAT) operations, natural disasters, public disturbances and the like.

Scheduled Response - Non-emergency use of Mobile Command, which is, scheduled in advance, i.e. public events and such.

ASD - Administrative Services Division.

ICP - Incident Command Post.

MCP - Mobile Command Post.

374.3 POLICY

It is the policy of the Twin Falls Police Department to have the Mobile Command Post available for use at any emergency, special operation, crime scene, special event, or other function requiring the use of an on scene ICP.

374.4 PROCEDURE

374.4.1 COORDINATION

- (a) The deployment, use, and maintenance of the Mobile Command Post (MCP) will be coordinated by the Administrative Services Division (ASD).
- (b) The MCP will be housed at the Twin Falls Airport 492 Airport Loop Twin Falls, Idaho.
- (c) ASD will insure that authorized operators are trained in deployment, setup, takedown, and storage procedures of the MCP and towing vehicle.
- (d) ASD shall provide authorized operators with a gate code for access to the storage location and access to towing vehicle and MCP keys.

374.4.2 RESPONSE

- (a) Use and response of the Mobile Command Post will be at the discretion of the division commander of the division or unit requiring its use.
- (b) Emergency response will have priority over other uses.
 - 1. Emergency response will be coordinated through Twin Falls City Dispatch. An authorized operator list will be maintained by dispatch and a copy of this list will also be kept in the MCP operational manual located in the MCP.

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2. Dispatch shall notify an authorized MCP operator of the request for deployment, detailing the event and location for deployment.
 3. The date and time of notification, and the name of the responding MCP Operator shall be documented in the CAD Event Detail.
 4. Dispatch shall advise the incident commander of the notification.
 5. The responding authorized operator will insure that the MCP is expeditiously deployed and set up where requested. The operator shall complete the MCP deployment log and set up checklist.
 6. All personnel utilizing the MCP during a deployment shall adhere to the rules and equipment instructions posted within the MCP.
 7. The division requesting and utilizing the MCP will be responsible for insuring it is cleaned and in serviceable condition upon completion of deployment.
 8. Upon completion of deployment, Twin Falls City Dispatch shall notify an authorized operator who shall return the MCP to its storage location at the Twin Falls Airport. The operator shall complete the MCP deployment log and storage checklist.
- (c) Non-emergency response will be approved and coordinated through the Administrative Services Division (ASD).
1. Upon approval of MCP deployment, divisions requesting non-emergency response shall coordinate deployment with an authorized operator detailing the date(s), time, and location that the MCP is requested.
 2. An authorized operator shall insure that the MCP is deployed and set up where requested. The operator shall complete the MCP deployment log and setup checklist.
 3. All personnel utilizing the MCP during a deployment shall adhere to the rules and equipment instructions posted within the MCP.
 4. The division requesting and utilizing the MCP will be responsible for insuring it is cleaned and in serviceable condition upon completion of deployment.
 5. Upon completion of deployment, dispatch shall notify an authorized operator who shall return the MCP to its storage location at the Twin Falls Airport. The operator shall complete the MCP deployment log and storage checklist.

374.4.3 SETUP AND USE OF MCP SYSTEMS

All systems will be operated according to the Mobile Command Post Systems Operational Manual which will be kept in the MCP.

374.4.4 RETURN AND STORAGE OF THE MCP

The division utilizing the MCP will be responsible for assisting the authorized operator in returning the MCP and tow vehicle to the storage location and restoring each to a clean and response ready condition including:

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- (a) Empty trash
- (b) Clean all white boards
- (c) Empty wastewater tanks
- (d) Replace any supplies used
- (e) Refuel the vehicle
- (f) Fill propane tanks
- (g) Power down all electronics and appliances
- (h) Complete the MCP deployment log & storage checklist

374.4.5 MONTHLY INVENTORY AND READINESS CHECK

The Bomb Squad will be responsible for monthly inventory and readiness checks of the MCP, tow vehicle, and generator.

Juvenile Crime Unit (JCU)

376.1 PURPOSE AND SCOPE

The JCU is comprised of sworn patrol officers who function as a cohesive unit assigned to work with juveniles within the Twin Falls School District as School Resource Officers (SROs). The SRO's primary workplace is the school to which he/she has been assigned but is also tasked with assisting in the elementary schools when directed to do so by the JCU Staff Sergeant or the Administrative Services Captain. The SRO works closely with school administrators and staff to provide student education and counseling, enforcement of state and local laws, and the rules and policies of the Twin Falls School District. Further, at the direction of the JCU Staff Sergeant or Administrative Services Captain, JCU Officers deploy to address juvenile offenders during summer vacation and other holidays when school is not in session.

376.2 AREAS OF RESPONSIBILITY

Each JCU Officer is assigned to a school as a primary workplace and service responsibility. Typically, JCU Officers are also assigned to one or more elementary schools and/or Middle Schools in order to provide police presence and services thereon:

- (a) Additionally, each JCU Officer may be called upon to cover other JCU Officers' assigned schools when needed;
- (b) JCU Officers are required to investigate and follow up cases within their assigned schools, complete charging requests, effect arrests as warranted, and clear cases when appropriate. JCU Officers must also document all incidents in which serious threats regarding killings, shootings, bomb threats, and/or gang violence/retaliation have been made, and all other activity that could result in physical harm or death to students or school staff. Further, JCU Officers periodically conduct follow-up investigations on these types of incidents and document that activity by means of an incident report;
- (c) In conjunction with the various school staffs, JCU Officers provide educational opportunities to those students within their assigned schools.
- (d) Upon request, JCU Officers work in concurrence with their school administrators to schedule and provide law enforcement security for events sponsored by Twin Falls Schools. JCU Officers are responsible for coordinating and scheduling officer(s) for these activities and will report all such events in advance to the JCU Staff Sergeant; and,
- (e) JCU Officers deploy within the Patrol Division when school is not in session, such as summer months, scheduled school breaks, holiday vacations, and other holidays recognized within the school district.

376.3 APPLICATION AND SELECTION PROCESS

376.3.1 REQUIREMENTS

Refer to Transfer and Reassignment Policy 1028

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Juvenile Crime Unit (JCU)

376.3.2 SELECTION PROCESS

Refer to Transfer and Reassignment Policy 1028

Equipment And Supply Purchase

380.1 PURPOSE AND SCOPE

The purpose of this policy is to establish clearly the procedure and personnel in place regarding the purchasing of departmental equipment and/or supplies.

380.2 PROCEDURE

Purchases made at any vendor throughout the fiscal year must be made within the existing budget for that particular year. Purchases are to be made by authorized personnel only. Authorized personnel for the purpose of this memo will be defined as the Chief of Police, any Division Captain, the Training Sergeant, Staff Sergeants, or any person authorized in writing by one of the above. The person taking delivery shall print their name and City Employee Number on the receipt/invoice and shall submit those receipts/invoices for payment in a timely manner.

At no time shall employees use the Department credit cards to make a purchase in person or over the telephone unless authorization has been received from the Chief of Police or the Divisional Commander whose card is being used. All credit card purchases require pre-approval by the Chief of Police or Divisional Commander and the City Manager. Credit card receipts are to be submitted in a timely manner to the Chief of Police or to the Divisional Commander for submission to City Hall.

An invoice or statement should be requested at the time of purchase so that payment can be made; credit cards should be used as a last resort, except for training or as approved by the Chief of Police or Divisional Commander.

Service Animals

381.1 PURPOSE AND SCOPE

The purpose of this policy is to provide the guidelines necessary to ensure that the rights of individuals who use service animals to assist with disabilities are protected in accordance with Title II of the Americans with Disabilities Act (ADA).

381.1.1 DEFINITIONS

Definitions related to this policy include:

Service Animal - A dog that is trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. The work or tasks performed by a service animal must be directly related to the individual's disability. Service animal also includes a dog-in-training for an individual with a disability (28 CFR 35.104; Idaho Code 56-701A).

Service animal also includes a miniature horse if the horse is trained to do work or perform tasks for people with disabilities, provided the horse is housebroken, is under the handler's control, the facility can accommodate the horse's type, size, and weight, and the horse's presence will not compromise legitimate safety requirements necessary for safe operation of the facility (28 CFR 35.136(i)).

381.2 POLICY

It is the policy of the Twin Falls Police Department to provide services and access to persons with service animals in the same manner as those without service animals. Department members shall protect the rights of persons assisted by service animals in accordance with state and federal law.

381.3 IDENTIFICATION AND USE OF SERVICE ANIMALS

Some service animals may be readily identifiable. However, many do not have a distinctive symbol, harness or collar. Service animals are not pets and may be trained by an individual or organization to assist people with disabilities.

The following examples are some of the ways service animals may be used to provide assistance:

- Guiding people who are blind or have low vision.
- Alerting people who are deaf or hard of hearing.
- Retrieving or picking up items, opening doors or flipping switches for people who have limited use of their hands, arms or legs.
- Pulling wheelchairs.
- Providing physical support and assisting with stability and balance.
- Doing work or performing tasks for persons with traumatic brain injury, intellectual disabilities or psychiatric disabilities, such as reminding a person with depression to take medication.

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- Alerting a person with anxiety to the onset of panic attacks, providing tactile stimulation to calm a person with post-traumatic stress disorder, assisting people with schizophrenia to distinguish between hallucinations and reality, and helping people with traumatic brain injury to locate misplaced items or follow daily routines.

381.4 MEMBER RESPONSIBILITIES

Service animals that are assisting individuals with disabilities are permitted in all public facilities and areas where the general public is allowed. Department members are expected to treat individuals with service animals with the same courtesy and respect that the Twin Falls Police Department affords to all members of the public (28 CFR 35.136).

381.4.1 INQUIRY

If it is apparent or if an officer is aware the animal is a service animal, the owner should not be asked any questions as to the status of the animal. If it is unclear whether an animal meets the definition of a service animal, the officer should ask the individual only the following questions (28 CFR 35.136(f)):

- Is the animal required because of a disability?
- What task or service has the service animal been trained to perform?

If the individual explains that the animal is required because of a disability and has been trained to work or perform at least one task, the animal meets the definition of a service animal and no further questions as to the animal's status should be asked. The person should not be questioned about his/her disabilities nor should the person be asked to provide any license, certification or identification card for the service animal.

381.4.2 CONTACT

Service animals are not pets. Department members should not interfere with the important work performed by a service animal by talking to, petting or otherwise initiating contact with a service animal.

381.4.3 REMOVAL

If a service animal is not housebroken or exhibits vicious behavior, poses a direct threat to the health of others, or unreasonably disrupts or interferes with normal business operations, an officer may direct the handler to remove the animal from the premises. Barking alone is not a threat, nor does a direct threat exist if the person takes prompt, effective action to control the service animal (28 CFR 35.136(b)).

Each incident must be considered individually, and past incidents alone are not cause for excluding a service animal. Removal of a service animal may not be used as a reason to refuse service to an individual with disabilities. Members of this department are expected to provide all services that are reasonably available to an individual with a disability, with or without a service animal.

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381.4.4 COMPLAINTS

When handling calls of a complaint regarding a service animal, members of this department should remain neutral and should be prepared to explain the ADA requirements concerning service animals to the concerned parties. Businesses are required to allow service animals to accompany their owner into all areas that other customers or members of the public are allowed (28 CFR 36.302).

Absent a violation of law independent of the ADA, officers should take no enforcement action beyond keeping the peace. Individuals who believe they have been discriminated against as a result of a disability should be referred to the Civil Rights Division of the U.S. Department of Justice (DOJ).

Off-Duty Law Enforcement Actions

385.1 PURPOSE AND SCOPE

The decision to become involved in a law enforcement action when off-duty can place an officer as well as others at great risk and must be done with careful consideration. This policy is intended to provide guidelines for officers of the Twin Falls Police Department with respect to taking law enforcement action while off-duty.

385.2 POLICY

Initiating law enforcement action while off-duty is generally discouraged. Officers should not attempt to initiate enforcement action when witnessing minor crimes, such as suspected intoxicated drivers, reckless driving or minor property crimes. Such incidents should be promptly reported to the appropriate law enforcement agency.

Officers are not expected to place themselves in unreasonable peril. However, any sworn member of this department who becomes aware of an incident or circumstance that he/she reasonably believes poses an imminent threat of serious bodily injury or death, or significant property damage may take reasonable action to minimize the threat.

When public safety or the prevention of major property damage requires immediate action, officers should first consider reporting and monitoring the activity and only take direct action as a last resort.

Officers should remember that their authority as a peace officer may not extend to actions taken outside their jurisdiction unless there is probable cause to believe the crime to be addressed is a felony or presents an immediate threat of serious bodily injury or death (Idaho Code § 67-2337).

385.3 FIREARMS

Officers of this department may carry firearms while off-duty in accordance with federal regulations and department policy. All firearms and ammunition must meet guidelines as described in the department Firearms Policy. When carrying firearms while off-duty officers shall also carry their department-issued badge and identification.

Officers should refrain from carrying firearms when the consumption of alcohol is likely or when the need to carry a firearm is outweighed by safety considerations. Firearms shall not be carried by any officer who has consumed an amount of an alcoholic beverage or taken any drugs that would tend to adversely affect the officer's senses or judgment.

385.4 DECISION TO INTERVENE

There is no legal requirement for off-duty officers to take law enforcement action. However, should officers decide to intervene, they must evaluate whether the action is necessary or desirable, and should take into consideration the following:

- (a) The tactical disadvantage of being alone and the fact there may be multiple or hidden suspects.

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- (b) The inability to communicate with responding units.
- (c) The lack of equipment, such as handcuffs, OC, ECW or baton.
- (d) The lack of cover.
- (e) The potential for increased risk to bystanders if the off-duty officer were to intervene.
- (f) Unfamiliarity with the surroundings.
- (g) The potential for the off-duty officer to be misidentified by other peace officers or members of the public.

Officers should consider waiting for on-duty uniformed officers to arrive, and gather as much accurate intelligence as possible instead of immediately intervening.

385.4.1 INTERVENTION PROCEDURE

If involvement is reasonably necessary, the officer should attempt to call or have someone else call 9-1-1 to request immediate assistance. The operator should be informed that an off-duty officer is on-scene and should be provided a description of the officer if possible.

Whenever practicable, the officer should loudly and repeatedly identify him/herself as an Twin Falls Police Department officer until acknowledged. Official identification should also be displayed.

385.4.2 INCIDENTS OF PERSONAL INTEREST

Officers should refrain from handling incidents of personal interest, (e.g., family or neighbor disputes) and should remain neutral. In such circumstances officers should call the responsible agency to handle the matter.

385.4.3 CIVILIAN RESPONSIBILITIES

Civilian personnel should not become involved in any law enforcement actions while off-duty except to notify the local law enforcement authority and remain at the scene, if safe and practicable.

385.4.4 OTHER CONSIDERATIONS

When encountering a non-uniformed officer in public, uniformed officers should wait for acknowledgement by the non-uniformed officer in case he/she needs to maintain an undercover capability.

385.5 REPORTING

Any off-duty officer who engages in any law enforcement activity, regardless of jurisdiction, shall notify the Shift Supervisor as soon as practicable. The Shift Supervisor shall determine whether a report should be filed by the employee.

An officer shall notify, as soon as safety conditions allow, the law enforcement agency having jurisdiction where an off-duty enforcement action took place and shall relinquish authority and control over any event to that agency (Idaho Code 67-2337). Officers should cooperate fully with the agency having jurisdiction in providing statements or reports as requested or as appropriate.

Chapter 4 - Patrol Operations

Patrol Function

400.1 PURPOSE AND SCOPE

The purpose of this policy is to define the functions of the patrol unit of this department to ensure intra-department cooperation and information sharing.

400.1.1 FUNCTION

Officers will generally patrol in clearly marked vehicles, patrol assigned jurisdictional areas of Twin Falls, respond to citizen calls for assistance, act as a deterrent to crime, enforce local ordinances as well as state laws and respond to emergencies 24 hours per day seven days per week.

Patrol will generally provide the following services within the limits of available resources:

- (a) Patrol that is directed at the prevention of criminal acts, traffic violations and collisions, the maintenance of public order, and the discovery of hazardous situations or conditions.
- (b) Crime prevention activities, including residential inspections, business inspections and community presentations.
- (c) Calls for service, both routine and emergency in nature.
- (d) Investigation of both criminal and non-criminal acts.
- (e) The apprehension of criminal offenders.
- (f) Problem Solving activities such as citizen assists and individual citizen contacts of a positive nature.
- (g) The sharing of information between the Patrol and other division within this department, as well as other outside governmental agencies.
- (h) The application of resources to specific problems or situations within the community, which may be improved or resolved by problem solving strategies.
- (i) Traffic direction and control.

400.1.2 TERRORISM

It is the goal of the Twin Falls Police Department to make every reasonable effort to accurately and appropriately gather and report any information that may relate to either foreign or domestic terrorism. Officers should advise a supervisor as soon as practicable of any activity believed to be terrorism related and should document such incidents with a written report or field interview (FI) card. The supervisor should ensure that all terrorism related reports and FIs are forwarded to the CID Supervisor in a timely fashion.

400.2 PATROL INFORMATION SHARING PROCEDURES

The following guidelines are intended to develop and maintain intra-department cooperation and information flow between the various divisions of the Twin Falls Police Department.

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Patrol Function

400.2.1 CRIME ANALYSIS UNIT

The Records Bureau conducts the Department's crime analysis and will be the central point for information exchange. Criminal information and intelligence reports can be submitted to the Records Bureau for distribution to all divisions within this department through daily and special bulletins.

400.2.2 CRIME REPORTS

A crime report may be completed by any Patrol or Community Service Officer who receives criminal information. The report will be processed and forwarded to the appropriate bureau for retention or follow-up investigation.

400.2.3 PATROL BRIEFINGS

Patrol supervisors, detective sergeants, and special unit sergeants are encouraged to share information as much as possible. All supervisors and/or officers will be provided an opportunity to share information at the daily patrol briefings as time permits.

400.3 CROWDS, EVENTS AND GATHERINGS

Officers may encounter gatherings of people, including but not limited to, civil demonstrations, civic, social and business events, public displays, parades and sporting events. Officers should monitor such events as time permits in an effort to keep the peace and protect the safety and rights of those present. A supervisor should be notified when it becomes reasonably foreseeable that such an event may require increased monitoring, contact or intervention.

Officers responding to an event or gathering that warrants law enforcement involvement should carefully balance the speech and association rights of those present with applicable public safety concerns before taking enforcement action. Officers are encouraged to contact organizers or responsible persons to seek voluntary compliance that may address relevant public safety/order concerns.

Officers should consider enforcement of applicable state and local laws, when the activity blocks the entrance or egress of a facility or location and when voluntary compliance with the law is not achieved.

Automated License Plate Readers (ALPRs)

401.1 PURPOSE AND SCOPE

Automated License Plate Reader (ALPR) technology, also known as License Plate Recognition, provides automated detection of license plates. ALPRs are used by the Twin Falls Police Department to capture data associated with vehicle license plates for official law enforcement purposes, including identifying stolen or wanted vehicles, stolen license plates and missing persons. ALPRs may also be used to gather information related to active warrants, suspect interdiction and stolen property recovery.

401.2 DEFINITIONS

- (a) ALPR - Equipment consisting of cameras and computer software used to automatically recognize and interpret characters on vehicle license plates and capture digital images.
- (b) Alert - An indication by visual and/or auditory notice of a potential match between data stored and a license plate scanned by the system. An alert is not conclusive confirmation of a match and further investigation is always required before taking enforcement action.
- (c) Digital Evidence Management Software - A Criminal Justice Information System (CJIS) compliant system for user maintenance, date queries, import and export of data, and notification functions of the central repository of data collected by the ALPR system. This application can be accessed and reviewed for investigative and administrative purposes by authorized users.

401.3 ADMINISTRATION OF ALPR DATA

All installation and maintenance of ALPR equipment, as well as ALPR data retention and access, shall be managed by the department Flock Administrator(s), who can assign personnel under his/her command to administer the day-to-day operations.

401.4 ALPR OPERATIONS

Use of an ALPR is restricted to the purposes outlined below. Department personnel shall not use, or allow others to use, the equipment or database records for any unauthorized purpose.

- (a) No member of this department shall operate ALPR equipment, or access ALPR data, without first completing department-approved training.
- (b) No ALPR operator may access the Idaho Law Enforcement Telecommunications System (ILETS) data unless otherwise authorized to do so.
- (c) An ALPR may be used in conjunction with any routine patrol operation or official department investigations.
- (d) An ALPR shall only be used for official and legitimate law enforcement business.
- (e) Upon receiving an alert, and prior to initiating a traffic stop, the ALPR operator shall utilize all information available to determine the accuracy of the alert. A receipt of an alert is not sufficient probable cause to initiate a stop without verification.

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Automated License Plate Readers (ALPRs)

- (f) Users shall not create a Custom Hot List without supervisory approval.
- (g) Users conducting field operations, and equipped with an MDC, shall login to the Flock interface at the beginning of their shift and keep the application open.

401.5 ALPR DATA COLLECTION AND RETENTION

All data and images gathered by an ALPR are for the official use of the Twin Falls Police Department. Because such data may contain confidential ILETS information, it is not open to public review. ALPR information gathered and retained by this department may be used and shared with prosecutors or others only as permitted by law.

All ALPR data will be stored in accordance with applicable City retention schedules, which has been identified as thirty (30) days. Thereafter, ALPR data will be purged unless it has become, or it is reasonable to believe it will become, evidence in a criminal or civil action or is subject to a lawful action or order to produce records.

All ALPR data is used for law enforcement purposes only. Data is agency-owned and is never sold to 3rd parties.

401.6 WHAT IS DETECTED

License plate image, vehicle image, plate text, date, time and location.

401.7 WHAT IS NOT DETECTED

Facial images, people, gender, or race.

401.8 PROHIBITED USES

ALPR shall not be used for harassment, intimidation, usage based solely on a protected class (race, sex, religion, etc), or personal use.

401.9 ACCOUNTABILITY AND SAFEGUARDS

All saved data will be closely safeguarded and protected by both procedural and technological means. The Twin Falls Police Department will observe the following safeguards regarding access to and use of stored data:

- (a) All non-law enforcement requests for access to stored ALPR data shall be referred to the Records Supervisor and processed in accordance with applicable law.
- (b) All ALPR data downloaded/uploaded to the mobile workstation and server, or Evidence.com shall be accessible only through a login/password-protected system capable of documenting all access of information by name, date, and time.
- (c) Persons approved to access ALPR data under these guidelines are permitted to access the data for legitimate law enforcement purposes only, such as when the data relates to a specific official department investigation.
- (d) Such ALPR data may be released to other authorized and verified law enforcement officials and agencies only for legitimate law enforcement purposes.
- (e) ALPR system audits should be conducted regularly by the department Flock administrator to ensure compliance with this policy. The department Flock

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Automated License Plate Readers (ALPRs)

Administrator will prepare a written report to the chief of police in December of each year.

Bias-Based Policing

402.1 PURPOSE AND SCOPE

This policy provides guidance to department members that affirms the Twin Falls Police Department's commitment to policing that is fair and objective.

Nothing in this policy prohibits the use of specified characteristics in law enforcement activities designed to strengthen the department's relationship with its diverse communities (e.g., cultural and ethnicity awareness training, youth programs, community group outreach, partnerships).

402.1.1 DEFINITIONS

Definitions related to this policy include:

Bias-based policing - An inappropriate reliance on actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, disability, or affiliation with any non-criminal group (protected characteristics) as the basis for providing differing law enforcement service or enforcement.

402.2 POLICY

The Twin Falls Police Department is committed to providing law enforcement services to the community with due regard for the racial, cultural or other differences of those served. It is the policy of this department to provide law enforcement services and to enforce the law equally, fairly, objectively and without discrimination toward any individual or group.

402.3 BIAS-BASED POLICING PROHIBITED

Bias-based policing is strictly prohibited.

However, nothing in this policy is intended to prohibit an officer from considering protected characteristics in combination with credible, timely and distinct information connecting a person or people of a specific characteristic to a specific unlawful incident, or to specific unlawful incidents, specific criminal patterns or specific schemes.

402.3.1 OTHER PROHIBITIONS

Members of the Twin Falls Police Department shall not engage in motorcycle profiling. Motorcycle profiling includes arbitrary use of facts such as a person riding a motorcycle or wearing motorcycle-related paraphernalia as factors in deciding to stop and question, take enforcement action, arrest, or search a person or vehicle under the United States Constitution or Idaho State Constitution (Idaho Code 49-1431).

402.4 MEMBER RESPONSIBILITIES

Every member of this department shall perform his/her duties in a fair and objective manner and is responsible for promptly reporting any suspected or known instances of bias-based policing to a supervisor. Members should, when reasonable to do so, intervene to prevent any biased-based actions by another member.

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Bias-Based Policing

402.4.1 REASON FOR CONTACT

Officers contacting a person shall be prepared to articulate sufficient reason for the contact, independent of the protected characteristics of the individual.

To the extent that written documentation would otherwise be completed (e.g., arrest report, Field Interview (FI) card), the involved officer should include those facts giving rise to the contact, as applicable.

Except for required data-collection forms or methods, nothing in this policy shall require any officer to document a contact that would not otherwise require reporting.

402.5 SUPERVISOR RESPONSIBILITY

Supervisors shall monitor those individuals under their command for any behavior that may conflict with the purpose of this policy and shall handle any alleged or observed violation of this policy in accordance with the Personnel Complaints Policy.

- (a) Supervisors should discuss any issues with the involved officer and his/her supervisor in a timely manner.
- (b) Supervisors should periodically review BWC recordings, MDC data and any other available resource used to document contact between officers and the public to insure compliance with this policy.
 - 1. Supervisors should document these periodic reviews.
 - 2. Recordings that capture a potential instance of racial- or bias-based profiling should be appropriately retained for administrative investigation purposes.
- (c) Supervisors shall initiate investigations of any actual or alleged violations of this policy.
- (d) Supervisors should insure that no retaliatory action is taken against any member of this department who discloses information concerning racial- or bias-based profiling.

402.6 TRAINING

Training on fair and objective policing and review of this policy should be conducted as directed by the Training Sergeant

Roll Call Briefing Training

404.1 PURPOSE AND SCOPE

Roll Call Briefing training is generally conducted at the beginning of the officer's assigned shift. Roll Call Briefing provides an opportunity for important exchange between employees and supervisors. A supervisor generally will conduct Roll Call Briefing; however officers may conduct Roll Call Briefing for training purposes with supervisor approval.

Roll Call Briefing should accomplish, at a minimum, the following basic tasks:

- (a) Briefing officers with information regarding daily patrol activity, with particular attention given to unusual situations and changes in the status of wanted persons, stolen vehicles, and major investigations.
- (b) Notifying officers of changes in schedules and assignments.
- (c) Notifying officers of new Departmental Directives or changes in Departmental Directives.
- (d) Reviewing recent incidents for training purposes.
- (e) Providing training on a variety of subjects.

404.2 PREPARATION OF MATERIALS

The supervisor conducting Roll Call Briefing is responsible for preparation of the materials necessary for a constructive briefing. Supervisors may delegate this responsibility to a subordinate officer in his or her absence or for training purposes.

404.3 RETENTION OF ROLL CALL BRIEFING TRAINING RECORDS

Roll Call Briefing training materials and a curriculum or summary shall be forwarded to the Training Sergeant for inclusion in training records, as appropriate.

Crime And Disaster Scene Integrity

406.1 PURPOSE AND SCOPE

The protection and integrity of a crime scene is of the utmost importance for the successful apprehension of criminals and successful prosecution. The integrity of a disaster scene is equally critical for the protection of life and property and investigation by proper authorities.

406.2 CRIME SCENE RESPONSIBILITY

The first officer at the scene of a crime or major incident is generally responsible for the preservation of the scene. Officers shall also consider officer safety and public safety issues including rendering medical aid for any injured parties. Once an officer has assumed or been assigned to maintain the integrity of the crime/disaster scene, it shall be maintained until the officer is relieved by a supervisor.

406.2.1 FIRST RESPONDER CONSIDERATIONS

The following list generally describes the first responder's function at a crime or disaster scene. This list is not intended to be all-inclusive, is not necessarily in order and may be altered according to the demands of each situation:

- (a) Insure no suspects are still within the area.
- (b) Broadcast emergency information including all requests for additional assistance.
- (c) Provide first aid to injured parties if it can be done safely.
- (d) Secure the inner perimeter with crime scene tape.
- (e) Protect items of apparent evidentiary value.
- (f) Start a chronological log noting critical times and personnel allowed access.

406.3 SEARCHES AT CRIME OR DISASTER SCENES

Officers arriving at crime or disaster scenes are often faced with the immediate need to search for and render aid to victims and determine if suspects are present and continue to pose a threat. Once officers are satisfied that no additional suspects are present and/or there are no injured persons to be treated, those exigent circumstances will likely no longer exist. Officers should thereafter secure the scene and conduct no further search until proper authority for the search is obtained.

406.3.1 CONSENT

Officers should seek consent to search from authorized individuals where possible. However, in the case of serious crimes or major investigations, it may be prudent to obtain a search warrant. Consent may be sought even in cases where a search warrant has been granted.

Crisis Negotiations Unit

408.1 PURPOSE AND SCOPE

The Crisis Negotiations Unit (CNU) shall be maintained for the purpose of handling hazardous situations which are beyond the normal scope of Patrol Officers and which require special negotiation skills and techniques. CNU will assist the various divisions of the Twin Falls Police Department, and other police agencies upon command approval, in dealing with any and/or all of the following law enforcement situations:

- (a) Armed or barricaded suspects;
- (b) Hostage situations;
- (c) Suicidal subjects beyond the normal scope of patrol;
- (d) Any other law enforcement function deemed appropriate by the Twin Falls City Chief of Police or his designee.

408.2 LEVELS OF CAPABILITY/TRAINING

408.2.1 LEVEL I

CNU activation for in-progress emergencies will be based upon the assessment of front line supervisors. If the Field Supervisor feels that a situation exists that poses a high risk of serious injury to the public or to Officers, they shall contact the Patrol Captain for authorization to deploy CNU. In the event that the Patrol Captain is unavailable, the Field Supervisor will then attempt to contact another Division Captain, Police Lieutenant, or the Chief of Police. If no one is available, the Field Supervisor may authorize CNU deployment.

408.2.2 LEVEL II

In the event that the above criterion is met, the ranking Officer will advise Dispatch to contact the team members. Dispatch will call each Officer on the team starting with the Team Commander and progressing down the call-out list in numerical order. All numbers listed with the City, up to a maximum of four, will be called. This is to include, but is not limited to, home phones, cell phones, and pagers. In the event there is no contact with a particular member of the team, a message will be left if possible. After the first calls have been made to each member, a second call will be made to members that Dispatch was unable to contact the first time through. This second call will include the same numbers attempted on the first call(s). The Team Leader is to be briefed by either the Field Supervisor or ranking Officer as soon as possible. It will be the responsibility of the ranking Officer to advise their superior Officers and/or the Chief of Police of the CNU call out. Upon deployment, CNU will gather and analyze the information on the situation and present options to the ranking Officer who will, in turn, authorize team action.

408.3 AGENCY POLICY

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Crisis Negotiations Unit

408.3.1 POLICY CONSIDERATIONS

The CNU will be a negotiating unit with the primary task of making verbal contact with the subject. Using negotiation tactics, CNU will attempt to negotiate a peaceful resolution. However, in the event that a peaceful resolution is not possible, the CNU will assist SWAT using negotiation tactics to resolve the situation and to preserve life.

408.3.2 ORGANIZATIONAL PROCEDURES

Negotiators will avoid face-to-face negotiations if at all possible. The only time this tactic will be approved is when dealing with an unarmed suicidal subject where no other means of communication is possible. An example of this would be negotiating with a person on the Perrine Bridge.

408.4 TRAINING NEEDS ASSESSMENT

The CNU will train on a regular basis within the Department. It will also train annually with SWAT.

408.5 UNIFORMS, EQUIPMENT, AND FIREARMS

Refer to Transfer and Reassignment Policy 1028

408.5.1 GROUNDS FOR REMOVAL FROM CNU

- Involvement in illegal or unprofessional activity;
- Breach of loyalty to the CNU or Department;
- Two or more unexcused absences from training or activation in a calendar year;
- Departmental discipline resulting in suspension or probation.

Ride-Along Policy

410.1 PURPOSE AND SCOPE

The Ride-Along Program provides an opportunity for citizens to experience the law enforcement function first hand. This policy provides the requirements, approval process, and hours of operation for the Ride-Along Program.

410.1.1 ELIGIBILITY

The Twin Falls Police Department Ride-Along Program is offered to residents, students and those employed within the City. Every attempt will be made to accommodate interested persons however any applicant may be disqualified without cause.

The following factors may be considered in disqualifying an applicant and are not limited to:

- Being under 15 years of age
- Prior criminal history
- Pending criminal action
- Pending lawsuit against this department
- Denial by any supervisor

410.1.2 AVAILABILITY

The Ride-Along Program is available on most days of the week, with certain exceptions. The ride-along times are from 10:00 a.m. to 11:00 p.m. Exceptions to this schedule may be made as approved by the Chief of Police, Division Commander, or Shift Supervisor.

410.2 PROCEDURE TO REQUEST A RIDE-ALONG

Generally, ride-along requests will be scheduled by the Patrol Captain or Lieutenant. The participant will complete a ride-along waiver form. Information requested will include a copy of a valid state-issue identification card or driver's license, address, and telephone number. If the participant is under 18 years of age, a parent/guardian must be present to complete the Ride-Along Form.

The Patrol Captain or Lieutenant will schedule a date, based on availability. If approved, a copy will be forwarded to the respective Shift Supervisor as soon as possible for his/her scheduling considerations.

If the ride-along is denied after the request has been made, a representative of this department will contact the applicant and advise him/her of the denial.

410.2.1 PROGRAM REQUIREMENTS

Once approved, civilian ride-alongs will be allowed to ride no more than once every six months. An exception would apply to the following: Cadets, Explorers, RSVP, Chaplains, Reserves, police applicants, and all others with approval of the Shift Supervisor.

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Ride-Along Policy

An effort will be made to ensure that no more than one citizen will participate in a ride-along during any given time period. Normally, no more than one ride-along will be allowed in the officer's vehicle at a given time.

Ride-along requirements for police cadets are covered in the Police Cadet Policy.

410.2.2 SUITABLE ATTIRE

Any person approved to ride along is required to be suitably dressed in collared shirt, blouse or jacket, slacks and shoes. Sandals, T-shirts, tank tops, shorts and ripped or torn blue jeans are not permitted. Hats and ball caps will not be worn in the police vehicle. The Shift Supervisor or field supervisor may refuse a ride along to anyone not properly dressed.

410.2.3 PEACE OFFICER RIDE-ALONGS

Off-duty members of this department or any other law enforcement agency will not be permitted to ride-along with on-duty officers without the expressed consent of the Shift Supervisor. In the event that such a ride-along is permitted, the off-duty employee shall not be considered on-duty and shall not represent themselves as a peace officer or participate in any law enforcement activity except as emergency circumstances may require.

410.2.4 RIDE-ALONG CRIMINAL HISTORY CHECK

All Ride-along applicants are subject to a criminal history check. The criminal history check may include a local records check and an NCIC check prior to their approval as a ride-along with a law enforcement officer (provided that the ride-along is not an employee of the Twin Falls Police Department).

410.3 OFFICER'S RESPONSIBILITY

The officer shall advise the dispatcher that a ride-along is present in the vehicle before going into service. Officers shall consider the safety of the ride-along at all times. Officers should use sound discretion when encountering a potentially dangerous situation, and if feasible, let the participant out of the vehicle in a well-lighted place of safety. The dispatcher will be advised of the situation and as soon as practical have another police unit respond to pick up the participant at that location. The ride-along may be continued or terminated at this time.

The Shift Supervisor is responsible for maintaining and scheduling ride-alongs. Upon completion of the ride-along, the yellow form shall be returned to the Shift Supervisor with any comments which may be offered by the officer.

410.4 CONTROL OF RIDE-ALONG

The assigned employee shall maintain control over the ride-along at all times and instruct him/her in the conditions that necessarily limit their participation. These instructions should include:

- (a) The ride-along will follow the directions of the officer.
- (b) The ride-along will not become involved in any investigation, handling of evidence, discussions with victims or suspects, or handling any police equipment.

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- (c) The ride-along may terminate the ride at any time and the officer may return the observer to their home or to the station if the ride-along interferes with the performance of the officer's duties.
- (d) Ride-alongs may be allowed to continue riding during the transportation and booking process provided this does not jeopardize their safety.
- (e) Officers will not allow any ride-alongs to be present in any residences or situations that would jeopardize their safety or cause undue stress or embarrassment to a victim or any other citizen.
- (f) Under no circumstance shall a civilian ride along be permitted to enter a private residence with an officer without the expressed consent of the resident or other authorized person.
- (g) No citizen participating in the Ride Along program will be authorized to carry or be in proximity to an unsecured firearm. The Division Commander and or the shift supervisor may authorize a sworn, certified, full-time officer that has jurisdiction within Twin Falls County to carry a firearm.

Hazardous Material Response

412.1 PURPOSE AND SCOPE

Hazardous materials present a potential harm to employees resulting from their exposure. The following is to be the policy of this department.

412.1.1 HAZARDOUS MATERIAL DEFINED

A hazardous material is a substance which by its nature, containment and reactivity, has the capability of inflicting harm during exposure; characterized as being toxic, corrosive, flammable, reactive, an irritant or strong sensitizer and thereby posing a threat to health when improperly managed.

412.2 HAZARDOUS MATERIAL RESPONSE

Employees may encounter situations involving suspected hazardous materials, such as at the scene of a traffic accident, chemical spill, or fire. When employees come into contact with a suspected hazardous material, certain steps should be taken to protect themselves and citizens.

The following steps should be considered at any scene involving suspected hazardous materials:

- (a) Attempt to identify type of hazardous substance. (Identification can be determined by placard, driver's manifest or statements from person transporting).
- (b) Notify the Fire Department.
- (c) Provide first-aid for injured parties if it can be done safely and without contamination.
- (d) Begin evacuation of immediate area and surrounding areas dependent on substance. Voluntary evacuation should be considered; however depending on the substance, mandatory evacuation may be necessary.

The Twin Falls Police Department generally defers incidents involving hazardous materials to fire departments or to the Idaho State Police (ISP). These agencies will be provided with reasonable support and assistance.

412.2.1 HAZARDOUS MATERIAL ROLE AND RESPONSIBILITY

The Idaho State Police is the responsible agency for hazardous materials if no other agency assumes responsibility. The fire department has assumed that role within Twin Falls. The Twin Falls Police Department has declined to assume any hazardous material responsibility and will support and aid the fire departments or Idaho State Police in their role (Idaho Code 67-2901).

412.2.2 CLANDESTINE DRUG LABS

Suspected clandestine drug labs present extreme dangers from explosions and exposure to hazardous chemicals. Officers encountering a suspected clandestine drug lab should immediately leave the property without disturbing any lights, power, heating or cooking elements. Additionally, equipment and chemicals located at the site should remain undisturbed. The responding officer should request that a supervisor respond to the scene.

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Hazardous Material Response

The on-scene Twin Falls Police Department supervisor at any suspected clandestine drug lab should immediately contact and request a response from the following:

- Idaho State Police Investigation Lab Team or the nearest ISP Investigation office.
- The Fire Department or regional hazmat response team.

The Twin Falls Police Department will not assume any responsibility for clean-up of clandestine drug labs, but will support ISP in their investigation.

Once a property has been positively identified as a clandestine drug lab, the on-scene Twin Falls Police Department supervisor will coordinate mandated Department of Health and Welfare notifications with the ISP investigator in charge. If the ISP investigator requests that the Twin Falls Police Department handle the notifications, the on-scene Twin Falls Police Department supervisor will be responsible for completing and submitting such reports (IDAPA 16.02.24.110).

412.3 REPORTING EXPOSURE(S)

Police Department personnel who believe that they have been exposed to a hazardous material shall immediately report the exposure to a supervisor. Each exposure shall be documented by the employee on the Department injury claim form that shall be forwarded via chain of command to the Commanding Officer. Should the affected employee be unable to document the exposure for any reason, it shall be the responsibility of the notified supervisor to complete the memorandum.

Injury or illness caused or believed to be caused from exposure to hazardous materials shall be reported the same as any other on-duty injury or illness in addition to whatever report the incident may require.

412.3.1 SUPERVISOR RESPONSIBILITY

When a supervisor has been informed that an employee has been exposed to a hazardous material, he/she shall ensure that immediate medical treatment is obtained and appropriate action is taken to lessen the exposure.

To ensure the safety of employees, safety equipment is available through supervisory personnel. Safety items not maintained by this department will be obtained through the Fire Department.

Hostages and Barricade Incidents

414.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for situations where officers have legal cause to contact, detain or arrest a person, and the person refuses to submit to the lawful requests of the officers by remaining in a structure or vehicle and/or by taking a hostage.

The scope of this policy is not intended to address all variables that officers encounter during their initial response or when a hostage or barricade situation has developed. This policy does not require or purport to recommend specific strategies or tactics for resolution as each incident is a dynamic and rapidly evolving event.

414.1.1 DEFINITIONS

Definitions related to this policy include:

Barricade situation - An incident where a person maintains a position of cover or concealment and ignores or resists law enforcement personnel, and it is reasonable to believe the subject is armed with a dangerous or deadly weapon.

Hostage situation - An incident where it is reasonable to believe a person is unlawfully held by a hostage-taker as security so that specified terms or conditions will be met.

414.2 POLICY

It is the policy of the Twin Falls Police Department to address hostage and barricade situations with due regard for the preservation of life and balancing the risk of injury, while obtaining the safe release of hostages, apprehending offenders and securing available evidence.

414.3 COMMUNICATION

When circumstances permit, initial responding officers should try to establish and maintain lines of communication with a barricaded person or hostage-taker. Officers should attempt to identify any additional subjects, inquire about victims and injuries, seek the release of hostages, gather intelligence information, identify time-sensitive demands or conditions and obtain the suspect's surrender.

When available, department-authorized negotiators should respond to the scene as soon as practicable and assume communication responsibilities. Negotiators are permitted to exercise flexibility in each situation based upon their training, the circumstances presented, suspect actions or demands and the available resources.

414.4 FIRST RESPONDER CONSIDERATIONS

First responding officers should promptly and carefully evaluate all available information to determine whether an incident involves, or may later develop into, a hostage or barricade situation.

The first responding officer should immediately request a supervisor's response as soon as it is determined that a hostage or barricade situation exists. The first responding officer shall assume the duties of the supervisor until relieved by a supervisor or a more qualified responder. The officer

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shall continually evaluate the situation, including the level of risk to officers, to the persons involved and to bystanders, and the resources currently available.

The handling officer should brief the arriving supervisor of the incident, including information about suspects and victims, the extent of any injuries, additional resources or equipment that may be needed, and current perimeters and evacuation areas.

414.4.1 BARRICADE SITUATION

Unless circumstances require otherwise, officers handling a barricade situation should attempt to avoid a forceful confrontation in favor of stabilizing the incident by establishing and maintaining lines of communication while awaiting the arrival of specialized personnel and trained negotiators. During the interim the following options, while not all-inclusive or in any particular order, should be considered:

- (a) Insure injured persons are evacuated from the immediate threat area if it is reasonably safe to do so. Request medical assistance.
- (b) Assign personnel to a contact team to control the subject should he/she attempt to exit the building, structure or vehicle, and attack, use deadly force, attempt to escape or surrender prior to additional resources arriving.
- (c) Request additional personnel, resources and equipment as needed (e.g., canine team, air support).
- (d) Provide responding emergency personnel with a safe arrival route to the location.
- (e) Evacuate non-injured persons in the immediate threat area if it is reasonably safe to do so.
- (f) Attempt or obtain a line of communication and gather as much information on the subject as possible, including weapons, other involved parties, additional hazards or injuries.
- (g) Establish an inner and outer perimeter as circumstances require and resources permit to prevent unauthorized access.
- (h) Evacuate bystanders, residents and businesses within the inner and then outer perimeter as appropriate. Check for injuries, the presence of other involved subjects, witnesses, evidence or additional information.
- (i) Determine the need for and notify the appropriate persons within and outside the Department, such as command officers and the Press Information Officer.
- (j) If necessary and available, establish a tactical or exclusive radio frequency for the incident.
- (k) Establish a command post.

414.4.2 HOSTAGE SITUATION

Officers presented with a hostage situation should attempt to avoid a forceful confrontation in favor of controlling the incident in anticipation of the arrival of specialized personnel and trained hostage negotiators. However, it is understood that hostage situations are dynamic and can require that

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officers react quickly to developing or changing threats. The following options while not all-inclusive or in any particular order, should be considered:

- (a) Insure injured persons are evacuated from the immediate threat area if it is reasonably safe to do so. Request medical assistance.
- (b) Assign personnel to a contact team to control the subject should he/she attempt to exit the building, structure or vehicle, and attack, use deadly force, attempt to escape or surrender prior to additional resources arriving.
- (c) Establish a rapid response team in the event it becomes necessary to rapidly enter a building, structure or vehicle, such as when the suspect is using deadly force against any hostages (see the Rapid Response and Deployment Policy).
- (d) Assist hostages or potential hostages to escape if it is reasonably safe to do so. Hostages should be kept separated if practicable pending further interview.
- (e) Request additional personnel, resources and equipment as needed (e.g., canine team, air support).
- (f) Provide responding emergency personnel with a safe arrival route to the location.
- (g) Evacuate non-injured persons in the immediate threat area if it is reasonably safe to do so.
- (h) Coordinate pursuit or surveillance vehicles and control of travel routes.
- (i) Attempt or obtain a line of communication and gather as much information about the suspect as possible, including any weapons, victims and their injuries, additional hazards, other involved parties and any other relevant intelligence information.
- (j) Establish an inner and outer perimeter as resources and circumstances permit to prevent unauthorized access.
- (k) Evacuate bystanders, residents and businesses within the inner and then outer perimeter as appropriate. Check for injuries, the presence of other involved subjects, witnesses, evidence or additional information.
- (l) Determine the need for and notify the appropriate persons within and outside the Department, such as command officers and the Press Information Officer.
- (m) If necessary and available, establish a tactical or exclusive radio frequency for the incident.

414.5 SUPERVISOR RESPONSIBILITIES

Upon being notified that a hostage or barricade situation exists, the supervisor should immediately respond to the scene, assess the risk level of the situation, establish a proper chain of command and assume the role of Incident Commander until properly relieved. This includes requesting the Crisis Negotiations Unit (CNU) response if appropriate and apprising the CNU Commander of the circumstances. In addition, the following options, listed here in no particular order, should be considered:

- (a) Insure injured persons are evacuated and treated by medical personnel.

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- (b) Insure the completion of necessary first responder responsibilities or assignments.
- (c) Request crisis negotiators, specialized units, additional personnel, resources or equipment as appropriate.
- (d) Establish a command post location as resources and circumstances permit.
- (e) Designate assistants who can help with intelligence information and documentation of the incident.
- (f) If it is practicable to do so, arrange for video documentation of the operation.
- (g) Consider contacting utility and communication providers when restricting such services (e.g., restricting electric power, gas, telephone service).
- (h) Insure adequate law enforcement coverage for the remainder of the City during the incident. The supervisor should direct non-essential personnel away from the scene unless they have been summoned by the supervisor or the Communications Center.
- (i) Identify a media staging area outside the outer perimeter and have the department Press Information Officer or a designated temporary media representative provide media access in accordance with the News Media Relations Policy.
- (j) Identify the need for mutual aid and the transition of relief of personnel for incidents of extended duration.
- (k) Debrief personnel and review documentation as appropriate.

414.6 CRISIS RESPONSE UNIT RESPONSIBILITIES

It will be the Incident Commander's decision, with input from the CNU Commander, whether to deploy the CNU during a hostage or barricade situation. Once the Incident Commander authorizes deployment, the CNU Commander or the authorized designee will be responsible for the tactical portion of the operation. The Incident Commander shall continue supervision of the command post operation, outer perimeter security and evacuation, media access and support for the CNU. The Incident Commander and the CNU Commander or the authorized designee shall maintain communications at all times.

414.7 REPORTING

Unless otherwise relieved by a supervisor or Incident Commander, the handling officer at the scene is responsible for completion and/or coordination of incident reports.

Response to Bomb Calls

416.1 PURPOSE AND SCOPE

These guidelines have been prepared to assist officers in their initial response to incidents involving explosives, explosive devices, or explosion/bombing incidents. Under no circumstances should these guidelines be interpreted as compromising the safety of first responders or the public. When confronted with an incident involving explosives, safety shall always be the primary consideration.

416.2 FOUND EXPLOSIVES/SUSPECT DEVICES

When handling an incident involving a suspected explosive device, the following guidelines should be followed:

- (a) No known or suspected explosive item should be considered safe regardless of its size or apparent packaging. The bomb squad should be summoned for assistance.
- (b) A minimum perimeter of 300 feet should be established around the location of the device. An access point should be provided for support personnel.
- (c) As much information as is available should be promptly relayed to the Supervisor including:
 - 1. The stated threat.
 - 2. Exact comments.
 - 3. Time of discovery.
 - 4. Exact location of the device.
 - 5. Full description (e.g., size, shape, markings, construction) of the device.
- (d) The device should not be touched or moved except by qualified bomb squad personnel.
- (e) All equipment within 300 feet of the suspected device capable of producing radio frequency energy should be turned off. This includes two-way radios, cell phones and other personal communication devices.
- (f) Consideration should be given to evacuating any buildings near the device.
- (g) A search of the area should be conducted for secondary devices or other objects that are either hazardous or foreign to the area and a perimeter should be established around any additional suspicious device.
- (h) Explosive or military ordnance of any type should be handled only by the Bomb Squad.

416.3 EXPLOSION/BOMBING INCIDENTS

When an explosion has occurred, there are multitudes of considerations which may confront the responding officer. As in other catastrophic incidents, a rapid response may help to minimize injury to victims, contamination of the scene by gathering crowds or additional damage by resulting fires or unstable structures.

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Response to Bomb Calls

Whether the explosion was the result of an accident or a criminal act, responding officers should consider the following actions:

- Assess the scope of the incident, including the number of victims and extent of injuries.
- Assist with first aid (Fire Department has primary responsibility).
- Assist with evacuation of victims (Fire Department has primary responsibility).
- Identify and take appropriate precautions to mitigate scene hazards such as collapsed structures, blood-borne pathogens, hazardous materials and secondary explosive devices.
- Request additional resources as needed.
- Identify witnesses.
- Preserve evidence.

416.3.1 NOTIFICATIONS

When an explosion has occurred, the following people shall be notified as soon as practicable if their assistance is needed:

- (a) Fire Department.
- (b) Bomb Squad.
- (c) Additional officers.
- (d) Divisional Captains.
- (e) Shift Supervisor.
- (f) Detectives.
- (g) Forensic Science Services.

416.3.2 CROWD CONTROL

Only authorized personnel with a legitimate need shall be permitted access to the scene. Spectators and other unauthorized individuals shall be excluded to a safe distance as is reasonably practicable given the available resources and personnel.

416.3.3 SCENE OF INCIDENT

As in any other crime scene, steps should immediately be taken to preserve the scene. The scene could extend over a long distance. Evidence may be imbedded in nearby structures or hanging in trees and bushes.

416.4 BOMB THREATS RECEIVED AT POLICE FACILITY

This procedure should be followed should a bomb threat call be received at the police facility.

416.4.1 BOMB THREATS RECEIVED BY TELEPHONE

The following questions should be asked if a bomb threat is received at the Police Department:

- When is the bomb going to explode?

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- Where is the bomb?
- What kind of bomb is it?
- What does it look like?
- Why did you place the bomb?
- Who are you? (to avoid possible termination of the call this should be the last question asked)

Attempt to keep the caller on the line as long as possible and obtain expanded answers to these five basic questions.

During this time, document the following:

- Time of the call.
- Exact words of the person as accurately as possible.
- Estimated age and sex of the caller.
- Speech patterns and/or accents.
- Background noises.

If the incoming call is received at the police facility on a recorded line, steps shall be taken to insure that the recording is preserved in accordance with current department evidence procedures.

416.4.2 RESPONSIBILITIES

The employee handling the call shall ensure that the Shift Supervisor is immediately advised and fully informed of the details. The Shift Supervisor will then direct and assign officers as required for coordinating a general building search or evacuation as he/she deems appropriate.

416.5 BOMB SQUAD CALL OUT PROCEDURE

416.5.1 RESPONSE/ACTIVATION FOR TWIN FALLS POLICE:

In most cases, the on-duty Supervisor will request Hazardous Devices Unit (HDU) response. However, different types of situations may necessitate other Supervisory Personnel or Command Staff Personnel initiating a request for HDU response. Notification/Activation of HDU may be made for Supervisory or Command Staff Personnel by Dispatch.

- (a) Notifications/Requests for HDU will be made to the HDU Commander. The HDU Commander's home telephone number and/or cell phone number may be used to make the notification.
- (b) HDU Commander will then insure notification to the Bomb Squad Captain has been made and HDU response is authorized.
- (c) HDU Commander will notify State Communications if necessary.
- (d) HDU Commander will notify HDU members. Notification/Activation of HDU members may be made for the HDU Commander by Dispatch.

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- (e) HDU Commander will notify the on-duty Supervisor of the response and which members of the HDU are responding.
- (f) At the conclusion of the response, the HDU Commander will notify the Bomb Squad Captain and on-duty Supervisor.

If the Hazardous Devices Unit is not available, bomb squad assistance may be obtained from the Mountain Home Air Force Base Unit by calling State Communications. Additional assistance may be obtained from the Boise Police Bomb Squad by calling the Ada County Dispatch at (208) 377-6790.

416.5.2 REQUEST BY OUTSIDE AGENCY:

In the event that HDU assistance is requested by an outside agency, dispatch should notify the on-duty Supervisor who should obtain all relevant information such as incident location, name, and telephone number of contact person requesting assistance and nature of incident.

- (a) The on-duty Supervisor will contact the HDU Commander. The HDU Commander's home telephone and/or cell phone number may be used to make the notification.
- (b) HDU Commander will contact the requesting agency to obtain all necessary information and provide safety instructions until response is authorized.
- (c) HDU Commander will notify the Bomb Squad Captain to obtain response authorization.
- (d) HDU Commander will insure that notification to State Communications has been made if necessary.
- (e) HDU Commander will notify HDU members. Notification/Activation of HDU members may be made for the HDU Commander by Dispatch.
- (f) HDU Commander will notify the on-duty Supervisor of the response and which members of the HDU are responding.
- (g) At the conclusion of the response, HDU Commander will notify the Bomb Squad Captain and on-duty Supervisor.

If the HDU is not available for response, the requesting agency may be referred to the Boise Police Bomb Squad or State Communications for assistance from Mountain Home Air Force Base.

Requests for training, safety briefings, robot demonstrations, or special events may be directed to any member of the HDU.

Civil Commitments

418.1 PURPOSE AND SCOPE

This policy provides guidelines for when officers may place an individual under protective custody for civil commitment (Idaho Code 66-326).

418.2 POLICY

It is the policy of the Twin Falls Police Department to protect the public and individuals through legal and appropriate use of the civil commitment process.

418.3 AUTHORITY

An officer may take a person into protective custody when he/she has reason to believe that the person is gravely disabled due to mental illness or poses an imminent danger to him/herself or others based upon (Idaho Code 66-326):

- Personal observation (e.g., the person's statements, injuries, emotional state, apparent means to carry out the threat, previous history of depression/suicide attempts).
- Witness observations.
- Medical professional's observations.

After determining that an emergency mental hold is appropriate, the officer shall:

- Obtain any needed medical clearance including an evaluation of a Designated Examiner.
- Transport the person to a treatment facility if necessary.

418.3.1 VOLUNTARY EVALUATION

If an officer encounters an individual who may qualify for civil commitment, he/she may inquire as to whether the person desires to voluntarily be evaluated at an appropriate facility. If the individual so desires, the officers should:

- (a) Transport the individual to an appropriate facility that is able to conduct the evaluation and admit the person as a civil commitment.
- (b) If at any point the individual changes his/her mind regarding voluntary evaluation, officers should proceed with the civil commitment, if appropriate.
- (c) Document the circumstances surrounding the individual's desire to pursue voluntary evaluation and/or admission.

418.3.2 PROTECTIVE CUSTODY OF CHILDREN

An officer may take a child 17 years of age or younger into protective custody and transport the child to an approved treatment facility or program for an emergency mental health evaluation when the officer determines (Idaho Code 16-2411):

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- (a) An emergency situation exists, there is probable cause to believe the child is suffering from a serious emotional disturbance and the child is likely to cause harm to him/herself or others.
- (b) The child is unable to preserve his/her health and safety in his/her present surroundings and both immediate detention and treatment is necessary to prevent harm to the child or others.

Probable cause shall be based upon the officer's personal observation, information from the child's parents or the recommendation of a mental health professional (Idaho Code 16-2411).

The officer shall inform the medical staff in writing of the facts that caused the detention and specifically state whether the child is otherwise subject to being held for juvenile or criminal offenses (Idaho Code 16-2411).

The law enforcement agency shall notify the child's parent, guardian or custodian as soon as possible, but no later than 24 hours, of the child's status, location and the reasons for the child's detention. If the parents cannot be located or contacted, both the efforts made and the reasons for failure to contact the parent shall be documented in a written report (Idaho Code 16-2411).

418.4 BRIDGE RESPONSE

The Twin Falls Police Department recognizes that officers are often asked to assist the Twin Falls Sheriff's Office and the Jerome Sheriff's Office with individuals contemplating taking their own life on the Perrine Bridge. Any intervention effort with individuals on the bridge has an inherent risk of injury to officers, the public as well as the individual attempting to jump. Officers are not expected to put themselves at unnecessary risk by trying to use force to keep someone from jumping off the bridge. Officers are trained in conflict resolution, and deescalation techniques; going hands-on should be a last resort, but is never expected. The decision to go hands-on is at the discretion of the officer(s) immediately engaged with the individual, if the officer(s) have determined it appears safe to do so. Once going hands-on, officers should continue to evaluate the feasibility of a successful and safe outcome and the possibility of disengaging if the circumstances warrant such.

418.5 CONSIDERATIONS AND RESPONSIBILITIES

Any officer handling a call involving an individual who may qualify for a civil commitment should consider, as time and circumstances reasonably permit:

- (a) Available information that might assist in determining the cause and nature of the individual's action or stated intentions.
- (b) Community or neighborhood mediation services.
- (c) Conflict resolution and de-escalation techniques.
- (d) Community or other resources available to assist in dealing with mental health issues.

While these steps are encouraged, nothing in this section is intended to dissuade officers from taking reasonable action to insure the safety of the officers and others.

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Civil Commitments

Civil commitments should be preferred over arrest for people who have mental health issues and are suspected of committing minor crimes or creating other public safety issues.

418.5.1 SECURING PROPERTY OF CHILDREN

Upon taking a child into protective custody for a mental health evaluation, the officer shall ensure that any property of the child is safeguarded and preserved unless a parent or responsible relative is able to do so (Idaho Code 16-2411).

418.6 TRANSPORTATION

When transporting any individual for a civil commitment, the transporting officer should have the Communications Center notify the receiving facility of the estimated time of arrival, the level of cooperation of the individual and whether any special medical care is needed.

Officers may transport individuals in a patrol unit and shall secure them in accordance with the Handcuffing and Restraints Policy. Should the detainee require transport in a medical transport vehicle and the safety of any person, including the detainee, requires the presence of an officer during the transport, Shift Supervisor approval is required before transport commences.

418.6.1 TRANSPORTING CHILDREN

If the examining physician determines that a child does not meet the criteria for emergency evaluation and treatment, and the child is subject to detention for a juvenile or criminal offense, the officer shall return to the treatment facility or mental health program to transport the child to a juvenile custody facility (Idaho Code 16-2413).

418.6.2 TRANSPORTING BETWEEN MEDICAL FACILITIES

Whenever an officer deems it necessary to apply restraints to an individual while transporting an individual from one medical facility to another and that restraint is against the medical advice of a licensed physician, the officer shall document the use of restraints in a report (Idaho Code 66-345).

418.7 TRANSFER TO APPROPRIATE FACILITY

Upon arrival at the facility, the officer will escort the individual into a treatment area designated by a facility staff member. If the individual is not seeking treatment voluntarily, the officer should provide the staff member with the written application for civil commitment and remain present to provide clarification of the grounds for detention, upon request.

Absent exigent circumstances, the transporting officer should not assist facility staff with the admission process, including restraint of the individual. However, if the individual is transported and delivered while restrained, the officer may assist with transferring the individual to facility restraints and will be available to assist during the admission process, if requested. Under normal circumstances, officers will not apply facility-ordered restraints.

418.8 CRIMINAL OFFENSES

Officers investigating an individual who is suspected of committing a minor criminal offense and who is being taken into custody for a civil commitment should resolve the criminal matter by issuing a warning or a uniform citation, as appropriate.

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Civil Commitments

When an individual who may qualify for a civil commitment has committed a serious criminal offense that would normally result in an arrest and transfer to a jail facility, the officer should:

- (a) Arrest the individual when there is probable cause to do so.
- (b) Notify the appropriate supervisor of the facts supporting the arrest and the facts that would support the civil commitment.
- (c) Facilitate the individual's transfer to the jail facility.
- (d) Thoroughly document in the related reports the circumstances that indicate the individual may qualify for a civil commitment.

In the supervisor's judgment, the individual may instead be arrested or booked and transported to the appropriate mental health facility. The supervisor should consider the seriousness of the offense, the treatment options available, the ability of this department to regain custody of the individual, department resources (e.g., posting a guard) and other relevant factors in making this decision.

418.9 TRAINING

This department will endeavor to provide department-approved training on interaction with mentally disabled persons, civil commitments and crisis intervention.

Citation Releases

420.1 PURPOSE AND SCOPE

Idaho law provides that, as to any misdemeanor or infraction triable by a magistrate, a law enforcement officer may, in lieu of making a written complaint, issue to the defendant a uniform citation containing a complaint and a summons to appear in a form and in the manner prescribed by rule of the supreme court (Idaho Code 19-3901).

420.2 STATUTORY REQUIREMENTS

Citation releases are authorized by Idaho Code 19-3901. Release by citation for misdemeanor offenses can be accomplished in two separate ways:

- (a) A field release is when the violator is released in the field without being transported to a jail facility.
- (b) A jail release is when a violator is released after being transported to the jail and booked.

420.2.1 DISCRETION TO ARREST

While this department recognizes the statutory power of peace officers to make arrests throughout the state, officers are encouraged to use sound discretion in the enforcement of the law. On-duty arrests will not generally be made outside the jurisdiction of the City except in cases of hot and/or fresh pursuit, while following up on crimes committed within the City, or while assisting another agency.

On-duty officers who discover criminal activity outside the jurisdiction of the City should, when circumstances permit, consider contacting the agency having primary jurisdiction before attempting an arrest. Off-duty officers observing criminal activity should generally take enforcement action only when it reasonably appears that imminent risk to life or property exists and the reasonable opportunity does not exist to contact the law enforcement agency with primary jurisdiction. In such situations the involved officer shall clearly identify him/herself as a police officer.

Officers are authorized to use verbal or written warnings to resolve minor traffic and criminal violations when appropriate.

420.3 RELEASE

When a misdemeanor or infraction is triable by a magistrate, an officer may, in lieu of making a written complaint, issue a uniform citation containing a complaint and summons to appear in a form and in the manner prescribed by rule of the supreme court (Idaho Code 19-3901).

A suspected offender for a misdemeanor traffic violation who is not taken before a magistrate as required or permitted by the motor vehicles statutes shall be released on issuance of a uniform citation with a promise to appear in court (Idaho Code 49-1409).

Release by uniform citation for misdemeanor offenses can be accomplished in two separate ways:

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Citation Releases

- (a) A field release is when the violator is released in the field without being transported to a jail facility.
- (b) A jail release is when a violator is released after being transported to the jail and booked.

420.3.1 FIELD CITATIONS

In most misdemeanor cases an arrestee may be released on citation provided the individual can be satisfactorily identified, that there is no outstanding arrest warrant for the individual or prior history for failure to appear and that none of the disqualifying circumstances described below are present. Persons under the age of 18 may be released on citation when the above criteria are met. However, officers should consider the nature and circumstances of the offense before deciding to release such individuals. Officers may also release subjects who were taken into custody on a private person's arrest for a misdemeanor offense after the complainant signs the required forms and the officer witnesses the signature, whenever appropriate.

The officer should contact a supervisor when special circumstances exist affecting the release of a person once that person is in custody.

420.3.2 JAIL RELEASE

In certain cases, it may be impractical to release a person arrested for misdemeanor offenses in the field. The person arrested may instead be released after booking at the jail.

In some cases, the person arrested may be required to post bond. These include, but are not limited to:

- Violent misdemeanor offenses
- Identification verification
- Prior charges of failing to appear on a citation
- Person not cooperating with the booking process
- Non resident violators

420.3.3 INSTRUCTIONS TO CITED PERSON

The citing officer shall, at the time he/she serves the defendant the citation, call attention to the time and place for appearance and take any other steps he/she deems necessary to ensure that the defendant understands his/her written promise to appear.

420.4 PROHIBITIONS

For the following felonies, or misdemeanors committed in the presence of an officer, a uniform citation is not permitted and the suspected offender shall be taken without unnecessary delay before the proper magistrate (Idaho Code 49-1405):

- (a) Negligent homicide.
- (b) Driving, or being in actual physical control of, a vehicle or operating a vessel while under the influence of alcohol or other intoxicating beverage.

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- (c) Driving a vehicle or operating a vessel while under the influence of any narcotic drug, or driving a vehicle or operating a vessel while under the influence of any other drug to a degree that renders the person incapable of safely driving a vehicle.
- (d) Failure to stop, failure to give information, or failure to render reasonable assistance in the event of an accident resulting in death or personal injuries.

See the Domestic Violence Policy for release restrictions related to those investigations.

420.5 REQUESTING CASE NUMBERS

Many cases involving a criminal citation release can be handled without requesting a case number. Traffic situations and local code violations can be documented on the reverse side of the officer's copy of the citation.

Generally all calls for service that are received via the Communications Center where an arrest is made will be given an assigned case number, including documenting all officers and all other essential personnel, who were assigned and or responded to the particular call.

Most Idaho Code sections will require a case number to document the incident properly in a report when an arrest is made. This section does not preclude an officer from requesting a case number if he/she feels the situation should be documented more thoroughly in a report.

Foreign Diplomatic and Consular Representatives

422.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure that members of the Twin Falls Police Department extend appropriate privileges and immunities to foreign diplomatic and consular representatives in accordance with international law.

422.2 POLICY

The Twin Falls Police Department respects international laws related to the special privileges and immunities afforded foreign diplomatic and consular representatives assigned to the United States.

All foreign diplomatic and consular representatives shall be treated with respect and courtesy, regardless of any privileges or immunities afforded them.

422.3 CLAIMS OF IMMUNITY

If a member comes into contact with a person where law enforcement action may be warranted and the person claims diplomatic or consular privileges and immunities, the member should, without delay:

- (a) Notify a supervisor.
- (b) Advise the person that his/her claim will be investigated and he/she may be released in accordance with the law upon confirmation of the person's status.
- (c) Request the person's identification card, either issued by the U.S. Department of State (DOS), Office of the Chief of Protocol, or in the case of persons accredited to the United Nations, by the U.S. Mission to the United Nations. These are the only reliable documents for purposes of determining privileges and immunities.
- (d) Contact the DOS Diplomatic Security Command Center at 571-345-3146 or toll free at 866-217-2089, or at another current telephone number and inform the center of the circumstances.
- (e) Verify the immunity status with DOS and follow any instructions regarding further detention, arrest, prosecution and/or release, as indicated by the DOS representative. This may require immediate release, even if a crime has been committed.

Identity or immunity status should not be presumed from the type of license plates displayed on a vehicle. If there is a question as to the status or the legitimate possession of a Diplomat or Consul license plate, a query should be run via the National Law Enforcement Telecommunications System (NLETS), designating "US" as the state.

422.4 ENFORCEMENT ACTION

If the DOS is not immediately available for consultation regarding law enforcement action, members shall be aware of the following:

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- (a) Generally, all persons with diplomatic and consular privileges and immunities may be issued a citation or notice to appear. However, the person may not be compelled to sign the citation.
- (b) All persons, even those with a valid privilege or immunity, may be reasonably restrained in exigent circumstances for purposes of self-defense, public safety or the prevention of serious criminal acts.
- (c) An impaired foreign diplomatic or consular representative may be prevented from driving a vehicle, even if the person may not be arrested due to privileges and immunities.
 - 1. Investigations, including the request for field sobriety tests, chemical tests and any other tests regarding impaired driving may proceed but they shall not be compelled.
- (d) The following persons may not be detained or arrested, and any property or vehicle owned by these persons may not be searched or seized:
 - 1. Diplomatic-level staff of missions to international organizations and recognized family members
 - 2. Diplomatic agents and recognized family members
 - 3. Members of administrative and technical staff of a diplomatic mission and recognized family members
 - 4. Career consular officers, unless the person is the subject of a felony warrant
- (e) The following persons may generally be detained and arrested:
 - 1. International organization staff; however, some senior officers are entitled to the same treatment as diplomatic agents.
 - 2. Support staff of missions to international organizations
 - 3. Diplomatic service staff and consular employees; however, special bilateral agreements may exclude employees of certain foreign countries.
 - 4. Honorary consular officers

422.5 DOCUMENTATION

All contacts with persons who have claimed privileges and immunities afforded foreign diplomatic and consular representatives should be thoroughly documented and the related reports forwarded to DOS.

422.6 DIPLOMATIC IMMUNITY TABLE

Reference table on diplomatic immunity:

Category	Arrested or Detained	Enter Residence Subject to Ordinary Procedures	Issued Traffic Citation	Subpoenaed as Witness	Prosecuted	Recognized Family Members

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Diplomatic Agent	No, see note b	No	Yes	No	No	Same as sponsor full immunity and inviolability
Member of Admin and Tech Staff	No, see note b	No	Yes	No	No	Same as sponsor full immunity and inviolability
Service Staff	Yes, see note a	Yes	Yes	Yes	No for official acts. Yes otherwise, see note a	No immunity or inviolability, see note a
Career Consul Officer	Yes if for a felony and pursuant to a warrant, see note a	Yes, see note d	Yes	No for official acts. Testimony may not be compelled in any case	No for official acts. Yes otherwise, see note a	No immunity or inviolability
Honorable Consul Officer	Yes	Yes	Yes	No for official acts. Yes otherwise	No for official acts. Yes otherwise	No immunity or inviolability
Consulate Employees	Yes, see note a	Yes	Yes	No for official acts. Yes otherwise	No for official acts. Yes otherwise, see note a	No immunity or inviolability
Int'l Org Staff (note (b))	Yes, see note c	Yes, see note c	Yes	Yes, see note c	No for official acts. Yes otherwise, see note c	No immunity or inviolability
Diplomatic-Level Staff of Missions to Int'l Org	No, see note b	No	Yes	No	No	Same as sponsor full immunity and inviolability
Support Staff of Missions to Int'l Orgs	Yes	Yes	Yes	Yes	No for official acts. Yes otherwise	No immunity or inviolability

Notes for diplomatic immunity table:

- (a) This table presents general rules. The employees of certain foreign countries may enjoy higher levels of privileges and immunities on the basis of special bilateral agreements.
- (b) Reasonable constraints, however, may be applied in emergency circumstances involving self-defense, public safety, or in the prevention of serious criminal acts.
- (c) A small number of senior officers are entitled to be treated identically to diplomatic agents.
- (d) Note that consul residences are sometimes located within the official consular premises. In such cases, only the official office space is protected from police entry.

Rapid Response and Deployment

424.1 PURPOSE AND SCOPE

Violence that is committed in schools, workplaces and other locations by individuals or a group of individuals who are determined to target and kill persons and to create mass casualties presents a difficult situation for law enforcement. The purpose of this policy is to identify guidelines and factors that will assist responding officers in situations that call for rapid response and deployment.

424.2 POLICY

The Twin Falls Police Department will endeavor to plan for rapid response to crisis situations, and to coordinate response planning with other emergency services as well as with those that are responsible for operating sites that may be the target of a critical incident.

Nothing in this policy shall preclude the use of reasonable force, deadly or otherwise, by members of the Department in protecting themselves or others from death or serious injury.

424.3 FIRST RESPONSE

If there is a reasonable belief that acts or threats by a suspect are placing lives in imminent danger, first responding officers should consider reasonable options to reduce, prevent or eliminate the threat. Officers must decide, often under a multitude of difficult and rapidly evolving circumstances, whether to advance on the suspect, take other actions to deal with the threat or wait for additional resources.

If a suspect is actively engaged in the infliction of serious bodily harm or other life-threatening activity toward others, officers should take immediate action, if reasonably practicable, while requesting additional assistance.

Officers should remain aware of the possibility that an incident may be part of a coordinated multi-location attack that may require some capacity to respond to other incidents at other locations.

When deciding on a course of action officers should consider:

- (a) Whether to advance on or engage a suspect who is still a possible or perceived threat to others. Any advance or engagement should be based on information known or received at the time.
- (b) Whether to wait for additional resources or personnel. This does not preclude an individual officer from taking immediate action.
- (c) Whether individuals who are under imminent threat can be moved or evacuated with reasonable safety.
- (d) Whether the suspect can be contained or denied access to victims.
- (e) Whether the officers have the ability to effectively communicate with other personnel or resources.
- (f) Whether planned tactics can be effectively deployed.

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- (g) The availability of rifles, shotguns, shields, breaching tools, control devices and any other appropriate tools, and whether the deployment of these tools will provide a tactical advantage.

In a case of a barricaded suspect with no hostages and no immediate threat to others, officers should consider summoning and waiting for additional assistance (special tactics and/or hostage negotiation team response).

424.4 CONSIDERATIONS

When dealing with a crisis situation members should:

- (a) Assess the immediate situation and take reasonable steps to maintain operative control of the incident.
- (b) Obtain, explore and analyze sources of intelligence and known information regarding the circumstances, location and suspect involved in the incident.
- (c) Attempt to attain a tactical advantage over the suspect by reducing, preventing or eliminating any known or perceived threat.
- (d) Attempt, if feasible and based upon the suspect's actions and danger to others, a negotiated surrender of the suspect and release of the hostages.

424.5 PLANNING

The Patrol Division Commander should coordinate critical incident planning. Planning efforts should consider:

- (a) Identification of likely critical incident target sites, such as schools, shopping centers, entertainment and sporting event venues.
- (b) Availability of building plans and venue schematics of likely critical incident target sites.
- (c) Communications interoperability with other law enforcement and emergency service agencies.
- (d) Training opportunities in critical incident target sites, including joint training with site occupants.
- (e) Evacuation routes in critical incident target sites.
- (f) Patrol first-response training.
- (g) Response coordination and resources of emergency medical and fire services.
- (h) Equipment needs.
- (i) Mutual aid agreements with other agencies.
- (j) Coordination with private security providers in critical incident target sites.

424.6 TRAINING

The Training Sergeant should include rapid response to critical incidents in the training plan. This training should address:

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- (a) Orientation to likely critical incident target sites, such as schools, shopping centers, entertainment and sporting event venues.
- (b) Communications interoperability with other law enforcement and emergency service agencies.
- (c) Patrol first-response training, including patrol rifle, shotgun, breaching tool and control device training.
- (d) First aid, including gunshot trauma.
- (e) Reality-based scenario training (e.g., active shooter, disgruntled violent worker).

Immigration Violations

428.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines to members of the Twin Falls Police Department relating to immigration and interacting with federal immigration officials.

428.2 POLICY

It is the policy of the Twin Falls Police Department that all members make personal and professional commitments to equal enforcement of the law and equal service to the public. Confidence in this commitment will increase the effectiveness of this department in protecting and serving the entire community and recognizing the dignity of all persons, regardless of their national origin or immigration status.

428.3 VICTIMS AND WITNESSES

To encourage crime reporting and cooperation in the investigation of criminal activity, all individuals, regardless of their immigration status, must feel secure that contacting or being addressed by members of law enforcement will not automatically lead to immigration inquiry and/or deportation. While it may be necessary to determine the identity of a victim or witness, members shall treat all individuals equally and not in any way that would violate the United States or Idaho constitutions.

428.3.1 BASIS FOR CONTACT

Unless immigration status is relevant to another criminal offense or investigation (e.g., harboring, smuggling, terrorism), the fact that an individual is suspected of being an undocumented alien shall not be the sole basis for contact, detention, or arrest.

428.3.2 SWEEPS

The Twin Falls Police Department does not independently conduct sweeps or other concentrated efforts to detain suspected undocumented aliens.

When enforcement efforts are increased in a particular area, equal consideration should be given to all suspected violations and not just those affecting a particular race, ethnicity, age, gender, sexual orientation, religion, socioeconomic status, or other group.

The disposition of each contact (e.g., warning, citation, arrest), while discretionary in each case, should not be affected by such factors as race, ethnicity, age, gender, sexual orientation, religion or socioeconomic status.

428.3.3 ICE REQUEST FOR ASSISTANCE

If a specific request is made by ICE or any other federal agency, this department may provide available support services, such as traffic control or peacekeeping efforts, during the federal operation.

Members of this department should not participate in such federal operations as part of any detention team unless it is in direct response to a request for assistance on a temporary basis

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or for officer safety. Any detention by a member of this department should be based upon the reasonable belief that an individual is involved in criminal activity.

428.3.4 IDENTIFICATION

Whenever any individual is reasonably suspected of a criminal violation (infraction, misdemeanor, or felony), the investigating officer should take reasonable steps to determine the person's identity through valid identification or other reliable sources.

If an individual would have otherwise been released for an infraction or misdemeanor on a citation, the person should be taken to the station and given a reasonable opportunity to verify his/her true identity (e.g., telephone calls). If the person's identity is thereafter reasonably established, the original citation release should be completed without consideration of immigration status.

428.3.5 ARREST

If the officer intends to take enforcement action and the individual is unable to reasonably establish his/her true identity, the officer may take the person into custody on the suspected criminal violation.

428.3.6 NOTIFICATION OF IMMIGRATION AND CUSTOMS ENFORCEMENT

In making the determination whether to notify ICE in such circumstances, the Officer should, in consultation with a supervisor, consider the totality of circumstances of each case, including, but not limited to:

- (a) Seriousness of the offense
- (b) Community safety
- (c) Potential burden on ICE
- (d) Impact on the immigrant community

428.4 DETENTIONS

An officer should not detain any individual, for any length of time, for a civil violation of federal immigration laws or a related civil warrant.

An officer who has a reasonable suspicion that an individual already lawfully contacted or detained has committed a criminal violation of federal immigration law may detain the person for a reasonable period of time in order to contact federal immigration officials to verify whether an immigration violation is a federal civil violation or a criminal violation. If the violation is a criminal violation, the officer may continue to detain the person for a reasonable period of time if requested by federal immigration officials (8 USC § 1357(g)(10)). No individual who is otherwise ready to be released should continue to be detained only because questions about the individual's status are unresolved.

If the officer has facts that establish probable cause to believe that a person already lawfully detained has committed a criminal immigration offense, he/she may continue the detention and

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may request a federal immigration official to respond to the location to take custody of the detained person (8 USC § 1357(g)(10)).

An officer is encouraged to forgo detentions made solely on the basis of a misdemeanor offense when time limitations, availability of personnel, issues of officer safety, communication capabilities, or the potential to obstruct a separate investigation outweigh the need for the detention.

An officer should notify a supervisor as soon as practicable whenever an individual is being detained for a criminal immigration violation.

428.4.1 U-VISA/T-VISA NONIMMIGRANT STATUS

Under certain circumstances federal law allows temporary immigration benefits to victims and witnesses of certain qualifying crimes (8 USC § 1101(a)(15)(U and T)). A declaration/certification for a U-Visa/T-Visa from the U.S. Citizenship and Immigration Services may be completed on the appropriate U.S. Department of Homeland Security (DHS) Form I-918 or I-914 by law enforcement and must include information on how the individual can assist in a criminal investigation or prosecution in order for a U-Visa/T-Visa to be issued.

Any request for assistance in applying for U-Visa/T-Visa status should be forwarded in a timely manner to the Criminal Investigative Division sergeant assigned to supervise the handling of any related case. The Criminal Investigative Division sergeant should do the following:

- (a) Consult with the assigned detective to determine the current status of any related case and whether further documentation is warranted.
- (b) Review the instructions for completing the declaration/certification if necessary. Instructions for completing Forms I-918/I-914 can be found on the U.S. DHS website at <http://www.uscis.gov/portal/site/uscis>.
- (c) Contact the appropriate prosecutor assigned to the case, if applicable, to insure the declaration/certification has not already been completed and whether a declaration/certification is warranted.
- (d) Address the request and complete the declaration/certification, if appropriate, in a timely manner.
- (e) Insure that any decision to complete or not complete the form is documented in the case file and forwarded to the appropriate prosecutor. Include a copy of any completed certification in the case file.

428.4.2 U VISA NONIMMIGRANT STATUS

Under certain circumstances federal law allows temporary immigration benefits to victims and witnesses of certain qualifying crimes (8 U.S.C. § 1101(a)(15)(U)). A petition for a U-Visa from the U.S. Citizenship and Immigration Services must be completed on DHS Form I-918 by the assigned investigator or the assigned prosecutor and must include information on how the individual can assist in a criminal investigation or prosecution in order for a U-Visa to be issued.

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Any request for assistance in applying for U-Visa status should be forwarded in a timely fashion to the Detective assigned to supervise the handling of any related case. The Detective should do the following:

- (a) Consult with the assigned detective to determine the current status of any related case and whether an update on the case is warranted.
- (b) Review the instructions for completing the certification if necessary. Instructions for completing Form I-918 can be found on the Department of Homeland Security website at <http://www.uscis.gov/portal/site/uscis>.
- (c) Contact the appropriate prosecutor assigned to the case, if applicable, to insure the certification has not already been completed and that certification is warranted.
- (d) Timely address the request and complete the certification if appropriate.
- (e) Insure that any decision to complete or not complete the form is documented in the case file and forwarded to the appropriate prosecutor. Include a copy of any completed certification in the case file.

CPOR, No Contact Orders, Disturbing The Peace And Disorderly Conduct

429.1 PURPOSE AND SCOPE

It is the purpose of this memorandum to provide police officers and supervisors guidelines when enforcing civil protection orders, no contact orders, disturbing the peace and disorderly conduct calls.

429.2 CPOR AND NO CONTACT ORDERS

- (a) Before making a decision to take enforcement action, it is incumbent upon officers to verify the information on the CPOR or No Contact Order with the originating agency. In Twin Falls County, all CPORs and No Contact Orders are retained at the jail. Officers can call the jail at any time and determine the status of the orders. Put simply, Civil Protection Orders and No Contact Orders can contain specific provisions that must be reviewed by officers before they can take any enforcement action.
- (b) If, after a review of the order, the police officer determines that probable cause exists to take action, he or she shall consider citing the offender in lieu of arrest. This decision must be based on the totality of the circumstances, which may include:
 - 1. Possibility of the offender recommitting a violation of law, or;
 - 2. Failing to appear on a citation.
- (c) Officers are cautioned when considering the arrest of, or issuance of citations to, both the petitioner and respondent for violating a CPOR. This should only be considered after careful review of the CPOR and when clear probable cause exists.
- (d) After making the decision to arrest or cite, officers must complete a detailed crime report (and probable cause affidavit if applicable) outlining the facts of the case and probable cause for enforcement action. Supervisors, in an effort to insure accuracy and legal justification for the officer's actions, shall, in a timely manner, critically review the crime report and affidavit.

429.3 DISTURBING THE PEACE

Idaho Code 18-6409:

(1) Every person who maliciously and willfully disturbs the peace or quiet of any neighborhood, family or person, by loud or unusual noise, or by tumultuous or offensive conduct, or by threatening, traducing, quarreling, challenging to fight or fighting, or fires any gun or pistol ... is guilty of a misdemeanor.

The statute requires that the peace or quiet of any neighborhood, family or person be disturbed. A police officer is not considered a person whose peace can be disturbed. Generally, proof that someone's peace or quiet has been disturbed will require testimony in court from that person. Otherwise, we are attempting to use inadmissible hearsay evidence to prove the violation. In addition, the disturbance must be malicious and willful.

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CPOR, No Contact Orders, Disturbing The Peace And Disorderly Conduct

Malice is defined in Idaho Code 18-101(4): "The words 'malice,' and 'maliciously,' import a wish to vex, annoy, or injure another person, or an intent to do a wrongful act, established either by proof or presumption of law."

Willful is defined in Idaho Code 18-101(1): "The word 'willfully,' when applied to the intent, with which an act is done or omitted, implies simply a purpose or willingness to commit the act or make the omission referred to. It does not require any intent to violate law, or to injure another, or to acquire any advantage."

429.4 CITY CODE

(A) Disorderly Conduct: Every person who willfully causes loud or unusual noise or engages in tumultuous or offensive conduct or threatens, traduces, quarrels, challenges to fight or fights, or who does anything offensive to the senses or dangerous to or disturbs the peace or quiet of any person, persons or neighborhood, shall be guilty of disorderly conduct...

(B) Disorderly House: No person shall keep a disorderly house or place of business or shall permit or suffer any drunkenness, fighting, quarreling, unlawful games or riotous or disorderly conduct or breach of the peace in any house, place or building owned, kept, used or occupied by him.

Policy: When taking enforcement action for disturbing the peace and disorderly conduct violations, officers shall:

- Consider the wishes of the victim or calling party.
- After close examination of evidence, whether physical or testimony, the officer shall advise the offender to immediately terminate the offending activity.
- Officers shall advise the victim or calling party that the offender will not be charged, cited or arrested without their cooperation, which may include providing a written statement, signing a citation, and providing testimony in court. There will be cases when the victim or calling party refuses to pursue a criminal complaint and the offender refuses to terminate the offending activity. In these cases, an arrest may be the only course of action to halt the offending activity.
- When the facts of a case are in dispute and time permits, officer should consult with their immediate supervisor before taking enforcement action.
- All arrests shall be documented in a detailed crime report

Trespass Orders

431.1 PURPOSE AND SCOPE

This policy outlines Officers' response to calls involving a trespassing allegation:

431.1.1 PROCEDURE

- (a) In the event that the trespasser is still on scene and refuses to leave after the legalities are explained to him/her, a citation may be issued and the trespasser will be ordered to leave by the responsible party. In the event that the trespasser still refuses to leave, Officers shall follow processes established under Idaho Code 18-7008. In either circumstance, if the reporting party wishes to pursue a criminal complaint, the Officer may issue a citation if it is the first violation of Idaho Code 18-7008. If it is the second or subsequent violation of Idaho Code 18-7008 within five (5) years, Officers should complete the appropriate paperwork and forward it to the Prosecutor.
- (b) In the event the trespasser is still on scene and agrees to leave, he/she will be issued a trespass form if requested by the property owner/authorized agent. The Officer will complete the Notice of Trespass template in RMS. The trespasser will be given his/her copy with an explanation of the consequences of future violation(s). After one (1) year, any inactive notice(s) shall be changed by the Records Division to the status "expired." If at any time the property owner/authorized agent wants the trespass order removed, the Records Division will notate this in the comments/trespass removal section of the summary and change the status to "resolved."
- (c) In the event that the trespasser is on file as having been contacted at the same location on prior occasion(s) and issued a trespass form, Officers shall follow the processes established under Idaho Code 18-7008. This is, of course, subject to Officer discretion with service to the community being our primary mission.

Personally Owned Patrol Rifles

432.1 PURPOSE AND SCOPE

In order to address more effectively and accurately the increasing level of fire power and body armor utilized by criminal suspects, the Twin Falls Police Department will make personally owned patrol rifles available to qualified Patrol Officers as an additional and more immediate tactical resource.

432.2 PATROL RIFLE

A patrol rifle is an authorized weapon that is owned by the Department or personally owned by a sworn member of the Department. These rifles are available to properly trained and qualified Officers as a supplemental resource to their duty handgun or shotgun. No personally owned rifles may be carried by an Officer for patrol duty until that Officer qualifies with the weapon and that qualification is documented and approved by a firearms training team member.

432.3 SPECIFICATIONS

The authorized patrol rifle issued by the Department shall be an AR15 military configuration rifle chambered in .223 Remington or 5.56mm NATO.

(a) Weapon Requirements:

1. Must be approved by the Chief of Police and Rangemaster;
2. Weapon Type: AR 15 type weapon of quality manufacturer;
3. AR 15 must be of military configuration and black in color. The Chief of Police may authorize earth tone colors or combinations on an individual basis.
4. Barrel diameter is not to exceed .735 as measured 3 inches from the muzzle.
5. Trigger: military type no less than 4.5 lbs as tested;
6. Caliber: .223/5.56 NATO or other calibers with signed approval by Chief of Police;
7. Overall Length: AR15 max barrel length of 20 inches;
8. Must have a carry sling or strap;
9. Must have iron sights; and,
10. Must have spare magazine for rifle either on rifle or with officer.

(b) Optional equipment includes but is not limited to:

- (c) Collapsible stock;
- (d) Red Dot type sight;
- (e) Optic not to exceed 4x (iron sights must be accessible with optic in place);
- (f) Weapon mounted white light;
- (g) Night sight for Back Up Iron Sight (BUIS);

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- (h) Weapon mounted magazine holder; and,
- (i) Vertical fore-grip.

432.4 RIFLE MAINTENANCE

The only ammunition authorized for patrol rifles is that which is issued by the Department.

432.5 TRAINING

- (a) Primary responsibility for maintenance of patrol rifles shall be the officer assigned to the weapon.
- (b) Each patrol officer carrying a patrol rifle may be required to field strip and clean their patrol rifle as needed.
- (c) Each patrol officer shall be responsible for promptly reporting any damage or malfunction of a patrol rifle.
- (d) Any patrol rifle found to be unserviceable shall be removed from service. The rifle shall be clearly labeled as "out of service" and details regarding the weapon's condition shall be included on the label.
- (e) Each patrol rifle shall be subject to inspection by a supervisor, the Rangemaster or Department Firearms Instructor at any time.
- (f) No modification shall be made to any patrol rifle without prior written authorization from the Rangemaster.
- (g) Officers are responsible for the care and maintenance of any personally owned rifles that are approved for duty use.

432.6 DEPLOYMENT OF THE PATROL RIFLE

Officers shall not carry or utilize the patrol rifle unless they have successfully completed departmental training. This training shall consist of an initial patrol rifle user's course and qualification score with a certified patrol rifle instructor. Officers shall thereafter be required to successfully complete annual training and qualification conducted by a certified patrol rifle instructor. Any officer who fails to qualify or who fails to successfully complete two or more department sanctioned training/qualification sessions within a calendar year will no longer be authorized to carry the patrol rifle without successfully retaking the initial patrol officer's user's course and qualification.

432.7 DISCHARGE OF THE PATROL RIFLE

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

- (a) Situations where the officer reasonably anticipates an armed encounter;
- (b) When an officer is faced with a situation that may require the delivery of accurate and effective fire at long range;

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- (c) Situations where an officer reasonably expects the need to meet or exceed a suspect's Firepower;
- (d) When an officer reasonably believes that there may be a need to deliver fire on a barricaded suspect or a suspect with a hostage;
- (e) When an officer reasonably believes that a suspect may be wearing body armor;
- (f) When authorized or requested by a supervisor; and,
- (g) When needed to euthanize an animal.

432.8 RIFLE STORAGE

Any qualified officer carrying a personal patrol rifle in the field shall maintain the weapon in the "patrol ready" until deployed. A rifle is considered "patrol ready" is one that has been inspected by the assigned officer and meets the following conditions:

- (a) The chamber is empty;
- (b) The rifle's action is closed;
- (c) The rifle safety is on;
- (d) There is a fully loaded magazine in the rifle with no more than 28 rounds; and,
- (e) The dust cover is closed.

432.9 RIFLE STORAGE

- (a) When not in use, patrol rifles will be stored safely in the supply room on racks provided.
- (b) At the end of the assigned officer's shift, the personal patrol rifle will be removed from the assigned vehicle and secured by the officer.
- (c) When not deployed, in-service patrol rifles should be secured in the vehicle in a locked gun rack or locked in the trunk.
- (d) Personally owned patrol rifles may NOT be left in an assigned vehicle when not actively on duty.
- (e) Personally owned patrol rifles may be stored in the owning Officer's locker and the locker must be locked during storage.

Aircraft Accidents

434.1 PURPOSE AND SCOPE

The purpose of this policy is to provide department members with guidelines for handling aircraft accidents.

This policy does not supersede, and is supplementary to, applicable portions of the Crime and Disaster Scene Integrity, Emergency Management Plan and Hazardous Material Response policies.

434.1.1 DEFINITIONS

Definitions related to this policy include:

Aircraft - Any fixed wing aircraft, rotorcraft, balloon, blimp/dirigible or glider that is capable of carrying a person or any unmanned aerial vehicle other than those intended for non-commercial recreational use.

434.2 POLICY

It is the policy of the Twin Falls Police Department to provide an appropriate emergency response to aircraft accidents. This includes emergency medical care and scene management.

434.3 ARRIVAL AT SCENE

Officers or other authorized members tasked with initial scene management should establish an inner and outer perimeter to:

- (a) Protect persons and property.
- (b) Prevent any disturbance or further damage to the wreckage or debris, except to preserve life or rescue the injured.
- (c) Preserve ground scars and marks made by the aircraft.
- (d) Manage the admission and access of public safety and medical personnel to the extent necessary to preserve life or to stabilize hazardous materials.
- (e) Maintain a record of persons who enter the accident site.
- (f) Consider implementation of an Incident Command System (ICS).

434.4 INJURIES AND CASUALTIES

Members should address emergency medical issues and provide care as a first priority.

Those tasked with the supervision of the scene should coordinate with the National Transportation Safety Board (NTSB) before the removal of bodies. If that is not possible, the scene supervisor should ensure documentation of what was disturbed, including switch/control positions and instrument/gauge readings.

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Aircraft Accidents

434.5 NOTIFICATIONS

When an aircraft accident is reported to this department, the responding supervisor shall ensure notification is or has been made to NTSB, the Federal Aviation Administration (FAA), and when applicable, the appropriate branch of the military.

Supervisors shall ensure other notifications are made once an aircraft accident has been reported. The notifications will vary depending on the type of accident, extent of injuries or damage, and the type of aircraft involved. When an aircraft accident has occurred, it is generally necessary to notify the following:

- (a) Fire department
- (b) Appropriate airport tower
- (c) Emergency medical services (EMS)

434.6 CONTROLLING ACCESS AND SCENE AUTHORITY

Prior to NTSB arrival, scene access should be limited to authorized personnel from the:

- (a) FAA.
- (b) Fire department, EMS or other assisting law enforcement agencies.
- (c) [Medical Examiner/JOP].
- (d) Air Carrier/Operators investigative teams with NTSB approval.
- (e) Appropriate branch of the military, when applicable.
- (f) Other emergency services agencies (e.g., hazardous materials teams, biohazard decontamination teams, fuel recovery specialists, explosive ordnance disposal specialists).

The NTSB has primary responsibility for investigating accidents involving civil aircraft. In the case of a military aircraft accident, the appropriate branch of the military will have primary investigation responsibility.

After the NTSB or military representative arrives on-scene, the efforts of this department will shift to a support role for those agencies.

If NTSB or a military representative determines that an aircraft or accident does not qualify under its jurisdiction, the on-scene department supervisor should ensure the accident is still appropriately investigated and documented.

434.7 DANGEROUS MATERIALS

Members should be aware of potentially dangerous materials that might be present. These may include, but are not limited to:

- (a) Fuel, chemicals, explosives, biological or radioactive materials and bombs or other ordnance.
- (b) Pressure vessels, compressed gas bottles, accumulators and tires.
- (c) Fluids, batteries, flares and igniters.

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- (d) Evacuation chutes, ballistic parachute systems and composite materials.

434.8 DOCUMENTATION

All aircraft accidents occurring within the City of Twin Falls shall be documented. At a minimum the documentation should include the date, time and location of the incident; any witness statements, if taken; the names of TFPD members deployed to assist; other City resources that were utilized; and cross reference information to other investigating agencies. Suspected criminal activity should be documented on the appropriate crime report.

434.8.1 WRECKAGE

When reasonably safe, members should:

- (a) Obtain the aircraft registration number (N number) and note the type of aircraft.
- (b) Attempt to ascertain the number of casualties.
- (c) Obtain photographs or video of the overall wreckage, including the cockpit and damage, starting at the initial point of impact, if possible, and any ground scars or marks made by the aircraft.
 - 1. Military aircraft may contain classified equipment and therefore shall not be photographed unless authorized by a military commanding officer (18 USC § 795).
- (d) Secure, if requested by the lead authority, any electronic data or video recorders from the aircraft that became dislodged or cell phones or other recording devices that are part of the wreckage.
- (e) Acquire copies of any recordings from security cameras that may have captured the incident.

434.8.2 WITNESSES

Members tasked with contacting witnesses should obtain:

- (a) The location of the witness at the time of his/her observation relative to the accident site.
- (b) A detailed description of what was observed or heard.
- (c) Any photographs or recordings of the accident witnesses may be willing to voluntarily surrender.
- (d) The names of all persons reporting the accident, even if not yet interviewed.
- (e) Any audio recordings of reports to 9-1-1 regarding the accident and dispatch records.

434.9 MEDIA RELATIONS

The Press Information Officer ([PIO]) should coordinate a response to the media, including access issues, road closures, detours and any safety information that is pertinent to the surrounding community. Any release of information regarding details of the accident itself should be coordinated with the NTSB or other authority who may have assumed responsibility for the investigation.

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Depending on the type of aircraft, the airline or the military may be responsible for family notifications and the release of victims' names. The [PIO] should coordinate with other involved entities before the release of information.

Field Training and Evaluation Program

436.1 PURPOSE AND SCOPE

The Field Training Program is intended to provide a standardized program to facilitate the officers transition from an academic setting to the actual performance of general law enforcement duties of the Twin Falls Police Department.

It is the policy of this department to assign all new police officers to a structured training program that is designed to prepare the new officer to perform in a patrol assignment possessing all skills needed to operate in a safe, skillful, productive and professional manner.

436.2 FIELD TRAINING OFFICER SELECTION AND TRAINING

The Field Training Officer (FTO) is an experienced officer trained in the art of supervising, training and evaluating entry level and lateral police officers in the application of their previously acquired knowledge and skills. The FTO is expected to reflect a high level of personal integrity, character and maturity.

436.2.1 SELECTION PROCESS

Refer to Transfer and Reassignment Policy 1028

436.2.2 TRAINING

An officer selected as an FTO shall receive FTO training prior to being assigned a trainee.

436.3 FIELD TRAINING OFFICER PROGRAM SUPERVISOR

The Field Training Officer Supervisor will be selected from the rank of Sergeant or above by the Patrol Division Commander or his/her designee.

The responsibilities of the FTO Program Supervisor include the following:

- (a) Assignment of trainees to FTOs;
- (b) Conducting FTO meetings;
- (c) Maintain and insure FTO/Trainee performance evaluations are completed;
- (d) Maintain, update and issue the Field Training Manual to each trainee;
- (e) Monitor individual FTO performance;
- (f) Monitor the overall performance of the FTO program;
- (g) Maintain liaisons with FTO coordinators from other agencies;
- (h) Maintain liaison with academy staff on recruit performance during the academy;
- (i) Develop ongoing training for FTOs.

436.4 TRAINEE DEFINED

Any entry level or lateral entry police officer newly appointed to the Twin Falls Police Department who has not yet successfully completed the training programs required by this department and Idaho Peace Officer Standards and Training (POST).

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Field Training and Evaluation Program

436.5 REQUIRED TRAINING

Entry level officers shall meet all requirements to become POST certified by the state of Idaho. Entry level officers will then be required to successfully complete the Twin Falls Police Department's Field Training program.

436.6 EVALUATIONS

Evaluations are an important part of the training program and shall be completed by the FTO as outlined below:

436.6.1 FIELD TRAINING OFFICER

- (a) FTOs will complete and submit a Daily Observation Report based on the performance of their assigned trainee to their immediate supervisor after each shift worked;
- (b) FTOs will review the DOR with the trainee each day;
- (c) A detailed end-of-phase performance evaluation on their assigned trainee shall be completed by the FTO at the end of each phase of training; and,
- (d) FTOs shall be responsible for signing off all completed topics contained in the TFPD Field Training Manual, noting the methods of learning and evaluating the performance of their assigned trainee.

436.6.2 IMMEDIATE SUPERVISOR

The immediate supervisor shall review and approve the Daily Observation Reports (DORs) and forward them to the FTO Supervisor.

436.6.3 FIELD TRAINING ADMINISTRATOR

The FTO coordinator will review and approve DORs, Coaching and Training reports and End of Phase evaluations submitted by the FTO through his/her immediate supervisor.

436.7 DOCUMENTATION

All documentation involved in the Field Training process will be retained in the officer's training file and will consist of the following.

- (a) DORs;
- (b) End of Phase evaluations;
- (c) Certificate of Completion showing the trainee has successfully completed the required training to become POST certified; and,
- (d) Release from Training letter recommending the trainee be allowed to work without a training officer.

Contacts and Temporary Detentions

440.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for temporarily detaining but not arresting persons in the field, conducting field interviews (FI) and pat-down searches, and the taking and disposition of photographs.

440.1.1 DEFINITIONS

Definitions related to this policy include:

Consensual encounter - When an officer contacts an individual but does not create a detention through words, actions, or other means. In other words, a reasonable individual would believe that his/her contact with the officer is voluntary.

Field interview (FI) - The brief detainment of an individual, whether on foot or in a vehicle, based on reasonable suspicion for the purpose of determining the individual's identity and resolving the officer's suspicions.

Field photographs - Posed photographs taken of a person during a contact, temporary detention, or arrest in the field. Undercover surveillance photographs of an individual and recordings captured by the normal operation of a Mobile/Audio Video (MAV) system, body-worn camera, or public safety camera when persons are not posed for the purpose of photographing are not considered field photographs.

Pat-down search - A type of search used by officers in the field to check an individual for dangerous weapons. It involves a thorough patting-down of clothing to locate any weapons or dangerous items that could pose a danger to the officer, the detainee, or others.

Reasonable suspicion - When, under the totality of the circumstances, an officer has articulable facts that criminal activity may be afoot and a particular person is connected with that possible criminal activity.

Temporary detention - When an officer intentionally, through words, actions, or physical force, causes an individual to reasonably believe he/she is required to restrict his/her movement without an actual arrest. Temporary detentions also occur when an officer actually restrains a person's freedom of movement.

440.2 FIELD INTERVIEWS

Based on observance of suspicious circumstances or upon information from investigation, an officer may initiate the stop of a person, and conduct an FI, when there is articulable, reasonable suspicion to do so. A person, however, shall not be detained longer than is reasonably necessary to resolve the officer's suspicion.

Nothing in this policy is intended to discourage consensual contacts. Frequent casual contact with consenting individuals is encouraged by the Twin Falls Police Department to strengthen community involvement, community awareness, and problem identification.

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440.2.1 INITIATING A FIELD INTERVIEW

When initiating the stop, the officers should be able to point to specific facts which, when considered with the totality of the circumstances, reasonably warrant the stop. Such facts include but are not limited to an individual's:

- (a) Appearance or demeanor suggesting that he/she is part of a criminal enterprise or is engaged in a criminal act.
- (b) Actions suggesting that he/she is engaged in a criminal activity.
- (c) Presence in an area at an inappropriate hour of the day or night.
- (d) Presence in a particular area is suspicious.
- (e) Carrying of suspicious objects or items.
- (f) Excessive clothes for the climate or clothes bulging in a manner that suggest he/she is carrying a dangerous weapon.
- (g) Location in proximate time and place to an alleged crime.
- (h) Physical description or clothing worn that matches a suspect in a recent crime.
- (i) Prior criminal record or involvement in criminal activity as known by the officer.

440.3 PAT-DOWN SEARCHES

Once a valid stop has been made, and consistent with the officer's training and experience, an officer may pat a suspect's outer clothing for weapons if the officer has a reasonable, articulable suspicion the suspect may pose a safety risk. The purpose of this limited search is not to discover evidence of a crime, but to allow the officer to pursue the investigation without fear of violence. Circumstances that may establish justification for performing a pat-down search include but are not limited to:

- (a) The type of crime suspected, particularly in crimes of violence where the use or threat of weapons is involved.
- (b) Where more than one suspect must be handled by a single officer.
- (c) The hour of the day and the location or area where the stop takes place.
- (d) Prior knowledge of the suspect's use of force and/or propensity to carry weapons.
- (e) The actions and demeanor of the suspect.
- (f) Visual indications which suggest that the suspect is carrying a firearm or other dangerous weapon.

Whenever practicable, a pat-down search should not be conducted by a lone officer. A cover officer should be positioned to ensure safety and should not be involved in the search.

440.4 POLICY

The Twin Falls Police Department respects the right of the public to be free from unreasonable searches or seizures. Due to an unlimited variety of situations confronting the officer, the decision to temporarily detain a person and complete an FI, pat-down search, or field photograph shall

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be left to the officer based on the totality of the circumstances, officer safety considerations, and constitutional safeguards.

440.5 WITNESS IDENTIFICATION AND INTERVIEWS

Because potential witnesses to an incident may become unavailable or the integrity of their statements compromised with the passage of time, officers should, when warranted by the seriousness of the case, take reasonable steps to promptly coordinate with an on-scene supervisor and/or criminal investigator to utilize available members for the following:

- (a) Identifying all persons present at the scene and in the immediate area.
 - 1. When feasible, a recorded statement should be obtained from those who claim not to have witnessed the incident but who were present at the time it occurred.
 - 2. Any potential witness who is unwilling or unable to remain available for a formal interview should not be detained absent reasonable suspicion to detain or probable cause to arrest. Without detaining the individual for the sole purpose of identification, officers should attempt to identify the witness prior to his/her departure.
- (b) Witnesses who are willing to provide a formal interview should be asked to meet at a suitable location where criminal investigators may obtain a recorded statement. Such witnesses, if willing, may be transported by department members.
 - 1. A written, verbal, or recorded statement of consent should be obtained prior to transporting a witness. When the witness is a minor, consent should be obtained from the parent or guardian, if available, prior to transport.

Criminal Organizations

442.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that the Twin Falls Police Department appropriately utilizes criminal intelligence systems and temporary information files to support investigations of criminal organizations and enterprises.

442.1.1 DEFINITIONS

Definitions related to this policy include:

Criminal intelligence system - Any record system that receives, stores, exchanges or disseminates information that has been evaluated and determined to be relevant to the identification of a criminal organization or enterprise, its members or affiliates. This does not include temporary information files.

442.2 POLICY

The Twin Falls Police Department recognizes that certain criminal activities, including but not limited to gang crimes and drug trafficking, often involve some degree of regular coordination and may involve a large number of participants over a broad geographical area.

It is the policy of this department to collect and share relevant information while respecting the privacy and legal rights of the public.

442.3 CRIMINAL INTELLIGENCE SYSTEMS

No department member may create, submit to or obtain information from a criminal intelligence system unless the Chief of Police has approved the system for department use.

Any criminal intelligence system approved for department use should meet or exceed the standards of 28 CFR 23.20.

A designated supervisor will be responsible for maintaining each criminal intelligence system that has been approved for department use. The supervisor or the authorized designee should insure the following:

- (a) Members using any such system are appropriately selected and trained.
- (b) Use of every criminal intelligence system is appropriately reviewed and audited.
- (c) Any system security issues are reasonably addressed.

442.3.1 SYSTEM ENTRIES

It is the designated supervisor's responsibility to approve the entry of any information from a report, FI, photo or other relevant document into an authorized criminal intelligence system. If entries are made based upon information that is not on file with this department, such as open or public source documents or documents that are on file at another agency, the designated supervisor should ensure copies of those documents are retained by the Records Bureau. Any supporting documentation for an entry shall be retained by the Records Bureau in accordance

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with the established records retention schedule and for at least as long as the entry is maintained in the system.

The designated supervisor should ensure that any documents retained by the Records Bureau are appropriately marked as intelligence information. The Records Supervisor may not purge such documents without the approval of the designated supervisor.

442.4 TEMPORARY INFORMATION FILE

Department supervisors, with the permission of the Chief of Police, may maintain temporary information files for the purpose of identifying criminal organizations or enterprises, their members or affiliates.

442.4.1 FILE CONTENTS

A temporary information file may only contain information and documents that, within one year, will have a reasonable likelihood to meet the criteria for entry into an authorized criminal intelligence system.

Information and documents contained in a temporary information file:

- (a) Must only be included upon documented authorization of the responsible department supervisor.
- (b) Should not be originals that would ordinarily be retained by the Records Bureau or Property and Evidence Bureau, but should be copies of, or references to, retained documents, such as copies of reports, field interview (FI) forms, the Communications Center records or booking forms.
- (c) Shall not include opinions. No person, organization or enterprise shall be labeled as being involved in crime beyond what is already in the document or information.
- (d) May include information collected from publicly available sources or references to documents on file with another government agency. Attribution identifying the source should be retained with the information.

442.4.2 FILE REVIEW AND PURGING

The contents of a temporary information file shall not be retained longer than one year. At the end of one year, the contents must be purged in compliance with Idaho Public Records Law or entered in an authorized criminal intelligence system, as applicable.

The designated supervisor shall periodically review the temporary information files to verify that the contents meet the criteria for retention. Validation and purging of files is the responsibility of the supervisor.

442.5 INFORMATION RECOGNITION

Department members should document facts that suggest an individual, organization or enterprise is involved in criminal activity and should forward that information appropriately. Examples include, but are not limited to:

- (a) Gang indicia associated with a person or residence.

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- (b) Information related to a drug-trafficking operation.
- (c) Vandalism indicating an animus for a particular group.
- (d) Information related to an illegal gambling operation.

Department supervisors who utilize an authorized criminal intelligence system should work with the Training Sergeant to train members to identify information that may be particularly relevant for inclusion.

442.6 RELEASE OF INFORMATION

Department members shall comply with the rules of an authorized criminal intelligence system regarding inquiries and release of information.

Information from a temporary information file may only be furnished to department members and other law enforcement agencies on a need-to-know basis and consistent with the Records Maintenance and Release Policy.

When an inquiry is made by the parent or guardian of a juvenile as to whether that juvenile's name is in a temporary information file, such information should be provided by the supervisor responsible for the temporary information file, unless there is good cause to believe that the release of such information might jeopardize an ongoing criminal investigation.

442.7 CRIMINAL STREET GANGS

The Criminal Investigative Division supervisor should insure that there are an appropriate number of department members who can:

- (a) Testify on matters related to criminal street gangs, and maintain an above average familiarity with the identification of criminal gang members as described in Idaho Code 18-8502(2) and patterns of criminal gang activity as described in Idaho Code 18-8502(3).
- (b) Coordinate with other agencies in the region regarding criminal street gang crimes and information.
- (c) Train other members to identify gang indicia and investigate criminal street gang-related crimes.

442.8 TRAINING

The Training Sergeant should provide training on best practices in the use of each authorized criminal intelligence system to those tasked with investigating criminal organizations and enterprises. Training should include:

- (a) The protection of civil liberties.
- (b) Participation in a multiagency criminal intelligence system.
- (c) Submission of information into a multiagency criminal intelligence system or the receipt of information from such a system, including any governing federal and state rules and statutes.

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- (d) The type of information appropriate for entry into a criminal intelligence system or temporary information file.
- (e) The review and purging of temporary information files.

Mobile Data Computers Use

448.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the proper access, use and application of the Mobile Data Computers (MDC) system in order to ensure appropriate access to confidential records from local, state and national law enforcement databases, and to ensure effective electronic communications between department members and the Communications Center.

448.2 POLICY

Twin Falls Police Department members using the MDC shall comply with all appropriate federal and state rules and regulations and shall use the MDC in a professional manner, in accordance with this policy.

448.3 PRIVACY EXPECTATION

Members forfeit any expectation of privacy with regard to messages accessed, transmitted, received or reviewed on any department technology system (see the Information Technology Use Policy for additional guidance).

448.4 RESTRICTED ACCESS AND USE

MDC use is subject to the Information Technology Use and Protected Information policies.

Members shall not access the MDC system if they have not received prior authorization and the required training. Members shall immediately report unauthorized access or use of the MDC by another member to their supervisors or Shift Supervisors.

Use of the MDC system to access law enforcement databases or transmit messages is restricted to official activities, business-related tasks and communications that are directly related to the business, administration or practices of the Department. In the event that a member has questions about sending a particular message or accessing a particular database, the member should seek prior approval from his/her supervisor.

Sending derogatory, defamatory, obscene, disrespectful, sexually suggestive, harassing or any other inappropriate messages on the MDC system is prohibited and may result in discipline.

It is a violation of this policy to transmit a message or access a law enforcement database under another member's name or to use the password of another member to log in to the MDC system unless directed to do so by a supervisor. Members are required to log off the MDC or secure the MDC when it is unattended. This added security measure will minimize the potential for unauthorized access or misuse.

448.4.1 USE WHILE DRIVING

Use of the MDC by the vehicle operator should be limited to times when the vehicle is stopped. When the vehicle is in motion, the operator should only attempt to read short messages that are likely to contain information that is required for immediate enforcement, investigative, tactical or

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Mobile Data Computers Use

safety needs. Information that is required for immediate enforcement, investigative, tactical or safety needs should generally be transmitted over the radio.

Short transmissions, such as a license plate check, are permitted if it reasonably appears that it can be done safely. In no case shall an operator attempt to send or review lengthy messages while the vehicle is in motion.

448.5 DOCUMENTATION OF ACTIVITY

Except as otherwise directed by the Shift Supervisor or other department-established protocol, all calls for service assigned by a dispatcher should be communicated by voice over the police radio and electronically via the MDC unless security or confidentiality prevents such broadcasting.

MDC and voice transmissions are used to document the member's daily activity. To ensure accuracy:

- (a) All contacts or activity shall be documented at the time of the contact.
- (b) Whenever the activity or contact is initiated by voice, it should be documented by a dispatcher.
- (c) Whenever the activity or contact is not initiated by voice, the member shall document it via the MDC.

448.5.1 DOCUMENTATION OF ACTIVITY

All changes in status (e.g., arrival at scene, meal periods, in service) will be transmitted either verbally over the police radio or through the MDC system.

Officers responding to in-progress calls shall advise changes in status verbally over the police radio to assist other officers responding to the same incident.

Other changes in status may be entered by depressing the appropriate key on the MDC's.

448.6 EQUIPMENT CONSIDERATIONS

448.6.1 MALFUNCTIONING MDC

Whenever possible, members will not use vehicles with malfunctioning MDCs. Whenever members must drive a vehicle in which the MDC is not working, they shall notify the Communications Center. It shall be the responsibility of the dispatcher to document all information that will then be transmitted verbally over the police radio.

448.6.2 BOMB CALLS

When investigating reports of possible bombs, members should not communicate on their MDCs when in the evacuation area of a suspected explosive device. Radio frequency emitted by the MDC could cause some devices to detonate.

Body Worn Camera

450.1 PURPOSE AND SCOPE

This policy is intended to provide officers with guidance on when and how to use body-worn cameras (BWC's) so that officers may reliably record their contacts with the public in accordance with the law.

This agency has adopted the use of the Body-Worn Camera to accomplish several objectives. The primary objectives include the following:

- (a) BWC's shall be used to transparently reflect the mission of the department, maintain public trust and confidence, and provide accountability to the citizenry.
- (b) BWC's allow for more accurate documentation of police-public contacts, arrests, and critical incidents. They also serve to enhance the accuracy of official reports.
- (c) Audio and video recordings also enhance this agency's ability to review probable cause for arrest, officer and suspect interaction, and evidence for investigative and prosecutorial purposes, and to provide additional information for officer evaluation and training.
- (d) The BWC may also be useful in documenting crime and accident scenes or other events that include the confiscation and documentation of evidence or contraband.

450.2 USE OF BODY WORN CAMERA

BWC CAMERA USAGE

Before using the BWC system, the officer must complete all prescribed BWC Department training relating to this policy as well as for the activation, use, annotation, and uploading of data.

- (a) Officers shall follow existing officer safety policies when conducting enforcement stops as outlined in Department policies and procedures. Officer safety shall be the primary consideration when contacting citizens or conducting vehicle stops, not the ability to record an event.
- (b) All sworn officers assigned to the patrol division, including traffic officers, will be assigned a BWC. Officers assigned to the Special Investigations Unit will have BWC's available for uniform interdiction work only and will not be required to wear BWC's when engaged in plain-clothes work. Additional BWC's will be maintained for those officers in investigations or other assignments, which need to capture video evidence.
- (c) Officers assigned a BWC system shall, at the beginning of their shift, inspect the recording system for visible signs of damage or inoperability. If at any time during the shift it is determined the unit is not functioning properly, officers will notify their immediate supervisor, and the unit will be taken out of service. The inspection shall include the following:
 - 1. The camera lens is clean and free of obstruction;
 - 2. The camera system is free of any visible signs of damage;
 - 3. The system has sufficient battery life for a shift of duty;

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- (d) Officers shall report any malfunction of the BWC system to their immediate supervisor and ensure that the system is submitted for repairs. The supervisor will assign the officer another BWC, if available, to use in the interim. If there is no camera available for use, the officer shall ask dispatch to note the absence of a camera in the CAD history. Officers shall not attempt to repair the BWC system.
 - 1. Officers shall wear the BWC system in the prescribed manner and location consistent with manufacturer recommendations.
- (e) The BWC system shall be activated as soon as it is reasonable to do so anytime an officer may become involved in an enforcement contact. Unless it is unsafe or impractical to do so, or mechanical issues that impede the use of the device are present, the officer shall begin recording as soon as practical during an enforcement contact and continue to record until the completion of the event, to include the recording of statements.
 - 1. An enforcement contact includes all interactions with citizens where there is a reasonable suspicion that the person is involved in criminal activity or a violation of law.
 - (a) The requirement for recording will include those instances of assisting another officer in an enforcement contact in any capacity, excluding those instances outlined in 450.2 (f) and 450.2 (g).
 - 2. An exception to recording is recognized for the administrative taking of reports (such as not-in-progress burglary or stolen vehicle reports), during community outreach events (such as giving a talk to a citizen group or making neighborhood contact with store clerks while on patrol), and respecting an individual's right to privacy as outlined in 450.3 (a).
 - 3. In addition to enforcement contacts, officers shall record all Code 3 responses regardless of the type of call.
- (f) Once activated, the BWC system shall not be deactivated until the event has been concluded unless:
 - 1. The event is protracted and continued recording is of no value (i.e., traffic control, crash scenes, extended perimeters; the officer is on scene, but in no position to record, etc.).
 - 2. It is necessary to discuss issues or concerns with another officer or supervisor in private.
- (g) In all instances that warrant the system being deactivated, the BWC may be temporarily muted or turned off. The intention to stop the recording will be noted by the officer verbally on the BWC. For example, "Recording muted/stopped to speak to supervisor." If feasible, the mute option for the microphone should be utilized rather than turning the unit off.
- (h) Officers shall place their BWC in the approved department docking station, in the prescribed manner, before going off duty, to ensure recorded media is uploaded daily.
- (i) Officers shall review all files (audio, video, and photographs) in Evidence.com, during their next tour of duty to ensure each of their files have been properly categorized and

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labeled with the auto-tagging feature. If any problems are identified with categorization or tagging, officers shall manually enter the appropriate information using the pre-defined list in the storage software (i.e., Major, Felony/Misdemeanor, Error, Infractions, No Enforcement Action, or Restricted). Report numbers and citation numbers should also be added, when applicable.

- (j) When officers create a recording of an incident related to a report, the officer shall explain in the report the existence of such recording. If for some reason, no recording is created, the officer shall notate the reason that no recording was created in their report.
- (k) Any officer assigned a BWC and a take-home vehicle shall make every reasonable effort to report to the station to obtain their BWC before responding to any calls for service. If obtaining the camera prior to responding to the call is not practical, the officer shall use their department issued iPhone or iPod with the Capture application to document the call for service and notate the reason for not using their BWC in their report.
- (l) Officers may inform individuals they are being recorded.
 - 1. The viewing of BWC recordings, by any citizen, at the scene of an incident is prohibited without supervisor approval.
 - 2. Requests by subjects of BWC recordings shall be referred to the Public Record Request procedure outlined in 450.6.
- (m) When transporting a person in a department vehicle, officers shall activate their BWC for the duration of the transport. Officers shall advise dispatch of their beginning and ending vehicle mileage by radio if they are not equipped with a BWC.

450.3 USAGE RESTRICTIONS

We, as an organization, recognize and respect an individual's right to privacy, and acknowledge there are times when it would not be in the best interest of the public, or the Department, to record sensitive information. As such, officers shall follow the items listed below with respect to the use of BWC systems.

- (a) Officers will use only the BWC system, issued and approved by the Department for official police duties. Personnel shall not remove, dismantle, or tamper with any hardware and/or software component of the BWC.
 - 1. In locations where an individual has a reasonable expectation of privacy, such as a private residence, the officer shall honor the request to not record unless:
 - (a) the recording is being made pursuant to a valid investigation, from a place where the officer is lawfully allowed to be present or,
 - (b) is made during the lawful arrest of an individual in the residence or,
 - (c) is being made in conjunction with a lawful search of the residence.
- (b) Officers shall not use agency owned BWC devices to record any type of personal activities or use the camera for any reason outside of their scope of employment with the Department.

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- (c) Officers shall not intentionally record in areas where there is a reasonable expectation of privacy such as locker rooms, restrooms, etc., unless the recording is being made pursuant to a valid investigation.
- (d) Officers shall not surreptitiously record other members of this Department without authorization from the Chief of Police, or his/her designee, or a court order.
- (e) Officers shall not knowingly record any Victim Witness staff, Prosecutors Office staff, Judges, undercover officers, or confidential informants (while engaged in their official capacities).
- (f) Due to safety and security concerns, other information that officers should consider not capturing on video as it relates to victims, witnesses, close family members of victims/witnesses, officers and prosecutors include:
 - 1. Vital information and personal identifying information such as DOB, SSN, etc.;
 - 2. Officers utilizing BWC's should not record patients during medical or psychological evaluations by a doctor or similar professional during treatment, unless required for evidentiary criminal investigation purposes (i.e., a blood draw for investigation purposes, excited utterances, or dying declarations). When recording in hospitals, and other medical facilities, officers shall be careful to avoid recording persons other than suspect(s) whenever possible.
 - 3. Additional contact information such as home address, place of employment, school, place of worship, etc.;
 - 4. Private information such as personal identification numbers (PINs), passwords, financial account numbers and information relating to financial transaction cards;

450.4 OFFICER REVIEW OF RECORDED MEDIA

Officers shall have "review access" to recorded media up-loaded from their assigned BWC. This is to allow an officer to review media as he/she prepares reports, prepares for court, and for self-critique.

- (a) Officers shall not have review access to the recorded media of other officers without prior supervisory approval.
- (b) Supervisors may review media of their respective subordinates on a random basis or with cause.
- (c) Under no circumstances, will recorded media be used for entertainment purposes or in an attempt to embarrass another officer or private citizen.
- (d) Any uploading or converting digital recording for use on any social media platform is strictly prohibited unless authorized by the Chief of Police or his/her designee.
- (e) Officers may use BWC videos for training purposes as authorized by the Chief of Police or his/her designee. Prior to using any such video, the officer shall ensure that the video is not actively being used as evidence in any criminal or civil case. The command staff and the City Attorney shall view the redacted video to be used for training prior to approval for use. Training videos shall be documented as such, properly redacted

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of private citizen information, and retained according to the Departments retention schedule.

450.5 RESPONSIBILITIES

- (a) System Administrator - The Chief of Police shall designate the System Administrator(s) who have oversight responsibilities to include, but not limited to, the following:
 - 1. Operation and user administration of the system.
 - 2. System Evaluation
 - 3. Training
 - 4. Policy and procedure review and evaluation.
 - 5. Coordination with Information Services regarding system related issues.
 - 6. Ensure files of evidentiary value are secure and retained per this policy.
 - 7. Ensure files are reviewed and released in accordance with federal, state, local statutes and Department policy.
- (b) Supervisors informed of a malfunctioning BWC shall ensure the System Administrator is made aware of the malfunction.
- (c) If a critical incident is potentially captured on recorded media (i.e., officer-involved shooting, in-custody death, etc.), the supervisor shall ensure that the system is not tampered with until authorized Critical Incident Task Force (CITF) personnel can review the media. TFPD personnel, in conjunction with a CITF representative, will ensure the media is uploaded according to department policy. Once the scene is rendered safe, the supervisor should, in order to ensure digital media is secured, remove the BWC system from the officer and secure it for CITF in a locked storage area (to include trunk of the patrol car). As a general rule, BWC's will not be turned over to CITF as evidence. If the CITF determines a BWC contains biological or physical evidence, which can only be recovered by collecting the BWC, they will coordinate with Department personnel for the collection of the BWC. Refer to CITF protocol.
- (d) Recordings may be reviewed by supervisors and Command Staff to monitor officer performance, identify training issues, provide critiques of officers, detect early intervention inquiries, or for investigative/complaint purposes.

450.6 STORAGE AND RELEASE OF RECORDED MEDIA TO PUBLIC

The recorded media and all recorded images that are captured during the scope of an officer's duties are the property of the Twin Falls Police Department.

- (a) No member of the Department shall release a copy of BWC files to any member of the public, outside of the Public Record Request procedure, as put in place by the Department and City. Any release of BWC files shall be made in accordance with Idaho Public Records Law (I.C. 74-102).

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450.7 USE OF PERSONAL OWNED DEVICES TO RECORD VIDEO OR AUDIO

Officers shall not, without express approval from a member of the Command Staff, use their personally owned recording devices (such as a camera phone or secondary video camera) in place of the BWC or as a backup to the BWC system.

- (a) Officers shall not use any personally owned device to record media from their BWC, another officer's BWC media from storage software, or any other device, which allows the officer to view the BWC system files.

450.8 AUDIO RECORDERS

Officers not issued BWC's, shall use department-issued iPhones or iPods in conjunction with the Axon Capture application, to document field investigations and enforcement contacts, unless they are working in a uniformed capacity.

450.9 RETENTION OF DIGITAL MEDIA

Digital Media files created by the BWC system shall be retained according to the retention rules of the State of Idaho and the City of Twin Falls.

- (a) All BWC files with an evidentiary value attached to a major criminal investigation with no statute of limitations, shall be retained for 100 years at the conclusion of the case. The crimes within this category, as outlined in Idaho Code § [19-401](#), include:
 - 1. Murder;
 - 2. Voluntary manslaughter;
 - 3. Rape pursuant to section [18-6101](#)(3) through (10), Idaho Code;
 - 4. Sexual abuse of a child or lewd conduct with a child as set forth in sections [18-1506](#) and [18-1508](#), Idaho Code; or
 - 5. An act of terrorism as set forth in sections [18-8102](#), [18-8103](#), [18-3322](#), [18-3323](#) and [18-3324](#), Idaho Code.
- (b) All BWC files with an evidentiary value attached to felony or misdemeanor cases will be retained for five years.
- (c) All BWC files with an evidentiary value attached to any infraction, or any non-enforcement action, shall be retained for two years.
- (d) An officer who makes a recording in error (such as in the locker room or restroom) shall tag the file as an error, and notify the System Administrator via email. The officer shall include his/her supervisor as a recipient of the email to request the video be deleted no sooner than 14 days after tagging.

Foot Pursuits

455.1 PURPOSE AND SCOPE

Foot pursuits are inherently dangerous and require common sense, sound tactics and heightened officer safety awareness. This policy sets forth guidelines to assist officers in making the decision to initiate or continue the pursuit of suspects on foot by balancing the objective of apprehending the suspect with the risk of potential injury to the officer, the public or the suspect.

455.1.1 POLICY

It is the policy of this Department when deciding to initiate or continue a foot pursuit that officers must continuously balance the objective of apprehending the suspect with the risk and potential for injury to Police Department personnel, the public or the suspect.

Officers are expected to act reasonably, based on the totality of the circumstances. Absent exigent circumstances, the safety of Police Department personnel and the public should be the primary consideration when determining whether a foot pursuit should be initiated or continued. Officers must be mindful that immediate apprehension of a suspect is rarely more important than the safety of the public and Police Department personnel.

455.2 DECISION TO PURSUE

Officers may be justified in initiating a foot pursuit of any individual who the officer reasonably believes is about to engage in, is engaging in or has engaged in criminal activity. The decision to initiate or continue such a foot pursuit, however, must be continuously re-evaluated in light of the circumstances presented at the time.

Mere flight by a person who is not suspected of criminal activity shall not serve as the sole justification for engaging in an extended foot pursuit without the development of reasonable suspicion of the individual's involvement in criminal activity.

Deciding to initiate or continue a foot pursuit is a decision that an officer must make quickly and under unpredictable and dynamic circumstances. It is recognized that foot pursuits potentially place Police Department personnel and the public at significant risk. Therefore, no officer or supervisor shall be criticized or disciplined for deciding not to engage in a foot pursuit because of the perceived risk involved.

If circumstances permit, surveillance and containment are generally the safest tactics for apprehending fleeing persons. In deciding whether to initiate or continue a foot pursuit, an officer should continuously consider reasonable alternatives to pursuit based upon the circumstances and resources available, such as the following:

- (a) Containment of the area
- (b) Canine search
- (c) Saturation of the area with patrol personnel

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- (d) Apprehension at another time when the identity of the suspect is known or there is information available that would likely allow for later apprehension, and the need to immediately apprehend the suspect does not reasonably appear to outweigh the risk of continuing the pursuit.

455.3 GUIDELINES FOR FOOT PURSUIT

Unless the officer reasonably believes that exigent circumstances exist (e.g. a serious threat to the safety of personnel or members of the public), officers should consider alternatives to engaging in or continuing a foot pursuit under the following conditions:

- (a) When directed by a supervisor to terminate the foot pursuit. Such an order shall be considered mandatory.
- (b) When the officer is acting alone.
- (c) When two or more officers become separated, lose visual contact with one another, or obstacles separate them to the degree that they cannot immediately assist each other should a confrontation take place. In such circumstances, it is generally recommended that a single officer keep the suspect in sight from a safe distance and coordinate the containment effort.
- (d) The officer is unsure of his or her location and direction of travel.
- (e) When pursuing multiple suspects and the pursuing officers do not reasonably believe that they would be able to control the suspect should a confrontation occur.
- (f) When the physical condition of the officers renders them incapable of controlling the suspect if apprehended.
- (g) When the officer loses radio contact with the Communications Center or with backup officers.
- (h) The suspect enters a building, structure, confined space or a wooded or otherwise isolated area and there are insufficient officers to provide backup and containment. The primary officer should consider discontinuing the pursuit and coordinating containment pending the arrival of sufficient officers.
- (i) The officer becomes aware of unanticipated or unforeseen circumstances that unreasonably increase the risk to officers or the public.
- (j) The officer reasonably believes that the danger to the pursuing officers or public outweighs the objective of immediate apprehension.
- (k) The officer loses possession of his/her firearm or other essential equipment.
- (l) The officer or a third party is injured during the pursuit, requiring immediate assistance, and there are no other emergency personnel available to render assistance.
- (m) The suspect's location is no longer definitely known.
- (n) The identity of the suspect is established or other information exists that will allow for the suspect's apprehension at a later time, and it reasonably appears that there is no immediate threat to Police Department personnel or the public if the suspect is not immediately apprehended.

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- (o) The officer's ability to safely continue the pursuit is impaired by inclement weather, terrain that could be injurious to the officer during the pursuit, darkness or other conditions.

455.4 RESPONSIBILITIES IN FOOT PURSUITS

455.4.1 INITIATING OFFICER RESPONSIBILITIES

Unless relieved by another officer or a supervisor, the initiating officer shall be responsible for coordinating the progress of the pursuit. When acting alone and when practicable, the initiating officer should not attempt to overtake and confront the suspect but should attempt to keep the suspect in sight until sufficient officers are present to safely apprehend the suspect.

Early communication of available information from the involved officers is essential so that adequate resources can be coordinated and deployed to bring a foot pursuit to a safe conclusion. Officers initiating a foot pursuit should broadcast the following information as soon as it becomes practicable and available:

- (a) Unit identifier.
- (b) Location and direction of travel.
- (c) Reason for the foot pursuit.
- (d) Number of suspects and description.
- (e) Whether the suspect is known or believed to be armed.

Officers should be mindful that radio transmissions made while running may be difficult to understand and may need to be repeated.

Absent extenuating circumstances, any officer unable to promptly and effectively broadcast this information should terminate the pursuit. If the foot pursuit is discontinued for any reason, immediate efforts for containment should be established and alternatives considered based upon the circumstances and available resources.

When a foot pursuit terminates, the officer will notify the Communications Center of his/her location and the status of the pursuit termination (e.g., suspect in custody, lost sight of suspect), and will direct further actions as reasonably appear necessary.

455.4.2 SUPERVISOR RESPONSIBILITIES

Upon becoming aware of a foot pursuit, the supervisor shall make every reasonable effort to ascertain sufficient information to direct responding resources and to take command, control and coordination of the foot pursuit. The supervisor should respond to the area whenever possible; the supervisor does not, however, need not be physically present to exercise control over the foot pursuit. The supervisor shall continuously assess the situation in order to ensure the foot pursuit is conducted within established department guidelines.

The supervisor shall terminate the foot pursuit when the danger to pursuing officers or the public appears to unreasonably outweigh the objective of immediate apprehension of the suspect.

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Upon apprehension of the suspect, the supervisor shall promptly proceed to the termination point to direct the post-foot pursuit activity.

455.5 ASSISTING OFFICER RESPONSIBILITIES

Whenever any officer announces that he/she is engaged in a foot pursuit, all other officers should minimize non-essential radio traffic to permit the involved officers maximum access to the radio frequency.

Any officer who is in a position to intercept a fleeing suspect, or who can assist the primary officer with the apprehension of the suspect, shall act reasonably and in accordance with the policy of the Police Department, based upon available information and his/her own observations.

455.5.1 SUPERVISOR RESPONSIBILITY

Upon becoming aware of a foot pursuit, the supervisor shall make every reasonable effort to ascertain sufficient information necessary to direct responding resources and to take command, control and coordination of the foot pursuit. The supervisor should respond to the area whenever possible; the supervisor does not, however, need not be physically present to exercise control over the pursuit. The supervisor shall continuously assess the situation in order to ensure the foot pursuit is conducted within established Police Department guidelines.

The supervisor shall terminate the foot pursuit when the danger to pursuing officers or the public unreasonably appears to outweigh the objective of immediate apprehension of the suspect.

Upon apprehension of the suspect, the supervisor shall promptly proceed to the termination point to direct the post-pursuit activity.

455.5.2 THE COMMUNICATIONS CENTER RESPONSIBILITIES

Upon being notified or becoming aware that a foot pursuit is in progress, communication personnel shall, as soon as practical, notify the field supervisor and provide available information. Communication personnel are also responsible for the following:

- (a) Clear the radio channel of non-emergency traffic.
- (b) Repeat the transmissions of the pursuing officer as needed.
- (c) Insure that a field supervisor is notified of the pursuit.
- (d) Relay all pertinent information to responding personnel.
- (e) Contact additional resources as directed by a supervisor.
- (f) Coordinate response of additional resources to assist with the foot pursuit.

455.6 REPORTING REQUIREMENTS

The initiating officer shall complete the appropriate crime/arrest reports documenting, at a minimum:

- (a) Date and time of the foot pursuit.
- (b) Initial reason and circumstances surrounding the foot pursuit.

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- (c) Course and approximate distance of the foot pursuit.
- (d) Alleged offenses.
- (e) Involved vehicles and officers.
- (f) Whether a suspect was apprehended as well as the means and methods used.
 - 1. Any use of force shall be reported and documented in compliance with the Use of Force Policy.
- (g) Arrestee information, if applicable.
- (h) Any injuries and/or medical treatment.
- (i) Any property or equipment damage.
- (j) Name of the supervisor at the scene or who handled the incident.

Assisting officers taking an active role in the apprehension of the suspect shall complete supplemental reports as necessary or as directed. The supervisor reviewing the report will make a preliminary determination that the pursuit appears to be in compliance with this policy or that additional review and/or follow-up is warranted. In any case in which a suspect is not apprehended and there is insufficient information to support further investigation, a supervisor may authorize that the initiating officer need not complete a formal report.

455.7 POLICY

It is the policy of this department that officers, when deciding to initiate or continue a foot pursuit, continuously balance the objective of apprehending the suspect with the risk and potential for injury to department members, the public or the suspect.

Officers are expected to act reasonably, based on the totality of the circumstances.

Special Weapons and Tactics (SWAT)

456.1 PURPOSE AND SCOPE

SWAT shall be maintained for the purpose of handling hazardous situations which are beyond the normal scope of patrol officers and which require special weapons and/or tactics. SWAT will assist the various divisions of the Twin Falls Police Department, and other police agencies upon command approval, in dealing with any and/or all of the following law enforcement situations:

- (A) Armed or Barricaded Suspects
- (B) Hostage Situations
- (C) High-Risk Warrant Service
- (D) Institutional Insurrections
- (E) Civil Disturbance and Mass Arrest
- (F) High-Profile, Proactive Law Enforcement Situations
- (G) Special Events
- (H) Natural Disasters
- (I) Bomb Threats
- (J) Hazardous Material Situations
- (K) Any Other Law Enforcement Function

456.2 CALL OUT PROCEDURES

456.2.1 IN PROGRESS EMERGENCIES

SWAT activation for in-progress emergencies will be based upon the assessment of front-line supervisors. If the Field Supervisor feels that a situation exists that poses a high risk of serious injury to the public or to officers, they shall contact the Patrol Captain for authorization to deploy SWAT. In the event that the Patrol Captain is unavailable, the Field Supervisor will then attempt to contact another Division Captain or the Chief of Police. If no one is available, the Field Supervisor may authorize SWAT deployment.

456.2.2 CALL OUT CRITERIA

SWAT call out will be based upon any and/or all of the following confirmed criteria:

- (a) Has a crime been committed? Are firearms or deadly weapons known to be involved? Has there been any indication of a willingness to use weapons? Have shots been fired? Are known violent offenders involved?
- (b) Are hostages involved or is there a great potential for hostage taking? Is there a barricaded suspect?

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- (c) Has anyone been injured? What is the risk, based upon what has already occurred, for future injury?
- (d) What is the manpower situation for the on-duty Patrol Division? Is there adequate manpower to control the situation, or does it present a greater threat than can be safely controlled by available patrol officers?
- (e) Are there unusual factors in the situation that make it beyond the normal scope of patrol activity?

In the event that the above criterion is met, the ranking officer will advise dispatch to contact the Team members. Dispatch will call each officer on the Team, starting with the Field Commander and progressing down the call-out list in numerical order. After the first calls have been made to each member, a second call will be made to members that dispatch was unable to contact the first time through. The SWAT Commander and Team Leader shall be briefed by either the Field Supervisor or ranking officer as soon as possible. It will be the responsibility of the ranking officer to advise their superior officers and/or the Chief of Police of the SWAT call out. Upon deployment, SWAT will gather and analyze the information on the situation and present options to the ranking officer who will, in turn, authorize Team action.

456.2.3 PLANNED OPERATIONS

A risk analysis sheet is to be filled out for planned operations such as warrant service, crowd control, etc. SWAT will only be deployed if the risk analysis justifies activation. (See Risk Analysis Form)

SWAT may also be deployed for plain clothes operations, special emphasis operations and the like at the discretion of the Chief of Police.

456.3 SWAT OPERATIONAL POLICIES

All Department policies regarding use of force, up to and including use of deadly force, will be strictly adhered to by SWAT.

456.3.1 CHEMICAL AGENTS

Use of chemical agents will be at the discretion of the SWAT Commander or Team Leader as authorized by the ranking officer in charge. Safety will be the uppermost consideration with the deployment of any chemical agent. Chemical agents will not be used when children or the infirmed are known to be present, except when the threat to those persons exceeds the potential risks of using those chemical agents.

456.3.2 DISTRACTION DEVICES

Use of distraction devices will be at the discretion of the SWAT Commander or Team Leader as authorized by the ranking officer in charge. Due to the fire hazard of these devices, the Fire Department will be called to a staging area before the deployment of such devices when time permits, such as in the case of a planned operation. Care will be exercised to apply the devices to the least combustible location available without diminishing their tactical effectiveness. Distraction devices will not be used in the same room where children and/or the infirmed are known to

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be present, except when the threat to those persons exceeds the potential risks of using those distraction devices.

456.4 SWAT MEMBER REQUIREMENTS AND STANDARDS

Applicants to SWAT must have a minimum of two (2) years' patrol experience, one of which must be served with the Twin Falls Police Department. In addition to the two (2) years of patrol experience, the applicant must have successfully completed the Twin Falls Police Department Field Training and Evaluation Program and required probationary period.

456.4.1 APPLICATION AND PLACEMENT PROCESS

Refer to Transfer and Reassignment Policy 1028

456.4.2 MEMBERS MAY BE REMOVED FROM SWAT FOR ANY OF THE FOLLOWING:

- (a) Involvement in illegal or unprofessional activity
- (b) Breach of loyalty to the SWAT Team or Department
- (c) Failure to maintain firearms proficiency
- (d) Two (2) or more unexcused absences from training or activation in a calendar year
- (e) Departmental discipline resulting in suspension or probation

Public Recording of Law Enforcement Activity

464.1 PURPOSE AND SCOPE

This policy provides guidelines for handling situations in which members of the public photograph or audio/video record law enforcement actions and other public activities that involve members of this department. In addition, this policy provides guidelines for situations where the recordings may be evidence.

464.2 POLICY

The Twin Falls Police Department recognizes the right of persons to lawfully record members of this department who are performing their official duties. Members of this department will not prohibit or intentionally interfere with such lawful recordings. Any recordings that are deemed to be evidence of a crime or relevant to an investigation will only be collected or seized lawfully.

Officers should exercise restraint and should not resort to highly discretionary arrests for offenses such as interference, failure to comply or disorderly conduct as a means of preventing someone from exercising the right to record members performing their official duties.

464.3 RECORDING LAW ENFORCEMENT ACTIVITY

Members of the public who wish to record law enforcement activities are limited only in certain aspects.

- (a) Recordings may be made from any public place or any private property where the individual has the legal right to be present.
- (b) Beyond the act of photographing or recording, individuals may not interfere with the law enforcement activity. Examples of interference include, but are not limited to:
 - 1. Tampering with a witness or suspect.
 - 2. Inciting others to violate the law.
 - 3. Being so close to the activity as to present a clear safety hazard to the officers.
 - 4. Being so close to the activity as to interfere with an officer's effective communication with a suspect or witness.
- (c) The individual may not present an undue safety risk to the officers, him/herself or others.

464.4 OFFICER RESPONSE

Officers should promptly request that a supervisor respond to the scene whenever it appears that anyone recording activities may be interfering with an investigation or it is believed that the recording may be evidence. If practicable, officers should wait for the supervisor to arrive before taking enforcement action or seizing any cameras or recording media.

Whenever practicable, officers or supervisors should give clear and concise warnings to individuals who are conducting themselves in a manner that would cause their recording or behavior to be unlawful. Accompanying the warnings should be clear directions on what an

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individual can do to be compliant; directions should be specific enough to allow compliance. For example, rather than directing an individual to clear the area, an officer could advise the person that he/she may continue observing and recording from the sidewalk across the street.

If an arrest or other significant enforcement activity is taken as the result of a recording that interferes with law enforcement activity, officers shall document in a report the nature and extent of the interference or other unlawful behavior and the warnings that were issued.

464.5 SUPERVISOR RESPONSIBILITIES

A supervisor should respond to the scene when requested or any time the circumstances indicate a likelihood of interference or other unlawful behavior.

The supervisor should review the situation with the officer and:

- (a) Request any additional assistance as needed to ensure a safe environment.
- (b) Take a lead role in communicating with individuals who are observing or recording regarding any appropriate limitations on their location or behavior. When practical, the encounter should be recorded.
- (c) When practicable, allow adequate time for individuals to respond to requests for a change of location or behavior.
- (d) Ensure that any enforcement, seizure or other actions are consistent with this policy and constitutional and state law.
- (e) Explain alternatives for individuals who wish to express concern about the conduct of Department members, such as how and where to file a complaint.

464.6 SEIZING RECORDINGS AS EVIDENCE

Officers should not seize recording devices or media unless (42 USC § 2000aa):

- (a) There is probable cause to believe the person recording has committed or is committing a crime to which the recording relates, and the recording is reasonably necessary for prosecution of the person.
 - 1. Absent exigency or consent, a warrant should be sought before seizing or viewing such recordings. Reasonable steps may be taken to prevent erasure of the recording.
- (b) There is reason to believe that the immediate seizure of such recordings is necessary to prevent serious bodily injury or death of any person.
- (c) The person consents.
 - 1. To ensure that the consent is voluntary, the request should not be made in a threatening or coercive manner.
 - 2. If the original recording is provided, a copy of the recording should be provided to the recording party, if practicable. The recording party should be permitted to be present while the copy is being made, if feasible. Another way to obtain the evidence is to transmit a copy of the recording from a device to a department-owned device.

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Recording devices and media that are seized will be submitted within the guidelines of the Property and Evidence Policy.

Crisis Intervention Incidents

465.1 PURPOSE AND SCOPE

This policy provides guidelines for interacting with those who may be experiencing a mental health or emotional crisis. Interaction with such individuals has the potential for miscommunication and violence. It often requires an officer to make difficult judgments about a person's mental state and intent in order to effectively and legally interact with the individual.

465.1.1 DEFINITIONS

Definitions related to this policy include:

Person in crisis - A person whose level of distress or mental health symptoms have exceeded the person's internal ability to manage his/her behavior or emotions. A crisis can be precipitated by any number of things, including an increase in the symptoms of mental illness despite treatment compliance; non-compliance with treatment, including a failure to take prescribed medications appropriately; or any other circumstance or event that causes the person to engage in erratic, disruptive or dangerous behavior that may be accompanied by impaired judgment.

465.2 POLICY

The Twin Falls Police Department is committed to providing a consistently high level of service to all members of the community and recognizes that persons in crisis may benefit from intervention. The Department will collaborate, where feasible, with mental health professionals to develop an overall intervention strategy to guide its members' interactions with those experiencing a mental health crisis. This is to ensure equitable and safe treatment of all involved.

465.3 SIGNS

Members should be alert to any of the following possible signs of mental health issues or crises:

- (a) A known history of mental illness
- (b) Threats of or attempted suicide
- (c) Loss of memory
- (d) Incoherence, disorientation or slow response
- (e) Delusions, hallucinations, perceptions unrelated to reality or grandiose ideas
- (f) Depression, pronounced feelings of hopelessness or uselessness, extreme sadness or guilt
- (g) Social withdrawal
- (h) Manic or impulsive behavior, extreme agitation, lack of control
- (i) Lack of fear
- (j) Anxiety, aggression, rigidity, inflexibility or paranoia

Members should be aware that this list is not exhaustive. The presence or absence of any of these should not be treated as proof of the presence or absence of a mental health issue or crisis.

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465.4 COORDINATION WITH MENTAL HEALTH PROFESSIONALS

The Twin Falls Police Department Crisis Intervention Team (CIT) will consist of officers that have been trained and certified in the CIT concept and response to calls dealing with persons in crisis. This training should occur in coordination with local mental health professionals and should follow the guidelines of CIT International.

It is the goal of the Twin Falls Police Department to have CIT certified officers available for calls for service at all times. When a call for service involving a potential person in crisis is received, a CIT trained and certified officer should be dispatched as the primary officer if available. If a CIT trained and certified officer is not available, the responding officer should request a CIT trained and certified officer respond when available.

465.5 FIRST RESPONDERS

Safety is a priority for first responders. It is important to recognize that individuals under the influence of alcohol, drugs or both may exhibit symptoms that are similar to those of a person in a mental health crisis. It is equally important to recognize that individuals under the influence of alcohol, drugs or both may have an underlying mental illness. These individuals may still present a serious threat to officers; such a threat should be addressed with reasonable tactics. Nothing in this policy shall be construed to limit an officer's authority to use reasonable force when interacting with a person in crisis.

Officers are reminded that mental health issues, mental health crises and unusual behavior alone are not criminal offenses. Individuals may benefit from treatment as opposed to incarceration.

An officer responding to a call involving a person in crisis should:

- (a) Promptly assess the situation independent of reported information and make a preliminary determination regarding whether a mental health crisis may be a factor.
- (b) Request available backup officers and specialized resources such as CIT certified officers as deemed necessary and, if it is reasonably believed that the person is in a crisis situation, use conflict resolution and de-escalation techniques to stabilize the incident as appropriate.
- (c) If feasible, and without compromising safety, turn off flashing lights, bright lights or sirens.
- (d) Attempt to determine if weapons are present or available.
- (e) Take into account the person's mental and emotional state and potential inability to understand commands or to appreciate the consequences of his/her action or inaction, as perceived by the officer.
- (f) Secure the scene and clear the immediate area as necessary.
- (g) Employ tactics to preserve the safety of all participants.
- (h) Determine the nature of any crime.
- (i) Request a supervisor, as warranted.

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- (j) Evaluate any available information that might assist in determining cause or motivation for the person's actions or stated intentions.
- (k) If circumstances reasonably permit, consider and employ alternatives to force.

465.6 DE-ESCALATION

Officers should consider that taking no action or passively monitoring the situation may be the most reasonable response to a mental health crisis. Officers should also consider that taking no action may escalate a situation and cause an undesirable criminal outcome. Officers should communicate with the shift supervisor intentions of passively monitoring the situation and/or taking no action.

Once it is determined that a situation is a mental health crisis and immediate safety concerns have been addressed, responding members should be aware of the following considerations and should generally:

- Evaluate safety conditions.
- Introduce themselves and attempt to obtain the person's name.
- Be patient, polite, calm, courteous and avoid overreacting.
- Speak and move slowly and in a non-threatening manner.
- Moderate the level of direct eye contact.
- Remove distractions or disruptive people from the area.
- Demonstrate active listening skills (e.g., summarize the person's verbal communication).
- Provide for sufficient avenues of retreat or escape should the situation become volatile.

Responding officers generally should not:

- Use stances or tactics that can be interpreted as aggressive.
- Allow others to interrupt or engage the person.
- Corner a person who is not believed to be armed, violent or suicidal.
- Argue, speak with a raised voice or use threats to obtain compliance.

465.7 INCIDENT ORIENTATION

When responding to an incident that may involve mental illness or a mental health crisis, the officer should request that the dispatcher provide critical information as it becomes available. This includes:

- (a) Whether the person relies on drugs or medication, or may have failed to take his/her medication.
- (b) Whether there have been prior incidents, suicide threats/attempts, and whether there has been previous police response.
- (c) Contact information for a treating physician or mental health professional.

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Additional resources and a supervisor should be requested as warranted.

465.8 SUPERVISOR RESPONSIBILITIES

A supervisor should respond to the scene of any interaction with a person in crisis. Responding supervisors should:

- (a) Attempt to secure appropriate and sufficient resources.
- (b) Closely monitor any use of force, including the use of restraints, and ensure that those subjected to the use of force are provided with timely access to medical care (see the Handcuffing and Restraints Policy).
- (c) Consider strategic disengagement. Absent an imminent threat to the public and, as circumstances dictate, this may include removing or reducing law enforcement resources or engaging in passive monitoring.
- (d) Ensure that all reports are completed and that incident documentation uses appropriate terminology and language.
- (e) Conduct an after-action tactical and operational debriefing, and prepare an after-action evaluation of the incident to be forwarded to the Division Commander.
- (f) Evaluate whether a critical incident stress management debriefing for involved members is warranted.

465.9 INCIDENT REPORTING

Members engaging in any oral or written communication associated with a mental health crisis should be mindful of the sensitive nature of such communications and should exercise appropriate discretion when referring to or describing persons and circumstances.

Members having contact with a person in crisis should keep related information confidential, except to the extent that revealing information is necessary to conform to department reporting procedures or other official mental health or medical proceedings.

465.9.1 DIVERSION

Individuals who are not being arrested should be processed in accordance with the Civil Commitments Policy.

465.10 CIVILIAN INTERACTION WITH PEOPLE IN CRISIS

Civilian members may be required to interact with persons in crisis in an administrative capacity, such as dispatching, records request, and animal control issues.

- (a) Members should treat all individuals equally and with dignity and respect.
- (b) If a member believes that he/she is interacting with a person in crisis, he/she should proceed patiently and in a calm manner.
- (c) Members should be aware and understand that the person may make unusual or bizarre claims or requests.

If a person's behavior makes the member feel unsafe, if the person is or becomes disruptive or violent, or if the person acts in such a manner as to cause the member to believe that the person

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may be harmful to him/herself or others, an officer should be promptly summoned to provide assistance.

465.11 EVALUATION

The Division Commander designated to coordinate the crisis intervention strategy for this department should ensure that a thorough review and analysis of the department response to these incidents is conducted annually. The report will not include identifying information pertaining to any involved individuals, officers or incidents and will be submitted to the Chief of Police through the chain of command.

465.12 TRAINING

In coordination with the mental health community and appropriate stakeholders, the Department should develop and provide comprehensive education and training to department members to enable them to effectively interact with persons in crisis.

First Amendment Assemblies

466.1 PURPOSE AND SCOPE

This policy provides guidance for responding to public assemblies or demonstrations.

466.2 POLICY

The Twin Falls Police Department respects the rights of people to peaceably assemble. It is the policy of this department not to unreasonably interfere with, harass, intimidate or discriminate against persons engaged in the lawful exercise of their rights, while also preserving the peace, protecting life and preventing the destruction of property.

466.3 GENERAL CONSIDERATIONS

Individuals or groups present on the public way, such as public facilities, streets or walkways, generally have the right to assemble, rally, demonstrate, protest or otherwise express their views and opinions through varying forms of communication, including the distribution of printed matter. These rights may be limited by laws or ordinances regulating such matters as the obstruction of individual or vehicle access or egress, trespass, noise, picketing, distribution of handbills and leafleting, and loitering. However, officers shall not take action or fail to take action based on the opinions being expressed.

Participant behavior during a demonstration or other public assembly can vary. This may include, but is not limited to:

- Lawful, constitutionally protected actions and speech.
- Civil disobedience (typically involving minor criminal acts).
- Rioting.

All of these behaviors may be present during the same event. Therefore, it is imperative that law enforcement actions are measured and appropriate for the behaviors officers may encounter. This is particularly critical if force is being used. Adaptable strategies and tactics are essential. The purpose of a law enforcement presence at the scene of public assemblies and demonstrations should be to preserve the peace, to protect life and prevent the destruction of property.

Officers should not:

- (a) Engage in assembly or demonstration-related discussion with participants.
- (b) Harass, confront or intimidate participants.
- (c) Seize the cameras, cell phones or materials of participants or observers unless an officer is placing a person under lawful arrest (see the Public Recording of Law Enforcement Activity Policy).

Supervisors should continually observe department members under their commands to ensure that members' interaction with participants and their response to crowd dynamics is appropriate.

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466.3.1 PHOTOGRAPHS, VIDEO RECORDINGS AND OTHER INFORMATION

Photographs, video recordings and other information may be collected at assemblies and demonstrations as they can serve a number of purposes, such as support of criminal prosecutions; assistance in evaluating department performance; serving as training material; recording the use of dispersal orders; and facilitating a response to allegations of improper law enforcement conduct.

Photographs, video recordings and other information shall not be maintained on the political, religious or social activities, views or associations of any individual, group or organization, unless those activities, views or associations directly relate to an investigation of criminal activity and there is reasonable suspicion that the subject of the information is involved in criminal conduct.

466.4 UNPLANNED EVENTS

When responding to an unplanned or spontaneous public gathering, the first responding officer should conduct an assessment of conditions, including, but not limited to, the following:

- Location
- Number of participants
- Apparent purpose of the event
- Leadership (whether it is apparent and/or whether it is effective)
- Any initial indicators of unlawful or disruptive activity
- Indicators that lawful use of public facilities, streets or walkways will be impacted
- Ability and/or need to continue monitoring the incident

Initial assessment information should be promptly communicated to the Communications Center, and the assignment of a supervisor should be requested. Additional resources should be requested as appropriate. The responding supervisor shall assume command of the incident until command is expressly assumed by another, and the assumption of command is communicated to the involved members. A clearly defined command structure that is consistent with the Incident Command System (ICS) should be established as resources are deployed.

466.5 PLANNED EVENT PREPARATION

For planned events, comprehensive, incident-specific operational plans should be developed. The ICS should be considered for such events.

466.5.1 INFORMATION GATHERING AND ASSESSMENT

In order to properly assess the potential impact of a public assembly or demonstration on public safety and order, relevant information should be collected and vetted. This may include:

- Information obtained from outreach to group organizers or leaders.
- Information about past and potential unlawful conduct associated with the event or similar events.
- The potential time, duration, scope, and type of planned activities.

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- Any other information related to the goal of providing a balanced response to criminal activity and the protection of public safety interests.

Information should be obtained in a transparent manner, and the sources documented. Relevant information should be communicated to the appropriate parties in a timely manner.

Information will be obtained in a lawful manner and will not be based solely on the purpose or content of the assembly or demonstration, or actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, or disability of the participants (or any other characteristic that is unrelated to criminal conduct or the identification of a criminal subject).

466.5.2 OPERATIONAL PLANS

An operational planning team with responsibility for event planning and management should be established. The planning team should develop an operational plan for the event.

The operational plan will minimally provide for:

- (a) Command assignments, chain of command structure, roles and responsibilities.
- (b) Staffing and resource allocation.
- (c) Management of criminal investigations.
- (d) Designation of uniform of the day and related safety equipment (e.g., helmets, shields).
- (e) Deployment of specialized resources.
- (f) Event communications and interoperability in a multijurisdictional event.
- (g) Liaison with demonstration leaders and external agencies.
- (h) Liaison with City government and legal staff.
- (i) Media relations.
- (j) Logistics: food, fuel, replacement equipment, duty hours, relief and transportation.
- (k) Traffic management plans.
- (l) First aid and emergency medical service provider availability.
- (m) Prisoner transport and detention.
- (n) Review of policies regarding public assemblies and use of force in crowd control.
- (o) Parameters for declaring an unlawful assembly.
- (p) Arrest protocol, including management of mass arrests.
- (q) Protocol for recording information flow and decisions.
- (r) Rules of engagement, including rules of conduct, protocols for field force extraction and arrests, and any authorization required for the use of force.
- (s) Protocol for handling complaints during the event.
- (t) Parameters for the use of body-worn cameras and other portable recording devices.

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466.5.3 MUTUAL AID AND EXTERNAL RESOURCES

The magnitude and anticipated duration of an event may necessitate interagency cooperation and coordination. The assigned Incident Commander should ensure that any required memorandums of understanding or other agreements are properly executed, and that any anticipated mutual aid is requested and facilitated (see the Mutual Aid and Outside Agency Assistance Policy).

466.6 UNLAWFUL ASSEMBLY DISPERSAL ORDERS

If a public gathering or demonstration remains peaceful and nonviolent, and there is no reasonably imminent threat to persons or property, the Incident Commander should generally authorize continued monitoring of the event.

Should the Incident Commander make a determination that public safety is presently or is about to be jeopardized, he/she or the authorized designee should attempt to verbally persuade event organizers or participants to disperse of their own accord. Warnings and advisements may be communicated through established communications links with leaders and/or participants or to the group.

When initial attempts at verbal persuasion are unsuccessful, the Incident Commander or the authorized designee should make a clear standardized announcement to the gathering that the event is an unlawful assembly, and should order the dispersal of the participants. The announcement should be communicated by whatever methods are reasonably available to ensure that the content of the message is clear and that it has been heard by the participants. The announcement should be amplified, made in different languages as appropriate, made from multiple locations in the affected area and documented by audio and video. The announcement should provide information about what law enforcement actions will take place if illegal behavior continues and should identify routes for egress. A reasonable time to disperse should be allowed following a dispersal order.

466.7 USE OF FORCE

Use of force is governed by current department policy and applicable law (see the Use of Force, Handcuffing and Restraints, Control Devices and Techniques, and Conducted Energy Device policies).

Individuals refusing to comply with lawful orders (e.g., nonviolent refusal to disperse) should be given a clear verbal warning and a reasonable opportunity to comply. If an individual refuses to comply with lawful orders, the Incident Commander shall evaluate the type of resistance and adopt a reasonable response in order to accomplish the law enforcement mission (such as dispersal or arrest of those acting in violation of the law). Control devices and TASER™s should be considered only when the participants' conduct reasonably appears to present the potential to harm officers, themselves or others, or will result in substantial property loss or damage (see the Control Devices and Techniques and the Conducted Energy Device policies).

Force or control devices, including oleoresin capsaicin (OC), should be directed toward individuals and not toward groups or crowds, unless specific individuals cannot reasonably be targeted due to extreme circumstances, such as a riotous crowd.

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Any use of force by a member of this department shall be documented promptly, completely and accurately in an appropriate report. The type of report required may depend on the nature of the incident.

466.8 ARRESTS

The Twin Falls Police Department should respond to unlawful behavior in a manner that is consistent with the operational plan. If practicable, warnings or advisements should be communicated prior to arrest.

Mass arrests should be employed only when alternate tactics and strategies have been, or reasonably appear likely to be, unsuccessful. Mass arrests shall only be undertaken upon the order of the Incident Commander or the authorized designee. There must be probable cause for each arrest.

If employed, mass arrest protocols should fully integrate:

- (a) Reasonable measures to address the safety of officers and arrestees.
- (b) Dedicated arrest, booking and report writing teams.
- (c) Timely access to medical care.
- (d) Timely access to legal resources.
- (e) Timely processing of arrestees.
- (f) Full accountability for arrestees and evidence.
- (g) Coordination and cooperation with the prosecuting authority, jail and courts (see the Citation Releases Policy).

466.9 MEDIA RELATIONS

The Press Information Officer should use all available avenues of communication, including press releases, briefings, press conferences and social media to maintain open channels of communication with media representatives and the public about the status and progress of the event, taking all opportunities to reassure the public about the professional management of the event (see the News Media Relations Policy).

466.10 DEMOBILIZATION

When appropriate, the Incident Commander or the authorized designee should implement a phased and orderly withdrawal of law enforcement resources. All relieved personnel should promptly complete any required reports, including use of force reports, and account for all issued equipment and vehicles to their supervisors prior to returning to normal operational duties.

466.11 POST EVENT

The Incident Commander should designate a member to assemble full documentation of the event, to include the following:

- (a) Operational plan
- (b) Any incident logs

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- (c) Any assignment logs
- (d) Vehicle, fuel, equipment and supply records
- (e) Incident, arrest, use of force, injury and property damage reports
- (f) Photographs, audio/video recordings, the Communications Center records/tapes
- (g) Media accounts (print and broadcast media)

466.11.1 AFTER-ACTION REPORTING

The Incident Commander should work with City legal counsel, as appropriate, to prepare a comprehensive after-action report of the event, explaining all incidents where force was used including the following:

- (a) Date, time and description of the event
- (b) Actions taken and outcomes (e.g., injuries, property damage, arrests)
- (c) Problems identified
- (d) Significant events
- (e) Recommendations for improvement; opportunities for training should be documented in a generic manner, without identifying individuals or specific incidents, facts or circumstances

466.12 TRAINING

Department members should receive periodic training regarding this policy, as well as the dynamics of crowd control and incident management. The Department should, when practicable, train with its external and mutual aid partners.

Medical Aid and Response

467.1 PURPOSE AND SCOPE

This policy recognizes that members often encounter persons in need of medical aid and establishes a law enforcement response to such situations.

467.2 POLICY

It is the policy of the Twin Falls Police Department that all officers and other designated members be trained to provide emergency medical aid and to facilitate an emergency medical response.

467.3 FIRST RESPONDING MEMBER RESPONSIBILITIES

Whenever practicable, members should take appropriate steps to provide initial medical aid (e.g., first aid, CPR and use of an automated external defibrillator (AED)) in accordance with their training and current certification levels. This should be done for those in need of immediate care and only when the member can safely do so.

Prior to initiating medical aid, the member should contact the Communications Center and request response by Emergency Medical Services (EMS) as the member deems appropriate.

Members should follow universal precautions when providing medical aid, such as wearing gloves and avoiding contact with bodily fluids, consistent with the Communicable Diseases Policy. Members should use a barrier or bag device to perform rescue breathing.

When requesting EMS, the member should provide the Communications Center with information for relay to EMS personnel in order to enable an appropriate response, including:

- (a) The location where EMS is needed.
- (b) The nature of the incident.
- (c) Any known scene hazards.
- (d) Information on the person in need of EMS, such as:
 - 1. Signs and symptoms as observed by the member.
 - 2. Changes in apparent condition.
 - 3. Number of patients, sex, and age, if known.
 - 4. Whether the person is conscious, breathing, and alert, or is believed to have consumed drugs or alcohol.
 - 5. Whether the person is showing signs or symptoms of excited delirium or other agitated chaotic behavior.

Members should stabilize the scene whenever practicable while awaiting the arrival of EMS.

Members should not direct EMS personnel whether to transport the person for treatment.

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467.4 TRANSPORTING ILL AND INJURED PERSONS

Except in extraordinary cases where alternatives are not reasonably available, members should not transport persons who are unconscious, who have serious injuries or who may be seriously ill. EMS personnel should be called to handle patient transportation.

Officers should search any person who is in custody before releasing that person to EMS for transport.

An officer should accompany any person in custody during transport in an ambulance when requested by EMS personnel, when it reasonably appears necessary to provide security, when it is necessary for investigative purposes or when so directed by a supervisor.

Members should not provide emergency escort for medical transport or civilian vehicles.

467.5 PERSONS REFUSING EMS CARE

If a person who is not in custody refuses EMS care or refuses to be transported to a medical facility, an officer shall not force that person to receive care or be transported. However, members may assist EMS personnel when EMS personnel determine the person lacks mental capacity to understand the consequences of refusing medical care or to make an informed decision and the lack of immediate medical attention may result in serious bodily injury or the death of the person.

In cases where mental illness may be a factor, the officer should consider proceeding with a civil commitment in accordance with the Civil Commitments Policy.

If an officer believes that a person who is in custody requires EMS care and the person refuses, he/she should encourage the person to receive medical treatment. The officer may also consider contacting a family member to help persuade the person to agree to treatment or who may be able to authorize treatment for the person.

If the person who is in custody still refuses, the officer will require the person to be transported to the nearest medical facility. In such cases, the officer should consult with a supervisor prior to the transport.

Members shall not sign refusal-for-treatment forms or forms accepting financial responsibility for treatment.

467.6 MEDICAL ATTENTION RELATED TO USE OF FORCE

Specific guidelines for medical attention for injuries sustained from a use of force may be found in the Use of Force, Handcuffing and Restraints, Control Devices and Techniques, and Conducted Energy Device policies.

467.7 AIR AMBULANCE

Generally, when on-scene, EMS personnel will be responsible for determining whether an air ambulance response should be requested. An air ambulance may be appropriate when there are victims with life-threatening injuries or who require specialized treatment (e.g., gunshot wounds, burns, obstetrical cases), and distance or other known delays will affect the EMS response.

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The Patrol Division Commander should develop guidelines for air ambulance landings or enter into local operating agreements for the use of air ambulances, as applicable. In creating those guidelines, the Department should identify:

- Responsibility and authority for designating a landing zone and determining the size of the landing zone.
- Responsibility for securing the area and maintaining that security once the landing zone is identified.
- Consideration of the air ambulance provider's minimum standards for proximity to vertical obstructions and surface composition (e.g., dirt, gravel, pavement, concrete, grass).
- Consideration of the air ambulance provider's minimum standards for horizontal clearance from structures, fences, power poles, antennas or roadways.
- Responsibility for notifying the appropriate highway or transportation agencies if a roadway is selected as a landing zone.
- Procedures for ground personnel to communicate with flight personnel during the operation.

One department member at the scene should be designated as the air ambulance communications contact. Headlights, spotlights and flashlights should not be aimed upward at the air ambulance. Members should direct vehicle and pedestrian traffic away from the landing zone.

Members should follow these cautions when near an air ambulance:

- Never approach the aircraft until signaled by the flight crew.
- Always approach the aircraft from the front.
- Avoid the aircraft's tail rotor area.
- Wear eye protection during landing and take-off.
- Do not carry or hold items, such as IV bags, above the head.
- Ensure that no one smokes near the aircraft.

467.8 AUTOMATED EXTERNAL DEFIBRILLATOR (AED) USE

An AED should only be used by members who have completed a course provided by the American Heart Association, the American Red Cross or a similar entity in cardiopulmonary resuscitation and the care and use of an AED (Idaho Code 5-337).

467.8.1 AED USER RESPONSIBILITY

Members who are issued AED's for use in department vehicles should check the AED at the beginning of the shift to ensure it is properly charged and functioning. Any AED that is not functioning properly will be taken out of service and given to the Training Sergeant who is responsible for ensuring appropriate maintenance.

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Following use of an AED, the device shall be cleaned and/or decontaminated as required. The electrodes and/or pads will be replaced as recommended by the AED manufacturer.

Any member who uses an AED shall contact the Communications Center as soon as possible and request response by EMS (Idaho Code 5-337).

467.8.2 AED REPORTING

Any member using an AED will complete an incident report detailing its use.

467.8.3 AED TRAINING AND MAINTENANCE

The Training Sergeant should ensure appropriate training is provided to members authorized to use an AED (Idaho Code 5-337).

The Quartermaster is responsible for ensuring AED devices are appropriately maintained and tested consistent with the manufacturer's operational guidelines, and will retain records of all maintenance in accordance with the established records retention schedule (Idaho Code 5-337).

467.9 ADMINISTRATION OF OPIOID OVERDOSE MEDICATION

Trained members may provide an opioid antagonist to a person experiencing an opiate-related overdose. The objective is to treat and reduce injuries and fatalities due to opioid-involved overdoses. Per Idaho Code [54-1733B](#) any person who, in good faith, administers an opioid antagonist to another person who appears to be having an opiate-related overdose, shall not be liable in a civil or administrative action or subject to criminal prosecution for such acts.

467.9.1 DEFINITIONS

"Opioid" means containing or derived from opium, including but not limited to heroin and morphine. Opioid drugs are narcotic sedatives that depress activity of the central nervous system, reduce pain, induce sleep, and in overdose, will cause individuals to stop breathing.

"Opioid Antagonist" means a drug that nullifies in whole or in part the administration of an opioid. The opioid antagonist for the purpose of this policy is limited to Intranasal Naloxone.

"Opioid Overdose" mean an acute condition including, but not limited to extreme physical illness, decreased level of consciousness, respiratory depression, coma, or death resulting from the consumption or use of an opiate, or another substance with which an opiate was combined, or that a layperson could reasonably believe to be an opiate-related drug overdose that requires medical assistance.

"Acute Opioid Withdrawal" means a withdrawal state that may occur as a result of administration of an opioid antagonist. This state may be associated with vomiting, agitation, and combativeness.

467.9.2 OPIOID OVERDOSE MEDICATION USER RESPONSIBILITIES

Members who are qualified to administer opioid overdose medication, such as Naloxone, should handle, store and administer the medication consistent with their training and follow manufacture's recommendations. Members should perform monthly inspections of the medication and associated administration equipment to ensure they are serviceable and not expired. Any

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expired medication or unserviceable administration equipment should be removed from service and given to the Quartermaster.

Trained personnel will follow the manufacture's recommendations for administration of Naloxone.

Any member that provides an opioid antagonist shall contact the Communications Center as soon as possible and request response by EMS (Idaho Code 54–1733B).

467.9.3 OPIOID OVERDOSE MEDICATION REPORTING

Any member administering opioid overdose medication shall document its use in an Officers Report. This report should contain the nature of the incident, the care the patient received, and the fact that Naloxone was utilized.

This report should be separate from any criminal report related to the incident. After approval, the report shall be forwarded to the Medical Director by records personnel.

467.9.4 OPIOID OVERDOSE MEDICATION TRAINING

The Training Sergeant should ensure training is provided to members authorized to administer opioid overdose medication on an annual basis.

Training should be coordinated with the Medical Director and the Idaho Department of Health and Welfare (Idaho Code 54–1733B).

467.10 SICK OR INJURED ARRESTEE

If an arrestee appears ill or injured, or claims illness or injury, he/she should be medically cleared prior to booking. If the officer has reason to believe the arrestee is feigning injury or illness, the officer should contact a supervisor, who will determine whether medical clearance will be obtained prior to booking.

If the jail or detention facility refuses to accept custody of an arrestee based on medical screening, the officer should note the name of the facility person refusing to accept custody and the reason for refusal, and should notify a supervisor to determine the appropriate action.

Arrestees who appear to have a serious medical issue should be transported by ambulance. Officers shall not transport an arrestee to a hospital without a supervisor's approval.

Nothing in this section should delay an officer from requesting EMS when an arrestee reasonably appears to be exhibiting symptoms that appear to be life threatening, including breathing problems or an altered level of consciousness, or is claiming an illness or injury that reasonably warrants an EMS response in accordance with the officer's training.

467.11 FIRST AID TRAINING

Subject to available resources, the Training Sergeant should ensure officers receive periodic first aid training appropriate for their position.

Chapter 5 - Traffic Operations

Traffic Function and Responsibility

500.1 PURPOSE AND SCOPE

The ultimate goal of traffic law enforcement is to reduce traffic collisions. This may be achieved through the application of such techniques as geographic/temporal assignment of personnel and equipment and the establishment of preventive patrols to deal with specific categories of unlawful driving behavior. Traffic enforcement techniques are based on accident data, enforcement activity records, traffic volume, and traffic conditions. This department provides enforcement efforts toward violations, not only in proportion to the frequency of their occurrence in accident situations, but also in terms of traffic-related needs.

500.2 TRAFFIC OFFICER DEPLOYMENT

Several factors are considered in the development of deployment schedules for officers of the Twin Falls Police Department. Information provided by this department and the Idaho Department of Transportation is a valuable resource for traffic accident occurrences and therefore officer deployment. Some of the factors for analysis include:

- Location
- Time
- Day
- Violation factors

All officers assigned to patrol or traffic enforcement functions will emphasize enforcement of accident causing violations during high accident hours and at locations of occurrence. All officers will take directed enforcement action on request, and random enforcement action when appropriate against violators as a matter of routine. All officers shall maintain high visibility while working general enforcement, especially at high accident locations.

Other factors to be considered for deployment are citizen requests, construction zones or special events.

500.3 ENFORCEMENT

Enforcement actions are commensurate with applicable laws and take into account the degree and severity of the violation committed. This department does not establish ticket quotas and the number of arrests or citations issued by any officer shall not be used as the sole criterion for evaluating officer overall performance. The visibility and quality of an officer's work effort will be commensurate with the philosophy of this policy. Several methods are effective in the reduction of collisions:

500.3.1 WARNINGS

Warnings or other non-punitive enforcement actions should be considered in each situation and substituted for arrests or citations when circumstances warrant, especially in the case of inadvertent violations.

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500.3.2 CITATIONS

Citations may be issued when an officer believes it is appropriate. It is essential that officers fully explain the rights and requirements imposed on motorists upon issuance of a citation for a traffic violation. Officers should provide the following information at a minimum:

- (a) Explanation of the violation or charge.
- (b) Court appearance procedure including the optional or mandatory appearance by the motorist.
- (c) Notice of whether the motorist can enter a plea and pay the fine by mail or at the court.

500.3.3 PHYSICAL ARREST

Physical arrest may be made on a number of criminal traffic offenses when a citation is not issued pursuant to the Citation Releases Policy or as outlined in Twin Falls Police Department Policy 100.2.1.

500.4 SUSPENDED OR REVOKED DRIVERS LICENSES

If an officer contacts a traffic violator for driving on a suspended or revoked license, the officer may issue a traffic citation.

If a computer check of a traffic violator's license status reveals a suspended or revoked driver's license and the traffic violator still has his or her license in possession, the officer shall NOT seize the license. The officer shall verbally advise the traffic violator of the suspension or revocation and take the action he/she believes most appropriate in each circumstance.

500.5 HIGH-VISIBILITY VESTS

The Department has provided American National Standards Institute (ANSI) Class II (or higher) high-visibility vests to increase the visibility of department members who may be exposed to hazards presented by passing traffic, maneuvering or operating vehicles, machinery and equipment (23 CFR 655.601).

Although intended primarily for use while performing traffic related assignments, high-visibility vests should be worn at any time increased visibility would improve the safety or efficiency of the member.

500.5.1 REQUIRED USE

Except when working in a potentially adversarial or confrontational role, such as during vehicle stops, high-visibility vests should be worn at any time it is anticipated that an employee will be exposed to the hazards of approaching traffic or construction and recovery equipment. Examples of when high-visibility vests should be worn include traffic control duties, accident investigations, lane closures and while at disaster scenes, or anytime high visibility is desirable. When emergency conditions preclude the immediate donning of the vest, officers should retrieve and wear the vest as soon as conditions reasonably permit. Use of the vests shall also be mandatory when directed by a supervisor.

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Vests maintained in the investigation units may be used any time a plainclothes officer might benefit from being readily identified as a member of law enforcement.

500.5.2 CARE AND STORAGE OF HIGH-VISIBILITY VESTS

A supply of high-visibility vests will be maintained in the equipment room for replacement of damaged or unserviceable vests. The Training Sergeant should be promptly notified whenever the supply of vests in the equipment room needs replenishing.

500.6 THE TRAFFIC UNIT AND ITS RANK STRUCTURE

The Traffic Unit is recognized as an independent unit. It is currently made up of five members: one supervisor and four police officers. The supervisor will be a Sergeant by rank and will report directly to the Lieutenant of the Uniform Division. Each traffic officer will report directly to the Unit's supervisor.

500.6.1 APPLICATION AND SELECTION PROCESS

Refer to Transfer and Reassignment Policy 1028

500.6.2 MOTORCYCLE OFFICER TRAINING REQUIREMENTS

Recognizing the risk and liability of working on a police motorcycle, it is recommended that all motor officers will receive training in a POST-approved Basic Motorcycle Officers Training Course. In addition, all motor officers must have a motorcycle endorsement on their Idaho Driver's License prior to working on a police motorcycle.

500.6.3 CALL OUT PROCEDURES

It is the purpose of this section to clearly state the procedures for calling out a member of the Traffic Unit.

The Patrol Shift Supervisor will have the discretion to call out a member of the Traffic Unit.

Call out of a member of the Traffic Unit is acceptable under the following conditions:

- (a) In the event of a vehicle collision that involves significant injury, death or major property damage.
- (b) In the event of a vehicle collision involving an employee of the City of Twin Falls or other law enforcement agency.
- (c) In the event of a critical situation in which traffic control is needed to insure the safety of the public or law enforcement officers or that on duty patrol personnel are unable to handle.
- (d) In the event of any other traffic-related situation in which regular patrol personnel are unable to handle.

Prior to calling a member of the Traffic Team, the Shift Supervisor will attempt to contact the Traffic Team Supervisor. The Traffic Team Supervisor shall be notified and shall respond to all serious injury and fatality collisions. If the Traffic Team Supervisor is unavailable, the Shift Supervisor shall contact the Divisional Commander for further direction.

Traffic Collision Reporting

502.1 PURPOSE AND SCOPE

The Twin Falls Police Department prepares traffic collision reports and makes traffic collision reports available to the community under the Idaho Public Records law.

502.2 RESPONSIBILITY

The Records Bureau will be responsible for distribution of the traffic collision reports pursuant to Idaho Public Records law.

502.3 TRAFFIC COLLISION REPORTING

All traffic collision reports taken by members of this department shall be forwarded to the Traffic Sergeant for approval.

502.4 REPORTING SITUATIONS

502.4.1 TRAFFIC COLLISIONS INVOLVING CITY VEHICLES

Traffic collision investigation reports shall be taken when a City-owned vehicle is involved in a traffic collision upon a roadway or highway wherein any damage or injury results. A general information report may be taken in lieu of a traffic collision report at the direction of a supervisor when the collision occurs on private property or does not involve another vehicle or a person. Photographs of the collision scene and vehicle damage shall be taken.

502.4.2 TRAFFIC COLLISIONS WITH POLICE AGENCYTYPE EMPLOYEES

When an employee of this department, either on-duty or off-duty, is involved in a traffic collision within the jurisdiction of the Twin Falls Police Department resulting in a serious injury or fatality, the Traffic Sergeant or the Shift Supervisor, should notify another outside law enforcement agency for assistance.

The term serious injury is defined as any injury that may result in a fatality.

502.4.3 TRAFFIC COLLISIONS WITH OTHER CITY EMPLOYEES OR OFFICIALS

The Traffic Sergeant or on-duty Shift Supervisor shall request assistance of an outside agency to complete the investigation of any traffic collision involving any City official or employee in which any damage, a serious injury or fatality has occurred.

Vehicle Towing, Impound and Inventory Policy

512.1 PURPOSE AND SCOPE

This policy provides the procedures for towing, inventory and storage of a vehicle by or at the direction of the Twin Falls Police Department..

512.2 TOWING SERVICES

The City of Twin Falls has a selection of qualified tow companies that comprise the tow rotation that acts as its official tow services by policy. These firms will be used in the following situations:

- (a) When it is necessary to safeguard a vehicle due to the inability of the owner or operator to take the required action.
- (b) When a vehicle is being held as evidence in connection with an investigation.
- (c) When it is otherwise necessary to store a motor vehicle. This would include situations involving the recovery of stolen or abandoned vehicles and the removal from the streets of vehicles obstructing traffic in violation of state or local regulations.

Nothing in this policy shall require this Department to tow a vehicle.

512.3 IMPOUND AND INVENTORY

The Twin Falls Police Department conducts inventories:

- (a) To protect the owner's property
- (b) To protect TFPD against claims of lost, damaged or stolen property and,
- (c) To protect Officers from potential danger. A vehicle inventory is an exception to the warrant requirement of the Fourth Amendment of the United States Constitution and Article I, section 17 of the Constitution of the State of Idaho.

All property in a stored or impounded vehicle shall be inventoried and listed on the vehicle inventory form. Any container, whether closed, locked, or unlocked (including the glove box, trunk, and any containers therein), within any vehicle subject to an inventory must be opened and the contents inventoried. An vehicle inventory form should be filled out detailing all inventoried items, including those located in closed or locked containers. Members conducting inventory searches should be as thorough and accurate as practical in preparing an itemized inventory. These inventory procedures are for the purpose of protecting an owner's property while in Police custody, to provide for the safety of Officers and to protect this Department against fraudulent claims of lost, stolen, or damaged property.

512.3.1 IMPOUND FOLLOWING DRIVER ARREST

Whenever a person in charge or in control of a vehicle is arrested, it is the policy of this Department to provide reasonable safekeeping by storing the arrestee's vehicle subject to the exceptions described below. However, the vehicle shall be stored whenever it is needed for the furtherance of an investigation or prosecution of the case or when the community caretaker doctrine would reasonably suggest that the vehicle should be stored, for example, the vehicle would present a

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traffic hazard if not removed or due to a high crime area the vehicle would be in jeopardy of theft or damage if left at the scene. Further:

- (a) When arresting a driver/owner of a motor vehicle, possession of the vehicle may, at the Officer's discretion, be given to a competent passenger who:
 - 1. Possesses a valid driver's license and,
 - 2. Has consent from the vehicle's owner to take possession of the vehicle.
- (b) An Officer will not call for a driver to come to the vehicle's location.
- (c) If the vehicle cannot be driven from the scene, Officers will insure the safety of passengers stranded by the actions of the persons arrested.
- (d) When no passenger is available or able to remove the vehicle and it is impounded for safekeeping:
 - 1. Whenever possible, the Officer should inventory the contents of the towed vehicle
 - 2. The Officer will give a copy of the inventory form to the tow operator and a copy to the driver and,
 - 3. The tow company is responsible to notify the appropriate people of the tow and storage and process the paperwork.

512.3.2 IMPOUND OF COMMERCIAL VEHICLES

When arresting a driver/owner of a commercial vehicle, contact the motor carrier for assistance regarding towing or parking the commercial vehicle.

512.4 IMPOUND OF ABANDONED VEHICLE

Abandoned vehicles are impounded pursuant to Idaho Code 491804 or Twin Falls City Code 9124.

- (a) Officers must determine if the vehicle:
 - 1. Is a hazard and must be towed immediately
 - 2. Must be towed before dark or,
 - 3. Must be towed within 48 hours.
- (b) When the vehicle is to be towed at the expiration of 48 hours:
 - 1. Complete the Tow Tag sticker and,
 - 2. Attach it to the vehicle with the date and time of tag clearly marked on the sticker.
- (c) If an abandoned vehicle is locked:
 - 1. Note this information on the Inventory form
 - 2. Complete the Inventory form
 - 3. Note on the inventory any items visible from outside the vehicle; and,
 - 4. If the vehicle is not locked, the vehicle shall be inventoried pursuant to policy.

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512.5 SECURITY OF VEHICLES AND PROPERTY

Unless it would cause an unreasonable delay in the completion of a vehicle impound/storage or create an issue of Officer safety, Officers should make reasonable accommodations to permit a driver/owner to retrieve small items of value or personal need (e.g. cash, jewelry, cell phone, prescriptions) which are not considered evidence or contraband. Prior to the release of these items, they shall be inspected pursuant to the vehicle inventory policy.

If a search of a vehicle leaves the vehicle or any property contained therein vulnerable to unauthorized entry, theft or damage, search personnel shall take such steps as are reasonably necessary to secure and/or preserve the vehicle or property from such hazards.

512.6 VEHICLE RETRIEVAL

When an impounded vehicle is able to be released, Property and Evidence personnel will attempt to contact the registered owner or other entity authorized to retrieve the vehicle in question by telephone.

If the registered owner or authorized entity cannot be contacted by telephone or fails to retrieve the vehicle, Property and Evidence personnel will send a certified letter to the registered owner or authorized entity indicating that the vehicle must be retrieved within seven (7) calendar days of the receipt of the certified letter.

Failure to retrieve the vehicle by the required date will result in a private towing contractor being called to remove the vehicle to a private impound lot. Towing and impound fees shall be the responsibility of the registered owner or other entity authorized to retrieve the vehicles in question.

512.7 STOLEN VEHICLE RECOVERY

Procedure: In the event that a Twin Falls Police Department employee recovers a stolen vehicle, Dispatch shall make every effort to notify the lawful owner.

If Dispatch cannot make notification to the lawful owner, the officer shall document this information on the stolen vehicle recovery report.

Non-Preference Towing Rotation Procedure

513.1 TOW ROTATION LIST

The rotation list includes all approved tow companies for participation in the rotation and is the standard call order for tow trucks. However, when a prolonged wait for the next-in-line tow company's truck may significantly increase the likelihood of further harm to the public or jeopardizes officer safety, the next tow company in sequence may be called into service.

When a vehicle driver or owner has no tow truck preference, the next tow company in sequence on the rotation list is dispatched. If a vehicle driver or owner prefers and asks for a specific tow company that participates in the tow rotation, being selected as a preference will not change that company's position in the tow rotation.

513.2 TOW COMPANY ELIGIBILITY FOR ROTATION LIST

513.2.1 EQUIPMENT

- (a) Two (2) 10,000 GVW trucks with factory twin winch wrecker assemblies equipped with factory wheel lift attachments. One of these trucks shall also be fitted with a factory motorcycle sling with nylon belts of extendible boom with nylon belts for towing of motorcycles.
- (b) One (1) 48,000 GVW tandem axle truck with factory wrecker capable of towing large trucks, trailers, motor homes and similar vehicles. Wrecker shall be equipped with twin winches, truck sling, under-reach and external air hookup for supplying air to towed tractor/trailers.
- (c) One (1) 1 1/2-ton or larger rollback with a minimum 19-foot carrier.
- (d) All wreckers shall be equipped with all emergency equipment required by Idaho State Law.
- (e) All wreckers shall be equipped with the following at all times: five (5)-foot long pry bar, jumper cables, five (5)-pound ABC Class fire extinguisher, magnetic tow lights, T-hooks, chains, dollies, communications radio, broom, shovel and container for street cleanup.

513.2.2 IMPOUND LOT AND BUSINESS OFFICE

- (a) Company business office and storage lot must be located within one (1) mile of Twin Falls City limits. This will aid in convenience for the Police Department and the public whom are being served.
- (b) The office shall be equipped with dispatch equipment supplemented with radio and telephone communications so as to be available to police calls 24 hours a day, 365 days a year.
- (c) The office shall be staffed and open from 8:00 a.m. to 5:00 p.m. Monday through Friday and available at all other times through telecommunications. It shall have suitable facilities for customers, police officers and insurance personnel to conduct business.

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- (d) An outside storage lot shall be located at this same location. It should have adequate storage to handle at least 50 vehicles. The lot shall have at least an eight (8)-foot fence for security. The lot is to be locked at all times, except during use.
- (e) At the request of officers, there will be "inside storage" available at the same location sufficient to store at least three (3) impounded vehicles.

513.2.3 ON CALL AND RESPONSE TIME

- (a) All wreckers will be on 24-hour call basis, 365 days a year.
- (b) Tow trucks dispatched at the request of the City of Twin Falls shall have a normal response time of twenty (20) minutes, considering distance and traffic conditions. Consistent failure of the towing company to respond to calls from the Department within the normal response time may result in suspension or removal from the tow rotation.
- (c) It shall be the responsibility of the tow truck driver to remove any glass, metals, plastics or other debris from roadways at the scene of a collision. Debris will be picked up and not pushed to the side of the roadway.

513.2.4 INSURANCE

- (a) Workman's Compensation and Employer's Liability Insurance as required by State law.
- (b) Liability Insurance: \$1,000,000 Blanket Policy with \$100,000 minimum Garage Keeper's Liability.
- (c) Storage Lot: Fire and theft coverage.
- (d) Cargo Insurance: \$50,000 minimum to cover vehicle in tow.
- (e) Proof of Insurance: To be filed with the City of Twin Falls yearly. Any changes in policy require immediate notification.

513.3 TOW COMPANY OPERATOR RESPONSE

- (a) Upon receiving a request for service, the tow truck driver/operator:
 - 1. Will give Dispatch a realistic estimated time of arrival (ETA) for the tow truck;
 - 2. Advise Dispatch if the service is not immediately available to handle the request so that the next service on the list may be contacted;
 - 3. Immediately respond to the requested location;
 - 4. Travel the quickest route to the call, avoiding all non-emergency delays and obeying all traffic laws.
- (b) Only the requested tow truck company may respond and tow the vehicle:
 - 1. Tow truck operators may not "subcontract" or refer rotation calls to another company;
 - 2. Should another company respond to the scene, both tow truck companies will lose their turn on the rotation and may be removed from the rotation list.

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- (c) Upon the tow truck's arrival, the responding officer will advise Dispatch of the name of the tow truck on location and the time of arrival will be noted. This information is documented by Dispatch.
- (d) The tow truck operator is also responsible for the clean up of any and all debris deposited at the scene as required by Idaho Code Section 49-613.
- (e) If inequities in tow truck services or fees are brought to the attention of the Administrative Services Division (ASD) Captain, he or she:
 - 1. Will document the allegation;
 - 2. Forward a copy to the Attorney General of the State of Idaho, Consumer Affairs Section; and,
 - 3. Advise the complaining party that the matter is a civil dispute and the party may contact an attorney.

513.4 SUSPENSION OR REMOVAL FROM ROTATION LIST

- (a) Tow truck companies must conduct themselves in a professional manner with TFPD employees, other law enforcement agencies and the public. Unprofessional conduct may result in the tow truck company's removal from the rotation list by the Department.
- (b) A tow truck operator or company may be suspended or removed from the rotation for failure to meet the standards of this procedure, failure to obey Idaho Code or inequities in services or fees. A tow truck operator or company may be suspended from the rotation during which time pending litigation of criminal allegations is being conducted.
- (c) Tow truck companies assessing additional charges, surcharges, excessive charges or other inequities for rotation calls will be investigated and may be removed from the tow rotation list.
- (d) A history of criminal conviction may remove the driver and the tow truck company from the rotation list. For the purpose of this section, "conviction" means a finding or plea of guilt, whether or not the sentence is imposed, suspended, deferred or withheld; and whether or not the case or charge is dismissed under Idaho Code Section 19-2604 or any comparable statute or procedure.
- (e) Tow companies refusing to respond to remove abandoned vehicles may be removed from the rotation list.
- (f) Officers and Dispatchers must submit written documentation of any non-compliance to the Administrative Services Division (ASD) Captain through the chain of command.
- (g) The ASD Captain will notify the tow truck company, in writing, of the reasons for suspension or removal from the rotation list prior to the effective date.
- (h) If exigent circumstances exist, such as danger to the public or gross negligence, the ASD Captain may suspend or remove the tow truck company and/or driver from the rotation immediately, then provide notification to the company as soon as practical.
- (i) The suspended/removed tow truck company may appeal the suspension or removal from the rotation list:

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1. Within ten (10) working days of the suspension or removal notification, the tow truck company must submit a written request for a hearing with the ASD Captain;
 2. The ASD Captain is the Hearing Officer and will conduct the hearing within ten (10) working days of receiving the request;
 3. The tow company does not have the right to have counsel present at the hearing; and,
 4. The Hearing Officer may permit counsel to attend the suspension hearing.
- (j) The company may appeal the ASD Captain's decision with a written appeal to the Chief of Police within ten (10) working days of that decision.
- (k) The Chief of Police's determination of the appeal is final.
- (l) A tow truck company suspended or removed from a rotation list may apply for reinstatement at a time period determined by the ASD Captain after the removal from the rotation.
- (m) The ASD Captain may approve the request if there is documented reason to believe the company has resolved the issues that caused the suspension or removal from the rotation.

513.5 TOWING COMPANY PRICING SCHEDULE

513.5.1 LIGHT-DUTY TOWING

- Includes vehicles with four (4) tires and 6,000 to 10,000 GVW and/or motorcycles
- Not to exceed \$165.00 and covers one (1) hour on-scene time.

513.5.2 MEDIUM-DUTY TOWING

- Includes vehicles with six (6) tires or more and 10,001 to 26,000 GVW
- Not to exceed \$250.00 and covers one (1) hour on-scene time.

513.5.3 HEAVY-DUTY TOWING

- Includes vehicles with six (6) tires or more and 26,001 or greater GVW
- Not to exceed \$450.00 and covers one (1) hour on-scene time.

513.5.4 AIR CUSHION RECOVERIES

- \$3,500.00 call-out and covers the costs from start to finish.

513.5.5 STORAGE FEES

Per day storage:

- Storage commences at the time of dispatch and each additional day begins 24 hours after the original dispatch time.
 - Light Duty - \$40.00

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- Medium Duty - \$50.00
- Heavy Duty - \$75.00

Impaired Driving

514.1 PURPOSE AND SCOPE

This policy provides guidance to those department members who play a role in the detection and investigation of driving under the influence (DUI).

514.2 POLICY

The Twin Falls Police Department is committed to the safety of the roadways and the community and will pursue fair but aggressive enforcement of Idaho's impaired driving laws.

514.3 INVESTIGATIONS

Officers should not enforce DUI laws to the exclusion of their other duties unless specifically assigned to DUI enforcement. All officers are expected to enforce these laws with due diligence.

The Traffic Sergeant will develop and maintain, in consultation with the prosecuting attorney, report forms with appropriate checklists to assist investigating officers in documenting relevant information and maximizing efficiency. Any DUI investigation will be documented using these forms. Information documented elsewhere on the form does not need to be duplicated in the report narrative. Information that should be documented includes, at a minimum:

- (a) The field sobriety tests (FSTs) administered and the results.
- (b) The officer's observations that indicate impairment on the part of the individual, and the officer's health-related inquiries that may help to identify any serious health concerns (e.g., diabetic shock).
- (c) Sources of additional information (e.g., reporting party, witnesses) and their observations.
- (d) Information about any audio and/or video recording of the individual's driving or subsequent actions.
- (e) The location and time frame of the individual's vehicle operation and how this was determined.
- (f) Any prior related convictions in Idaho or another jurisdiction.

514.4 FIELD TESTS

The Traffic Sergeant should identify standardized FSTs and any approved alternate tests for officers to use when investigating violations of DUI laws.

514.5 EVIDENTIARY TESTS

A person implies consent under Idaho law to submit to an evidentiary test or tests under any of the following (Idaho Code 18-8002):

- (a) The arresting officer has reasonable grounds to believe that the person was driving or in actual physical control of a motor vehicle, including a commercial motor vehicle, when any of the following exist:

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1. While under the influence of alcohol, drugs and/or any other intoxicating substances.
 2. While under the influence of any combination of alcohol, drugs and/or any other intoxicating substances.
 3. With a prohibited alcohol concentration (Idaho Code 18-8004).
- (b) The arresting officer has reasonable grounds to believe the person was driving or in actual physical control of a vehicle while under the influence of alcohol, drugs, or other intoxicating substances, which resulted in great bodily harm, permanent disability or disfigurement to any other person (Idaho Code 18-8006).

At the time testing is requested, the person shall be informed that if he/she refuses to submit to or fails to complete a test as required, he/she will be subject to civil penalties and driver's license suspension as described in Idaho Code 18-8002(3).

Officers shall document every time the Lifeloc is used in the field for evidentiary testing for DUI investigations. This will be achieved by completing an arrest report, including the results, for every DUI investigation where the provided breath sample is over the legal limit. If the person driving provides a breath sample under the legal limit, officers will complete an officer's report documenting the investigation and the results. Officers shall also document every time they use the Lifeloc and the results on the Lifeloc Instrument Operations log.

514.5.1 BREATH SAMPLES

The Traffic Sergeant should ensure that all devices used for the collection and analysis of breath samples are properly serviced and tested, and that a record of such service and testing is properly maintained.

If the person submits to a breath test and the officer has reasonable cause to believe that the person was driving under the influence of drugs or the combined influence of alcohol and drugs, the officer should request a second test of the person's blood or urine. If a second test is requested, the officer shall include the facts supporting the belief in the arrest report (Idaho Code 18-8002(10)).

Officers obtaining a breath sample should monitor the device for any sign of malfunction. Any anomalies or equipment failures should be noted in the appropriate report and promptly reported to the Traffic Sergeant.

514.5.2 BLOOD SAMPLES

Only persons authorized by law to draw blood shall collect blood samples (Idaho Code 18-8003). The blood draw should be witnessed by the assigned officer. Only officers or licensed medical personnel who have been properly trained and hold valid certifications should perform this task.

Officers should inform an arrestee that if he/she chooses to provide a blood sample, a separate sample can be collected for alternate testing. Unless medical personnel object, two samples should be collected and retained as evidence, so long as only one puncture is required.

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The blood sample shall be packaged, marked, handled, stored and transported as required by the testing facility.

If an arrestee cannot submit to a blood draw because he/she has a bleeding disorder or has taken medication that inhibits coagulation, he/she shall not be required to take a blood test. Such inability to take a blood test should not be considered a refusal. However, that arrestee may be required to complete another available and viable test.

514.5.3 URINE SAMPLES

A urine sample may be the preferred evidentiary test when the arresting officer has probable cause to believe drugs may be the intoxicant. If a urine test will be performed, the arrestee should be promptly transported to the appropriate testing site. The officer shall follow any directions accompanying the urine evidence collection kit.

Urine samples shall be collected and witnessed by an officer or jail staff member of the same sex as the individual giving the sample. The arrestee should be allowed sufficient privacy to maintain his/her dignity, to the extent possible, while still ensuring the accuracy of the sample.

The sample shall be packaged, marked, handled, stored and transported as required by the testing facility.

514.5.4 ADDITIONAL TESTING

After submitting to testing as requested by the officer when practicable, a person may request, at his/her own expense, that additional tests for alcohol concentration or for the presence of drugs or other intoxicating substances be administered by a person of his/her own choosing (Idaho Code 18-8002A(6)).

514.5.5 STATUTORY NOTIFICATIONS

At the time testing is requested, the person shall be informed that if he/she refuses to submit to or fails to complete a test as required, he/she will be subject to civil penalties, and driver's license suspension, mandatory installation of a state-approved ignition interlock system at his/her expense for one year following the end of the suspension period, the right to request a hearing to show cause why he/she refused to submit or complete testing, and after submitting to evidentiary testing, he/she may, when practicable and at their own expense, have additional tests made by a person of his/her choosing as described in Idaho Code 18-8002(3) and Idaho Code 18-8002A(2).

514.6 REFUSALS

When an arrestee refuses to provide a chemical sample, officers shall:

- (a) Advise the arrestee of the requirement to provide a sample and consequences of failing to do so (Idaho Code 18-8002).
- (b) Audio- and/or video-record the admonishment and the response when it is practicable.
- (c) Personally serve the notice of suspension upon the person (Idaho Code 18-8002A).
- (d) Document the refusal in the appropriate report.

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- (e) Complete an affidavit of refusal.

514.6.1 BLOOD SAMPLE WITHOUT CONSENT

A blood sample may be obtained from a person who refuses an evidentiary test when there are reasonable grounds to believe that person has been driving or in actual physical control of a motor vehicle in violation of Idaho Code 18-8004 and when any of the following conditions exist:

- (a) A search warrant has been obtained.
- (b) The officer can articulate that exigent circumstances exist. Exigency does not exist solely because of the short time period associated with the natural dissipation of alcohol or controlled or prohibited substances in the person's bloodstream. Exigency can be established by the existence of special facts such as a lengthy time delay in obtaining a blood sample due to an accident investigation or medical treatment of the person.
- (c) If necessary, a person who is authorized by law to draw a blood sample for evidentiary testing may be ordered to do so by the officer when there are exigent circumstances and probable cause to believe the arrestee has committed any of the following offenses (Idaho Code 18-8002(6)(b)):
 - 1. Aggravated DUI.
 - 2. Vehicular manslaughter.
 - 3. Aggravated DUI or criminal homicide involving a watercraft while under the influence of alcohol, drugs or other intoxicating substances.

514.6.2 FORCED BLOOD SAMPLE

If an arrestee indicates by word or action that he/she will physically resist a blood draw, the officer should request a supervisor to respond.

The responding supervisor should:

- (a) Evaluate whether using force to obtain a blood sample is appropriate under the circumstances.
- (b) Ensure that all attempts to obtain a blood sample through force cease if the person agrees to, and completes, a viable form of testing in a timely manner.
- (c) Advise the person of his/her duty to provide a sample (even if this advisement was previously done by another officer) and attempt to persuade the individual to submit to such a sample without physical resistance.
 - 1. This dialogue should be recorded on audio and/or video when practicable.
- (d) Ensure that the blood sample is taken in a medically approved manner.
- (e) Ensure that the forced blood draw is recorded on audio and/or video when practicable.
- (f) Monitor and ensure that the type and level of force applied appears reasonable under the circumstances.

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1. Unless otherwise provided in a warrant, force should generally be limited to handcuffing or similar restraint methods.
 2. In misdemeanor cases, if the arrestee becomes violent or more resistant, no additional force will be used and a refusal should be noted in the report.
 3. In felony cases, force which reasonably appears necessary to overcome the resistance to the blood draw may be permitted.
- (g) Ensure the use of force and methods used to accomplish the collection of the blood sample are documented in the related report.

If a supervisor is unavailable, officers are expected to use sound judgment and perform as a responding supervisor, as set forth above.

514.7 SERVICE OF SUSPENSION

If the driver submits to a breath, blood, or urine test and the results indicate an alcohol concentration or the presence of drugs or other intoxicating substances in violation of the provisions of Idaho Code 18-8004, Idaho Code 18-8004C, or Idaho Code 18-8006, the officer shall, acting on behalf of the Idaho Transportation Department (ITD), serve the person with a notice of suspension and notice of the requirement to install, at his/her expense, a state-approved ignition interlock system for a period of one year following the end of the suspension period (Idaho Code 18-8002A(5)).

Within five business days of serving a person with the notice of suspension, the arresting officer shall forward the following to the ITD (Idaho Code 18-8002A(5)):

- (a) A copy of the completed notice of suspension and notice of the requirement to install the ignition interlock system.
- (b) A certified copy or duplicate original of the results of all breath tests for alcohol concentration.
- (c) The arresting officer's sworn statement, which may incorporate any arrest or incident report relevant to the arrest and evidentiary testing, setting forth:
 1. The identity of the person.
 2. The legal cause to stop the person.
 3. The officer's legal cause to believe that the person was DUI.
 4. That the person was advised of the consequences of taking and failing the evidentiary test.
 5. That the person was lawfully arrested.
 6. That the person was tested for alcohol concentration, drugs, or other intoxicating substances and that the result of the test indicated an alcohol concentration or the presence of drugs or other intoxicating substances in violation of Idaho Code 18-8004, Idaho Code 18-8004C, or Idaho Code 18-8006.

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514.8 RECORDS BUREAU RESPONSIBILITIES

The Records Supervisor will ensure that all case-related records are transmitted according to current records procedures and as required by the prosecuting attorney's office.

514.9 ADMINISTRATIVE HEARINGS

The Records Supervisor will ensure that all appropriate reports and documents related to administrative license suspensions are reviewed and forwarded to the ITD.

Any officer who receives notice of required attendance to an administrative license suspension hearing should promptly notify the prosecuting attorney.

An officer called to testify at an administrative hearing should document the hearing date and the ITD file number in a supplemental report. Specific details of the hearing generally should not be included in the report unless errors, additional evidence or witnesses are identified. The Records Bureau should forward this to the prosecuting attorney as part of the case file.

514.10 TRAINING

The Training Sergeant should ensure that officers participating in the enforcement of DUI laws receive regular training. Training should include, at minimum, current laws on impaired driving, investigative techniques and rules of evidence pertaining to DUI investigations. The Training Sergeant should confer with the prosecuting attorney's office and update training topics as needed.

Phlebotomy Protocols and Procedures

515.1 PURPOSE AND SCOPE

This policy establishes the protocols for the performance of those trained in law enforcement phlebotomy (hereafter referred to as phlebotomists) to insure that a uniform approach is utilized in the execution of all blood draws. Law Enforcement Phlebotomists shall document all blood draws conducted for enforcement related blood draws. The Law Enforcement Phlebotomist and the Phlebotomy Coordinator shall maintain a written record of training blood draws and other types of blood draws. Twin Falls Police Department Law Enforcement Phlebotomists shall adhere to the Idaho State Law Enforcement Phlebotomy Program Standards.

515.2 QUALIFICATIONS

Only those employees trained through a department-approved phlebotomy program may draw blood for law enforcement purposes: qualified medical personnel may be used to draw blood if circumstances dictate that is the best course of action. Twin Falls Police Department personnel properly trained and authorized to draw blood shall only draw blood for Twin Falls Police Department investigations. Properly trained and authorized Twin Falls Police Department personnel may be used to assist other law enforcement agencies, at the request of the agency or Officer with Twin Falls Police Department supervisor authorization.

515.3 CONTINUED TRAINING AND RE-QUALIFICATION

Employees must complete a qualified phlebotomy training program. Phlebotomists must adhere to an annual process as designated by the phlebotomy coordinator.

The process will include:

- (a) Drawing a minimum of 24 blood samples per year.
- (b) Attending biennial refresher training. This training will include but not be limited to eight (8) hours of instruction in a classroom or clinical setting. The training should include a venipuncture proficiency and written examination.

515.4 STANDARD PROCEDURES

A Phlebotomy Draw Report will be completed for each blood drawn from a subject.

Each report shall include:

- (a) Physical location of the blood draw (i.e., specific location in the police facility, jail, hospital, etc.)
 - (b) Whether the blood draw was by consent, warrant or non-consent (refusal.)
3. Whether the subject resisted and methods used to overcome such resistance, e.g., restraint chair, held down, etc.
 4. Whether the subject has any communicable, contagious or infectious diseases. This will be noted on the State Laboratory Submittal form as well as in the phlebotomy report.

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Distribution of Phlebotomy Draw Reports:

- (a) The phlebotomist should ensure that a copy of the Phlebotomy Draw Report is included with the report related to the investigation.
- (b) A copy of the Phlebotomy Draw Report should be retained by the phlebotomist.
- (c) An additional copy of the report should be forwarded to the agency phlebotomy coordinator for review.
- (d) The Agency coordinator shall forward a copy of the Draw Report to the State Coordinator as outlined in the Idaho State Standards.

A phlebotomist can draw blood on a suspect they have personally arrested for DUI and related offenses. If the officer/phlebotomist feels it would be in the best interest of the case to have a different phlebotomist draw the blood, one should be called.

Essential Tasks:

- (a) The phlebotomist shall notify the supervisor prior to a draw and the supervisor should be present whenever that draw is involuntary and/or force may be used.
- (b) The phlebotomist shall advise the subject of their qualifications and the number of tubes of blood that will be extracted.
- (c) The phlebotomist shall inquire if blood thinners (such as Coumadin) or any other medications have been taken.
- (d) Protective gloves and face shield or protective glasses shall be worn by the phlebotomist during the blood draw. Other equipment is optional, such as a lab coat, etc.
- (e) Phlebotomists should use the standard blood collection kit, obtained from the Idaho State Police Forensics Services Laboratories. (ISPFS)
- (f) Only a non-alcohol swab shall be used to disinfect the blood draw site on the subject. One is provided in the blood collection kit from ISPFS Lab.
- (g) If the first attempt at a blood draw is unsuccessful, an alternative site will be chosen if a second draw is necessary.
- (h) Phlebotomists will not exceed two attempts at a successful draw on a cooperative subject. If the subject is uncooperative (resisting the draw by either active or passive force), any one phlebotomist will not exceed a total of two attempts.
- (i) If the subject is uncooperative, the phlebotomist will document (in the case report) the subject's action(s) that led to the extra draw attempts, e.g. pulling away from the phlebotomist, actively fighting, etc.
- (j) If the second attempt on a cooperative subject or the second attempt on an uncooperative subject is not successful, another phlebotomist will be used, who is subject to the same number of attempts.
- (k) The phlebotomist will insure that a puncture site has clotted before placing tape over it. The fire department and paramedics will be contacted for assistance if complications occur.

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- (l) Used needles and hubs will be disposed in a sharps disposal container and shall not be separated prior to disposal.
- (m) The phlebotomist shall label and package the blood by filling out all labels provided with the kit. The evidence kit will be retained in the phlebotomist's possession until it can be booked into evidence or turned over to the arresting or case officer.
- (n) Blood evidence should be refrigerated as soon as possible.

515.5 INVOLUNTARY DRAW PROCEDURES

If a driver suspected of DUI refuses the offered evidentiary test, after being given the opportunity to take the required evidentiary test, a blood draw will occur using reasonable force. In the event that an evidentiary blood sample is needed from a physically combative or non-compliant arrestee, or other exigent circumstances exist necessitating a blood draw, officers may use reasonable force to obtain the sample. A search warrant is required unless exigent circumstances exist.

Reasonable force shall be evaluated on the following criteria:

- (a) The driver has stated or displayed active resistance or non-compliance after being advised that a sample is needed.
- (b) The amount of force used to protect all parties is necessary to restrain the driver in order to obtain the blood sample.
- (c) Physical contact shall be limited. An officer should not place him/herself, the person doing the blood draw, or the driver in a position where they may be injured while the blood sample is being drawn.
- (d) When an officer, phlebotomist, or supervisor feels that the force used outweighs the need to obtain evidence, the blood draw should not be attempted or continued.

Suppression of the sample by the court may result if it is determined that the force used to obtain the sample was excessive or physically abusive.

515.6 EQUIPMENT

All phlebotomy equipment must be approved by the phlebotomy coordinator. Appropriate medical supplies may be obtained from a hospital or paramedics in emergencies. The phlebotomy area will be equipped with a phlebotomy chair, protective gloves, cotton balls, tape, medical protective glasses, and blood kits. Blood spills will be cleaned according to OSHA training and procedures.

515.7 PHLEBOTOMY COORDINATOR

The Phlebotomy Program Coordinator will be designated by the Chief of Police. The program coordinator should be a qualified phlebotomist or be familiar with the protocols and training as defined in these standards.

The Twin Falls Police Phlebotomy Coordinator is responsible for:

- (a) Securing equipment, maintaining call-out lists, and maintaining the phlebotomy area.

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- (b) Monitoring annual proficiency requirements.
- (c) Providing/coordinating training for phlebotomists.
- (d) Maintaining records
- (e) Ensuring quality of the Phlebotomy Program.

Traffic Citations

516.1 PURPOSE AND SCOPE

This policy outlines the responsibility for traffic citations, the procedure for dismissal, correction, and voiding of traffic citations.

516.2 RESPONSIBILITIES

The Records Bureau shall be responsible for the supply and accounting of all traffic citations issued to employees of this department.

516.3 DISMISSAL OF TRAFFIC CITATIONS

Employees of this department do not have the authority to dismiss a citation once it has been issued. A request for dismissal of a citation by a police officer shall only be done by the City Attorney after approval by the Chief of Police. In the event that an officer requests a citation dismissal, he/she shall advise his/her division commander, by memorandum, of the basis for the request. The memorandum shall include the defendant's name, citation number and any other information needed to assist in the request for dismissal. After review by the Chief of Police and Staff, a decision concerning dismissal (or continuance) will be forwarded to the City Attorney.

Should an officer/prosecutor determine during a court proceeding that a traffic citation should be dismissed in the interest of justice or where prosecution is deemed inappropriate the officer may request the prosecutor to dismiss the citation.

516.4 VOIDING TRAFFIC CITATIONS

Voiding a traffic citation may occur when a traffic citation has not been completed or where it is completed but not issued. Officers shall legibly write "VOID" across the front of the citation and shall indicate on the reverse side of the citation the reason for voiding. All copies of the citation shall be forwarded to the officer's division commander for approval. The citation shall then be forwarded to the Records Bureau for filing. No citations shall be thrown away or discarded.

516.5 CORRECTION OF TRAFFIC CITATIONS

When a traffic citation is issued and in need of correction, the officer issuing the citation shall submit the citation and an email requesting a specific correction to the prosecuting attorney.

Parked and Abandoned Vehicle Violations

524.1 PURPOSE AND SCOPE

This policy provides procedures for the marking, recording, and storage of vehicles parked in violation of laws regulating parking of vehicles under Idaho Code 49-659 through Idaho Code 49-662, and abandoned vehicles under the authority of Idaho Code 49-1801; Idaho Code 49-1802 and Idaho Code 49-1804.

524.2 MARKING ABANDONED VEHICLES

Vehicles that officers have reasonable grounds to believe have been abandoned which do not fall within the class of "emergency circumstances" shall have attached thereto, in plain view, a notice that this vehicle will be towed away at the expiration of forty-eight (48) hours as an abandoned vehicle.

The notice shall contain:

- The name of the officer who prepared the notice
- The name of the agency of the officer
- The date and time the notice was attached
- The date and time when the vehicle will be removed
- The telephone number and address of the agency

A reasonable attempt shall be made to notify by telephone the owner of any vehicle which has current license plates and registration as shown on the vehicle registration record, prior to the expiration of the 48 hour notice period, of the location of the vehicle and the time and date of intent to remove the vehicle (Idaho Code 49-1804).

524.2.1 TAGGED FOR TOW VEHICLE FILE

Patrol officers or CSOs who have tagged a vehicle shall be responsible for the follow up investigation of all 48-hour parking violations noted in the Tagged Vehicle files.

524.2.2 VEHICLE STORAGE

Whenever an officer removes a vehicle from a highway, or from public or private property he/she shall take, or cause to be taken, the vehicle to the nearest garage or other place of safety.

An impound and storage notice form shall be submitted to the Records Bureau immediately following the storage of the vehicle.

Within 48 hours of the storage of any such vehicle, excluding weekends and holidays, it shall be the responsibility of the Records Bureau to determine the names and addresses of any individuals having an interest in the vehicle through ITD or ILETs computers. Notice to all such individuals shall be sent by certified mail within the 48-hour time period listed above (Idaho Code 49-1805(2)).

Chapter 6 - Investigation Operations

Investigation and Prosecution

600.1 PURPOSE AND SCOPE

When assigned to a case for initial or follow-up investigation, detectives shall proceed with due diligence in evaluating and preparing the case for appropriate clearance or presentation to a prosecutor for filing of criminal charges.

600.2 MODIFICATION OF CHARGES FILED

Any request to modify the charges filed or to recommend dismissal of charges in a pending case shall be made to the Prosecuting Attorney's Office or City Attorney's Office only as authorized by a Division Commander or the Chief of Police.

600.3 CUSTODIAL INTERROGATION REQUIREMENTS

Regardless of where the interrogation occurs, every reasonable effort should be made to secure functional recording equipment to accomplish such recordings.

Officers should electronically record a custodial interrogation, or any investigative interview, for any offense when the officer reasonably believes it would be appropriate and beneficial to the investigation and is otherwise allowed by law.

No recording of an interrogation should be destroyed without written authorization from the Prosecuting Attorney and the Criminal Investigations Division Captain. Copies of recorded interrogations or interviews may be made in the same or different format provided they are true, accurate and complete copies and are made only for authorized and legitimate law enforcement purposes.

Officers should continue to prepare written summaries of custodial questioning and investigative interviews and continue to obtain written statements from suspects when applicable.

Per Idaho Code 16-1618, all investigative interviews of alleged victims of child abuse should be documented by audio or video taping.

Detective Call Out/Crime Scene Investigators

601.1 POLICY

The Twin Falls Police Department On-Call Detective policy will incorporate lab call-out as part of the responsibility of the individual detective on-call and/or the shift supervisor. The following guidelines should be used in determining when the on-call detective should be summoned to the scene and in turn, when he or she will call for the crime lab's support.

601.2 CALL OUT PROCEDURES

The supervisor on duty will initiate the call for support from the on-call detective. In the event the on-call detective cannot respond, the detective sergeant will be notified.

The on-call detective will be notified on all of the following crimes:

- Homicide
- All sex crimes, regardless of the victims age or injuries
- Mayhem
- Robbery
- Any crime involving the use of a firearm
- Suicides and all deaths
- Any crime involving elderly / vulnerable adult abuse
- Kidnappings or reports of attempted kidnappings

The on-call detective may be called to assist in obtaining search warrants.

601.3 CID PERSONNEL

To improve communication between employees and their supervisors and to ensure the efficiency of the Criminal Investigation Division (CID):

Those CID personnel who are assigned the responsibility of an "on-call" assignment must receive written supervisory approval at least one (1) week prior to exchanging or trading an on-call shift with another investigator.

No investigator shall be approved to work more than two (2) consecutive weeks with on-call responsibility.

When an investigator uses sick leave during a time when he or she is assigned to on-call responsibility, a CID Staff Sergeant shall arrange a change in the responsibility.

Any exceptions to these procedures must be approved in writing by a CID Staff Sergeant.

601.4 CRIME SCENES

Once the on-call detective arrives at the crime scene, he or she is in charge of the crime scene investigative process and evidence collection. This does not relinquish the patrol shift supervisor's

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responsibility to protect the crime scene and its perimeter, nor his or her responsibility to supervise the activities of the shift. The patrol shift supervisor shall retain command of the entire incident until formally relieved of this responsibility by a police captain, another supervisor, or the CID supervisor. It will be the detective's responsibility to advise his or her supervisor or to call for additional assistance if necessary and to direct duties of the personnel presently on the crime scene. In all cases, the detective and patrol supervisor shall work in cooperation to provide the community with the best possible service.

All personnel entering a crime scene will complete a written report regarding their investigation and/or activities at the scene.

601.5 CRIME LAB CALL OUT

The on-call detective will notify the CID supervisor and crime lab personnel in all cases of:

- Homicide
- All violent sex crimes
- Armed robberies
- Suicide
- Unattended deaths of questionable circumstance
- Any crime regarding the use of a firearm resulting in injuries

Additionally, the detective on the scene may notify the crime lab to respond to major residential and business burglaries when he or she deems it necessary. The patrol supervisor may, at his or her discretion, activate the crime lab to respond to the scene of any investigation. When activation of the crime lab is initiated by the patrol supervisor, the notification should be made personally when possible. Due to the special handling requirements of evidence involving blood-borne pathogens, the on-call detective will also notify the crime lab for response to any scene that involves the collection of blood evidence. The on-call detective will take the necessary steps to ensure the crime scene is properly secured to prevent further contamination until the crime lab arrives. Once on scene, the crime lab personnel will be responsible for the evidence collection and processing. Upon completing the crime scene investigation and interviews, the on-call detective and lab personnel will review the scene and evidence collected to insure all aspects of the case have been thoroughly addressed before releasing the scene.

601.6 5 RESPONSIBILITY FOR EQUIPMENT

The on-call detective is responsible for all equipment assigned to him or her whether on-call or on regular duty. He or she will ensure that equipment is in good working order and ready for use at any time.

Narcotics and Special Investigations

603.1 PURPOSE AND SCOPE

With the focus of our narcotics investigations being street-level violators, large sums of narcotics and money are occasionally seized and processed by the Special Investigations Unit of the Twin Falls Police Department. The following policies and procedures will provide guidelines, which will avoid even the appearance of irregular activities, and to protect those officers working in the Unit from such allegations.

603.2 LENGTH OF ASSIGNMENT

All transfers and reassignments are considered provisional. The Chief of Police retains the authority to reassign personnel from any position to other duties within the Department as necessary to meet the needs of the organization.

603.3 SUPERVISION

A Supervisor of the rank of police Sergeant or Corporal shall supervise the Special Investigations Unit and shall be present during all major narcotics and/or cash and property seizures. In the absence of the Special Investigations Unit Supervisor, an acting Supervisor shall be appointed by the Investigation Division Lieutenant to assume their responsibilities over field operations.

603.4 NOTIFICATIONS

Prior to a planned event, the Supervisor in charge of the Unit involved shall notify the venue agency, in a timely manner, of the proposed event. Notification will normally be to the venue agency's supervisor in charge. Such notification should include:

- (a) The time and location of the planned event and the names of the involved persons, if applicable.
- (b) The nature of the planned event (i.e., search warrant)
- (c) An assessment of the potential for problems.
- (d) What assistance, if any, is or may be requested of the venue agency.

At the conclusion of the event, the Supervisor in charge shall make an exit notification to advise of the event's termination. If possible, this notification should be to the same individuals or their relief. Should the event result in a noteworthy incident (i.e., a large seizure, arrest of a notable person), this information shall likewise be conveyed to the venue agency.

603.5 DRUG PURCHASES BY OFFICERS

603.5.1 PURPOSE

During the execution of a controlled narcotics purchase by a police officer, the safety of the officer is the primary concern. The secondary concern is development of a criminal case, which can be successfully prosecuted.

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603.5.2 PROCEDURES

- (a) Document all communications with the suspect on a recording device.
- (b) Observe entrapment rules. (The police can offer the opportunity to commit the crime, but not the inclination to commit the crime.)
- (c) Never go into an undercover buy situation without at least one cover officer.
- (d) Maintain communication with the cover officer.
- (e) Maintain control of the situation; know where the transaction is supposed to take place and who is to be there.
- (f) Do not front the money unless previously authorized by the Special Investigations Unit Supervisor.
- (g) Observe the applicable laws of search, seizure, arrest and evidence.

603.6 CONTROLLED PURCHASE OF DRUGS BY OTHER THAN OFFICERS

603.6.1 PURPOSE

A purchase of drugs by anyone other than an officer is referred to as a controlled purchase. The following procedures establish strict guidelines that shall be followed for the controlled purchases of narcotics and dangerous drugs by persons other than police officers.

603.6.2 PROCEDURES

- (a) Document the working informant.
- (b) Document all contacts between the informant and suspect.
- (c) Search informant and his/her vehicle before the purchase to assure that the drugs are not possessed by the informant before the purchase.
- (d) Do not allow the informant to leave sight of officers before he/she meets the suspect.
- (e) Do not allow the informant to leave sight of officers after he/she meets the suspect.
- (f) Secure drugs from the informant; document chain of evidence of the drugs.
- (g) Secure a written statement from the informant regarding the transaction.
- (h) The officers must be able to establish that the only place the informant could have obtained the drugs was from the suspect.

603.7 USE OF DRUGS BY OFFICER/CONFIDENTIAL INFORMANT

603.7.1 PURPOSE

To establish guidelines for use of drugs by undercover officers and /or confidential informants.

603.7.2 PROCEDURES

Under no circumstance, short of a life or death situation, shall officers use drugs in an undercover operation. This also includes the simulated use of drugs.

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- (a) An officer who is forced to use illegal drugs in a life or death situation shall report to the Unit Supervisor, as soon as possible, the circumstances requiring said use.
- (b) An officer working with a confidential informant will not knowingly allow the confidential informant to use controlled substances to further an investigation unless a life or death situation applies.

603.8 CONFIDENTIAL FUNDS

603.8.1 PURPOSE

To establish guidelines for the use of confidential funds issued to the Special Investigations Unit relative to its investigation and recovery of properties or contraband.

603.8.2 RESPONSIBILITY

The Operations Division Captain shall be responsible for managing the confidential funds of the Twin Falls Police Department. The confidential funds shall be maintained, recorded, and disbursed in a manner to insure the justification of, and accounting for, all funds processed by the Police Department. All cash confidential funds shall be secured in a safe in the Investigations Division Captain's office. The Operations Division Captain and Chief of Police shall have access to the confidential funds safe.

603.8.3 PROCEDURES

603.8.4 PROCUREMENT OF FUNDS

- (a) Procurement and recording of funds. All confidential funds issued to the Special Investigations Unit will be processed through the Operations Division Captain with the approval of the Chief of Police.
- (b) A Divisional Captain, not associated with the Criminal Investigations Division or a designee shall periodically conduct random and unannounced audits of confidential funds. These audits should be performed as outlined in the Department of Justice guidelines regarding the use of confidential funds. These audits will serve two purposes:
 - 1. To insure that all confidential funds have been accounted for with accurate and clear documentation.
 - 2. To evaluate the overall effectiveness of the confidential funds program.
- (c) The Operations Division Captain will arrange for an annual independent audit of the confidential funds and confidential informant files to be conducted. Reports of this audit will be provided to the Chief of Police and will be maintained permanently in his/her office.
- (d) The Operations Division Captain shall maintain a master ledger detailing all transactions involving confidential funds, including:
 - 1. Date of transaction
 - 2. Moneys received

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3. Name of person receiving disbursement
 4. Reason for disbursement
 5. Amount of disbursement
 6. Balance on hand
- (e) The Operations Division Captain will disburse funds as needed. The request for disbursement must be made on the appropriate form.
- (f) **Disbursement of funds to informant.** When funds are disbursed by officers to informants, the Receipt for Cash form must be completed. The receipt must be completed in full, listing the reasons the informant is being paid, by whom, and a brief summary of the investigation. The receipt will also include a case number for the expenditure. The form shall be maintained in the following manner:
1. One copy shall be placed in the informant's file.
 2. The original receipt shall be maintained by the Operations Division Captain.
 3. All transactions involving an informant receiving funds will be witnessed by two (2) or more authorized TFPD employees.
 4. The following procedure shall be used for the disbursement of confidential funds to a confidential informant in an official controlled purchase operation:
 - (a) The informant will be thoroughly searched (skin searched) preceding the operation. If the informant's vehicle or residence is utilized in the investigation, a thorough search will be conducted of those areas to which the informant had access.
 - (b) The serial numbers to the released money shall be documented in the investigative case file. The documentation shall be completed by at least two (2) officers.
 - (c) The informant shall not purchase any contraband with his/her personal funds. To avoid error, all personal funds should be taken from the informant prior to contact with the suspect. The personal funds shall be returned to the informant immediately after the purchase.
 5. When possible, constant surveillance will be conducted of the informant after the search and during the entire controlled purchase operation.
 6. After the controlled purchase operation, the informant shall then be thoroughly searched again. All evidence and confidential funds will be retrieved from the informant. When possible, the post-operation search should be accomplished by the same officers who conducted the pre-operation search. After the operation, the informant shall be thoroughly debriefed and an audio or written statement will be obtained.
 7. Investigative officers shall complete a police report outlining the events of the operation as soon as possible after the event.

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8. Confidential funds will be paid to an informant only after the Operations Division Captain has reviewed the amount to be paid and the results of the informant's work.
9. All informants must sign their correct name to the receipt when receiving confidential funds.
10. The Operations Division Captain shall be responsible for insuring proper completion and review of all confidential fund transactions by personnel in the Special Investigations Unit.
11. **Utilization of confidential funds.** Confidential funds may be used only in the following manner:
 - (a) The payment for information from informants for probable cause arrests or significant intelligence information.
 - (b) The purchase of narcotics, contraband, and stolen properties during the course of a criminal investigation.
 - (c) Expenses developed from an investigation where receipt of money from normal channels is not possible.

603.9 COMMUNICATION INTERCEPTIONS

603.9.1 PURPOSE

To establish guidelines for the interception of communication.

603.9.2 PROCEDURES

- (a) Idaho law does allow, under certain guidelines, the interception of communications. Generally the law regarding communication interception is separated into two areas. The first area allows the interception of communications when at least one of the parties consents to the interception. This type of interception does not require a court order or special judicial permission.
- (b) Any interception, other than those with one or more consenting parties, falls under the Communication Security Act. This Act strictly regulates the use of interceptions such as wiretaps. A violation of the act is a criminal offense. Court orders can be obtained to conduct these types of intercepts. The following is a general set of guidelines for obtaining a court order:
 1. Probable Cause that a major crime is being committed.
 2. Probable Cause that the suspect is committing that crime. Probable Cause that the crime is a danger to life or property.
 3. Probable Cause that the suspect will be discussing the crime over the phone or at a given location.
 4. It must be shown that all conventional investigative procedures have been tried and failed or are unlikely to succeed.
 5. It must be shown that the intercept is technically feasible.

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- (c) Generally, the Twin Falls Police Department Special Investigations Unit does not have the equipment or manpower to operate a court ordered intercept alone. Therefore, most interceptions of this nature will require the assistance of outside agencies.
- (d) All interceptions of communications covered by the Communication Security Act will require approval of the Investigations Division Captain, the Chief of Police and the City Attorney.

603.10 THREATS AGAINST OFFICERS

603.10.1 PURPOSE

Threats against officers assigned to the Special Investigations Unit must be taken seriously and investigated thoroughly.

603.10.2 PROCEDURES

- (a) Whenever an officer learns of threats of any kind being made, the Unit Supervisor is to be notified immediately.
- (b) The Unit Supervisor will direct a complete investigation of the matter.
- (c) The Operations Division Captain will be notified as soon as possible of the threat.
- (d) The Administrative Staff will determine the most appropriate response based on the seriousness of the threat.

Asset Forfeiture

606.1 PURPOSE AND SCOPE

This policy describes the authority and procedure for the seizure, forfeiture, and liquidation of property associated with designated offenses.

606.1.1 DEFINITIONS

Definitions related to this policy include

Fiscal agent - The person designated by the Chief of Police to be responsible for securing and maintaining seized assets and distributing any proceeds realized from any forfeiture proceedings. This includes any time the Twin Falls Police Department seizes property for forfeiture or when the Twin Falls Police Department is acting as the fiscal agent pursuant to a multi-agency agreement.

Forfeiture - The process by which legal ownership of an asset is transferred to a government or other authority.

Forfeiture reviewer - The department member assigned by the Chief of Police who is responsible for reviewing all forfeiture cases and for acting as the liaison between the Department and the assigned attorney.

Property subject to forfeiture - Includes but may not be limited to the following:

- (a) Non-real property that may generally be subject to civil forfeiture under the Uniform Controlled Substance Act (Idaho Code 37-2744) includes:
 - 1. Property used, or intended for use, as a container for property used in the commission of an act prohibited by Idaho Code 37-2732B (trafficking), Idaho Code 37-2732(a) or (b) (prohibited acts), or Idaho Code 37-2737A (manufacture or delivery of controlled substance where children are present).
 - 2. A conveyance used, or intended for use, to transport or to in any way facilitate the transportation, delivery, receipt, or manufacture of substances prohibited by Idaho Code 37-2732B, Idaho Code 37-2732(a) or (b), or Idaho Code 37-2737A.
 - 3. Money, currency, negotiable instruments, securities, or other items easily liquidated for cash which have been used or are intended for use in connection with the illegal manufacture, distribution, dispensing, or possession of property described in Idaho Code 37-2744(a)(6).
 - 4. All weapons or firearms used in any manner to facilitate a violation of the Uniform Controlled Substance Act (Idaho Code Title 37, Chapter 27).
- (b) Real property may be subject to civil forfeiture under the Uniform Controlled Substance Act when (Idaho Code 37-2744A):
 - 1. Either the property or interest in a property is used to commit or to facilitate a violation of the Uniform Controlled Substance Act (Idaho Code Title 37, Chapter 27).
 - 2. The offense is punishable by more than one year of imprisonment.

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- (c) Real property, personal property, or money may be subject to criminal forfeiture by order of a court upon a controlled substance conviction (Idaho Code 37-2801; Idaho Code 37-2802).
- (d) Real property, personal property, or money may be subject to criminal forfeiture by order of a court upon a prostitution conviction (Idaho Code 18-5612; Idaho Code 18-5618).

Seizure - The act of law enforcement officials taking property, cash, or assets that have been used in connection with or acquired by specified illegal activities.

606.2 POLICY

The Twin Falls Police Department recognizes that appropriately applied forfeiture laws are helpful to enforce the law, deter crime and reduce the economic incentive of crime. However, the potential for revenue should never compromise the effective investigation of criminal offenses, officer safety or any person's due process rights.

It is the policy of the Twin Falls Police Department that all members, including those assigned to internal or external law enforcement task force operations, shall comply with all state and federal laws pertaining to forfeiture.

606.3 ASSET SEIZURE

Property may be seized for forfeiture as provided in this policy.

606.3.1 PROPERTY SUBJECT TO SEIZURE

The following may be seized upon review and approval of a supervisor and in coordination with the forfeiture reviewer (Idaho Code 37-2744):

- (a) Any property ordered to be seized by a search warrant or court order.
- (b) Property subject to civil forfeiture may be seized by an officer without a court order if one or more of these circumstances exist (Idaho Code 37-2744):
 - 1. The seizure is incident to an arrest, execution of a search warrant, or during an inspection under an administrative inspection warrant.
 - 2. Probable cause exists to believe that the property is directly or indirectly dangerous to health or safety.
 - 3. Probable cause exists to believe that the property was used or is intended to be used in violation of the Uniform Controlled Substance Act (Idaho Code Title 37, Chapter 27).
- (c) Property subject to criminal forfeiture may be seized without a court order or search warrant if the property is subject to lawful seizure as evidence of a crime.

Whenever practicable, obtaining a search warrant or court order for seizure prior to making a seizure is the preferred method.

The mere presence or possession of U.S. currency, without other indications of criminal activity, is insufficient cause for seizure (Idaho Code 37-2744).

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606.3.2 PROPERTY NOT SUBJECT TO SEIZURE

The following property should not be seized for forfeiture:

- (a) Cash and property that does not meet the Idaho State Police or the prosecuting attorney's current minimum forfeiture thresholds should not be seized.
- (b) Property, vehicles or other items (listed in the code) from an "innocent owner" (an owner who did not consent to, or have knowledge of, the offense) (Idaho Code 37-2744).

606.4 PROCESSING SEIZED PROPERTY FOR FORFEITURE PROCEEDINGS

When property or cash subject to this policy is seized, the officer making the seizure should ensure compliance with the following:

- (a) Complete the applicable seizure forms and present the appropriate copy to the person from whom the property is seized. If cash or property is seized from more than one person, a separate copy must be provided to each person, specifying the items seized. When property is seized and no one claims an interest in the property, the officer must leave the copy in the place where the property was found, if it is reasonable to do so.
- (b) Complete and submit a report and original seizure forms within 24 hours of the seizure, if practicable.
- (c) Forward the original seizure forms and related reports to the forfeiture reviewer within two days of seizure.

The officer will book seized property as evidence with the notation in the comment section of the property form, "Seized Subject to Forfeiture." Property seized subject to forfeiture should be booked on a separate property form. No other evidence from the case should be booked on this form.

Photographs should be taken of items seized, particularly cash, jewelry, and other valuable items.

Officers who suspect property may be subject to seizure but are not able to seize the property (e.g., the property is located elsewhere, the whereabouts of the property is unknown, it is real estate, bank accounts, non-tangible assets) should document and forward the information in the appropriate report to the forfeiture reviewer.

606.5 MAINTAINING SEIZED PROPERTY

The Property and Evidence Bureau supervisor is responsible for ensuring compliance with the following:

- (a) All property received for forfeiture is reasonably secured and properly stored to prevent waste and preserve its condition.
- (b) All property received for forfeiture is checked to determine if the property has been stolen.
- (c) All property received for forfeiture is retained in the same manner as evidence until forfeiture is finalized or the property is returned to the claimant or the person with an ownership interest.

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- (d) Property received for forfeiture is not used unless the forfeiture action has been completed.

606.6 FORFEITURE REVIEWER

The Chief of Police will appoint an officer as the forfeiture reviewer. Prior to assuming duties, or as soon as practicable thereafter, the forfeiture reviewer should attend a course approved by the Department on asset forfeiture.

The responsibilities of the forfeiture reviewer include:

- (a) Remaining familiar with forfeiture laws, particularly the civil forfeiture statutes (Idaho Code 37-2744 et seq.) and criminal forfeiture statutes (Idaho Code 37-2801 et seq.; Idaho Code 18-5612 et seq.), and the forfeiture policies of the Idaho State Police as well as both the state and local prosecutors.
- (b) Serving as the liaison between the Department and the Idaho State Police and the [District/County Attorney] and ensuring prompt legal review of all seizures.
- (c) Making reasonable efforts to obtain annual training that includes best practices in pursuing, seizing, and tracking forfeitures.
- (d) Reviewing each seizure-related case and deciding whether the seizure is more appropriately made under state or federal seizure laws. The forfeiture reviewer should contact federal authorities when appropriate.
- (e) Ensuring that responsibilities, including the designation of a fiscal agent, are clearly established whenever multiple agencies are cooperating in a forfeiture case.
- (f) Ensuring that seizure forms are available and appropriate for department use. These should include notice forms, a receipt form, and a checklist that provides relevant guidance to officers. The forms should be available in languages appropriate for the region and should contain spaces for:
 - 1. Names and contact information for all relevant persons and law enforcement officers involved.
 - 2. Information as to how ownership or other property interests may have been determined (e.g., verbal claims of ownership, titles, public records).
 - 3. A space for the signature of the person from whom cash or property is being seized.
 - 4. A tear-off portion or copy, which should be given to the person from whom cash or property is being seized, that includes the legal authority for the seizure, information regarding the process to contest the seizure, and a detailed description of the items seized.
- (g) Ensuring that officers who may be involved in asset forfeiture receive training in the proper use of the seizure forms and the forfeiture process. The training should be developed in consultation with the appropriate legal counsel and may be accomplished through traditional classroom education, electronic media, Daily Training Bulletins (DTBs), or Departmental Directives. The training should cover this policy and address any relevant statutory changes and court decisions.

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- (h) Reviewing each asset forfeiture case to ensure that:
 - 1. Written documentation of the seizure and the items seized is in the case file.
 - 2. Independent legal review of the circumstances and propriety of the seizure is made in a timely manner.
 - 3. Notice of seizure has been given in a timely manner to those who hold an interest in the seized property.
 - 4. Property is promptly released to those entitled to its return.
 - 5. All changes to forfeiture status are forwarded to any supervisor who initiates a forfeiture case.
 - 6. Any cash received is deposited with the fiscal agent.
 - 7. Assistance with the resolution of ownership claims and the release of property to those entitled is provided.
 - 8. Current minimum forfeiture thresholds are communicated appropriately to officers.
 - 9. This policy and any related policies are periodically reviewed and updated to reflect current federal and state statutes and case law.
- (i) Ensuring that a written plan is available that enables the Chief of Police to address any extended absence of the forfeiture reviewer, thereby ensuring that contact information for other law enforcement officers and attorneys who may assist in these matters is available.
- (j) Ensuring that the Department disposes of property as provided by law following any forfeiture.
- (k) Final inventories and disposition records are prepared and sent to the Director of the Idaho State Police when applicable (Idaho Code 18-5619).
- (l) Filing the annual report of seizures and forfeitures required by Idaho Code 37-2744(j) with the [District/County Attorney] on a form prescribed by the Idaho State Police.

Forfeiture proceeds should be maintained in a separate fund or account subject to appropriate accounting control, with regular reviews or audits of all deposits and expenditures.

Forfeiture reporting and expenditures should be completed in the manner prescribed by the law and City financial directives.

606.7 DISPOSITION OF FORFEITED PROPERTY

With judicial approval, the department may retain for official use seized property that is suited for law enforcement use (Idaho Code 37-2744(e)).

The forfeiture reviewer should maintain accurate records of department costs, to be used in the disposition of forfeited proceeds in the event agency reimbursement is ordered (Idaho Code 37-2744A).

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606.8 NOTIFICATION TO THE DIRECTOR OF IDAHO STATE POLICE

An officer who seizes property under the authority of Idaho Code 37-2744 or Idaho Code 37-2801, in coordination with the forfeiture reviewer, shall ensure the Director of the Idaho State Police is notified of the seizure and provided with an inventory within five days (Idaho Code 37-2744; Idaho Code 37-2803; Idaho Code 18-5619).

Informants

608.1 PURPOSE AND SCOPE

In many instances, a successful investigation cannot be conducted without the use of confidential informants. To protect the integrity of the Twin Falls Police Department and the officers using informants, it shall be the policy of this department to take appropriate precautions by developing sound informant policies.

608.1.1 DEFINITIONS

Definitions related to this policy include:

Informant - A person who covertly interacts with other individuals or suspects at the direction of, request of, or by agreement with the Twin Falls Police Department for law enforcement purposes. This also includes a person agreeing to supply information to the Twin Falls Police Department for a benefit (e.g., a quid pro quo in the form of a reduced criminal penalty, money).

608.2 POLICY

The Twin Falls Police Department recognizes the value of informants to law enforcement efforts and will strive to protect the integrity of the informant process. It is the policy of this department that all funds related to informant payments will be routinely audited and that payments to informants will be made according to the criteria outlined in this policy.

608.3 PLEA NEGOTIATIONS

Prior to any agreement regarding plea negotiations, the prosecuting attorney shall be contacted. The prosecutor, in cooperation with the confidential informant and his/her legal counsel, shall come to a written agreement concerning plea negotiations prior to the informant's activation. The written agreement shall document the specifics of any plea negotiations and the plan of cooperation. The agreement shall also outline the definition of a successful completion of the plan. The agreement must bear the signatures of all the parties involved. A copy of this agreement shall be maintained in the confidential informant's file.

608.4 USE OF INFORMANTS

608.4.1 INITIAL APPROVAL

Before using an individual as an informant, an officer must receive approval from his/her supervisor. The officer shall compile sufficient information through a background investigation and experience with the informant in order to determine the suitability of the individual, including age, maturity and risk of physical harm, as well as any indicators of his/her reliability and credibility.

Members of this department should not guarantee absolute safety or confidentiality to an informant.

608.4.2 JUVENILE INFORMANTS

The use of informants under the age of 13 is prohibited.

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In all cases, a juvenile 13 years of age or older may only be used as an informant with the written consent of each of the following:

- (a) The juvenile's parents or legal guardians
- (b) The juvenile's attorney, if any
- (c) The court in which the juvenile's case is being handled, if applicable
- (d) The Chief of Police or the authorized designee

608.4.3 INFORMANT AGREEMENTS

All informants are required to sign and abide by the provisions of the designated department informant agreement. The officer using the informant shall discuss each of the provisions of the agreement with the informant.

Details of the agreement are to be approved in writing by a supervisor before being finalized with the informant.

608.5 INFORMANT INTEGRITY

To maintain the integrity of the informant process, the following must be adhered to:

- (a) The identity of an informant acting in a confidential capacity shall not be withheld from the Chief of Police, Division Commander, Narcotics Unit supervisor or their authorized designees.
 - (a) Identities of informants acting in a confidential capacity shall otherwise be kept confidential.
- (b) Criminal activity by informants shall not be condoned.
- (c) Informants shall be told they are not acting as police officers, employees or agents of the Twin Falls Police Department, and that they shall not represent themselves as such.
- (d) The relationship between department members and informants shall always be ethical and professional.
 - 1. Members shall not become intimately involved with an informant.
 - 2. Social contact shall be avoided unless it is necessary to conduct an official investigation, and only with prior approval of the Narcotics Unit supervisor.
 - 3. Members shall neither solicit nor accept gratuities or engage in any private business transaction with an informant.
 - 4. Strip searches of informants prior to operations shall be conducted by a member of the same sex.
- (e) Officers shall not meet with informants in a private place unless accompanied by at least one additional officer or with prior approval of the Narcotics Unit supervisor.
 - 1. Officers may meet informants alone in an occupied public place, such as a restaurant.

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- (f) When contacting informants for the purpose of making payments, officers shall arrange for the presence of another officer.
- (g) In all instances when department funds are paid to informants, a voucher shall be completed in advance, itemizing the expenses.
- (h) Since the decision rests with the appropriate prosecutor, officers shall not promise that the informant will receive any form of leniency or immunity from criminal prosecution.

608.5.1 UNSUITABLE INFORMANTS

The suitability of any informant should be considered before engaging him/her in any way in a covert or other investigative process. Members who become aware that an informant may be unsuitable will notify the supervisor, who will initiate a review to determine suitability. Until a determination has been made by a supervisor, the informant should not be used by any member. The supervisor shall determine whether the informant should be used by the Department and, if so, what conditions will be placed on his/her participation or any information the informant provides. The supervisor shall document the decision and conditions in file notes and mark the file "unsuitable" when appropriate.

Considerations for determining whether an informant is unsuitable include, but are not limited to, the following:

- (a) The informant has provided untruthful or unreliable information in the past.
- (b) The informant behaves in a way that may endanger the safety of an officer.
- (c) The informant reveals to suspects the identity of an officer or the existence of an investigation.
- (d) The informant appears to be using his/her affiliation with this department to further criminal objectives.
- (e) The informant creates officer-safety issues by providing information to multiple law enforcement agencies simultaneously, without prior notification and approval of each agency.
- (f) The informant engages in any other behavior that could jeopardize the safety of officers or the integrity of a criminal investigation.
- (g) The informant commits criminal acts subsequent to entering into an informant agreement.

608.6 INFORMANT FILES

Informant files shall be utilized as a source of background information about the informant, to enable review and evaluation of information provided by the informant, and to minimize incidents that could be used to question the integrity of department members or the reliability of the informant.

Informant files shall be maintained in a secure area within the Narcotics Unit. The Narcotics Unit supervisor or the authorized designee shall be responsible for maintaining informant files. Access

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to the informant files shall be restricted to the Chief of Police, Division Commander, Narcotics Unit supervisor or their authorized designees.

The Criminal Investigations Division Commander should arrange for an audit using a representative sample of randomly selected informant files on a periodic basis, but no less than one time per year. If the Narcotics Unit supervisor is replaced, the files will be audited before the new supervisor takes over management of the files. The purpose of the audit is to ensure compliance with file content and updating provisions of this policy. The audit should be conducted by a supervisor who does not have normal access to the informant files.

608.6.1 FILE SYSTEM PROCEDURE

A separate file shall be maintained on each informant and shall be coded with an assigned informant control number. An informant history that includes the following information shall be prepared for each file:

- (a) Name and aliases
- (b) Date of birth
- (c) Physical description: sex, race, height, weight, hair color, eye color, scars, tattoos or other distinguishing features
- (d) Photograph
- (e) Current home address and telephone numbers
- (f) Current employers, positions, addresses and telephone numbers
- (g) Vehicles owned and registration information
- (h) Places frequented
- (i) Briefs of information provided by the informant and his/her subsequent reliability
 - 1. If an informant is determined to be unsuitable, the informant's file is to be marked "unsuitable" and notations included detailing the issues that caused this classification.
- (j) Name of the officer initiating use of the informant
- (k) Signed informant agreement
- (l) Update on active or inactive status of informant

608.7 INFORMANT PAYMENTS

No informant will be told in advance or given an exact amount or percentage for his/her service. The amount of funds to be paid to any informant will be evaluated against the following criteria:

- The extent of the informant's personal involvement in the case
- The significance, value or effect on crime
- The value of assets seized
- The quantity of the drugs or other contraband seized

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- The informant's previous criminal activity
- The level of risk taken by the informant

The Narcotics Unit supervisor will discuss the above factors with the Patrol Division Commander and recommend the type and level of payment subject to approval by the Chief of Police.

608.7.1 PAYMENT PROCESS

Approved payments to an informant should be in cash using the following process:

- (a) Payments of \$500 and under may be paid in cash from a Narcotics Unit buy/expense fund.
 1. The Narcotics Unit supervisor shall sign the voucher for cash payouts from the buy/expense fund.
- (b) Payments exceeding \$500 shall be made by issuance of a check, payable to the officer who will be delivering the payment.
 1. The check shall list the case numbers related to and supporting the payment.
 2. A written statement of the informant's involvement in the case shall be placed in the informant's file.
 3. The statement shall be signed by the informant verifying the statement as a true summary of his/her actions in the case.
 4. Authorization signatures from the Chief of Police and the City Manager are required for disbursement of the funds.
- (c) To complete the payment process for any amount, the officer delivering the payment shall complete a cash transfer form.
 1. The cash transfer form shall include the following:
 - (a) Date
 - (b) Payment amount
 - (c) Twin Falls Police Department case number
 - (d) A statement that the informant is receiving funds in payment for information voluntarily rendered.
 2. The cash transfer form shall be signed by the informant.
 3. The cash transfer form will be kept in the informant's file.

608.7.2 REPORTING OF PAYMENTS

Each informant receiving a cash payment shall be advised of his/her responsibility to report the cash to the Internal Revenue Service (IRS) as income. If funds distributed exceed \$600 in any reporting year, the informant should be provided IRS Form 1099 (26 CFR 1.6041-1). If such documentation or reporting may reveal the identity of the informant and by doing so jeopardize any investigation, the safety of officers or the safety of the informant (26 CFR 1.6041-3), then IRS Form 1099 should not be issued.

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In such cases, the informant shall be provided a letter identifying the amount he/she must report on a tax return as “other income” and shall be required to provide a signed acknowledgement of receipt of the letter. The completed acknowledgement form and a copy of the letter shall be retained in the informant’s file.

608.7.3 AUDIT OF PAYMENTS

The Narcotics Unit supervisor or the authorized designee shall be responsible for compliance with any audit requirements associated with grant provisions and applicable state and federal law.

At least once every six months, the Chief of Police or the authorized designee should conduct an audit of all informant funds for the purpose of accountability and security of the funds. The funds and related documents (e.g., buy/expense fund records, cash transfer forms, invoices, receipts and logs) will assist with the audit process.

Use Of Investigative Research Databases

609.1 PURPOSE AND SCOPE

The Twin Falls Police Department recognizes that the use of internet-based research databases is imperative in effectively conducting legitimate criminal, administrative, and pre-employment investigations. The Department further recognizes that a person's expectation of privacy is a fundamental right in a free society. Given this, a strict policy regarding the use and dissemination of information obtained in an investigative research database is hereby established.

609.2 POLICY

Management: The Chief of Police shall have the ultimate responsibility for managing the use of the internet-based research databases within the Police Department. This responsibility and accountability shall be delegated to the Captain of the Criminal Investigations Division for operational oversight and management.

Use: Employees assigned to the Criminal Investigations Division and Supervisors assigned to conduct internal affairs/administrative investigations shall have access to the investigative research database. The research database shall be used only for legitimate criminal, administrative, or pre-employment investigations. Use of the investigative research database for personal reasons is strictly prohibited. Each authorized employee shall be given a personal user name and password to access the database. The assigned employee shall keep the assigned password confidential and shall not disclose it without authorization from the employee's supervisor.

From time to time, it may become necessary for City Department Heads to necessitate access to the database for legitimate City business. Department Heads requiring access to the database shall obtain authorization from the City Manager before access is granted.

Audit and Control:

User names and passwords: The Captain of Investigations, in cooperation with the City of Twin Falls Information Services Department, shall manage employee access to the database, along with the distribution of user names and passwords.

Audit of use: The Manager of the Information Services Department and the Captain of Investigations shall conduct monthly audits of the investigative database to ensure compliance with this policy.

Violations: Violations of use of the database will result in disciplinary action.

Eyewitness Identification

610.1 PURPOSE AND SCOPE

This policy sets forth guidelines to be used when members of this department employ eyewitness identification techniques.

610.1.1 DEFINITIONS

Definitions related to the policy include:

Eyewitness identification process - Any field identification, live lineup or photographic identification.

Field identification - A live presentation of a single individual to a witness following the commission of a criminal offense for the purpose of identifying or eliminating the person as the suspect.

Live lineup - A live presentation of individuals to a witness for the purpose of identifying or eliminating an individual as the suspect.

Photographic lineup - Presentation of photographs to a witness for the purpose of identifying or eliminating an individual as the suspect.

610.2 POLICY

The Twin Falls Police Department will strive to use eyewitness identification techniques, when appropriate, to enhance the investigative process and will emphasize identifying persons responsible for crime and exonerating the innocent.

610.3 INTERPRETIVE SERVICES

Members should make a reasonable effort to arrange for an interpreter before proceeding with eyewitness identification if communication with a witness is impeded due to language or hearing barriers.

Before the interpreter is permitted to discuss any matter with the witness, the investigating member should explain the identification process to the interpreter. Once it is determined that the interpreter comprehends the process and can explain it to the witness, the eyewitness identification may proceed as provided for within this policy.

610.4 EYEWITNESS IDENTIFICATION FORM

The Criminal Investigations supervisor shall be responsible for the development and maintenance of an eyewitness identification process for use by members when they are conducting eyewitness identifications.

The process and any related forms or reports should provide:

- (a) The date and time of the eyewitness identification procedure.
- (b) The name and identifying information of the witness.

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- (c) The name of the person administering the identification procedure.
- (d) If applicable, the names of all of the individuals present during the identification procedure.
- (e) An admonishment that the suspect's photograph may or may not be among those presented and that the witness is not obligated to make an identification.
- (f) A signature line where the witness acknowledges that he/she understands the identification procedures and instructions.

The process and related forms should be reviewed at least annually and modified when necessary.

610.5 EYEWITNESS IDENTIFICATION

Members are cautioned not to, in any way, influence a witness as to whether any subject or photo presented in a lineup is in any way connected to the case. Members should avoid mentioning that:

- The individual was apprehended near the crime scene.
- The evidence points to the individual as the suspect.
- Other witnesses have identified or failed to identify the individual as the suspect.

In order to avoid undue influence, witnesses should view suspects or a lineup individually and outside the presence of other witnesses. Witnesses should be instructed to avoid discussing details of the incident or of the identification process with other witnesses.

Whenever feasible, the eyewitness identification procedure should be audio and/or video recorded and the recording should be retained according to current evidence procedures.

610.5.1 PHOTOGRAPHIC LINEUP AND LIVE LINEUP CONSIDERATIONS

The person composing the lineup and the person presenting the lineup should take the utmost care not to communicate the identity of the suspect in any way.

Other persons or photos used in any lineup should bear similar characteristics to the suspect to avoid causing him/her to unreasonably stand out. In cases involving multiple suspects, a separate lineup should be conducted for each suspect. The suspects should be placed in a different order within each lineup.

610.5.2 FIELD IDENTIFICATION CONSIDERATIONS

Field identifications, also known as field elimination show-ups or one-on-one identifications, may be helpful in certain cases. When initiating a field identification, the officer should observe the following guidelines:

- (a) Obtain a complete description of the suspect from the witness.
- (b) Assess whether a witness should be included in a field identification process by considering:
 - 1. The length of time the witness observed the suspect.

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2. The distance between the witness and the suspect.
 3. Whether the witness could view the suspect's face.
 4. The quality of the lighting when the suspect was observed by the witness.
 5. Whether there were distracting noises or activity during the observation.
 6. Any other circumstances affecting the witness's opportunity to observe the suspect.
 7. The length of time that has elapsed since the witness observed the suspect.
- (c) If safe and practicable, the person who is the subject of the show-up should not be handcuffed or in a patrol vehicle.
- (d) When feasible, officers should bring the witness to the location of the suspect, rather than bring the suspect to the witness.
- (e) A person in a field identification should not be required to put on clothing worn by the suspect, to speak words uttered by the suspect or to perform other actions mimicking those of the suspect.

610.6 DOCUMENTATION

A thorough description of the eyewitness process and the results of any eyewitness identification should be documented in the case report.

If a photographic lineup is utilized, a copy of the photographic lineup presented to the witness should be included in the case report. In addition, the order in which the photographs were presented to the witness should be documented in the case report.

610.7 PHOTOGRAPHIC LINEUP AND LIVE LINEUP CONSIDERATIONS

When practicable, the member presenting the lineup should not be involved in the investigation of the case or know the identity of the suspect. In no case should the member presenting a lineup to a witness know which photograph or person in the lineup is being viewed by the witness. Techniques to achieve this include randomly numbering photographs, shuffling folders or using a computer program to order the persons in the lineup.

Individuals in the lineup should reasonably match the description of the perpetrator provided by the witness and should bear similar characteristics to avoid causing any person to unreasonably stand out. In cases involving multiple suspects, a separate lineup should be conducted for each suspect. The suspects should be placed in a different order within each lineup.

The member presenting the lineup to a witness should do so sequentially (i.e., show the witness one person at a time) and not simultaneously. The witness should view all persons in the lineup.

A live lineup should only be used before criminal proceedings have been initiated against the suspect. If there is any question as to whether any criminal proceedings have begun, the investigating member should contact the appropriate prosecuting attorney before proceeding.

Eyewitness Identification

610.8 FIELD IDENTIFICATION CONSIDERATIONS

Field identifications, also known as field elimination show-ups or one-on-one identifications, may be helpful in certain cases, where exigent circumstances make it impracticable to conduct a photo or live lineup identifications. A field elimination show-up or one-on-one identification should not be used when independent probable cause exists to arrest a suspect. In such cases a live or photo lineup is the preferred course of action if eyewitness identification is contemplated.

When initiating a field identification, the member should observe the following guidelines:

- (a) Obtain a complete description of the suspect from the witness.
- (b) Assess whether a witness should be included in a field identification process by considering:
 - 1. The length of time the witness observed the suspect.
 - 2. The distance between the witness and the suspect.
 - 3. Whether the witness could view the suspect's face.
 - 4. The quality of the lighting when the suspect was observed by the witness.
 - 5. Whether there were distracting noises or activity during the observation.
 - 6. Any other circumstances affecting the witness's opportunity to observe the suspect.
 - 7. The length of time that has elapsed since the witness observed the suspect.
- (c) If safe and practicable, the person who is the subject of the show-up should not be handcuffed or in a patrol vehicle.
- (d) When feasible, members should bring the witness to the location of the subject of the show-up, rather than bring the subject of the show-up to the witness.
- (e) The person who is the subject of the show-up should not be shown to the same witness more than once.
- (f) In cases involving multiple suspects, witnesses should only be permitted to view the subjects of the show-up one at a time.
- (g) The person who is the subject of the show-up should not be required to put on clothing worn by the suspect, to speak words uttered by the suspect or to perform other actions mimicking those of the suspect.
- (h) If a witness positively identifies the subject of the show-up as the suspect, members should not conduct any further field identifications with other witnesses for that suspect. In such instances, members should document the contact information for any additional witnesses for follow up, if necessary.

Child Pornography / Images Of The Sexual Exploitation Of Minors

611.1 PURPOSE AND SCOPE

Images of child pornography are quickly and easily duplicated by Internet child pornography traffickers. Once an image is exposed to cyberspace, it can be nearly impossible to permanently retrieve and extinguish.

Digital media-based child pornography is also unique because it is easily and quickly duplicated. Wireless computers or personal data assistants can connect with one another to quietly traffic images. Cellular telephones with tiny imbedded cameras can be used to replicate images displayed on a computer screen. Small thumb-sized media storage devices now have the memory capacity to retain hundreds of images or movie files. Duplication of the original contraband can be done without leaving any trace of the duplication and without degrading the original image.

611.2 INVESTIGATIVE PRACTICES

The Twin Falls Police Department recognizes that during the course of investigations of child pornography and the sexual exploitation of minors, evidentiary information may be sent to investigators by digital means. At no time is this information to be accessed, viewed, or downloaded to individually assigned computers or electronic devices. To facilitate the viewing and burning of compact discs for evidentiary purposes, a computer designated for such in the ICAC room will be utilized. The Twin Falls Police Department's investigators handle digital media based on the following guidelines:

- Peer- to- Peer (P2P) and undercover on-line chat investigations are components of ICAC investigations. Therefore the investigative practices outlined shall apply equally to these types of investigations.
- Peer- to- Peer (P2P) and undercover on-line chat investigations may require establishing controlled computer accounts to implement Peer-to-Peer and/or undercover on-line chat investigations. When controlled accounts are created they will be utilized for the purpose of ICAC investigations only. Any controlled account created for ICAC investigations shall be documented in the police report.
- The Internet Crimes office, where child pornography is investigated, is located separately from other police investigative offices to prevent unwitting individuals from unnecessarily exposing themselves to contraband images.
- The Internet Crimes office is kept secured and locked during non-business hours. No public access to the office is authorized. The office door is kept closed when investigators are conducting duties that obligate them to review images of child pornography. A sign on the office door requests that other employees knock before entering so that investigators may conceal child pornography that may be in plain view.
- Unauthorized Twin Falls Police Department personnel are not permitted access to the Internet Crimes office when child pornography is exposed. Unauthorized personnel do not frequent the Internet Crimes office.

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- Seized contraband child pornography is secured and handled similarly to narcotics in that unauthorized persons are not permitted to handle or view it.
- Images of child pornography are never unnecessarily reproduced nor duplicated. Only written textual descriptions of contraband images are provided in law enforcement reports. Actual images of child pornography are not included with, nor attached to, police reports.
- Computer forensics examiners who review contraband images work in secure facilities that are inaccessible to persons not involved with investigations.
- During the computer forensics examination for contraband, suspected unlawful images are copied to a compact disk that is secured and handled as contraband evidence.
- During the investigation and pre-submittal process, digital media-based images of child pornography are sometimes reviewed by a pediatrician who provides age estimates of the victim(s) depicted. The review process occurs as follows:
 - (a) The suspected unlawful image(s) are copied onto a compact disk (CD) by the investigator.
 - (b) The compact disk is secured as evidence until the investigator takes custody of it and transports the disk, along with a laptop computer, to the pediatrician.
 - (c) At the pediatrician's private office, the investigator places the CD in the laptop computer and shows the image(s) to the pediatrician. The pediatrician then comments in writing on the apparent age(s) of the victim(s) in the image(s).
 - (d) The investigator then removes the CD and the laptop computer. Under no circumstances is the CD or laptop computer left in the unsupervised possession of the pediatrician.
 - (e) After the pediatrician's evaluation, the CD is returned to a police facility and secured. The laptop computer's hard drive is periodically replaced and submitted to Property and Evidence for storage.

611.2.1 POST-ADJUDICATION

- Contraband child pornography is not returned to a defendant at the end of a court proceeding. Printed images are destroyed by employees of the Property and Evidence section of the Police Department and computer media storage devices are sent to Intermountain West Regional Computer Forensic Lab for destruction.
- Computer hardware and media storage devices are not forensically "wiped" and returned to owners. Attempting to wipe and return digital media containing contraband would prolong the contraband handling process, expose the contraband to possible loss, theft or exposure to unwitting viewers. Additionally, attempting to forensically wipe digital media storage devices would also require protracted law enforcement effort and time.

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611.3 POST-ADJUDICATION

- Computers and other digital media storage devices may be utilized by law enforcement in the furtherance of investigating ICAC cases. Computers and other media storage devices that have been seized as evidence may only be acquired if awarded by the court through the restitution process pursuant to a plea agreement. Any computer or media storage device awarded by the court shall be forensically wiped prior to utilizing in a criminal investigation.

Brady Material Disclosure

612.1 PURPOSE AND SCOPE

This policy establishes guidelines for identifying and releasing potentially exculpatory or impeachment information (so-called “*Brady* information”) to a prosecuting attorney.

612.1.1 DEFINITIONS

Definitions related to this policy include:

Brady information -Information known or possessed by the Twin Falls Police Department that is both favorable and material to the current prosecution or defense of a criminal defendant.

612.2 POLICY

The Twin Falls Police Department will conduct fair and impartial criminal investigations and will provide the prosecution with both incriminating and exculpatory evidence, as well as information that may adversely affect the credibility of a witness. In addition to reporting all evidence of guilt, the Twin Falls Police Department will assist the prosecution by complying with its obligation to disclose information that is both favorable and material to the defense. The Department will identify and disclose to the prosecution potentially exculpatory information, as provided in this policy.

612.3 DISCLOSURE OF INVESTIGATIVE INFORMATION

Officers must include in their investigative reports adequate investigative information and reference to all material evidence and facts that are reasonably believed to be either incriminating or exculpatory to any individual in the case. If an officer learns of potentially incriminating or exculpatory information any time after submission of a case, the officer or the handling investigator must prepare and submit a supplemental report documenting such information as soon as practicable. Supplemental reports shall be promptly processed and transmitted to the prosecutor’s office.

If information is believed to be privileged or confidential (e.g., confidential informant or attorney-client information, attorney work product), the officer should discuss the matter with a supervisor and/or prosecutor to determine the appropriate manner in which to proceed.

Evidence or facts are considered material if there is a reasonable probability that they would affect the outcome of a criminal proceeding or trial. Determining whether evidence or facts are material often requires legal or even judicial review. If an officer is unsure whether evidence or facts are material, the officer should address the issue with a supervisor.

Supervisors who are uncertain about whether evidence or facts are material should address the issue in a written memo to an appropriate prosecutor. A copy of the memo should be retained in the Department case file.

612.4 DISCLOSURE OF PERSONNEL INFORMATION

The Chief of Police will designate one or more members of the Department to act as a *Brady* coordinator who will be responsible for working with the appropriate prosecutor’s offices and the

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Brady Material Disclosure

City Attorney's office to establish systems and processes to determine what constitutes *Brady* information and the method for notification and disclosure.

The *Brady* coordinator should periodically examine the personnel files and/or internal affairs files of all department members who may be material witnesses in criminal cases to determine whether they contain potential *Brady* information.

If a member of this department whose personnel and/or internal affairs files contain potential *Brady* information is a material witness in a criminal case the following procedure shall apply:

- (a) In the event that a motion has not already been filed by the criminal defendant or other party, the prosecuting attorney and department member shall be notified of the potential presence of *Brady* material in the member's personnel file.
- (b) The prosecuting attorney or department counsel should be requested to file a motion in order to initiate an in-camera review by the court.
 - 1. If no motion is filed, the supervisor should work with counsel to determine whether the records should be disclosed to the prosecutor.
- (c) The Custodian of Records shall accompany all relevant personnel files during any in-camera inspection to address any issues or questions raised by the court.
- (d) If the court determines that there is relevant *Brady* material contained in the files, only that material ordered released will be copied and released to the parties filing the motion.
 - 1. Prior to the release of any materials pursuant to this process, the Custodian of Records should request a protective order from the court limiting the use of such materials to the involved case and requiring the return of all copies upon completion of the case.
- (e) If a court has determined that relevant *Brady* information is contained in the member's file in any case, the prosecutor should be notified of that fact in all future cases involving that member.

612.5 INVESTIGATING BRADY ISSUES

If the Department receives information from any source that a member may have issues of credibility, dishonesty or has been engaged in an act of moral turpitude or criminal conduct, the information shall be investigated and processed in accordance with the Personnel Complaints Policy.

612.6 TRAINING

Department personnel should receive periodic training on the requirements of this policy.

Pawns

613.1 PURPOSE AND SCOPE

On September 8, 1998, the Twin Falls City Council repealed chapter 4 of title 3 of the Twin Falls City Code. Twin Falls City Code was amended by the addition of a New Chapter 4, Title 3, providing for pawnshops, brokers and secondhand dealers. As a result of the City Council decision, the following procedures were implemented to facilitate a uniformed method in which property located in pawnshops or secondhand stores will be placed on police hold. This procedure will help the department with the identification and tracking of the amount of police related reports, which are connected with pawnshops and secondhand stores, such as stolen property.

613.2 PLACING POLICE HOLDS ON PROPERTY

When property, alleged to be stolen, is located in a pawnshop or secondhand store, a police hold shall be placed on the property. The police hold will be documented on a Twin Falls Police Pawnshop Control Form. The Pawnshop Control Form will include the following:

- TFPD Case number
- Other agency case number (if applicable)
- Date of hold
- Name of pawnshop/secondhand store where property is held
- A complete description of the held property
- The pawn ticket number for the property in question
- The amount owed to the pawn shop for the property
- Name of person making the pledge/sale/pawn
- Name and department number of officer placing item on hold

The original of the Pawnshop Control Form will be attached to the officer's report. A copy of this form will be provided to the pawnshop where the item to be held is located.

613.3 SUSPECTED STOLEN PROPERTY

When suspected stolen property is located at a pawnshop or secondhand store, the officer must ensure that a police report was filed in the proper jurisdiction where the theft took place. If no report has been filed, the officer should advise the alleged victim to file a report. The victim should provide a detailed statement, particularly describing the suspect property. This description should include any serial number, owner applied number, or other specific identifying marks.

613.3.1 REPORTED STOLEN PROPERTY

If the property was reported stolen in the City of Twin Falls and a report is already on file, the officer will complete a supplement report using the original case and incident numbers.

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Pawns

613.3.2 NO REPORT ON FILE OCCURRED IN CITY OF TWIN FALLS

If the theft took place in the City of Twin Falls and no report is on file, case and incident numbers should be obtained and a theft report completed.

613.3.3 THEFT OUTSIDE CITY OF TWIN FALLS

If the theft took place outside of the City of Twin Falls, the victim should be instructed to contact the appropriate agency and file a report. An officer may still place the suspect property on hold pending the report to the outside agency.

613.3.4 PLACING EVIDENCE ON HOLD FOR OTHER AGENCY

When property is being placed on hold for an outside agency, the officer must complete an Officer's Report (8320) with a secondary verifier of 7611 or 7612. The officer will have to obtain case and incident numbers for this report.

613.3.5 PROPERTY SEIZED FROM PAWNSHOP OR SECONDHAND STORE

When property is "seized" from a pawnshop or secondhand store a pawnshop control form will be completed to document the actual seizure of the property. The property will then be submitted into evidence in accordance with department evidence procedures. A police report will also be completed to document the recovery of the property.

Unmanned Aerial System (UAS) Operations

614.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the use of an unmanned aerial system (UAS) and for the storage, retrieval and dissemination of images and data captured by the UAS.

614.1.1 DEFINITIONS

Definitions related to this policy include:

Unmanned Aerial System (UAS) - An unmanned aircraft of any type that is capable of sustaining directed flight, whether preprogrammed or remotely controlled (commonly referred to as an unmanned aerial vehicle (UAV)), and all of the supporting or attached systems designed for gathering information through imaging, recording or any other means. For purposes of this policy, a UAS includes a drone and remotely piloted vehicle or aircraft as provided in Idaho Code 21-213.

614.2 POLICY

Unmanned aerial systems may be utilized to enhance the department's mission of protecting lives and property when other means and resources are not available or are less effective. Any use of a UAS will be in strict accordance with constitutional and privacy rights and Federal Aviation Administration (FAA) regulations.

614.3 PRIVACY

The use of the UAS potentially involves privacy considerations. Absent a warrant or exigent circumstances, operators and observers shall adhere to FAA altitude regulations and shall not intentionally record or transmit images of any location where a person would have a reasonable expectation of privacy (e.g., residence, yard, enclosure). Operators and observers shall take reasonable precautions to avoid inadvertently recording or transmitting images of areas where there is a reasonable expectation of privacy. Reasonable precautions can include, for example, deactivating or turning imaging devices away from such areas or persons during UAS operations.

614.4 PROGRAM COORDINATOR

The Chief of Police will appoint a program coordinator who will be responsible for the management of the UAS program. The program coordinator will ensure that policies and procedures conform to current laws, regulations and best practices and will have the following additional responsibilities:

- Coordinating the FAA Certificate of Waiver or Authorization (COA) application process and ensuring that the COA is current.
- Ensuring that all authorized operators and required observers have completed all required FAA and department-approved training in the operation, applicable laws, policies and procedures regarding use of the UAS.
- Developing uniform protocol for submission and evaluation of requests to deploy a UAS, including urgent requests made during ongoing or emerging incidents. Deployment of a UAS shall require written authorization of the Chief of Police or the authorized designee, depending on the type of mission.

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Unmanned Aerial System (UAS) Operations

- Developing protocol for conducting criminal investigations involving a UAS, including documentation of time spent monitoring a subject.
- Implementing a system for public notification of UAS deployment.
- Developing an operational protocol governing the deployment and operation of a UAS including, but not limited to, safety oversight, use of visual observers, establishment of lost link procedures and secure communication with air traffic control facilities.
- Developing a protocol for fully documenting all missions.
- Developing a UAS inspection, maintenance and record-keeping protocol to ensure continuing airworthiness of a UAS, up to and including its overhaul or life limits.
- Developing protocols to ensure that all data intended to be used as evidence are accessed, maintained, stored and retrieved in a manner that ensures its integrity as evidence, including strict adherence to chain of custody requirements. Electronic trails, including encryption, authenticity certificates and date and time stamping, shall be used as appropriate to preserve individual rights and to ensure the authenticity and maintenance of a secure evidentiary chain of custody.
- Developing protocols that ensure retention and purge periods are maintained in accordance with established records retention schedules.
- Facilitating law enforcement access to images and data captured by the UAS.
- Recommending program enhancements, particularly regarding safety and information security.
- Ensuring that established protocols are followed by monitoring and providing periodic reports on the program to the Chief of Police.

614.5 USE OF UAS

Only authorized operators who have completed the required training shall be permitted to operate the UAS.

Use of vision enhancement technology (e.g., thermal and other imaging equipment not generally available to the public) is permissible in viewing areas only where there is no protectable privacy interest or when in compliance with a search warrant or court order. In all other instances, legal counsel should be consulted.

UAS operations should only be conducted during daylight hours and a UAS should not be flown over populated areas without FAA approval.

No UAS shall be used to conduct surveillance of, gather evidence or collect information about, or photographically or electronically record specifically targeted persons or specifically targeted private property, unless (Idaho Code 21-213):

- (a) During an emergency response for safety, search and rescue, or controlled substance investigations.
- (b) Pursuant to a warrant.
- (c) With the written consent of the individual or property owner.

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Unmanned Aerial System (UAS) Operations

614.6 PROHIBITED USE

The UAS video surveillance equipment shall not be used:

- To conduct random surveillance activities.
- To target a person based solely on individual characteristics, such as, but not limited to race, ethnicity, national origin, religion, disability, gender or sexual orientation.
- To harass, intimidate or discriminate against any individual or group.
- To conduct personal business of any type.

The UAS shall not be weaponized.

614.7 RETENTION OF UAS DATA

Data collected by the UAS shall be retained as provided in the established records retention schedule.

Sexual Assault Investigations

615.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the investigation of sexual assaults. These guidelines will address some of the unique aspects of such cases and the effects that these crimes have on the victims.

Mandatory notifications requirements are addressed in the Child Abuse and Adult Abuse policies.

615.1.1 DEFINITIONS

Definitions related to this policy include:

Sexual assault - Any crime or attempted crime of a sexual nature, to include but not limited to offenses defined in Idaho Code 18-6101 et seq.; Idaho Code 18-6604; and sexual offenses in Title 18, Chapter 15 of the Idaho Code.

Sexual Assault Response Team (SART) - A multidisciplinary team generally comprised of advocates; law enforcement officers; forensic medical examiners, including sexual assault forensic examiners (SAFEs) or sexual assault nurse examiners (SANEs) if possible; forensic laboratory personnel; and prosecutors. The team is designed to coordinate a broad response to sexual assault victims.

615.2 POLICY

It is the policy of the Twin Falls Police Department that its members, when responding to reports of sexual assaults, will strive to minimize the trauma experienced by the victims, and will aggressively investigate sexual assaults, pursue expeditious apprehension and conviction of perpetrators, and protect the safety of the victims and the community.

Cases involving sexual violence against women and children are among the most significant investigations our Department will be responsible for resolving. It is well-documented that victims of these cases may feel apprehension reporting the crime, being interviewed in embarrassing detail, submitting to a medical examination, and/or participating in an investigation and prosecution.

It is also well-established that many victims can be re-victimized by experiencing disbelief and skepticism from the very system designed to investigate the crime and assist them. Evidence also shows that just a single negative reaction can influence a victim from participating in the investigation. Therefore, it is our goal to display a compassionate response for the victim while ensuring that each case is fully investigated.

Our Department is committed to supporting those affected by sexual violence. It is our goal to empower them to assist us in achieving justice and personal healing. The primary goal of each investigation will be to meet and exceed the needs of each crime victim through exceptional treatment and proper case resolution. The efforts toward resolving all of the cases handled by our Department will be victim-centered and aggressive towards successful adjudication.

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615.3 QUALIFIED INVESTIGATORS

Qualified investigators should be available for assignment of sexual assault investigations. These investigators should:

- (a) Have specialized training in, and be familiar with, interview techniques and the medical and legal issues that are specific to sexual assault investigations.
- (b) Conduct follow-up interviews and investigation.
- (c) Present appropriate cases of alleged sexual assault to the prosecutor for review.
- (d) Coordinate with other enforcement agencies, social service agencies, and medical personnel as needed.
- (e) Provide referrals to therapy services, victim advocates, and support for the victim.
- (f) Participate in or coordinate with the SART.
- (g) Ensure reports of sexual assault are provided to the Records Supervisor for timely filing to the appropriate prosecuting attorney (Idaho Code 39-6316). See the Records Bureau Policy for additional guidance.

615.3.1 VICTIM TRANSPORTATION

Officers shall make every effort to facilitate transportation of a victim to a hospital for treatment of injuries or to a place of safety or shelter (Idaho Code 39-6316).

615.4 REPORTING AND INVESTIGATION

In all reported or suspected cases of sexual assault, a report should be written and assigned for follow-up investigation. This includes incidents in which the allegations appear unfounded or unsubstantiated.

615.5 VICTIM INTERVIEWS

The primary considerations in sexual assault investigations, which begin with the initial call to the Communications Center, should be the health and safety of the victim, the preservation of evidence, and preliminary interviews and to attempt to identify the suspect.

An in-depth follow-up interview should not be conducted until after the medical and forensic examinations are completed and the personal needs of the victim have been met (e.g., change of clothes, bathing). The follow-up interview may be delayed to the following day based upon the circumstances. Whenever practicable, the follow-up interview should be conducted by a qualified investigator.

There is no “correct or proper” way for a victim of sexual violence to act after the crime is committed. It shall be the responsibility of each officer and investigator to ensure that the timing of reporting the crime, the method of reporting the crime via a third party, and the victim’s unintentional destruction of physical evidence will play no factor in the manner and extent in which they will investigate these cases.

It shall be the responsibility of each investigator to treat with respect each sexual assault or rape case they are tasked to investigate. This will be accomplished by treating each victim with respect

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and dignity and keeping their interview of the victim and their investigation free from any personal judgment and bias.

Investigators will ensure that their investigative reports in sexual assault and rape cases are free of personal opinion and language which places negative judgment on the victim. Investigators are required to draft their reports in an unbiased manner and let the facts of their investigation speak for themselves.

Victims are often reluctant or embarrassed to discuss details. Recanting or changing one or more aspects of a prior statement is not necessarily an indication of false reporting or that the case is unfounded. If the responding officer has reason to believe the incident may be without merit, he/she should document the evidence and inconsistencies. Due to physical and emotional trauma, and the myths and stereotypes associated with sexual assault, inconsistencies in the victim's report are not uncommon. No opinions of whether the case is unfounded shall be included in the report.

It shall be the responsibility of each officer and investigator to ensure that each victim of sexual assault or rape and/or a family member, if appropriate, is apprised of the community resources available to them. It is also the responsibility of each investigator to ensure that any applicable agencies or organizations vital in the successful investigation of the case and treatment of the victim are notified of the case as soon as possible.

Victims shall not be asked or required to take a polygraph examination without authorization from the Chief of Police (42 USC § 3796gg-8).

Victims should be apprised of applicable victim's rights provisions, as outlined in the Victim and Witness Assistance Policy.

614.5.1 VICTIM CONFIDENTIALITY

A victim who seeks to have his/her address remain confidential should be referred to the Office of the Secretary of State to submit an application to participate in the address confidentiality program (Idaho Code 19-5703).

In an effort to protect the identity of the victims of violent crimes and sexual based offenses, it shall be the responsibility of each investigator to list the name of crime victim(s) solely by their initials in any probable cause affidavit submitted for review and/or prosecution.

615.6 COLLECTION AND TESTING OF BIOLOGICAL EVIDENCE

When the facts of the case indicate that collection of biological evidence is warranted, it should be collected regardless of how much time has elapsed since the reported assault.

If a drug-facilitated sexual assault is suspected, it is critical to the investigation that a urine sample from the victim be collected by a medical professional. Investigating members shall facilitate the collection of a sexual assault evidence kit or sexual assault evidence, including evidence from a health care facility (Idaho Code 67-2919).

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If the Twin Falls Police Department obtains evidence related to a sexual assault that occurred in another jurisdiction, that agency should be notified as soon as reasonably practical, no later than seven days for purposes of retrieving. When this Department is notified by another agency that they are holding evidence related to the Twin Falls Police Department] case, an investigating member should obtain the evidence no later than seven days after notification (Idaho Code 67-2919).

Sexual assault evidence kits shall be submitted to the Idaho State Police Forensic Services Laboratory for testing as soon as reasonably practical, but no later than 30 days after obtaining the evidence unless (Idaho Code 67-2919):

- (a) The adult victim expressly indicates that no further forensic examination or testing occur.
- (b) There is no evidence to support a crime was committed or it is no longer investigated as a crime.

Victims who choose not to assist with an investigation, do not desire that the matter be investigated or wish to remain anonymous may still consent to the collection of evidence under their control. In these circumstances, the evidence should be collected and stored appropriately.

A decision not to forward a sexual assault kit to a lab must be independently reviewed by the county prosecutor's office (Idaho Code 67-2919).

It shall be the policy of the Twin Falls Police Department to retain all sexual assault kits in compliance with Idaho Code 67-2919.

615.6.1 COLLECTION AND TESTING REQUIREMENTS

Investigating members shall facilitate the collection of a sexual assault evidence kit or sexual assault evidence, including evidence from an entity that has performed a medical examination of a sexual assault victim (Idaho Code 67-2919).

If the Twin Falls Police Department obtains evidence related to a sexual assault that occurred in another jurisdiction, that agency should be notified as soon as reasonably practical, but no later than seven days for purposes of retrieving the evidence. When this department is notified by another agency that they are holding evidence related to the Twin Falls Police Department case, an investigating member should obtain the evidence no later than seven days after notification (Idaho Code 67-2919).

When the crime of sexual assault is alleged and the allegation has not been determined to be unfounded, sexual assault evidence kits, along with required reference samples, shall be submitted to the Idaho State Police Forensic Services Laboratory for testing as soon as reasonably practical, but no later than 30 days after obtaining the evidence unless (Idaho Code 67-2919):

- (a) The victim requests the kit be collected as an anonymous kit.

A decision not to forward a sexual assault kit to a lab, with the exception of an anonymous kit, must be independently reviewed by the county prosecutor's office (Idaho Code 67-2919).

Additional guidance regarding evidence retention and destruction is found in the Property and Evidence Bureau Policy.

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Sexual Assault Investigations

615.6.2

615.7 DISPOSITION OF CASES

If the assigned investigator has reason to believe the case is without merit, the case may be classified as unfounded only upon review and approval of the Criminal Investigative Division commander or supervisor.

Classification of a sexual assault case as unfounded requires the Criminal Investigative Division supervisor to determine that the facts have significant irregularities with reported information and that the incident could not have happened as it was reported. When a victim has recanted his/her original statement, there must be corroborating evidence to support the recanted information before the case should be determined as unfounded.

It shall be the responsibility of each investigator assigned to these types of cases to ensure that victims of cases that are set to be prosecuted understand the criminal justice process and what will be expected of them as the case is adjudicated.

615.8 CASE REVIEW

The Criminal Investigative Division commander will ensure cases are reviewed on a periodic basis using an identified group that is independent of the investigation process.

615.9 RELEASING INFORMATION TO THE PUBLIC

In cases where the perpetrator is not known to the victim, and especially if there are multiple crimes where more than one appear to be related, consideration should be given to releasing information to the public whenever there is a reasonable likelihood that doing so may result in developing helpful investigative leads. The Criminal Investigative Division supervisor should weigh the risk of alerting the suspect to the investigation with the need to protect the victim and the public, and to prevent more crimes.

615.10 TRAINING

Subject to available resources, periodic training should be provided to:

- (a) Members who are first responders. Training should include:
 - 1. Initial response to sexual assaults.
 - 2. Legal issues.
 - 3. Victim advocacy.
 - 4. Victim's response to trauma.
- (b) Qualified investigators, who should receive advanced training on additional topics. Advanced training should include:
 - 1. Interviewing sexual assault victims.
 - 2. SART.
 - 3. Medical and legal aspects of sexual assault investigations.

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4. Serial crimes investigations.
5. Use of community and other federal and state investigative resources, such as the Violent Criminal Apprehension Program (ViCAP).
6. Techniques for communicating with victims to minimize trauma.

615.11

Chapter 7 - Equipment

Police Department Owned and Personal Property

700.1 PURPOSE AND SCOPE

Police Department employees are expected to properly care for property issued, assigned or entrusted to them by this department. Employees may also suffer occasional loss or damage to personal, issued, assigned or entrusted property while performing their assigned duty. Certain procedures are required depending on the loss and ownership of the item.

700.2 CARE OF POLICE DEPARTMENT PROPERTY

Employees shall be responsible for the safekeeping, serviceable condition, proper care, use and replacement of property assigned or entrusted to them. An employee's intentional or negligent abuse or misuse of issued, assigned or entrusted property may lead to discipline including, but not limited to the cost of repair or replacement.

- (a) Employees shall promptly report, through their chain of command, any loss, damage, or unserviceable condition of any issued, assigned, or entrusted property or equipment assigned for their use.
- (b) The use of damaged or unserviceable issued, assigned, or entrusted property or equipment should be discontinued as soon as practical and replaced with comparable items as soon as available and following notice to a supervisor.
- (c) Except when otherwise directed by competent authority or required by exigent circumstances, issued, assigned, or entrusted property shall only be used by those to whom it was assigned. Use should be limited to official purposes and in the capacity for which it was designed.
- (d) Issued, assigned, or entrusted property shall not be thrown away, sold, traded, donated, destroyed, or otherwise disposed of without proper authority.
- (e) In the event that any property of this department becomes damaged or unserviceable, no employee shall attempt to repair the property without prior approval of a supervisor.

The Chief of Police may award any member their assigned duty weapon and badge at the time of retirement if the following provisions are met:

- (a) The retiring member must retire in good standing from the Twin Falls Police Department,
- (b) The retiring member must have served a minimum of ten (10) years as a sworn law enforcement officer for the Twin Falls Police Department or be eligible for PERSI retirement.
- (c) Exceptions to these requirements may be authorized by the City Manager.

700.3 FILING CLAIMS FOR PERSONAL PROPERTY

Claims for reimbursement for damage or loss of personal property must be made on the proper form. This form is submitted to the employee's immediate supervisor. The supervisor may require a separate written report of the loss or damage.

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The supervisor shall direct a memo to the appropriate Division Commander, which shall include the results of his/her investigation and whether the employee followed proper procedures. The supervisor's report shall address whether reasonable care was taken to prevent the loss or damage.

Upon review by staff and a finding that no misconduct or negligence was involved, repair or replacement may be recommended by the Chief of Police who will then forward the claim to the Finance Department.

This department will not replace or repair luxurious or overly expensive items (jewelry, exotic equipment, etc.) that are not reasonably required as a part of work.

700.3.1 REPORTING REQUIREMENT

A verbal report shall be made to the employee's immediate supervisor as soon as circumstances permit.

A written report shall be submitted before the employee goes off duty or within the time frame directed by the supervisor to whom the verbal report is made.

700.4 LOSS OR DAMAGE OF PROPERTY OF ANOTHER

Officers and other employees intentionally or unintentionally may cause damage to the real or personal property of another while performing their duties. Any employee who damages or causes to be damaged any real or personal property of another while performing any law enforcement functions, regardless of jurisdiction, shall report it as provided below.

- (a) A verbal report shall be made to the employee's immediate supervisor as soon as circumstances permit.
- (b) A written report shall be submitted before the employee goes off duty or within the time frame directed by the supervisor to whom the verbal report is made.

700.4.1 DAMAGE BY PERSON OF ANOTHER AGENCY

If employees of another jurisdiction cause damage to real or personal property belonging to the City of Twin Falls, it shall be the responsibility of the employee present or the employee responsible for the property to make a verbal report to his/her immediate supervisor as soon as circumstances permit. The employee shall submit a written report before going off duty or as otherwise directed by the supervisor.

These written reports, accompanied by the supervisor's written report, shall promptly be forwarded to the appropriate Division Commander.

700.5 OFFICER-INVOLVED TRAFFIC CRASH PROTOCOL

- (a) In the event of a TFPD officer involved traffic collision, the on-duty patrol supervisor shall attempt to contact both the Patrol Division Captain and the Traffic Sergeant. If they are not available, the patrol supervisor shall contact any available commanding officer. After notification, the patrol captain and traffic sergeant will make a decision whether or not to respond.

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- (b) The Patrol Supervisor shall coordinate an independent investigation of the traffic crash by the Idaho State Police (or in their absence the Twin Falls County Sheriff's Department) when the following conditions exist:
 - 1. The crash is reportable as defined by Idaho Code.
 - 2. The crash could result in possible civil liability for the City of Twin Falls.
 - 3. The shift supervisor determines that an independent investigation is warranted.
- (c) The Patrol Supervisor shall coordinate a urine test of the involved officer as determined by City policy.
- (d) At the conclusion of the incident, and before the end of watch, the patrol supervisor shall forward a written report to the Patrol Captain outlining the facts of the incident, along with the urine test receipt, statement from involved officer(s), and any other applicable documents.
- (e) The Officer's Supervisor and Traffic Supervisor shall coordinate an administrative investigation of the collision to ascertain whether or not the involved officer(s) violated departmental policies or state laws and determine a disposition.
- (f) The disposition will be documented in accordance with the Officer Complaint Policy 340.

Personal Communication Devices

702.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the use of Police Department-issued mobile phones and personal communication devices and the on-duty use of such devices owned by Department personnel.

Because of technical advances and varying manufacturer nomenclature, this policy will refer generically to all personal communication devices (PCDs) as such, but is intended to include all mobile phones, PDAs and other such wireless two-way communication and/or portable internet access devices.

702.1.1 PRIVACY POLICY

Any employee utilizing any computer, internet service, phone service or other wireless service provided by or funded by the Police Department expressly acknowledges and agrees that the use of such service, whether for business or personal use, shall remove any expectation of privacy the employee, the sender and the recipient of any communication utilizing such service might otherwise have, including as to the content of any such communication. The Police Department also expressly reserves the right to access and audit any and all communications, including content sent, received or stored through the use of such service.

702.2 POLICY

The Twin Falls Police Department allows members to utilize department-issued or funded PCDs and to possess personally owned PCDs in the workplace, subject to certain limitations. Any PCD used while on-duty, or used off-duty in any manner reasonably related to the business of the Department, will be subject to monitoring and inspection consistent with the standards set forth in this policy.

The inappropriate use of a PCD while on-duty may impair officer safety. Additionally, members are advised and cautioned that the use of a personally owned PCD either on-duty or after duty hours for business-related purposes may subject the member and the member's PCD records to civil or criminal discovery or disclosure under applicable public records laws.

Members who have questions regarding the application of this policy or the guidelines contained herein are encouraged to seek clarification from supervisory staff.

702.2.1 USE OF PCD

PCDs, whether provided by the Police Department or personally owned, should only be used by on-duty employees for legitimate Police Department business except as provided for below. Employees may use a PCD to communicate with other personnel in those situations where the use of the radio is either impractical or not feasible. However, PCDs should not be used to replace regular radio communications.

- (a) PCD's may not be used to conduct personal business while on duty except when brief personal communications may be warranted by the circumstances (e.g. inform family

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of extended hours). While employees may use personally owned PCD's for personal business during authorized breaks, such usage should be limited as much as practical to areas where the communication will not be seen or heard by members of the general public.

- (b) Extended or frequent use of Police Department-issued PCDs or personally owned PCDs while on duty for personal use is prohibited and may be subject to discipline. Employees may be responsible for reimbursing the Police Department for any charges incurred as a result of personal use.
- (c) Field personnel who communicate with the dispatch center via cellular phone shall use the appropriate business or emergency line. All business-related communications with the dispatch center shall be made on a recorded line in order that the call is documented.
- (d) In order to reduce unnecessary charges, employees should use Department landline service when it is available in lieu of cellular telephones. Cellular telephone communications are not always secure and caution shall be taken when communicating sensitive or confidential information.

702.3 PRIVACY POLICY

Employees shall have no expectation of privacy with regard to any communication made with or stored in or through PCDs issued by the Department and shall have no expectation of privacy in their location should the device be equipped with location detection capabilities. The use of any department-provided or -funded PCD, computer, Internet service, telephone service or other wireless service while on-duty is without any expectation of privacy that the employee might otherwise have in any communication, including the content of any such communication. Communications or data reception on personal, password-protected, web-based e-mail accounts and any other services are subject to monitoring if department equipment is used.

In accordance with this policy, supervisors are authorized to conduct a limited administrative search of electronic files without prior notice, consent or a search warrant, on department-issued or personally owned PCDs that have been used to conduct department-related business. Administrative searches can take place for work-related purposes that may be unrelated to investigations of employee misconduct and, as practicable, will be done in the presence of the affected employee. Prior to conducting any search of personally owned devices, supervisors shall consult with the Chief of Police. All such searches shall be fully documented in a written report.

702.4 SUPERVISORY RESPONSIBILITIES

Supervisors should ensure that members under their command are provided appropriate training on the use of PCDs consistent with this policy. Supervisors should monitor, to the extent practicable, PCD use in the workplace and take prompt corrective action if an employee is observed or reported to be improperly using a PCD. An investigation into improper conduct should be promptly initiated when circumstances warrant.

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If, when carrying out any provision of this policy, the need to contact an employee who is off-duty arises, supervisors should consider delaying the contact, if practicable, until the employee is on-duty, as such contact may be compensable.

702.5 OFFICIAL USE

Employees are reminded that PCDs are not secure devices and conversations may be intercepted or overheard. Caution should be exercised while utilizing PCDs to insure that sensitive information is not inadvertently transmitted. As soon as reasonably possible, employees shall conduct sensitive or private communications on a land-based or other department communications network.

The following situations are examples of when the use of a PCD may be appropriate:

- (a) Barricaded suspects
- (b) Hostage situations
- (c) Mobile Command Post
- (d) Catastrophic disasters, such as plane crashes, earthquakes, floods, etc.
- (e) Major political or community events
- (f) Investigative stakeouts
- (g) Emergency contact with an allied agency or allied agency field unit
- (h) When immediate communication is needed and the use of the radio is not available or appropriate and other means are not readily available

Vehicle Maintenance

704.1 PURPOSE AND SCOPE

Employees are responsible for assisting in maintaining vehicles provided by this department so that they are properly equipped, properly maintained, properly refueled and present a clean appearance.

704.2 DEFECTIVE VEHICLES

When a vehicle provided by this department becomes inoperative or in need of repair that affects the safety of the vehicle, that vehicle shall be removed from service for repair. Proper documentation shall be promptly completed by the employee who first becomes aware of the defective condition, describing the correction needed. The paperwork shall be promptly forwarded to vehicle maintenance for repair.

704.3 VEHICLE EQUIPMENT

Certain items shall be maintained in all vehicles provided by this department for emergency purposes and to perform routine duties.

704.4 VEHICLE REFUELING

Absent emergency conditions or supervisor approval, officers driving patrol vehicles shall not place a vehicle in service that has less than one-quarter tank of fuel. Vehicles shall only be refueled at the authorized location.

704.5 WASHING OF VEHICLES

All units shall be kept clean at all times and weather conditions permitting, shall be washed as necessary to enhance their appearance.

Officers in patrol shall obtain clearance from the dispatcher before responding to the car wash. Only one marked unit should be at the car wash at the same time unless otherwise approved by a supervisor.

Employees using a vehicle shall remove any trash or debris at the end of their shift. Confidential material should be placed in a designated receptacle provided for the shredding of this matter.

Vehicle Use

706.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a system of accountability to ensure department-owned vehicles are used appropriately. This policy provides guidelines for on- and off-duty use of department vehicles and shall not be construed to create or imply any contractual obligation by the City of Twin Falls to provide assigned take-home vehicles.

706.2 POLICY

The Twin Falls Police Department provides vehicles for department-related business use and may assign patrol and unmarked vehicles based on its determination of operational efficiency, economic impact to the Department, requirements for tactical deployments and other considerations.

706.3 USE OF VEHICLES

City-owned vehicles shall only be used for official business and, when approved, for commuting to allow members to respond to department-related business outside their regular work hours. Members shall operate Twin Falls City-owned vehicles with due regard for safety at all times. Any member who operates a Twin Falls City-owned vehicle in a manner that causes a crash, or damages other vehicles or property, or strikes a pedestrian or bicyclist, or strikes any other object that causes damage to the City-owned vehicle shall be in violation of this policy. Members shall not operate a City-owned vehicle at any time when impaired by drugs and/or alcohol.

Any member operating a vehicle equipped with a two-way communications radio, MDC and/or a GPS device shall ensure the devices are on and set to an audible volume whenever the vehicle is in operation.

706.3.1 SHIFT ASSIGNED VEHICLES

Members who use a fleet vehicle as part of their work assignment shall ensure that the vehicle is properly checked out and logged on the daily shift roster, according to current procedures, prior to taking it into service. If for any reason during the shift the vehicle is exchanged, the member shall ensure that the exchanged vehicle is likewise properly noted on the daily shift roster.

Members shall be responsible for inspecting the interior and exterior of any assigned vehicle before taking the vehicle into service and at the conclusion of the shift. Any previously unreported damage, mechanical problems, unauthorized contents or other problems with the vehicle shall be promptly reported to a supervisor and documented as appropriate.

706.3.2 INSPECTIONS

Members shall be responsible for inspecting the interior and exterior of any assigned vehicle before taking the vehicle into service and at the conclusion of their shifts. Any previously unreported damage, mechanical problems, unauthorized contents or other problems with the vehicle shall be promptly reported to a supervisor and documented as appropriate.

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The interior of any vehicle that has been used to transport any person other than a member of this department should be inspected prior to placing another person in the vehicle and again after the person is removed. This is to ensure that unauthorized or personal items have not been left in the vehicle.

When transporting any suspect, prisoner or arrestee, the transporting member shall search all areas of the vehicle that are accessible by the person before and after the person is transported.

All department vehicles are subject to inspection and/or search at any time by a supervisor without notice and without cause. No member assigned to or operating such vehicle shall be entitled to any expectation of privacy with respect to the vehicle or its contents.

706.3.3 SECURITY AND UNATTENDED VEHICLES

Unattended vehicles should be locked and secured at all times. No key should be left in the vehicle except when it is necessary that the vehicle be left running (e.g., continued activation of emergency lights, canine safety, equipment charging). Officers who exit a vehicle rapidly in an emergency situation or to engage in a foot pursuit must carefully balance the need to exit the vehicle quickly with the need to secure the vehicle.

Members shall ensure all weapons are secured while the vehicle is unattended.

706.3.4 VEHICLE LOCATION SYSTEM

Patrol and other vehicles, at the discretion of the Chief of Police, may be equipped with a system designed to track the vehicle's location. While the system may provide vehicle location and other information, members are not relieved of their responsibility to use required communication practices to report their location and status.

Members shall not make any unauthorized modifications to the system. At the start of each shift, members shall verify that the system is on and report any malfunctions to their supervisor. If the member finds that the system is not functioning properly at any time during the shift, he/she should exchange the vehicle for one with a working system, if available.

System data may be accessed by supervisors at any time. However, access to historical data by personnel other than supervisors will require Division Commander approval.

All data captured by the system shall be retained in accordance with the established records retention schedule.

706.3.5 MOBILE DATA COMPUTERS

Members assigned to vehicles equipped with a Mobile Data Computers (MDC) shall log onto the MDC with the required information when going on-duty. If the vehicle is not equipped with a working MDC, the member shall notify the Communications Center. Use of the MDC is governed by the Mobile Data Computers Use Policy.

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706.3.6 AUTHORIZED PASSENGERS

Members operating department vehicles shall not permit persons other than City personnel or persons required to be conveyed in the performance of duty, or as otherwise authorized, to ride as passengers in the vehicle, except as stated in the Ride-Along Policy.

706.3.7 ACCESSORIES AND/OR MODIFICATIONS

There shall be no modifications, additions or removal of any equipment or accessories without written permission from the assigned vehicle program manager.

706.4 ASSIGNED VEHICLE AGREEMENT

Members who have been assigned a take-home vehicle may use the vehicle to commute to the workplace and for department-related business. The member must be approved for an assigned vehicle by his/her Division Commander and shall sign an agreement that includes the following criteria:

- (a) The member must live within a 30-minute commute of his/her regularly assigned work location (based on average traffic flow). A longer response time may be permitted subject to Division Commander approval. Members who reside outside the permissible response time may be required to secure or garage the vehicle at a designated location or the central office at the discretion of the Division Commander.
- (b) Except as may be provided by a collective bargaining agreement, time spent during normal commuting is not compensable.
- (c) City-owned vehicles shall not be used for personal errands or other personal business unless approved by a supervisor for exceptional circumstances. The member may be required to maintain insurance covering any commuting or personal use.
- (d) The member may be responsible for the care and maintenance of the vehicle. The Department should provide necessary care and maintenance supplies.
- (e) The vehicle shall be parked in secure off-street parking when parked at the member's residence.
- (f) Vehicles shall be locked when not attended.
- (g) If the vehicle is not secured inside a locked garage, all firearms and kinetic impact weapons shall be removed from the interior of the vehicle and properly secured in the residence (see the Firearms Policy regarding safe storage of firearms at home).
- (h) When the member will be away (e.g., on vacation) for periods exceeding one week the vehicle shall be stored in a secure garage at the member's residence or at the appropriate department facility.
- (i) All department identification, portable radios and equipment should be secured.

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Members are cautioned that under federal and local tax rules, personal use of a City-owned vehicle may create an income tax liability to the member. Members should address questions regarding tax consequences to their tax adviser.

The assignment of vehicles is at the discretion of the Chief of Police. Assigned vehicles may be changed at any time and/or permission to take home a vehicle may be withdrawn at any time.

706.4.1 ENFORCEMENT ACTIONS

When driving a take-home vehicle to and from work outside of the jurisdiction of the Twin Falls Police Department or while off-duty, an officer shall not initiate enforcement actions except in those circumstances where a potential threat to life or serious property damage exists (see the Off-Duty Law Enforcement Actions and Law Enforcement Authority policies).

Officers may render public assistance when it is deemed prudent (e.g., to a stranded motorist).

Officers driving take-home vehicles shall be armed, appropriately attired and carry their department-issued identification. Officers should also ensure that department radio communication capabilities are maintained to the extent feasible.

706.4.2 MAINTENANCE

Members are responsible for the cleanliness (exterior and interior) and overall maintenance of their assigned vehicles. Cleaning and maintenance supplies will be provided by the Department. Failure to adhere to these requirements may result in discipline and loss of vehicle assignment. The following should be performed as outlined below:

- (a) Members shall make daily inspections of their assigned vehicles for service/maintenance requirements and damage.
- (b) It is the member's responsibility to ensure that his/her assigned vehicle is maintained according to the established service and maintenance schedule.
- (c) All scheduled vehicle maintenance and car washes shall be performed as necessary at a facility approved by the department supervisor in charge of vehicle maintenance.
- (d) The Department shall be notified of problems with the vehicle and approve any major repairs before they are performed.
- (e) When leaving the vehicle at the maintenance facility, the member will complete a vehicle repair card explaining the service or repair, and leave it on the seat or dash.
- (f) All weapons shall be removed from any vehicle left for maintenance.
- (g) Supervisors shall make, at a minimum, monthly inspections of vehicles assigned to members under their command to ensure the vehicles are being maintained in accordance with this policy.

706.5 UNMARKED VEHICLES

Unmarked vehicles are assigned to various divisions and their use is restricted to the respective division and the assigned member, unless otherwise approved by a supervisor. Any member operating an unmarked vehicle shall record vehicle usage on the sign-out log maintained in the

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division for that purpose. Any use of unmarked vehicles by those who are not assigned to the division to which the vehicle is assigned shall also be recorded with the Shift Supervisor on the shift assignment roster.

706.6 ENFORCEMENT ACTIONS

When driving an assigned vehicle to and from work outside of the jurisdiction of the Twin Falls Police Department, an officer should avoid becoming directly involved in enforcement actions, except in those circumstances where a potential threat to life or serious property damage exists (see the Off-Duty Law Enforcement Actions Policy and the Law Enforcement Authority Policy).

Officers may render public assistance (e.g., to a stranded motorist) when deemed prudent.

Officers shall, at all times while driving a marked City-owned vehicle, be armed, appropriately attired and carry their department-issued identification. Officers should also ensure that department radio communication capabilities are maintained to the extent feasible.

706.7 TAKE HOME VEHICLES

706.7.1 PURPOSE

This policy establishes guidelines regarding the assignment and use of City Vehicles. This applies to all City employees and is intended to supplement the policy under Use of City Vehicles contained in the "Employee Resolution".

706.7.2 DEFINITIONS

Assigned Vehicle - A City owned automobile or truck designated for the use of an individual employee in the normal performance of his/her duties but not authorized for take-home use.

Take-Home Vehicle - A City owned automobile or truck designated for the use of an individual employee in the normal performance of his/her duties including the commute from home to work.

Qualifying Vehicles - Qualifying vehicles are vehicles which are equipped with specialty equipment to respond to life threatening or public service emergencies. The crucial factor in defining "qualifying vehicles" is to consider the onboard equipment actually being transported. Vehicles whose primary purpose is to transport supervisory personal to emergency sites, but lack explicit emergency response equipment, are not qualifying vehicles.

706.7.3 TAKE HOME VEHICLE USE

City owned vehicles are to be used for official business only with reasonable consideration for use for meals, while in the course of performing business on behalf of the City. City owned vehicles are not assigned for, nor shall they be used for, the convenience of the employee with regard to personal transportation needs or other nonbusiness activities.

Assigned Vehicles - Department Heads shall make the determination on whether an employee requires the use of a City vehicle. When the vehicle is not used for official City business, it is kept on City premises unless it is temporarily located elsewhere (for example, for maintenance or because of a mechanical failure); Assignments are not permanent. When priorities or circumstances

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have changed, vehicles should be reassigned. The following conditions should be considered in assignments:

- Requirements of the job
- Productivity
- Availability of City vehicles
- Cost to the City

Take-Home Vehicles - For individuals assigned a take-home vehicle for overnight use, stopping between work and home to perform some minor personal business may be acceptable but any such use should be the exception rather than the rule, and only if the stop is directly in route from work to the employee's residence. For example stopping by a bank you pass on the way home would be acceptable. Traveling to the grocery store on the weekend would not. Employees permitted to take a vehicle home (commute) from their work station may do so for job-related reasons and not as a compensatory measure. Take-home vehicles are not intended to be perceived or interpreted as a salary supplement or fringe benefit. Employees eligible for take-home vehicles must meet the following requirements:

- The employee is subject to frequent after-hours emergency callbacks, unscheduled work, or temporary/seasonal assignments; and
- Such callbacks are to locations other than the employees normal duty station; and
- Such callback arrangements involve the first response to a real and present threat to life or property requiring an immediate response; and
- A specialized vehicle, tools, or equipment are required for the performance of these duties; and
- An unacceptable delay in the response would result from the employee's return to the normal duty station to retrieve the needed equipment

706.7.4 RESPONSIBILITIES

The Department Head shall make the determination on whether an employee satisfies the above requirements to be authorized for the take-home use of a City owned vehicle. Additionally, all take-home vehicle assignments must be approved by the City Manager. Except as approved by the City Manager, take-home vehicles may not be used for commuting travel outside the City. All take home vehicle assignments must be reviewed and evaluated by the Department Heads and City Manager annually beginning January 1st. Departments Heads are responsible for submitting requests as changes are made throughout the year.

706.7.5 TAXATION OF COMMUTING

During any phase out period, the value of using a non-qualifying vehicle for commuting must be considered as compensation for tax purposes, as required by law. The Finance Department is responsible for calculating the commuting cost of any non-qualifying vehicle taken home by an employee and reporting this taxable benefit on the employee's form W-2 at the end of each

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calendar year. The City of Twin Falls will only deduct FICA taxes on the cost of this benefit. No Federal or State Income taxes will be deducted by the City; the payment of these taxes will be the responsibility of the employee, when his or her personal income tax return is filed.

Digital Recorder Policy

707.1 PURPOSE AND SCOPE

The purpose of this policy is to establish the guidelines for the required use of audio recording devices. The use of such devices has proven invaluable in terms of better case preparation, better citizen complaint management, and overall risk management for the Department.

707.2 USE OF RECORDING DEVICES

officer Officers officer officer

- (a) Non-sworn personnel, such as Community Service Officers, are encouraged to record:
 - (a) 1. All personal or telephonic contacts with members of the public in which the member of the public is complaining of officer wrongdoing, unless there are no means immediately available to record the conversation.
 - 2. Statements of victims and witnesses of domestic violence, including children.
 - 3. Statements of victims and witnesses of violent crimes.
- (b) Officers who are using the audio recording capabilities of video systems to record incidents are not required to make separate audio recordings with recording devices.
- (c) All personnel are encouraged to use the video recording equipment available in the interview room to record investigative interviews conducted at the department.
- (d) Officers shall make every effort to record the entire contact in a manner that will provide a clear audio recording.

707.3 PLACING RECORDINGS INTO EVIDENCE

- (a) Rename audio recordings with the appropriate case number, citation number, or event number associated with the recording.
- (b) Place recordings into one of four files:
 - 1. 120-Day Hold
 - 2. Felony
 - 3. Misdemeanor
 - 4. Collision
- (c) Do not create sub-files or place audio recordings in any other location.

707.4 FILE SELECTION

- (a) Felony File "" All digital audio recordings associated with a felony case.
- (b) Misdemeanor File "" All digital audio recordings associated with a misdemeanor case.
- (c) 120-Day Hold "" All digital audio recordings that are not associated with a felony case, misdemeanor case, or collision.

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- (d) Collision File "" All digital audio recordings associated with collisions involving traffic infraction cases.
- (e) If a case involves both felony and misdemeanor violations, all evidence will be placed in the file associated with the most serious violation.
- (f) All evidence associated with a collision that involves a misdemeanor or felony violation will be placed in the file of the most serious violation.

707.5 ISSUANCE OF RECORDING DEVICES

- (a) All sworn personnel will be issued a recording device by the Department consisting of an iPhone or an iPod and BWC. Refer to Twin Falls Police Department Policy 450.
- (b) Recording devices may be made available for Community Service Officers.
- (c) Recording devices may be made available for Records Personnel and Non-Sworn Administrative Personnel in the event that they need to record a personal or telephonic contact with a member of the public complaining of officer wrongdoing.

707.6 CARE AND USE OF RECORDING EQUIPMENT

- (a) Members are individually responsible for the proper use and care of the recording devices. While fair wear and tear is expected, these recording devices are not to be abused by members during the course of their duty. The recording devices shall only be used in the furtherance of official business. Members shall report to their supervisor any damage to the recording device. Damage that has been deemed to have been due to the careless, negligent, or improper use of the recording device may result in pecuniary liability on the part of the member.
- (b) Members shall record his/her own actions, not the actions of other members, unless specifically directed by the Chief of Police to do so.
- (c) Members shall download digital recordings before the end of their tour of duty onto specified computers using software and hardware on those computers. Once recordings are downloaded, the members shall erase those recordings from his/her memory card.

Chapter 8 - Support Services

Communication Operations

800.1 COMMUNICATION OPERATIONS

The City of Twin Falls provides 24-hour telephone service to the public for information or assistance that may be needed in emergencies. The ability of citizens to telephone quickly and easily for emergency service is critical. The City Communication Center provides access to the 911 system for a single emergency telephone number and 311 for non-emergency service. The Center has two-way radio capability providing continuous communication between the Communications Center, police officers, fire department and public works.

Twin Falls Police Department radio operations shall be conducted in accordance with Federal Communications Commission (FCC) procedures and guidelines.

800.1.1 COMMUNICATIONS LOG

It shall be the responsibility of the Communications Center to record all relevant information on calls for criminal and non-criminal service or self-initiated activity. Employees shall attempt to elicit as much information as possible to enhance the safety of the employees in the field and assist in anticipating conditions to be encountered at the scene.

800.2 STATUS CHECKS/SECURITY CHECK PROCEDURE

The purpose of this policy is to set guidelines and uniformity for status and security checks for on-duty TFPD units and the Communications Center personnel. A status check shall be completed for units who are assigned to calls for service. A security check shall be completed for units who are not actively assigned a call and there is no communication with them for a determined amount of time.

800.3 ORGANIZATION

The chain of command of the Communications Section of the Twin Falls Police Department is from the Chief of Police to the Administrative Services Captain to the Administrative Services Lieutenant to the Communications Center Employee. All members of the Center shall work together and strive to maintain a high degree of cooperation and professionalism with each other.

800.4 EXCHANGE OF DUTY

Exchange of duty times may take place with the approval of the Communications Center Supervisor. Time off will not be granted to an employee who has assumed responsibility for another employee's shift during the assumed duty period.

800.5 COMMUNICATION CENTER STAFFING

The City of Twin Falls Communication Center is a 24-hour operation and requires, at a minimum, two (2) dispatchers on duty at any one time. One dispatcher will work Call Taking/Fire Dispatch while the other dispatcher works as the Police dispatcher. The Police dispatcher shall assist with call taking when reduced radio traffic permits.

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800.6 TELEPHONE USE/LONG-DISTANCE PHONE CALLING

Generally, collect long-distance phone calls are not accepted by the Department. The only exception shall be a collect call from an employee of the City of Twin Falls.. Long-distance phone calls shall be made for official purposes only.

Personal cellular phones may be permitted in the CityCommunications Center (CCC) provided the phone is in silent/vibrate mode and talking or texting does not interfere with call-taking or any other dispatch function.

800.7 COMMUNICATIONS CENTER CLEANING RESPONSIBILITIES

Each employee of the Communications Center is responsible for the cleanliness of his/her work areas.

Prior to the end of each employee's shift, or prior to rotating to a new operating position within the Center, each employee shall ensure that position is free of clutter and the working surfaces of that console are cleaned.

It shall be the responsibility of the on-duty dispatchers to ensure that the Communications Center is free of clutter and debris prior to the relief of that shift.

Sunday will be the day of the week assigned where maximum effort shall be put toward the cleaning of the Center. Appropriate clothing should be worn for this purpose. Particular assignments for Sunday cleaning are as follows: Day shift -- clean the refrigerator and kitchen area; Swing shift -- clean all radio consoles; Graveyard shift -- vacuum the conference room and Communication Center. Dispose of all trash.

All cleaning of these areas shall be done so as not to interfere with the normal operations of the Center.

800.8 COMMUNICATION CENTER ATTIRE

All employees shall wear clothing that fits properly, is clean, and not damaged or excessively worn (free of holes or fraying). Casual attire can include dresses, slacks, denim jeans (all colors), capris, polo shirts, and blouses. Casual attire may also include athletic shoes and sandals.

The following items shall not be worn on duty:

- 1) Printed tee shirts
- 2) White Undershirts
- 3) Any form of see through clothing
- 4) Flip flops
- 5) Any trouser or dress above the knee
- 6) Spandex or athletic style pants
- 7) Distasteful printed slogans

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No item of civilian attire may be worn on duty that would adversely affect the reputation of the Twin Falls Police Department, or the moral of the employees. Variations from this policy are allowed at the discretion of the Chief of Police, or his designee when the

employee's assignment or currently task is not conducive to the wearing of such clothing.

800.9 TRAINING\TRAVEL REQUESTS

The City of Twin Falls and Twin Falls Police Department Travel Policy shall be followed. Persons requesting authorization to attend a training school or seminar must submit a School Request form.

If documentation, diplomas, certificates or other forms of acknowledgement of completion of Department-approved training are provided for the training session, they shall be submitted to the Communications Center Supervisor for copying and appropriate distribution in training files.

800.10 EQUIPMENT FAILURES

In the event of an equipment failure in the Communications Center, the failure shall promptly be reported to the Communications Center Supervisor and the Information Services Department Manager or their designees.

800.11 REQUIRED READING

It shall be the responsibility of each Communications Center employee to read and understand the contents of the Department Policies and Procedures, as well as the periodic changes and additions that occur in those documents.

800.12 CUSTOMER SERVICE

It is the objective of the Twin Falls City Communications Center to manage all calls for service in an efficient and timely manner. It is also our goal to provide excellent customer service, both internally to the various City Departments and externally to the people requesting our help. In this regard, the Communications Center's Supervisor will periodically monitor radio and telephone conversations in the 9-1-1 Center to ensure professional, courteous service to the community and employees.

800.13 DEFINITION OF A CALL FOR SERVICE

A call for service is an event occurring in or near the City of Twin Falls to which one or more Twin Falls City employees must respond to evaluate or take action. It can also be an event that comes to the attention of an employee or is initiated by an employee, that requires formal documentation such as a CAD report, crime report, incident report, crash report or an administrative report.

800.14 RADIO AND TELEPHONE RECORDING REQUESTS

External requests (e.g. private attorneys, citizens, businesses, other criminal justice agencies, etc.) for official City of Twin Falls Communications Center radio and telephone recordings shall be directed to the Records Bureau during business hours. Internal requests (e.g. City and County Prosecuting Attorneys, Police, Fire, Public Works, or other City employees) shall be directed to the Evidence and Property Section for processing.

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800.14.1 POLICE RESPONSE PROCEDURES

Refer to the City Communication Center procedure manual.

800.15 CALL MANAGEMENT

In order to properly track the calls to which Officers, CSOs and Fire Personnel are responding and to provide each with information and aid efficiently, the Communications personnel must continuously monitor radio traffic. Whenever the Fire Department, a Patrol Officer, CSO, Detective or other Department personnel wishes to reach the Communications Center, it will be addressed as "Dispatch."

800.15.1 CALL CENTER CALL FOR SERVICE RESPONSE OPTIONS

Refer to the City Communication Procedure Manual.

800.15.2 GENERATION OF CASE NUMBERS

In the event that a Twin Falls Police Department employee needs a case number assigned to an event, they now have the option of having City Communication Center personnel assign one.

800.16 HIT CONFIRMATION PROCEDURES

Warrant confirmation will be done only after the Officer has been advised of the 10-99 and his need for an assist has been confirmed.

To confirm a hit means to contact the agency that entered the records to:

- A. Insure that the person or property inquired upon is identical to the person or property identified in the record
- B. Insure that the warrant, missing person report, protection order, or theft report is still outstanding
- C. Obtain a decision regarding:
 - 1. The extradition of a wanted person when applicable
 - 2. Information regarding the return of the missing person to the appropriate authorities
 - 3. Information regarding the return of the stolen property to its rightful owner
 - 4. Information regarding the terms and conditions of a protection order

Upon receipt of a hit confirmation request, the ORI of the record must furnish a substantive response within the designated time frame, (urgent, the hit must be confirmed within ten (10) minutes, routine, the hit must be confirmed within one (1) hour) i.e., a positive or negative confirmation or notice of the specific amount of time necessary to confirm or reject.

Records must be confirmed prior to arresting the wanted person, detaining the missing person, seizing the stolen property or charging the subject with violating a protection order.

800.17 FIRE DISPATCH

The Twin Falls Fire Department will be dispatched upon notification of the following incidents:

- Emergency aircraft incidents;

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- Fire alarms; Non-emergency flight coverage, such as scheduled and non-scheduled flight coverage and any flight diversions;
- Station 4 shall be dispatched upon notification of an emergency aircraft drill;
- May be dispatched upon requests for mutual aid from BLM upon approval of fire administration;
- Upon notification of bomb threats;
- Carbon monoxide alarms;
- Haystack fires;
- HAZMAT emergencies;
- Illegal burning and smoke investigations;
- Odor calls and natural gas leaks;
- Structure fires;
- Trash fires;
- All injury, unknown injury, or non-injury with hazard crashes; and,
- Vehicle fires.

Refer further to the City Communication Center procedure manual.

800.17.1 BURN PERMITS

Twin Falls Fire will be responsible for issuing and keeping track of burn permits.

800.18 SECURITY/PUBLIC INFORMATION

- (a) MDC messaging is defined as any message sent and/or received from one computer to another, such as car-to-car, car to TFCOMM, TFCOMM to car, or office pc to car.
- (b) MDC messaging, CAD (Computer Aided Dispatch) messages, CAD calls and CAD access via MDC are subject to the following restrictions:
 - 1. The message shall have a reasonable work-related purpose;
 - 2. Messages must be written in a professional and business-like manner so as to be acceptable as a document subject to public record;
 - 3. Messages used for personal communication to TFCOMM or car-to-car are allowed so long as the content is in keeping with the professionalism dictated by this policy and the priority of attending to citizens', officers', and co-workers' needs. Personal or chat-type messages between dispatch and field units or car-to-car are not permitted unless directly job-related;
 - 4. MDC communications shall not be used to harass, annoy or alarm any recipient or third party;

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5. Communications shall not contain language, acronyms or symbols that represent language, slang or concepts that would be considered offensive of obscene to a reasonable member of the public;
 6. The content shall not be so as to bring discredit to any public safety employee, including co-workers, or public safety agency;
 7. The content shall not be such so as to bring discredit to a member of the public;
 8. Communications shall not contain any home address or telephone number of law enforcement personnel unless that employee has given express permission to transmit the information;
 9. Communications shall not contain any slanderous statements toward any group, organization, or individual;
 10. E-911 information is similar to other ILETS/NCIC information. Therefore, any information received via the MDC shall be kept confidential by the field unit.
- (c) MDC messages, CAD messages, and CAD calls may be public record. These messages may be logged by the TFCOMM network system, including sender and receiver information, and may be archived as public record and, therefore, available to the public. Any request for information that could be considered a public record shall be referred to the Department's Records Bureau. This does not preclude a field user from employing information obtained through the MDC to satisfy legitimate law enforcement purposes.
- (d) No other software will be loaded onto the MDC terminal without authorization from the Chief of Police and the Information Services Department.
- (e) MDC users shall complete required training and certification on the MDC system prior to receiving a password to use the system.

800.19 FIELD UNIT SAFETY AND USE OF THE MDC

- (a) No portion of this policy is intended to prohibit or limit a field unit from making safety-conscious decisions. In the face of circumstances during which operating an MDC could potentially compromise an officer's safety, the officer is expected to use voice/radio communications rather than the MDC.
- (b) The MDC is a tool deployed to enhance law enforcement activities and is not intended to replace all voice communications.

800.20 CALLS HOLDING

- (a) Law enforcement field supervisors are responsible for monitoring the CAD and reviewing all pending calls either by the MDC or CAD monitor in the station.

800.21 ILETS/NCIC/DMV ACCESS

- (a) Data received and sent via the MDC is subject to all the security restrictions that apply to an ILETS terminal.

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- (b) All personnel accessing ILETS via MDC shall obtain a minimum MDT Inquiry Level Certification from the Department's TAC Manager prior to generating any ILETS transactions.

800.22 FAA TOWER RADIO TESTING

800.22.1 PURPOSE

Establish procedures for testing radio communications between the FAA Tower, Station 4 and the Communications Center.

800.22.2 POLICY

The Twin Falls Fire Department Station 4 shall be dispatched upon notification of an emergency aircraft drill.

800.22.3 PROCEDURE

Every Monday morning, the FAA Tower shall conduct a radio frequency test with the Communications Center to ensure radio equipment is operational. Furthermore, every Monday, the FAA Tower shall initiate an aircraft Response Time Drill (RTD). FAA Tower personnel shall notify the Communications Center, in clear text radio terminology and on the Fire Primary radio frequency, the type of aircraft RTD being reported. FAA Tower personnel shall advise Communications Center personnel that this is a drill so as to avoid emergency response from additional fire stations.

Once the Communications Center receives the RTD information, the on-duty fire dispatcher shall activate Station 4 fire paging system and broadcast over the Fire Primary radio frequency the reported aircraft drill.

800.23 NCIC ENTRIES

After completing the entry of a person, vehicle or item into NCIC, the following steps will be followed by the Operator completing the entry:

- A. Complete the person and/or vehicle entry checklist.
 - B. Query the vehicle, person or item to confirm the entry.
 - C. Print the return.
 - D. Have a "Second Party" review the information on the return for accuracy and completeness, comparing it to the source document provided by the reporting officer.
 - E. If the entry is complete and accurate both the Operator and Second Party will initial the return and the vehicle/person entry checklist.
 - F. If modifications and/or additions are made to the original entry, re-query and print the new return to be reviewed and initialed by the Operator and Second Party.
 - G. Log completed entries into the designated log books for persons/items.
- Insure the NCIC print-outs and checklist are given to the reporting officer.

BLANK POLICYHOLDER POLICY

Records Maintenance and Release

806.1 PURPOSE AND SCOPE

This policy provides guidance on the maintenance and release of department records. Protected information is separately covered in the Protected Information Policy.

806.2 POLICY

The Twin Falls Police Department is committed to providing public access to records in a manner that is consistent with the Idaho Public Records Law (Idaho Code 74-101 et seq.).

806.3 CUSTODIAN OF RECORDS RESPONSIBILITIES

The Chief of Police shall designate a Custodian of Records (Idaho Code 74-119). The responsibilities of the Custodian of Records include but are not limited to:

- (a) Remaining familiar with the Idaho Public Records Law (Idaho Code 74-101 et seq.).
- (b) Managing the records management system for the Department including the retention, archiving, release, and destruction of [department/office] public records.
- (c) Maintaining and updating the [Department/Office] records retention schedule including:
 - 1. Identifying the minimum length of time the [Department/Office] must keep records.
 - 2. Identifying the [Department/Office] division responsible for the original record.
- (d) Establishing rules regarding the inspection and copying of [department/office] public records as reasonably necessary for the protection of such records.
- (e) Identifying records or portions of records that are confidential under state or federal law and not open for inspection or copying.
- (f) Establishing rules regarding the processing of subpoenas for the production of records.
- (g) Ensuring a current schedule of fees for public records as allowed by law is available (Idaho Code 74-102).
- (h) Ensuring guidelines are in place that identify the general subject matter of all public records maintained by the [Department/Office] and the physical location of those documents (Idaho Code 74-119).

806.3.1 ADDRESS CONFIDENTIALITY

Notwithstanding any other provision of state law, no member of the Twin Falls Police Department shall disclose to any person or entity the personal information of any law enforcement officer or his/her residing household members, including, but not limited to, information regarding sex, race, marital status, birth date, home address and telephone number, except under any of the following circumstances:

- (a) When directed by a court order, to a person identified in the court order

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- (b) When requested for official purposes by another law enforcement agency
- (c) When requested by a financial institution or title company for business purposes, to the requesting financial institution or title company
- (d) When the officer provides written permission for disclosure of such information

Officers who wish to keep their home address and telephone number confidential may apply to other public agencies (for example, a public utility district) and use the department address and telephone as an alternative (Idaho Code 19-5803(1)(2)). It is the officer's responsibility to pay to the public agency any associated fees for application or renewal of any such request.

806.3.2 PERSONAL IDENTIFYING INFORMATION

Employees shall not access, use or disclose personal identifying information, including an individual's photograph, social security number, driver identification number, name, address, telephone number and the individual's medical or disability information, which is contained in any driver license record, motor vehicle record or any department record except as authorized by the Department and only when such use or disclosure is permitted or required by law to carry out a legitimate law enforcement purpose (18 USC § 2721 and 18 USC § 2722).

806.4 EVACUATION

In the event of an evacuation of the Police Department, it shall be the responsibility of the on-duty communications employees to notify the ILETs Communication Center, the Communications Center Supervisor, and/or designee, of the evacuation immediately

806.5 PROCESSING REQUESTS FOR PUBLIC RECORDS

Any department member who receives a request for any record shall route the request to the Custodian of Records or the authorized designee (Idaho Code 74-119).

806.5.1 REQUESTS FOR RECORDS

The processing of requests for any record is subject to the following (Idaho Code 74-102; Idaho Code 74-103):

- (a) A request for inspection or copies of records should be submitted in writing that includes the requester's name, mailing address, email address, and telephone number. A request shall also be accepted by electronic mail.
 - 1. The request should specifically describe the subject matter and the records sought in sufficient detail and include a specific date range for when the records sought were created.
- (b) The Custodian of Records shall not review, examine, or scrutinize any copy, photograph, or memoranda in possession of the requester and shall extend to the requester all reasonable comfort and facility.
- (c) Inspection of public records shall be conducted during regular working hours.

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- (d) Information may be provided to the requester to help narrow the scope of the request or to help the requester make the request more specific when the response is likely to be voluminous or require payment.
- (e) The [Department/Office] is not required to create records that do not exist.
- (f) A request for records shall be granted or denied within three working days of the date of request. If additional time is needed to locate or retrieve a record, the requester shall be notified in writing that the record will be provided no later than 10 working days for Idaho residents and no later than 21 working days for non-residents from the date of the request.
 - 1. If it is determined that an electronic record will have to be converted to another electronic format and the conversion cannot be completed within 10 working days, the requester shall be notified in writing. The record shall be provided at a time mutually agreed upon between the [Department/Office] and requester.
- (g) The request shall be deemed denied if the request is not responded to within 10 working days following the request.
- (h) Prior to denying a request, the City counsel should be consulted to confirm the information requested is exempt from disclosure.
- (i) The Custodian of Records shall notify the requester in writing when a request is denied in full or part. The notice of denial shall contain a statement that:
 - 1. City counsel reviewed or was consulted regarding the request.
 - 2. The specific statutory authority supporting the denial.
 - 3. The requester's right to appeal the denial or partial denial and the time period for doing so.
- (j) The requester may be required to pay an established fee in advance for the records sought.
- (k) When a record contains material with release restrictions and material that is not subject to release restrictions, the restricted material shall be redacted and the unrestricted material released (Idaho Code 74-112).
 - 1. A copy of the redacted record should be maintained to document what was released and the reasons for the redactions.
- (l) A requester shall be provided a certified copy of a record if requested.
- (m) A requester may inspect and obtain copies of records pertaining to the requester, even if the record is exempt from public disclosure except when the record is (Idaho Code 74-113):
 - 1. An exempt investigatory record if the investigation is ongoing.
 - 2. Information compiled in reasonable anticipation of a civil action or proceeding and not otherwise discoverable.
 - 3. Exempt from disclosure by statute or court rule.

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806.5.2 APPEALS

If a petition of appeal is received for a denial of records, the appeal shall be routed to the Custodian of Records and the Chief of Police for proper handling.

All documents that are subject to an appeal shall be kept until the end of the appeal period (180 days), until a decision has been rendered on the petition or as otherwise statutorily provided, whichever is longer (Idaho Code 74-115).

806.6 RELEASE RESTRICTIONS

Examples of release restrictions include:

- (a) Personal identifying information, including an individual's photograph; Social Security and driver identification numbers; name, address, and telephone number; and medical or disability information that is contained in any driver's license record, motor vehicle record, or any [department/office] record, including traffic collision reports, is restricted except as authorized by the [Department/Office], and only when such use or disclosure is permitted or required by law to carry out a legitimate law enforcement purpose (18 USC § 2721; 18 USC § 2722; Idaho Code 74-106).
- (b) Certain personnel information including but not limited to sex, race, marital status, birthdate, home address, and telephone number (including an officer's residing household members); applications, testing, and scoring materials; and grievances, correspondence, and performance evaluations, unless ordered by the court, requested for official purposes by another law enforcement agency, requested by a financial institution or title company for business purposes, or the member gives consent (Idaho Code 74-106).
- (c) Medical records (Idaho Code 74-106).
- (d) Records related to juvenile offenders (Idaho Code 74-105).
- (e) Investigation records protected by Idaho Code 74-124 (Idaho Code 74-105).
- (f) Concealed weapon license information received or maintained by the [Department/Office], or records of any certification or notification required by federal law to be made in connection with the acquisition or transfer of a firearm (Idaho Code 74-105).
- (g) Records of proposed or existing critical infrastructure (including evacuation and emergency response plans) when the disclosure of information is reasonably likely to jeopardize the safety of persons, property, or the public safety (Idaho Code 74-105).
- (h) Records relating to the nature, location, or function of cybersecurity devices, programs, or systems designed to protect computer, information technology, or communications systems against terrorist or other attacks (Idaho Code 74-105).
- (i) Any public record made exempt from disclosure by federal or state law (Idaho Code 74-104).
- (j) Records of an individual who has had records relating to a criminal offense shielded in accordance with Idaho Code 67-3004 (Idaho Code 74-105).

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806.7 SUBPOENAS AND DISCOVERY REQUESTS

Any member who receives a subpoena duces tecum or discovery request for records should promptly contact a supervisor and the Custodian of Records for review and processing. While a subpoena duces tecum may ultimately be subject to compliance, it is not an order from the court that will automatically require the release of the requested information.

Generally, discovery requests and subpoenas from criminal defendants and their authorized representatives (including attorneys) should be referred to the [District/County Attorney], the City, or the courts.

All questions regarding compliance with any subpoena duces tecum or discovery request should be promptly referred to legal counsel for the Department so that a timely response can be prepared.

806.8 EXPUNGEMENT

Expungement orders received by the Department shall be reviewed for appropriate action by the Custodian of Records. The Custodian of Records shall expunge such records as ordered by the court. Records may include but are not limited to a record of arrest, investigation, detention, or conviction. Once the records are expunged, members shall respond to any inquiry as though the record did not exist.

806.9 SECURITY BREACHES

Members who become aware that any Twin Falls Police Department system containing personal information may have been breached should notify the Records Supervisor as soon as practicable.

The Records Supervisor shall ensure the required notice is given to any resident of this state whose unsecured personal information is reasonably believed to have been acquired by an unauthorized person. Notice shall also be given to the Idaho Attorney General within 24 hours of discovery of the breach (Idaho Code 28-51-104; Idaho Code 28-51-105; Idaho Code 28-51-106).

Notice shall be given as soon as possible in the most expedient time possible and without unreasonable delay and consistent with the needs of the Twin Falls Police Department and any measures necessary to determine the scope of the breach, to identify the individuals affected and to restore the reasonable integrity of the computerized data system. Notice may be delayed if notification will impede a criminal investigation, but shall be made once there is a determination that notification will no longer impede the investigation (Idaho Code 28-51-105; Idaho Code 28-51-106).

For the purposes of the notice requirement, personal information includes an individual's first name or first initial and last name in combination with any one or more of the following (Idaho Code 28-51-104):

- (a) Social Security number
- (b) Idaho driver's license number or identification card number

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- (c) Full account number, credit or debit card number, in combination with any required security code, access code, or password that would permit access to an individual's financial account.

If the breach reasonably appears to have been made to protected information covered in the Protected Information Policy, the Records Supervisor should promptly notify the appropriate member designated to oversee the security of protected information (see the Protected Information Policy).

NCIC Violent Person Entry

807.1 PURPOSE AND SCOPE

This policy provides guidance for when an individual should be entered into the Violent Person File in NCIC.

807.2 DEFINITIONS

The NCIC Violent Person File is intended for the purpose of Officer Safety. The information in this file is disseminated to Law Enforcement nationally anytime the name associated with the file is run in a Query Wanted. NCIC policy gives a broad definition for entry.

807.3 ENTRY

Entry into the Violent Person file should occur when a law enforcement officer, based on their official investigatory duties, reasonably believes the individual has seriously expressed his or her intent to commit an act of unlawful violence against a member of law enforcement or criminal justice community. All entries entered by Twin Falls Police Department in the Violent Person file shall be made under NCIC Code #4.

CODE	DESCRIPTION
01	Offender has been convicted for assault or murder/ homicide of a law enforcement officer, fleeing, resisting arrest, or any such statute which involves violence against law enforcement.
02	Offender has been convicted of a violent offense against a person to include homicide and attempted homicide.
03	Offender has been convicted of a violent offense against a person where a firearm or weapon was used.
04	A law enforcement agency, based on its official investigatory duties, reasonably believes that the individual has seriously expressed his or her intent to commit an act of unlawful violence against a member of the law enforcement or criminal justice community.

807.4 REMOVAL

Records will review NCIC and local records which shall be provided to the CID Lieutenant for review & determination if the record shall remain in the system.

Protected Information

808.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the access, transmission, release and security of protected information by members of the Twin Falls Police Department. This policy addresses the protected information that is used in the day-to-day operation of the Department and not the public records information covered in the Records Release and Security Policy.

808.1.1 DEFINITIONS

Definitions related to this policy include:

Protected information - Any information or data that is collected, stored or accessed by members of the Twin Falls Police Department and is subject to any access or release restrictions imposed by law, regulation, order or use agreement. This includes all information contained in federal, state or local law enforcement databases that is not accessible to the public.

808.2 POLICY

Members of the Twin Falls Police Department will adhere to all applicable laws, orders, regulations, use agreements and training related to the access, use, dissemination and release of protected information.

808.3 RESPONSIBILITIES

The Chief of Police shall select a member of the Department to coordinate the use of protected information.

The responsibilities of this position include, but are not limited to:

- (a) Insuring member compliance with this policy and with requirements applicable to protected information, including requirements for the National Crime Information Center (NCIC) system, National Law Enforcement Telecommunications System (NLETS), Division of Motor Vehicle (DMV) records and Idaho Law Enforcement Telecommunications System (ILETS).
- (b) Developing, disseminating and maintaining procedures that adopt or comply with the U.S. Department of Justice's current Criminal Justice Information Services (CJIS) Security Policy.
- (c) Developing, disseminating and maintaining any other procedures necessary to comply with any other requirements for the access, use, dissemination, release and security of protected information.
- (d) Developing procedures to insure training and certification requirements are met.
- (e) Resolving specific questions that arise regarding authorized recipients of protected information.
- (f) Insuring security practices and procedures are in place to comply with requirements applicable to protected information.

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- (g) Serving as the security contact for ILETS, unless another individual is specifically selected for the purpose and approved by the ILETS Security Officer (IDAPA 11.10.01.024.05).

808.4 ACCESS TO PROTECTED INFORMATION

Protected information shall not be accessed in violation of any law, order, regulation, user agreement, Twin Falls Police Department policy or training. Only those members who have completed applicable training and met any applicable requirements, such as a fingerprint background check, may access protected information, and only when the member has a legitimate work-related reason for such access.

Unauthorized access, including access for other than a legitimate work-related purpose, is prohibited and may subject a member to administrative action pursuant to the Personnel Complaints Policy and/or criminal prosecution.

808.4.1 PENALTIES FOR MISUSE OF RECORDS

It is a misdemeanor for a person to request, obtain or attempt to obtain, for personal gain, criminal history records under false pretenses or to willfully communicate or attempt to communicate criminal history records to any agency or person not authorized to receive the information by law (Idaho Code 67-3009(1)).

It is a felony for a person to willfully solicit, accept or agree to accept from another any pecuniary benefit as consideration for either willfully falsifying criminal history records or for willfully requesting, obtaining or seeking to obtain criminal history records for a purpose not authorized by law (Idaho Code 67-3009(2)).

808.4.2 RELEASE OF CHRI

Only the persons listed below are authorized to release CHRI. Each authorized person releasing CHRI is responsible to ensure each request granted appears legitimate and the requester is an authorized representative of a criminal justice agency, court or the Idaho State Department of Health and Welfare pertaining to a code X request (Idaho Code 67-3008).

- (a) Records Supervisor
- (b) Full-time employees of the Records Bureau or Communication Center
- (c) An Officer who is providing information to another law enforcement agency or to a prosecutor.

Each release of information must be documented and the specific person it is being released to must be included in such documentation. Each employee will sign an ILETS "Statement of Criminal History Record (CHRI) Confidentiality Form" on file with the TAC, which delineates the authorized usage and dissemination of Criminal History Record Information obtained through the NCIC interstate Identification Index files.

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808.5 RELEASE OR DISSEMINATION OF PROTECTED INFORMATION

Protected information may be released only to authorized recipients who have both a right to know and a need to know (Idaho Code 67-3008(6)).

A member who is asked to release protected information that should not be released should refer the requesting person to a supervisor or to the Records Supervisor for information regarding a formal request.

Unless otherwise ordered or when an investigation would be jeopardized, protected information maintained by the Department may generally be shared with authorized persons from other law enforcement agencies who are assisting in the investigation or conducting a related investigation. Any such information should be released through the Records Bureau to ensure proper documentation of the release (see the Records Maintenance and Release Policy).

Protected information, such as Criminal Justice Information (CJI), which includes Criminal History Record Information (CHRI), should generally not be transmitted by radio, cellular telephone or any other type of wireless transmission to members in the field or in vehicles through any computer or electronic device, except in cases where there is an immediate need for the information to further an investigation or where circumstances reasonably indicate that the immediate safety of officers, other department members or the public is at risk.

Nothing in this policy is intended to prohibit broadcasting warrant information.

808.6 SECURITY OF PROTECTED INFORMATION

The Chief of Police will select a member of the Department to oversee the security of protected information.

The responsibilities of this position include, but are not limited to:

- (a) Developing and maintaining security practices, procedures and training.
- (b) Insuring federal and state compliance with the CJIS Security Policy and the requirements of any state or local criminal history records systems.
- (c) Establishing procedures to provide for the preparation, prevention, detection, analysis and containment of security incidents including computer attacks.
- (d) Tracking, documenting and reporting all breach of security incidents to the Chief of Police and appropriate authorities.
- (e) Monitoring and enforcing department compliance with ILETS minimum standards and procedures to insure the security of the physical premises, computer equipment and network requirements as outlined in IDAPA 11.10.01.024.

808.6.1 MEMBER RESPONSIBILITIES

Members accessing or receiving protected information shall ensure the information is not accessed or received by persons who are not authorized to access or receive it. This includes leaving protected information, such as documents or computer databases, accessible to others when it is reasonably foreseeable that unauthorized access may occur (e.g., on an unattended

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table or desk; in or on an unattended vehicle; in an unlocked desk drawer or file cabinet; on an unattended computer terminal).

808.6.2 VALIDATION

Validation includes a review of original entry and current supporting documents and recent consultation with any appropriate complainant, victim, prosecutor, court, motor vehicle registry files or other appropriate source or individual. In the event you are unsuccessful in attempts to contact the victim, complainant, etc., you should have written policy covering steps used to determine if records should remain in the system. At a minimum, the following should be accomplished:

(a) Missing/Unidentified:

1. Review case file to insure accuracy and completeness of entry
2. Insure that dental entry has been made within 60 days of entry
3. Contact assigned detective to follow up with reporting party to insure subject has not returned
4. Update records as necessary
5. If record modified, copy of new hit
6. Document validation

(b) Vehicles:

1. Review case file to insure accuracy and completeness of entry
2. Contact victim
3. Update record
4. If record modified, copy of new hit
5. Document validation

(c) License Plates:

1. Review case file to insure accuracy and completeness of entry
2. Contact victim
3. Update record
4. If record modified, copy of new hit
5. Document validation

(d) Guns:

1. Review case file to insure accuracy and completeness of entry
2. Contact victim/reporting party
3. Update record
4. If record modified, copy of new hit

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5. Document validation

(e) Articles:

1. Review case file to insure accuracy and completeness of entry
2. Contact victim
3. Update record
4. If record modified, copy of new hit
5. Document validation

(f) Securities:

1. Review case file to insure accuracy and completeness of entry
2. Contact victim
3. Update record
4. If record modified, copy of new hit
5. Document validation

(g) Violent Persons:

1. Validation shall occur when NCIC 1st prompts a validation and then annually after that. (Access database entry may serve as the annual reminder), otherwise validation may occur at the time of the next NCIC prompt.
2. To Validate: Records will run a QWA of the individual to determine if there is any new information in NCIC (CIVIL PROTECTION ORDER, NO CONTACT ORDER, WANTS) and a Criminal History. They will also review local records which shall be provided to the CID Lieutenant for review & determination if the record shall remain in the system.
3. Validation & removal shall be at the direction of the CID Lieutenant.

Validation procedures used:

- Using a public records database such as Thomas Reuters Clear, check for the victim/reporting party's most recent address. A current e-mail address or phone number may also be used to contact the victim/reporting party, if necessary; however, NOTICE letters are the preferred method of contact with the victim/reporting party. All phone calls will be documented in writing.
- Send a NOTICE letter including a Records Bureau contact phone number to the victim/reporting party. Retain a copy of the letter or for documentation purposes.
- If there is no response to the NOTICE letter after one business week, send a FINAL NOTICE letter including the Records Bureau contact phone number to the victim/reporting party. Retain a copy of the letter for documentation purposes.
- If there is no response to the FINAL NOTICE letter after one business week,

the item will be validated at the end of the current month, or removed from NCIC, with the approval of the CID Staff Sergeant, the CID Lieutenant, or the Records Bureau Supervisor.

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- Document validation date and notations on returned original or copied letters.
- Retain response letters, and copies of letters not responded to, and file with the original report.
- All missing persons will remain in the NCIC system until contacted in person by law enforcement.
- All firearms will remain in the NCIC system until they are recovered and returned to their legal owner or otherwise dispensed by Evidence.
- All vehicles will remain in the NCIC system until the case is closed or the record is purged by NCIC.

808.7 TRAINING

All members authorized to access or release protected information shall complete a training program that complies with any protected information system requirements and identifies authorized access and use of protected information, as well as its proper handling and dissemination.

808.7.1 ILETS TRAINING

All members who operate a terminal to access ILETS shall complete ILETS training consistent with their duties. All operators shall be trained and certified within three months of hire or assignment. Each member who operates a computer to access ILETS must be re-certified by the Department every two years (IDAPA 11.10.01.020.03).

Handling of Non-Criminal Justice Applicant Fingerprints

809.1 PURPOSE AND SCOPE

This procedure outlines the process for handling Non-Criminal Justice Applicant fingerprints by the records division, in compliance with Federal Bureau of Investigations-approved ordinances Twin Falls City Municipal Codes 3-4-2, 3-14-4, and 3-15-7.

This SOP applies to all personnel involved in the collection, processing, and storage of Non-Criminal Justice Applicant fingerprints.

Each agency submitting fingerprints for nationwide checks through the Idaho State Police Bureau of Criminal Identification must first submit a state statute/local ordinance for approval by the FBI's Access Integrity Unit. This submission is channeled through the Idaho State Police Bureau of Criminal Identification Applicant Supervisor. Subsequent changes to approved statutes/codes must be resubmitted for approval. Only those applicants specifically authorized in the statute/code are authorized to be submitted for a nationwide fingerprint-based background check.

809.2 PROCEDURE

Personnel will ensure all records and sensitive information are handled in compliance with applicable laws and policies.

809.2.1 APPLICATION COMPLETION

The applicant must complete the appropriate application.

Personnel will ensure the application is filled out accurately and completely.

809.2.2 APPLICANT PRIVACY STATEMENT

In accordance with the Privacy Act, applicants are provided with written notice that their fingerprints will be used to check the FBI's criminal history records. The applicant must sign the Non-Criminal Justice Applicant Privacy Statement.

Personnel shall retain the signed statement with the application.

809.2.3 IDENTITY VERIFICATION

Verify the applicant's government identification or refer to the Identity Verification Program Guide which lists acceptable primary and secondary identification

Document the type of identification provided.

809.2.4 FINGERPRINT COLLECTION

Capture the applicant's fingerprints using the Livescan machine—Select records division employees who have attended training from Idaho State Police staff or had in-house training sessions capture the applicant's fingerprints.

Enter the appropriate reason for fingerprinting in the system.

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Submit the fingerprints to the Idaho State Police via the Livescan machine.

809.2.5 DOCUMENT STORAGE

Store a copy of the fingerprint card with the application in the secure records storage room.

Access to the secure storage room is controlled via proxy card entry and restricted to authorized personnel only (see authorized personnel list in the storage room)

809.2.6 FINGERPRINT RETURN MONITORING

Select records personnel (see authorized personnel list in the storage room) are responsible for monitoring the fingerprint portal for the return of fingerprint results.

Once the return is received, it's printed and attached to the corresponding application.

809.2.7 APPLICATION REVIEW

The complete application, including fingerprint results, is presented to the Chief of Police or their designee for review.

The application and attachments should not be left unattended or in an inbox. Return the application to the secure storage room if the reviewer is unavailable.

809.2.8 APPROVAL OR DENIAL

Once the application is signed and approved, the license is issued, and the application packet is returned to the secure storage room.

For transient vendor licenses:

- Mark the application with a notation of "clear."
- Place the criminal history return in the secure destruction bin.
- Return the application to the City Clerk for storage.

For security or pawnshop licenses:

- Store the files in the secure storage room until the individual leaves the listed company.
- Upon separation from employment (security guard), if the license is still current, we place the file in the storage room in case they secure employment with a different employer. If separated and the license is expired, we place the application and attachments in the secure destruction bin.

809.2.9 HANDLING DENIED APPLICATIONS

Denied applications should be noted accordingly and stored in the secure storage area.

After the appeal period has passed, place the denied application file with attachments in the secure destruction bin.

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Handling of Non-Criminal Justice Applicant Fingerprints

809.2.10 MISUSE

Any situation that indicates misuse of NCJ CHRI should be brought to the supervisor's attention immediately. The supervisor will conduct a thorough investigation and report any cases of misuse to the ISP BCI auditor.

809.2.11 REVIEW

The Records Supervisor shall review and update this SOP to reflect any changes in procedures or regulations at least annually.

Animal Control

815.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for Animal Control Officers and Twin Falls Police Department personnel in dealing with animal control related calls for service and to set forth procedures regarding animal control services, the handling of injured animals, and the abatement of animal nuisances.

815.2 ANIMAL CONTROL OFFICER RESPONSIBILITY

The Animal Control Officer (ACO) shall be responsible for enforcing local, state and federal laws relating to animals, and for appropriately resolving or referring animal problems as outlined in this policy. The Animal Control Officer shall be under the operational control of the Code Enforcement Coordinator. The Animal Control Officer's assigned working hours will be scheduled by the Code Enforcement Coordinator.

During hours when the Animal Control Officer is on duty, requests for animal control services shall be assigned by the Communications Center or the Code Enforcement Coordinator.

Requests for assistance by the Animal Control Officer shall be acknowledged and responded to promptly.

815.3 OFFICER RESPONSIBILITY

During hours when the Animal Control Officer is off-duty, or if the Animal Control Officer is otherwise unavailable.

Officers may be dispatched to animal related calls and should take appropriate actions to control the situation until the arrival of an Animal Control Officer. Due to the hazards of handling animals without proper equipment, responding officers generally should not attempt to capture and pick up any animal, but should keep the animal under observation until the arrival of the Animal Control Officer. The following are examples of when an officer may consider acting before the arrival of the Animal Control Officer:

- (a) When there is a threat to the public safety.
- (b) When an animal has bitten someone, officers should take measures to confine the animal and prevent further injury.
- (c) When an animal is creating a traffic hazard.
- (d) When the owner/handler has been arrested and there is no other alternative placement for the animal.
- (e) When the animal is gravely injured.

815.3.1 ANIMAL CRUELTY COMPLAINTS

Officers shall conduct a preliminary investigation on all reports of animal cruelty and forward the information to the Animal Control Officer for follow-up. Officers shall not hesitate to take any immediate actions deemed necessary. The assistance of the ACO may be requested to assist

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with the investigation when appropriate for the purpose of handling the disposition of any animal(s) associated with the case.

815.3.2 STRAY DOGS

If the dog has a City license, attempt to contact the owner via the Animal Shelter. If officers take custody of a dog, they shall transport it to the the Magic Valley Humane Society holding pens, making sure the animal has food, water, and bedding.

The animal pick-up form must be completely filled out and the appropriate copies left at the animal shelter. The original form must be turned into the Records Bureau by the end of shift. Release of impounded dogs requires a fee be paid. Releases will be handled by the Magic Valley Humane Society.

815.3.3 ANIMAL BITE REPORTS

Officers shall conduct a preliminary investigation on all reports of animal bites, and forward them to the Animal Control Officer for follow-up. Officers shall not hesitate to take any immediate actions deemed necessary. The assistance of the ACO may be requested to assist with the investigation, when appropriate, for the purpose of handling the disposition of any animal(s) associated with the case.

Instruct the owner of a biting animal if contacted, to keep the animal confined on the property until contacted by the ACO. If the animal is a stray, then every effort shall be made to capture and impound the animal immediately.

815.3.4 PUBLIC NUISANCE CALLS RELATING TO ANIMALS

Officers shall obtain, and forward to the ACO as much information as possible regarding the nature of the complaint, complaining person, owner information (if possible), location of problem and any other pertinent information. Officers will also document any actions taken, citation(s) issued and related report numbers.

In the event responding officers cannot fulfill urgent requests for service because the animal is difficult or dangerous to handle, the ACO may be called to duty to handle. If the Animal Control Officer is unavailable, the Field Supervisor may request the assistance of an animal control officer from an allied agency.

All requests to call in the Animal Control Officer must be approved by the Shift Supervisor.

815.4 DECEASED ANIMALS

Deceased animals on public property will be removed and properly disposed of by the Animal Control Officer. Officers will remove deceased animals when the ACO is off duty. For health and sanitary reasons, deceased animals should be placed in a sealed plastic bag prior to placing in the ACO truck. Large animals should be double bagged and left next to the ACO truck, out of public view. Neither the ACO nor any officer will be required to climb onto or under any privately owned structure for the purpose of removing a deceased animal.

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815.5 INJURED ANIMALS

When any injured domesticated animal is brought to the attention of a member of the Twin Falls Police Department, all reasonable attempts shall be made to contact the owner or responsible handler. When the owner or responsible handler cannot be located and the animal is not an immediate danger to the community it shall be taken to a participating veterinary clinic.

If a veterinary clinic is not available, the Officer shall take the injured animal to the Animal Shelter until veterinary care can be arranged by the Shelter staff.

The only exception to the above is when the animal is seriously injured, is an immediate danger to the community, or the owner of the animal is identified and takes responsibility for the injured animal.

When the need to kill a seriously injured or dangerous animal is necessary, Policy Manual §312.6 shall be followed. The decision to dispose of a seriously injured animal will rest with the on-duty Shift Supervisor.

Injured wildlife should be referred to the Department of Fish and Game as applicable.

When handling dead or injured animals, department employees shall attempt to identify and notify the owner of the final disposition of the animal.

Each incident shall be documented and, at minimum, the name of the reporting party and location and/or person to whom the animal is released should be included in the report.

815.6 CITATIONS

It should be at the discretion of the officer or field supervisor as to the need for, or advisability of, the issuance of a citation for a violation.

Physical Protection Policy

818.1 PURPOSE

The purpose of this policy is to provide guidance for agency personnel, support personnel, and private contractors/vendors for the physical, logical, and electronic protection of Criminal Justice Information (CJI). All physical, logical, and electronic access must be properly documented, authorized and controlled on devices that store, process, or transmit unencrypted CJI. This Physical Protection Policy focuses on the appropriate access control methods needed to protect the full lifecycle of CJI from insider and outsider threats.

This Physical Protection Policy was developed using the FBI's CJIS Security Policy 5.1 dated July 13, 2012. The intended target audience is Twin Falls Police Department personnel, support personnel, and private contractor/vendors with access to CJI whether logically or physically. The local agency may complement this policy with a local policy; however, the CJIS Security Policy shall always be the minimum standard and local policy may augment, or increase the standards, but shall not detract from the CJIS Security Policy standards.

818.2 PHYSICALLY SECURE LOCATION

A physically secure location is a facility or an area, a room, or a group of rooms within a facility with both the physical and personnel security controls sufficient to protect the FBI CJI and associated information systems. The perimeter of the physically secure location shall be prominently posted and separated from non-secure locations by physical controls. Security perimeters shall be defined, controlled, and secured. Restricted non-public areas in the Twin Falls Police Department shall be identified with a sign at the entrance.

818.3 VISITORS ACCESS

Visitors Access: A visitor is defined as a person who visits the Twin Falls Police Department facility on a temporary basis who is not employed by the Twin Falls Department and has no unescorted access to the physically secure location within the Twin Falls Police Department where FBI CJI and associated information systems are located.

Visitors shall:

- (a) Be accompanied by a Twin Falls Police Department escort at all times to include delivery or service personnel. An escort is defined as an authorized personnel who accompanies a visitor at all times while within a physically secure location to ensure the protection and integrity of the physically secure location and any CJI therein. The use of cameras or other electronic means used to monitor a physically secure location does not constitute an escort.
- (b) Show Twin Falls Police Department personnel a valid form of photo identification.
- (c) Follow Twin Falls Police Department policy for authorized unescorted access.
 - 1. Noncriminal Justice Agency (NCJA) like city or county IT who require frequent un-escorted access to restricted area(s) will be required to establish a Management Control Agreement between the Twin Falls Police Department and

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NCJA. Each NCJA employee with CJI access will appropriately have state and national fingerprint-based record background check prior to this restricted area access being granted.

2. Private contractors/vendors who require frequent unescorted access to restricted area(s) will be required to establish a Security Addendum between the Twin Falls Police Department and each private contractor personnel. Each private contractor personnel will appropriately have state and national fingerprint-based record background check prior to this restricted area access being granted.
- (d) Not be allowed to view screen information mitigating shoulder surfing.
 - (e) Individuals not having any legitimate business in a restricted area shall be courteously escorted to a public area of the facility. Strangers in physically secure areas without an escort should be challenged. If resistance or behavior of a threatening or suspicious nature is encountered, sworn personnel shall be notified.
 - (f) Not enter into a secure area with electronic devices unless approved by the Twin Falls Police Department's TAC or other designated employee to include cameras and mobile devices. Photographs are not allowed without permission of the Twin Falls Police Department assigned personnel.

All requests by groups for tours of the Twin Falls Police Department facility will be referred to the proper agency point of contact for scheduling. The group leader will provide a list of names to front desk personnel. A background check on all adults in the group will be performed prior to entering secure areas of the Twin Falls Police Department.

818.4 AUTHORIZED PHYSICAL ACCESS

Only authorized personnel will have access to physically secure non-public locations. The Twin Falls Police Department will maintain and keep current a list of authorized personnel. All physical access points into the agency's secure areas will be authorized before granting access. The agency will implement access controls and monitoring of physically secure areas for protecting all transmission and display mediums of CJI. Authorized personnel will take necessary steps to prevent and protect the agency from physical, logical and electronic breaches.

All personnel with CJI physical and logical access must:

- (a) Meet the minimum personnel screening requirements prior to CJI access.
 1. To verify identification, a state of residency and national fingerprint-based record checks shall be conducted prior to employment and assignment for all personnel who have direct access to CJI and those who have direct responsibility to configure and maintain computer systems and networks with direct access to CJI.
 2. Support personnel, private contractors/vendors, and custodial workers with access to physically secure locations or controlled areas (during CJI processing) shall be subject to a state and national fingerprint-based record check unless these individuals are escorted by authorized personnel at all times.

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3. Prior to granting access to CJI, the Twin Falls Police Department on whose behalf the contractor is retained shall verify identification via a state of residency and national fingerprint-based record check.
4. Refer to the CJIS Security Policy for handling cases of felony convictions, criminal records, arrest histories, etc.
- (b) Complete security awareness training.
 1. All authorized Twin Falls Police Department, Noncriminal Justice Agencies (NCJA) like city or county IT and private contractor/vendor personnel will receive security awareness training prior to being granted duties that require CJI access and shall certify every two years thereafter.
 2. Security awareness training will cover areas specified in the CJIS Security Policy at a minimum.
- (c) Be aware of who is in their secure area before accessing confidential data.
 1. Take appropriate action to protect all confidential data.
 2. Protect all terminal monitors with viewable CJI displayed on monitor and not allow viewing by the public or escorted visitors.
- (d) Properly protect and not share any individually issued keys, proximity cards, computer account passwords, etc.
 1. Report loss of issued keys, proximity cards, etc., to authorized agency personnel.
 2. If the loss occurs after normal business hours, or on weekends or holidays, personnel are to call the Twin Falls Police Department POC to have authorized credentials like a proximity card de-activated and/or door locks possibly rekeyed.
 3. Safeguard and not share passwords, Personal Identification Numbers (PIN), Security Tokens (i.e. Smartcard), and all other facility and computer systems security access procedures.
- (e) Properly protect from viruses, worms, Trojan horses, and other malicious code.
- (f) Web usage—allowed versus prohibited; monitoring of user activity.
- (g) Do not use personally owned devices on the Twin Falls Police Department computers with CJI access.
- (h) Use of electronic media is allowed only by authorized Twin Falls Police Department personnel. Controls shall be in place to protect electronic media and printouts containing CJI while in transport. When CJI is physically moved from a secure location to a non-secure location, appropriate controls will prevent data compromise and/or unauthorized access.
- (i) E-mail transmission of CJI is not permitted.
- (j) Report any physical security incidents to the Twin Falls Police Department's LASO and TAC to include facility access violations, loss of CJI, loss of laptops, Blackberries, thumb drives, CDs/DVDs and printouts containing CJI.

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- (k) Properly release hard copy printouts of CJI only to authorized vetted and authorized personnel in a secure envelope and shred or burn hard copy printouts when no longer needed. Information should be shared on a "need to know" basis.
- (l) Ensure data centers with CJI are physically and logically secure.
- (m) Keep appropriate Twin Falls Police Department security personnel informed when CJI access is no longer needed. In the event of ended employment, the individual must surrender all property and access managed by the local agency, state and/or federal agencies.
- (n) Ensure the perimeter security door securely locks after entry or departure. Do not leave any perimeter door propped opened and take measures to prevent piggybacking entries.

818.5 TERMINAL AGENCY COORDINATOR (TAC)

The TAC serves as the point-of-contact at the Twin Falls Police Department for matters relating to CJIS information access. The TAC administers CJIS systems programs within the agency and oversees the agency's compliance with FBI and state CJIS systems policies.

818.6 LOCAL AGENCY SECURITY OFFICER (LASO)

Each LASO shall:

- (a) Identify who is using the CSA (state) approved hardware, software, and firmware and ensure no unauthorized individuals or processes have access to the same.
- (b) Identify and document how the equipment is connected to the state system.
- (c) Ensure that personnel security screening procedures are being followed as stated in this policy.
- (d) Ensure the approved and appropriate security measures are in place and working as expected.
- (e) Support policy compliance and ensure the CSA ISO is promptly informed of security incidents.

818.7 AGENCY COORDINATOR (AC)

An AC is a staff member of the Contracting Government Agency (CGA) who manages the agreement between the private contractor(s)/vendor(s) and the Twin Falls Police Department. A CGA is a government agency, whether a Criminal Justice Agency (CJA) or a NCJA, that enters into an agreement with a private contractor/vendor subject to the CJIS Security Addendum. The AC shall be responsible for the supervision and integrity of the system, training and continuing education of private contractor/vendor employees and operators, scheduling of initial training and testing, and certification testing and all required reports by NCIC.

818.8 CJIS SYSTEM AGENCY INFORMATION SECURITY OFFICER (CSA ISO)

The CSA ISO shall:

- (a) Serve as the security point of contact (POC) to the FBI CJIS Division ISO.

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- (b) Document technical compliance with the CJIS Security Policy with the goal to assure the confidentiality, integrity, and availability of criminal justice information to the user community throughout the CSA's user community, to include the local level.
- (c) Document and provide assistance for implementing the security-related controls for the Interface Agency and its users.
- (d) ISOs have been identified as the POC on security-related issues for their respective agencies and shall ensure LASOs institute the CSA incident response reporting procedures at the local level. Establish a security incident response and reporting procedure to discover, investigate, document, and report to the CSA, the affected criminal justice agency, and the FBI CJIS Division ISO major incidents that significantly endanger the security or integrity of CJI.

Information Technology Support

In coordination with above roles, all vetted IT support staff will protect CJI from compromise at the Twin Falls Police Department by performing the following:

- (a) Protect information subject to confidentiality concerns—in systems, archived, on backup media, and until destroyed. Know where CJI is stored, printed, copied, transmitted and planned end of life. CJI is stored on laptops, mobile data terminals (MDTs), computers, servers, tape backups, CDs, DVDs, thumb drives, RISC devices and internet connections as authorized by the Twin Falls Police Department. For agencies who submit fingerprints using Live Scan terminals, only Live Scan terminals that receive CJI back to the Live Scan terminal will be assessed for physical security.
- (b) Be knowledgeable of required Twin Falls Police Department technical requirements and policies taking appropriate preventative measures and corrective actions to protect CJI at rest, in transit and at the end of life.
- (c) Take appropriate action to ensure maximum uptime of CJI and expedited backup restores by using agency approved best practices for power backup and data backup means such as generators, backup universal power supplies on CJI-based terminals, servers, switches, etc.
- (d) Properly protect the Twin Falls Police Department's CJIS system(s) from viruses, worms, Trojan horses, and other malicious code (real-time scanning and ensure updated definitions).
 - 1. Install and update antivirus on computers, laptops, MDTs, servers, etc.
 - 2. Scan any outside non-agency owned CDs, DVDs, thumb drives, etc., for viruses, if the Twin Falls Police Department allows the use of personally owned devices. (See the Twin Falls Police Department Personally Owned Device Policy)
- (e) Data backup and storage—centralized or decentralized approach.
 - 1. Perform data backups and take appropriate measures to protect all stored CJI.
 - 2. Ensure only authorized vetted personnel transport off-site tape backups or any other media that store CJI that is removed from physically secured location.

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3. Ensure any media released from the Twin Falls Police Department is properly sanitized / destroyed. (See Sanitization and Destruction Policy)
- (f) Timely application of system patches—part of configuration management.
 1. The agency shall identify applications, services, and information systems containing software or components affected by recently announced software flaws and potential vulnerabilities resulting from those flaws.
 2. When applicable, see the Twin Falls Police Department Patch Management Policy.
- (g) Access control measures
 1. Address least privilege and separation of duties.
 2. Enable event logging of:
 - i. Successful and unsuccessful system log-on attempts.
 - ii. Successful and unsuccessful attempts to access, create, write, delete or change permission on a user account, file, directory or other system resource.
 - iii. Successful and unsuccessful attempts to change account passwords.
 - iv. Successful and unsuccessful actions by privileged accounts.
 - v. Successful and unsuccessful attempts for users to access, modify, or destroy the audit log file.
 3. Prevent authorized users from utilizing publicly accessible computers to access, process, store, or transmit CJI. Publicly accessible computers include but are not limited to: hotel business center computers, convention center computers, public library computers, public kiosk computers, etc.
- (h) Account Management in coordination with TAC
 1. Agencies shall ensure that all user IDs belong to currently authorized users.
 2. Keep login access current, updated and monitored. Remove or disable terminated or transferred or associated accounts.
 3. Authenticate verified users as uniquely identified.
 4. Prevent multiple concurrent active sessions for one user identification, for those applications accessing CJI, unless the agency grants authority based upon operational business needs.
 5. Not use shared generic or default administrative user accounts or passwords for any device used with CJI.
 6. Passwords
 - i. Be a minimum length of eight (8) characters on all systems.
 - ii. Not be a dictionary word or proper name.
 - iii. Not be the same as the User ID.

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- iv. Expire within a maximum of 90 calendar days.
 - v. Not be identical to the previous ten (10) passwords.
 - vi. Not be transmitted in the clear or plain text outside the secure location.
 - vii. Not be displayed when entered.
 - viii. Ensure passwords are only reset for authorized user.
- (i) Network infrastructure protection measures.
 - 1. Take action to protect CJI-related data from unauthorized public access.
 - 2. Control access, monitor, enabling and updating configurations of boundary protection firewalls.
 - 3. Enable and update personal firewall on mobile devices as needed.
 - 4. Ensure confidential electronic data is only transmitted on secure network channels using encryption and *advanced authentication when leaving a physically secure location. No confidential data should be transmitted in clear text. *Note: for interim compliance, and for the sole purpose of meeting the advanced authentication policy, a police vehicle shall be considered a physically secure location until September 30th 2013. For the purposes of this policy, a police vehicle is defined as an enclosed criminal justice conveyance with the capability to comply, during operational periods.
 - 5. Ensure any media that is removed from a physically secured location is encrypted in transit by a person or network.
 - 6. Not use default accounts on network equipment that passes CJI like switches, routers, firewalls.
 - 7. Make sure law enforcement networks with CJI shall be on their own network accessible by authorized personnel who have been vetted by the Twin Falls Police Department. Utilize Virtual Local Area Network (VLAN) technology to segment CJI traffic from other noncriminal justice agency traffic to include other city and/or county agencies using same wide area network.
- (j) Communicate and keep the Twin Falls Police Department informed of all scheduled and unscheduled network and computer downtimes, all security incidents and misuse. The ultimate information technology management control belongs to Twin Falls Police Department.

818.9 FRONT DESK AND VISITOR SPONSORING PERSONNEL

Administration of the Visitor Check-In / Check-Out procedure is the responsibility of identified individuals in each facility. In most facilities, this duty is done by the Front desk or Reception Desk.

Prior to visitor gaining access to physically secure area:

- (a) The visitor's identification will be checked and verified. The visitor will then be escorted by Twin Falls Police Department personnel throughout the duration of the visit unless the visitor has been fingerprint background checked and cleared for unescorted access to physically secure areas.

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All Twin Falls Police Department personnel and supporting entities are responsible to report any unauthorized physical, logical, and electronic access to the Twin Falls Police Department.

818.10 PENALTIES

Violation of any of the requirements in this policy by any authorized personnel will result in suitable disciplinary action, up to and including loss of access privileges, civil and criminal prosecution and / or termination. Violation of any of the requirements in this policy by any visitor can result in similar disciplinary action against the sponsoring employee, and can also result in termination of services with any associated consulting organization or prosecution in the case of criminal activity.

Acceptable Use Policy

819.1 PURPOSE

The purpose of this policy is to outline the acceptable use of computer equipment at the Twin Falls Police Department. These rules are in place to protect the employee and the Twin Falls Police Department. Inappropriate use exposes the Twin Falls Police Department to risk including virus attacks, compromises of the network systems and services, and legal issues.

The intention for publishing an Acceptable Use Policy is not to impose restrictions that are contrary to the Twin Falls Police Department's established culture of openness, trust, and integrity. The Twin Falls Police Department is committed to protecting the Twin Falls Police Department's employees, partners and the City of Twin Falls from illegal or damaging actions by individuals, either knowingly or unknowingly. Internet/Intranet/Extranet-related systems, including but not limited to computer equipment, software, operating systems, storage media, network accounts providing electronic mail, WWW browsing, File Transfer Protocol, and National Crime Information Center access are the property of the Twin Falls Police Department. These systems are to be used for business purposes in serving the interests of the agency in the course of normal operations. Effective security is a team effort involving the participation and support of every Twin Falls Police Department employee and affiliate who deals with information and/or information systems. It is the responsibility of every computer user to know these guidelines and to conduct their activities accordingly.

This policy applies to employees, contractors, consultants, temporary staff, and other workers at the Twin Falls Police Department, including all personnel affiliated with NCIC and third parties. This policy applies to all equipment that is owned or leased by the Twin Falls Police Department.

819.2 GENERAL USE AND OWNERSHIP

1. While the Twin Falls Police Department's network administration desires to provide a reasonable level of privacy, users should be aware that the data they create on the Twin Falls Police Department's systems remains the property of the Twin Falls Police Department. Because of the need to protect the Twin Falls Police Department's network, management cannot guarantee the confidentiality of information stored on any network device belonging to the Twin Falls Police Department.
2. Employees are responsible for exercising good judgment regarding the reasonableness of personal use. Individual departments are responsible for creating guidelines concerning personal use of Internet/Intranet/Extranet systems. In the absence of such policies, employees should consult their supervisor or management.
3. The Twin Falls Police Department recommends that any information that a user considers sensitive or vulnerable (etc. residual NCIC information on a computer terminal that has access to the internet and CJIS information) be encrypted.
4. For security and network maintenance purposes, authorized individuals within the Twin Falls Police Department may monitor equipment, systems and network traffic at any time.

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5. The Twin Falls Police Department reserves the right to audit the network and systems on a periodic basis to ensure compliance with this policy.

819.3 SECURITY AND PROPRIETARY INFORMATION

1. The user interface for information contained on Internet/Intranet/Extranet-related systems should be classified as either confidential or non-confidential, as defined by agency confidentiality guidelines. Examples of confidential information include, but are not limited to: NCIC information, state criminal history information, agency personnel data, etc. Employees should take all necessary steps to prevent unauthorized access to this information.

2. Keep passwords secure and do not share accounts. Authorized users are responsible for the security of their passwords and accounts. Please review the Twin Falls Police Department's Password Policy for guidance.

3. All personal computers, laptops, and workstations should be secured with password-protected screen savers with an automatic activation feature, set at ten minutes or less, or by logging off (control-alt-delete) when the computer is unattended.

4. Because information contained on portable computers is especially vulnerable, special care should be exercised. Protect laptops in accordance with CJIS Policy.

5. All devices owned by the City of Twin Falls and used by employees, that are connected to the Twin Falls Police Department's Internet/Intranet/Extranet shall be continually executing approved virus-scanning software with a current database.

6. Employees must use extreme caution when opening e-mail attachments received from unknown senders, which may contain viruses, e-mail bombs, or Trojan horse code.

819.4 SYSTEM AND NETWORK ACTIVITIES

The following activities are strictly prohibited, with no exceptions:

1. Unauthorized access, copying, or dissemination of classified or sensitive information (e.g. NCIC information, state criminal information, etc.).

2. Installation of any copyrighted software for which the Twin Falls Police Department or end user does not have an active license is strictly prohibited.

3. Installation of any software without preapproval and virus scan is strictly prohibited.

4. Introduction of malicious programs into the network or server (e.g., viruses, worms, Trojan horses, logic bombs, etc.).

5. Revealing your account password to others or allowing use of your account by others.

6. Effecting security breaches or disruptions of network communication. Security breaches include, but are not limited to, accessing data of which the employee is not an intended recipient or logging into a server that the employee is not expressly authorized to access, unless these duties are within the scope of regular duties. For the purpose of this policy, "disruption" includes,

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but is not limited to, network sniffing, pinged floods, packet spoofing, denial of service, and forged routing information for malicious purposes.

7. Port scanning or security scanning is expressly prohibited unless prior notification has been given to the Twin Falls Police Department.

8. Executing any form of network monitoring which will intercept data not intended for the employee's host, unless this activity is a part of the employee's normal job/duty.

9. Circumventing user authentication or security of any host, network, or account.

10. Interfering with or denying service to any user other than the employee's host.

11. Using any program/script/command or sending messages of any kind, with the intent to interfere with or disable a user's terminal session, via any means, locally or via the Internet/Intranet/Extranet.

12. Providing information about NCIC.

819.5 ENFORCEMENT

Violations of this policy include, but are not limited to: accessing data to which the individual has no legitimate right; enabling unauthorized individuals to access data; disclosing data in a way that violates applicable policy, procedures, or relevant regulations or law; inappropriately modifying or destroying data; inadequately protecting restricted data. Any violation of this policy may result in network removal, access revocation, corrective or disciplinary action, civil or criminal prosecution, and termination of employment.

RECORDS RETENTION

824.1 PURPOSE

The purpose of this policy is to provide guidance for agency personnel pertaining to destruction of a variety of police department records. Pursuant to Idaho Code 50-907 Classification and Retention of Municipal Records – defining semi-permanent/permanent records and the appropriate timelines for destruction.

824.2 RECORDS RETENTION SCHEDULE

Beginning in 2006, all misdemeanor and officer reports with all attachments will be scanned into the Records Management System electronically, which will allow for destruction of hard copy files. Files excluded would be those listed as keep indefinitely.

A document retained by the city in any form or medium permitted under this section shall be deemed an original public record for all purposes.

824.3 ARREST REPORTS

These are forms used to report arrests made by the police. They usually include complete information and a description of person arrested, date, time of arrest, charges, description of offense, list of witnesses, and name of officer(s) making arrest.

Retention: Destroy upon completion of scanning

824.4 ACCIDENT REPORTS

These records document a traffic accident investigated by the Police Department. The report usually includes complete information on all vehicles and drivers involved in the accident, location of accident, damage, causes of accident, and weather conditions. A copy of a traffic accident report is forwarded to the Idaho State Department of Transportation if damages exceed \$1,500.00 or injury or death occurs. These records also may contain walk-in accident reports in which no police investigation is involved.

Retention: Retain for five (5) years and then destroy.

824.5 CASE FILES

These case files are created as a result of a complaint or other action being investigated by the Police Department. They are the central case files for all cases handled by the agency. Case files are usually filed numerically by case number. These files may include the investigative report, original arrest report, supplemental reports, copies of warrants, photographs, correspondence, court orders, officers' notes, pertinent laboratory tests, copies of booking sheets, and arrest reports.

Case files also contain case reports, which are reports of crimes and other cases for police response. They contain all information as to the "who, what, when, where, why and how" of reported incidents. They are used for departmental information, follow-up investigation, and

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RECORDS RETENTION

statistics. The supplemental and continuation reports are used to provide additional information concerning a police investigation.

Retention:

- Misdemeanor Cases destroy upon completion of scanning case file.
- Felony Cases destroy upon completion of scanning
- Homicide Cases retain indefinitely due to appeals process or further investigation.
- Sex Abuse Cases retain indefinitely due to flexible statute of limitations.
- Fatal Traffic Accidents retain indefinitely.
- Suicide or Accidental Death retain indefinitely.
- Unattended Death Reports retain indefinitely.
- Missing Persons Cases retain until victim is found and case is closed.
- Informational Reports (8320) Destroy upon completion of scanning documents, unless listed above to retain indefinitely.

824.6 CRIMINAL HISTORY DISSEMINATION LOGS

These logs document the dissemination of criminal histories and other law enforcement information to other agencies or criminal information systems. They include dates of release, state identification number or FBI number.

Retention:

Retain for one (1) year and then destroy.

824.7 FIELD INTERROGATION CARDS

This is a card with limited information on it filled out by a police officer. The card usually contains information on suspicious persons an officer has stopped. It includes descriptions of individual and vehicle, time and place of contact, and reason for contact. This information is entered into the FI module of the records system and then the card is filed.

Retention:

Retain for one (1) year and then destroy.

824.8 IMPOUNDED VEHICLE REPORTS

This is a form used for vehicle impounds. This report form contains the make and model of vehicle, the year, color, identification number, tag number, condition of vehicle, place impounded, name and address of owner (if available), reasons for impounding, and date and time of impounding. This report form becomes a file in and of itself if it is not connected to a particular case.

Retention:

Retain for five (5) years and then destroy.

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RECORDS RETENTION

824.9 CITATIONS

These are citations issued for a variety of offenses.

Retention:

Retain for five (5) years and then destroy, unless attached with a misdemeanor case report. If attached with misdemeanor case report, citations can be destroyed upon successful completion of scanning.

824.10 EVIDENCE - LAB RESULTS

These records are copies of the results of analysis on evidence that has been taken to the Idaho State Bureau of Forensics Lab for analysis. These records are kept with the case report files.

Retention

Destroy upon completion of scanning into the case file, with the exception of homicide test results, sexual abuse test results, and missing persons test results.

824.11 FALSE ALARM REPORTS

These are false alarm reports where officers have responded to a particular location in response to an alarm.

Retention

Retain for five (5) years and then destroy.

824.12 CASH RECEIPTS

These are records of monies paid to the Police Department for a variety of services. Monies paid to the Department are receipted in Records.

Retention:

Retain five (5) years and then destroy.

824.13 GRANT RECORDS

These files contain records of grants obtained and administered by the Police Department.

Retention:

Retain ten (10) years and then destroy.

824.14 OVERTIME REQUESTS

These forms contain overtime requests filed by the employees of the Department. The form denotes the hours of overtime that the officer worked, as well as the type of overtime (court, holdover, etc.).

Retention:

Retain five (5) years and then destroy.

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RECORDS RETENTION

824.15 LEAVE REQUEST FORMS

These files contain records of time off requested by employees of the Twin Falls Police Department.

Retention:

Retain five (5) years and then destroy.

824.16 TRAINING FILES

These files contain records of training for each employee of the Twin Falls Police Department. Training files are also maintained on volunteers with the Department, such as Reserve Officers, Explorers, etc.

Retention:

Retain five (5) years after separation and then destroy.

User Account and Access Validation Policy

820.1 PURPOSE

The purpose of this policy is to ensure secure access to the Criminal Justice Information System (CJIS). This policy outlines the procedures for new accounts, and ensures protocol is followed when a member separates from service.

820.2 TERMINAL AGENCY COORDINATOR PROCEDURES

All accounts shall be reviewed at least every six months by the terminal agency coordinator (TAC) or his/her designee to ensure that access and account privileges commensurate with job functions, need-to-know, and employment status on systems that contain Criminal Justice Information. The TAC may also conduct periodic reviews.

All guest accounts (for those who are not official employees of the CJA) with access to the criminal justice network shall contain an expiration date of one year or the work completion date, whichever occurs first. All guest accounts (for private contractor personnel) must be sponsored by the appropriate authorized member of the administrative entity managing the resource.

The TAC must disable all new accounts that have not been accessed within 30 days of creation. Accounts of individuals on extended leave (more than 30 days) should be disabled. (Note: Exceptions can be made in cases where uninterrupted access to IT resources is required. In those instances, the individual going on extended leave must have a manager-approved request from the designated account administrator or assistant.)

The TAC must be notified if a user's information system usage or need-to-know changes (i.e., the employee is terminated, transferred, etc.). If an individual is assigned to another office for an extended period (more than 90 days), the TAC will transfer the individual's account(s) to the new office (CJA).

The TAC will remove or disable all access accounts for separated or terminated employees immediately following separation from the agency.

Primary responsibility for account management belongs to the Terminal Agency Coordinator (TAC).

The TAC shall:

- Modify user accounts in response to events like name changes, accounting changes, permission changes, office transfers, etc.,
- Periodically review existing accounts for validity (at least once every 6 months), and
- Cooperate fully with an authorized security team that is investigating a security incident or performing an audit review.

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Chapter 9 - Custody

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Chapter 10 - Personnel

Recruitment and Selection

1000.1 PURPOSE AND SCOPE

This policy provides a framework for employee recruiting efforts and identifying job-related standards for the selection process. This policy supplements the rules that govern employment practices for the Twin Falls Police Department and that are promulgated and maintained by the Department of Human Resources.

1000.2 POLICY

In accordance with applicable federal, state and local law, the Twin Falls Police Department provides equal opportunities for applicants and employees, regardless of race, gender expression, age, pregnancy, religion, creed, color, national origin, ancestry, physical or mental handicap, genetic information, veteran status, marital status, sex or any other protected class or status. The Department does not show partiality or grant any special status to any applicant, employee or group of employees unless otherwise required by law.

The Department will recruit and hire only those individuals who demonstrate a commitment to service and who possess the traits and characteristics that reflect personal integrity and high ethical standards.

1000.3 RECRUITMENT

The Administrative Services Division Commander should employ a comprehensive recruitment and selection strategy to recruit and select employees from a qualified and diverse pool of candidates.

The strategy should include:

- (a) Identification of racially and culturally diverse target markets.
- (b) Use of marketing strategies to target diverse applicant pools.
- (c) Expanded use of technology and maintenance of a strong internet presence. This may include an interactive department website and the use of department-managed social networking sites, if resources permit.
- (d) Expanded outreach through partnerships with media, community groups, citizen academies, local colleges, universities and the military.
- (e) Employee referral and recruitment incentive programs.
- (f) Consideration of shared or collaborative regional testing processes.

The Administrative Services Division Commander shall avoid advertising, recruiting and screening practices that tend to stereotype, focus on homogeneous applicant pools or screen applicants in a discriminatory manner.

The Department should strive to facilitate and expedite the screening and testing process, and should periodically inform each candidate of his/her status in the recruiting process.

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Recruitment and Selection

1000.4 SELECTION PROCESS

The Department shall actively strive to identify a diverse group of candidates that have in some manner distinguished themselves as being outstanding prospects. Minimally, the Department should employ a comprehensive screening, background investigation and selection process that assesses cognitive and physical abilities and includes review and verification of the following:

- (a) A comprehensive application for employment (including previous employment, references, current and prior addresses, education, military record)
- (b) Driving record
- (c) Reference checks
- (d) Citizenship verification, including U.S. Citizenship and Immigration Services (USCIS) Employment Eligibility Verification Form I-9 and acceptable identity and employment authorization documents
- (e) Information obtained from public Internet sites
- (f) Financial history consistent with the Fair Credit Reporting Act (FCRA) (15 USC § 1681 et seq.)
- (g) Local, state and federal criminal history record checks
- (h) Polygraph or computer voice stress analyzer (CVSA) examination (when legally permissible)
- (i) Medical and psychological examination (may only be given after a conditional offer of employment)
- (j) Review board or selection committee assessment

1000.4.1 VETERANS' PREFERENCE

Eligible veterans or widows may receive a veterans' preference pursuant to Idaho Code 65-504.

1000.5 BACKGROUND INVESTIGATION

Every candidate shall undergo a thorough background investigation meeting the requirements of IDAPA 11.11.01.059 to verify his/her personal integrity and high ethical standards, and to identify any past behavior that may be indicative of the candidate's unsuitability to perform duties relevant to the operation of the Twin Falls Police Department.

1000.5.1 REVIEW OF SOCIAL MEDIA SITES

Due to the potential for accessing unsubstantiated, private or protected information, the Administrative Services Division Commander should not require candidates to provide passwords, account information or access to password-protected social media accounts.

The Administrative Services Division Commander should consider utilizing the services of an appropriately trained and experienced third party to conduct open source, internet-based searches and/or review information from social media sites to ensure that:

- (a) The legal rights of candidates are protected.
- (b) Material and information to be considered are verified, accurate and validated.

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Recruitment and Selection

- (c) The Department fully complies with applicable privacy protections and local, state and federal law.

Regardless of whether a third party is used, the Administrative Services Division Commander should ensure that potentially impermissible information is not available to any person involved in the candidate selection process.

1000.5.2 DOCUMENTING AND REPORTING

The background investigator shall summarize the results of the background investigation in a report that includes sufficient information to allow the reviewing authority to decide whether to extend a conditional offer of employment. The report shall not include any information that is prohibited from use, including that from social media sites, in making employment decisions. The report and all supporting documentation shall be included in the candidate's background investigation file.

1000.5.3 NOTICES

Background investigators shall ensure that investigations are conducted and notices provided in accordance with the requirements of the FCRA (15 USC § 1681d).

1000.5.4 RECORDS RETENTION

The background report and all supporting documentation shall be maintained in accordance with the established records retention schedule.

1000.6 DISQUALIFICATION GUIDELINES

As a general rule, performance indicators and candidate information and records shall be evaluated by considering the candidate as a whole, and taking into consideration the following:

- Age at the time the behavior occurred
- Passage of time
- Patterns of past behavior
- Severity of behavior
- Probable consequences if past behavior is repeated or made public
- Likelihood of recurrence
- Relevance of past behavior to public safety employment
- Aggravating and mitigating factors
- Other relevant considerations

A candidate's qualifications will be assessed on a case-by-case basis, using a totality-of-the-circumstances framework.

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Recruitment and Selection

1000.7 EMPLOYMENT STANDARDS

All candidates shall meet the minimum standards required by state law (IDAPA 11.11.01.050 et seq.). Candidates will be evaluated based on merit, ability, competence and experience, in accordance with the high standards of integrity and ethics valued by the Department and the community.

Validated, job-related and nondiscriminatory employment standards shall be established for each job classification and shall minimally identify the training, abilities, knowledge and skills required to perform the position's essential duties in a satisfactory manner. Each standard should include performance indicators for candidate evaluation. The Department of Human Resources should maintain validated standards for all positions.

1000.7.1 STANDARDS FOR OFFICERS

Candidates shall meet the following minimum standards established by the Idaho Peace Officer Standards and Training (POST) Council (IDAPA 11.11.01.050 et seq.):

- (a) Be a citizen of the United States
- (b) Be a high school graduate or the recipient of a GED certificate
- (c) At least 21 years of age
- (d) Good moral character
- (e) Meet the drug standards as described in IDAPA 11.11.01.055
- (f) Must not have possessed consumed or manufactured marijuana within the past 12 months (one year) from the date of application.
- (g) Free of any felony or misdemeanor convictions as described in IDAPA 11.11.01.056
- (h) Not have been dishonorably discharged or have received a similar dismissal from the military service
- (i) Have a valid driver's license
- (j) Submit to a medical examination
- (k) Submit to a psychological examination
- (l) Submit to an aptitude test

Personnel Early Warning System

1001.1 PURPOSE

The early identification of potential problems affecting an employee's performance and to provide a menu of remedial actions. This will increase the department's accountability and offer members a better opportunity to meet the department's goals and mission statement.

1001.1.1 INTRODUCTION

The department's Personnel Early Warning System is initiated when certain types of incidents occur, prompting an evaluation of collected material. Such material may include, but is not limited to, performance evaluations, citizen complaints, disciplinary actions, use of force incidents, internal affairs, supervisory and employee reports such as workmen's compensation claims and traffic accidents.

1001.2 POLICY

The Twin Falls Police Department, in keeping with the demands of the community for professional police services, has established the "Personnel Early Warning System" through the implementation of EI Pro Software. This system is intended to provide the department the opportunity to quickly intervene when potential personnel problems arise. It is designed to note patterns of behavior that might dictate departmental intervention into a member's performance.

1001.3 GUIDELINES

The following events will be documented by all supervisors and provided to the Divisional Lieutenant who will in turn provide the information to the Officer of Professional Standards, who will insure all reports are properly documented and tracked in IA Pro and EI Pro software.

- Disciplinary actions, both verbal and written.
- Use of force incidents.
- Internal affairs investigations.
- Workman's Compensation claims.
- At fault traffic accidents.
- Any pattern identified that indicates unacceptable behavior or performance.

Members, who have multiple allegations made against them as described above, will be tracked through alerts triggered in IA Pro based on criteria of employee involvement in the above listed events as established in EI Pro.

When an employee triggers an alert in IA Pro within the Personnel Early Warning System, the Office of Professional Standards will forward the alert to the employee's immediate supervisor for review of the reports triggering the alert. The supervisor will document their review of the reports triggering the alert, and if remedial or corrective actions are necessary the supervisor will notify the Divisional Lieutenant and Divisional Captain of the alert and actions taken to correct behavior.

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Personnel Early Warning System

1001.4 REMEDIAL SOLUTIONS

The Captain will notify the Chief of Police about any alerts within the Personnel Early Warning System that require remedial or corrective action.

- Actions such as unfounded, directed counseling, making a referral to the city's Employee Assistance Program (EAP), remedial training, etc., will be considered on a case-by-case basis.
- Each allegation will be removed from consideration under this policy after a period of one year.
- The Chief of Police will annually review the Office of Professional Standard's Personnel Early Warning System.

1001.5 CONCLUSION

- It is the intent of the department not to 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 by the department.

Evaluation of Employees

1002.1 PURPOSE AND SCOPE

The purpose of a performance evaluation is to:

- A. Standardize the nature of the personnel decision-making process.
- B. Assure the public that the agency's personnel are qualified to carry out their assigned duties;
- C. Provide employees with necessary behavior modification information to allow them to maintain behaviors that are appropriate from the agency's standpoint and to eliminate inappropriate behavior.

Refer to the section governing this topic in the *City of Twin Falls Employee Handbook*.

Fitness For Duty

1003.1 PURPOSE AND SCOPE

All officers are required to be free from any physical, emotional, or mental condition which might adversely affect the exercise of peace officer powers. The purpose of this policy is to ensure that all officers of this department remain fit for duty and able to perform their job functions.

A department member's physical, psychological and emotional fitness for duty is an essential element for effective business practices. The work performed by police officers requires a level of physical fitness. The physical demands of the essential job functions may be infrequent, but when an officer is in a situation that requires physical readiness, the inability to perform can have disastrous consequences for the public, the individual officer, his work partner and the agency itself. The ability of each officer to perform those functions is affected by exercise, diet, tobacco usage, substance abuse, stress management, and weight control.

The goal of this policy is to reduce sick time, reduce preventable injuries and health problems that benefit the sworn officer and reduce Worker's Compensation claims.

PERSI Return to Work Policy

1004.1 PURPOSE

To establish a procedure in accordance with Idaho Code 59-1356, permitting and allowing for the reemployment of public safety employees who have retired as a Public Employees Retirement System of Idaho (PERSI) government employee in good standing with the Twin Falls Police Department. The decision whether to rehire a retiree under this policy rests in the sole discretion of the City of Twin Falls. Pursuant to Idaho Code 59-1356, the eligible retiree may return to work fulltime and during the reemployment period, the retiree may elect to continue to receive retirement benefits and not accrue additional service.

1004.2 ELIGIBILITY

No employee will be provided with a guarantee of reemployment at the time of his or her retirement, nor shall the City make any prearrangement for the employee's return to work following retirement. All public safety eligible retirees must be separated from the City of Twin Falls for a minimum of 30 calendar days. After the retiree has received PERSI benefits, they may express their desire to explore reemployment options by submitting a written request.

Any retiree seeking re-employment acknowledges:

- (a) That the City has made no guarantee of being rehired, including being rehired at a previously held rank, designation of any special assignment, or to receive any assignment or specialty pay upon rehire.
- (b) That the employee has not made any prearrangement with the City to return to work after retirement.
- (c) That they will be ineligible for any hiring bonuses offered by the City of Twin Falls.
- (d) They will lose any seniority and longevity pay in the organization.
- (e) That they will also be placed at the entry level for the City of Twin Falls' tenure-based vacation and medical leave accrual program.

1004.3 PROCESS

If a police officer retires in good standing from the Twin Falls Police Department through PERSI and later decides to reapply for employment at the Twin Falls Police Department, and applies within 45 days of their termination date in accordance with all of the provisions of Idaho Code 59-1356, **they may be placed back into the rank, wage and assignment they held upon retirement.**

While due consideration of any active promotional or transfer lists at the time of rehire should be given, this decision will be at the discretion of the department head.

The retired employee will need to notify the department head in writing of their intent to return to work in their previous rank, position and/or assignment. The retired employee must pass background steps as determined by the City of Twin Falls.

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PERSI Return to Work Policy

Any eligible employee who retires and decides to return to the organization after 45 days of retirement, must apply via the City of Twin Falls application process. On a case-by-case basis, the City of Twin Falls will determine what portions of the established hiring processes will be required to be completed prior to reemployment. A retired employee falling in this category **will not be eligible to return to a previously held rank, special assignment, or receive assignment or specialty pay.**

Grievance Procedure

1006.1 PURPOSE AND SCOPE

Refer to the Twin Falls Personnel Policy Section governing this topic. Employees may choose to have legal representation.

Reporting of Employee Charges and Convictions

1010.1 PURPOSE AND SCOPE

Charges or convictions of certain offenses may restrict or prohibit an employee's ability to properly perform official duties; therefore, all employees shall be required to promptly notify this department of any criminal charges or convictions.

1010.2 DOMESTIC VIOLENCE CONVICTIONS AND RESTRAINING ORDERS

Idaho and federal law prohibit individuals convicted of certain offenses and individuals subject to certain court orders from lawfully possessing a firearm.

Such convictions and court orders often involve allegations of the use or attempted use of force or threatened use of a weapon on any individual in a domestic relationship (e.g., spouse, cohabitant, parent, child) (18 USC § 922; Idaho Code 18-3316).

All members are responsible for ensuring that they have not been disqualified from possessing a firearm by any such conviction or court order and shall promptly report any such conviction or court order to a supervisor, as provided in this policy.

1010.3 REPORTING PROCEDURE

All members of this department and all retired officers with an identification card issued by the endorsement Department shall promptly notify their immediate supervisor (or the Chief of Police in the case of retired officers) in writing of any past or current criminal arrest or conviction regardless of whether or not the matter is currently on appeal and regardless of the penalty or sentence, if any.

All members and all retired officers with an identification card issued by the endorsement Department shall further promptly notify their immediate supervisor (or the Chief of Police in the case of retired officers) in writing if the member or retiree becomes the subject of a domestic violence restraining order or similar court order.

Any member whose criminal conviction unduly restricts or prohibits that member from fully and properly performing his/her duties may be disciplined including, but not limited to, being placed on administrative leave, reassignment and/or termination.

Any member failing to provide prompt written notice pursuant to this policy shall be subject to discipline.

1010.3.1 NOTIFICATION REQUIREMENTS

Any officer of this department facing a current felony or misdemeanor charge shall notify his/her supervisor within five business days of learning of the charge. The Chief of Police shall notify the Peace Officer Standards and Training (POST) Division Administrator within 14 days of learning of the charge (IDAPA 11.11.01.110.03).

Alcohol and Drug Use

1012.1 PURPOSE AND SCOPE

The purpose of this policy is to establish clear and uniform guidelines regarding drugs and alcohol in the workplace.

1012.2 POLICY

It is the policy of this department to provide a drug- and alcohol-free workplace for all members.

1012.3 GENERAL GUIDELINES

Alcohol and drug use in the workplace or on department time can endanger the health and safety of department members and the public. Such use shall not be tolerated (41 USC § 8103).

Members who have consumed an amount of an alcoholic beverage or taken any medication, or combination thereof, that would tend to adversely affect their mental or physical abilities shall not report for duty. Affected members shall notify the Shift Supervisor or appropriate supervisor as soon as the member is aware that he/she will not be able to report to work. If the member is unable to make the notification, every effort should be made to have a representative contact the supervisor in a timely manner. If the member is adversely affected while on-duty, he/she shall be immediately removed and released from work (see Work Restrictions in this policy).

1012.3.1 USE OF MEDICATIONS

Members should avoid taking any medications that will impair their ability to safely and completely perform their duties. Any member who is medically required or has a need to take any such medication shall report that need to his/her immediate supervisor prior to commencing any on-duty status.

No member shall be permitted to work or drive a vehicle owned or leased by the Department while taking any medication that has the potential to impair his/her abilities, without a written release from his/her physician.

1012.4 MEMBER RESPONSIBILITIES

Members shall report for work in an appropriate mental and physical condition. Members are prohibited from purchasing, manufacturing, distributing, dispensing, possessing or using controlled substances or alcohol on department premises or on department time (41 USC § 8103). The lawful possession or use of prescribed medications or over-the-counter remedies is excluded from this prohibition.

Members who are authorized to consume alcohol as part of a special assignment shall not do so to the extent of impairing on-duty performance.

Members shall notify a supervisor immediately if they observe behavior or other evidence that they believe demonstrates that a fellow member poses a risk to the health and safety of the member or others due to drug or alcohol use.

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Alcohol and Drug Use

Members are required to notify their immediate supervisors of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction (41 USC § 8103).

1012.5 EMPLOYEE ASSISTANCE PROGRAM

There may be available a voluntary employee assistance program to assist those who wish to seek help for alcohol and drug problems (41 USC § 8103). Insurance coverage that provides treatment for drug and alcohol abuse also may be available. Employees should contact the Department of Human Resources, their insurance providers or the employee assistance program for additional information. It is the responsibility of each employee to seek assistance before alcohol or drug problems lead to performance problems.

1012.6 WORK RESTRICTIONS

If a member informs a supervisor that he/she has consumed any alcohol, drug or medication that could interfere with a safe and efficient job performance, the member may be required to obtain clearance from his/her physician before continuing to work.

If the supervisor reasonably believes, based on objective facts, that a member is impaired by the consumption of alcohol or other drugs, the supervisor shall prevent the member from continuing work and shall ensure that he/she is safely transported away from the Department.

1012.7 REQUESTING SCREENING TESTS

A supervisor may request an employee to submit to a screening test if (Idaho Code 72-1705):

- (a) The supervisor reasonably believes, based upon objective facts, that the employee is under the influence of alcohol or drugs that are impairing his/her ability to perform duties safely and efficiently.
- (b) The employee discharges a firearm, other than by accident, in the performance of his/her duties.
- (c) There is a need for a confirmatory or follow-up test in the event of a positive or inconclusive result.
- (d) Random testing is conducted.
- (e) A baseline needs to be determined.
- (f) Needed prior to a return to duty.

Any drug or alcohol testing of employees shall be deemed work time for the purpose of compensation. All costs related to screening tests shall be paid by the Department (Idaho Code 72-1703).

1012.7.1 SUPERVISOR RESPONSIBILITY

The supervisor shall prepare a written record documenting the specific facts that led to the decision to request the test, and shall inform the employee in writing of the following:

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- (a) The test will be given to detect either alcohol or drugs, or both.
- (b) The result of the test is not admissible in any criminal proceeding against the employee.
- (c) The employee may refuse the test, but refusal may result in dismissal or other disciplinary action.

1012.7.2 SCREENING TEST REFUSAL

An employee may be subject to disciplinary action, including termination, if he/she:

- (a) Fails or refuses to submit to a screening test as requested (Idaho Code 72-1708).
- (b) After taking a screening test that indicates the presence of a controlled substance, fails to provide proof, within 72 hours after being requested, that he/she took the controlled substance as directed, pursuant to a current and lawful prescription issued in his/her name.
- (c) Violates any provisions of this policy (Idaho Code 72-1705).

1012.7.3 SCREENING TEST REQUIREMENTS

All screening tests for drugs or alcohol shall comply with the standards set forth in Idaho Code 72-1704.

1012.7.4 SCREENING TEST RESULTS

Employees, or prospective employees, who test positive for drugs or alcohol shall be given written notice of the test result, including the type of substance involved. The employee must also be given the opportunity to have the positive test result explained by a medical review officer or other qualified person (Idaho Code 72-1706(1)).

An employee, or a prospective employee, with a positive test result may request that the same sample be retested by a mutually agreed upon laboratory. The retest must be done within seven working days from the date of the first confirmed positive notification (Idaho Code 72-1706(2)).

1012.8 COMPLIANCE WITH THE DRUG-FREE WORKPLACE ACT

No later than 30 days following notice of any drug statute conviction for a violation occurring in the workplace involving a member, the Department will take appropriate disciplinary action, up to and including dismissal, and/or requiring the member to satisfactorily participate in a drug abuse assistance or rehabilitation program (41 USC § 8104).

1012.9 CONFIDENTIALITY

The Department recognizes the confidentiality and privacy due to its members. Disclosure of any information relating to substance abuse treatment, except on a need-to-know basis, shall only be with the express written consent of the member involved or pursuant to lawful process.

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The written results of any screening tests and all documents generated by the employee assistance program are considered confidential medical records and shall be maintained separately from the employee's other personnel files.

Sick Leave Reporting

1014.1 PURPOSE AND SCOPE

The management of sick leave reporting and minimum staffing levels.

1014.2 COMMUNICATION WITH SUPERVISOR

In order to ensure proper customer service and timely completion of critical work, it is imperative that we maintain constant communication between officers, detectives, Supervisors and Divisions. Based on this need, the following procedures will be implemented to oversee all Leave Requests for Vacation Time and Sick Time:

1014.2.1 VACATION REQUESTS

Employees will complete a leave request form and submit it to the immediate Staff Sergeant or Supervisor for approval prior to the vacation time being requested.

1014.2.2 SICK LEAVE NOTIFICATION

In the event an employee must use sick leave, it will be the responsibility of the employee to make direct contact with his/her immediate Staff Sergeant, Supervisor or Divisional Captain by phone or via his/her work cellular phone if one has been issued. Contact with one's Staff Sergeant or Supervisor shall take place at least one hour prior to the beginning of the shift that will be missed. Unless seeking medical treatment, it is imperative that the employee remain available to a working telephone number so that he or she can be contacted by his/her Supervisor during the missed shift. This is necessary to ensure that urgent work on pending cases, new cases, call load and calls for service are handled in a timely manner and scheduling for current and future staffing needs can be addressed during the employee's absence.

Communicable Diseases

1016.1 PURPOSE AND SCOPE

This policy provides general guidelines to assist in minimizing the risk of department members contracting and/or spreading communicable diseases.

1016.1.1 DEFINITIONS

Definitions related to this policy include:

Communicable disease - A human disease caused by microorganisms that are present in and transmissible through human blood, bodily fluid, tissue, or by breathing or coughing. These diseases commonly include, but are not limited to, Acquired Immune Deficiency Syndrome (AIDS), hepatitis B virus (HBV), HIV, and tuberculosis.

Exposure - When an eye, mouth, mucous membrane or non-intact skin comes into contact with blood or other potentially infectious materials, or when these substances are injected or infused under the skin; when an individual is exposed to a person who has a disease that can be passed through the air by talking, sneezing or coughing (e.g., tuberculosis), or the individual is in an area that was occupied by such a person. Exposure only includes those instances that occur due to a member's position at the Twin Falls Police Department. (See the exposure control plan for further details to assist in identifying whether an exposure has occurred.)

1016.2 POLICY

The Twin Falls Police Department is committed to providing a safe work environment for its members. Members should be aware that they are ultimately responsible for their own health and safety.

1016.3 EXPOSURE CONTROL OFFICER

The Chief of Police will assign a person as the Exposure Control Officer (ECO). The ECO shall develop an exposure control plan that includes:

- (a) Exposure-prevention and decontamination procedures.
- (b) Procedures for when and how to obtain medical attention in the event of an exposure or suspected exposure.
- (c) The provision that department members will have no-cost access to the appropriate personal protective equipment (PPE) (e.g., gloves, face masks, eye protection, pocket masks) for each member's position and risk of exposure.
- (d) Evaluation of persons in custody for any exposure risk and measures to separate them.
- (e) Compliance with all relevant laws or regulations related to communicable diseases, including:
 - 1. Responding to requests and notifications regarding exposures covered under the Ryan White CARE Act (42 USC § 300ff-133; 42 USC § 300ff-136).

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2. Bloodborne pathogen mandates (29 CFR 1910.1030; IDAPA 07.04.01.011.02).
3. Tuberculosis mandates (IGSHS 331.01 et seq.).
4. Reporting communicable diseases or member exposures to the Department of Health and Welfare (Idaho Code 39-602; Idaho Code 39-610; IDAPA 16.02.10.065).

The ECO should also act as the liaison with the Idaho Division of Building Safety and may request voluntary compliance inspections. The ECO should review and update the exposure control plan annually and review implementation of the plan.

1016.4 EXPOSURE PREVENTION AND MITIGATION

1016.4.1 GENERAL PRECAUTIONS

All members are expected to use good judgment and follow training and procedures related to mitigating the risks associated with communicable disease. This includes, but is not limited to:

- (a) Stocking disposable gloves, antiseptic hand cleanser, CPR masks or other specialized equipment in the work area or department vehicles, as applicable.
- (b) Wearing department-approved disposable gloves when contact with blood, other potentially infectious materials, mucous membranes and non-intact skin can be reasonably anticipated.
- (c) Washing hands immediately or as soon as feasible after removal of gloves or other PPE.
- (d) Treating all human blood and bodily fluids/tissue as if it is known to be infectious for a communicable disease.
- (e) Using an appropriate barrier device when providing CPR.
- (f) Using a face mask or shield if it is reasonable to anticipate an exposure to an airborne transmissible disease.
- (g) Decontaminating non-disposable equipment (e.g., flashlight, control devices, clothing and portable radio) as soon as possible if the equipment is a potential source of exposure.
 1. Clothing that has been contaminated by blood or other potentially infectious materials shall be removed immediately or as soon as feasible and stored/decontaminated appropriately.
- (h) Handling all sharps and items that cut or puncture (e.g., needles, broken glass, razors, knives) cautiously and using puncture-resistant containers for their storage and/or transportation.
- (i) Avoiding eating, drinking, smoking, applying cosmetics or lip balm, or handling contact lenses where there is a reasonable likelihood of exposure.
- (j) Disposing of biohazardous waste appropriately or labeling biohazardous material properly when it is stored.

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1016.4.2 IMMUNIZATIONS

Members who could be exposed to HBV due to their positions may receive the HBV vaccine and any routine booster at no cost.

1016.5 POST EXPOSURE

1016.5.1 INITIAL POST-EXPOSURE STEPS

Members who experience an exposure or suspected exposure shall:

- (a) Begin decontamination procedures immediately (e.g., wash hands and any other skin with soap and water, flush mucous membranes with water).
- (b) Obtain medical attention as appropriate.
- (c) Notify a supervisor as soon as practicable.

1016.5.2 REPORTING REQUIREMENTS

The supervisor on-duty shall investigate every exposure or suspected exposure that occurs as soon as possible following the incident. The supervisor shall ensure the following information is documented:

- (a) Name of the member exposed
- (b) Date and time of the incident
- (c) Location of the incident
- (d) Potentially infectious materials involved and the source of exposure (e.g., identification of the person who may have been the source)
- (e) Work being done during exposure
- (f) How the incident occurred or was caused
- (g) PPE in use at the time of the incident
- (h) Actions taken post-event (e.g., clean-up, notifications)

The supervisor shall advise the member that disclosing the identity and/or infectious status of a source to the public or to anyone who is not involved in the follow-up process is prohibited. The supervisor should complete the incident documentation in conjunction with other reporting requirements that may apply (see the Occupational Disease and Work-Related Injury Reporting and Illness and Injury Prevention policies).

1016.5.3 MEDICAL CONSULTATION, EVALUATION AND TREATMENT

Department members shall have the opportunity to have a confidential medical evaluation immediately after an exposure and follow-up evaluations as necessary.

The ECO should request a written opinion/evaluation from the treating medical professional that contains only the following information:

- (a) Whether the member has been informed of the results of the evaluation.

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- (b) Whether the member has been notified of any medical conditions resulting from exposure to blood or other potentially infectious materials which require further evaluation or treatment.

No other information should be requested or accepted by the ECO.

1016.5.4 COUNSELING

The Department shall provide the member, and his/her family if necessary, the opportunity for counseling and consultation regarding the exposure.

1016.5.5 SOURCE TESTING

Testing a person for communicable diseases when that person was the source of an exposure should be done when it is desired by the exposed member or when it is otherwise appropriate. Source testing is the responsibility of the ECO. If the ECO is unavailable to seek timely testing of the source, it is the responsibility of the exposed member's supervisor to ensure testing is sought.

Source testing may be achieved by:

- (a) Obtaining consent from the individual.
- (b) Contacting the Department of Health and Welfare (DHW) to provide information regarding the circumstances of the exposure and to request that DHW issue an order for the source individual to report for an examination. As a result of the examination, a licensed physician may order testing (IDAPA 16.02.10.060; IDAPA 16.02.10.065).
- (c) Complying with the requirements of Idaho Code 39-604 if the person has been arrested and confined at the Twin Falls Police Department.

Under certain circumstances, if the member qualifies as a crime victim, a court may order the result of any source testing to be disclosed to the exposed member (Idaho Code 39-604).

Since there is the potential for overlap between the different manners in which source testing may occur, the ECO is responsible for coordinating the testing to prevent unnecessary or duplicate testing.

The ECO should seek the consent of the individual for testing and consult the City Attorney to discuss other options when no statute exists for compelling the source of an exposure to undergo testing if he/she refuses.

1016.6 CONFIDENTIALITY OF REPORTS

Medical information shall remain in confidential files and shall not be disclosed to anyone without the member's written consent (except as required by law). Test results from persons who may have been the source of an exposure are to be kept confidential as well.

1016.7 TRAINING

All members shall participate in training regarding communicable diseases commensurate with the requirements of their position. The training:

- (a) Should be provided at the time of initial assignment to tasks where an occupational exposure may take place and at least annually after the initial training.

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- (b) Should be provided whenever the member is assigned new tasks or procedures affecting his/her potential exposure to communicable disease.
- (c) Should provide guidance on what constitutes an exposure, what steps can be taken to avoid an exposure, and what steps should be taken if a suspected exposure occurs.

Smoking Policy

1018.1 PURPOSE AND SCOPE

This policy establishes limitations on tobacco smoking by employees and others while on-duty or while in Twin Falls Police Department facilities or vehicles.

1018.2 POLICY

Smoking tobacco is not permitted inside facilities or any vehicle owned or operated by this department. It shall also be the responsibility of all employees to ensure that no person smokes inside facilities and vehicles owned or operated by this department.

Employees are also prohibited from smoking or using tobacco products while engaging the public and/or on a call for service.

1018.3 EMPLOYEE USE

Tobacco smoking by employees is prohibited anytime employees are in public view representing the Department.

Smoking is not permitted inside any City facility, office or vehicle.

It shall be the responsibility of each employee to ensure that no person under his/her supervision smokes tobacco inside City facilities and vehicles.

Office of Professional Standards and Complaint Procedures

1020.1 PURPOSE AND SCOPE

This policy provides guidelines for reporting, investigation and disposition of complaints regarding services provided by the Twin Falls Police department and the conduct of employees. The intent of this policy is to provide an internal system where objective, fairness, and justice are assured by intensive and impartial investigation of personnel complaints. Except where otherwise provided, this policy shall apply to all members of the Twin Falls Police Department to ensure that the integrity of the Twin Falls Police Department is maintained.

1020.1.1 POLICY

It is the policy of the Twin Falls Police Department to ensure that the community we serve can report misconduct without concern for reprisal or retaliation. The Twin Falls Police Department will accept and address all complaints of employee misconduct in accordance with this policy and applicable federal, state and local law, as well as municipal and county rules.

The Twin Falls Police Department takes seriously all complaints regarding service provided by this department and the conduct of its employees. All allegations of employee misconduct shall be appropriately investigated and promptly adjudicated. All reports or accusations made against members of the Twin Falls Police Department or against the Twin Falls Police Department in general, from all sources, including anonymous sources, shall be completely investigated in order to insure the integrity of the Twin Falls Police Department and its members.

1020.1.2 PERSONNEL COMPLAINT DEFINED

Personnel complaints consist of any allegation of misconduct or improper job performance against any employee of this department that, if true, would constitute a violation of the policy of this department, federal, state or local law, policy or rule. Allegations or complaints may be generated internally or by the public.

Inquiries about employee conduct which, even if true, would not violate a department policy or a federal, state or local law, policy or rule may be handled informally by a department supervisor and shall not be considered a personnel complaint. Such inquiries generally include clarification regarding policy, procedures or the department's response to specific incidents.

1020.2 AVAILABILITY AND ACCEPTANCE OF COMPLAINTS

The Office of Professional Standards (OPS) will have the responsibility of investigating the backgrounds of applicants for employment at the City of Twin Falls Police Department and allegations of misconduct against Twin Falls Police Department Personnel. OPS will also act as the public information resource for Twin Falls Police Department. OPS will be the media point of contact and will coordinate the proper office with media for press releases and updates. OPS will monitor Twin Falls Police Department social network sites to provide up to date information to the public. Personnel assigned to OPS shall answer directly to the Administrative Services Division

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Lieutenant, who will answer directly to the Administrative Services Division Captain. The Chief of Police may order OPS to report directly to his/her office in special circumstances.

1020.2.1 AVAILABILITY OF COMPLAINT FORMS

Personnel complaint forms will be maintained in a clearly visible location in the public lobby of department facilities and on the Twin Falls Police Department website. Forms may also be available at other government facilities. Personnel complaint forms in languages other than English may also be provided as necessary or practicable.

1020.2.2 SOURCE OF COMPLAINTS

- (a) Members of the public may make complaints in writing, by e-mail, in person or by telephone.
- (b) Any employee of this department who becomes aware of alleged misconduct shall immediately notify a supervisor.
- (c) Supervisors shall initiate a complaint based upon observed misconduct or receipt from any source alleging misconduct which, if true, could result in disciplinary action.
- (d) Anonymous and third-party complaints should be accepted and investigated to the extent that sufficient information is provided.

1020.2.3 ACCEPTANCE OF COMPLAINTS

All complaints will be courteously accepted by any employee and promptly given to the appropriate supervisor. Although written complaints are preferred, e-mail and verbal complaints will be accepted by any supervisor. If a supervisor is not immediately available to take a verbal complaint, the receiving employee shall obtain contact information sufficient for the supervisor to contact the complainant. The supervisor, upon contact of the complainant, shall complete and submit the personnel complaint form as appropriate.

Although not required, complainants should be encouraged to file complaints in person so that proper identification, signatures, photographs or physical evidence may be obtained as necessary.

If the complainant is intoxicated to the point where his/her credibility appears to be unreliable, identifying information should be obtained and the person should be provided with a personnel complaint form to be completed and submitted at a later time. However, if an intoxicated person insists on filing a complaint, the complaint shall be taken and properly processed.

Depending on the urgency and seriousness of the allegations involved, complaints from juveniles should generally be taken only with their parents or guardians present and after the parents or guardians have been informed of the circumstances prompting the complaint.

1020.2.4 COMPLAINT DOCUMENTATION

Complaints - This term shall include all criticism, derogatory observations and complaints about the department and department personnel. It does not encompass mere inquiries into why an action was taken. Complaints shall be designated either Formal or Informal.

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- **Formal Complaints** - Those presented by any person in writing or which are reduced to writing by the receiving officer or supervisor and which are accompanied by the complaining party's intention to be advised of the determination of the investigation.
- **Informal Complaints** - Those received anonymously or by telephone and which are not accompanied by an intent of the complaining party to be advised of the determination of any investigation.
- Complaints shall be classified in two types as follows:
 - **Type I** - To include: more serious allegations such as excessive force, violating criminal law, violating civil rights, patterns of Type II complaints and other more serious violations.
 - **Type II** - To include: less serious allegations of inadequate service, rudeness, noncriminal conduct, minor performance issues and improper procedure.
- **Inquiry** - This refers to actual inquiries or to statements which initially appeared to be complaints but were subsequently found to be based on a misunderstanding by the complaining party and which the complaining party withdraws during discussion of the matter with a supervisor.
 - **Explained** - This term refers to the disposition of an inquiry, which initially appeared to be, but is not in fact, a complaint. The term is not to be used to indicate the disposition of a complaint.

Complaints of alleged misconduct should be documented on a Citizen Complaint form. If the complainant is unable to complete the form due to physical, educational or other acceptable reason, the supervisor shall complete the form on their behalf. The supervisor shall ensure that the nature of the complaint is defined as clearly as possible. The complainant should be encouraged to sign their complaint prior to it being submitted to the supervisor. Supervisors shall accept complaints filed, even when the complainant refuses to sign the complaint form.

When a Citizen Complaint form is completed in person, the complainant should legibly write a detailed narrative of his/her complaint. If circumstances indicate that this is not feasible, the complaint may be dictated to the receiving supervisor. In an effort to ensure accuracy in any complaint, it is recommended that a recorded statement be obtained from the reporting party. A refusal by a party to be recorded shall not alone be grounds to refuse to accept a complaint. Whether handwritten or dictated, the complainant's signature should be obtained at the conclusion of the statement. The complainant should be provided with a copy of his/her own original complaint.

1020.3 INITIAL SUPERVISOR RESPONSIBILITY

A supervisor who becomes aware of alleged misconduct or receives a complaint shall take reasonable steps to prevent aggravation of the situation. In general, the primary responsibility for the investigation of a personnel complaint shall rest with the employee's immediate supervisor, unless the supervisor was involved in or witnessed the alleged incident. The Chief of Police or authorized designee may, however, direct that another supervisor conduct the investigation.

Supervisors shall be responsible for the following:

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(a) A supervisor receiving a complaint involving allegations of a potentially serious nature shall ensure that the Shift Commander, Lieutenant, Captain and Chief of Police are notified as soon as practicable. An entry of the complaint into Blue Team shall be completed before the end of the supervisor's tour of duty.

(b) A supervisor receiving or initiating any complaint shall ensure that a personnel complaint form has been completed as fully as possible. The original complaint form will then be directed to the Divisional Lieutenant of the accused employee via Blue Team and copied to other supervisory staff within the accused employee's chain of command via Blue Team. The accused employee's Divisional Lieutenant will forward a copy of the complaint to the Administrative Staff, take any appropriate action, and/or forward the complaint to the Office of Professional Standards for further action.

1. During the preliminary investigation of any complaint, the supervisor should make every reasonable effort to obtain names, addresses and telephone numbers of additional witnesses.
2. When appropriate, immediate medical attention should be provided and photographs of alleged injuries as well as accessible areas of non-injury should be taken.
3. In circumstances where the integrity of the investigation could be jeopardized by reducing the complaint to writing or where the confidentiality of a complainant is at issue, a supervisor shall orally report the matter to the employee's Captain or the Chief of Police, who will initiate appropriate action.

(c) A supervisor dealing with an accused employee shall ensure that the procedural rights of the employee are followed pursuant to this policy (1020.6) as well as state and federal law.

(d) When the nature of a personnel complaint relates to sexual, racial, ethnic, or other forms of prohibited harassment or discrimination, the supervisor receiving the complaint shall promptly contact the Department of Human Resources and the Chief of Police for direction regarding his/her role in investigation and/or addressing the complaint.

(e) The complainant should be informed by the assigned investigator of the handling investigator's name and the status of the investigation into the complaint within three days after receiving the assignment.

1020.4 ASSIGNMENT TO ADMINISTRATIVE LEAVE

When a complaint of misconduct is of a serious nature or when circumstances practically dictate that it would impose an unreasonable risk to the Department, the employee, other employees or the public, a supervisor may temporarily assign the accused employee to administrative leave pending completion of any investigation. The supervisor shall notify the Divisional Lieutenant, Divisional Captain, and Chief of Police prior to placing an employee on administrative leave.

1020.4.1 ADMINISTRATIVE LEAVE

An employee placed on administrative leave may be subject to the following guidelines:

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- (a) May continue to receive regular pay and benefits pending the imposition of any discipline.
- (b) May be required by a supervisor to relinquish any badge, department identification, assigned weapon and other department equipment.
- (c) May be ordered to refrain from taking any action as an employee of this department or in an official capacity. The employee shall be required to continue to comply with all policies and lawful orders of a supervisor.
- (d) May be temporarily reassigned to a different shift, generally normal business hours, during the pendency of the investigation. The employee may be required to remain available for contact at all times during such shift and report as ordered. It shall be the responsibility of the assigning supervisor to promptly notify the employee's Divisional Lieutenant, Captain and the Chief of Police.
- (e) At such time as any employee placed on administrative leave is returned to full and regular duty, the employee shall have all badges, identification card and other equipment returned.

1020.5 ALLEGATIONS OF CRIMINAL CONDUCT

Where an employee of this department is accused of potential criminal conduct, a separate supervisor or assigned detective shall be assigned to investigate the criminal allegations apart from any administrative investigation. Any separate administrative investigation may parallel a criminal investigation and/or any prosecution.

The Chief of Police shall be notified as soon as practicable when an employee is formally accused of criminal conduct. In the event of serious criminal allegations, the Chief of Police may request a criminal investigation by an outside law enforcement or prosecutorial agency be conducted parallel to the administrative investigation.

An employee accused of criminal conduct shall be provided with all rights and privileges afforded to a civilian under the state and federal constitutions. The employee may not be administratively ordered to provide any information to a criminal investigator.

No information or evidence administratively coerced from an employee may be provided to a criminal investigator.

Any law enforcement agency is authorized to release limited information concerning the arrest or detention of a peace officer that has not led to a conviction. However, no disciplinary action shall be taken against the accused employee based solely on an arrest or crime report. An independent administrative investigation shall be conducted based upon the allegations in the report in accordance with department policy.

1020.5.1 INTERVIEW OF COMPLAINANT

Parties making a complaint shall be interviewed in private by the investigating Supervisor and a written statement taken when possible. They shall not be required to explain their complaint in the presence of other Officers.

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1020.5.2 INTERVIEW OF EMPLOYEES

Members who have been or may have been involved in the complaint shall be notified and/or interviewed as promptly as possible. Explanations for the inquiries need not be given, except in the case of the member accused of misconduct.

1020.5.3 REPORTING

As soon as the Supervisor who received the complaint has completed the interview of the complainant and of involved member, he/she will conduct any follow-up investigation promptly.

- (a) Complaints not involving criminal conduct will normally be reported on a Twin Falls Police Department Citizen's Complaint Form.
- (b) When the complaint involves possible criminal conduct (see 1020.5 above) and upon authorization of the appropriate Divisional Captain, the incident may be assigned a case number and reported on the appropriate crime report form, with a "Restricted" designation utilized in the Records Bureau.
- (c) The Division Lieutenant shall review the initial investigative report and shall determine if further investigation is required. He/she shall make assignments for this purpose as may be required and shall establish procedures to ensure prompt investigation and return of the completed documentation. In exceptional situations, the Divisional Captain of the accused member may elect to outsource the investigation to the Office of Professional Standards and/or request an outside agency to assist or take charge of the investigation. The assignment of an investigator outside the accused member's division or Department should be done with the approval of the Chief of Police.
- (d) Professional Standards shall review the finalized and submitted investigation and shall determine if the investigation is ready to be submitted to Command Staff for disposition.

1020.6 ADMINISTRATIVE INVESTIGATION OF AN EMPLOYEE

Investigating Supervisors have the discretion and authority to report any complaint directly to the Chief of Police.

Investigations of a minor nature may be assigned to the employee's supervisor, provided the supervisor was not involved as a witness or was an alleged participant in the incident. More serious complaints will be assigned to the Office of Professional Standards for investigation. Whether conducted by a supervisor or an assigned member of the Office of Professional Standards, the following procedures shall be followed with regard to the accused employee:

(a) The investigator should not be a person who is the complainant, the ultimate decision maker regarding disciplinary action or a person who has any personal involvement regarding the alleged misconduct.

(b) Not less than 48 hours before an investigator begins an interview to obtain facts and statements, the Department should provide the accused employee with:

1. The name and rank of the officer in charge of the investigation and the officers who will conduct any interviews.

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2. The date, time and place of the interview and the names of all who will be present.
 3. A written summary of the alleged misconduct and a description of the nature of the investigation.
- (c) Interviews of accused employees should be conducted during reasonable work hours of the employee unless the seriousness of the investigation requires otherwise and, if the employee is off-duty, the employee shall be compensated.
- (d) Off-duty interviews should only be conducted based on the seriousness of the investigation and other factors when time is of the essence.
- (e) An investigator should not interview an officer at that person's home without the officer's prior permission.
- (f) No more than two interviewers should ask questions of an accused employee to prevent confusion or misunderstandings.
- (g) All interviews shall be for a reasonable period of time and the employee's personal needs shall be accommodated.
- (h) The member may be accompanied by no more than two representatives of his/her choice provided the presence of a particular representative does not unreasonably delay a scheduled interview or interrogation. Representatives may not be involved in the alleged incident. In such event, an alternate representative must be obtained.
- (i) No employee shall be subjected to offensive or threatening language, nor shall any promises, rewards or other inducements be used to obtain answers. Any employee refusing to answer questions directly related to the investigation may be ordered to answer questions administratively or be subject to discipline for insubordination. Nothing administratively ordered may be provided to a criminal investigator.
- (j) Absent circumstances preventing it, the interviewer should record all interviews of employees and witnesses. The employee may also record the interviews. If the employee has been previously interviewed, a copy of that recorded interview should be provided to the employee prior to any subsequent interview if requested.
- (k) If the allegations involve potential criminal conduct, the employee shall be advised of his/ her constitutional rights. This admonishment shall be given administratively, regardless of whether the employee was advised of these rights during any separate criminal investigation.
- (l) No member under investigation shall be subjected to a visit by the media nor will the merits of the investigation be discussed by the Investigator or any Use of Force Board Members with the media.
- (m) No member shall be subjected to punitive action because of the exercise of privileges granted under this order or the exercise of any rights under the existing grievance procedures found the City of Twin Falls Resolution.

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(n) Exception: This Section (1020.6) shall not apply to any interrogation of a Police Officer in the normal course of duty, counseling, instruction, or informal verbal admonishment by, or other routine or unplanned contact with, a Supervisor or any other public safety office.

1020.6.1 WITHDRAWN COMPLAINTS

If the complainant withdraws his/her complaint or refuses to further cooperate with the administrative investigation, then the investigation may be closed as incomplete and assigned an appropriate disposition. However, if the nature of the allegations can be sufficiently determined without the assistance of the complainant, the investigation will proceed and be completed as normal and assigned an appropriate disposition.

1020.6.2 ADMINISTRATIVE SEARCHES

Employees shall have no expectation of privacy when using telephones, computers, radios or other communications provided by the Department.

Investigative searches of assigned lockers, storage spaces and all other assigned areas (e.g., desks, office space, assigned vehicles) shall only be conducted upon a reasonable suspicion that official misconduct is involved. A non-investigative administrative search (e.g., obtaining a needed report or radio) of such areas may be conducted any time that a supervisor deems it reasonable and necessary to conduct such a search. Personal property and containers located within such areas will generally remain subject to Fourth Amendment requirements and exceptions.

1020.6.3 ADMINISTRATIVE INVESTIGATION FORMAT

Investigations of personnel complaints shall be detailed, complete and essentially follow this format:

Synopsis - Provide a very brief summary of the facts giving rise to the investigation.

Allegations - List the allegations separately, including applicable policy sections.

Applicable Policy – cut and paste the applicable policy sections pertaining to the incident and allegations.

Investigation - Each allegation should be set forth with the details of the evidence applicable to each one, and should include comprehensive summaries of employee and witness statements. Other evidence related to each allegation should also be detailed in this section.

Findings - A recommendation regarding further action or disposition should be provided.

Exhibits - A separate list of exhibits (e.g., recordings, photos, documents) should be attached to the report if applicable.

1020.7 DISPOSITION OF PERSONNEL COMPLAINTS

Each allegation shall be classified with one of the following dispositions based on a finding of fact and considering the totality of circumstances:

Unfounded - When the investigation discloses that the alleged act did not occur or did not involve department personnel. Complaints that are determined to be frivolous will fall within the classification of unfounded.

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Exonerated - When the investigation discloses that the alleged act occurred, but that the act was justified, lawful and/or proper.

Not Sustained - When the investigation discloses that there is insufficient evidence to sustain the complaint or fully exonerate the employee.

Sustained - When the investigation discloses sufficient evidence to establish that the act occurred and that it constituted misconduct. Evidence in a sustained complaint will be evaluated by a preponderance of the factual evidence standard.

Policy Failure – When the actions of the member are not specifically governed by Twin Falls Police Department Policy but fall outside Twin Falls Police Department standards and expectations.

If an investigation discloses misconduct that was not alleged in the original complaint, the investigator shall take appropriate action with regard to any additional allegations.

If an investigation discloses improper job performance that was not alleged in the original complaint, the investigator shall take appropriate action with regard to any additional allegations, including referring the allegation to the employee's supervisor.

1020.8 COMPLETION OF INVESTIGATIONS

Every investigator or supervisor assigned to investigate a personnel complaint shall proceed with due diligence. Recognizing that factors such as witness availability and the complexity of allegations will affect each case, every effort should be made to complete each investigation and impose any disciplinary action within a reasonable period following receipt.

Investigations should be completed within three months of the date the Department becomes aware of the allegation. The Chief of Police may extend the investigative period to one year if the investigation reasonably requires such an extension.

Should additional time be required, a written request should be made to the Chief of Police, generally 30 days before the end of the period, requesting an extension. A request for extension should include the reason for the request and the completion date requested. Such a request must be approved by the Chief of Police or the authorized designee in writing and a copy provided to the accused employee. All such requests for extension shall be made part of the investigative file.

Notwithstanding the one-year time period, an investigation may be extended or reopened against an employee if significant new evidence is discovered that is likely to affect the outcome of the investigation and one of the following conditions exist:

- (a) The evidence could not reasonably have been discovered in the normal course of investigation without resorting to extraordinary measures by the agency.
- (b) The evidence resulted from the employee's pre-disciplinary response or process.

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If the nature of the allegations dictate that confidentiality is necessary to maintain the integrity of the investigation, the involved employee need not be notified of the pending investigation unless and until the employee is interviewed or formally charged.

1020.8.1 CONFIDENTIALITY OF PERSONNEL FILES

Generally, investigations of personnel complaints are confidential and protected employee personnel files, the contents of which shall not be revealed to anyone other than the involved employee or authorized personnel, except pursuant to lawful process.

In the event that an accused employee, or the representative of such employee, knowingly makes false representations regarding any internal investigation and such false representations are communicated publicly, the Department may disclose sufficient information from the employee's personnel file to refute such false representations.

The investigative file and report shall be securely maintained by the Office of Professional Standards through IA Pro software for the period required by the Department's record retention schedule.

1020.8.2 POST-INVESTIGATION PROCEDURES

Upon completion, the report should be forwarded to the Chief of Police through the chain of command of the involved employee. Each level of command should review and include their comments in writing before forwarding the report. The Chief of Police may accept or modify the classification and recommendation for disciplinary action contained in the report.

1020.8.3 OFFICE OF PROFESSIONAL STANDARDS KEEPING OF RECORDS AND EVIDENCE

Function - Upon completion of the citizen complaint or internal investigation, the investigative reports shall be filed by the Office of Professional Standards in IA Pro software. The Office of Professional Standards shall maintain all evidence, relating to citizen complaints and internal investigations. Exceptions

- Reports: All reports in the care of the Twin Falls Police Department Records Section shall remain in their control and care.
- Evidence: Evidence that is in the care of the Twin Falls Police Department Evidence Custodian shall remain in their control and care. This evidence shall not be disposed of without the authorization of the Chief of Police.
- The evidence and the property sheets for this evidence shall be marked with special stickers indicating that it is being held and is not to be destroyed without the authorization of the Chief of Police.

PROCEDURES:

A. Processing Evidence

- The internal investigator or supervisor conducting the investigation shall properly handle, mark/tag, and package all evidence with the following information:
 - Case Number

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- Date and time evidence was recovered
 - Type of investigation
 - Location evidence was recovered from
 - Description of evidence
 - Name of member collecting the evidence
 - Chain of custody
 - On citizen complaints the impounding or investigating officer shall turn over all statements, reports and evidence to the Office of Professional Standards via Blue Team upon completion of his/her investigation. Physical evidence shall remain in the property and evidence storage facility.
 - The Office of Professional Standards shall maintain custody of all statements, reports and evidence in a secure location until the completion of the citizen complaint or internal investigation, at which time it will be forwarded to Internal Affairs Archives within IA Pro software.
- B. Storage:
- The Office of Professional Standards shall maintain a log of all citizen complaint and internal investigations through the use of IA Pro and Blue Team software. This log shall also indicate the disposition and the location of the files. Upon completion of the investigation of the citizen complaint or internal investigation, the files will be placed with the evidence and maintained by the Office of Professional Standards.
- C. Access:
- The Chief of Police, Divisional Captains, Divisional Lieutenants and Office of Professional Standards are the only members authorized to access the secure storage where the archived records and evidence are filed.
- D. Inspections:
- The Chief of Police or Administrative Services Captain shall make an inspection of the secure storage on an annual basis. Unannounced inspections of the secure storage area shall be at the discretion of the Chief of Police or Administrative Services Captain.
- E. Disposal:
- All reports and evidence shall be retained five (5) years after separation and then destroyed subject to Administrative Review. This retention period shall not apply to cases where a death occurred. Retention of reports and evidence in those cases shall be indefinite.

1020.8.4 CAPTAIN RESPONSIBILITIES

Upon receipt of any completed personnel investigation, the Captain of the involved employee shall review the entire investigative file, the employee's personnel file and any other relevant materials. The Captain may make recommendations regarding the disposition of any allegations and the amount of discipline, if any, to be imposed.

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- (a) Prior to forwarding recommendations to the Chief of Police, the Captain may return the entire investigation to the assigned detective or supervisor for further investigation or action.
- (b) When forwarding any recommendation to the Chief of Police, the Captain shall include all relevant materials supporting the recommendation. Actual copies of an employee's existing personnel file need not be provided and may be incorporated by reference.

1020.8.5 RESPONSIBILITIES OF THE CHIEF OF POLICE

Upon receipt of any recommendation for disciplinary action, the Chief of Police shall review the recommendation and all accompanying materials. The Chief of Police may modify any recommendations and/or may return the file to the Captain for further investigation or action. Once the Chief of Police is satisfied that no further investigation or action is required by the staff, the Chief of Police or his/her designee, shall follow the disciplinary process as outlined in the City of Twin Falls Resolution.

Within 30 days of the final review by the Chief of Police, written notice of the findings should be sent to the complaining party. This notice should indicate the findings but will not disclose the amount of discipline, if any, that was imposed. Any complaining party who is not satisfied with the findings may contact the Department or the authorized designee to discuss the matter further. In the event disciplinary action is recommended, the Chief of Police shall provide the employee with written notice of the proposed discipline:

- (a) Specific charges set forth in separate counts, describing the conduct underlying each count.
- (b) A recommendation of proposed discipline.
- (c) A statement that the employee has been provided with or given access to all of the materials considered by the Chief of Police in recommending the proposed discipline.
- (d) An opportunity to respond orally or in writing to the Twin Falls City Manager and the Chief of Police within five days of receiving the notice.

Upon a showing of good cause by the employee, the Chief of Police may grant a reasonable extension of time for the employee to respond. If the employee elects to respond orally in a meeting with the Twin Falls City Manager and Chief of Police, the presentation shall be recorded by the Twin Falls Police Department. Upon request, the employee shall be provided with a copy of the recording. Once the employee has completed his/her response or, if the employee has elected to waive any such response, the Chief of Police shall consider all information received in regard to the recommended discipline. The Chief of Police shall thereafter render a timely written decision to the employee imposing, modifying or rejecting the recommended discipline. In the event of a termination, the final notice of discipline shall also inform the employee of the reasons for termination and the process to receive all remaining fringe and retirement benefits. The discipline shall become effective once the Chief of Police has issued a written decision.

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1020.9 EMPLOYEE RESPONSE

The pre-discipline process is intended to provide the accused employee with an opportunity to present a written or oral response to the Chief of Police and the Twin Falls City Manager after having had an opportunity to review the supporting materials and prior to the imposition of any recommended discipline. The employee shall consider the following:

- (a) This response is not intended to be an adversarial or formal hearing.
- (b) Although the employee may be represented by an uninvolved representative and/or legal counsel, the response is not designed to accommodate the presentation of testimony or witnesses.
- (c) The employee may suggest that further investigation be conducted or the employee may offer any additional information or mitigating factors for the Chief of Police to consider.
- (d) In the event that the Chief of Police elects to cause further investigation to be conducted, the employee shall be provided with the results of the subsequent investigation prior to the imposition of any discipline.
- (e) The employee may thereafter have the opportunity to further respond orally or in writing to the Chief of Police on the limited issues of information raised in any subsequent materials.

1020.10 POST-DISCIPLINE

1020.10.1 APPEAL PROCEDURES

Once discipline has been recommended by the Chief of Police, the employee may appeal the decision in accordance with the Twin Falls City Resolution.

1020.10.2 RESIGNATIONS PRIOR TO DISCIPLINE

In the event that an employee tenders a written resignation prior to the imposition of discipline, it shall be noted in the file. The tender of a resignation by itself shall not serve as grounds for the termination of any pending investigation or discipline.

1020.10.3 DISCIPLINARY ACTION AGAINST PROBATIONARY EMPLOYEES

In the event that a probationary employee is terminated solely for unsatisfactory performance or the failure to meet department standards, the employee shall have no right to appeal. Termination of a probationary employee for failure to pass probation shall be so reflected in the employee's personnel file.

At all times during any investigation of allegations of misconduct involving a probationary officer, such officer shall be afforded all procedural rights set forth in applicable department policies. In the event that a probationary employee is disciplined or terminated for misconduct, the employee shall only be entitled to appeal the decision in the same manner as set forth in the appeal procedure outlined within the Twin Falls City Resolution.

Nothing in this policy or procedure should be construed to establish any sort of property interest in or right to the employee's continuation of employment.

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1020.10.4 SUSTAINED COMPLAINTS

Before being placed in the employee's file, the employee will have an opportunity to read and sign the disposition letter and provide comment to the disposition of so desired. If the employee submits a written response, the response will be attached to the disposition letter. The employee will receive a copy of the disposition letter and the original will be placed in the investigative file.

If punitive action is taken, the employee or a representative authorized by the employee may, except as otherwise prohibited by federal or state law, review any administrative or investigative file maintained by the Department that relates to the investigation, including any recordings, notes, transcripts of interviews and documents.

Discipline resulting in a letter of counseling is the lowest level of discipline. The employee may request that letters of counseling be removed from their permanent file after one year from the date the discipline is imposed. The Chief of Police and Administrative Staff will determine if the request is appropriate and determine if the letter of counseling should be removed or retained.

1020.10.5 REMOVAL OF A COMPLAINT

Upon request, an employee may review any administrative file that does not relate to a current investigation. If an employee identifies a complaint or allegation that should be removed from his/her personnel file because either the time period has expired or it is an improper document, the employee should submit a memorandum to the Chief of Police that articulates the justification for the requested removal. The Chief of Police shall make a determination regarding the granting or denial of the request and inform the employee.

1020.10.6 NOTIFICATION TO IDAHO PEACE OFFICER STANDARDS AND TRAINING (POST) COUNCIL

The Chief of Police or the authorized designee shall notify the Idaho POST Council whenever any officer resigns or is terminated as a result of any disciplinary action. The notification shall be made within 15 days of the resignation or termination (Idaho Code 19-5109(4)).

Seat Belts

1022.1 PURPOSE AND SCOPE

This policy establishes guidelines for the use of seat belts and child restraints. This policy will apply to all members operating or riding in department vehicles.

1022.1.1 DEFINITIONS

Definitions related to this policy include:

Child restraint system - An infant or child passenger restraint system that meets Federal Motor Vehicle Safety Standards (FMVSS) and Regulations set forth in 49 CFR 571.213.

1022.2 WEARING OF SAFETY RESTRAINTS

All members shall wear properly adjusted safety restraints when operating or riding in a seat equipped with restraints, in any vehicle owned, leased, rented or operated by this department, while on- or off-duty, or in any privately owned vehicle while on-duty. The member driving such a vehicle shall ensure that all other occupants, including those who are not members of the Department, are also properly restrained (Idaho Code 49-673).

Exceptions to the requirement to wear safety restraints may be made only in exceptional situations where, due to unusual circumstances, wearing a seat belt would endanger the department member or the public. Members must be prepared to justify any deviation from this requirement.

1022.3 TRANSPORTING SUSPECTS, PRISONERS OR ARRESTEES

Suspects, prisoners and arrestees should be in a seated position and secured in the rear seat of any department vehicle with a prisoner restraint system or, when a prisoner restraint system is not available, by seat belts provided by the vehicle manufacturer. The prisoner restraint system is not intended to be a substitute for handcuffs or other appendage restraints.

Prisoners in leg restraints shall be transported in accordance with the Handcuffing and Restraints Policy.

1022.4 INOPERABLE SEAT BELTS

Department vehicles shall not be operated when the seat belt in the driver's position is inoperable. Persons shall not be transported in a seat in which the seat belt is inoperable.

Department vehicle seat belts shall not be modified, removed, deactivated or altered in any way, except by the vehicle maintenance and repair staff, who shall do so only with the express authorization of the Chief of Police.

Members who discover an inoperable restraint system shall report the defect to the appropriate supervisor. Prompt action will be taken to replace or repair the system.

1022.5 POLICY

It is the policy of the Twin Falls Police Department that members use safety and child restraint systems to reduce the possibility of death or injury in a motor vehicle collision.

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1022.6 TRANSPORTING CHILDREN

Children 6 years of age and under should be transported in compliance with Idaho's child restraint system requirements (Idaho Code 49-672).

Rear seat passengers in a cage-equipped vehicle may have reduced clearance, which requires careful seating and positioning of seat belts. Due to this reduced clearance, and if permitted by law, children and any child restraint system may be secured in the front seat of such vehicles, provided this positioning meets federal safety standards the vehicle and child restraint system manufacturer's design and use recommendations. In the event that a child is transported in the front seat of a vehicle, the seat should be pushed back as far as possible and the passenger-side airbag should be deactivated. If this is not possible, members should consider arranging alternative transportation when feasible.

1022.7 VEHICLES MANUFACTURED WITHOUT SEAT BELTS

Vehicles manufactured and certified for use without seat belts or other restraint systems are subject to the manufacturer's operator requirements for safe use.

1022.8 VEHICLE AIRBAGS

In all vehicles equipped with airbag restraint systems, the system will not be tampered with or deactivated, except when transporting children as written elsewhere in this policy. All equipment installed in vehicles equipped with airbags will be installed as per the vehicle manufacturer specifications to avoid the danger of interfering with the effective deployment of the airbag device.

Body Armor

1024.1 PURPOSE AND SCOPE

The purpose of this policy is to provide law enforcement officers with guidelines for the proper use of body armor.

1024.2 POLICY

It is the policy of the Twin Falls Police Department to maximize officer safety through the use of body armor in combination with prescribed safety procedures. While body armor provides a significant level of protection, it is not a substitute for the observance of officer safety procedures.

1024.2.1 S. W. A. T. BODY ARMOR

All members of the Department's S. W. A. T. shall wear their issued tactical body armor when actively participating on any raid, search for criminal suspects, warrant services other team activities.

1024.3 ISSUANCE OF BODY ARMOR

The Quartermaster shall ensure that body armor is issued to all officers when the officer begins service at the Twin Falls Police Department and that, when issued, the body armor meets or exceeds the standards of the National Institute of Justice.

The Quartermaster shall establish a body armor replacement schedule and ensure that replacement body armor is issued pursuant to the schedule or whenever the body armor becomes worn or damaged to the point that its effectiveness or functionality has been compromised.

1024.3.1 USE OF SOFT BODY ARMOR

Generally, the use of body armor is required subject to the following:

- (a) Officers shall only wear agency-approved body armor.
- (b) Officers shall wear body armor anytime they are in a situation where they could reasonably be expected to take enforcement action.
- (c) Officers may be excused from wearing body armor when they are functioning primarily in an administrative or support capacity and could not reasonably be expected to take enforcement action.
- (d) Body armor shall be worn when an officer is working in uniform.
- (e) An officer may be excused from wearing body armor when he/she is involved in undercover or plainclothes work that his/her supervisor determines could be compromised by wearing body armor, or when a supervisor determines that other circumstances make it inappropriate to mandate wearing body armor.
- (f) Body armor shall be worn by officers engaged in live fire training, and or qualifications. This will include both officers acting as students as well as the firearms instructors.

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Body Armor

1024.3.2 INSPECTIONS OF BODY ARMOR

Supervisors should ensure that body armor is worn and maintained in accordance with this policy through routine observation and periodic documented inspections. Annual inspections of body armor should be conducted by an authorized designee for fit, cleanliness and signs of damage, abuse and wear.

1024.3.3 CARE AND MAINTENANCE OF SOFT BODY ARMOR

Soft body armor should never be stored for any period of time in an area where environmental conditions (e.g., temperature, light, humidity) are not reasonably controlled (e.g., normal ambient room temperature/humidity conditions), such as in automobiles or automobile trunks.

Soft body armor should be cared for and cleaned pursuant to the manufacturer's care instructions provided with the soft body armor. The instructions can be found on labels located on the external surface of each ballistic panel. The carrier should also have a label that contains care instructions. Failure to follow these instructions may damage the ballistic performance capabilities of the armor. If care instructions for the soft body armor cannot be located, contact the manufacturer to request care instructions.

Soft body armor should not be exposed to any cleaning agents or methods not specifically recommended by the manufacturer, as noted on the armor panel label.

Soft body armor should be replaced in accordance with the manufacturer's recommended replacement schedule.

1024.4 RANGEMASTER RESPONSIBILITIES

The Quartermaster should:

- (a) Monitor technological advances in the body armor industry for any appropriate changes to Department approved body armor.
- (b) Assess weapons and ammunition currently in use and the suitability of approved body armor to protect against those threats.
- (c) Provide training that educates officers about the safety benefits of wearing body armor.

Police Department Personnel Files

1026.1 PURPOSE AND SCOPE

This section governs the maintenance, retention and access to Police Department Personnel files in accordance with established law. It is the policy of this Department to maintain the confidentiality of police personnel records.

1026.2 PERSONNEL FILES DEFINED

Police Department personnel records shall include any file maintained under an individual employee's name relating to:

- (a) Personnel data, including marital status, family members, educational and employment history, or similar information;
- (b) Election of Employee Benefits;
- (c) A disposition ledger for complaints concerning an event or situation in which the employee participated; and pertaining to the manner in which the employee performed official duties, commendations; or,
- (d) A disposition ledger for uses of force, officer-involved traffic collisions, and vehicle pursuits; or
- (e) Any other information, which, if disclosed, would constitute an unwarranted invasion of personal privacy.

1026.3 MAINTENANCE OF PERSONNEL FILES

Personnel records will generally be maintained in any of the following ways:

1026.3.1 DEPARTMENT PERSONNEL FILE

Files which are maintained in the office of the Chief of Police as a permanent record of a Police Department employee's employment with this Department.

1026.3.2 DIVISION FILE

A file which is maintained electronically and/or physically in the Office of the Chief of Police for the purpose of housing commendations and disciplinary memos so that performance evaluations may be completed in a thorough and timely manner.

1026.3.3 TRAINING FILES

Any file that documents the training records of an employee.

1026.3.4 ADMINISTRATIVE INVESTIGATIONS FILES

Those files which contain:

- (a) Complaints of employee misconduct and all materials relating to the investigation into such allegations, regardless of disposition.

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- (b) Investigations and dispositions on an employee's use of force.
- (c) Investigations and dispositions of an employee's participation in a traffic accident or vehicle pursuit.

1026.4 CONFIDENTIALITY OF ALL PERSONNEL FILES

All of the above-defined personnel records shall be deemed confidential and shall not be subject to disclosure except pursuant to the discovery procedures set forth in Idaho Code Sections 9-335 through 9-348.

1026.5 REQUEST FOR DISCLOSURE

All requests for the disclosure of any information contained in any Police Department personnel record shall be promptly brought to the attention of the Administrative Services Division Captain, or other supervisor charged with the maintenance of such records.

Upon receipt of any such request, the responsible supervisor shall notify the affected employee(s) as soon as practicable that such a request has been made.

The responsible supervisor shall further ensure that an appropriate response to the request is made in a timely manner. In many cases, this will require assistance of approved and available legal counsel.

All requests for disclosure that result in access to an employee's Personnel file shall be logged in the corresponding file.

1026.6 EMPLOYEE ACCESS TO OWN FILE

Any employee may request access to his/her own Personnel file(s) during the normal business hours of the individual(s) responsible for maintaining such file(s). Employees are restricted from accessing the following files:

- Pre-employment files, letters of recommendation and initial entry level test results.
- Ongoing Administrative investigations pending final disposition or notice to the employee of intent to discipline.
- Administrative Investigations files which have not been sustained against the employee to the extent that such files contain confidential information.

1026.7 RELEASE OF CONFIDENTIAL INFORMATION

Except as provided by this policy or pursuant to lawful process, no information contained in any confidential Police Department personnel record shall be disclosed to anyone without authorization of the Chief of Police or his designee.

The disposition of any citizen's complaint shall be released to the complaining party within thirty (30) days of the final disposition. This release shall be limited to the disposition and shall not include what discipline, if any was imposed.

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The Department may also release any factual information concerning a disciplinary investigation of the officer who is the subject of the investigation (or officer's representative) publicly makes a statement which is published in the media and which the officer (or representative) knew to be false. The disclosure of such information, if any, shall be limited to acts, which refute any such false statement.

1026.8 PERSONNEL FILES TYPES

Police Department personnel files may be stored in several locations throughout the Police Department as described below.

1026.8.1 PERSONNEL FILE

The Department Personnel files may contain, but are not limited to, the following:

- (a) **Performance evaluation reports** regularly completed by appropriate supervisor(s) and signed by the affected employee shall be permanently maintained.
- (b) **Disciplinary Action**
 - 1. Formal (e.g. written reprimand, suspension, demotion, or termination) disciplinary action resulting from sustained internally initiated complaints or observation of misconduct shall be maintained permanently in the individual employee's Personnel file;
 - 2. Formal (e.g. written reprimand, suspension, demotion, or termination) disciplinary action resulting from a sustained citizen's complaint shall be maintained permanently in the individual employee's Personnel file;
 - 3. Verbal admonishments (or reprimands) shall not be maintained in the employee's Personnel file, but the disposition of the reprimand shall be lodged on the disposition ledger in the employee's Personnel file while the reprimand is being maintained in the employee's Divisional file. When the reprimand is removed from the Divisional file, it shall also be removed from the employee's Personnel file disposition ledger.
 - 4. Complaints that are deemed as frivolous by the Administrative Staff shall not be placed in the employee's Personnel file, but will be kept for the required time period in a Divisional file.
- (c) **Disposition Ledger** of all internal/external complaints and reprimands, uses of force, and traffic accidents and pursuits. The disposition of verbal admonishments shall be maintained on the disposition ledger in a Personnel file only while the reprimand remains in the employee's Divisional file. When the verbal reprimand is removed from the Divisional file, it shall also be removed from the disposition ledger.
- (d) **Adverse comments**, such as supervisor log entries, may be retained in the Personnel File after the employee has had the opportunity to read and initial the comment for a period up to five (5) years.

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1. Once an employee has had an opportunity to read and initial any adverse comment prior to entry into a file, the employee shall be given the opportunity to respond in writing to such adverse comment within thirty (30) days;
 2. Any such employee response shall be attached to and retained with the original adverse comment;
 3. If an employee refuses to initial or sign an adverse comment, at least one supervisor should note the date and time of such refusal on the original comment. Such a refusal, however, shall not be deemed insubordination, nor shall it prohibit the entry of the adverse comment into the employee's file.
- (e) **Commendations** shall be retained in the employee's Personnel file with a copy provided to the involved employee(s).
- (f) **Personnel Action Reports** reflecting assignments, promotions and other changes in the employee's employment status may be placed in the file.
- (g) **A photograph** of the employee.

1026.8.2 DIVISION FILE

The Division File should contain, but is not limited to, the following:

- (a) Supervisor log entries, notices to correct, and other materials intended to serve as a foundation for the completion of timely Performance Evaluations.
1. All materials intended for this interim file shall be provided to the employee prior to being placed in the file.
 2. Duplicate copies of items, which will also be included in the employee's Department Personnel file, may be placed in this interim file in anticipation of completing any upcoming Performance Evaluation.
 3. Once the permanent Performance Evaluation form has been made final, the underlying foundational material(s) and/or duplicate copies may be purged in accordance with this policy
- (b) All rules of confidentiality and disclosure shall apply equally to the Division File.
- (c) Documentation of verbal admonishments.

Purging of Verbal Admonishments: Generally, verbal admonishments will be removed from an employee's Division file after one (1) year. When the verbal admonishment is purged from the Division file, it will also be removed from the disposition ledger in the employee's Personnel file.

1026.8.3 TRAINING FILES

The Training Files should contain records of all training (original or photocopies of available certificates, transcripts, diplomas, and other documentation) and education.

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- (a) It is the responsibility of the involved employee to provide the Training Officer or Training Supervisor with evidence of completed training/education in a timely manner.
- (b) The Training Officer or Supervisor shall ensure that copies of such training records are placed in the employee's Department training file.

1026.8.4 ADMINISTRATIVE INVESTIGATIONS FILES

The Administrative Investigations files shall be maintained under the exclusive control of the Administrative Staff in conjunction with the Office of the Chief of Police. Access to these files may only be approved by the Chief of Police or a Division Commander. These files shall contain:

- (a) The complete investigation of an employee's uses of force, traffic accidents, vehicle pursuits, and all formal complaints of misconduct, regardless of disposition:
 - 1. Each investigation file shall be sequentially numbered within a calendar year (e.g. 97-001, 97-002);
 - 2. Each investigation file arising out of a formal citizen's complaint and investigation files arising out of internally generated complaints, shall be permanently maintained.
- (b) Investigations, which result in other than a "sustained" finding, shall be maintained for the minimum period, but may not be used by the Department to adversely affect an employee's career.

1026.9 PURGING FILES

1026.9.1 PURGING OF PERSONNEL, ADMINISTRATIVE INVESTIGATIONS, AND DIVISION FILES OF FORMER POLICE DEPARTMENT EMPLOYEES

The Department shall retain all official files of former sworn employees for a period of at least five (5) years from the date of severance of employment. The Department shall retain all official files of former non-sworn employees for a period of at least two (2) years from the date of severance of employment. Official files of former employees may be retained longer, or purged sooner, pending any legal or official mandate.

- All purging of official files shall be reviewed and approved by the Administrative Staff and City Attorney. Destruction of official files shall be conducted in accordance with Idaho law.
- The Administrative Staff shall maintain a log which outlines the disposition of all former official files of former Police Department employees.

Formal citizen complaints and all related files not pending litigation or other ongoing legal proceedings may be purged no sooner than five (5) years from the underlying complaint date.

- Each supervisor responsible for completing the employee's Performance Evaluation shall also determine whether any prior sustained disciplinary file should be retained

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beyond the five (5)-year period for reasons other than pending litigation or other ongoing legal proceedings.

- If a supervisor determines the records of prior discipline should be retained beyond the five (5)-year period, approval for such retention shall be obtained through the chain of command from the Chief of Police.

Transfer And Reassignment

1028.1 PURPOSE AND SCOPE

It is the intent of this Department that all requests for change of assignment are considered equally. To facilitate the selection process, the following procedure is established whereby all such requests will be reviewed on an equal basis as assignments are made. All transfers and reassignments are considered provisional. The Chief of Police retains the authority to reassign personnel from any position to other duties within the Department as necessary to meet the needs of the organization.

1028.2 APPLICATION AND PLACEMENT

When an opening exists within the Department for transfer or reassignment, the opening(s) will be announced in e-mail by the applicable Division Captain or his/her designate. The announcement shall include the qualification requirements and closing date for applications. All reassignments and transfers shall be documented on a City of Twin Falls Employee Status Change Form, which shall be maintained permanently in the employee's personnel file. Unless otherwise indicated in the transfer announcement, all transfer and reassignment applications shall be maintained on a list for a period of one (1) year from the date of the initial announcement. Unless otherwise removed from the process or unless indicated in the transfer announcement, all applicants for a specific position of transfer, that are not originally selected, shall be the only employees eligible for any future openings during that one-year time period. Each transfer and reassignment testing process may include any or all of the following:

- Administrative evaluation
- Administrative review
- Peer/Supervisory review
- Oral board
- Writing sample
- Practical test
- Review of previous police reports
- Productivity review

Additional Testing Requirements

- (a) **SWAT** The applicant must demonstrate firearms proficiency and score a minimum of 190 or 95 percent on the POST-approved short course. Each applicant will have two attempts.
- (b) **HDU** ,“ Practical Exercise Each applicant must be able to walk a distance of 300 feet and set up specified items of bomb squad equipment while wearing a bomb suit. The applicant may need to ascend and/or descend stairs, crawl, kneel and/or bend at the waist during this exercise. The bomb suit weighs approximately 100 pounds.

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Instructions regarding the setup and placement of tools will be given to the applicant prior to the exercise. Medical monitoring will be conducted prior to the completion of the exercise. This is a pass/fail exercise; therefore, an applicant who cannot complete the tasks will not be allowed to continue in the selection process.

Candidate's Qualifications

- (a) The applicant must have two (2) years of continuous service with the Twin Falls Police Department, or one (1) year of continuous service with the Twin Falls Police Department combined with one (1) year of continuous service in a full-time, sworn, patrol capacity with another law enforcement agency of comparable size to the Twin Falls Police Department.
- (b) Personnel competing for an assignment shall not be on a Performance Improvement Plan (PIP) at the time of application and selection.

Application Requirements

An employee interested in applying for any position shall submit a letter of interest, along with a letter of recommendation from his/her immediate Supervisor to Administrative Services Division Captain.

- (a) **Letter of Interest**The applicant will submit a personalized document summarizing why he/she is seeking the position, his/her educational background, training and department work history.
- (b) **Assignment Aptitude**The applicant may be requested to provide copies of two prior police reports and/or investigations that he/she feels best demonstrate his/her ability and interest in the special assignment. These reports must have been completed by the applicant prior to the posting date for the open position.
- (c) **Letter of Recommendation from Immediate Supervisor**The letter will include:
 - A description of the applicant's tenure in law enforcement, a review of the employee's commendation and disciplinary record, and a summary of the applicant's last two employee evaluation ratings.
 - A summary of the applicant's quantity and quality of work, time management skills, and overall strengths and weaknesses.
 - A summary of the applicant's willingness to accept direction and ability to function as part of a team.
 - Validation of the applicant's qualifications to apply for the position.

Administrative Evaluation

- If the Administrative Staff conducts an evaluation of each candidate, the evaluation will consist of career competency and contributions to the organization.

Administrative Review

- Candidates' names will be submitted to the Administrative Staff for review and approval to move forward in the application process.

Specialty and Assignment Pay

1029.1 POLICY AND SCOPE

The purpose of this policy is to define the terms and outline the eligibility of Police Officers for additional compensation based on their participation in certain full-time and special assignments. Assignment pay for Police Officers was adopted by the City of Twin Falls in October of 2017 and specialty pay was implemented in October of 2018. This policy will govern both assignment and specialty pay, providing definitions of each type of compensation and a guideline for how the pay will be administered.

1029.2 ADMINISTRATION OF PAY

Sworn personnel below the rank of Lieutenant are authorized to receive compensation for one qualifying assignment and one qualifying specialty. Those officers who qualify for specialty pay only are authorized to receive compensation for up to two (2) qualifying specialties. Compensation will be initiated or concluded through a change of pay notice, and members are authorized for compensation once the Chief of Police approves their assignment or specialty.

1029.2.1 DEFINITIONS

Assignment Pay: Assignment pay is designated for sworn personnel at the rank of Staff Sergeant and below who perform a day-to-day function outside of normal police officer patrol duties. The rate of pay will be an additional four percent (4%) pay increase during the time that an Officer is assigned to the qualifying position. Assignment pay is limited to a predetermined number of budgeted and/or authorized positions and is available for persons who perform specified job duties as follows:

- School Resource Officer (SRO)
- Canine Officer
- Traffic Officer (STAR)
- Detective
- Office of Professional Standards Sergeant

Specialty Pay: Specialty pay is designated for sworn personnel at the rank of Staff Sergeant and below who perform an ancillary function outside of their normal day-to-day assignment. The rate of pay will be an additional fifty cents (\$0.50) an hour. Specialty pay is limited to a predetermined number of budgeted and/or authorized positions.

Assignment to the following units are eligible for specialty pay:

- Special Weapons and Tactics (SWAT)
- Field Training Officer (FTO)
- Crisis Negotiations Unit (CNU)
- Hazardous Device Unit (HDU)

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Assignment and successful completion of the required training classes to perform these tasks are eligible for specialty pay:

- Phlebotomist
- Drug Recognition Expert (DRE)
- Idaho P.O.S.T Certified High Liability Instructor as defined by Idaho P.O.S.T.
 - P.O.S.T high liability topics as defined by Idaho P.O.S.T. include Appropriate Use of Force, Active Shooter Instructor, Bombs and Explosives Instructor, Explosive Breaching Instructor, Cell Extractions Instructor, Conducted Energy Device Instructor, Crowd Control Instructor, Impact Munitions Instructor, Defensive Aerosol Instructor, Defensive Tactics/Arrest Techniques Instructor, EVOC Instructor, Firearms Instructor, Rifle Instructor, Shotgun Instructor, Less Lethal Weapons Instructor, Noise Flash Device Instructor, Chemical Agent Instructor, Impact Munitions Instructor, Patrol Canine Instructor, Tactical Team Instructor, Crisis Negotiations Instructor, Sniper Observer Instructor, Tactical Team Operations Instructor, Use of Force Instructor

Employee Commendations

1030.1 PURPOSE AND SCOPE

A departmental awards program will be initiated to officially recognize the outstanding heroic and community service act(s) performed by members of the Twin Falls Police Department. Commendations may also be awarded posthumously. The department recognizes that meritorious acts have occurred in the past. In order to produce equitable and definitive criteria under contemporary departmental standards, award nominations will be accepted and reviewed by the departmental Awards Evaluation Board on an "ongoing" basis to determine if the act meets the criteria for official recognition.

1030.2 AWARDS

The Twin Falls Police Department recognizes a number of awards to recognize the actions of employees. The recognized awards include:

- Medal of Valor
- Medal of Bravery
- Distinguished Service Medal
- Lifesaving Award
- Purple Heart
- Unit Citation
- Certification Awards
- Letter of Commendation
- Meritorious Service
- Officer of the Year
- Employee of the Year
- Good Conduct
- Veteran of United States Armed Forces or Active Member of National Guard/Reserve
- City Values

All employees and reserve members are eligible for these awards and based solely on a single action performed. Several different acts, each worthy of an award, will not qualify the candidate for a higher award. Following are the awards presented to those worthy of such recognition:

1030.2.1 MEDAL OF VALOR

Criteria: An act of heroism which extends far beyond the normal call of duty; or, a life-threatening action taken with full knowledge of the risk involved yet the employee consciously elected to risk his or her own life.

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1030.2.2 MEDAL OF BRAVERY

Criteria: An act of bravery which may have been life threatening. The act was above and beyond the call of duty, but to a lesser degree than needed for a Medal of Valor.

1030.2.3 DISTINGUISHED SERVICE AWARD

Criteria: Performing exceptional services for the City, on or off duty; or, any act which would be of significant importance in the law enforcement field; or, any involvement in the community that has contributed significantly to the betterment of the community.

1030.2.4 LIFESAVING AWARD

Criteria: Any act of lifesaving performed, on or off duty, which saves a human life or any act performed which would be considered an instrumental act which directly contributed to the saving of a life.

1030.2.5 UNIT CITATION

Criteria: Any Unit within the Police Department that performs exceptional services for the City, or, any act which would be of significant importance in the law enforcement field; or, any involvement in the community that has contributed significantly to the betterment of the community.

1030.2.6 CERTIFICATION AWARDS

- (a) Executive Certification: Issued by Idaho Peace Officer Standards and Training Council.
- (b) Management Certification: Issued by Idaho Peace Officer Standards and Training Council.
- (c) Master Certification: Issued by Idaho Peace Officer Standards and Training Council.
- (d) Supervisor Certification: Issued by Idaho Peace Officer Standards and Training Council.
- (e) Advance Certification: Issued by Idaho Peace Officer Standards and Training Council.
- (f) FBI National Academy Graduate
- (g) Northwestern School of Police Staff and Command Graduate

1030.2.7 LETTER OF COMMENDATION

Criteria: Any act which rises above what is normally expected from an employee and does not meet criteria for any other award, but does deserve official recognition.

1030.2.8 MERITORIOUS SERVICE AWARD

Criteria: An act of bravery or an exceptional investigation or completed service performed during the normal course of duty, which rises above what is expected. This award will be bestowed when the criterion for a Letter of Commendation is surpassed, but the act does not meet the criteria for Distinguished Service Award, Medal of Valor, or Medal of Bravery.

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1030.2.9 SUPERVISOR'S COALITION POLICE OFFICER OF THE YEAR

Criteria: This award was created to recognize those employees whom consistently display a positive and altruistic attitude towards fellow workers, demonstrated years of self-initiative and motivation, and have a proven record of outstanding loyalty and dedication to the Twin Falls Police Department.

1030.2.10 SUPERVISOR'S COALITION EMPLOYEE OF THE YEAR

Criteria: This award was created to recognize those employees whom consistently display a positive and altruistic attitude towards fellow workers, demonstrated years of self-initiative and motivation, and have a proven record of outstanding loyalty and dedication to the Twin Falls Police Department.

1030.2.11 PURPLE HEART

Criteria: The Purple Heart Ribbon may be issued to any employee who is injured, wounded, disabled, or killed in the line of duty while trying to apprehend a criminal suspect, engaged in a physical confrontation with a criminal suspect, or engaged in a noteworthy law enforcement activity. Employees are eligible to receive the Purple Heart award if they were required to seek professional medical attention and were out of work for at least two weeks.

1030.2.12 GOOD CONDUCT AWARD

Criteria: This award will acknowledge employees of the Twin Falls Police Department who have consistently displayed character and ethical behavior. Employees are eligible for this ribbon after five years of good conduct. Good conduct shall be defined as being found in-policy on all use of force and vehicle collision investigations, receiving all positive employee evaluations, and being free from any discipline resulting in a written reprimand or higher. Employees who have received this ribbon may be ordered to refrain from displaying this ribbon should their eligibility status change.

1030.2.13 VETERAN OR ACTIVE MEMBER OF NATIONAL GUARD/RESERVE

This ribbon is intended to recognize those Twin Falls Police Department employees who have previously and honorably served in the United States military or are actively serving in a National Guard or Reserve unit. Title 38 of the Code of Federal Regulations defines a veteran as "a person who served in the active military, naval, or air service

1030.3 THE AWARD EVALUATION BOARD

The Award Evaluation Board will be chosen by Staff and will serve a minimum term of two (2) years at which time Staff may select new members. In order to maintain a balanced representation of the various divisions within the Department, Award Evaluation Board Members may be changed prior to the completion of a term at the discretion of the Administrative Staff. The Board will be convened, as necessary, at a time and place to be determined by the Board chairperson. The chairperson will be elected by the Board members from among themselves. The Award Evaluation Board shall consist of the following:

- Captain (1)

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- Staff Sergeant (1)
- Detective (1)
- Sergeant (1)
- Officers (2)
- Non sworn member (1)
- Dispatcher (1)

1030.4 HOW TO REPORT ACTS OF COMMENDATION

A Commendation Report shall be used to recommend awards. The report shall give a detailed description of the act(s) for each individual employee. Charts, diagrams, photographs, witness accounts, news accounts, etc., may be used. The report will be submitted in the following manner:

- (a) Any employee, non sworn or sworn, up to and including the rank of Sergeant, may submit a commendation report for consideration through their respective chain of command to a Divisional Captain. The report will be submitted to the Award Evaluation Board by a Captain. The Board will make the recommendation as to which award will be presented, if any. The recommendation will be submitted to Staff for final approval. This method eliminates the necessity of a Staff member reviewing the recommendation more than once.
- (b) A Captain or any member of Staff may submit a Commendation Report directly to the Board. If approved, it will be submitted to Staff for final approval.

Commendation Reports will be accepted and reviewed by the departmental Awards Evaluation Board on an "ongoing" basis to determine if the act meets the criteria for official recognition. Employees are strongly encouraged to submit Commendation Reports within two (2) months of the act occurring. The Awards Evaluation Board Chairperson will provide the Administrative Staff with the Board's recommendation on all award nominations that meet the criteria for official recognition. The Administrative Staff will determine a final disposition on all award nominations presented by the Awards Evaluation Board.

1030.5 RECOGNITION OF EMPLOYEES

Each employee will be presented with a medal - ribbon for the award received. Medal awards will be presented to the employee at the annual Twin Falls Police Department Awards ceremony typically scheduled during the week of National Police Week Memorial each May. Letters of Commendation, shooting awards, and certifications will be presented to the employee within 30 days of the Award Evaluation Board's recommendation to the Administrative Staff. The Administrative Staff will determine the time and location to present Letters of Commendation, shooting awards, and certifications to the employee.

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1030.6 WEARING OF DEPARTMENTAL DECORATIONS

The Medal of Valor award will be signified by a formal "Olympic type" neck medal, a military type drape medal, and a military type service ribbon. The Medal of Bravery, Distinguished Service Medal and Meritorious Service Medal will be signified by a drape medal and ribbon. All four awards will also be accompanied by a formal certificate explaining the act or acts. The certificate shall be no more than one typed page. Sworn personnel, including reserve officers, will receive the Olympic type Medal of Valor in a shadow box. Sworn personnel will be encouraged to wear the drape medal on their Class A uniforms and the ribbon on their Class B uniforms. When worn, the medal and ribbon will be located on the pocket flap of the left breast pocket. It will be centered directly below the badge, with the top of the medal or ribbon aligned with the top seam of the pocket flap. Non sworn personnel will be presented with a medal and ribbon for the award presented and the formal certificate explaining the act or acts involved. When an employee receives the same award more than once, the second and subsequent awards will be indicated by a bronze oak leaf cluster. The oak leaf cluster will be worn on the ribbon and shall be placed in the center of the ribbon, centered up and down. Each subsequent award will then be evenly centered. A silver oak leaf cluster will be worn in lieu of five (5) bronze oak leaf clusters.

Fitness for Duty

1032.1 PURPOSE AND SCOPE

Refer to the Twin Falls Personnel Policy Section governing this topic.

Meal Periods and Breaks

1034.1 PURPOSE AND SCOPE

This policy regarding meals and breaks, insofar as possible shall conform to the policy governing all City employees that has been established by the City Manager.

1034.1.1 MEAL PERIODS

Sworn employees and dispatchers shall remain on duty subject to call during meal breaks. All other employees are not on call during meal breaks unless directed otherwise by a supervisor.

Uniformed patrol and traffic officers shall request clearance from the Shift Supervisor prior to taking a meal period. Uniformed officers shall take their breaks within the City limits unless on assignment outside of the City.

The time spent for the meal period shall not exceed the authorized time allowed.

1034.1.2 15 MINUTE BREAKS

Each employee is entitled to a 15 minute break, near the mid point, for each four-hour work period. Only one 15 minute break shall be taken during each four hours of duty. No breaks shall be taken during the first or last hour of an employee's shift unless approved by a supervisor.

Employees normally assigned to the police facility shall remain in the police facility for their breaks. This would not prohibit them from taking a break outside the facility if on official business.

Field officers will take their breaks in their assigned areas, subject to call and shall monitor their radios. When field officers take their breaks away from their vehicles, they shall do so only with the knowledge and clearance of the Communications Center.

Lactation Break Policy

1035.1 PURPOSE AND SCOPE

The purpose of this policy is to provide reasonable accommodations to employees desiring to express breast milk for the employee's infant child.

1035.2 POLICY

It is the policy of the Police Department to provide, in compliance with the Fair Labor Standards Act, reasonable break time and appropriate facilities to accommodate any employee desiring to express breast milk for her nursing child for up to one year after the child's birth (29 USC § 207).

1035.3 LACTATION BREAK TIME

A rest period should be permitted each time the employee has the need to express breast milk (29 USC § 207). In general, lactation breaks that cumulatively total 30 minutes or less during any four-hour work period or major portion of a four-hour work period would be considered reasonable. However, individual circumstances may require more or less time. Lactation breaks, if feasible, should be taken at the same time as the employee's regularly scheduled rest or meal periods.

While reasonable effort will be made to provide additional time beyond authorized breaks, any such time exceeding regularly scheduled and paid break time will be unpaid.

Employees desiring to take a lactation break shall notify the Communications Center or a supervisor prior to taking such a break and such breaks may be reasonably delayed if they would seriously disrupt Police Department operations.

Once a lactation break has been approved, the break should not be interrupted except in emergency or exigent circumstances.

1035.4 PRIVATE LOCATION

The Police Department will make reasonable efforts to accommodate employees with the use of an appropriate room or other location to express milk in private. Such room or place should be in close proximity to the employee's work area and shall be other than a bathroom or toilet stall. The location must be shielded from view and free from intrusion from co-workers and the public (29 USC § 207).

Employees occupying such private areas shall either secure the door or otherwise make it clear that the area is occupied with a need for privacy. All other employees should avoid interrupting a lactating employee during an authorized break, except to announce an emergency or other urgent circumstance.

Authorized lactation breaks for employees assigned to the field may be taken at the nearest appropriate private area.

1035.5 STORAGE OF EXPRESSED MILK

Any employee storing expressed milk in any authorized refrigerated area within the department shall clearly label it as such and shall remove it when the employee ends her shift.

Time Sheet And Holiday Procedures

1036.1 PURPOSE AND SCOPE

Time sheets are submitted to the appropriate Divisional Captain on a bi-weekly basis for the payment of wages.

1036.1.1 RESPONSIBILITY FOR COMPLETION OF TIME CARDS

Employees are responsible for the accurate and timely submission of time sheets for the payment of wages.

1036.1.2 TIME REQUIREMENTS

All employees are paid on a bi-weekly basis usually on Friday with certain exceptions such as holidays. Time sheets shall be completed and submitted to the appropriate Divisional Captain no later than 10:00 a.m. on the Monday morning following the end of the pay period, unless specified otherwise.

1036.2 EMPLOYEE CHECK PICK-UP LETTER OF AUTHORIZATION

It is the purpose of this policy to state clearly who will be authorized to pick up paychecks for employees of the Twin Falls Police Department and how these individuals will be authorized to do so.

It shall be the policy of the department to require its employees to sign and date a letter of authorization and to list the names of those individuals authorized to pick up the employees' paychecks. It shall be the employees' responsibility to personally add or delete any names from this list, so that the department will always have a current list of individuals authorized to pick up the employees' paycheck at any time.

1036.3 HOLIDAY WORK SCHEDULE

During a week in which a recognized holiday occurs, unless otherwise approved by their Division's Captain, employees receiving an 8-hour holiday benefit will take the holiday as scheduled and adjust their working shifts over the remaining four weekdays to accrue their required weekly hours.

Overtime Payment Requests

1038.1 PURPOSE AND SCOPE

The management of overtime.

1038.1.1 RESPONSIBILITY

It shall be the responsibility of supervisors to effectively manage overtime use. Similarly, supervisors shall be held accountable for its responsible use. While it is clear that the use of overtime is sometimes necessary for the effective and efficient delivery of police services, it must be used responsibly and within the procedures outlined below.

1038.2 OVERTIME APPROVAL

All overtime shall, when practical, be approved by the employee's supervisor prior to the overtime being accrued and the overtime request being submitted.

1038.3 OVERTIME SLIPS

Overtime slips must be filled out completely, and must accurately and adequately describe the reason that overtime was accrued. This will assist the department to continually evaluate and monitor the use of overtime in an efficient and effective manner.

The white copy of the overtime form shall be filled out completely and attached to the employee's time sheet as soon as possible after the overtime is accrued. The employee's supervisor shall approve and sign the form before it is placed on the time sheet.

The yellow copy shall be placed in the "overtime slips" holder located on the wall outside the Uniform Captain's office as soon as possible after the overtime is accrued. The employee's supervisor shall approve and sign the form before it is placed in the overtime slips holder.

1038.4 HOLDOVERS

1038.4.1 ARRESTS

In the event an officer makes an arrest at or near the end of shift, and it is apparent that overtime will be used to complete the necessary paperwork and related duties, the following procedure shall be used:

- (a) Only the arresting officer shall remain on overtime to complete the probable cause affidavit and other essential paperwork. This includes the packaging and securing of evidence. When possible, all assisting officers shall hold their reports and paper work until the next scheduled workday.
- (b) Exceptions. Exceptions will include major crimes against persons where immediate information is necessary. These situations shall include homicides, officer involved shootings and other significant actions. This exception shall be managed by supervisors to ensure that effective and efficient service is provided to the community.

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1038.4.2 REPORTS

All police reports pending completion at the end of shift shall be held until the next scheduled workday with the following exceptions:

- (a) Felony crime reports involving crimes against persons including homicide, aggravated assault, aggravated battery, rape, mayhem and similar crimes. This exception shall be managed by supervisors to ensure that effective and efficient service is provided to the community.
- (b) Evidence- Supervisors shall insure that all evidence is properly documented and secured before an officer is relieved from duty. Similarly, in an effort to keep overtime down, supervisors shall make every effort to have all evidence packaged, documented, and secured before the end of an officer's regular duty shift.
- (c) Shift Reports- Whereas it is important for supervisors to complete a daily shift report at the end of shift, it is recognized that overtime may be necessary to complete this report if the shift workload is heavy. Supervisors shall, however, make every effort to complete the shift report prior to the end of shift.
- (d) Report management- Supervisors shall manage an officer's daily completion of reports to ensure, when possible, that reports are not held until the end of shift for completion.

1038.5 CALL-OUTS AND IN SERVICE TRAINING

Supervisors must make every effort to ensure that assigned tasks and in-service training sessions are handled, when possible, while on duty. Command Staff personnel will, when possible, adjust their schedules to accommodate on-duty meetings with department personnel.

In the event that off-duty meetings, assignments, training, etc., are necessary, those call-outs and training assignments shall be approved by a supervisor on an overtime slip outlining the reason for the overtime.

1038.5.1 FIREARMS TRAINING AND QUALIFICATIONS

All firearm qualifications and training sessions shall be classified as training. Additionally, firearm instructors shall make every effort to provide firearms training while officers are on-duty.

1038.6 HOLDING CALLS-FOR-SERVICE AT THE END OF WATCH

Beginning approximately one half hour before the end of watch, supervisors shall begin managing non-emergency calls for service in an effort to reduce and manage overtime, yet still provide efficient service to the community. This can be accomplished by "stacking" non-emergency calls for service, which would require an officer to work overtime to answer.

In the event stacking takes place, it is imperative that patrol supervisors work closely with Dispatch Supervisors and personnel to ensure that the calling parties are aware of the delay and are informed of an approximate time that an officer will be available to answer their call for service. Furthermore, in the event that an officer is handling a call for service, which is expected to take

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time past his/her regular duty shift to complete, supervisors shall make every effort to relieve that officer with an officer from the on-going shift.

1038.7 COMPENSATION

All employees who appear in court on their off-duty time shall be compensated in accordance with the current City of Twin Falls Employee's Resolution.

1038.7.1 COURT TIME (AS OUTLINED IN THE CITY OF TWIN FALLS EMPLOYEE RESOLUTION)

Any officers called to attend or appear at any court hearing during off-duty hours shall be compensated in accordance with the overtime provisions of this resolution for a minimum of two hours. If more than one court hearing is scheduled within the two-hour minimum, no additional compensation will be granted. If, however, the total time spent exceeds the two-hour period, actual hours worked are then compensable.

1038.8 COMMUNICATION CENTER OVERTIME

The conditions and circumstances governing payment of overtime are defined within the Twin Falls City Resolution. Any overtime worked must be at the direction, or with the prior approval, of the Communications Center Supervisor.

Upon completion of the assignment or relief from duty, the Overtime Authorization Form shall be completed and presented for signed approval to the Communications Center Supervisor. The form shall then be retained by the Communications Center Supervisor and submitted to the Payroll Department for proper payroll accounting. Failure to complete and submit the Overtime Authorization Form may result in disapproval of the request.

Outside Employment

1040.1 PURPOSE AND SCOPE

In order to avoid actual or perceived conflicts of interest for employees engaging in outside employment, all employees shall obtain written approval from the Chief of Police prior to engaging in any outside employment. Approval of outside employment shall be at the sole discretion of the Chief of Police in accordance with the provisions of this policy.

1040.1.1 DEFINITIONS

Outside Employment - Any member of this department who receives wages, compensation or other consideration of value from another employer, organization or individual not affiliated directly with this department for services, product(s) or benefits rendered. For purposes of this section, the definition of outside employment includes those employees who are self-employed and not affiliated directly with this department for services, product(s) or benefits rendered.

Outside Overtime - Any member of this department who performs duties or services on behalf of an outside organization, company, or individual within this jurisdiction. Such outside overtime shall be requested and scheduled directly through this department so that this department may be reimbursed for the cost of wages and benefits.

1040.2 OBTAINING APPROVAL

No member of this department may engage in any outside employment without first obtaining prior written approval of the Chief of Police. Failure to obtain prior written approval for outside employment or engaging in outside employment prohibited by this policy may lead to disciplinary action.

In order to obtain approval for outside employment, the employee must complete an Outside Employment Application which shall be submitted to the employee's immediate supervisor. The application will then be forwarded through channels to the Chief of Police for consideration.

Any employee seeking approval of outside employment, whose request has been denied, shall be provided with a written reason for the denial of the application at the time of the denial.

1040.2.1 APPEAL OF DENIAL OF OUTSIDE EMPLOYMENT

If an employee's Outside Employment Application is denied or withdrawn by this department, the employee may file a written notice of appeal to the Chief of Police within ten days of the date of denial.

1040.2.2 REVOCATION/SUSPENSION OF OUTSIDE EMPLOYMENT PERMITS

Any outside employment permit may be revoked or suspended under the following circumstances:

- (a) Should an employee's performance at this department decline to a point where it is evaluated by a supervisor as needing improvement to reach an overall level of competency, the Chief of Police may, at his or her discretion, revoke any previously approved outside employment permit(s). That revocation will stand until the

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employee's performance has been reestablished at a satisfactory level and his/her supervisor recommends reinstatement of the outside employment permit.

- (b) Suspension or revocation of a previously approved outside employment permit may be included as a term or condition of sustained discipline.
- (c) If, at any time during the term of a valid outside employment permit, an employee's conduct or outside employment conflicts with the provisions of the policy of this department, the permit may be suspended or revoked.
- (d) When an employee is unable to perform at a regular duty capacity due to an injury or other condition, any previously approved outside employment permit may be subjected to similar restrictions as those applicable to the employee's regularly assigned duties until the employee has returned to a regular duty status.

1040.3 PROHIBITED OUTSIDE EMPLOYMENT

This department expressly reserves the right to deny any Outside Employment Application submitted by an employee seeking to engage in any activity which:

- (a) Involves the employee's use of this department's time, facilities, equipment or supplies, and/or the use of this department's badge, uniform, prestige or influence for private gain or advantage.
- (b) Involves the employee's receipt or acceptance of any money or other consideration from anyone other than this department for the performance of an act which the employee, if not performing such act, would be required or expected to render in the regular course or hours of employment or as a part of the employee's duties as a member of this department.
- (c) Involves the performance of an act in other than the employee's capacity as a member of this department that may later be subject directly or indirectly to the control, inspection, review, audit or enforcement of any other employee of this department.
- (d) Involves time demands that would render performance of the employee's duties for this department less efficient.
- (e) Is performed during assigned duty hours.
- (f) Requires police powers or any real or implied law enforcement services as a condition of employment.
- (g) Constitutes a threat to the status or dignity of law enforcement.
- (h) Presents a potential conflict of interest between duties as a an officer and outside employment, including, but not limited to:
 - 1. Process server.
 - 2. Repossessor.

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3. Bill collector.
4. Vehicle towing.
5. Personnel investigations or other employment which might require access to officer restricted files.
6. Assisting in the case preparation for the defense in any criminal or civil action or proceeding.
7. Employment for a business or labor group that is on strike.
8. Occupations regulated or licensed through any law enforcement agency.

1040.3.1 OUTSIDE SECURITY AND PEACE OFFICER EMPLOYMENT

Due to the potential conflict of interest, no member of this department may engage in any outside or secondary employment as a private security guard, private investigator or other similar private security position.

Any private organization, entity or individual seeking outside security services from members of this department must submit a written request to the Chief of Police in advance of the desired service. Such outside overtime will be assigned, monitored and paid through the Department.

- (a) The applicant will be required to enter into an indemnification agreement prior to approval.
- (b) The applicant will further be required to provide for the compensation and full benefits of all employees requested for such outside security services.
- (c) Should such a request be approved, any employee working outside overtime shall be subject to the following conditions:
 1. The officer(s) shall wear this department's uniform/identification.
 2. The officer(s) shall be subject to the rules and regulations of this department.
 3. No officer may engage in such outside employment during or at the site of a strike, lockout, picket, or other physical demonstration of a labor dispute.
 4. Compensation for such approved outside security services shall be pursuant to normal overtime procedures.
 5. Outside security services shall not be subject to the collective bargaining process.
- (d) No officer may engage in outside employment as a peace officer for any other public agency without prior written authorization of the Chief of Police.

1040.3.2 OUTSIDE OVERTIME ARREST AND REPORTING PROCEDURE

Any employee making an arrest or taking other official police action while working in an approved outside overtime assignment shall be required to complete all related reports in a timely manner

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pursuant to the policy of this department. Time spent on the completion of such reports shall be considered incidental to the outside overtime assignment.

1040.4 DEPARTMENT RESOURCES

Employees are prohibited from using any equipment or resources of this department in the course of or for the benefit of any outside employment. This shall include the prohibition of access to official records or databases of this department or other agencies through the use of the employee's position with this department.

1040.5 CHANGES TO OUTSIDE EMPLOYMENT

If an employee terminates his or her outside employment during the period of a valid permit, the employee shall promptly submit written notification of such termination to the Chief of Police through channels. Any subsequent request for renewal or continued outside employment must thereafter be processed and approved through normal procedures set forth in this policy.

Employees shall also promptly submit in writing to the Chief of Police any material changes in outside employment including any change in the number of hours, type of duties, or demands of any approved outside employment. Employees who are uncertain whether a change in outside employment is material are advised to report the change.

1040.6 OUTSIDE EMPLOYMENT WHILE ON DISABILITY

Members of this department engaged in outside employment who are placed on disability leave or modified/light-duty shall inform their immediate supervisor in writing within five (5) days whether or not they intend to continue to engage in such outside employment while on such leave or light-duty status. The immediate supervisor shall review the duties of the outside employment along with any related doctor's orders, and make a recommendation to the Chief of Police whether such outside employment should continue.

In the event the Chief of Police determines that the outside employment should be discontinued or if the employee fails to promptly notify his/her supervisor of his/her intentions regarding their work permit, a notice of revocation of the member's permit will be forwarded to the involved employee, and a copy attached to the original work permit.

Criteria for revoking the outside employment permit include, but are not limited to, the following:

- (a) The outside employment is medically detrimental to the total recovery of the disabled member, as indicated by the City's professional medical advisors.
- (b) The outside employment performed requires the same or similar physical ability, as would be required of an on-duty member.
- (c) The employee's failure to make timely notice of their intentions to their supervisor.

When the disabled member returns to full duty with the Twin Falls Police Department, a request (in writing) may be made to the Chief of Police to restore the permit.

Occupational Disease and Work-Related Injury Reporting

1042.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance regarding the timely reporting of occupational diseases, mental health issues and work-related injuries.

1042.1.1 DEFINITIONS

Definitions related to this policy include (Idaho Code 72-102):

Accident - An unexpected, undesigned, and unlooked for mishap that causes injury, is connected with the industry in which it occurs, and can be reasonably located as to the time when and place where it occurred.

Occupational disease - A disease due to the nature of employment in which the hazards of such disease actually exist and are characteristic of, and peculiar to, the occupation or employment. Psychological injuries, including post-traumatic stress injuries, are included if the conditions set forth in Idaho Code 72-451 are met.

Work-related injury - A personal injury caused by an accident arising out of and in the course of employment.

1042.2 EMPLOYEE'S RESPONSIBILITY

- Any employee injured or involved in any accident while on duty shall report such injury or accident as soon as practical to his/her supervisor.
- Any employee observing or learning of a hazardous condition is to report the condition to his/her immediate supervisor.
- Any employee sustaining an on-duty injury that requires relief from duty is required to be examined/treated by a medical doctor.
- When appropriate, an employee being treated for an on-duty injury is to advise the attending physician that limited-service duty may be available at the Police Department. Limited-service duty is available for many employees whose injuries prevent resumption of regular duties.
- As soon as practical, an injured employee shall report to their immediate supervisor the medical findings concerning the injury and the extent and duration of any work restrictions, if they are known.

1042.2.1 SUBSEQUENT ABSENCES AFTER INITIAL RETURN TO DUTY

If, after being released to work in a regular or limited duty capacity following an on-duty injury, an employee has subsequent absences from duty due to that on-duty injury, a written statement from the employee's physician will be required upon return to work.

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1042.3 SUPERVISOR'S RESPONSIBILITY

A supervisor learning of any accident or on-duty injury sustained by any employee of the Twin Falls Police Department shall promptly prepare a **"Notice of Injury and Claim For Benefits"** report form.

- (a) The report form may be neatly hand-written or typewritten.
- (b) The report form shall be signed by the employee at the bottom in the area titled: **"Signature of Employee."**
- (c) The report form shall be signed by the supervisor preparing the report in the area titled: **"Prepared By."** The supervisor shall also indicate his/her official position and date of report in the area indicated.
- (d) After completion, the **"Notice of Injury and Claim For Benefits"** report shall be forwarded to the Division Captain as soon as it is completed.

1042.4 DIVISION CAPTAIN RESPONSIBILITY

The Division Captain receiving a report of an accident or injury should review the report for accuracy and determine what additional action should be taken. The report shall then be forwarded to the Chief of Police.

1042.5 CHIEF OF POLICE RESPONSIBILITY

The Chief of Police shall sign the **"Notice of Injury and Claim For Benefits"** report form in the area marked **"Signature of Employer"** and forward the report to the Human Resources Department.. One copy of the report shall be retained in the employee's personnel file.

1042.6 SETTLEMENT OF CLAIMS

Occasionally, an employee's on-duty injury results from negligent or wrongful acts of another, for which the employee, the City, and/or other insurers are entitled to recover civilly. To ensure that the City's interests are protected and that the employee has the benefit of the City's experience in these matters, the following procedure is to be followed:

1042.6.1 EMPLOYEE TO REPORT INITIAL CONTACTS

When an employee sustains job-related injuries caused by another person, and is then approached by such person or his agent, insurance company or attorney, and offered a settlement of claims, that employee shall make a written report of this contact to his/her supervisor as soon as possible. This report shall be completed on an Interdepartmental Memorandum.

1042.6.2 NO SETTLEMENT WITHOUT PRIOR APPROVAL

In no case shall the employee accept a settlement without receiving prior approval from the Chief of Police. It must first be determined that the offered settlement will not effect any claim the City of Twin Falls may have, regarding payment for damage(s) to the equipment or reimbursement for wages, against the person who caused the accident or injury. The objective of this policy is to protect the City's right of subrogation, while ensuring the employee's rights to receive compensation for his/her injuries is not effected.

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1042.7 INJURIES REQUIRING NO MEDICAL ATTENTION

Those injuries not requiring medical attention shall be recorded on a "**Notice of Injury and Claim For Benefits**" report form. This form shall be completed and signed by the employee and his/her supervisor. The form shall indicate that the employee desired no medical attention at the time of the report. By signing the form, the employee will not preclude his/her ability to seek medical attention later.

1042.8 WORKMAN'S COMP

When an employee is covered by Workman's Comp. the City will pay to the employee the difference between his/her regular monthly pay and the amount received by the employee in the form of disability pay from the State Insurance Fund. When an employee is eligible to receive compensation from the State Insurance Fund and receives a limited-duty statement from their physician, the employee may be expected to return to work to perform duties as assigned. The temporary reassignment may be in another department and may include a change in the regular tour of duty. Refusal to accept bona fide limited-duty work may be cause for the State Insurance Fund to discontinue Workman's Compensation benefits and for the City to discontinue the accident leave benefit.

1042.8.1 LEAVE BENEFIT

The maximum accident leave benefit shall not exceed 90 calendar days. At such time as it is determined that the employee is unable to return to work, any authorized accident leave will be terminated. If the 90 day maximum is exhausted the employee may, at his/her option, make up the difference between the Workman's Compensation check and the employee's full base pay by charging earned vacation. The sick leave benefit shall not be used for work related injuries or illnesses. An employee who does not have earned vacation to cover the pay differential receives only those earnings covered by the worker's compensation check.

1042.9 POLICY

The Twin Falls Police Department will address occupational diseases and work-related injuries appropriately, and will comply with applicable state workers' compensation requirements (Idaho Code 72-101 et seq.).

1042.10 RESPONSIBILITIES

1042.10.1 MEMBER RESPONSIBILITIES

Any member sustaining any occupational disease or work-related injury shall report such event as soon as practicable, but within 24 hours, to a supervisor, and shall seek medical care when appropriate.

1042.10.2 SUPERVISOR RESPONSIBILITIES

A supervisor learning of any occupational disease or work-related injury should ensure the member receives medical care as appropriate.

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Supervisors shall ensure that required documents regarding workers' compensation are completed and forwarded promptly. Any related City-wide disease- or injury-reporting protocol shall also be followed.

Supervisors shall determine whether the Major Incident Notification and Illness and Injury Prevention policies apply and take additional action as required.

1042.10.3 DIVISION COMMANDER RESPONSIBILITIES

The Division Commander who receives a report of an occupational disease or work-related injury should review the report for accuracy and determine what additional action should be taken. The report shall then be forwarded to the Chief of Police, the City's risk management entity and the Administrative Services Division Commander.

1042.10.4 CHIEF OF POLICE RESPONSIBILITIES

The Chief of Police shall review and forward copies of the report to the Department of Human Resources. Copies of the report and related documents retained by the Department shall be filed in the member's confidential medical file.

1042.11 OTHER DISEASE OR INJURY

Diseases and injuries caused or occurring on-duty that do not qualify for workers' compensation reporting shall be documented on the designated report of injury form, which shall be signed by a supervisor. A copy of the completed form shall be forwarded to the appropriate Division Commander through the chain of command and a copy sent to the Administrative Services Division Commander.

Unless the injury is extremely minor, this report shall be signed by the affected member, indicating that he/she desired no medical attention at the time of the report. By signing, the member does not preclude his/her ability to later seek medical attention.

1042.12 SETTLEMENT OFFERS

When a member sustains an occupational disease or work-related injury that is caused by another person and is subsequently contacted by that person, his/her agent, insurance company or attorney and offered a settlement, the member shall take no action other than to submit a written report of this contact to his/her supervisor as soon as possible.

1042.12.1 NO SETTLEMENT WITHOUT PRIOR APPROVAL

No less than 10 days prior to accepting and finalizing the settlement of any third-party claim arising out of or related to an occupational disease or work-related injury, the member shall provide the Chief of Police with written notice of the proposed terms of such settlement. In no case shall the member accept a settlement without first providing written notice to the Chief of Police. The purpose of such notice is to permit the City to determine whether the offered settlement will affect any claim the City may have regarding payment for damage to equipment or reimbursement for wages against the person who caused the disease or injury, and to protect the City's right of subrogation, while ensuring that the member's right to receive compensation is not affected.

Personal Appearance Standards

1044.1 PURPOSE AND SCOPE

In order to project uniformity and neutrality toward the public and other members of the department employees shall maintain their personal hygiene and appearance to project a professional image appropriate for this department and for their assignment.

1044.2 GROOMING STANDARDS

Unless otherwise stated, and because deviations from these standards could present officer safety issues, the following appearance standards shall apply to all employees, except those whose current assignment would deem them not appropriate, and where the Chief of Police has granted exception.

1044.2.1 HAIR

Male members shall wear their hair neatly trimmed, clean and well groomed at all times while on duty. The hair shall be moderately tapered and shall not extend below the top of the shirt collar. Officers shall keep their hair trimmed and worn above the ears. The hairstyle shall not interfere with the proper wearing of the uniform cap, helmet, or chemical agents mask.

Hair styles and/or unnatural colors worn by any member which might cause undue public and peer recognition, or which interfere with the effective performance of their duties, shall in all cases be prohibited.

Female uniform Officers shall wear their hair in a clean and well-groomed manner at all times while on duty, and in a style which approximates the required appearance for male members; that is, either in a short daytime style or worn fastened up off the neck and ears. Female uniform officers should note that long hair could give undue advantage to a physically aggressive attacker.

1044.2.2 MUSTACHES

A short and neatly trimmed mustache of natural color may be worn. Mustaches shall not extend over the upper lip and may not extend to the side more than 1/2" beyond the corner of the mouth and may not extend below the corner of the mouth. Mustaches shall be neatly trimmed.

1044.2.3 SIDEBURNS

Sideburns shall not be extended beyond a point even with the bottom of the inner opening of the ear and shall extend in a clean- horizontal line. The sideburn shall be trimmed and neat in appearance.

1044.2.4 BEARDS

Sworn and non-sworn members of the Department will be allowed to wear a goatee or full beard. Such facial hair must be kept neatly trimmed, be professional in appearance, and be of a naturally occurring color range. Neck beards are not permitted.

Goatees and beards are not authorized under the following circumstances and members are expected to be clean shaven with the exception of a mustache as outlined in 1044.2.2.

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- (a) Members of the Twin Falls Police Department Honor Guard shall be clean shaven when representing the department in that assignment.
- (b) All members shall be clean shaven when representing the Twin Falls Police Department at any event that requires wearing the Class A uniform.

1044.2.5 FINGERNAILS

Fingernails extending beyond the tip of the finger can pose a safety hazard to officers or others. For this reason, fingernails shall be trimmed so that no point of the nail extends beyond the tip of the finger.

1044.2.6 JEWELRY AND ACCESSORIES

Officers in uniform and in plainclothes shall not wear jewelry around the neck, that is visible. Officers in uniform shall not wear earrings. Officers and civilian personnel shall not wear any facial piercing. Officers assigned to plainclothes duties may wear earring(s) as approved by their Divisional Captain. Earrings shall be the post type for pierced ears. Long or extended earrings, which may pose a safety hazard to the Officer, are prohibited.

1044.3 TATTOOS

While on duty or otherwise representing the Twin Falls Police department, the following guidelines regarding visible body tattoos shall be followed.

1. Tattoos on the head or above the neck are prohibited. The neck is defined as above the collarbone in the front and above the seventh cervicle vertebrae (C7) in the back. Tattoos below the wrist onto the hand are also prohibited. Wedding band tattoos are exempt.

2. Tattoos with objectionable content are prohibited anywhere on the body. Examples include, but are not limited to, tattoos that are drug related, gang-related, extremist, obscene or indecent, sexist, or racist as defined below:

a. Extremist. Extremist tattoos are those affiliated with, depicting, or symbolizing extremist philosophies, organizations, or activities. Extremist philosophies, organizations, and activities are those which advocate racial, gender, or ethnic hatred or intolerance; advocate, create, or engage in illegal discrimination based on race, color, gender, ethnicity, religion, or national origin; or advocate violence or other unlawful means of depriving individual rights under the U.S. Constitution and federal or state law.

b. Obscene or Indecent. Indecent tattoos are those that are grossly offensive to modesty, decency, or propriety.

c. Sexist. Sexist tattoos are those that advocate a philosophy that degrades or demeans a person based on gender.

d. Racist. Racist tattoos are those that advocate a philosophy that degrades or demeans a person based on race, ethnicity, or national origin

3) The final determination as to whether a tattoo has objectionable content shall rest with the Police Chief. Any tattoo that is found to be objectionable will be concealed while on duty or

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otherwise representing the Twin Falls Police Department. All coverings shall be approved by police administration.

1044.4 BODY PIERCING OR ALTERATION

For the purpose of this policy, body piercing or alteration is defined as any non-medically required deviation from one's normal, anatomical features that is visible in any authorized uniform and/or attire. All such piercing and/or alteration are prohibited by this policy except when otherwise approved by the Chief of Police. This prohibition includes, but is not limited to:

- Tongue splitting or piercing;
- The complete or trans-dermal implantation of any material other than hair replacement or other reasonable cosmetic treatments;
- Abnormal shaping of the ears, eyes, nose or teeth;
- Visible branding or scarification; and,
- More than three earrings per ear.

Uniform Regulations

1046.1 PURPOSE AND SCOPE

The uniform policy of the Twin Falls Police Department is established to ensure that uniformed officers will be readily identifiable to the public through the proper use and wearing of the uniform of this department. Employees should also refer to the following associated Policy Manual sections:

- Police Department Owned and Personal Property
- Body Armor
- Personal Appearance Standards

The Uniform and Equipment Specifications manual is maintained and periodically updated by the Chief of Police or his/her designee. That manual should be consulted regarding authorized equipment and uniform specifications.

The Twin Falls Police Department will provide uniforms for all employees required to wear them in the manner, quantity and frequency agreed upon in the respective employee group's collective bargaining agreement.

1046.2 WEARING AND CONDITION OF UNIFORM AND EQUIPMENT

Police employees wear the uniform to be identified as the law enforcement authority in society. The uniform also serves an equally important purpose to identify the wearer as a source of assistance in an emergency, crisis or other time of need.

- (a) Uniform and equipment shall be maintained in a serviceable condition and shall be ready at all times for immediate use. Uniforms shall be neat, clean, and appear professionally pressed.
- (b) All peace officers of this department shall possess and maintain at all times, a serviceable uniform and the necessary equipment to perform uniformed field duty.
- (c) Personnel shall wear only the uniform specified for their rank and assignment.
- (d) The uniform is to be worn in compliance with the specifications set forth in this department's uniform specifications that are maintained separately from this policy.
- (e) All supervisors will perform periodic inspections of their personnel to ensure conformance to these regulations.
- (f) Civilian attire shall not be worn in combination with any distinguishable part of the uniform.
- (g) Uniforms are only to be worn while on duty, while in transit to or from work, for court, or at other official functions or events.
- (h) If the uniform is worn while in transit, an outer garment should be worn over the uniform shirt so as not to bring attention to the employee while he/she is off duty.
- (i) Employees are not to purchase or drink alcoholic beverages while wearing any part of this department's uniform, including the uniform pants.

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- (j) Mirrored sunglasses will not be worn with this department's uniform.
- (k) Visible jewelry, other than those items listed below, shall not be worn with the uniform unless specifically authorized by the Chief of Police or his designee.
 - 1. Wrist watch.
 - 2. Wedding ring(s), class ring, or other ring of tasteful design. A maximum of one ring/set may be worn on each hand.
 - 3. Medical alert bracelet.
 - 4. While male Officers are prohibited from wearing any earrings while on uniformed duty, female Officers may wear up to three (3) earring per ear.

1046.2.1 POLICE AGENCYTYPE ISSUED IDENTIFICATION

This department issues each employee an official identification card bearing the employee's name, identifying information and photo likeness. All employees shall be in possession of their issued identification card at all times while on duty or when carrying a concealed weapon.

- (a) Whenever on duty or acting in an official capacity representing this department, employees shall display the identification issued by the department in a courteous manner to any person upon request and as soon as practical.
- (b) Officers working specialized assignments may be excused from the possession and display requirements when directed by their division commander.

1046.3 UNIFORM CLASSES

1046.3.1 CLASS A UNIFORM

The Class A uniform is to be worn on special occasions such as funerals, graduations, ceremonies, or as directed. The Class A uniform is required for all sworn personnel. Officers shall be clean shaven when wearing the Class A uniform with the exception of a mustache as governed under Twin Falls Police Department Policy 1044.2.2. The Class A uniform includes the standard issue uniform with:

- (a) Long sleeve shirt with tie.
- (b) Full length uniform trousers.
- (c) Polished shoes.
- (d) Ribbons.
- (e) Bracken Memorial Badge and metal name plate.

Boots with pointed toes are not permitted. The Chief of Police may adjust the appearance of the Class A uniform when appropriate.

1046.3.2 CLASS B UNIFORM

All officers will possess and maintain a serviceable Class B uniform at all times.

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The Class B uniform will consist of the same garments and equipment as the Class A uniform with the following exceptions:

- (a) The long or short sleeve shirt may be worn with the collar open. No tie is required.
- (b) A white, navy blue or black crew neck t-shirt must be worn with the uniform.
- (c) All shirt buttons must remain buttoned except for the last button at the neck.
- (d) The standard issued metal Perrine Bridge Badge and metal name plate shall be worn on the uniform shirt.
- (e) Shoes for the Class B uniform may be as described in the Class A uniform.
- (f) Approved all black unpolished shoes may be worn.
- (g) Boots with pointed toes are not permitted.

1046.3.3 CLASS C UNIFORM

The Class C uniform will consist of the same garments and equipment as the Class B uniform with the following exceptions:

- (a) The long or short sleeve shirt may be worn with the collar open. No tie is required.
- (b) A white, navy blue or black crew neck t-shirt must be worn with the uniform.
- (c) All shirt buttons must remain buttoned except for the last button at the neck.
- (d) A patch badge (soft badge) and embroidered name plate can be worn on the uniform shirt.
- (e) Shoes for the Class C uniform may be as described in the Class B uniform.
- (f) Approved all black unpolished shoes may be worn.
- (g) Boots with pointed toes are not permitted.

1046.3.4 SPECIALIZED UNIT UNIFORMS

The Chief of Police may authorize special uniforms to be worn by officers in specialized units such as Canine Team, SWAT, Bicycle Patrol, Motor Officers and other specialized assignments.

1046.3.5 FOUL WEATHER GEAR

The Uniform and Equipment Specifications lists the authorized uniform jacket and rain gear.

1046.3.6 RESERVE OFFICER UNIFORM

The reserve officer's uniform will be the same as for the regular officer with the exception of the badge. All uniform policies, regulations and specifications apply equally to reserve officers.

1046.4 INSIGNIA AND PATCHES

- (a) **Shoulder Patches** - The authorized shoulder patch supplied by this department shall be machine stitched to the sleeves of all uniform shirts, three-quarters of an inch below the shoulder seam of the shirt and be bisected by the crease in the sleeve.

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- (b) Service stripes, stars, etc. - Service stripes and other indicators for length of service may be worn on long sleeved Class A uniform shirts. They are to be machine stitched onto the uniform. The bottom of the service stripe shall be sewn the width of one and one-half inches above the cuff seam with the rear of the service stripes sewn on the dress of the sleeve. The stripes are to be worn on the left sleeve only. One stripe will be issued to designate 5 years of service as a sworn law enforcement officer. Additional stripes will be issued to recognize each five (5) year increment of service with the Twin Falls Police Department.
- (c) The regulation nameplate, or an authorized sewn on cloth nameplate, shall be worn at all times while in uniform. The nameplate shall display the employee's last name. The nameplate shall be worn above the right pocket located in the middle, bisected by the pressed shirt seam, with equal distance from both sides of the nameplate to the outer edge of the pocket. The Chief of Police may authorize personnel not to wear the nameplate when appropriate.
- (d) When a jacket is worn, the nameplate or an authorized sewn on cloth nameplate may be affixed to the jacket in the same manner as the uniform.
- (e) Assignment Insignias - Assignment insignias, (SWAT, FTO, etc.) may be worn as designated by the Chief of Police.
- (f) Flag Pin - A flag pin may be worn, centered above the nameplate.
- (g) Badge - The badge issued by this department, or an authorized sewn on cloth replica, must be worn and visible at all times while in uniform.
- (h) Rank Insignia - The designated insignia indicating the employee's rank must be worn at all times while in uniform. The Chief of Police may authorize exceptions.

1046.4.1 MOURNING BADGE

Uniformed employees should wear a black mourning band across the uniform badge whenever a law enforcement officer is killed in the line of duty. The following mourning periods will be observed:

- (a) An officer of this department - From the time of death until midnight on the 14th day after the death.
- (b) An officer from this or an adjacent county - From the time of death until midnight on the day of the funeral.
- (c) Funeral attendee - While attending the funeral of an out of region fallen officer.
- (d) National Peace Officers Memorial Day (May 15th) - From 0001 hours until 2359 hours.
- (e) As directed by the Chief of Police.

Mourning bands will not be worn in conjunction with the Bracken Memorial Badge.

1046.5 CIVILIAN ATTIRE

There are assignments within this department that do not require the wearing of a uniform because recognition and authority are not essential to their function. There are also assignments in which the wearing of civilian attire is necessary. Immediate supervisors may require an employee to change or adjust any clothing that is unprofessional or sloppy in appearance.

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- (a) All employees shall wear clothing that fits properly, is clean and free of stains, and not damaged or excessively worn.
- (b) All male administrative, investigative and support personnel who elect to wear civilian clothing to work shall wear button style shirts with a collar, polo style shirts, slacks or suits that are moderate in style. The Chief of Police may authorize clean, well kept jeans to be worn when appropriate. Jeans shall be free from holes, free from frays, and clean.
- (c) Shoes shall be professional in appearance.
- (d) Jackets, sweaters, or pull over jackets shall be professional in appearance.
- (e) Only authorized and approved hats, caps, or cold weather stocking hats shall be worn by personnel.
- (f) All female administrative, investigative, and support personnel who elect to wear civilian clothes to work shall wear dresses, slacks, dress capris, shirts, blouses, or suits which are moderate in style.
- (g) The following items shall not be worn on duty:
 - 1. With the exception of the Special Investigations Unit, T-shirt alone.
 - 2. Flip flop sandals.
 - 3. Swimsuit, tube tops, or halter-tops.
 - 4. Spandex type pants or see-through clothing.
 - 5. Distasteful printed slogans, buttons or pins.
- (h) Variations from this order are allowed at the discretion of the Chief of Police or designee when the employee's assignment or current task is not conducive to the wearing of such clothing.
- (i) No item of civilian attire may be worn on duty that would adversely affect the reputation of the Twin Falls Police Department or the morale of the employees.

1046.6 POLITICAL ACTIVITIES, ENDORSEMENTS, AND ADVERTISEMENTS

Unless specifically authorized by the Chief of Police, Twin Falls Police Department employees may not wear any part of the uniform, be photographed wearing any part of the uniform, utilize a department badge, patch or other official insignia, or, cause to be posted, published, or displayed, the image of another employee, or identify himself/herself as an employee of the Twin Falls Police Department to do any of the following:

- (a) Endorse, support, oppose, or contradict any political campaign or initiative.
- (b) Endorse, support, oppose, or contradict any social issue, cause, or religion.
- (c) Endorse, support, or oppose, any product, service, company or other commercial entity.
- (d) Appear in any commercial, social, or non-profit publication, or any motion picture, film, video, public broadcast, or any website.

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1046.7 OPTIONAL EQUIPMENT - MAINTENANCE, AND REPLACEMENT

- (a) Any of the items listed in the Uniform and Equipment Specifications as optional shall be purchased totally at the expense of the employee. No part of the purchase cost shall be offset by this department for the cost of providing this department's issued item.
- (b) Maintenance of optional items shall be the financial responsibility of the purchasing employee. For example, repairs due to normal wear and tear.
- (c) Replacement of items listed in this order as optional shall be done as follows:
 - 1. When the item is no longer functional because of normal wear and tear, the employee bears the full cost of replacement.
 - 2. When the item is no longer functional because of damage in the course of the employee's duties, it shall be replaced following the procedures for the replacement of damaged personal property (see the Police Department Owned and Personal Property Policy).

1046.8 UNAUTHORIZED UNIFORMS, EQUIPMENT AND ACCESSORIES

Twin Falls Police Department employees may not wear any uniform item, accessory or attachment unless specifically authorized in the Uniform and Equipment Specifications or by the Chief of Police or designee.

Twin Falls Police Department employees may not use or carry any safety item, tool or other piece of equipment unless specifically authorized in the Uniform and Equipment Specifications or by the Chief of Police or designee.

Police Cadets

1048.1 PURPOSE AND SCOPE

Cadets work under direct supervision, perform a variety of routine and progressively more advanced tasks in an apprenticeship program in preparation for a career in law enforcement.

1048.2 EDUCATION REQUIREMENTS

Cadets are required to maintain a minimum grade point average of 2.0 ("C" grade) for High School courses taken. Cadets graduated from High School shall complete six semester units of college course work per semester and senior cadets shall complete 12 units per semester.

1048.3 PROGRAM COORDINATOR

The Program Coordinator will be assigned by the Chief of Police. This supervisor will be responsible for tracking the educational and job performance of cadets as well as making their individual assignments throughout this department. He/she will also monitor the training provided for all cadets and review all decisions affecting job assignments, school attendance and performance evaluations.

1048.3.1 PROGRAM ADVISORS

The Program Coordinator may select individual officers to serve as advisors for the Cadet Program. These officers will serve as mentors for each cadet. Cadets will bring special requests, concerns, and suggestions to their program advisor for advice or direction before contacting the Program Coordinator. One advisor may be designated as the Coordinator's assistant to lead scheduled meetings and training sessions involving the cadets. Multiple cadets may be assigned to each program advisor. Program advisors are not intended to circumvent the established chain of command. Any issues that may be a concern of the individual's supervisor should be referred back to the Program Coordinator.

1048.4 ORIENTATION AND TRAINING

Newly hired cadets will receive an orientation of the organization and facilities before reporting to their first assignment. On-the-job training will be conducted in compliance with the Cadet Training Manual. Training sessions will be scheduled as needed to train cadets for as many assignments as possible. In addition to job-specific training, information will be offered to prepare cadets to compete successfully in the police officer selection process, as well as the academy training. All training will focus on improving job performance, as well as preparation to become police officers. These meetings will also offer an opportunity to receive continuous feedback regarding progress of the program.

1048.5 CADET UNIFORMS

Each cadet will be provided two uniforms meeting the specifications described in the Uniform Manual for civilian employees.

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1048.6 ROTATION OF ASSIGNMENTS

Rotating job assignments should occur on a regular basis to enhance the career development for each cadet. This department's needs and concerns will take precedence over individual considerations with the final decision resting with the Program Coordinator.

In general, senior cadets will be assigned to positions requiring more technical skill or responsibility, as well as serving to train cadets for new assignments or those newly hired.

1048.7 RIDE-ALONG PROCEDURES

All cadets are authorized to participate in the Ride-Along Program on their own time and as approved by their immediate supervisor and the appropriate Shift Supervisor. Applicable waivers must be signed in advance of the ride-along. Cadets shall wear their uniform while participating on a ride-along.

1048.8 PERFORMANCE EVALUATIONS

Performance evaluations for all cadets shall be completed monthly during their first year on probation. Upon successful completion of probation, cadets and senior cadets will be evaluated on a yearly basis to assess their current job performance and their potential as police officers.

1048.9 CADET REQUIREMENTS

- (a) Must be fifteen (15) years of age or older
- (b) Must have prior approval of the Post Advisor, Associate Advisor or the appropriate Shift Supervisor

1048.10 REQUIRED FORMS

All Cadets will have the following forms on file:

- (a) Hold Harmless Agreement
- (b) Statement of Consent and Limitation of Liability will be signed by the parent(s) or legal guardian(s) of the Cadet and by the Cadet
- (c) Medical Release must be signed authorizing Police Officer to consent to emergency medical treatment for Cadets
- (d) Hepatitis B Vaccination Declination form
- (e) ILETs Confidentiality Waiver
- (f) Two sets of fingerprint cards

1048.11 GENERAL RULES

- (a) Cadets are prohibited from drinking alcohol, smoking or sleeping while on duty.
- (b) A Cadet found in possession of illegal narcotics, other habitual drugs or found to be intoxicated at any time will be dismissed immediately.

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- (c) Cadets will not, under any circumstances, be allowed to carry a firearm while participating in the Ride-Along Program, Department related activity or any other Cadet function.

Internship Program

1049.1 POLICY

The Twin Falls Police Department recognizes a need for an Internship program for college/university students. This program is designed to assist college/university students in their education and understanding of the duties and responsibilities of both sworn and non-sworn personnel within a Police Department.

1049.2 PURPOSE

The purpose of this order is to help students integrate classroom theory with real life practices and to encourage students to consider a career as a member of the Twin Falls Police Department. To provide students with valuable work experience and education with a Municipal Police Department.

1049.3 PROCEDURE

1049.3.1 STUDENTS ELIGIBLE TO PARTICIPATE IN THE TWIN FALLS POLICE DEPARTMENT'S INTERNSHIP PROGRAM.

- (a) A full-time continuing second year college, or fourth year university student, with preference given a student whose major or minor course of study is Criminal Justice.
- (b) An applicant is considered a sophomore if he/she will have completed freshman credits (30 or more semester hours) and a junior if he/she will have completed all sophomore credits (60 or more semester hours) by the time the internship begins.
- (c) In good academic standing with an accredited institution and maintain a minimum 2.5 cumulative grade point average (GPA).
- (d) The accredited institution must have a current internship agreement with the Twin Falls Police Department at the time of application.

1049.3.2 INTERNSHIP RULES AND REGULATIONS

1. INTERN CONDUCT

Interns will be provided, and sign a Participant Expectations/Requirements form, prior to being permitted to participate in the Internship Program. Interns failing to conduct themselves in accordance with requirements outlined in this form are subject to denial of contact hours at the discretion of the Internship Coordinator and/or termination from the Internship Program at the discretion of the Chief of Police.

Required clothing during the program is business attire. Blue jeans and tennis shoes are not acceptable.

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Interns will be under the supervision and direction of the person within the workgroup they have been assigned to. That supervising individual has the authority to restrict the intern's involvement in the program while assigned to them.

Interns are not sworn Peace Officers and are not employees of the Twin Falls Police Department. Interns have no authority as a Peace Officer or employee/agent of the Twin Falls Police Department. Interns do not have arrest powers and cannot take any enforcement actions or carry any weapons.

Interns are expected to act in a professional manner when dealing with the public and other professionals. Interns represent the Twin Falls Police Department because of their affiliation through the Internship Program.

In the event that Interns are exposed to any information of a confidential or investigatory nature during their internship, they are expected to maintain the confidentiality of such information so as not to endanger the safety of anyone or jeopardize any investigation.

The Twin Falls Police Department reserves the right to terminate an internship for any and all unacceptable behavior and/or conduct.

All releases from the Internship are final.

In the event that an intern will not be able to make their assignment, they are to give notification to the Training Staff Sergeant and the individual whom they are to report to.

Interns must be at least 18 years of age.

2. DUTIES

Students will be assigned to a various Divisions and Workgroups within the Twin Falls Police Department for the purpose of observing the operations of the Department.

Duties and assignments will be based upon the internship agreement with the institution.

The Intern will be required to submit a Written Research Report to the Twin Falls Police Department Command Staff at the conclusion of the Internship on a topic to be determined by the Internship Program Coordinator and Intern.

The Intern will be responsible to complete any other documentation as required by his/her institution.

Interns assigned to accompany any Sworn Officers, Community Service Officers, Animal Control Officers, or Detectives in the field will be subject to the Ride-along Policy of the Twin Falls Police Department. See TFPD Policy 410.

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Interns shall not operate Twin Falls Police Department vehicles.

The Intern may participate in completing paperwork as assigned. The employee assigned as the shift mentor for the intern will closely monitor any work completed by the intern to ensure accuracy and completeness of the Intern's work product.

Under no circumstances will an intern be assigned work tasks that may subject the intern to undo risk or danger, or that may jeopardize the integrity of a case or investigation.

Interns shall not take photographs of any evidence or other confidential information they may have access to.

Interns shall not record any interviews or employees of the Twin Falls Police Department without express permission from the Internship Program Coordinator.

3. LENGTH Of INTERNSHIP

Internships are normally one semester in length coinciding with the students' college fall, spring or summer schedule.

Interns will be expected to complete a minimum of 96 volunteer hours with the Twin Falls Police Department to complete the internship program.

Schedules or shifts are flexible. The Training Staff Sergeant will generally oversee the daily scheduling and evaluation of each intern during for the duration of the internship.

The student is responsible for transportation to and from the Twin Falls Police Department for the duration of the internship.

4. SALARY AND BENEFITS

Internships are unpaid. The City of Twin Falls does not offer benefits to interns participating in the internship program.

Many educational institutions grant academic credit for internships.

It is the responsibility of the intern to work with his/her college or university to ensure all requirements for credit are completed.

5. INTERN SELECTION AND NOTIFICATION

The Twin Falls Police Department will only accept one intern into the Internship Program per semester. The Chief of Police may authorize up to two interns to participate in the Internship Program during any one semester on an individual basis

The Administrative Services Division Captain (Internship Program Coordinator) receives applications by the deadline and reviews them for completeness and ensures all eligibility criteria have been met.

The Internship Program Coordinator may convene an Internship Selection Panel if necessary. The panel will interview and make the internship selection.

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Students will be notified verbally of the interview date, time and location. Those who are not selected for an interview will be notified by mail.

Applicants tentatively selected (pending background investigation and drug testing) by the Selection Panel will be notified verbally of the tentative selection. Those that are not selected for an internship will be notified electronically or by mail.

6. BACKGROUND INVESTIGATION

Students tentatively selected for the Internship Program must undergo a background investigation.

Students will be required to complete and submit the Personal History Statement at the time of application to the Internship Program.

Automatically Disqualifying Information. The applicant will be deemed automatically ineligible for participation in the Internship Program if any of the following information is discovered:

- A conviction for any felony offense.
- A conviction for any offense involving domestic violence.
- A conviction for any sexual offense.
- If the applicant is required to register as, or has ever been required to register as sexual offender or offender against children.
- If the applicant is not a citizen of the United States and has been previously deported stemming from any criminal conviction or any administrative return/action.
- If the applicant is identified as a suspect in any open criminal or administrative case, investigation or inquiry for any of the above identified offenses.
- Admissions to, or discovery of, any of the above acts/offenses despite not having been arrested, prosecuted or convicted.
- Any false, misleading, or omitted information or statements regarding Automatically Disqualifying or Potentially Disqualifying Information.

Potentially Disqualifying Information. The applicant may be denied participation in the Internship Program, upon recommendation of the Internship Coordinator, Crime Prevention Unit supervisor (Administrative Sergeant), Administrative Lieutenant, and/or Administration Division Commander, at the discretion of the Chief of Police, if any of the following information is discovered:

- A misdemeanor conviction for any offense that is drug or drug paraphernalia related.
- A misdemeanor conviction for any offense involving theft.
- A suspended driver license/driver privileges in any state, a conviction of a DUI offense, or convictions for multiple traffic offenses that would tend to show a pattern of disregard for law and/or public safety.
- A conviction for any offense, not described above as Automatically Disqualifying, where the underlying actions could tend to discredit the Twin Falls Police Department,

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or cast doubt upon the suitability of a person serving in a position of public trust, as determined by the Chief of Police.

- Admissions, to or discovery of, any acts/offenses, not described as Automatically Disqualifying, despite not having been arrested, prosecuted, or convicted.

7. IDENTIFICATION AND CONFIDENTIALITY WAIVER

Students selected for the Internship Program must sign the Identification Waiver and Confidentiality Agreement.

Students selected to participate in the Internship Program are required to have their fingerprints taken.

8. DRUG TESTING

All subjects selected to participate in the Internship Program will be subject to a drug test at a Twin Falls Police Department approved facility and will be responsible for costs of such testing.

9. OFFICIAL INVITATION FOR INTERNSHIP

After all procedures are completed and clearance obtained, interns will be contacted by the Internship Program Coordinator with instructions to report to the Training Staff Sergeant to develop a schedule.

10. INTERNSHIP APPLICATION INSTRUCTIONS

The application package must consist of:

- Twin Falls City Employment Application
- The completed Personal History Statement
- Resume (1 to 2 pages)
- Statement of interest (1 page) that describes objectives and motivation in seeking an internship and explains your academic courses and other experiences that relate to the field.
- A copy of most recent college transcript
- Internship questionnaire
- Original letter of recommendation by College Advisor outlining the applicant's year of study, qualifying major and minor, and recommendation for the internship.
- The completed application package must be delivered to the Department in care of the Administrative Services Division Captain. Faxes will NOT be accepted.

11. APPLICATION PROCESS AND TIMETABLE

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The following chart is provided to help students applying for the internship to track their application during the selection process. Please be patient and follow the guidelines. Retain this form for future reference.

Instructions distributed to Colleges and Universities	January and August
Application Deadline:	Fall Semester: May 1st
(Deadline is the listed month before the start of the semester in which the Internship will take place)	Spring Semester: October 1st
	Summer Semester: March 1st
Review Applicant's Qualifications	May/October/March
Internship Selection Panel Convenes	May/October/March
Applicants selected for interview notified verbally/ Applicants not selected for interview notified in writing	May/October/March
Interviews held	May/October/March
Security Clearances Performed	November/April
Cleared Interns notified and given reporting instructions	November/ April
internship starts	August/January/May
Internship ends on or about	December/May/August

Police Department Badges

1052.1 PURPOSE AND SCOPE

The Twin Falls Police Department badge and uniform patch as well as the likeness of these items and the name of the Twin Falls Police Department are property of the Police Department and their use shall be restricted as set forth in this policy.

1052.2 POLICY

The uniform badge shall be issued to Police Department members as a symbol of authority and the use and display of issued or purchased badges shall be in strict compliance with this policy. Only authorized badges issued by the Police Department shall be displayed, carried or worn by members while on duty or otherwise acting in an official or authorized capacity.

1052.2.1 FLAT BADGES

Sworn officers, with the written approval of the Chief of Police may purchase, at his/her own expense, a flat badge capable of being carried in a wallet. The use of the flat badge is subject to all the same provisions of policy as the uniform badge.

- (a) An officer may sell, exchange or transfer the flat badge he/she purchased to another officer within the Twin Falls Police Department with the written approval of the Chief of Police.
- (b) Should the flat badge become lost, damaged or otherwise removed from the officer's control, he/she shall make the proper notifications as outlined in the Police Department Owned and Personal Property Policy.
- (c) An officer who leaves employment in good standing, either by retirement or takes employment with another law enforcement agency, may keep all badges they were purchased by that employee.
- (d) The purchase, carrying or display of a flat badge is not authorized for non-sworn personnel.

1052.2.2 CIVILIAN PERSONNEL

Badges and Police Department identification cards issued to non-sworn personnel shall be clearly marked to reflect the position of the assigned employee (e.g. Parking Control, Dispatcher).

- (a) Non-sworn personnel shall not display any law enforcement badge except as a part of his/her uniform and while on duty, or otherwise acting in an official and authorized capacity.
- (b) Non-sworn personnel shall not display any law enforcement badge or represent him/herself, on or off duty, in such a manner which would cause a reasonable person to believe that he/she is a sworn peace officer.

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Police Department Badges

1052.2.3 RETIREE UNIFORM BADGE

Upon retirement, the Department may loan an Officer in good standing the retired employee badge. The retired employee must remain in good standing and not in violate laws in order to maintain possession of the badge. Employees in possession of a retired badge who are not in good standing shall immediately return the badge to the Twin Falls Police Department.

1052.3 UNAUTHORIZED USE

Except as required for on-duty use by current employees, no badge designed for carry or display in a wallet, badge case or similar holder shall be issued to anyone other than a current or honorably retired peace officer.

Department badges are issued to all sworn employees and civilian uniformed employees for official use only. The badge, shoulder patch or the likeness thereof, or the name shall not be used for personal or private reasons including, but not limited to, letters, memoranda and electronic communications such as electronic mail or web sites and web pages.

The use of the badge, uniform patch and name for all material (printed matter, products or other items) developed for use shall be subject to approval by the Chief of Police.

Employees shall not loan his/her badge or identification card to others and shall not permit the badge or identification card to be reproduced or duplicated.

1052.4 PERMITTED USE BY EMPLOYEE GROUPS

The likeness of the badge shall not be used without the expressed authorization of the Chief of Police and shall be subject to the following:

- (a) The employee associations may use the likeness of the badge for merchandise and official association business provided they are used in a clear representation of the association and not the Twin Falls Police Department.
 - 1. The text on the upper and lower ribbons is replaced with the name of the employee association.
 - 2. The badge number portion displays the initials of the employee association.
- (b) The likeness of the badge for endorsement of political candidates shall not be used without the expressed approval of the Chief of Police.

Nepotism and Conflicting Relationships

1050.1 PURPOSE AND SCOPE

Per the Employee Resolution, to set out restrictions on hiring persons related either by blood or marriage including grandparents, parents, children and siblings.

1050.2 NEPOTISM

Refer to Twin Falls City *Employee Resolution*, Section I, subsection 8.

Temporary Modified-Duty Assignments

1054.1 PURPOSE AND SCOPE

This policy establishes procedures for providing temporary modified-duty assignments. This policy is not intended to affect the rights or benefits of employees under federal or state law, City rules, current memorandum of understanding or collective bargaining agreement. For example, nothing in this policy affects the obligation of the Department to engage in a good faith, interactive process to consider reasonable accommodations for any employee with a temporary or permanent disability that is protected under federal or state law.

1054.2 POLICY

Subject to operational considerations, the Twin Falls Police Department may identify temporary modified-duty assignments for employees who have an injury or medical condition resulting in temporary work limitations or restrictions. A temporary assignment allows the employee to work, while providing the Department with a productive employee during the temporary period.

1054.3 GENERAL CONSIDERATIONS

Priority consideration for temporary modified-duty assignments will be given to employees with work-related injuries or illnesses that are temporary in nature. Employees having disabilities covered under the Americans with Disabilities Act (ADA) or the Idaho Human Rights Act shall be treated equally, without regard to any preference for a work-related injury.

No position in the Twin Falls Police Department shall be created or maintained as a temporary modified-duty assignment.

Temporary modified-duty assignments are a management prerogative and not an employee right. The availability of temporary modified-duty assignments will be determined on a case-by-case basis, consistent with the operational needs of the Department. Temporary modified-duty assignments are subject to continuous reassessment, with consideration given to operational needs and the employee's ability to perform in a modified-duty assignment.

The Chief of Police or the authorized designee may restrict employees working in temporary modified-duty assignments from wearing a uniform, displaying a badge, carrying a firearm, operating an emergency vehicle, engaging in outside employment, or being otherwise limited in employing their peace officer powers.

1054.4 PROCEDURE

Employees may request a temporary modified-duty assignment for short-term injuries or illnesses.

Employees seeking a temporary modified-duty assignment should submit a written request to their Division Commanders or the authorized designees. The request should, as applicable, include a certification from the treating medical professional containing:

- (a) An assessment of the nature and probable duration of the illness or injury.
- (b) The prognosis for recovery.

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- (c) The nature and scope of limitations and/or work restrictions.
- (d) A statement regarding any required workplace accommodations, mobility aids or medical devices.
- (e) A statement that the employee can safely perform the duties of the temporary modified-duty assignment.

The Division Commander will make a recommendation through the chain of command to the Chief of Police regarding temporary modified-duty assignments that may be available based on the needs of the Department and the limitations of the employee. The Chief of Police or the authorized designee shall confer with the Department of Human Resources or the City Attorney as appropriate.

1054.5 ACCOUNTABILITY

Written notification of assignments, work schedules and any restrictions should be provided to employees assigned to temporary modified-duty assignments and their supervisors. Those assignments and schedules may be adjusted to accommodate department operations and the employee's medical appointments, as mutually agreed upon with the Division Commander.

1054.5.1 EMPLOYEE RESPONSIBILITIES

The responsibilities of employees assigned to temporary modified duty shall include, but not be limited to:

- (a) Communicating and coordinating any required medical and physical therapy appointments in advance with their supervisors.
- (b) Promptly notifying their supervisors of any change in restrictions or limitations after each appointment with their treating medical professionals.
- (c) Communicating a status update to their supervisors no less than once every 30 days while assigned to temporary modified duty.

1054.5.2 SUPERVISOR RESPONSIBILITIES

The employee's immediate supervisor shall monitor and manage the work schedule of those assigned to temporary modified duty.

The responsibilities of supervisors shall include, but not be limited to:

- (a) Periodically apprising the Division Commander of the status and performance of employees assigned to temporary modified duty.
- (b) Notifying the Division Commander and ensuring that the required documentation facilitating a return to full duty is received from the employee.
- (c) Ensuring that employees returning to full duty have completed any required training and certification.

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Temporary Modified-Duty Assignments

1054.6 MEDICAL EXAMINATIONS

Prior to returning to full-duty status, employees shall be required to provide certification from their treating medical professionals stating that they are medically cleared to perform the essential functions of their jobs without restrictions or limitations.

The Department may require a fitness-for-duty examination prior to returning an employee to full-duty status, in accordance with the Fitness for Duty Policy.

1054.7 PREGNANCY

If an employee is temporarily unable to perform regular duties due to a pregnancy, childbirth or a related medical condition, the employee will be treated the same as any other temporarily disabled employee (42 USC § 2000e(k)). A pregnant employee shall not be involuntarily transferred to a temporary modified-duty assignment.

1054.7.1 NOTIFICATION

Pregnant employees should notify their immediate supervisors as soon as practicable and provide a statement from their medical providers identifying any pregnancy-related job restrictions or limitations. If at any point during the pregnancy it becomes necessary for the employee to take a leave of absence, such leave shall be granted in accordance with the City's personnel rules and regulations regarding family and medical care leave.

1054.8 PROBATIONARY EMPLOYEES

Probationary employees who are assigned to a temporary modified-duty assignment shall have their probation extended by a period of time equal to their assignment to temporary modified duty.

1054.9 MAINTENANCE OR CERTIFICATION AND TRAINING

Employees assigned to temporary modified duty shall maintain all certification, training and qualifications appropriate to both their regular and temporary duties, provided that the certification, training or qualifications are not in conflict with any medical limitations or restrictions. Employees who are assigned to temporary modified duty shall inform their supervisors of any inability to maintain any certification, training or qualifications.

Employee Speech, Expression and Social Networking

1058.1 PURPOSE AND SCOPE

This policy is intended to address issues associated with employee use of social networking sites and to provide guidelines for the regulation and balancing of employee speech and expression with the needs of the Department.

Nothing in this policy is intended to prohibit or infringe upon any communication, speech or expression that is protected or privileged under law. This includes speech and expression protected under state or federal constitutions as well as labor or other applicable laws. For example, this policy does not limit an employee from speaking as a private citizen, including acting as an authorized member of a recognized bargaining unit or officer associations, about matters of public concern, such as misconduct or corruption.

Employees are encouraged to consult with their supervisor regarding any questions arising from the application or potential application of this policy.

1058.1.1 APPLICABILITY

This policy applies to all forms of communication including, but not limited to, film, video, print media, public or private speech, use of all Internet services, including the World Wide Web, e-mail, file transfer, remote computer access, news services, social networking, social media, instant messaging, blogs, forums, video and other file-sharing sites.

1058.2 POLICY

Public employees occupy a trusted position in the community, and thus, their statements have the potential to contravene the policies and performance of this department. Due to the nature of the work and influence associated with the law enforcement profession, it is necessary that employees of this department be subject to certain reasonable limitations on their speech and expression. To achieve its mission and efficiently provide service to the public, the Twin Falls Police Department will carefully balance the individual employee's rights against the department's needs and interests when exercising a reasonable degree of control over its employees' speech and expression.

1058.3 SAFETY

Employees should consider carefully the implications of their speech or any other form of expression when using the Internet. Speech and expression that may negatively affect the safety of the Twin Falls Police Department employees, such as posting personal information in a public forum, can result in compromising an employee's home address or family ties. Employees should therefore not disseminate or post any information on any forum or medium that could reasonably be anticipated to compromise the safety of any employee, an employee's family or associates. Examples of the type of information that could reasonably be expected to compromise safety include:

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- Disclosing a photograph and name or address of an officer who is working undercover.
- Disclosing the address of a fellow officer.
- Otherwise disclosing where another officer can be located off-duty.

1058.4 PROHIBITED SPEECH, EXPRESSION AND CONDUCT

To meet the department's safety, performance and public-trust needs, the following are prohibited unless the speech is otherwise protected (for example, an employee speaking as a private citizen, including acting as an authorized member of a recognized bargaining unit or officer associations, on a matter of public concern):

- (a) Speech or expression made pursuant to an official duty that tends to compromise or damage the mission, function, reputation or professionalism of the Twin Falls Police Department or its employees.
- (b) Speech or expression that, while not made pursuant to an official duty, is significantly linked to, or related to, the Twin Falls Police Department and tends to compromise or damage the mission, function, reputation or professionalism of the Twin Falls Police Department or its employees. Examples may include:
 1. Statements that indicate disregard for the law or the state or U.S. Constitution.
 2. Expression that demonstrates support for criminal activity.
 3. Participating in sexually explicit photographs or videos for compensation or distribution.
- (c) Speech or expression that could reasonably be foreseen as having a negative impact on the credibility of the employee as a witness (e.g., posting statements or expressions to a website that glorify or endorse dishonesty, unlawful discrimination or illegal behavior).
- (d) Speech or expression of any form that could reasonably be foreseen as having a negative impact on the safety of the employees of the Department. For example, a statement on a blog that provides specific details as to how and when prisoner transportations are made could reasonably be foreseen as potentially jeopardizing employees by informing criminals of details that could facilitate an escape or attempted escape.
- (e) Speech or expression that is contrary to the canons of the Law Enforcement Code of Ethics as adopted by the Twin Falls Police Department.
- (f) Use or disclosure, through whatever means, of any information, photograph, video or other recording obtained or accessible as a result of employment with the Department for financial or personal gain, or any disclosure of such materials without the express authorization of the Chief of Police or the authorized designee (Idaho Code 59-702(4)).
- (g) Posting, transmitting or disseminating any photographs, video or audio recordings, likenesses or images of department logos, emblems, uniforms, badges, patches, marked vehicles, equipment or other material that specifically identifies the Twin Falls Police Department on any personal or social networking or other website or web page, in a manner that would bring discredit to the Twin Falls Police Department.

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- (h) Accessing websites for non-authorized purposes, or use of any personal communication device, game device or media device, whether personally or department-owned, for personal purposes while on-duty, except in the following circumstances:
 - 1. When brief personal communication may be warranted by the circumstances (e.g., inform family of extended hours).
 - 2. During authorized breaks; such usage should be limited as much as practicable to areas out of sight and sound of the public and shall not be disruptive to the work environment.

Employees must take reasonable and prompt action to remove any content, including content posted by others, that is in violation of this policy from any web page or website maintained by the employee (e.g., social or personal website).

1058.4.1 UNAUTHORIZED ENDORSEMENTS AND ADVERTISEMENTS

While employees are not restricted from engaging in the following activities as private citizens or as authorized members of a recognized bargaining unit or officer associations, employees may not represent the Twin Falls Police Department or identify themselves in any way that could be reasonably perceived as representing the Twin Falls Police Department in order to do any of the following, unless specifically authorized by the Chief of Police (Idaho Code 59-702):

- (a) Endorse, support, oppose or contradict any political campaign or initiative.
- (b) Endorse, support, oppose or contradict any social issue, cause or religion.
- (c) Endorse, support or oppose any product, service, company or other commercial entity.
- (d) Appear in any commercial, social or nonprofit publication or any motion picture, film, video, public broadcast or on any website.

Additionally, when it can reasonably be construed that an employee, acting in his/her individual capacity or through an outside group or organization (e.g., bargaining group), is affiliated with this department, the employee shall give a specific disclaiming statement that any such speech or expression is not representative of the Twin Falls Police Department.

Employees retain their right to vote as they choose, to support candidates of their choice and to express their opinions as private citizens, including as authorized members of a recognized bargaining unit or officer associations, on political subjects and candidates at all times while off-duty. However, employees may not use their official authority or influence to interfere with or affect the result of an election or a nomination for office. Employees are also prohibited from directly or indirectly using their official authority to coerce, command or advise another employee to pay, lend or contribute anything of value to a party, committee, organization, agency or person for political purposes (5 USC § 1502).

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1058.5 PRIVACY EXPECTATION

Employees forfeit any expectation of privacy with regard to e-mails, texts or anything published or maintained through file-sharing software or any Internet site (e.g., Facebook, MySpace) that is accessed, transmitted, received or reviewed on any department technology system.

The Department reserves the right to access, audit and disclose for whatever reason any message, including attachments, and any information accessed, transmitted, received or reviewed over any technology that is issued or maintained by the Department, including the department e-mail system, computer network or any information placed into storage on any department system or device.

This includes records of all key strokes or web-browsing history made at any department computer or over any department network. The fact that access to a database, service or website requires a user name or password will not create an expectation of privacy if it is accessed through department computers or networks.

1058.6 CONSIDERATIONS

In determining whether to grant authorization of any speech or conduct that is prohibited under this policy, the factors that the Chief of Police or authorized designee should consider include:

- (a) Whether the speech or conduct would negatively affect the efficiency of delivering public services.
- (b) Whether the speech or conduct would be contrary to the good order of the Department or the efficiency or morale of its members.
- (c) Whether the speech or conduct would reflect unfavorably upon the Department.
- (d) Whether the speech or conduct would negatively affect the member's appearance of impartiality in the performance of his/her duties.
- (e) Whether similar speech or conduct has been previously authorized.
- (f) Whether the speech or conduct may be protected and outweighs any interest of the Department.

1058.7 TRAINING

Subject to available resources, the Department should provide training regarding employee speech and the use of social networking to all members of the Department.

Illness and Injury Prevention

1060.1 PURPOSE AND SCOPE

The purpose of this policy is to establish an ongoing and effective plan to reduce the incidence of illness and injury for members of the Twin Falls Police Department, in accordance with the guidelines and requirements of IDAPA 07.04.01.012.

This policy specifically applies to illness and injury that results in lost time or that requires medical treatment beyond first aid. Although this policy provides the essential guidelines for a plan that reduces illness and injury, it may be supplemented by procedures outside the Policy Manual.

This policy does not supersede, but supplements any related Citywide safety efforts.

1060.2 POLICY

It is the policy of the Twin Falls Police Department that the IIPP guidelines are to be followed and adopted by all personnel. Supervisory and management personnel are charged with ensuring these guidelines and directives are implemented (IDAPA 17.10.01.004.02).

1060.3 ILLNESS AND INJURY PREVENTION PLAN

The Administrative Services Division Commander is responsible for developing an illness and injury prevention plan that shall include:

- (a) Workplace safety and health training programs.
- (b) Regularly scheduled safety meetings.
- (c) Posted or distributed safety information.
- (d) A system for members to anonymously inform management about workplace hazards.
- (e) Establishment of a safety and health committee that will:
 - 1. Meet regularly.
 - 2. Prepare a written record of safety and health committee meetings.
 - 3. Review the results of periodic scheduled inspections.
 - 4. Review investigations of accidents and exposures.
 - 5. Make suggestions to command staff for the prevention of future incidents.
 - 6. Review investigations of alleged hazardous conditions.
 - 7. Submit recommendations to assist in the evaluation of member safety suggestions.
 - 8. Assess the effectiveness of efforts made by the Department to meet applicable standards.

1060.4 ADMINISTRATIVE SERVICES DIVISION COMMANDER RESPONSIBILITIES

The responsibilities of the Administrative Services Division Commander include but are not limited to:

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- (a) Managing and implementing a plan to reduce the incidence of member illness and injury.
- (b) Ensuring that a system of communication is in place that facilitates a continuous flow of safety and health information between supervisors and members. This system shall include:
 - 1. New member orientation that includes a discussion of safety and health policies and procedures.
 - 2. Regular member review of the illness and injury prevention plan.
- (c) Ensuring that all safety and health policies and procedures are clearly communicated and understood by all members.
- (d) Taking reasonable steps to ensure that all members comply with safety rules in order to maintain a safe work environment. This includes but is not limited to:
 - 1. Informing members of the illness and injury prevention guidelines.
 - 2. Recognizing members who perform safe work practices.
 - 3. Ensuring that the member evaluation process includes member safety performance.
 - 4. Ensuring department compliance to meet standards regarding the following:
 - (a) Personal protective equipment (PPE) (see the Personal Protective Equipment Policy)
 - (b) Bloodborne pathogens
 - (c) Fire safety
 - (d) Means of egress
 - (e) Tuberculosis
 - (f) Emergency Management Plan (29 CFR 1910.38)
- (e) Making available a form to document inspections, unsafe conditions or work practices, and actions taken to correct unsafe conditions and work practices.
- (f) Making available a form to document individual incidents or accidents.
- (g) Making available a form to document the safety and health training of each member. This form will include the member's name or other identifier, training dates, type of training and training providers.
- (h) Remaining familiar with the safety inspection standards as identified in IDAPA 07.04.01.011.02.
- (i) Conducting and documenting a regular review of the illness and injury prevention plan.

1060.5 SUPERVISOR RESPONSIBILITIES

Supervisor responsibilities include but are not limited to:

- (a) Ensuring member compliance with illness and injury prevention guidelines and answering questions from members about this policy.

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- (b) Training, counseling, instructing or making informal verbal admonishments any time safety performance is deficient. Supervisors may also initiate discipline when it is reasonable and appropriate under the Standards of Conduct Policy.
- (c) Establishing and maintaining communication with members on health and safety issues. This is essential for an injury-free, productive workplace.
- (d) Completing required forms and reports relating to illness and injury prevention; such forms and reports shall be submitted to the Administrative Services Division Commander.
- (e) Notifying the Administrative Services Division Commander when:
 - 1. New substances, processes, procedures or equipment that present potential new hazards are introduced into the work environment.
 - 2. New, previously unidentified hazards are recognized.
 - 3. Occupational illnesses and injuries occur.
 - 4. New and/or permanent or intermittent members are hired or reassigned to processes, operations or tasks for which a hazard evaluation has not been previously conducted.
 - 5. Workplace conditions warrant an inspection.

1060.6 HAZARDS

All members should report and/or take reasonable steps to correct unsafe or unhealthy work conditions, practices or procedures in a timely manner. Members should make their reports to a supervisor (as a general rule, their own supervisors).

Supervisors should make reasonable efforts to correct unsafe or unhealthy work conditions in a timely manner, based on the severity of the hazard. These hazards should be corrected when observed or discovered, when it is reasonable to do so. When a hazard exists that cannot be immediately abated without endangering members or property, supervisors should protect or remove all exposed members from the area or item, except those necessary to correct the existing condition.

Members who are necessary to correct the hazardous condition shall be provided with the necessary protection.

All significant actions taken and dates they are completed shall be documented on the appropriate form. This form should be forwarded to the Administrative Services Division Commander via the chain of command.

The Administrative Services Division Commander will take appropriate action to ensure the illness and injury prevention plan addresses potential hazards upon such notification.

1060.6.1 PATROL OFFICERS INSPECTION DUTIES

Officers are charged with daily inspection of their assigned vehicle and of personal protective equipment prior to working in the field. Officers should complete an Identified Hazard and

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Correction Form if an unsafe condition cannot be immediately corrected. Officers should forward this report to their supervisor.

1060.6.2 GENERAL EMPLOYEE RESPONSIBILITIES

All employees are responsible for inspecting their work area on a daily basis to check for and report any previously unidentified hazards.

All employees shall (IGSHS 030.06):

- (a) Study and follow all safe practices that apply to their work.
- (b) Coordinate and cooperate with all other employees in the workplace to try to eliminate on-the-job injuries and illnesses.
- (c) Apply the principles of accident prevention in their daily work and use proper safety devices and protective equipment as required by their employment or employer.
- (d) Offer safety suggestions, whenever such suggestion may contribute to a safer work environment.
- (e) Take care of all personal protective equipment properly.
- (f) Report promptly to their supervisor every industrial injury or occupational illness.

1060.6.3 SUPERVISOR ASSESSMENT DUTIES

Supervisors should inform the Administrative Services Supervisor when the following occurs:

- (a) New substances, processes, procedures or equipment that present potential new hazards are introduced into the work environment.
- (b) New, previously unidentified hazards are recognized.
- (c) Occupational injuries and illnesses occur.
- (d) New and/or permanent or intermittent workers are hired or reassigned to processes, operations or tasks for which a hazard evaluation has not been previously conducted.
- (e) Whenever workplace conditions warrant an inspection.

The Administrative Services Supervisor should take appropriate action to ensure the IIPP addresses potential hazards upon such notification.

1060.7 ACCIDENT/EXPOSURE INVESTIGATIONS

Employees should report all injuries that are a result of a workplace accident and any hazardous substance exposure to a supervisor. A supervisor receiving such a report should personally investigate the incident or ensure that an investigation is conducted. Investigative procedures for workplace accidents and hazardous substance exposures should include:

- A visit to the accident scene as soon as possible.
- An interview of the injured worker and witnesses.

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- An examination of the workplace for factors associated with the accident/exposure.
- Determination of the cause of the accident/exposure.
- Corrective action to prevent the accident/exposure from recurring.
- Documentation of the findings and corrective actions taken.
- Completion of an Investigation/Corrective Action Report.
- Completion of an Identified Hazard and Correction Form.
- Completion of Workers' Compensation forms as necessary.

1060.8 HAZARD CORRECTION

All employees should report and/or take reasonable steps to correct unsafe or unhealthy work conditions, practices or procedures in a timely manner. Employees should make their reports to a supervisor (as a general rule, their own supervisor).

Supervisors should make reasonable efforts to correct unsafe or unhealthy work conditions in a timely manner, based on the severity of the hazards. Hazards should be corrected when observed or discovered, when it is reasonable to do so. When a hazard exists that cannot be immediately abated without endangering employees or property, supervisors should protect or remove all exposed workers from the area or item, except those necessary to correct the existing condition.

Employees who are necessary to correct the hazardous condition should be provided with the necessary protection.

All significant actions taken and dates they are completed should be documented on an Identified Hazard and Correction Form. This should be forwarded to the Administrative Services Supervisor via the chain of command.

1060.9 TRAINING

The Administrative Services Division Commander should work with the Training Sergeant to provide all members, including supervisors, with training on general and job-specific workplace safety and health practices (IDAPA 07.04.01.012). Training shall be provided:

- (a) To supervisors to familiarize them with the safety and health hazards to which members under their immediate direction and control may be exposed.
- (b) To all members with respect to hazards specific to each member's job assignment.
- (c) To all members given new job assignments for which training has not previously been provided.
- (d) Whenever new substances, processes, procedures, or equipment are introduced to the workplace and represent a new hazard.
- (e) Whenever the Department is made aware of a new or previously unrecognized hazard.

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1060.10 RECORDS

Records and training documentation relating to illness and injury prevention will be maintained in accordance with the established records retention schedule.

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Attachments

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