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 abuse 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 abuse 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 police service. I will never engage in acts of corruption or 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 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 STATEMENT

We, the members of the Oro Valley Police Department, are dedicated to providing excellent service through partnerships that build trust, prevent crime and promote a safe environment to enhance the quality of life.

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Chapter 1 - Law Enforcement Role and Authority

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Law Enforcement Authority

100.1 PURPOSE AND SCOPE

The purpose of this policy is to affirm the authority of members of the Oro Valley Police Department to perform their function based on established legal authority.

100.2 PEACE OFFICER POWERS

Certified members of this department are authorized to exercise peace officer powers pursuant to applicable state law (AAC § R13-4-103; ARS § 1-215(27); ARS § 13-105(29); ARS § 41-1823).

The authority of a certified peace officer extends to any place in the State of Arizona (ARS § 13-3871 et seq.) as follows:

(a) Where he/she has the prior consent of the Chief of Police, Marshal, Sheriff, other department or agency head or a duly authorized representative having responsibility for law enforcement within the jurisdiction or territory.

(b) Where he/she has probable cause to believe (ARS § 13-3883):

1. A felony has been committed and probable cause to believe the person to be arrested has committed the felony.
2. A misdemeanor has been committed in his/her presence and there is probable cause to believe the person committed the offense.
3. A person was involved in a traffic accident and committed a criminal traffic violation pursuant to ARS § 28-121 immediately prior to or following the traffic accident.
4. A misdemeanor or a petty offense has been committed and probable cause to believe the person to be arrested has committed the offense.

(c) A peace officer may stop and detain a person as is reasonably necessary to investigate an actual or suspected violation of any traffic law committed in the officer's presence and may serve a copy of the traffic complaint for any alleged civil or criminal traffic violation.

An Indian law enforcement officer appointed by the Bureau of Indian Affairs or the governing body of an Indian tribe who meets the qualifications and training standards of the Arizona Peace Officer Standards and Training Board (AZPOST) possesses peace officer powers while engaged in the conduct of his/her employment in this state (ARS § 13-3874).

A federal peace officer who has been cross certified pursuant to ARS § 13-3875 is authorized to enforce Arizona criminal laws in counties in which the Sheriff has adopted a policy allowing cross certification.

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100.3 INTERSTATE PEACE OFFICER POWERS

Peace officer powers may be extended within other states as applicable under interstate compacts and memorandums of understanding in compliance with the laws of each state, including the interstate compact for jurisdiction on the Colorado River (ARS § 37-620.11; California Penal Code § 853.1; California Penal Code § 853.2; Nevada Revised Statutes § 171.079 et seq.). Peace officer powers may also be extended when an officer enters another state in fresh pursuit of a felony subject (ARS § 13-3831 et seq.; California Penal Code § 852 et seq.; New Mexico Code § 31-2-1 et seq.; Nevada Revised Statutes § 171.154 et seq.; Utah Code § 77-9-1 et seq.).

100.4 FEDERAL RESERVATIONS

Any federal peace officer has jurisdiction regarding federal buildings, grounds and property pursuant to 18 USC § 13 and 40 USC § 1315.

Peace officer powers extend to Indian reservations pursuant to 18 USC § 1152 except in the following circumstances:

(a) A crime was committed by an Indian against the person or property of another Indian.

(b) An Indian who committed an offense has been punished by the local law of the tribe.

(c) An Indian tribe has been granted exclusive jurisdiction by stipulation of a treaty.

An officer of the Oro Valley Police Department has exclusive jurisdiction over a crime committed on Indian reservations by an non-Indian against another non-Indian absent treaty provisions to the contrary.

100.5 CONSTITUTIONAL REQUIREMENTS

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

100.6 POLICY

It is the policy of the Oro Valley 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.

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Chief Executive Officer

101.1 PURPOSE AND SCOPE

All law enforcement Chief Executive Officers employed within the State of Arizona are required to meet specific requirements for appointment. This policy provides guidelines for the appointment of the Chief Executive Officer of the Department, who is required to exercise the powers and duties of the office as prescribed by state law (ARS § 9-240 or ARS § 11-441).

101.2 POLICY

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

101.2.1 CHIEF EXECUTIVE OFFICER REQUIREMENTS

The Chief Executive Officer of this department, as a condition of appointment, has completed the course of training prescribed by the Arizona Peace Officers Standards and Training Board (AZPOST) and shall be certified by AZPOST pursuant to AAC § R13-4-103(A), unless granted a waiver that the best interests of the law enforcement profession are served and that the public welfare and safety is not jeopardized by the waiver (AAC § R13-4-103(G)).

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Oath of Office

102.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that oaths, when appropriate, are administered to department members.

102.2 POLICY

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

102.3 OATH OF OFFICE

At or before appointment or election, all employees of this department shall be required to affirm the oath of office expressing commitment and intent to respect constitutional rights in discharging their duties (ARS § 38-232).

Before any department employee begins his/her duties, the officer or employee shall take and subscribe the following oath or affirmation in addition to any other form of oath or affirmation required (ARS § 38-231):

State of Arizona, County of _____ I, (employee name) do solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution and laws of the State of Arizona, that I will bear true faith and allegiance to the same and defend them against all enemies, foreign and domestic, and that I will faithfully and impartially discharge the duties of the office of (name of office) according to the best of my ability, so help me God (or so I do affirm).

102.3.1 CODE OF ETHICS

AAC § R13-4-105 requires a peace officer to commit to the following Code of Ethics and affirm the peace officer's commitment by signing the code:

I will exercise self-restraint and be constantly mindful of the welfare of others. I will be exemplary in obeying the laws of the land and loyal to the State of Arizona and my agency and its objectives and regulations. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept secure unless revelation is necessary in the performance of my duty.

I will never take selfish advantage of my position and will not allow my personal feelings, animosities or friendships to influence my actions or decisions. I will exercise the authority of my office to the best of my ability, with courtesy and vigilance, and without favor, malice, ill will or compromise. I am a servant of the people and I recognize my position as a symbol of public faith. I accept it as a public trust to be held so long as I am true to the law and serve the people of Arizona.

102.4 MAINTENANCE OF RECORDS

The oath of office shall be filed as prescribed in ARS § 38-233.

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Policy Manual

103.1 PURPOSE AND SCOPE

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

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

103.2 POLICY

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

103.2.1 DISCLAIMER

The provisions contained in the Policy Manual are not intended to create an employment contract nor any employment rights or entitlements. The policies contained within this manual are for the internal use of the Oro Valley Police Department and shall not be construed to create a higher standard or duty of care for civil or criminal liability against the Town, 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 Oro Valley Police Department reserves the right to revise any policy content, in whole or in part.

103.3 AUTHORITY

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

103.4 DEFINITIONS

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

ADOT - Arizona Department of Transportation.

Adult - Any person 18 years of age or older.

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AZPOST - Arizona Peace Officer Standards and Training Board.

CFR - Code of Federal Regulations.

Child- Any person under the age of 18 years.

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

Department/OVPD - The Oro Valley Police Department.

DPS - The Arizona Department of Public Safety.

Employee/personnel - Any person employed by the Department.

Lawful Order - Any written or oral directive issued in the course of police duty by a superior officer to any subordinate or group of subordinates that is not in violation of any law, ordinance or any Department rule or procedure.

Manual - The Oro Valley Police Department Policy Manual.

May - Indicates a permissive, discretionary or conditional action.

Member - Any person employed or appointed by the Oro Valley Police Department, including:

- Full- and part-time employees
- Certified peace officers
- Reserve officers
- Civilian employees
- Volunteers

Officer - Those employees, regardless of rank, who are certified peace officer employees of the Oro Valley 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.

Peace officer- An employee of the Department who is required to be certified by AZPOST pursuant to ARS § 41-1823(B) and AAC § R13-4-103. The term includes certified full-time and part-time officers who perform the duties of a peace officer.

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

Reserve Officer - A paid or non-paid commissioned member of the Department, generally restricted to 19 hours or less of work per week.

Seniority - Order of standing within the Police Department measured by the continuous service a full-time commissioned person has at a specific rank or classification followed by the full-time continuous service served to the Department.

Shall or will - Indicates a mandatory action.

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

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

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

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.

Town - The Town of Oro Valley.

USC- United States Code.

103.5 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.

103.6 PERIODIC REVIEW OF THE POLICY MANUAL

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

103.7 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.

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Policy Manual

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.

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Chapter 2 - Organization and Administration

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Organizational Structure and Responsibility

200.1 PURPOSE AND SCOPE

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

200.2 DIVISIONS

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

- Administration Division
- Field Services Division
- Support Services Division

200.2.1 ADMINISTRATION DIVISION

The Administration Division is commanded by the Chief of Police, whose primary responsibility is to provide general management, direction and control for the Administration Division, including management of the Department budget, Deputy Chief and the Executive Officer.

Annually, the Administrative Services Manager shall develop and submit to the Chief of Police a budget.

The Executive Officer oversees the Office of Professional Standards, the Public Information Officer and the Training Coordinator.

200.2.2 FIELD SERVICES DIVISION

The Field Services Division is commanded by the assigned Commander, whose primary responsibility is to provide general management, direction and control for the Field Services Division. The Field Services Division consists of Patrol Squads, Canine Unit, Motor/Traffic Unit, Bike Officers, Community Action Team, SWAT and DUI Enforcement.

200.2.3 SUPPORT SERVICES DIVISION

The Support Services Division is commanded by the assigned Commander, whose primary responsibility is to provide general management, direction and control for the Support Services Division. The Support Services Division consists of the Communications Bureau, Community Resources Unit, Criminal Investigations Unit, School Resource Officers Unit, Task Force Operations, Information Technology Unit, Fleet Services, Property and ID Unit and Records Unit.

200.3 COMMAND PROTOCOL

-
- Deputy

Members assigned to the rank of Commander or Deputy Chief, do not infer a permanent rank and may be returned to the rank

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200.3.1 SUCCESSION OF COMMAND

The Chief of Police exercises command over all personnel in the Department. During planned absences, the Deputy Chief shall act with the authority of the Chief of Police. For circumstances in which the Chief of Police and Deputy Chief are absent, the Chief of Police will designate a Division Commander to serve as the acting commander of the Police Department.

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

(a) Field Services Division Commander.

(b) Support Services Division Commander.

(c) Designated Lieutenant.

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., Canine, 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 UNLAWFUL AND CONFLICTING ORDERS

No member is required to obey any order that outwardly appears to be in direct conflict with any federal law, state law or local ordinance. If the legality of an order is in doubt, the affected member shall ask the issuing supervisor to clarify the order or confer with a higher authority. Responsibility for refusal to obey rests with the member who shall subsequently be required to justify the refusal.

Unless it would jeopardize the safety of any individual, members who are presented with an order that is in conflict with a previous order, department policy or other directive, shall respectfully inform the issuing supervisor of the conflict. The issuing supervisor is responsible for either resolving the conflict or clarifying that the order is intended to countermand the previous order or directive, in which case the member is obliged to comply. Members who are compelled to follow a conflicting order after having given the issuing supervisor the opportunity to correct the conflict are not held accountable for disobedience of the order or directive that was initially issued.

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Departmental Directive and Special Orders

201.1 PURPOSE AND SCOPE

Departmental Directives and Special Orders establish interdepartment communications that may be used by the Chief of Police to make immediate changes to policy and procedure in accordance with the current Memorandum of Understanding or other employment agreement. Departmental Directives will immediately modify or change and supersede sections of this manual to which they pertain.

201.1.1 DEPARTMENTAL DIRECTIVE PROTOCOL

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

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

Any Departmental Directives issued after publication of the manual shall be numbered consecutively starting with the last two digits of the year, followed by the number “01.” For example, 10-01 signifies the first Departmental Directive for the year 2010.

201.1.2 SPECIAL ORDERS PROTOCOL

Special Orders establish a temporary policy or procedure on a given subject for a specific length of time. Special Orders are issued to the organization as a whole, to a division, to a unit or to an individual thereof and are temporary in nature. Special Orders become inoperative with the passing of the incident or situation that caused the order to be issued.

201.2 RESPONSIBILITIES

201.2.1 STAFF

The staff shall review and approve revisions of the Policy Manual and will incorporate changes originally made by Departmental Directive.

201.2.2 CHIEF OF POLICE

The Chief of Police or a designee shall issue all Departmental Directives and Special Orders. Departmental Directives and Special Orders shall be retained and archived pursuant to state law (ARS § 39-101, et seq.), the retention schedule adopted by the Town and under the direction of the Department custodian of records.

201.3 ACCEPTANCE OF DEPARTMENTAL DIRECTIVE

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

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Emergency Operations Plan

202.1 PURPOSE AND SCOPE

The Town has prepared, in compliance with the State Comprehensive Emergency Response and Recovery Plan (SERRP) (ARS § 26-307 et seq.), an Emergency Operations Plan (EOP). The EOP is for the guidance and use by all members in the event of a major disaster, civil disturbance, mass arrest or other emergency event. The manual provides for a strategic response by all members and assigns specific responsibilities in the event the plan is activated.

202.2 ACTIVATING THE EMERGENCY OPERATIONS PLAN

The EOP can be activated in a number of ways. Within the Police Department, the Chief of Police, the highest ranking official on-duty or an on-scene responder may activate the EOP in response to a major emergency.

202.2.1 RECALL OF PERSONNEL

In the event that the EOP is activated, all members of the Oro Valley Police Department are subject to immediate recall. Members may also be subject to recall during extraordinary circumstances as deemed necessary by the Chief of Police or the authorized designee.

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

202.3 LOCATION OF EMERGENCY OPERATIONS PLAN

The Emergency Operations Plan for members is available in Administration, the Sergeant's office and in Communications Bureau.

See attachment: Emergency Operations Plan 2012.pdf

202.4 PLAN REVIEW

At least once every two years the Department should conduct a review of the EOP, incorporating a full or partial exercise, tabletop or command staff discussion.

202.5 PLAN TRAINING

The Department shall provide training on the EOP for all supervisors and other appropriate personnel. All supervisors should familiarize themselves with the EOP and the roles police personnel will play when the plan is implemented.

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Training

203.1 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.

203.2 POLICY

The department shall administer a training program that will meet the standards of federal, state, local and the Arizona Peace Officers Standard and Training Board (AZPOST) training requirements. It is a priority of this department to provide continuing education and training for the professional growth and development of its members.

203.3 OBJECTIVES

The objectives of the training program are to:

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

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

(c) Provide for continued professional development of Department personnel.

(d) Assist in compliance with AZPOST rules and regulations concerning law enforcement training.

203.4 TRAINING COORDINATOR

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

203.5 TRAINING PLAN

203.5.1 STATE MANDATED TRAINING

State training requirements include, but are not limited to:

(a) Basic training:

1. Sworn members of the Department must successfully complete basic training pursuant to AAC § R13-4-110 before being granted certified status and performing the duties of a peace officer.

2. The basic training requirement may be waived when this department utilizes an individual under exigent circumstances, under the direct supervision of a certified peace officer as part of the field training program or the individual has otherwise received an AZPOST waiver.

(b) Certification retention:

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1. All sworn members of the Department shall receive continuing training, proficiency training and firearms qualification courses as required by AAC § R13-4-111.
2. An officer who fails to satisfy AZPOST required continuing or proficiency training, shall not engage in enforcement duties, carry or use a firearm on-duty, wear or display a badge, wear a uniform, make arrests, perform patrol functions or operate a marked vehicle (AAC § R13-4-109.01(C)).

203.6 TRAINING COMMITEE

The Training Coordinator may establish a Training Committee, on a temporary or as-needed basis, which will assist with identifying training needs.

203.7 TRAINING REQUESTS

With the exception of Advanced Officer Training, a Travel and Training form must be completed.

(a) All requests by members to attend seminars or schools shall be sent to the Training Coordinator via chain of command.

(b) The final decision concerning any training program, school, course or seminar, rests with the Chief of Police or designee. The Training Coordinator will complete the necessary paperwork.

(c) The Division Commander will forward all training request applications and the written justification, including denied requests, to the Training Coordinator for processing.

(d) The Training Coordinator will forward information to the selected member advising of location, date of training and additional information or specific directions, as required. The member's chain of command will also be notified of the selection.

(e) Members will be allowed reasonable travel time to all training located outside of Oro Valley.

203.8 TRAINING ATTENDANCE

All members assigned to attend training shall attend as scheduled unless previously excused by their immediate supervisor. Any member who is unable to attend training as scheduled shall:

- Submit a memo to the Training Coordinator, via chain of command, explaining the reason for the absence.
- The individual officer shall contact the Training Coordinator directly and schedule make-up session(s), as needed to maintain AZPOST certification, within 10 calendar days after returning to duty-available status.
- When an officer contacts the Training Coordinator, it will be the responsibility of the Training Coordinator to determine if any training deficiencies exist and to schedule a comparable training within 10 calendar days of that first contact.

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203.9 TRAINING RECORDS

The Training Coordinator is responsible for the creation, filing and storage of all training records in compliance with AZPOST (AAC § R13-4-108(B)(6) and AAC § R13-4-111(A) and (B)). Training records shall be retained as long as the employee's personnel file is retained. If an officer satisfies the requirements for certification retention training from an outside provider, he/she shall provide the Training Coordinator with attendance verification and information that documents that the training meets AZPOST standards.

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Career Development Policy

204.1 RESPONSIBILITY FOR TRAINING

The Training Section is responsible for notifying all personnel of the yearly elective training calendar, all specialized training and advanced training schools.

Training will be coordinated through the supervisor/sergeant and approved by the individual's chain of command and the Training Coordinator.

Department members are encouraged to provided ideas for training. Evaluation forms would be filled out and forwarded to the Training Coordinator whenever a member attends a class/school that is either extremely good or poor in quality to assist with future training considerations.

204.2 TYPES OF TRAINING

- AZPOST Mandated Training
- OVPD Mandated Training
- Basic Training
- Continuing Training
- Advanced Training
- Proficiency Skills Training
- Speciaty Training
- Reassignment Training
- Firearms Training (see Duty Firearms Policy)
- Simunitions Training

204.2.1 AZPOST MANDATED TRAINING

AZPOST training is tracked on a calendar year basis. The beginning date for tracking starts on January 1st following the date of the individual receipt of certification.

(a) For full-authority sworn members, eight hours of Continuous Training is required annually in one or more of the following topics:

- Criminal justice systems
- Law enforcement services
- Ethics and professionalism
- Management and supervision
- Law and legal matters
- Patrol procedures

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- Traffic enforcement and investigation
- Criminal investigation
- Community and police relations
- Records and reports

(b) For all sworn members below the rank of sergeant, eight hours of Proficiency Training is required every three years in one or a combination of the following topic areas:

- Defensive tactics
- Impact weapons training
- Tactical firearms (not firearms qualification)
- Emergency vehicle operations training
- First aid and emergency care
- Tactical operations
- Officer safety techniques
- High risk stops

(c) Annual firearms qualifications are mandated for all sworn members.

204.2.2 OVPD MANDATED TRAINING

(a) Annual firearms training

(b) Drivers training

(c) Defensive tactics training

(d) Tactical training

204.2.3 BASIC TRAINING

Basic Training is the initial training and education provided to all members of the Department to prepare them to perform the duties of their particular job.

(a) Sworn Members - All basic training shall be developed and coordinated through an AZPOST approved training academy.

(b) Civilian Members - The basic training of civilian members may be conducted within the member's sphere of employment, but shall be coordinated through and approved by the Division Commander.

204.2.4 CONTINUING TRAINING

Continuing Training is AZPOST approved advanced training derived from the following topic areas:

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- Search and seizure
- Officer survival
- Management and supervision
- Interviewing and interrogation
- Crime prevention
- Court decisions
- Arizona Revised Statutes
- New procedures and technology
- Other topics related to law enforcement

(a) The Training Coordinator shall schedule and coordinate continuing training. All such training shall be approved by the Chief of Police, as appropriate.

(b) The Training Coordinator is responsible for ensuring that assigned personnel attend all required continuing training.

(c) All sworn members shall complete at least eight hours of continuing training each calendar year.

204.2.5 ADVANCED TRAINING

Advanced training includes programs for patrol supervisors, detectives/investigators, police instructors, field training officers and special career development areas.

204.2.6 PROFICIENCY SKILLS TRAINING

Proficiency skills training involves all AZPOST mandated advanced training, including:

- Tactical firearms
- Defensive driving and pursuit operations
- Baton techniques
- Defensive tactics
- Tactical operations
- First aid

(a) The Training Coordinator shall schedule and coordinate proficiency skills training. All such training shall be approved by the Chief of Police, as appropriate.

(b) The Training Coordinator is responsible for ensuring that assigned personnel attend all required proficiency skills training.

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(c) The Training Coordinator will provide sworn personnel below the rank of Lieutenant with appropriate training. This training will include those subjects mandated by AZPOST and other subjects identified as recommended training.

(d) Sworn members below the rank of Lieutenant will attend all required in-service training. Lieutenants and above may attend any management training provided. In addition, Lieutenants will attend proficiency skills training appropriate to their assignment.

204.2.7 SPECIALTY TRAINING

Specialty training includes the following programs for: patrol supervisors, detectives, police instructors, field training officers, civilians and other special career development areas.

When possible, the Training Coordinator will utilize outside instructors or educational programs to present advanced course work.

204.2.8 REASSIGNMENT TRAINING

When a member's assignment changes, that member shall be provided with sufficient training to meet the responsibilities of his/her new position.

(a) Assignment to Non-Uniform or Non-Patrol Function

1. All members who are transferred to a non-uniform or non-patrol assignment will be trained in the duties of that assignment. Training will be the responsibility of the division under which the new assignment falls.

(b) Reassignment to Uniform Patrol

1. All members who are transferred from a non-uniform or non-patrol assignment shall be paired with a Field Training Coordinator in the division where they will be assigned for a period of re-familiarization with patrol procedures. The length of time for this retraining period may vary at the discretion of the Field Services Commander. This re-training period will allow the officer to become reacquainted with the role and expectations of uniform patrol.

2. Formal daily evaluations will not be completed unless performance issues dictate otherwise. Formal documentation will take place at the discretion of the Field Services Commander.

204.2.9 SIMUNITIONS TRAINING AND INSTRUCTING

The Training Coordinator is responsible for scheduling and/or coordinating all department Simunition trainings and Instructor Development classes.

Any instructor that uses Simunitions for department training is required to complete the 8-hour Simunition Instructor Development class. Instructors who employ Simunitions is required to ensure the training scenario(s) is job relevant and has clear/obtainable learning objectives. Prior to the training, all instructors will submit a copy of the Simunition Scenario Template for the training conducted to the Training Coordinator to keep on file.

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When conducting Simunition training, it is required that all participants have authorized head, throat and groin protection. All participants includes the instructor, safety officer, role players students and anyone who may be viewing the Simunition Training.

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Information Technology Use

205.1 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.

205.1.1 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 Oro Valley 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.

205.2 POLICY

It is the policy of the Oro Valley 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.

205.3 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.

205.4 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.

205.5 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 Sergeants.

Members shall not use another person's access passwords, logon information and other individual security data, protocols and procedures unless directed to do so by a supervisor.

205.5.1 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.

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Introduction of software by members should only occur as part of the automated maintenance or update process of department- or Town-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.

205.5.2 HARDWARE

Access to technology resources provided by or through the Department shall be used as authorized by a supervisor. 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.

205.5.3 INTERNET USE

Internet access provided by or through the Department shall be strictly limited to department-related activities. Internet sites containing information that is not appropriate or applicable to department use and which shall not be intentionally accessed include, but are not limited to, adult forums, pornography, gambling, chat rooms and similar or related Internet sites. Certain exceptions may be permitted with the express approval of a supervisor as a function of a member's assignment.

Downloaded information shall be limited to messages, mail and data files.

205.5.4 OFF-DUTY USE

Members shall only use technology resources provided by the Department as 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.

205.6 INSPECTION OR REVIEW

A supervisor or the authorized designee has the express authority to inspect or review the computer system, all temporary or permanent files, related electronic systems or devices, and any contents thereof, whether such inspection or review is in the ordinary course of his/her supervisory duties or based on cause.

Reasons for inspection or review may include, but are not limited to, computer system malfunctions, problems or general computer system failure, a lawsuit against the Department involving one of its members or a member's duties, an alleged or suspected violation of any department policy, a request for disclosure of data, or a need to perform or provide a service.

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The IT staff may extract, download or otherwise obtain any and all temporary or permanent files residing or located in or on the department computer system when requested by a supervisor or during the course of regular duties that require such information.

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Electronic Mail

206.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the proper use and application of the electronic mail (email) system provided by the 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., Arizona Public Records Law). Messages transmitted over the email system must only be those that involve official business activities or that contain information essential to employees for the accomplishment of business-related tasks and/or communications directly related to the business, administration or practices of the Department.

206.2 EMAIL RIGHT OF PRIVACY

All email messages, including attachments, transmitted over the Department computer network or accessed through a web browser accessing the Department system are considered Department records and, therefore, are the property of the Department. The Department has the right to access, audit and disclose for whatever reason, all messages, including attachments, transmitted or received through its email system or placed into its storage.

Unless it is encrypted, the email system is not a confidential system since all communications transmitted on, to or from the system are the property of the Department. Therefore, the email system is not appropriate for confidential or personal communications. If a communication must be private, 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 utilizing the system.

206.3 PROHIBITED USE OF EMAIL

The Department email system shall not be used for personal purposes unless that use is authorized in writing by the Chief of Police.

Sending derogatory, defamatory, obscene, disrespectful, sexually suggestive and harassing or any other inappropriate messages on the email system is prohibited, will constitute just cause for discipline.

Email messages addressed to the entire department are only to be used for official business-related items that are of particular interest to all users.

It is a violation of this policy to transmit a message under another user's name or email address or to use the password of another to log onto the system. Users are required to log off the network or lock the workstation when their computer is unattended. This added security measure would minimize the misuse of an individual's e-mail, name and/or password.

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206.4 EMAIL RECORD MANAGEMENT

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

The Custodian of Records shall ensure that email messages are retained pursuant to the Arizona Public Records Law as outlined in the Records Maintenance and Release Policy.

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Administrative Communications

207.1 PURPOSE AND SCOPE

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

207.2 MEMORANDUMS

Memorandums may be issued periodically by the Chief of Police or a designee, to announce and document all promotions, transfers, hiring of new personnel, separations, individual and group awards and commendations or other changes in status.

207.3 CORRESPONDENCE

To ensure that the letterhead and name of the Department are not misused, all official external correspondence shall be on Department letterhead. All Department letterhead shall bear the signature element of the Chief of Police. Official correspondence and use of letterhead requires approval of a supervisor. Department letterhead may not be used for personal use or purposes.

Internal correspondence should use appropriate memorandum forms. These may be from line employee to employee, supervisor to employee or any combination of employees.

207.4 SURVEYS

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

207.5 OTHER COMMUNICATIONS

Departmental Directives and other communications necessary to ensure the effective operation of the Department shall be announced by the Chief of Police or a designee.

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Supervision Requirements

208.1 PURPOSE AND SCOPE

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

208.2 SUPERVISION REQUIREMENTS

Minimum staffing levels should result in the scheduling of at least one regular supervisor on-duty whenever possible. In order to accommodate training and other unforeseen circumstances, an officer may be used as a field supervisor in place of a field sergeant.

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Retired Officer Carrying Concealed Weapons

209.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the issuance, denial, suspension or revocation of Oro Valley Police Department identification cards under the Law Enforcement Officers' Safety Act (LEOSA) (18 USC § 926C).

209.2 POLICY

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

209.3 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.

209.3.1 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 Oro Valley 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.

209.3.2 AUTHORIZATION

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

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

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

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

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

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

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

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

209.4 FORMER OFFICER RESPONSIBILITIES

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

209.4.1 RESPONSIBILITIES UNDER LEOSA

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

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

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

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

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

209.5 DENIAL, SUSPENSION OR REVOCATION

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

209.6 FIREARM QUALIFICATIONS

The Lead Firearms Instructor 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

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contain the date of the qualification. The Lead Firearms Instructor will maintain a record of the qualifications and weapons used.

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Board of Inquiry

210.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a process to review incidents that may be of concern to the Oro Valley Police Department.

210.2 BOARD OF INQUIRY

The Chief of Police may convene a Board of Inquiry under any circumstances in which an investigation may be needed to help review internal incidents of concern to the Oro Valley Police Department. Some examples in which a Board of Inquiry may be convened are:

- When a member is involved in a traffic collision while on duty.
- When any member is injured in the line of duty.
- Vehicle pursuit reviews.

The Chief of Police shall have the final authority whether to convene a Board of Inquiry and the scope of its inquiry.

210.2.1 COMPOSITION OF THE BOARD

The Chief of Police shall determine the composition of a Board of Inquiry.

210.3 REPORTING

The Board of Inquiry shall prepare a report summarizing their findings within a reasonable timeframe. This report shall be forwarded as directed by the Chief of Police.

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Chapter 3 - General Operations

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Use of Force

300.1 PURPOSE AND SCOPE

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

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 serious physical injury.

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.

300.1.2 ELEMENTS OF FORCE

These elements need to be met prior to using any force.

(a) Ability: Does the Subject have the ability to carry out the act?

(b) Opportunity: Is the opportunity available?

(c) Jeopardy: You must be placed in jeopardy.

(d) Preclusion: Have you eliminated all lesser means of force?

300.1.3 SAFETY PRIORITIES

The Department's safety priorities are established as follows:

(a) Hostages

(b) Non-suspect civilians

(c) Police officers

(d) Suspect(s) (the person who is the focus of the police operation)

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.

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

300.2.1 DUTY TO INTERCEDE

Any officer present and observing another officer 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. An officer who observes another employee use force that exceeds the degree of force permitted by law should promptly report these observations to a supervisor.

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

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

300.3.1 USE OF FORCE TO EFFECT AN ARREST

An officer is justified in threatening or using force against another if, in making or assisting in making an arrest or detention or in preventing or assisting in preventing an escape after arrest or detention, such person uses or threatens to use physical force and all of the following exist (ARS § 13-409):

(a) A reasonable person would believe that such force is immediately necessary to effect the arrest or detention or prevent the escape.

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(b) The officer makes known the purpose of the arrest or detention or believes that it is otherwise known or cannot reasonably be made known to the person to be arrested or detained.

(c) A reasonable person would believe the arrest or detention to be lawful.

300.3.2 FACTORS USED TO DETERMINE THE REASONABLENESS OF FORCE

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

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

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

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

(d) The effects of drugs or alcohol.

(e) Subject's mental state or capacity.

(f) Proximity of weapons or dangerous improvised devices.

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

(h) The availability of other options and their possible effectiveness.

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

(j) Training and experience of the officer.

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

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

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

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

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

(p) Prior contacts with the subject or awareness of any propensity for violence.

(q) Any other exigent circumstances.

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300.3.3 PAIN COMPLIANCE TECHNIQUES

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

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

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

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

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

300.3.4 CAROTID CONTROL HOLD

Carotid control techniques and similar neck restraints shall be considered deadly force. As such, their use is PROHIBITED except as authorized per Use of Deadly Force.

After application or attempted application of the carotid restraint, 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 restraint hold and whether the subject lost consciousness as a result.

300.4 DEADLY FORCE APPLICATIONS

Use of deadly force is justified in the following circumstances:

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

(b) An officer may use deadly force to stop a fleeing subject when the officer has probable cause to believe that the person has committed, or intends to commit, a felony involving the infliction or threatened infliction of serious physical injury or death, and the officer reasonably believes that there is an imminent risk of serious physical injury or death to any other person if the subject 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 any of the following:

1. The person has a weapon or is attempting to access one and it is reasonable to believe the person intends to use it against the officer or another.

2. The person is capable of causing serious physical injury or death without a weapon and it is reasonable to believe the person intends to do so.

300.4.1 SHOOTING AT OR FROM MOVING VEHICLES

Shots fired at or from a moving vehicle are rarely effective. Officers should move out of the path of an approaching vehicle instead of discharging their firearm at the vehicle or any of its occupants.

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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 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.

300.4.2 WARNING SHOTS

Firearms shall not be discharged under the following circumstances:

(a) to fire warning shots

(b) to stop a fleeing suspect, unless the officer reasonably believes the suspect poses an imminent threat of death or serious physical injury to the officer or others if apprehension is delayed.

300.5 REPORTING THE USE OF FORCE

Any use of force by a member of this department shall be documented promptly, completely and accurately in an appropriate report, depending on the nature of the incident. The officer should articulate the factors perceived and why he/she believed the use of force was reasonable under the circumstances. To collect data for purposes of training, resource allocation, analysis and related purposes, the Department may require the completion of additional report forms, as specified in department policy, procedure or law.

300.5.1 NOTIFICATION TO SUPERVISORS

Supervisory notification shall be made as soon as practicable by completing a Use of Force Report, following the application of force in any of the following circumstances:

- The force used causes any visual or apparent physical injury to the subject.
- The force used results in the claim of injury by the subject.
- The officer strikes the subject (ie. palm heel, punch, kick, baton strike).
- The force used results in a direct or indirect impact to the subject's head.
- An officer uses Oleoresin Capsicum spray.
- The officer discharges an electronic control device (drive stun or probe deployment).
- The officer discharges a flex baton.
- The officer discharges a firearm.
- The subject loses consciousness.
- Any use of force occurrence in which a supervisor instructs the officer to complete a use of force report.

300.6 MEDICAL CONSIDERATIONS

Prior to booking or release, medical assistance shall be obtained for any person who exhibits signs of physical distress, who has sustained visible injury, expresses a complaint of injury or continuing

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pain, or who was rendered unconscious. Any individual exhibiting signs of physical distress after an encounter should be continuously monitored until he/she can be medically assessed.

Based upon the officer's initial assessment of the nature and extent of the subject's injuries, medical assistance may consist of examination by fire personnel, paramedics, hospital staff or medical staff at the 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).

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

300.7 SUPERVISOR RESPONSIBILITY

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

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

(e) Review and approve all related reports.

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

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

300.8 TRAINING

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

300.9 USE OF FORCE ANALYSIS

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.

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Use of Force Review Boards

301.1 PURPOSE AND SCOPE

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

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

301.2 POLICY

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

301.3 REMOVAL FROM LINE DUTY ASSIGNMENT

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

301.4 REVIEW BOARD

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

The Use of Force Review Board may also investigate and review the circumstances surrounding every discharge of a firearm, whether the employee was on- or off-duty, excluding training or recreational use.

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

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

301.4.1 COMPOSITION OF THE BOARD

The Executive Officer should select five Use of Force Review Board members from the following, as appropriate:

- Command representatives of each division
- Training Coordinator

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- Non-administrative supervisor
- A peer officer
- Department instructor for the type of weapon, device or technique used

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

301.4.2 RESPONSIBILITIES OF THE BOARD

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

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

The board does not have the authority to recommend discipline.

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

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

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

The board shall make one of the following recommended findings:

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

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

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

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

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the Chief of Police concludes that discipline should be considered, a disciplinary process will be initiated.

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

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Handcuffing and Restraints

303.1 PURPOSE AND SCOPE

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

303.2 POLICY

The Oro Valley 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.

303.3 USE OF RESTRAINTS

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

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

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

303.3.1 RESTRAINT OF DETAINEES

Situations may arise where it may be reasonable to restrain a person 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 ensure 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.

303.3.2 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.

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

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determination that such restraints are necessary for the safety of the arrestee, officers, or others (ARS § 31-601).

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

303.3.4 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 person (e.g., prolonged struggle, extreme agitation, impaired respiration) that may have occurred prior to, or during, transportation to the jail.

303.4 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 person 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.

303.5 APPLICATION OF SPIT HOODS

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

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

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

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distorting that person's vision. Officers should avoid comingling those 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.

303.6 APPLICATION OF AUXILIARY RESTRAINT DEVICES

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

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

303.7 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 person.

(b) Whether it is reasonably necessary to protect the person 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).

303.7.1 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 emergency medical services, 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 person (e.g., prolonged struggle, extreme agitation, impaired respiration).

303.8 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.

303.9 TRAINING

Subject to available resources, the Training Coordinator 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.

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

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Control Devices and Techniques

304.1 PURPOSE AND SCOPE

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

304.2 POLICY

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

304.3 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.

304.4 RESPONSIBILITIES

304.4.1 SERGEANT RESPONSIBILITIES

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

304.4.2 PROPERTY AND ID UNIT RESPONSIBILITIES

The Property and ID Unit 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 crime scene technician or the designated instructor for a particular control device. The inspection shall be documented.

304.5 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

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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.

304.6 TEAR GAS GUIDELINES

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

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

304.7 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.

304.7.1 OC SPRAY

Uniformed personnel carrying OC spray shall carry the device in its holster. 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.

304.7.2 PEPPER PROJECTILE SYSTEMS

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

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

Each deployment of a pepper projectile system shall be documented. This includes situations where the launcher was directed toward the suspect, whether or not the launcher was used.

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Unintentional discharges shall be promptly reported to a supervisor and documented on the appropriate report form. Only non-incident use of a pepper projectile system, such as training and product demonstrations, is exempt from the reporting requirement.

304.7.3 TREATMENT FOR OC 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.

304.8 POST-APPLICATION NOTICE

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

304.9 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.

304.9.1 DEPLOYMENT AND USE

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

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

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

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

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

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

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

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304.9.2 DEPLOYMENT CONSIDERATIONS

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

(a) Distance and angle to target.

(b) Type of munitions employed.

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

(d) The subject's proximity to others.

(e) The location of the subject.

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

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

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

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

304.9.3 SAFETY PROCEDURES

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

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

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

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

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304.10 TRAINING FOR CONTROL DEVICES

The Training Coordinator 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.

304.11 REPORTING USE OF CONTROL DEVICES AND TECHNIQUES

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

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Conducted Energy Weapon

305.1 PURPOSE AND SCOPE

This policy provides guidelines for the issuance and use of TASERs.

305.2 POLICY

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

305.3 ISSUANCE AND CARRYING OF TASER (TM)

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

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

Members carrying a TASER should perform a spark test on the unit weekly.

When carried while in uniform, officers shall carry the TASER in a support-side holster on the side opposite the duty weapon.

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

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

(c) Officers should not hold both a firearm and the TASER at the same time.

305.4 VERBAL AND VISUAL WARNINGS

A verbal warning of the intended use of the TASER 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 TASER may be deployed.

If, after a verbal warning, an individual is unwilling to voluntarily comply with an officer's lawful orders and it appears both reasonable and feasible under the circumstances, the officer may, but is not required to, display the electrical arc (provided that a cartridge has not been loaded into the device), or the laser in a further attempt to gain compliance prior to the application of the

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TASER. The aiming laser should never be intentionally directed into the eyes of another as it may permanently impair his/her vision.

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

305.5 USE OF THE TASER

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

305.5.1 APPLICATION OF THE TASER

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

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

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

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

305.5.2 SPECIAL DEPLOYMENT CONSIDERATIONS

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

(a) Individuals who are known to be pregnant.

(b) Elderly individuals or small children.

(c) Individuals with obviously low body mass.

(d) Individuals who are handcuffed or otherwise restrained.

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

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

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

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

305.5.3 TARGETING CONSIDERATIONS

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

305.5.4 MULTIPLE APPLICATIONS OF THE TASER

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

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

(a) Whether the probes are making proper contact.

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

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

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

305.5.5 ACTIONS FOLLOWING DEPLOYMENT

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

305.5.6 DANGEROUS ANIMALS

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

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305.5.7 OFF-DUTY CONSIDERATIONS
Officers are not authorized to carry Department TASERs while off-duty.

Officers shall ensure that TASERs 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.

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

305.6.1 USE OF FORCE REPORT
Items that shall be included in the Use of Force report are:

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

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

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

(d) The number of TASER 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 TASER 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 Office of Professional Standards should periodically analyze the report forms to identify trends, including deterrence and effectiveness.

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

(a) Identification of all personnel firing TASERs

(b) Identification of all witnesses

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(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

305.7 SUPERVISOR RESPONSIBILITIES

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

A supervisor should review each incident where a person has been exposed to an activation of the TASER. The device's onboard memory should be downloaded through the data port by a crime scene technician and saved with the related arrest/crime report. Photographs of probe sites should be taken and witnesses interviewed.

305.8 TRAINING

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

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

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

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

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

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

The Training Coordinator should ensure that all training includes:

(a) A review of this policy.

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

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

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

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

(f) De-escalation techniques.

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

(h) TASER probe removal and after care procedure.

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Firearms

306.1 PURPOSE AND SCOPE

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

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

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

306.1.1 AUTHORIZATION TO CARRY FIREARMS

Only certified members who have met all state standards and have been authorized by the Chief of Police shall have the peace officer privilege to carry a firearm both on- and off-duty (ARS § 38-1113).

The Chief of Police or the authorized designee may deny the peace officer privilege to carry a firearm as provided in ARS § 38-1113, including:

(a) When the officer is relieved of duty and is under a criminal or administrative investigation.

(b) When, in the judgment of the Chief of Police or the authorized designee, the officer exhibits any impairment, including any physical or mental impairment that would cause concern for the well-being of the officer, fellow members, this department, or the public.

306.2 POLICY

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

306.3 AUTHORIZED FIREARMS, AMMUNITION AND OTHER WEAPONS

Members shall only use firearms that are issued or approved by the Department and have been thoroughly inspected by the Lead Firearms Instructor or designee. 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 knife that is not otherwise prohibited by law.

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306.3.1 HANDGUNS

The authorized Department-issued uniform handgun is the Glock Model 22 .40 Cal or the Glock 17 9mm.

Only issued or approved shotguns and rifles are authorized for on-duty use.

The following additional handguns are approved for on-duty use:

(a) Semi-Automatics: Service semi-automatics shall be limited to the following specifications:

1. The weapon has been properly inspected and certified as safe and is registered with the Department.
2. The officer has qualified with the weapon on the Department weapon's course.
3. A Department's Firearms Instructor certifies the officer as being capable of handling the weapon properly and safely.
4. A 45 caliber, 40 caliber or 9mm.
5. Magazine capacity of at least seven (7) rounds.
6. Equipped with at least three (3) safety features.

Plainclothes firearms shall be limited to the following specifications:

(a) Revolvers:

(a) Barrel length of not less than two (2) inches or more than four (4) inches.

(b) Capable of firing double action.

(c) Cylinder capacity of not less than five (5) rounds of ammunition.

(d) Capable of firing Department-issued .38 special ammunition.

(b) Semi-Automatics:

(a) 9mm caliber or larger.

(b) Magazine capacity of at least five (5) rounds.

(c) Others subject to approval by the Chief of Police.

306.3.2 SHOTGUNS

The Oro Valley Police Department may issue shotguns for official use.

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

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306.3.3 PATROL RIFLES

The Department may issue rifles for official use. The authorized department-issued patrol rifle is the 5.56mm (.223).

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.

Any qualified officer carrying a patrol rifle in the field shall maintain the weapon in a patrol ready condition until deployed. A rifle is considered in a patrol ready condition when it has been inspected by the assigned officer, the fire selector switch is in the safe position, the chamber is empty and a fully loaded magazine is inserted into the magazine well. The rifle shall be equipped with a usable sling.

While on-duty and not in use, a cased rifle will be carried in the trunk of the patrol vehicle or in an appropriate rack. In vehicles not equipped with a separate trunk space, the cased rifle will be carried out-of-sight and not easily accessible to the public.

Officer assigned to a motorcycle wishing to carry a patrol rifle must meet / follow all the following additional conditions:

(a) Rifle must be carried in an approved rifle rack.

(b) Visual and recognizable markings shall be placed on the rifle sights following the intial zeroing and qualification of the rifle to ensure sights have not been tampered with.

(c) Rifles shall be field stripped and cleaned regularly as part of motor maintenance.

(d) When carrying a rifle on a police motorcycle, the keys to the motorcycle shall not be left with the motorcycle at anytime outside of the assigned officer's presence.

306.3.4 PERSONALLY OWNED DUTY FIREARMS

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

(a) The firearm shall be in good working order.

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

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

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

(e) Rifles to be carried shall meet the following specifications:

1. The rifle must be 5.56mm.
2. The rifle shall have a magazine capactiy of at least five rounds. At least one extra magazine shall be carried with the rifle.
3. The rifle shall be equipped with a usable sling and iron or laser sights. Telescopic sights, such as AimPoint, Acog, Leupold, etc. will only be authorized for qualified officers that are certified by a Department Firearms Instructor as being capable of handling the weapon properly and safely.
4. The rifle shall be semi-automatic unless issued by the Department and a Department Firearms Instructor has qualified the member.
5. While on-duty and not in use, a cased rifle will be carried in the trunk of the patrol vehicle or in an appropriate rack. In vehicles not equipped with a separate trunk space, the cased rifle will be carried out-of-sight and not easily accessible to the public. The rifle shall be carried with a loaded magazine and empty chamber in an appropriate weapon case. Only Department-issued ammunition will be used.
6. The Chief of Police must authorize any exceptions to this rule in writing.

306.3.5 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 Lead Firearms Instructor or designee prior to being carried and thereafter shall be subject to inspection whenever it is deemed necessary.

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

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

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

306.3.6 AUTHORIZED OFF-DUTY FIREARMS

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

(a) A personally owned firearm shall be used, carried and inspected in accordance with the Personally Owned Duty Firearms requirements in this policy.

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 Lead Firearms Instructor for inspection prior to being personally carried. Thereafter the firearm shall be subject to periodic inspection by the Lead Firearms Instructor.

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

(e) Members shall provide written notice of the make, model, serial number and caliber of the firearm to the Training Coordinator.

(f) 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.

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

(h) When armed, officers shall carry their Oro Valley Police Department identification cards under circumstances requiring possession of such identification.

306.3.7 AMMUNITION

Members shall carry only department-authorized ammunition. Replacements for unserviceable or depleted ammunition issued by the Department shall be dispensed by the Lead Firearms Instructor when needed, in accordance with established policy.

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

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306.4 EQUIPMENT

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

306.4.1 REPAIRS OR MODIFICATIONS

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

Firearms that are the property of the Department 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 Lead Firearms Instructor or designee.

306.4.2 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.

306.4.3 TACTICAL LIGHTS

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

306.4.4 OPTICS OR LASER SIGHTS

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

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

306.5 SAFE HANDLING, INSPECTION AND STORAGE

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

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

(b) Members shall be governed by all rules and regulations pertaining to the use of the range and shall obey all orders issued by firearms instructors. Members shall not dry fire or practice quick draws on duty except under firearms instructors' supervision.

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

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(d) Shotguns or rifles removed from vehicles or the equipment storage room shall be loaded and unloaded in the parking lot and outside of the vehicle, using clearing barrels.

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

(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 Lead Firearms Instructor or designee approved by the Department for inspection and repair. Any firearm deemed in need of repair or service by the Lead Firearms Instructor or designee will be immediately removed from service. If the firearm is the member's primary duty firearm, a replacement firearm will be issued to the member until the duty firearm is serviceable.

306.5.1 INSPECTION AND STORAGE

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

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

306.5.2 STORAGE AT HOME

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

306.5.3 ALCOHOL AND DRUGS

Firearms shall not be carried by any member, either on- or off-duty, who has consumed an amount of an alcoholic beverage (unless authorized as part of the officer's duties), taken any drugs or medication, has taken any combination thereof that would tend to adversely affect the member's senses or judgment (ARS § 38-1113).

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306.6 FIREARMS TRAINING AND QUALIFICATIONS

All members who carry a firearm while on-duty are required to successfully complete training with their duty firearms. In addition to the required training, all members will qualify at least annually with each firearm he/she is authorized to use. Training and qualifications must be on an approved range course (AAC § R13-4-111).

Each firearms instructor shall meet the proficiency requirements in AAC § R13-6-701.

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

306.6.1 NON-CERTIFICATION OR NON-QUALIFICATION

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

Those who fail to meet minimum standards or qualify on their qualification shoot:

(a) The Training Section will provide remedial training and two other opportunities for the member to achieve a qualifying score that same day.

(b) If the member still does not qualify with his/her on-duty weapon, that member shall not carry that weapon, other than to transport it to and from an approved range for firearms practice. The Training Section, in conjunction with the affected member's Division will arrange remedial training at the next available opportunity. This will usually occur within 48 hours. Prior to attending remedial training, the member will be put on a temporary assignment which does not require the member to carry the weapon with which he or she did not qualify. If this occurs, it will be specifically addressed in the member's performance evaluation.

(c) If after the remedial training a member fails to qualify in one attempt, he/she will be considered ineligible for duty and shall be placed on leave without pay. At the member's discretion, he/she may use vacation or accumulated time in lieu of leave without pay.

(d) A member who is put on leave without pay or who uses vacation or accumulated time in lieu of leave without pay shall be given a maximum of four weeks during which time he/she must qualify on a final attempt in the presence of two Firearms Instructors. It will be the member's responsibility to make the necessary arrangements to complete the required qualification. On-duty time will not be used for this purpose, nor will overtime be authorized.

(e) Members who fail to demonstrate duty firearms proficiency as required by law, or who fail to qualify over five attempts will be relieved from field assignment and appropriate disciplinary action will follow, which may include termination (AAC § R13-4-109.01).

306.7 FIREARM DISCHARGE

Except during training or recreational use, any member who discharges a firearm intentionally or unintentionally, on- or off-duty, shall make a verbal report to his/her supervisor as soon as

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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 recorded statement provided no later than the end of the next regularly scheduled shift, unless otherwise directed by a supervisor.

306.7.1 DESTRUCTION OF ANIMALS

Members are authorized to use firearms to stop an animal in circumstances where the animal reasonably appears to pose an imminent threat to human safety and alternative methods are not reasonably available or would likely be ineffective. If a firearm was discharged as a use of force, the Use of Force Review Boards policy will be followed.

In circumstances where there is sufficient advance notice that a potentially dangerous animal may be encountered, department members should develop reasonable contingency plans for dealing with the animal (e.g., fire extinguisher, 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.

306.7.2 INJURED ANIMALS

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

306.7.3 WARNING AND OTHER SHOTS

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

306.8 LEAD FIREARMS INSTRUCTOR DUTIES

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

The Lead Firearms Instructor has the responsibility of making periodic inspection of all duty firearms carried by members of this department to verify proper operation. The Lead Firearms

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Instructor or designee has the authority to deem any department-issued or privately 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 by the Lead Firearms Instructor or designee.

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

The Lead Firearms Instructor shall complete and submit to the Training Coordinator 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 Lead Firearms Instructor should keep accurate records of all training shoots, qualifications, repairs, maintenance or other records as directed by the Training Coordinator.

306.9 FLYING WHILE ARMED

The Transportation Security Administration (TSA) has imposed rules governing law enforcement officers flying armed on commercial aircraft. The following requirements apply to 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.

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

(c) The Oro Valley Police Department must submit a National Law Enforcement Telecommunications System (NLETS) message prior to the officer’s travel. If approved, TSA will send the Oro Valley 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, must detail his/her itinerary and include that the officer has completed the mandatory TSA training for law enforcement officers flying while armed.

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

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

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

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

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

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

306.10 CARRYING FIREARMS OUT OF STATE

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

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

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

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

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

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

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

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Officer-Involved Shootings and Deaths

307.1 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.

307.2 POLICY

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

307.3 TYPES OF INVESTIGATIONS

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

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

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

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

(d) A civil investigation to determine potential liability.

307.4 CONTROL OF INVESTIGATIONS

Investigators from surrounding agencies may be assigned to work on the criminal investigation of officer-involved shootings and deaths. This may include at least one investigator from the agency that employs the involved officer.

Jurisdiction is determined by the location of the shooting or death and the agency employing the involved officer. The following scenarios outline the jurisdictional responsibilities for investigating officer-involved shootings and deaths.

307.4.1 CRIMINAL INVESTIGATION OF OFFICER ACTIONS

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

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

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307.4.2 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.

307.4.3 CRIMINAL INVESTIGATION OF SUSPECT ACTIONS
The investigation of any possible criminal conduct by the suspect is controlled by the agency in whose jurisdiction the suspect's crime occurred. For example, the Oro Valley Police Department would control the investigation if the suspect's crime occurred in Oro Valley.

If multiple crimes have been committed in multiple jurisdictions, identification of the agency that will control the investigation may be reached in the same way as with any other crime. The investigation may be conducted by the agency in control of the criminal investigation of the involved officer, at the discretion of the Chief of Police and with concurrence from the other agency.

307.5 THE INVESTIGATION PROCESS
The following procedures are guidelines used in the investigation of an officer-involved shooting or death:

307.5.1 UNINVOLVED OFFICER RESPONSIBILITIES
Upon arrival at the scene of an officer-involved shooting or death, the first uninvolved OVPD 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.

307.5.2 SUPERVISOR RESPONSIBILITIES
Upon arrival at the scene, the first uninvolved OVPD 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 OVPD officer to immediately provide public safety information necessary to secure the scene, identify injured parties and pursue suspects.

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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 Incident Commander and Communications Bureau. If feasible, sensitive information should be communicated over secure networks.

(d) Take command of and secure the incident scene with additional OVPD members until properly relieved by another supervisor or other assigned personnel or investigator.

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

1. Each involved OVPD officer should be given an administrative order not to discuss the incident with other involved officers or OVPD 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.

307.5.3 INCIDENT COMMANDER RESPONSIBILITIES

Upon learning of an officer-involved shooting or death, the Incident Commander shall be responsible for coordinating all aspects of the incident until he/she is relieved by the Chief of Police or a Division Commander.

All outside inquiries about the incident shall be directed to the Incident Commander.

307.5.4 NOTIFICATIONS

The following persons shall be notified as soon as practicable:

- Chief of Police
- Support Services Division Commander
- Outside agency investigators (if appropriate)
- Office of Professional Standards supervisor
- Risk management personnel
- Psychological/peer support personnel
- Chaplain
- Medical Examiner (if necessary)

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- Involved officer's agency representative (if requested)
- Public Information Officer
- County attorney

307.5.5 INVOLVED OFFICERS

The following shall be considered for the involved officer:

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

1. Involved OVPD 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-OVPD 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 licensed psychotherapist shall be provided by the Department to each involved OVPD officer. A licensed psychotherapist may also be provided to any other affected OVPD members, upon request (ARS § 38-673).

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

307.5.6 INVOLVED CIVILIANS

The following shall be considered for the involved civilian:

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(a) Discussions with peer counselors are privileged under Arizona Revised Statutes. Peer counselors are cautioned not to discuss the facts of any incident with an involved or witness officer.

(b) A psychologist or other psychotherapist shall be provided by the Department to each involved civilian or any civilian upon request.

1. Interviews with a licensed psychotherapist will be considered privileged and will not be disclosed except to the extent that a report is required to determine whether the civilian is fit for return to duty.

2. If an interview or session with a licensed psychotherapist takes place prior to the involved civilian providing a formal interview or report, the involved civilians 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.

307.6 CRIMINAL INVESTIGATION

This department may utilize an outside agency to conduct an independent criminal investigation into the circumstance of any officer-involved shooting involving injury or death.

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

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

(a) OVPD supervisors and Office of Professional Standards personnel should not participate directly in any voluntary interview of OVPD 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.

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307.6.1 REPORTS BY INVOLVED OVPD OFFICERS

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

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

Nothing in this section shall be construed to deprive an involved OVPD 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 or death.

307.6.2 WITNESS IDENTIFICATION AND INTERVIEWS

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

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

1. When feasible, a recorded statement should be obtained from those persons who claim not to have witnessed the incident but who were present at the time it occurred.
2. Any potential witness who is unwilling or unable to remain available for a formal interview should not be detained absent reasonable suspicion to detain or probable cause to arrest. Without detaining the individual for the sole purpose of identification, attempts to identify the witness prior to his/her departure should be made whenever feasible.

(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 known family and associates to obtain any available and untainted background information about the suspect’s activities and state of mind prior to the incident.

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307.6.3 INVESTIGATIVE PERSONNEL

Once notified of an officer-involved shooting or death, it shall be the responsibility of the designated Criminal Investigations Unit supervisor to assign appropriate investigative personnel to handle the investigation of related crimes.

All related department reports, except administrative and/or privileged reports, will be forwarded to the designated Criminal Investigations Unit 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.

307.7 ADMINISTRATIVE INVESTIGATION

In addition to all other investigations associated with officer-involved shooting or death, this department will conduct an internal administrative investigation of the involved OVPD officers to determine conformance with department policy. This investigation will be conducted under the supervision of the Office of Professional Standards and will be considered a confidential officer personnel file until the investigation is complete or the investigation has been discontinued (ARS § 38-1109).

Interviews of members shall be subject to department policies and applicable laws (see the Personnel Complaints Policy).

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

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

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

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

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

2. If requested, the officer shall have the opportunity to select an uninvolved representative to be present during the interview. However, in order to maintain the integrity of each individual officer's statement, involved officers shall not

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consult or meet with a representative 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 (ARS § 38-1104).
5. The Office of Professional Standards shall compile all relevant information and reports necessary for the Department to determine compliance with applicable policies.
6. Regardless of whether the use of force is an issue in the case, the completed administrative investigation shall be submitted to the Use of Force Review Board, which will restrict its findings as to whether there was compliance with the Use of Force Policy.
7. Any other indications of potential policy violations shall be determined in accordance with standard disciplinary procedures.

307.8 CIVIL LIABILITY RESPONSE

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

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

307.9 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 (see the Personnel Complaints Policy).

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.

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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 Town Attorney's Office, as appropriate.

307.10 DEBRIEFING

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

307.10.1 CRITICAL INCIDENT/STRESS DEBRIEFING

A critical incident/stress debriefing should occur as soon as practicable. The Administration 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 (ARS § 38-1111).

Attendance at the debriefing shall only include those members of the Department directly involved in the incident, which can include support personnel (e.g., dispatcher's, 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 Office of Professional Standards personnel.

307.10.2 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.

307.11 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 Incident Commander, Support Services Division Commander and Public Information Officer in the event of inquiries from the media.

No involved OVPD 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.

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307.12 REPORTING

If the death of an individual occurs in the Oro Valley Police Department jurisdiction and qualifies to be reported to the Department of Public Safety, the Field Services Division Commander will ensure that the Records Supervisor is provided with enough information to meet the reporting requirements (ARS § 41-1750; AAC § R13-1-302).

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Vehicle Pursuits

308.1 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 (ARS § 28-624(A)).

308.1.1 PHILOSOPHY

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 risk to public safety created by vehicle pursuits, no officer or supervisor shall be criticized or disciplined for deciding not to engage in a vehicle pursuit due to the risk involved. This includes circumstances where Department policy would permit the initiation or continuation of the pursuit. It is recognized that vehicle pursuits 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 individual’s unreasonable desire to apprehend a fleeing suspect at all costs has no place in professional law enforcement.

308.2 DEFINITIONS

Definitions related to this policy include:

Vehicle Pursuit - An event involving one or more peace officers attempting to apprehend a suspect who is attempting to avoid arrest while operating a motor vehicle by using high speed or other evasive tactics, such as disregarding traffic warning signs, stop signs, red lights, driving off a roadway, turning suddenly or driving in a legal manner but willfully failing to yield to an officer's signal to stop.

Terminate - to discontinue or stop chasing the fleeing vehicle.

Blocking or Vehicle Intercept - A slow-speed coordinated maneuver where two or more law enforcement 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.

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.

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Pursuit Intervention Technique (PIT) - A low-speed maneuver intended to terminate the pursuit by causing the violator's vehicle to spin out and come 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 designed to stop a violator's vehicle by intentionally placing a vehicle or other immovable object in the path of the violator's vehicle.

Tire Deflation Device, Spikes or Tack Strips - A device that extends across the roadway and is designed to puncture the tires of the pursued vehicle.

308.3 OFFICER RESPONSIBILITIES

It is the policy of this department that a vehicle pursuit shall be conducted with at least one flashing red or red and blue warning lamp visible from the front and an audible siren activated on an authorized emergency vehicle (ARS § 28-624(C)).

The following policy is established to provide officers with guidelines for driving with due regard and caution for the safety of all persons using the highway (ARS § 28-624(D)).

308.3.1 WHEN TO INITIATE A PURSUIT

Officers may declare a pursuit only if an alleged violent felony exists and/or allowing the suspect to flee would present a clear and present danger to human life or cause serious injury.

The following factors individually and collectively shall be considered in deciding whether to initiate or continue 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 (e.g., school zones) and the speed of the pursuit relative to these factors.

(f) 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 officers under the conditions of the pursuit.

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

(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) Availability of other resources, such as aircraft assistance.

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

308.3.2 WHEN TO TERMINATE A PURSUIT

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

Operating an emergency vehicle in a pursuit with emergency lights and siren does not relieve the operator of an authorized emergency vehicle of the duty to drive with due regard for the safety of all persons and does not protect the driver from the consequences of his/her reckless disregard for the safety of others (ARS § 28-624(D)).

The above factors on when to initiate a pursuit are expressly included herein and will apply equally to the decision to discontinue as well as the decision to initiate a pursuit. Officers and supervisors must objectively and continuously weigh the seriousness of the offense against the potential danger to innocent motorists, themselves and the public 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.

Officers may declare a pursuit if an alleged violent felony exists and/or allowing the suspect to flee would present a clear and present danger to human life or cause serious injury.

In addition to the factors listed above, the following factors should be considered when deciding whether to terminate a pursuit:

(a) The 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 or distance.

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

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(c) The officer's pursuit vehicle sustains damage or a mechanical failure that renders it unsafe to drive.

(d) The pursuit vehicle suffers an emergency equipment failure that causes the vehicle to no longer qualify for emergency operation use (ARS § 28-624(B)(4)).

(e) The hazards to uninvolved bystanders or motorists.

(f) When 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) When directed to terminate the pursuit by a supervisor.

(h) Once terminated, all ground units shall immediately deactive their emergency equipment and not attempt to reengage the suspect's vehicle, follow the suspect's vehicle or keep it in sight without on air supervisor approval.

308.3.3 SPEED LIMITS

The speed of a pursuit is a factor that should be evaluated on a continuing basis by the officer and supervisor. Vehicle speeds shall be taken into consideration to prevent endangering public safety, officer safety and the safety of the occupants of the fleeing vehicle (ARS § 28-624(B)(3)).

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) Pursuit speeds have become unreasonably unsafe for the surrounding conditions.

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

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

308.4 PURSUIT UNITS

Pursuit Units include primary, secondary and support units. The number of units involved will vary with the circumstances.

All other officers shall stay out of the pursuit but should remain alert to its progress and location. Any officer who drops out of a pursuit may then, if necessary, proceed to the termination point at legal speeds, following the appropriate rules of the road.

Distinctively marked patrol vehicles should replace unmarked vehicles involved in a pursuit whenever practicable.

308.4.1 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 practicable.

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308.4.2 VEHICLES WITHOUT EMERGENCY EQUIPMENT

Vehicles not equipped with red light and siren are prohibited from initiating or joining in any pursuit. The Officer in such vehicles may provide support to pursuing units as long as the vehicle is operated in compliance with all traffic laws.

308.4.3 PRIMARY UNIT RESPONSIBILITIES

The initial pursuing officer 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 primary unit shall terminate contact with the fleeing vehicle if an authorized pursuit is not justified pursuant this policy.

The primary unit should notify Communications Bureau, commencing with a request for priority radio traffic, that a vehicle pursuit has been initiated, and as soon as practicable provide information including, but not limited to:

(a) 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 occupants.

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

(g) Weather, road and traffic conditions.

(h) Identity of other agencies involved in the pursuit.

(i) Information concerning the use of firearms, threat of force, injuries, hostages or other unusual hazards.

Unless relieved by a supervisor or secondary unit, the officer in the primary unit shall be responsible for broadcasting the progress of the pursuit. Unless circumstances reasonably indicate otherwise, the primary unit should relinquish the responsibility of broadcasting the progress of the pursuit to a secondary unit or aircraft joining the pursuit to minimize distractions and allow the primary unit to concentrate foremost on safe pursuit tactics.

308.4.4 SECONDARY UNIT RESPONSIBILITIES

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

(a) Immediately notifying the dispatcher of entry into the pursuit.

(b) Remaining at 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) Broadcasting the progress of the pursuit unless the situation indicates otherwise.

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(d) Serving as backup to the primary unit once the subject has been stopped.

308.4.5 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 such that they are able to see and avoid hazards or react safely to maneuvers by the fleeing vehicle.

(b) Officers may proceed past a red or stop signal or stop sign but only after slowing down as may be necessary for safe operation (ARS § 28-624(B)(2)).

(c) In the event the pursued vehicle travels the wrong way on a divided roadway, the following tactics should be considered:

1. Requesting assistance from an available air unit.
2. Pursue vehicle while paralleling on the correct side of the roadway.
3. Requesting other units to observe exits available to the suspect.

(d) Notify the appropriate law enforcement agency if it appears the pursuit may enter their jurisdiction.

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

308.4.6 SUPPORT UNITS RESPONSIBILITIES

A support unit is any vehicle involved in the prusuit that is not the primary or secondary unit. Support units may overtake the pursuit using alternate routes with emergency equipment for the purpose of the following:

- clearing intersections,
- deploying tire deflation devices and/or
- cover escape routes.

308.4.7 PURSUIT TRAILING

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

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308.4.8 AIRCRAFT ASSISTANCE

When available, aircraft assistance should be requested. Once the air unit has established visual contact with the pursued vehicle, it should assume control over the pursuit. The primary and secondary ground units should consider whether the participation of an aircraft warrants their continued involvement in the pursuit.

The air unit may coordinate the activities of resources on the ground, report progress of the pursuit and provide officers and supervisors with details of upcoming traffic congestion, road hazards or other pertinent information to evaluate whether to continue the pursuit.

308.5 SUPERVISORY CONTROL AND RESPONSIBILITIES

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 pursuit, or if unavailable, the nearest field supervisor will be responsible for the following:

(a) Upon becoming aware of a pursuit, immediately notify involved officers and Communications Bureau of supervisory presence and 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 established Department guidelines.

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

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

(d) Ensure that no more than the number of required law enforcement units needed are involved in the pursuit under the guidelines set forth in this policy.

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

(f) Ensure that aircraft assistance is requested if available.

(g) Ensure the notification and/or coordination of outside agencies if the pursuit either leaves or is likely to leave the jurisdiction of this agency.

(h) Control and manage OVPD units when a pursuit enters another jurisdiction.

308.5.1 SERGEANT RESPONSIBILITIES

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

The Sergeant shall review all pertinent reports for content and forward them through the chain of command.

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308.6 COMMUNICATIONS

Radio communications will be conducted on the primary channel unless instructed otherwise by a supervisor or communications dispatcher.

308.6.1 COMMUNICATIONS BUREAU RESPONSIBILITIES

Upon notification that a pursuit has been initiated, Communications Bureau will be responsible for the following:

(a) Coordinating pursuit communications of the involved units and personnel.

(b) Notifying and coordinating with other involved or affected agencies as practicable.

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

(d) Assigning an incident number and log all pursuit activities.

(e) Broadcasting pursuit updates as well as other pertinent information as necessary.

308.6.2 LOSS OF PURSUED VEHICLE

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

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

308.7.1 OTHER JURISDICTIONS INVOLVED IN A PURSUIT

If only one unit from another jurisdiction is involved in a pursuit within the Town of Oro Valley, OVPD units may act as secondary units, with the permission of the supervisor. The supervisor shall determine the cause of pursuit and terminate OVPD involvement if it is not within Department policy.

Officers assisting another jurisdiction's pursuit will not continue beyond the Oro Valley town limits unless authorized to do so by the supervisor.

Before entering another jurisdiction, dispatchers shall advise the jurisdiction of the pursuit for information purposes and possible assistance.

308.8 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, tire deflation devices, boxing a stationary vehicle, ramming or roadblock procedures.

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308.8.1 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 apparent to the officer at the time of the decision.

It is imperative that officers act within legal bounds using good judgment and accepted practices.

308.8.2 USE OF FIREARMS

The use of firearms to disable a pursued vehicle is not generally an effective tactic and involves all the dangers associated with discharging firearms. Officers shall not utilize firearms during an ongoing pursuit to disable a vehicle (i.e. shooting tires) without supervisor approval. 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.

308.8.3 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 force, including deadly force, and are subject to Department policies guiding such use. Officers shall consider these facts and requirements prior to deciding how, when, where and if an intervention tactic should be employed.

(a) As with all intervention techniques, pursuing officers should obtain supervisor approval before attempting to box 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 apparent at the time, as well as the potential risk of injury to officers, the public and occupants of the pursued vehicle.

(b) STOP Stick Devices may be used to disable a vehicle involved in an authorizedpursuit or to disable a vehicle fleeing from law enforcement. STOP Stick Devices may be deployed after receiving authorization from a supervisor.

1. All marked patrol vehicles will be equipped with STOP Stick Tire Deflation Devices.

2. When setting up a roadblock to deploy a STOP Stick device:

(a) Locate your vehicle in one lane of traffic with the emergency equipment activated.

(b) Deploy the STOP Stick devices in the remaning lanes in either deployment method:

1. DO NOT WRAP THE CORD REEL LINE AROUND ANY PART OF YOUR BODY AT ANY TIME!

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2. Method # 1: If time allows, it is permissible to pre-stage the STOP stick device opposite your position of safety, with the cord extended across roadway. Hold cord reel low to the ground ensuring cord lies flat on roadway. When target vehicle approaches, pull STOP stick device into roadway, in front of target vehicle. Once target vehicle drives across, the STOP stick shall be pulled from roadway.
3. Method # 2: From your position of safety, STOP sticks may be deployed in a tactical manner by throwing them directly in front of the target vehicle. Once the target vehicle strikes the STOP stick, the STOP stick shall be immediately pulled from the roadway.

(c) After deploying the STOP Stick, position yourself in a safe location away from the point of contact between the target vehicle and the deployed STOP Sticks.

(c) 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.

308.8.4 CAPTURE OF SUSPECTS

Proper self-discipline and sound professional judgment are the keys to a successful conclusion of a pursuit and apprehension of evading suspects. Officers shall use only that amount of force that reasonably appears necessary 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.

308.9 REPORTING AND REVIEW REQUIREMENTS

All appropriate reports shall be completed to comply with appropriate local and state regulations.

(a) The primary officer shall complete appropriate crime/arrest reports.

(b) The supervisor shall complete the appropriate pursuit report. The pursuit report shall briefly summarize the pursuit to the Chief of Police or a designee. The report should minimally contain the following information:

1. Date and time of pursuit.
2. Length of pursuit in distance and time.
3. Involved units and officers.
4. Initial reason and circumstances surrounding the pursuit.

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5. Starting and termination points.
6. Alleged offense, charges filed or disposition: arrest, citation or other release.
7. Arrestee information should be provided if applicable.
8. Injuries and/or property damage.
9. Medical treatment.
10. The outcome of the pursuit.
11. Name of supervisor handling or at the scene.

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

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

308.9.1 REGULAR AND PERIODIC PURSUIT TRAINING

In addition to initial and supplementary training on pursuits, all licensed non-exempt employees will participate in regular and periodic Department training addressing this policy and the importance of vehicle safety and protecting the public at all times. Training will include a recognition of the need to balance the known offense and the need for immediate capture against the risks to officers and others (AAC § R13-4-111(B)(2)(b)(iv)).

308.9.2 POLICY REVIEW

Certified members of this department shall certify in writing that they have received, read and understand this policy initially and upon any amendments.

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Officer Response to Calls

309.1 PURPOSE AND SCOPE

This policy provides for the safe and appropriate response to all emergency and non-emergency situations.

309.2 RESPONSE TO CALLS

Officers responding to an emergency call shall proceed immediately. Officers responding to an emergency call shall continuously operate emergency lighting equipment and shall sound the siren as reasonably necessary (ARS § 28-624(B)).

Responding with emergency lights and siren does not relieve the operator of an authorized emergency vehicle of the duty to drive with due regard for the safety of all persons and does not protect the driver from the consequences of his/her reckless disregard for the safety of others (ARS § 28-624(B)). The use of any other warning equipment without emergency lights and siren does not provide any exemption from the Arizona motor vehicle laws.

Officers should only respond as an emergency call response when so dispatched or when circumstances reasonably indicate an emergency response is required. Officers not responding as an emergency call response shall observe all traffic laws and proceed without the use of emergency lights and siren.

309.3 REQUESTING EMERGENCY ASSISTANCE

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

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

309.3.1 NUMBER OF UNITS PARTICIPATING

Normally, only those units reasonably necessary should respond to an emergency as an emergency call response. The Sergeant or the field supervisor should monitor all emergency responses and reduce or enhance the response as warranted.

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309.4 INITIATING EMERGENCY CALL RESPONSE

If an officer believes an emergency call response to any call is appropriate, the officer shall immediately notify dispatch.

The Sergeant or field supervisor will make a determination regarding the appropriateness of the response and reduce or enhance the response as warranted.

309.5 RESPONSIBILITIES OF RESPONDING OFFICER

Officers shall exercise sound judgment and care with due regard for life and property when responding to an emergency call. During a response to an emergency call officers may (ARS § 28-624(B)):

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

(b) Exceed the prima facie speed limits if the driver does not endanger life or property.

(c) Disregard laws or rules governing the direction of movement or turning in specified directions.

(d) Disregard regulations governing parking or standing when using a warning lamp.

Continuing an emergency call 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 red lights and siren at the legal speed limit. In such an event, the officer should immediately notify Communications Bureau. An officer shall also discontinue an emergency call response when directed by a supervisor or as otherwise appropriate.

Upon determining that an emergency call response is appropriate, an officer shall immediately give the location from which he/she is responding.

309.6 COMMUNICATIONS RESPONSIBILITIES

A dispatcher shall ensure acknowledgment and response of assisting units when an officer requests emergency assistance or when the available information reasonably indicates that the public is threatened with serious injury or death and an immediate law enforcement response is needed. The dispatcher shall:

(a) Attempt to assign the beat unit closest to the location requiring assistance.

(b) Confirm the location from which the unit is responding.

(c) When required or requested, notify and coordinate outside emergency services (e.g., fire and ambulance).

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

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(e) Control all radio communications during the emergency and coordinate assistance under the direction of the field supervisor or incident commander.

309.7 SUPERVISORY RESPONSIBILITIES

Upon being notified that an emergency response has been initiated, the field supervisor or incident commander 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 practicable.

The field supervisor shall, whenever practicable, 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 an emergency response, the supervisor may do so.

It is the supervisor's responsibility to terminate an emergency response that, in his/her judgment, is inappropriate due to the circumstances.

When making the decision to authorize an emergency call response, the field supervisor or incident commander should consider the following:

- The type of call or crime involved
- The necessity of a timely response
- Traffic and roadway conditions
- The location of the responding units

309.8 FAILURE OF EMERGENCY EQUIPMENT

If the emergency equipment on the vehicle should fail to operate, the officer must terminate the emergency call response and respond accordingly (ARS § 28-624(C)).

The officer shall notify the Sergeant, field supervisor or Communications Bureau of the equipment failure so that another unit may be assigned to the emergency response.

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Priority / Response Levels Guidelines

310.1 PURPOSE AND SCOPE

The following is a guideline for prioritizing the law enforcement level of response. This guideline should be used to assist the call taker and the radio dispatcher in determining the priority of a call based on the nature of the events occurring.

310.2 DEFINITIONS

Definitions related to this policy include:

Pre-Dispatch Time - The time from when the call taker answers the telephone to the dispatch of a unit to the call.

Travel Time - The time from the dispatch of a unit to a call to the first unit arriving on scene.

Total Response Time - The time from when the call taker answers the telephone to the first unit arriving on scene.

310.3 PRIORITY LEVELS

310.3.1 PRIORITY 1 - EMERGENCY RESPONSE

An incident involving a serious threat to life where injury has occurred or is imminent. A serious offense is in progress or has recently occurred and the immediate response by a field unit is critical.

Pre-dispatch: 1 min

Travel: 4 min

Total Response: 5 min

310.3.2 PRIORITY 2 - CRITICAL RESPONSE

An incident posing a danger to life or the high potential for a threat to life to develop or escalate. This response may also include significant property crimes where a rapid response is needed because the incident is in progress or has recently occurred. A quick response by a field unit may significantly affect the outcome of the incident.

Pre-dispatch: 2 min

Travel: 6 min

Total Response: 8 min

310.3.3 PRIORITY 3 - GENERAL RESPONSE

Other crimes or matters requiring a police response. A small delay will not significantly affect the outcome of the incident.

Pre-dispatch: 5 min

Travel: 10 min

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Total Response: 15 min

310.3.4 PRIORITY 4 - ROUTINE RESPONSE
Routine calls for service or matters requiring a police response but a delay will not significantly affect the outcome of the incident.

Pre-dispatch: 10 min

Travel: 20 min

Total Response: 30 min

310.3.5 PRIORITY 6 - INFORMATION RESPONSE
An information report or information for broadcast. Field units are not specifically assigned to this type of call for most circumstances.

310.3.6 PRIORITY 7 - ON SIGHT ACTIVITY
An incident is generated for an officer's on-sight or self generated activity.

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Canines

311.1 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 (ARS § 11-1025).

311.2 POLICY

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

311.3 ASSIGNMENT

Canine teams should be assigned to assist and supplement the Field Services Division to function primarily in assist or cover assignments. However, they may be assigned by the Sergeant 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 Sergeant.

311.4 CANINE COORDINATOR

The canine coordinator shall be appointed by and directly responsible to the Special Operations Lieutenant 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.

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311.5 REQUESTS FOR CANINE TEAMS

Field Services Division members are encouraged to request the use of a canine. Requests for a canine team from department units outside of the Field Services Division shall be reviewed by the Special Operations Lieutenant or canine coordinator.

311.5.1 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.

311.5.2 OUTSIDE AGENCY REQUEST

All requests for canine assistance from outside agencies must be approved by the on the duty supervisor or canine coordinator 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) It shall be the responsibility of the canine handler to coordinate operations with agency personnel in order to minimize the risk of unintended injury.

(d) It shall be the responsibility of the canine handler to complete all necessary reports or as directed.

311.6 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 Sergeant. 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 or physically remove the canine.

311.6.1 WARNINGS AND ANNOUNCEMENTS

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

If 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.

311.6.2 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 shall 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.

Canines used by law enforcement agencies are generally exempt from impoundment and reporting requirements, however the county enforcement agent shall be notified if the canine

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exhibits any abnormal behavior and will be made available for an examination (ARS § 11-1014(J)). A bite number from Pima County Animal Control shall be obtained.

311.6.3 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.

311.7 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.

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(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.

311.7.1 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.

311.7.2 NARCOTICS DETECTION

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

(a) The search of vehicles, buildings, bags, and other articles.

(b) Assisting in the search for narcotics during a search warrant service.

(c) Obtaining a search warrant by using the narcotics-detection trained canine in support of probable cause.

A narcotics-detection trained canine will not be used to search a person for narcotics unless the canine is trained to passively indicate the presence of narcotics.

311.7.3 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.

311.8 HANDLER SELECTION

The minimum qualifications for the assignment of canine handler include:

(a) An officer who is currently off probation.

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(b) Residing in an adequately fenced single-family residence (minimum 5-foot-high fence with locking gates).

(c) A garage that can be secured and can accommodate a canine vehicle.

(d) Living within 30 minutes travel time from the Oro Valley Town limits.

(e) Agreeing to be assigned to the position for a minimum of three years.

311.9 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 a handler is off-duty for an extended number of days, the assigned canine vehicle should be stored at the Oro Valley Police Department facility.

(d) Handlers shall permit the canine coordinator or Special Operations Lieutenant 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.

(e) 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 and Special Operations Lieutenant as soon as possible.

(f) When off-duty, the canine may be in a kennel provided by the Town 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.

(g) 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.

(h) Under no circumstances will the canine be lodged at another location unless approved by the canine coordinator or Special Operations Lieutenant.

(i) 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 Special Operations Lieutenant .

(j) 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.

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311.9.1 CANINE IN PUBLIC AREAS

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

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

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

311.10 HANDLER COMPENSATION

The canine handler shall be available for call-out under conditions specified by the canine coordinator.

The canine handler shall be compensated for time spent in the care, feeding, grooming, and other needs of the canine in accordance with the Fair Labor Standards Act (FLSA), and according to the terms of the memorandum of understanding (29 USC § 207).

311.11 RETIREMENT OF CANINES

(a) Department canines will be retired when they are no longer physically or medically able to function as a police service canine or the Chief of Police makes that decision.

(b) Department canines may be retired to the handler unless the handler does not want to keep the canine.

(c) Any other person may take ownership of a retired canine with the approval of the Chief of Police.

(d) The handler, or any person who takes ownership of a retired department canine, will be required to sign a release accepting all responsibility for the canine.

311.12 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 Special Operations Lieutenant as soon as practicable and appropriately documented.

All medical attention shall be rendered by the designated canine veterinarian, except during an emergency where treatment should be obtained from the nearest available veterinarian. All records of medical treatment shall be maintained by the Department or the Department veterinarian.

311.13 TRAINING

Before assignment in the field, each canine team shall be trained and certified to meet current nationally recognized standards or other recognized and approved certification standards. Cross-trained canine teams or those canine teams trained exclusively for the detection of narcotics and/

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or explosives also shall be trained and certified to meet current nationally recognized standards or other recognized and approved certification standards established for their particular skills.

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 Special Operations Lieutenant.

311.13.1 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 handlers are encouraged to engage in additional training with approval of the canine coordinator.

(b) To ensure that all training is consistent, no handler, trainer, or outside vendor is authorized to train to a standard that is not reviewed and approved by the canine coordinator or Special Operations Lieutenant.

311.13.2 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.

311.13.3 TRAINING RECORDS

All canine training records shall be maintained by the canine handler.

311.13.4 TRAINING AIDS

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

311.13.5 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 the Arizona Uniform Controlled Substances Act and federal laws (21 USC § 823(f); ARS § 36-2522(C)).

The Chief of Police or the authorized designee may authorize a member to seek a court order to allow controlled substances seized by the Oro Valley Police Department to be possessed by the member or a narcotics-detection canine trainer who is working under the direction of this

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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.

311.13.6 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 individual canine handler or trainer.

(b) The weight and test results shall be recorded and maintained by this department.

(c) Any person possessing controlled substance training samples 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 regularly.

(e) All controlled substance training samples will be stored in locked, airtight and watertight cases at all times, except during training. The locked cases shall be secured in the trunk of the canine handler's assigned patrol vehicle during transport and stored in an appropriate locked container. There are no exceptions to this procedure.

(f) The canine coordinator shall periodically inspect every controlled substance training sample for damage or tampering and take any appropriate action.

(g) Any unusable controlled substance training samples shall be returned to the Property and ID Unit or to the dispensing agency.

(h) All controlled substance training samples shall be destroyed when deemed no longer usable for training purposes. The decision to destroy controlled training substances will be made by the canine coordinator and reported to the Special Operations Lieutenant.

311.13.7 EXPLOSIVE TRAINING AIDS

Officers may possess, transport, store or use explosives or destructive devices in compliance with state and federal laws (18 USC § 842; 27 CFR 555.41; ARS § 13-3103).

Explosive training aids designed specifically for canine teams should be used whenever feasible. Due to the safety concerns in the handling and transportation of explosives, inert or non-hazardous training aids should be employed whenever feasible. The use of explosives or destructive devices for training aids by canine teams is subject to the following:

(a) All explosive training aids, when not in use, shall be properly stored in a secure facility appropriate for the type of materials.

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(b) An inventory ledger shall be maintained to document the type and quantity of explosive training aids that are stored.

(c) The canine coordinator shall be responsible for verifying the explosive training aids on hand against the inventory ledger once each quarter.

(d) Only members of the canine team shall have access to the explosive training aids storage facility.

(e) A primary and secondary custodian will be designated to minimize the possibility of loss of explosive training aids during and after the training. Generally, the handler will be designated as the primary custodian while the trainer or authorized second person on-scene will be designated as the secondary custodian.

(f) Any lost or damaged explosive training aids shall be promptly reported to the canine coordinator, who will determine if any further action will be necessary. Any loss of explosives will be reported to the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF).

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Domestic Violence

312.1 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.

312.1.1 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.

312.2 POLICY

The Oro Valley 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.

312.3 OFFICER SAFETY

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

312.4 INVESTIGATIONS

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

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

(b) When practicable, officers should obtain and document statements from the victim, the suspect and any witnesses, including children, in or around the household or location of occurrence.

(c) Officers should list the full name and date of birth (and school if available) of each child who was present in the household at the time of the offense. The names of other children who may not have been in the house at that particular time should also be obtained for follow-up.

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

(e) All injuries should be photographed, regardless of severity, taking care to preserve the victim's personal privacy. Where practicable, photographs should be taken by a person of the same sex. Victims whose injuries are not visible at the time of the incident should be asked to contact the Criminal Investigations Unit in the event that the injuries later become visible.

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

(g) If the suspect is no longer at the scene, officers should make reasonable efforts to locate the suspect to further the investigation, provide the suspect with an opportunity to make a statement and make an arrest or seek an arrest warrant if appropriate.

(h) When appropriate, officers should question involved parties and witnesses regarding the presence of firearms. Any firearms discovered in plain view or pursuant to a consent to search should be temporarily seized for safekeeping if the officer reasonably believes that the firearm presents a risk of serious bodily injury or death if left on the premises (ARS § 13-3601).

1. A firearm that is owned or possessed by the victim shall not be seized unless there is probable cause to believe that both parties have independently committed an act of domestic violence.

(i) 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.

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

1. Relationship of suspect and victim.
2. Whether the suspect lives on the premises with the victim.
3. Claims by the suspect that the victim provoked or perpetuated the violence.
4. The potential financial or child custody consequences of arrest.
5. The physical or emotional state of either party.
6. Use of drugs or alcohol by either party.
7. Denial that the abuse occurred where evidence indicates otherwise.

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8. A request by the victim not to arrest the suspect.
9. Location of the incident (public/private).
10. Speculation that the complainant may not follow through with the prosecution.
11. The racial, cultural, social, professional position or sexual orientation of the victim or suspect.

312.4.1 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.
(c) Advise the victim whether any type of court order will be in effect when the suspect is released from jail.

312.4.2 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.

312.5 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 information handout, even if the incident may not rise to the level of a 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.
(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.

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(i) Conduct the lethality assessment program interview and notification when appropriate.

312.6 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.

312.7 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.

312.8 LEGAL MANDATES AND RELEVANT LAWS

Arizona law provides for the following:

312.8.1 STANDARDS FOR ARRESTS

Officers investigating a domestic violence report should consider the following:

(a) An officer should arrest a person if the officer has probable cause to believe that the person to be arrested has committed an act of domestic violence, whether or not the offense was committed in the presence of the officer (ARS § 13-3601(B)). A decision to not make an arrest requires the review and authorization of a supervisor.

(b) An arrest of a person who is 15 years of age or older shall be made in a domestic violence incident involving the infliction of physical injury or involving the discharge, use, or threatened exhibition of a deadly weapon or dangerous instrument unless the officer has reasonable grounds to believe that the circumstances at the time are such that the victim will be protected from further injury (ARS § 13-3601(B)). A decision to

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not make an arrest in these circumstances requires the review and authorization of a supervisor.

(c) In order to arrest both parties, an officer must have probable cause to believe that both parties independently have committed an act of domestic violence (ARS § 13-3601(B)).

(d) Officers should not arrest a person for domestic violence when there is reason to believe the act in question qualifies as self-defense and is justified under Chapter 4 of Title 13 of the Arizona Revised Code (ARS § 13-3601(B); ARS § 13-401 et seq.).

(e) A person arrested for domestic violence or a violation of a court order shall not be released in the field by citation. A physical arrest and booking is required (ARS § 13-3601(B); ARS § 13-3602(Q); ARS § 25-808(I)).

(f) An officer should arrest a person if there is probable cause to believe the person has disobeyed or resisted an order issued in any jurisdiction in this state pursuant to ARS § 13-3602(Q) or ARS § 25-808(I) whether or not such violation occurred in the officer's presence.

(g) Emergency Orders of Protection issued under ARS § 13-3624 shall be enforced (ARS § 13-3624(H)).

(h) Whenever a defendant arrested for violating a court order is released from the custody of this department, the releasing officer shall make reasonable efforts to contact the victim or others listed in an order of protection who requested notification upon release of the defendant (ARS § 13-3602(R)).

312.8.2 REPORTS AND RECORDS

(a) If a firearm is seized, the officer shall give the owner or possessor of the firearm a receipt for each seized firearm, which indicates the identification or serial number or other identifying characteristic of each seized firearm (ARS § 13-3601).

1. The officer should also ensure notification is made to the Property and ID Unit Supervisor to ensure that any firearm seized for safekeeping is held for at least 72 hours.

312.8.3 SERVICE OF COURT ORDERS

(a) An officer should serve orders for protection issued under ARS § 13-3602 and give it priority over other calls for service that do not involve an immediate threat to a person's safety (ARS § 13-3602(K)).

1. The officer serving the order should ensure that any proof of service is provided to the crime victim liaison for notification to the victim as provided by ARS § 13-3602(I) (see the Victim and Witness Assistance Policy).

(b) When an officer has reasonable grounds to believe that a victim is in immediate and present danger of domestic violence, the officer should seek, serve and file an emergency protective order with the court (ARS § 13-3624).

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1. For any emergency protective order obtained, the officer should ensure that a copy of the order is forwarded to the Communications Bureau for registering with the national crime information center as required by ARS § 13-3624(F).

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Search and Seizure

313.1 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 Oro Valley Police Department personnel to consider when dealing with search and seizure issues.

313.2 POLICY

It is the policy of the Oro Valley 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.

313.3 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
- Terry pat

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

Because case law regarding search and seizure is constantly changing and subject to interpretation by the courts, each member of this department is expected to act in each situation 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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313.4 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, a practicable 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. This policy is not intended to delay a frisk for weapons when an officer believes he/she may be in danger. 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 an object of evidentary value or a weapon.

313.5 DOCUMENTATION

Officers are responsible to document any search and to ensure that any required reports are sufficient including, at minimum, documentation of the following:

- Reason for the search
- Any efforts used to minimize the intrusiveness of any search (e.g., asking for consent or keys)
- What, if any, injuries or damage occurred
- All steps taken to secure property
- The results of the search, including a description of any property or contraband seized
- If the person searched is the opposite sex, any efforts to summon an officer of the same sex as the person being searched and the identification of any witness officer

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

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Temporary Custody of Juveniles

314.1 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 Oro Valley Police Department (34 USC § 11133).

314.1.1 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 a juvenile who has violated ARS § 13-3111 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 unsecured 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 of tobacco, curfew violation, or truancy. A juvenile in custody on a court order or warrant based upon a status offense is also a status offender.

314.2 POLICY

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

314.3 JUVENILES WHO SHOULD NOT BE HELD

Juveniles who exhibit any of the following conditions should not be held at the Oro Valley 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 Oro Valley 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.

314.4 CUSTODY OF JUVENILES

Officers should take custody of a juvenile and temporarily hold the juvenile at the Oro Valley 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 Oro Valley Police Department without authorization of the arresting officer's supervisor or the Sergeant.

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 Oro Valley Police Department (34 USC § 11133; ARS § 8-305).

314.4.1 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).

314.4.2 CUSTODY OF JUVENILE OFFENDERS

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

Juvenile offenders shall be taken into custody:

(a) Upon an order of the juvenile court (ARS § 8-303(B)(1)).

(b) Pursuant to a warrant (ARS § 8-303(B)(2)).

(c) When the officer has reasonable grounds to believe a juvenile has committed a criminal act or a delinquent act, which, if committed by an adult, would be a felony or breach of the peace (ARS § 8-303(D)(1)).

(d) When a juvenile has been apprehended in the commission of a criminal act or a delinquent act, which if committed by an adult would be a felony, or who was apprehended in fresh pursuit (ARS § 8-303(D)(2)).

Juveniles taken into custody pursuant to ARS § 8-303(D) may only be released to the parents, guardian, custodian or the juvenile court (ARS § 8-303(E)). Juveniles who are going to be transported to the juvenile court or a designated juvenile detention facility must be transported without delay.

314.5 ADVISEMENTS

Officers taking a juvenile into custody shall, without undue delay, notify the juvenile's parent, guardian or a responsible relative that the juvenile is in custody and whether a complaint will be sent to the juvenile court (ARS § 8-307(B)).

314.6 JUVENILE CUSTODY LOGS

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

(a) Identifying information about the juvenile being held.

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

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

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

(e) Any changes in status.

(f) Time of all welfare checks.

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

(h) Circumstances that justify any secure detention.

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

The Supervisor shall initial the log to approve the detention, including any secure detention, and shall also initial the log when the juvenile is released.

314.7 NO-CONTACT REQUIREMENTS

Sight and sound separation shall be maintained between all juveniles and adults while in custody at the Department (34 USC § 11133; ARS § 8-305). 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 Oro Valley 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.

314.8 TEMPORARY CUSTODY REQUIREMENTS

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

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

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(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.

(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.

314.9 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 Oro Valley 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 Sergeant. Restraints shall only be used so long as it reasonably appears necessary for the juvenile's protection or the protection of others.

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

314.10 PERSONAL PROPERTY

The officer taking custody of a juvenile offender or status offender at the Oro Valley 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 inventoried. The property should be kept in a monitored or secure location until the juvenile is released from the custody of the Oro Valley Police Department.

314.11 SECURE CUSTODY

Generally, only juvenile offenders 14 years or older should be placed in secure custody.

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

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

314.11.1 LOCKED ENCLOSURES

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

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

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

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

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

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

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

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

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

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

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

The Sergeant will ensure procedures are in place to address the suicide attempt, death, or serious injury of any juvenile held at the Oro Valley Police Department. The procedures will address:

(a) Immediate notification of the on-duty supervisor, Chief of Police, and Criminal Investigations Unit 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 Town Attorney.

(e) Evidence preservation.

314.13 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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Adult Abuse

315.1 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 Oro Valley Police Department members as required by law.

315.1.1 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.

315.2 POLICY

The Oro Valley Police Department will investigate all reported incidents of alleged adult abuse and ensure proper reporting and notification as required by law.

315.3 MANDATORY NOTIFICATION

Members of the Oro Valley Police Department shall notify Adult Protective Services (APS) when there is a reasonable basis to believe that abuse, neglect, or exploitation of a vulnerable adult has occurred. Members shall also notify APS when a member receives a report of vulnerable adult abuse (ARS § 46-454).

For purposes of notification, abuse includes intentional infliction of physical harm, injuries caused by negligent acts or omissions, unreasonable confinement, sexual abuse, or sexual assault. Neglect is the deprivation of food, water, medication, medical services, shelter, supervision, cooling, heating, or other services necessary to maintain a vulnerable adult's minimum physical or mental health. Exploitation is the illegal or improper use of a vulnerable adult or his/her resources for another's profit or advantage (ARS § 46-451).

A vulnerable adult is an individual who is 18 years or older and unable to protect him/herself from abuse, neglect, or exploitation by others because of a physical or mental impairment. Vulnerable adult includes an incapacitated person as defined in ARS § 14-5101 (ARS § 46-451).

315.3.1 NOTIFICATION PROCEDURE

Notification should occur as follows (ARS § 46-454):

(a) All notifications to APS shall be made as soon as practicable in person or by telephone.

(b) Information provided to APS shall include, if known:

1. The names and addresses of the adult and any persons having control or custody of the adult, if known.
2. The adult's age and the nature and extent of the adult's vulnerability.

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3. The nature and the extent of the adult's injuries or physical neglect or the exploitation of the adult's property.
4. Any other information that may be helpful in establishing the cause of the adult's injures or physical neglect or of the exploitation of the adult's property.

315.4 INVESTIGATORS

Investigators should be available to investigate cases of adult abuse. These investigators should:

(a) Conduct interviews in appropriate interview facilities.

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

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

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

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

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

315.5 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 (ARS § 46-454).

(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.

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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.

315.6 PROTECTIVE CUSTODY

Before taking an adult abuse victim into protective custody when facts indicate the adult may not be able to care for him/herself, the officer should make reasonable attempts to contact APS. Generally, removal of an adult abuse victim from his/her family, guardian or other responsible adult should be left to the welfare authorities when they are present or have become involved in an investigation.

Generally, members of this department should remove an adult abuse victim from his/her family or guardian without a court order only when no other effective alternative is reasonably available and immediate action reasonably appears necessary to protect the victim. Prior to taking an adult abuse victim into protective custody, the officer should take reasonable steps to deliver the adult to another qualified legal guardian, unless it reasonably appears that the release would endanger the victim or result in abduction. If this is not a reasonable option, the officer shall ensure that the adult is delivered to APS.

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

When adult abuse victims are under state control, have a state-appointed guardian or there are other legal holdings for guardianship, it may be necessary or reasonable to seek a court order on behalf of the adult victim to either remove the adult from a dangerous environment (protective custody) or restrain a person from contact with the adult.

315.7 INTERVIEWS

315.7.1 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.

315.7.2 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.

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2. A reasonable belief that the adult is or will be in danger of harm if the interview or physical exam is not immediately completed.
3. The alleged offender is a family member or guardian and there is reason to believe the adult may be in continued danger.

(b) A court order or warrant has been issued.

315.8 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.

315.9 STATE MANDATES AND OTHER RELEVANT LAWS

Arizona requires or permits the following:

315.9.1 RECORDS UNIT RESPONSIBILITIES

The Records Unit is responsible for:

(a) Providing a copy of the adult abuse report to the APS as required by law (ARS § 46-454).

(b) Retaining the original adult abuse report with the initial case file.

315.9.2 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.

315.10 TRAINING

The Department should provide training on best practices in adult abuse investigations to members tasked with investigating these cases. The training should include:

(a) Participating in multidisciplinary investigations, as appropriate.

(b) Conducting interviews.

(c) Availability of therapy services for adults and families.

(d) Availability of specialized forensic medical exams.

(e) Cultural competence (including interpretive services) related to adult abuse investigations.

(f) Availability of victim advocates or other support.

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Adult Abuse

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Discriminatory Harassment

316.1 PURPOSE AND SCOPE

This policy is intended to prevent department members from being subjected to discrimination or sexual harassment.

316.2 POLICY

The Oro Valley Police Department is an equal opportunity employer and is committed to creating and maintaining a work environment that is free of all forms of discriminatory harassment, including sexual harassment and retaliation. The Department will not tolerate discrimination against employees in hiring, promotion, discharge, compensation, fringe benefits and other privileges of employment. The Department will take preventive and corrective action to address any behavior that violates this policy or the rights 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 an employee to discipline.

316.3 DISCRIMINATION PROHIBITED

316.3.1 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 race, color, religion, sex, age, national origin or ancestry, genetic information, disability, military service, sexual orientation and other classifications 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 employee'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, 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 the department's commitment to a discrimination free work environment.

316.3.2 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.

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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.

316.3.3 ADDITIONAL CONSIDERATIONS

Discrimination and discriminatory harassment do not include actions that are in accordance with established rules, principles or standards including:

(a) Acts or omission of acts based solely upon bona fide occupational qualifications under the Equal Employment Opportunity Commission (EEOC) and the Arizona Civil Rights Act.

(b) Bona fide requests or demands by a supervisor that a member improve his/her work quality or output, that the member report to the job site on time, that the member comply with Town or department rules or regulations, or any other appropriate work-related communications between supervisor and member.

316.3.4 RETALIATION

Retaliation is treating a person differently or engaging in acts of reprisal or intimidation against the person because he/she has engaged in protected activity, filed a charge of discrimination, participated in an investigation or opposed a discriminatory practice. Retaliation will not be tolerated.

316.4 RESPONSIBILITIES

This policy applies to all department personnel. All members shall follow these guidelines in a manner that reflects department policy, professional law enforcement 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 his/her 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 or Human Resources Director.

Any member encountering harassment is encouraged to inform the person that his/her actions are unwelcome and offensive. Any member who believes, in good faith, that he/she has been discriminated against, harassed, subjected to retaliation, or who has observed harassment or discrimination, is encouraged to promptly report such conduct in accordance with the procedures set forth in this policy.

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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.

316.4.1 SUPERVISOR RESPONSIBILITIES
Each supervisor and manager shall:

(a) Monitor the work environment and strive to ensure that it is free from all types of unlawful discrimination, including harassment or retaliation.

(b) Take prompt, appropriate action within their work units to avoid and minimize the incidence of any form of discrimination, harassment or retaliation.

(c) Ensure that their subordinates understand their responsibilities under this policy.

(d) Ensure 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) Promptly notify the chain of command in writing of the circumstances surrounding any reported allegations or observed acts of discrimination, harassment or retaliation.

316.4.2 SUPERVISOR'S ROLE
Because of differences in individual values, supervisors and managers may find it difficult to recognize that their behavior or the behavior of others is discriminatory, harassing or retaliatory. Supervisors and managers shall be aware of the following considerations:

(a) Behavior of supervisors and managers should represent the values of the department and professional law enforcement standards.

(b) False or mistaken accusations of discrimination, harassment or retaliation can have negative effects on the careers of innocent members.

(c) Supervisors and managers must act promptly and responsibly in the resolution of such situations.

(d) Supervisors and managers shall make a timely determination regarding the substance of any allegation based upon all available facts.

Nothing in this section shall be construed to prevent supervisors or managers from discharging supervisory or management responsibilities, such as determining duty assignments, evaluating or counseling employees or issuing discipline, in a manner that is consistent with established procedures.

316.5 INVESTIGATION OF COMPLAINTS

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

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investigated. The participating or opposing member should be protected against retaliation, and the complaint and related investigation should be kept confidential to the extent possible.

316.5.1 SUPERVISORY RESOLUTION

Members who believe they are experiencing discrimination, harassment or retaliation should be encouraged to inform the individual that his/her behavior is unwelcome, offensive, unprofessional or inappropriate. However, if the member feels uncomfortable, threatened or has difficulty expressing his/her 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.

316.5.2 FORMAL INVESTIGATION

If the complaint cannot be satisfactorily resolved through the process described above, a formal investigation will be conducted.

The employee 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 not be limited to, details of the specific incident, frequency, 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 or Human Resources Director.

316.5.3 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 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.

316.6 NOTIFICATION OF DISPOSITION

The complainant and/or victim will be notified in writing of the disposition of the investigation and the actions taken to remedy or address the circumstances giving rise to the complaint.

316.7 DOCUMENTATION OF COMPLAINTS

All complaints or allegations shall be thoroughly documented in a manner designated by the Chief of Police. The outcome of all reports shall be:

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- Approved by the Chief of Police, the Town Manager or the Human Resources Director if more appropriate.
- Maintained for the period established in the department's records retention schedule.

316.8 TRAINING

All new employees shall be provided with a copy of this policy as part of their orientation. The policy shall be reviewed with each new employee. The employee shall certify by signing the prescribed form that he/she has been advised of this policy, is aware of and understands its contents and agrees to abide by its provisions during his/her term of employment.

All employees shall receive periodic 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.

316.8.1 QUESTIONS OR CLARIFICATION

Members with questions regarding what constitutes discrimination, sexual harassment or retaliation are encouraged to contact a supervisor, manager, the Chief of Police, the Human Resources Director or the Town Manager for further information, direction or clarification.

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Child Abuse

317.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the investigation of suspected child abuse. This policy also addresses when Oro Valley Police Department members are required to notify the Arizona Department of Child Safety (DCS) of suspected child abuse.

317.1.1 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 or law enforcement agency (ARS § 13-3620(A)).

317.2 POLICY

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

317.3 MANDATORY NOTIFICATION

Members of the Oro Valley Police Department shall notify DCS when they reasonably believe that a child is or has been the victim of abuse or neglect by a person with care, custody, or control of the child (ARS § 13-3620(A) and (H)).

Any supervisor who reasonably believes that reportable abuse has occurred and has not been reported shall ensure that a report is made (ARS § 13-3620(A)).

For purposes of notification, abuse or neglect includes physical abuse, sexual abuse, sexual exploitation, and other criminal sexual offenses, criminal child abuse under ARS § 13-3623, and denial of necessary care or nourishment (ARS § 13-3620; ARS § 8-201).

A notification to DCS is not required under this section for sexual abuse (ARS § 13-1404) and sexual conduct with a child (ARS § 13-1405) if the conduct only involves those who are 14, 15, 16, or 17 years of age and there is nothing to indicate that the conduct is other than consensual.

317.3.1 NOTIFICATION PROCEDURE

Notification should occur as follows (ARS § 13-3620(D)):

(a) Notification shall be made immediately by telephone or electronically to DCS.

(b) Notification shall contain at a minimum:

1. The names and addresses of the child and the child's parents or the person or persons having custody.

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2. The child's age and the nature and extent of the child abuse, physical injury or neglect, including any evidence of previous abuse, child abuse, physical injury or neglect.
3. Any other information that the person believes might be helpful in establishing the cause of the child abuse, physical injury or neglect.

317.4 QUALIFIED INVESTIGATORS

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

(a) Conduct interviews in child appropriate interview facilities.

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

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

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

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

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

317.5 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.

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(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).

317.6 PROTECTIVE CUSTODY

Before taking any child into protective custody, the officer should make reasonable attempts to contact DCS. 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 DCS.

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 (ARS § 8-821):

(a) With a court order authorizing the removal of a child

(b) The consent of the child's parent or guardian

(c) Without a court order if temporary custody is clearly necessary to protect the child because exigent circumstances exist. Exigent circumstances means there is probable cause to believe:

1. The child is likely to suffer serious harm in the time it would take to obtain a court order for removal and either of the following is true:

(a) There is no less intrusive alternative to taking temporary custody of the child that would reasonably and sufficiently protect the child's health or safety.

(b) Probable cause exists to believe that the child is a victim of sexual abuse or abuse involving serious physical injury that can be diagnosed only by

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a licensed physician or a licensed health care provider who has specific training in evaluations of child abuse.

317.6.1 SAFE HAVEN LAW PROVISIONS
A person is not guilty of abuse of a child pursuant to ARS § 13-3623(B) solely for leaving an unharmed newborn infant with a safe haven provider, such as hospital staff and firefighters (ARS § 13-3623.01). The law requires the safe haven provider to notify DCS.

317.6.2 NOTICE OF TAKING A CHILD INTO TEMPORARY CUSTODY
When an officer takes a child into temporary custody, the officer shall provide written notice within six hours to the parent or guardian as required by ARS § 8-823 unless notification is being provided to the parent or guardian by DCS.

317.7 INTERVIEWS

317.7.1 PRELIMINARY INTERVIEWS
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.

317.7.2 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.

317.8 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

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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.

317.8.1 MEDICAL EXAMINATION PURSUANT TO EXIGENT CIRCUMSTANCES
When a child is taken into protective custody because of exigent circumstances, the officer shall immediately have the child examined by a licensed physician or licensed health care provider with the required specific training for evaluations of child abuse (ARS § 8-821).

(a) After the examination, the officer shall release the child to the parent or guardian unless the examination reveals abuse or neglect.

317.9 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.

317.9.1 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 Investigations Unit Supervisor so an interagency response can begin.

317.10 STATE MANDATES AND OTHER RELEVANT LAWS
Arizona law permits the following:

317.10.1 RELEASE OF REPORTS
Information related to incidents of child abuse or suspected child abuse shall be confidential and may only be disclosed pursuant to state law and the Records Maintenance and Release Policy.

317.10.2 LOCAL PROTOCOL
The Criminal Investigations Unit Supervisor should ensure that any local protocol regarding child abuse investigations is available to department members.

317.10.3 CHILD FATALITY REVIEW
This department will cooperate with any interagency child fatality review team investigation. Records in a pending criminal investigation may be withheld from the team with prosecution approval (ARS § 36-3503).

317.11 TRAINING
The Department should provide training on best practices in child abuse investigations to members tasked with investigating these cases. The training should include:

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(a) Participating in multidisciplinary investigations, as appropriate.

(b) Conducting forensic interviews.

(c) Availability of therapy services for children and families.

(d) Availability of specialized forensic medical exams.

(e) Cultural competence (including interpretive services) related to child abuse investigations.

(f) Availability of victim advocate or guardian ad litem support.

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Missing Persons

318.1 PURPOSE AND SCOPE

This policy provides guidance for handling missing person investigations.

318.1.1 DEFINITIONS

Definitions related to this policy include:

At-risk - Includes persons who:

(a) Are 13 years of age or younger.

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

1. Out of the zone of safety for his/her chronological age and developmental stage.
2. Mentally or behaviorally disabled.
3. Drug dependent, including prescribed medication and/or illegal substances, and the dependency is potentially life-threatening.
4. Absent from home for more than 24 hours before being reported to law enforcement as missing.
5. In a life-threatening situation.
6. In the company of others who could endanger his/her welfare.
7. Absent in a way that is inconsistent with established patterns of behavior and that cannot be readily explained. Most children have an established and reasonably predictable routine.
8. Involved in a situation that would cause a reasonable person to conclude the person should be considered at risk.

(c) Qualify for a state AMBER Alert™.

Missing person - Any person who is reported missing to law enforcement when that person's location is unknown. This includes a person under the age of 18 whose location has not been determined and who has been reported missing, abducted, lost or is a runaway (ARS § 15-829; ARS § 36-339).

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) and the Arizona Crime Information Center (ACIC).

318.2 POLICY

The Oro Valley 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 Oro Valley Police Department gives missing person cases priority over

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property-related cases and does not require a specific amount of time to have passed before beginning a missing person investigation.

318.3 REQUIRED FORMS AND BIOLOGICAL SAMPLE COLLECTION KITS

The Criminal Investigations Unit supervisor shall ensure the following forms and kits are developed and available:

- Missing Person Report Form
- Missing Person Investigation Checklist that provides investigation guidelines and resources that could be helpful in the early hours of a missing person investigation
- Missing Person School Notification Form
- Medical Records Release Form
- Biological sample collection kits

318.4 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.

318.5 INITIAL INVESTIGATION

Officers or other members conducting the initial investigation of a missing person should take the following investigative actions as applicable:

(a) Respond to a dispatched call as soon as practicable.

(b) Interview the reporting party and any witnesses to determine whether the person qualifies as a missing person and, if so, whether the person may be at-risk.

(c) Notify a supervisor immediately if there is evidence that a missing person is either at-risk or may qualify for a public alert, or both (see the Public Alerts Policy).

(d) Broadcast a “Be on the Look-Out” (BOLO) bulletin if the person is under 16 years of age or there is evidence that the missing person is at-risk. The alert should be broadcast as soon as practicable but in no event more than one hour after determining the missing person is under 16 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 at-risk.

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2. In all other cases, as soon as practicable, but not later than two hours from the time of the initial report.

(f) Complete the appropriate report forms accurately and completely and initiate a search as applicable under the facts.

(g) Collect and/or review:

1. A photograph and fingerprint card of the missing person, if available.
2. 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.

318.6 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.

318.6.1 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 Unit.

(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.

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(a) If the case falls within the jurisdiction of another agency, the supervisor should facilitate transfer of the case to the agency of jurisdiction.

318.6.2 RECORDS UNIT RESPONSIBILITIES

The responsibilities of the Records Unit 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.

(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 Investigations Unit.

(e) Coordinating with the NCIC Terminal Contractor for Arizona to have the missing person record in the NCIC computer networks updated with additional information obtained from missing person investigations (34 USC § 41308).

318.7 CRIMINAL INVESTIGATIONS UNIT FOLLOW-UP

In addition to completing or continuing any actions listed above, the investigator assigned to a missing person investigation:

(a) Shall ensure that the missing person's school is notified as soon as practicable if the missing person is a juvenile (ARS § 15-829).

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) Shall notify the state registrar in the state of the child's birth. This notification shall include the child's name, date of birth and county of birth (ARS § 36-339).

(c) 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.

(d) Should consider contacting other agencies involved in the case to determine if any additional information is available.

(e) Shall verify and update ACIC, 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).

(f) Should continue to make reasonable efforts to locate the missing person and document these efforts at least every 30 days.

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(g) Shall maintain a close liaison with state and local 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).

(h) Should make appropriate inquiry with the Medical Examiner.

(i) Should obtain and forward medical and dental records, photos, X-rays and biological samples, as applicable.

(j) 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 Department of Public Safety (DPS) and enter the photograph into applicable missing person networks (34 USC § 41308).

(k) Should consider making appropriate entries and searches in the National Missing and Unidentified Persons System (NamUs).

(l) 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).

318.8 WHEN A MISSING PERSON IS FOUND

When any person reported missing is found, the assigned investigator shall document the location of the missing person in the appropriate report, notify the relatives and/or reporting party, as appropriate, and other involved agencies and refer the case for additional investigation if warranted.

The Communications Bureau should ensure that, upon receipt of information that a missing person has been located, the following occurs:

(a) Notification is made to NCIC, ACIC and DPS.

(b) A missing child's school is notified.

(c) The state registrar in the state of the child's birth is notified (ARS § 36-339).

(d) Entries are made in the applicable missing person networks.

(e) When a person is at risk the fact that the person has been found shall be reported within 24 hours to NCIC, ACIC and DPS.

(f) Notification shall be made to any other law enforcement agency that took the initial report or participated in the investigation.

318.8.1 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.

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(c) Use available resources, such as those related to missing persons, to identify the person.

318.9 CASE CLOSURE

The Criminal Investigations Unit 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 Oro Valley or this department is the lead agency, the case should be kept under active investigation for as long as the person may still be alive. Exhaustion of leads in the investigation should not be a reason for closing a case.

(c) If this department is not the lead agency, the case can be made inactive if all investigative leads have been exhausted, the lead agency has been notified and entries are made in the applicable missing person networks, as appropriate.

(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 of civil warrant.

318.10 TRAINING

Subject to available resources, the Training Coordinator should ensure that members of this department whose duties include missing person investigations and reports receive training.

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Public Alerts

319.1 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.

319.2 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.

319.3 RESPONSIBILITIES

319.3.1 MEMBER RESPONSIBILITIES

Members of the Oro Valley Police Department should notify their supervisor, Sergeant, or Criminal Investigations Unit 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.

319.3.2 SUPERVISOR RESPONSIBILITIES

A supervisor apprised of the need for a public alert is responsible to make the appropriate notifications based upon the circumstances of each situation. The supervisor shall promptly notify the chain of command and the Public Information Officer when any public alert is generated.

The supervisor in charge of the investigation to which the alert relates is responsible for the following:

(a) Updating alerts

(b) Canceling alerts

(c) Ensuring all appropriate reports are completed

(d) Preparing an after-action evaluation (resume) of the investigation to be forwarded to the Public Alert Reporting Officer

319.3.3 PUBLIC ALERT REPORTING OFFICER RESPONSIBILITIES

The Communications Manager is the designated Public Alert Reporting Officer who is responsible for:

(a) Remaining familiar with the protocols for activating, maintaining, and canceling all applicable public alerts.

(b) Activating, maintaining, and canceling all public alerts.

(c) Being the point of contact with the Arizona AMBER Alert Oversight Committee.

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(d) Ensuring the Department has AMBER Alert plan representatives who have completed appropriate training. Training may be provided by the Arizona Department of Public Safety (DPS) or suggested by the Arizona AMBER Alert Oversight Committee.

(e) Presenting a briefing to the Arizona AMBER Alert Oversight Committee at the next scheduled meeting following the activation of an Arizona AMBER Alert.

319.4 AMBER ALERTS

The Arizona AMBER Alert is a voluntary partnership between law enforcement agencies and local broadcasters to rapidly disseminate an emergency alert to the public when a child is abducted or missing under emergency circumstances and the child may be in danger of serious bodily harm or death.

319.4.1 CRITERIA

Certain criteria must exist before an AMBER Alert™ will be issued:

(a) An abduction of a child (under 18) has occurred.

(b) The abduction poses a credible threat of immediate danger of serious bodily injury or death to the child.

(c) The child is not a runaway and has not been abducted as a result of a child custody dispute, unless the dispute poses a credible or specific threat of serious bodily injury or death to the child.

(d) There is sufficient descriptive information about the child, abductor, and the circumstances surrounding the abduction to indicate that an AMBER Alert will locate the child and/or suspect.

(e) There is information available to disseminate to the general public, which could assist in the safe recovery of the child and/or the apprehension of the suspect.

319.4.2 PROCEDURE

A member who receives a report of an abduction of a child should advise the Public Alert Reporting Officer or the authorized designee without delay. The Public Alert Reporting Officer will review the information to ensure that alert criteria are met and will be responsible for:

(a) Calling the AMBER Alert Hotline at the Arizona DPS Duty Office.

(b) Calling the appropriate AMBER Alert broadcast station and providing the necessary information to activate the EAS.

(c) Entering the appropriate information into the AMBER Alert system.

1. The information entered into the system may be updated by DPS or the Public Alert Reporting Officer.

(d) Promptly entering the missing child and crucial information surrounding the AMBER Alert and an AMBER Alert flag into the National Crime Information Center (NCIC) system.

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(e) Promptly forwarding the alert information to all Arizona law enforcement agencies through the Arizona Law Enforcement Telecommunications System (ALETS) or other appropriate database.

(f) Ensuring that the appropriate telephone numbers for contact and follow-up are entered, including:

1. A telephone number for the public to provide tips and information on the missing child.
2. A confidential number restricted to other law enforcement agencies and the media to contact the Public Information Officer for follow-up and updates as an alternative to the 9-1-1 system.
3. A confidential number restricted to other law enforcement agencies to quickly provide information that could be crucial to the investigation or the safety of the victim.

(g) Obtaining a photograph of the missing person and/or suspect as soon as practicable and disseminating it to the appropriate entities.

The Public Information Officer should be constantly updated in order to utilize the media as much as possible and obtain the maximum exposure for the case.

Involved personnel will continually provide the Public Alert Reporting Officer or the authorized designee and the Public Information Officer with any updated information.

319.5 ENDANGERED PERSON ALERTS

The Endangered Person Alert is a voluntary partnership between law enforcement and local broadcasters designed to rapidly disseminate information about missing and endangered persons to law enforcement agencies, broadcasters, and the public.

319.5.1 CRITERIA

Certain criteria must exist before an Endangered Person Alert will be issued:

(a) The missing person is 18 years old or older.

(b) The person is missing under unexplained, involuntary, or suspicious circumstances.

(c) The person is believed to be in danger of death or serious bodily injury because of his/her health, a medically diagnosed mental or physical disability, the environment or weather conditions, because he/she is in the company of a potentially dangerous person, or some other factor that may put the person in danger.

(d) There is information that could help the public to assist in the recovery of the missing person.

319.5.2 PROCEDURE

A member who receives a report of a missing and endangered person should advise the Public Alert Reporting Officer or the authorized designee without delay. The Public Alert Reporting Officer will review the information to ensure the alert criteria are met and will be responsible for:

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(a) Preparing or assigning preparation of the Endangered Person Alert using the Attempt to Locate (ATL) code on the Arizona Criminal Justice Information System (ACJIS). The words “Endangered Person Alert” should be included in the title of the entry.

(b) Entering the information into NCIC using the proper message key: Missing (MNP), Endangered (EME), Involuntary (EMI).

(c) Obtaining a photograph of the missing person and/or suspect as soon as practicable and disseminating it to the appropriate entities.

The Public Information Officer should be constantly updated in order to utilize the media as much as possible and obtain the maximum exposure for the case.

Involved personnel should continually provide the Public Alert Reporting Officer or the authorized designee and the Public Information Officer with any updated information.

319.6 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 local, state, or federal law enforcement officer (ARS § 41-1726).

319.6.1 CRITERIA

The following criteria are utilized to determine if a Blue Alert should be issued:

(a) A law enforcement officer has been killed or seriously injured by an offender.

(b) The investigating law enforcement agency has determined that the offender poses a serious risk or threat to the public and other law enforcement personnel.

(c) A detailed description of the offender’s vehicle, vehicle tag, or partial tag is available for broadcast to the public.

(d) Public dissemination of available information may help avert further harm or accelerate apprehension of the suspect.

319.6.2 PROCEDURE

The following is the procedure for initiating a Blue Alert:

(a) Upon confirmation of the Blue Alert criteria, the Public Alert Reporting Officer shall ensure that procedures consistent with the DPS guidelines for activation and cancellation are followed.

319.7 SILVER ALERTS

Silver Alerts are used to provide a statewide system for the rapid dissemination of information regarding a missing person who is 65 years of age or older or who has a developmental disability, Alzheimer's disease, or dementia (ARS § 41-1728).

319.7.1 CRITERIA

The following criteria are utilized to determine if a Silver Alert should be issued:

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(a) The missing person is 65 years of age or older or has a developmental disability, Alzheimer's disease, or dementia.

(b) All available local resources have been utilized.

(c) A determination has been made that the person has gone missing under unexplained or suspicious circumstances.

(d) The missing person is in danger because of age, health, mental or physical disability, or environment or weather conditions.

(e) The missing person is in the company of a potentially dangerous person or there are other factors indicating the missing person may be in peril.

(f) Public dissemination of available information could assist in the safe recovery of the missing person.

319.7.2 PROCEDURE

The following is the procedure for initiating a Silver Alert:

(a) Upon confirmation of the Silver Alert criteria, the Public Alert Reporting Officer shall ensure that procedures consistent with the DPS guidelines for activation and cancellation are followed.

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Emergency Notification System

320.1 PURPOSE

The following policy has been created to establish guidelines governing the use of the Town of Oro Valley's Emergency Notification System.

320.2 POLICY

The Emergency Notification System may be used for both crisis and non-crisis situations to notify citizens of the Town of Oro Valley by telephone. Examples of information that may be communicated through the Emergency Notification System are:

- Missing person alerts
- Emergency evacuations
- Crime alerts to specific areas
- Natural disaster alerts
- Weather related safety warnings
- Hazardous material leaks
- Neighborhood emergency situations
- Homeland Security alerts
- Information about road closings, water main breaks, or other issues affecting specific addresses

320.3 RESPONSIBILITY AND AUTHORIZATION

The Emergency Notification System for the Town of Oro Valley shall be activated only when the message meets the criteria and has been approved by the authorized supervisor for the Town Department requesting the launch.

The Emergency Notification System will not be used for a non-governmental purpose.

The Communications Manager will serve as System Coordinator to oversee the operation of the Emergency Notification System, including resolving operational issues, ensuring that users are properly trained, and ensuring the system is tested regularly.

320.4 LAUNCHING MESSAGES

Requests for a launch should be forwarded to the Communications Bureau. Approved messages will be created and launched immediately for emergency messages and in a timely fashion for non-emergency messages. Non-emergency messages will only be sent between the hours of 8:00 a.m. and 8:00 p.m.

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Victim and Witness Assistance

321.1 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.

321.2 POLICY

The Oro Valley Police Department is committed to providing guidance and assistance to the victims and witnesses of crime. The employees of the Oro Valley 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.

321.3 CRIME VICTIM LIAISON

The Chief of Police may appoint a member of the Department to serve as the crime victim liaison. The crime victim liaison will be the point of contact for individuals requiring further assistance or information from the Oro Valley Police Department regarding benefits from crime victim resources. This person shall also be responsible for maintaining compliance with all legal mandates related to crime victims and/or witnesses.

321.3.1 CRIME VICTIM LIAISON DUTIES

The crime victim liaison should ensure that a victim is notified when service is made of an order of protection for domestic violence as provided in ARS § 13-3602(I).

321.4 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.

321.5 VICTIM INFORMATION

The Records Supervisor shall ensure that victim information handouts are available and current. These should include as appropriate:

(a) Shelters and other community resources for victims including domestic violence and sexual assault victims.

(b) Assurance that sexual assault victims will not incur out-of-pocket expenses for forensic medical exams, and information about evidence collection, storage and preservation in sexual assault cases (34 USC § 10449; 34 USC § 20109).

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(c) An advisement that a person who was arrested may be released on bond or some other form of release and that the victim should not rely upon an arrest as a guarantee of safety.

(d) A clear explanation of relevant court orders and how they can be obtained.

(e) Information regarding available compensation for qualifying victims of crime.

(f) VINE® information (Victim Information and Notification Everyday), including the telephone number and whether this free service is available to allow victims to check on an offender's custody status and to register for automatic notification when a person is released from jail.

(g) Notice regarding U-Visa and T-Visa application processes.

(h) Resources available for victims of identity theft.

(i) A place for the officer's name, badge number and any applicable case or incident number.

(j) Information regarding the rights of victims as contained in Crime Victims' Rights (ARS § 13-4401 et seq.) and the Victims' Rights for Juvenile Offenses (ARS § 8-381 et seq.)

(k) Information mandated in ARS § 13-4405 and ARS § 8-386, which includes, in part:

1. The Victims' Bill of Rights under Ariz. Const. Art. 2 § 2.1.
2. The procedures and resources available for the protection of a victim of domestic violence specifically set forth in ARS § 13-3601.
3. The availability, if any, of crisis intervention services and emergency and medical services and, where applicable, that medical expenses arising out of the need to secure evidence may be reimbursed pursuant to ARS § 13-1414.
4. Names and telephone numbers of public and private victim assistance programs, including the county victim compensation program.

(l) Information for domestic violence victims as to where the victim may verify the registration and conditions of a release order of the arrestee (ARS § 13-3624).

(m) Information for alleged victims or potential victims of harassment (including an act of sexual violence as defined by ARS § 23-371), to include procedures and resources available for protection including (ARS § 12-1809(N)).

1. An injunction under ARS § 12-1809.
2. The emergency telephone number for the Oro Valley Police Department (9-1-1).
3. Telephone numbers for emergency services in the local community.

(n) An explanation of court-ordered victim restitution.

(o) Contact information for the Arizona Attorney General's Office of Victim Services.

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321.6 WITNESSES

Officers should never guarantee a witness' safety from future harm or that his/her identity will always remain confidential. Officers may make practical safety suggestions to witnesses who express fear of future harm or retaliation.

Officers should investigate allegations of witness intimidation and take enforcement action when lawful and reasonable.

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Hate or Prejudice Crimes

322.1 PURPOSE AND SCOPE

The Oro Valley Police 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 violence, threats or other harassment, this department will utilize all available resources to see that justice is served under the law. This policy has been developed to meet or exceed the provisions of the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act, and provides members of this department with guidelines for identifying and investigating incidents and crimes that may be motivated by hatred or other bias.

322.1.1 FEDERAL JURISDICTION

The federal government has the power to investigate and prosecute bias-motivated violence by providing the U.S. Department of Justice (DOJ) with jurisdiction over crimes of violence where the perpetrator has selected the victim because of the person's actual or perceived race, color, religion, national origin, gender, sexual orientation, gender identity or disability (18 USC § 245).

322.2 DEFINITIONS

Definitions related to this policy include:

Hate or Prejudice Crime - Willfully committing a crime against another because the actual or perceived race, color, religion, national origin, physical or mental disability or sexual orientation of the victim was different from that characteristic of the perpetrator.

322.3 PREVENTING AND PREPARING FOR LIKELY HATE OR PREJUDICE CRIMES

While it is recognized that not all crime can be prevented, this department is committed to taking a proactive approach to preventing and preparing for likely hate or prejudice crimes by among other things:

(a) Making an affirmative effort to establish contact with persons and groups within the community who are likely targets of hate crimes to form and cooperate with prevention and response networks.

(b) Providing victim assistance and follow-up as outlined below, including community follow-up.

(c) Educating community and civic groups relating to hate crime laws.

322.4 PROCEDURE FOR INVESTIGATING HATE OR PREJUDICE CRIMES

Whenever any member of this department receives a report of a suspected hate or prejudice crime or other activity that reasonably appears to involve a potential hate or prejudice crime, the following should occur:

(a) Officers will be promptly assigned to contact the victim, witness or reporting party to investigate the matter further as circumstances may dictate.

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(b) A supervisor should be notified of the circumstances as soon as practicable.

(c) Once “in progress” aspects of any such situation have been stabilized (e.g., treatment of victims or apprehension of present suspects), the assigned officers will take all reasonable steps to preserve available evidence that may tend to establish that a hate or prejudice crime was involved.

(d) The assigned officers will interview available witnesses, victims and others to determine what circumstances, if any, indicate that the situation may involve a hate or prejudice crime.

(e) Depending on the situation, the assigned officers or supervisor may request additional assistance from investigators or other resources to further the investigation.

(f) The assigned officers will include all available evidence indicating the likelihood of a hate or prejudice crime in the relevant reports. All related reports will be clearly marked as “Hate or Prejudice Crimes” and, absent prior approval of a supervisor, will be completed and submitted by the assigned officers before the end of the shift.

(g) The assigned officers should also make reasonable efforts to assist the victim by providing available information on local assistance programs and organizations as required by the Victim Assistance Policy.

(h) The assigned officers and supervisor should take reasonable steps to ensure that any such situation does not escalate further and should provide information to the victim regarding legal aid (e.g., a possible Temporary Restraining Order through the courts or County Attorney or Town Attorney).

322.5 CRIMINAL INVESTIGATIONS UNIT RESPONSIBILITIES

If a case is assigned to the Criminal Investigations Unit, the assigned investigator will be responsible for following up on the reported hate or prejudice crime as follows:

(a) Coordinating further investigation with the County Attorney and other appropriate law enforcement agencies.

(b) Maintaining contact with the victim and other involved individuals as needed.

(c) Maintaining statistical data and tracking of suspected hate or prejudice crimes as indicated or required by state law.

322.5.1 STATE HATE CRIME REPORTING

This department shall submit hate crime information and offenses in the form and manner and at regular intervals as prescribed by rules adopted by the Arizona Department of Public Safety (DPS). This shall be conducted by the Records Supervisor or assigned to the Criminal Investigations Unit (AAC § R13-1-301(A)).

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322.5.2 FEDERAL HATE CRIME REPORTING

The Records Supervisor should include hate crime data reporting within the National Incident-Based Reporting System (NIBRS), Uniform Crime Report (UCR) and Summary Reporting System (SRS) reports pursuant to Records Unit procedures and in compliance with (28 USC § 534 (a)).

322.6 TRAINING

All members of this department will receive training on hate and prejudice crime recognition and investigation, and will attend periodic training that incorporates a hate and prejudice crime training component.

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Medical Marijuana

323.1 PURPOSE AND SCOPE

The purpose of this policy is to provide members of this department with guidelines for investigating the acquisition, possession, cultivation, manufacture, use, administration, delivery, transfer, or transportation of marijuana under Arizona's medical marijuana laws (ARS § 36-2801 et seq.).

This policy is meant to provide guidance regarding the application of department resources related to medical marijuana laws.

323.1.1 DEFINITIONS

Definitions related to this policy include:

Allowable amount of marijuana (ARS § 36-2801):

(a) 2 1/2 ounces of usable marijuana; and

(b) If the registry identification card is endorsed for marijuana cultivation, 12 marijuana plants contained in an enclosed, locked facility.

Cardholder - A qualifying patient, a designated caregiver, a nonprofit medical marijuana dispensary agent, or an independent third-party laboratory agent who has been issued and possesses a valid registry identification card (ARS § 36-2801).

Designated caregiver - A person who is at least 21 years of age, has agreed to assist with a patient's medical use of marijuana, has not been convicted of an excluded felony offense, and assists no more than five qualifying patients (ARS § 36-2801).

DHS - Department of Health Services.

DHS verification system - A secure, password-protected, web-based system established and maintained by DHS. It is available to law enforcement personnel and nonprofit medical marijuana dispensary agents on a 24-hour basis for verifying registry identification cards (ARS § 36-2801).

Enclosed, locked facility - A closet, room, greenhouse, or other enclosed area equipped with locks or other security devices that permit access only by a cardholder (ARS § 36-2801).

Medical use of marijuana - The acquisition, possession, cultivation, manufacture, use, administration, delivery, transfer, or transportation of marijuana or paraphernalia relating to the administration of marijuana to treat or alleviate a registered qualifying patient's debilitating medical condition or symptoms associated with the patient's debilitating medical condition (ARS § 36-2801).

Qualifying patient - A person who has been diagnosed by a physician as having a debilitating medical condition, whether or not the person has registered with the DHS. (ARS § 36-2801).

Registry identification card - A document issued by DHS that identifies a person as a registered qualifying patient, a registered designated caregiver, a registered nonprofit medical marijuana dispensary agent, or a registered independent third-party laboratory agent (ARS § 36-2801).

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Usable marijuana - The dried flowers of the marijuana plant and any mixture or preparation thereof. It does not include the seeds, stalks, and roots of the plant and does not include the weight of any non-marijuana ingredients combined with marijuana and prepared for consumption as food or drink (ARS § 36-2801).

Visiting qualifying patient - A person who is not a resident of Arizona or who has been a resident of Arizona less than 30 days, and who has been diagnosed with a debilitating medical condition by a person who is licensed with authority to prescribe drugs to humans in the state of the person's residence or, in the case of a person who has been a resident of Arizona less than 30 days, the state of the person's former residence (ARS § 36-2801).

323.2 POLICY

It is the policy of the Oro Valley Police Department to prioritize resources to avoid making arrests related to marijuana that the arresting officer reasonably believes would not be prosecuted by state or federal authorities.

Arizona medical marijuana laws are intended to protect patients with debilitating medical conditions, as well as their physicians and providers, from arrest, prosecution, and property forfeiture if such patients engage in the use of marijuana for medical purposes. However, Arizona medical marijuana laws do not affect federal laws and there is no medical exception under federal law for the possession or distribution of marijuana. The Oro Valley Police Department will exercise discretion to ensure laws are appropriately enforced without unreasonably burdening both those individuals protected under Arizona law and the resources of the Department.

323.3 INVESTIGATION

Investigations involving the possession, delivery or production of marijuana generally fall into one of two categories:

(a) Investigations when no person makes a medicinal claim.

(b) Investigations when a medicinal claim is made by a cardholder.

323.3.1 INVESTIGATIONS WITH NO MEDICINAL CLAIM

In any investigation involving the possession, delivery, production, or use of marijuana or drug paraphernalia where no person claims that the marijuana is used for medicinal purposes, the officer should proceed with a criminal investigation. A medicinal claim may be raised at any time, so officers should document any statements and observations that may be relevant to whether the marijuana was possessed or produced for medicinal purposes.

323.3.2 INVESTIGATIONS INVOLVING A CARDHOLDER

There is a presumption that a cardholder is engaged in the medical use of marijuana if he/she possesses an allowable amount of marijuana. When this presumption is met, no arrest should be made for the acquisition, possession, cultivation, manufacture, use, administration, delivery, transfer or transportation of marijuana. However, enforcement action may be taken when there is probable cause to believe the marijuana is not for the purpose of treating or alleviating the

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qualifying patient's debilitating medical condition or symptoms associated with the qualifying patient's debilitating medical condition.

Officers should not arrest a person for providing a registered qualifying patient, a registered designated caregiver or a registered nonprofit medical marijuana dispensary with marijuana paraphernalia for purposes of a qualifying patient's medical use of marijuana. Nor should a person be arrested merely for being in the presence or vicinity of the medical use of marijuana.

Medical use and possession of marijuana authorized under the Arizona medical marijuana statutes does not support the forfeiture of property as set forth in the Asset Forfeiture Policy.

Mere possession of, or application for, a registry identification card may not constitute probable cause or reasonable suspicion, nor may it be used to support the search of the person or property of the person possessing or applying for the registry identification card. However, the possession of, or application for, a registry identification card does not preclude the existence of probable cause if probable cause exists on other grounds.

323.3.3 ADDITIONAL CONSIDERATIONS

Officers should consider the following when investigating an incident involving marijuana:

(a) The allowable amount of marijuana does not include marijuana that is incidental to medical use but is not usable (ARS § 36-2801).

(b) There is no presumption of neglect or child endangerment for conduct permitted by Arizona’s medical marijuana laws unless the person's behavior creates an unreasonable danger to the safety of the minor as established by clear and convincing evidence (ARS § 36-2813).

(c) A registered qualifying patient may not directly, or through his/her designated caregiver, obtain more than 2 1/2 ounces of marijuana from registered nonprofit medical marijuana dispensaries in any 14-day period (ARS § 36-2816).

(d) The equivalent of a registry identification card issued under the laws of another state that allows a visiting qualifying patient to possess or use marijuana for medical purposes in that state has the same force and effect when held by a visiting qualifying patient as a registry identification card issued by DHS. A visiting qualifying patient is not authorized to obtain marijuana from a nonprofit medical marijuana dispensary (ARS § 36-2804.03)

(e) Marijuana plants are not required to be in an enclosed, locked facility if the plants are being transported because the qualifying patient or designated caregiver is moving (ARS § 36-2801).

(f) Arizona’s medical marijuana laws do not require any person or establishment in lawful possession of property to allow a guest, client, customer, or other visitor to use marijuana on or in that property (ARS § 36-2814).

(g) A registered nonprofit medical marijuana dispensary or its agents are not subject to prosecution, search, or inspection except by DHS pursuant to ARS § 36-2806 (ARS § 36-2811(E)).

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(h) Because enforcement of medical marijuana laws can be complex, time consuming, and call for resources unavailable at the time of initial investigation, officers may consider submitting a report to the prosecutor for review, in lieu of making an arrest. This can be particularly appropriate when:

1. The suspect has been identified and can be easily located at another time.
2. The case would benefit from review by a person with expertise in medical marijuana investigations.
3. Sufficient evidence, such as photographs or samples, has been lawfully obtained.

323.4 DHS VERIFICATION SYSTEM

DHS has developed a web-based verification system for use on a 24-hour basis. The verification system allows law enforcement personnel to enter a registry identification number and verify whether the number corresponds with a current, valid identification card.

Officers may use the verification system in conjunction with legitimate investigations only. Officers shall not disclose any information obtained from the verification system to the public or any person without a legitimate law enforcement purpose (ARS § 36-2807).

323.4.1 EXCEPTIONS

This policy does not apply to the following offenses. Officers may take enforcement action if the person is (ARS § 36-2802):

(a) Undertaking any task under the influence of marijuana that would constitute negligence or professional malpractice.

(b) Possessing or engaging in the medical use of marijuana on a school bus, on the grounds of any school (preschool, primary, secondary) or child care facility, or in any correctional facility (ARS § 36-2802; ARS § 36-894; ARS § 15-108(B)).

(c) Smoking marijuana on any form of public transportation or in any public place.

(d) Operating, navigating, or being in actual physical control of any motor vehicle, aircraft, or motorboat while under the influence of marijuana. A registered qualifying patient shall not be considered to be under the influence of marijuana solely if the concentration of metabolites or marijuana components is not enough to cause impairment.

(e) Using marijuana except as authorized under Arizona’s medical marijuana laws.

323.5 FEDERAL LAW ENFORCEMENT

Officers should provide information regarding a marijuana investigation to federal law enforcement authorities when information is requested by federal law enforcement authorities or whenever the officer believes those authorities would have a particular interest in the information.

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323.6 PROPERTY BUREAU SUPERVISOR RESPONSIBILITIES

The Property and ID Unit Supervisor shall ensure that marijuana, drug paraphernalia, or other related property seized from a person engaged or assisting in the use of medical marijuana is not destroyed. The Property and ID Unit supervisor is not responsible for caring for live marijuana plants.

Upon the prosecutor's decision to forego prosecution, or upon the dismissal of charges or an acquittal, the Property and ID Unit Supervisor shall, as soon as practicable, return to the person from whom it was seized, any useable marijuana, plants, drug paraphernalia, or other seized property.

The Property and ID Unit Supervisor may destroy marijuana that was alleged to be for medical purposes upon receipt of a court order.

The Property and ID Unit Supervisor may release marijuana to federal law enforcement authorities upon presentation of a valid court order or by a written order of the Criminal Investigations Unit Supervisor.

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Automated License Plate Readers (ALPR)

324.1 PURPOSE AND SCOPE

Automated License Plate Reader (ALPR) technology, also known as License Plate Reader, provides automated detection of license plates. ALPRs are used by the Oro Valley Police Department to convert data associated with vehicle license plates for official law enforcement purposes, including identifying stolen or wanted vehicles, stolen license plates and missing persons. ALPRs may also be used to gather information related to active warrants, homeland security, electronic surveillance, suspect interdiction and stolen property recovery.

324.2 ADMINISTRATION OF ALPR DATA

All installation and maintenance of ALPR equipment, as well as ALPR data retention and access, shall be managed by the Support Services Division Commander. The Support Services Division Commander will assign personnel under his/her command to administer the day-to-day operation of the ALPR equipment and data.

324.3 ALPR OPERATION

Use of an ALPR is restricted to the purposes outlined below. Department personnel shall not use, or allow others to use the equipment or database records for any unauthorized purpose.

(a) An ALPR shall only be used for official and legitimate law enforcement business.

(b) An ALPR may be used in conjunction with any patrol operation or criminal Department investigation and shall be compliant with applicable laws and regulations. Reasonable suspicion or probable cause is not necessary before using an ALPR.

(c) While an ALPR may be used to canvass license plates around any crime scene, particular consideration should be given to using ALPR-equipped cars to canvass areas around homicides, shootings and other major incidents. Partial license plates reported during major crimes should be entered into the ALPR system in an attempt to identify suspect vehicles.

(d) No member of this department shall operate ALPR equipment or access ALPR data without first completing Department-approved training.

(e) If practicable, the officer should verify an ALPR response through the Arizona Law Enforcement Telecommunication System (ALETS) before taking enforcement action that is based solely upon an ALPR alert.

(f) No ALPR operator may access ALETS or National Law Enforcement Telecommunications System (NLETS) data unless authorized to do so.

(g) All ALPR activation hits shall be verified with the Communications Bureau.

(h) ALPR data that does not retain or display personally identifiable information will not be subject to record retention.

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324.4 ALPR DATA COLLECTION AND RETENTION

All data and images gathered by an ALPR are for the official use of the Oro Valley Police Department. Because such data may contain confidential ALETS 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.

The Support Services Division Commander is responsible to ensure proper collection and retention of ALPR data and for transferring ALPR data stored in department vehicles to the department server on a regular basis, not to exceed six months between transfers.

All ALPR data downloaded to the server should be stored for the minimum period established by Department records retention schedule and thereafter may 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 to produce records. In those circumstances the applicable data should be downloaded from the server onto portable media and booked into evidence.

324.5 ACCOUNTABILITY AND SAFEGUARDS

All saved data will be closely safeguarded and protected by both procedural and technological means. The Oro Valley 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. For any confidential data a stated purpose for access must be provided.

(b) All ALPR data downloaded to the mobile workstation and server shall be accessible only through a login/password-protected system capable of documenting all access of information by name, date and time.

(c) Persons approved to access ALPR data under these guidelines are permitted to access the data for legitimate law enforcement purposes only, such as when the data relate to a specific criminal investigation or department-related civil or administrative action.

(d) Such ALPR data may be released to other authorized and verified law enforcement officials and agencies at any time for legitimate law enforcement purposes.

(e) ALPR system audits should be conducted on a regular basis.

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Report Preparation

325.1 PURPOSE AND SCOPE

The purpose of reports is to document sufficient information to refresh the employee's memory and to provide sufficient information for follow-up investigation and successful prosecution. Report writing is the subject of substantial formalized and on-the-job training.

325.1.1 REPORT PREPARATION

Employees should ensure that their reports are sufficiently detailed for their purpose and reasonably free of 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 delay submission of 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 delayed.

Handwritten reports must be prepared legibly. If the report is not prepared legibly, the submitting employee will be required by the reviewing supervisor to promptly make corrections and resubmit the report. Employees who dictate reports shall use appropriate grammar, as content is not the responsibility of the typist. Employees who generate reports on computers are subject to all requirements of this policy.

All reports shall accurately reflect the identity of the persons involved, all pertinent information seen, heard or assimilated by any other sense and any actions taken. Employees shall not suppress, conceal or distort the facts of any reported incident, nor shall any employee make a false report orally or in writing. Generally, the reporting employee's opinions should not be included in reports unless specifically identified as such.

325.2 REQUIRED REPORTING

Written reports are required in all of the following situations on the appropriate Department-approved form unless otherwise approved by a supervisor.

325.2.1 CRIMINAL ACTIVITY

When an member responds to a call for service, or as a result of self-initiated activity becomes aware of any activity where a crime has occurred, the member shall document the incident regardless of whether a victim desires prosecution. Activity to be documented in a written report includes:

(a) All arrests

(b) All felony crimes

(c) Non-felony incidents involving threats or stalking behavior

(d) Situations covered by a separate policy. These include:

1. Use of Force Policy
2. Domestic Violence Policy

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3. Child Abuse Policy
4. Adult Abuse Policy
5. Hate or Prejudice Crimes Policy
6. Suspicious Activity Reporting Policy

(e) All misdemeanor crimes.

325.2.2 NON-CRIMINAL ACTIVITY

The following incidents shall be documented using the appropriate approved report:

(a) Any time an officer points a firearm at any person

(b) Any use of force against any person by a member of this department (see the Use of Force Policy)

(c) Any firearm discharge (see the Firearms Policy)

(d) Anytime a person is reported missing (regardless of jurisdiction) (see the Missing Persons Policy)

(e) Any found property or found evidence

(f) Any traffic collisions above the minimum reporting level (see the Traffic Collision Response and Reporting Policy)

(g) Suspicious incidents that may indicate a potential for crimes against children or that a child's safety is in jeopardy

(h) All protective custody detentions

(i) Suspicious incidents that may place the public or others at risk

(j) Whenever the employee believes the circumstances should be documented or at the direction of a supervisor

325.2.3 DEATH REPORTS

Reports shall be completed by the handling employee. All deaths shall be handled in compliance with the Death Investigations Policy.

325.2.4 INJURY OR DAMAGE BY TOWN PERSONNEL

Reports shall be taken if an injury occurs that is a result of an act of a Town employee. Additionally, reports shall be taken involving damage to Town property or Town equipment.

325.2.5 MISCELLANEOUS INJURIES

Any injury that is reported to this department shall require a report when:

(a) The injury is a result of a drug overdose.

(b) There is an attempted suicide.

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(c) The injury is major or 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.

325.3 GENERAL POLICY OF EXPEDITIOUS REPORTING

In general, all employees 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.

325.4 REPORT CORRECTIONS

Supervisors shall review reports for content and accuracy. If a correction is necessary, the reviewing supervisor should state the reasons for rejection. The original report should be returned to the reporting employee. It shall be the responsibility of the originating employee to ensure that any report returned for correction is processed in a timely manner.

325.5 REPORT CHANGES OR ALTERATIONS

Reports that have been approved by a supervisor and submitted to the Records Unit for filing and distribution shall not be modified or altered except by way of a supplemental report. Reviewed reports that have not yet been submitted to the Records Unit may be corrected or modified by the authoring employee only with the knowledge and authorization of the reviewing supervisor.

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Media Relations

326.1 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.

326.2 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, Lieutenants, Sergeants and designated Public Information Officers may prepare and release information to the media in accordance with this policy and the applicable law.

326.2.1 MEDIA REQUEST

Any media request for information or access to a law enforcement situation shall be referred to the designated Department media representative, or, if unavailable, to the first available supervisor. Prior to releasing any information to the media, employees shall consider the following:

(a) 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 Department media representative.

(b) 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.

(c) Under no circumstance should any member of this department make any comments to the media regarding any law enforcement incident not involving this department without prior approval of the Chief of Police or designee.

326.3 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 media 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 or criminal investigation operations. All information released to the media should be coordinated through the Department Public Information Officer or other designated spokesperson.

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(c) No member of this department shall be required to submit 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 unless in compliance with a jail facility policy. Exceptions are only permitted with the approval of the Chief of Police and the express written consent of the person in custody.

A tactical operation should be handled in the same manner as a crime scene, except the news media shall 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. All comments to the media shall be coordinated through a supervisor or the Public Information Officer.

326.3.1 TEMPORARY FLIGHT RESTRICTIONS

Whenever the presence of media or other aircraft pose 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 Sergeant. The TFR request should include specific information regarding the perimeter and altitude necessary for the incident. It should be requested through the appropriate control tower. If the control tower is not known, the Federal Aviation Administration should be contacted (14 CFR 91.137). All requests for TFR should be routed through the Sergeant.

326.3.2 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.

326.4 SCOPE OF INFORMATION SUBJECT TO RELEASE

The Department will maintain a daily information log of significant law enforcement activities that shall be made available, upon request, to media representatives through the Public Information Officer. This log will consist of data classified as public and should generally contain the following information:

(a) The date, time, location, case number, type of crime, extent of injury or loss and names of individuals (except confidential informants) involved in crimes occurring within this jurisdiction, unless the release of such information would endanger the safety of any individual or jeopardize the successful completion of any ongoing investigation.

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(b) The date, time, location, case number, name, birth date and charges for each person arrested by this department, unless the release of such information would endanger the safety of any individual or jeopardize the successful completion of any ongoing investigation.

(c) The time and location of other significant law enforcement activities or requests for service with a brief summary of the incident subject to the restrictions of this policy and applicable law.

Identifying information concerning deceased individuals shall not be released to the media until notification of next of kin or the notification is otherwise cleared through the Medical Examiner.

Any requests for copies of related reports or additional information not contained in this log shall be referred to the designated media representative, the custodian of records, or if unavailable, to the Sergeant. Such requests will generally be processed in accordance with the provisions of the Arizona Public Records Law (ARS § 39-101, et seq.).

326.4.1 STATE RESTRICTED INFORMATION

It shall be the responsibility of the authorized member dealing with media requests to ensure that restricted information is not inappropriately released to the media by this department (see the Records Maintenance and Release and Personnel Files policies). When in doubt, authorized and available legal counsel should be obtained.

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Subpoenas and Court Appearances

327.1 PURPOSE AND SCOPE

This policy establishes the guidelines for department members who must appear in court. It will allow the Oro Valley Police Department to cover any related work absences and keep the Department informed about relevant legal matters.

327.2 POLICY

Oro Valley Police Department members will respond appropriately to all subpoenas and any other court-ordered appearances.

327.3 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 RCP Rule 45. Prior to accepting service, witness fees shall be demanded as allowed by law (RCP Rule 45).

A criminal subpoena may be served upon a member by one of the following (ARS § 13-4072):

(a) Personal service

1. Only the member named in a subpoena may accept service.

(b) Certified mail for delivery to the member only

(c) First-class mail accompanied by a certificate of service and return card

327.3.1 SPECIAL NOTIFICATION REQUIREMENTS

Any member who is subpoenaed to testify, agrees to testify or provides information on behalf of or at the request of any party other than the Town Attorney or the prosecutor shall notify his/her immediate supervisor without delay regarding:

(a) Any civil case where the Town or one of its members, as a result of his/her official capacity, is a party.

(b) Any civil case where any other city, county, state or federal unit of government or a member of any such unit of government, as a result of his/her official capacity, is a party.

(c) Any criminal proceeding where the member is called to testify or provide information on behalf of the defense.

(d) Any civil action stemming from the member's on-duty activity or because of his/her association with the Oro Valley Police Department.

(e) Any personnel or disciplinary matter when called to testify or to provide information by a government entity other than the Oro Valley Police Department.

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The supervisor will then notify the Chief of Police and the appropriate prosecuting attorney as may be indicated by the case. The Chief of Police should determine if additional legal support is necessary.

No member shall be retaliated against for testifying in any matter.

327.3.2 CIVIL SUBPOENA

The Department will compensate members who appear in their official capacities on civil matters arising out of their official duties, as directed by the current memorandum of understanding or collective bargaining agreement.

The Department should seek reimbursement for the member's compensation through the civil attorney of record who subpoenaed the member.

327.3.3 OFF-DUTY RELATED SUBPOENAS

Members receiving valid subpoenas for off-duty actions not related to their employment or appointment will not be compensated for their appearance. Arrangements for time off shall be coordinated through their immediate supervisors.

327.4 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.

327.5 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.

327.6 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. Business attire is guided by the following standards:

1. Casual shirts and pants that are conservative in nature.
2. Shoes of an inconspicuous color and design will be worn.
3. All items, including belt, holster, cartridge case and handcuff case shall be plain black or brown. The trouser belt should be wide enough to support the officer's weapon and equipment comfortably.

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4. Jewelry in good taste may be worn.
5. Officers on special assignment may dress and arm themselves as required by their supervisors.
6. Female officers, while not strictly subject to the above standards, shall dress conservatively.

(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.

327.6.1 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.

327.7 OVERTIME APPEARANCES

When a member appears in court on his/her off-duty time, he/she will be compensated in accordance with the current memorandum of understanding or collective bargaining agreement.

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Outside Agency Assistance

328.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to members when requesting or responding to a request for mutual aid or when assisting another law enforcement agency.

328.2 POLICY

It is the policy of the Oro Valley Police Department to promptly respond to requests for assistance by other law enforcement agencies, subject to available resources and consistent with the applicable laws and policies of this department.

328.3 ASSISTING OUTSIDE AGENCIES

Generally, requests for any type of assistance from another agency should be routed to the patrol supervisor on duty for approval. In some instances, a mutual aid agreement or other established protocol may exist that eliminates the need for approval of individual requests (ARS § 13-3872).

When another law enforcement agency requests assistance from this department, the patrol supervisor may authorize, if available, an appropriate number of personnel to assist. Members are reminded that their actions when rendering assistance must conform with applicable laws and be consistent with the policies of this department.

Officers may respond to a request for emergency assistance, however, they shall notify a supervisor of their activity as soon as practicable.

Arrestees may be temporarily detained by this department until arrangements for transportation are made by the outside agency. Probation violators who are temporarily detained by this department will not ordinarily be booked by this department. Only in exceptional circumstances, and subject to supervisor approval, will this department provide transportation of arrestees to other facilities on behalf of another agency.

When transportation assistance is rendered, a report shall be prepared and submitted by the handling member unless otherwise directed by a supervisor.

328.3.1 AGREEMENTS

The Department may establish a mutual aid agreement with another law enforcement agency by action of the Town to (ARS § 13-3872):

(a) Assist other peace officers in the line of their duty and within the course of their employment.

(b) Exchange department peace officers with peace officers of another agency on a temporary basis.

328.3.2 INITIATED ACTIVITY

Any on-duty officer who engages in law enforcement activities of any type that are not part of a mutual aid request and take place outside the jurisdiction of the Oro Valley Police Department

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shall notify his/her supervisor or the patrol supervisor and Communications Bureau as soon as practicable. This requirement does not apply to special enforcement details or multi-agency units that regularly work in multiple jurisdictions.

328.4 REQUESTING OUTSIDE ASSISTANCE

If assistance is needed from another agency, the member requesting assistance should, if practicable, first notify a supervisor. The handling member or supervisor should direct assisting personnel to where they are needed and to whom they should report when they arrive.

The requesting member should arrange for appropriate radio communication capabilities, if necessary and available, so that communication can be coordinated between assisting personnel.

328.5 REPORTING REQUIREMENTS

Incidents of outside assistance or law enforcement activities that are not documented in a crime report shall be documented in a general case report or as directed by the patrol supervisor.

328.6 MANDATORY SHARING

Equipment and supplies purchased with federal funds or grants that require such equipment and supplies be shared with other agencies should be documented and updated as necessary by the grants manager or the authorized designee.

The documentation should include:

(a) (a) The conditions relative to sharing.

(b) The training requirements for:

(a) The use of the equipment and supplies.

(b) The members trained in the use of the equipment and supplies.

(c) Any other requirements for use of the equipment and supplies.

The Training Coordinator should maintain documentation that the appropriate members have received the required training.

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Department Use of Social Media

329.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure that any use of social media on behalf of the Department is consistent with the department mission.

This policy does not address all aspects of social media use. Specifically, it does not address:

- Personal use of social media by department members (see the Employee Speech, Expression and Social Networking Policy).
- Use of social media in personnel processes (see the Recruitment and Selection Policy).
- Use of social media as part of a criminal investigation, other than disseminating information to the public on behalf of this department (see the Investigation and Prosecution Policy).

329.1.1 DEFINITIONS

Definitions related to this policy include:

Social media - Any of a wide array of Internet-based tools and platforms that allow for the sharing of information, such as the department website or social networking services.

329.2 POLICY

The Oro Valley Police Department may use social media as a method of effectively informing the public about department services, issues, investigations and other relevant events.

Department members shall ensure that the use or access of social media is done in a manner that protects the constitutional rights of all.

329.3 AUTHORIZED USERS

Only members authorized by the Chief of Police or the authorized designee may utilize social media on behalf of the Department. Authorized members shall use only department-approved equipment during the normal course of duties to post and monitor department-related social media, unless they are specifically authorized to do otherwise by their supervisors.

The Chief of Police may develop specific guidelines identifying the type of content that may be posted. Any content that does not strictly conform to the guidelines should be approved by a supervisor prior to posting.

Requests to post information over department social media by members who are not authorized to post should be made through the member's chain of command.

329.4 AUTHORIZED CONTENT

Only content that is appropriate for public release, that supports the department mission and conforms to all department policies regarding the release of information may be posted.

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Examples of appropriate content include:

(a) Announcements.

(b) Tips and information related to crime prevention.

(c) Investigative requests for information.

(d) Requests that ask the community to engage in projects that are relevant to the department mission.

(e) Real-time safety information that is related to in-progress crimes, geographical warnings or disaster information.

(f) Traffic information.

(g) Press releases.

(h) Recruitment of personnel.

329.4.1 INCIDENT-SPECIFIC USE

In instances of active incidents where speed, accuracy and frequent updates are paramount (e.g., crime alerts, public safety information, traffic issues), the Public Information Officer or the authorized designee will be responsible for the compilation of information to be released at the request of the Incident Commander.

329.5 PROHIBITED CONTENT

Content that is prohibited from posting includes, but is not limited to:

(a) Content that is abusive, discriminatory, inflammatory or sexually explicit.

(b) Any information that violates individual rights, including confidentiality and/or privacy rights and those provided under state, federal or local laws.

(c) Any information that could compromise an ongoing investigation.

(d) Any information that could tend to compromise or damage the mission, function, reputation or professionalism of the Oro Valley Police Department or its members.

(e) Any information that could compromise the safety and security of department operations, members of the Department, victims, suspects or the public.

(f) Any content posted for personal use.

(g) Any content that has not been properly authorized by this policy or a supervisor.

Any member who becomes aware of content on this department's social media site that he/she believes is unauthorized or inappropriate should promptly report such content to a supervisor. The supervisor will ensure its removal from public view and investigate the cause of the entry.

329.6 MONITORING CONTENT

The Chief of Police will appoint a supervisor to review, at least annually, the use of department social media and report back on, at a minimum, the resources being used, the effectiveness of the content, any unauthorized or inappropriate content and the resolution of any issues.

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329.7 RETENTION OF RECORDS

The Administration Division Commander should work with the Custodian of Records to establish a method of ensuring that public records generated in the process of social media use are retained in accordance with established records retention schedules.

329.8 TRAINING

Authorized members should receive training that, at a minimum, addresses legal issues concerning the appropriate use of social media sites, as well as privacy, civil rights, dissemination and retention of information posted on department sites.

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Registered Offender Information

330.1 PURPOSE AND SCOPE

This policy establishes guidelines by which the Oro Valley Police Department will address issues associated with certain offenders who are residing in the jurisdiction and how the Department will disseminate information and respond to public inquiries for information about registered sex offenders.

330.2 POLICY

It is the policy of the Oro Valley Police Department to identify and monitor registered offenders living within this jurisdiction and to take reasonable steps to address the risks those persons may pose.

330.3 REGISTRATION

In compliance with state law, the Pima County Sheriff's Department registers and classifies sex offenders appropriately. When necessary, the Criminal Investigations Unit will classify sex offenders.

Upon conclusion of the registration process, the investigator shall ensure that the registration information is provided to the Arizona Department of Public Safety (DPS) and the Chief of Police, if any, of the place where the person resides, within three days in accordance with ARS §13-3821.

The refusal of a registrant to provide any of the required information or complete the process should initiate a criminal investigation for failure to register (ARS § 13-3824).

330.3.1 CONTENTS OF REGISTRATION

The registration of offenders and duties of the Department shall be performed in compliance with ARS § 13-3821 and in accordance with any department procedures for registrations.

(a) The steps to process a registrant include:

1. Fingerprinting the registrant.
2. Photographing the registrant.
3. Registrant must sign or affix his/her electronic fingerprint to a statement containing information required by DPS, including (ARS § 13-3821):
    - (a) All names by which the person is known.
    - (b) Any required online identifier and the name of any website or Internet communication service where the identifier is being used.
    - (c) The physical location of the person’s residence and the person’s address, including a post office box number and location, if used.
    - (d) If the address and physical location are not the same, the registrant shall also provide the name of the owner of the residence if the residence is privately owned and not offered for rent or lease.

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(e) If the person does not have an address or a permanent residence or has more than one residence, the registrant shall provide a description and physical location of any temporary residence and shall register as a transient not less than every 90 days with the Sheriff in whose jurisdiction he/she is physically present.

4. If the registrant has been convicted of an offense in another jurisdiction that would require registration if committed in this state, the registrant is required to provide a sufficient sample of blood or other bodily substance for DNA testing (ARS § 13-3821).

5. Within three days of registration, the employee processing the registrant will ensure that copies of the statement, fingerprints and photographs are sent to DPS and the appropriate Chief of Police if the person resides within the jurisdiction of a local police department. If a blood sample has been obtained, the blood sample will also be transferred to DPS.

(b) Processing a change in registration requires the following steps be taken within three days of a change in registration, excluding weekends and holidays.

1. For a change of name or residence:

(a) Forward the change to the Arizona DPS and the appropriate law enforcement agency for the jurisdiction from which the registrant has moved (ARS § 13-3822).

(b) Forward a copy of the statement, fingerprints and photograph of the registrant to the local law enforcement agency in whose jurisdiction the registrant now resides.

(c) If the registrant is subject to community notification requirements, notify the local law enforcement agency of the county where the registrant now resides (ARS § 13-3822).

2. For a change of online identifier, forward the new identifier to the Arizona DPS (ARS § 13-3822).

330.4 RISK ASSESSMENT

The Criminal Investigations Unit supervisor shall categorize each registered sex offender into an appropriate notification level (I, II or III) based on a risk assessment of the registrant (ARS § 13-3825). The supervisor shall submit a report through the chain of command to the Chief of Police or the authorized designee that includes a synopsis of the risk assessment. The Chief of Police or the authorized designee shall make the final determination regarding an offender's risk level and may choose a different level than the one recommended.

(a) The following steps shall be taken when determining the notification level of a registrant:

1. Review items such as the sex offender registration form, parole and corrections materials, the risk assessment completed by the agency that had custody

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or responsibility for supervising the person, and Arizona Criminal Justice Information System information.

2. Interview the offender.

3. Assemble and review any other relevant resources or reports.

The Criminal Investigations Unit supervisor shall ensure that the registrant is notified, either in person or in writing, of his/her notification level.

330.5 MONITORING OF REGISTERED OFFENDERS

The Criminal Investigations Unit supervisor should establish a system to periodically, and at least once annually, verify that a registrant remains in compliance with his/her registration requirements after the initial registration. This verification should include:

(a) Efforts to confirm residence using an unobtrusive method, such as an Internet search or drive-by of the declared residence.

(b) Review of information on the Arizona DPS website.

(c) If applicable, contact with a registrant's parole or probation officer.

Any discrepancies should be reported to the Arizona DPS. Verification of a registrant's address will be provided to Arizona DPS, upon request.

The Criminal Investigations Unit supervisor should also establish a procedure to routinely disseminate information regarding registered offenders to Oro Valley Police Department personnel, including timely updates regarding new or relocated registrants.

330.6 COMMUNITY NOTIFICATIONS

The Department shall disseminate sex offender information in accordance with the following guidelines (ARS § 13-3825):

(a) Community notification of Level II and Level III registrants shall be made in a non-electronic format to the surrounding neighborhood, area schools, appropriate community groups and prospective employers within 45 days and shall include:

1. The offender's photograph and exact address.

2. A summary of the offender's status and criminal background.

(b) Campus notification and notification to the administration of an institution of post-secondary education shall be made that an individual required to register as a sex offender is enrolled as a student or is employed or carries on a vocation within the institution.

Electronic notification may be used to comply with the requirements above only for persons who have affirmatively chosen to receive notification in that manner. Electronic notification may also be used as an additional method of disseminating information.

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A press release with the above information should be sent to the local media for registrants categorized as Level II or Level III offenders.

Employees will not unilaterally make community notification regarding a particular registrant's presence in the community. Employees who identify a significant risk or other public safety issue associated with a registrant should promptly advise their supervisor. The supervisor should evaluate the request and forward the information to the Chief of Police, if warranted. A determination will be made by the Chief of Police, with the assistance of legal counsel as necessary, whether such a public alert should be made.

Members of the public requesting information on registrants should be directed to the Arizona DPS website or the Arizona Sex Offender Compliance Team.

The Records Supervisor shall release local registered offender information to residents in accordance with ARS § 13-3825 and in compliance with Arizona public records law request (ARS § 39-121 et seq.).

330.6.1 RELEASE NOTIFICATIONS

Registrant information that is released should include notification that:

(a) The offender registry includes only those persons who have been required by law to register and who are in compliance with the offender registration laws.

(b) The information is provided as a public service and may not be current or accurate.

(c) Persons should not rely solely on the offender registry as a safeguard against offenses in their communities.

(d) The crime for which a person is convicted may not accurately reflect the level of risk.

(e) Anyone who uses information contained in the registry to harass registrants or commit any crime may be subject to criminal prosecution.

330.6.2 DISCRETIONARY DISSEMINATION

Level I offender information shall be maintained by this department. The Chief of Police may authorize dissemination to (ARS § 13-3825):

(a) Other law enforcement agencies.

(b) People with whom the offender resides.

The Chief of Police may authorize any updated information obtained from DPS to be disseminated to any other persons or entities that the Chief of Police determines warrant such notification (ARS § 13-3823).

The Chief of Police may also authorize community notification of any information regarding circumstances or persons who pose a danger to the community, even if that notification is not specifically listed in the guidelines or in ARS § 13-3825.

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Major Incident Notification

331.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to members of this department in determining when, how and to whom notification of major incidents should be made.

331.2 POLICY

The Oro Valley Police Department recognizes that certain incidents should be brought to the attention of supervisors or other specified personnel of this department to facilitate the coordination of activities and ensure that inquiries from the media and the public may be properly addressed.

331.3 MINIMUM CRITERIA FOR NOTIFICATION

Most situations where the media show a strong interest are also of interest to the Chief of Police and the affected Division Commander. The following list of incident types is provided as a guide for notification and is not intended to be all inclusive:

- Homicides, suspicious deaths or deaths related to law enforcement activity
- Traffic collisions with fatalities or severe injuries
- Officer-involved shooting, whether on- or off-duty (see Officer-Involved Shooting and Deaths Policy for special notifications) and vehicle pursuits that are extended or prolonged
- Significant injury or death to an employee, whether on- or off-duty
- Death of a prominent Oro Valley official
- Arrest of Department employee or prominent Oro Valley official
- Aircraft, boat, train or bus crash with major damage and/or injury or death
- In-custody deaths
- Crimes of unusual violence or circumstances that may include hostages, barricaded persons, home invasions, armed robbery or sexual assaults
- Equipment failures, utility failures and incidents that may affect staffing or pose a threat to basic police services
- Any other incident, which has or is likely to attract significant media attention

331.4 SERGEANT RESPONSIBILITIES

The Sergeant is responsible for making the appropriate notifications. The Sergeant shall make reasonable attempts to obtain as much information on the incident as possible before notification. The Sergeant shall attempt to make the notifications as soon as practicable.

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331.4.1 STAFF NOTIFICATION

In the event an incident occurs as identified in the Minimum Criteria for Notification above, the Chief of Police shall be notified along with the affected Division Commander and the Criminal Investigations Unit Division Commander if that division is providing assistance.

331.4.2 DETECTIVE NOTIFICATION

If the incident requires that an officer or investigator respond from home, the immediate supervisor of the appropriate detail shall be contacted.

331.4.3 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 investigator. The traffic sergeant will notify the Special Operations lieutenant.

331.4.4 PUBLIC INFORMATION OFFICER (PIO)

The Public Information Officer shall be called after members of the staff have been notified that it appears the media may have a significant interest in the incident.

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Death Investigation

333.1 PURPOSE AND SCOPE

The investigation 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 appear to be initially. The thoroughness of death investigations cannot be emphasized enough.

333.2 INVESTIGATION CONSIDERATIONS

Death investigation cases require certain actions be taken. Emergency Medical Services shall be called in all suspected death cases unless the death is obvious (e.g., decapitated or decomposed). A supervisor shall be notified in all death investigations.

333.2.1 MEDICAL EXAMINER REQUEST

The Medical Examiner or alternate Medical Examiner shall be promptly called in all sudden or unexpected deaths or deaths due to other than natural causes, including but not limited to (ARS § 11-593):

(a) Death when not under the current care of a health care provider (ARS § 36–301).

(b) Death resulting from violence.

(c) Death that is unexpected or unexplained.

(d) Death of a person in any form of custody (ARS § 13-4401).

(e) Unexpected or unexplained death of an infant or child.

(f) Death occurring in a suspicious, unusual or nonnatural manner, including death from an accident believed to be related to the deceased person's occupation or employment.

(g) Death occurring as a result of anesthetic or surgical procedures.

(h) Death suspected to be caused by a previously unreported or undiagnosed disease that constitutes a threat to public safety.

(i) Unidentifiable bodies.

If there is no Medical Examiner or alternate Medical Examiner appointed and serving within the county, the officer shall notify the sheriff, who shall secure a qualified and licensed physician to assume the powers and duties of a Medical Examiner (ARS § 11-593; ARS § 11-594).

333.2.2 SEARCHING DEAD BODIES

The Medical Examiner or his/her assistants and authorized investigators are generally the only persons permitted to move, handle or search a body known to be dead.

An officer may be permitted to make a reasonable search of an individual who it is reasonable to believe is dead, or near death, for the purposes of identification or for information identifying

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the individual as a donor. If a donor document is located, the Medical Examiner shall be promptly notified.

Should exigent circumstances indicate to an officer that any other search of a known dead body is warranted prior to the arrival of the Medical Examiner, the investigating officer shall first obtain verbal consent from the Medical Examiner.

The Medical Examiner, with the permission of the Department, may take property, objects or articles found on the deceased or in the deceased's immediate vicinity that may be necessary for conducting an investigation to determine the identity of the deceased or the cause or manner of death (ARS § 11-595(B)).

Whenever personal effects are removed from the body of the deceased by the Medical Examiner, a receipt shall be obtained. This receipt shall be attached to the death report.

Whenever reasonably possible, a witness, preferably a relative of the deceased or a member of the household, should be requested to remain nearby the scene and available to the officer, pending the arrival of the Medical Examiner.

The name and address of this person shall be included in the narrative of the death report.

333.2.3 DEATH NOTIFICATION

Should a human death result from a fire, this department may notify the state or Town fire marshal or as allowed by law.

When practicable, and if not handled by the Medical Examiner, notification to the next-of-kin of the deceased person shall be made, in person, by the officer assigned to the incident. If the next-of-kin lives in another jurisdiction, a law enforcement official from that jurisdiction shall be requested to make the personal notification. If the relatives live outside this county, the Medical Examiner may be requested to make the notification. The Medical Examiner should be advised if notification has already been made.

If a deceased person has been identified as a missing person, this department shall attempt to locate family members and inform them of the death and the location of the deceased missing person's remains. All efforts to locate and notify family members shall be recorded in appropriate reports.

333.2.4 UNIDENTIFIED DEAD BODIES

If the identity of a dead body cannot be established after the Medical Examiner arrives, the Medical Examiner will issue a "John Doe" or "Jane Doe" number for the report.

333.2.5 UNIDENTIFIED BODIES DATA ENTRY

As soon as reasonably possible, but no later than 30 working days after the date a death is reported to the Department, all available identifying features of the unidentified body including dental records, fingerprints, any unusual physical characteristics and a description of clothing or personal belongings found on or with the body should be forwarded to the appropriate agency for entry into the Arizona state database and the NCIC file.

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333.2.6 DEATH INVESTIGATION REPORTING

All incidents involving a death shall be documented on the appropriate form.

In addition, an officer shall complete an infant death investigation checklist during any unexplained infant death investigation and before any autopsy is conducted (ARS § 36-3506).

The Department shall retain the original infant death investigation checklist and immediately forward a copy to the Medical Examiner and the Department of Health Services (ARS § 36-3506).

333.2.7 SUSPECTED HOMICIDE

If the initially assigned officer suspects that the death involves a homicide or other suspicious circumstances, the officer shall take steps to protect the scene. The Criminal Investigations Unit supervisor shall be notified to determine the possible need for an investigator to respond to the scene for further immediate investigation.

If the on-scene supervisor, through consultation with the Sergeant or Criminal Investigations Unit supervisor, is unable to determine the manner of death, the investigation shall proceed as though it is a homicide.

333.2.8 EMPLOYMENT-RELATED DEATHS OR INJURIES

Any member of this agency who responds to and determines that a death, serious illness or serious injury has occurred as a result of an accident at or in connection with the victim's employment, may ensure that the nearest office of the Arizona Division of Occupational Safety and Health (ADOSH) is notified with all pertinent information.

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Identity Theft

334.1 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.

334.2 REPORTING

(a) Upon request from a victim, officers presented with the crime of identity theft shall complete a report for crimes occurring in this jurisdiction or for victims who reside or are located within this jurisdiction irrespective of where the crime occurred, pursuant to ARS § 13-2008.

(b) For any crime not occurring in this jurisdiction with a victim who does not reside within this jurisdiction, the officer may complete a courtesy report to be forwarded to the agency where the crime was committed or, if the location is unknown, to the victim's residence agency.

(c) 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 that 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).

(d) 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).

(e) 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 the Arizona Department of Public Safety's Driver and Vehicle Services Division) with all known report numbers.

(f) Following supervisory review and Department processing, the initial report should be forwarded to the appropriate investigator for follow-up investigation, coordination with other agencies and prosecution as circumstances dictate.

334.3 PREVENTIVE MEASURES

The victim should be advised to place a security freeze on his/her consumer report, as allowed by law.

334.4 INFORMATION

The victim should be encouraged to contact the Federal Trade Commission (FTC), which is responsible for receiving and processing complaints under the Identity Theft and Assumption

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Deterrence Act. Additional information may be found at the U.S. Department of Justice (DOJ) website.

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Private Persons Arrests

335.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance for the handling of private person's arrests made pursuant to ARS § 13-3884.

335.2 ADVISING PRIVATE PERSONS OF THE ARREST PROCESS

When requested, officers shall advise citizens of the right to make a private person's arrest as allowed by state law (ARS § 13-3889). The advice shall include how to safely execute such an arrest. In all other situations, officers should use sound discretion in determining whether to advise an individual of the arrest process.

(a) When advising any individual regarding the right to make a private person's arrest, officers should refrain from encouraging or dissuading any individual from making such an arrest and should instead limit advice to the legal requirements for such an arrest, as listed below.

(b) Private individuals should be discouraged from using force to effect a private person's arrest. Absent immediate threat to their own safety or the safety of others, private individuals should be encouraged to refer matters to law enforcement officials for further investigation or arrest.

(c) Private individuals shall be informed of the requirement to take the arrested person before a judge or to a peace officer without unnecessary delay (ARS § 13-3900).

335.3 ARRESTS BY PRIVATE PERSONS

A private person may arrest another under the following circumstances (ARS § 13-3884):

(a) For a misdemeanor amounting to a breach of the peace, or a felony, committed in his/her presence.

(b) When a felony has been in fact committed and he/she has reasonable grounds to believe the person to be arrested has committed it.

335.4 OFFICER RESPONSIBILITIES

Any officer presented with a private person wishing to make an arrest must determine whether there is probable cause to believe that such an arrest would be lawful.

(a) Should any officer determine that there is no probable cause to believe that a private person's arrest is lawful, the officer should take no action to further detain or restrain the individual beyond that which reasonably appears necessary to investigate the matter, determine the lawfulness of the arrest and protect the public safety.

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1. Any officer who determines that a private person's arrest appears to be unlawful should promptly release the arrested individual. The officer must include the basis of such a determination in a related report.
2. Absent probable cause to support a private person’s arrest or other lawful grounds to support an independent arrest by the officer, the officer should advise the parties that no arrest will be made and that the circumstances will be documented in a related report.

(b) Whenever an officer determines that there is probable cause to believe that a private person’s arrest is lawful, the officer may exercise any of the following options:

1. Take the individual into physical custody for booking.
2. Release the individual upon a misdemeanor citation or pending formal charges.

335.5 REPORTING REQUIREMENTS

The officers shall complete a narrative report regarding the circumstances and disposition of the incident.

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Communications with Persons with Disabilities

337.1 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.

337.1.1 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 shall have a valid license of competency authorized by the Commission for the Deaf and the Hard of Hearing (ARS § 9-500.41; ARS § 11-269.20; ARS § 12-242; ARS § 36-1971 et seq.).

337.2 POLICY

It is the policy of the Oro Valley 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.

337.3 AMERICANS WITH DISABILITIES (ADA) COORDINATOR

The Chief of Police shall delegate certain responsibilities to an ADA Coordinator (28 CFR 35.107). The ADA Coordinator shall be appointed by, and directly responsible, to the Field Services Division Commander or the authorized designee.

The responsibilities of the ADA Coordinator shall include but not be limited to (ARS § 9-500.41; ARS § 11-269.20):

(a) Working with the Town ADA coordinator regarding the Oro Valley Police Department's efforts to ensure equal access to services, programs, and activities.

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(b) Developing reports, new procedures, or recommending modifications to this policy.

(c) Acting as a liaison with local disability advocacy groups or other disability groups regarding access to department services, programs, and activities.

(d) Ensuring that a list of qualified interpreter services is maintained and available to each Sergeant and Communications Manager. The list should include information regarding the following:

1. Contact information
2. Availability

(e) Developing procedures that will enable members to access auxiliary aids or services, including qualified interpreters, and ensure the procedures are available to all members.

(f) Ensuring signage is posted in appropriate areas, indicating that auxiliary aids are available free of charge to people with disabilities.

(g) Ensuring appropriate processes are in place to provide for the prompt and equitable resolution of complaints and inquiries regarding discrimination in access to department services, programs, and activities.

337.4 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 his/her 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.

337.5 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.

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Members should exercise special care in the use of all gestures, and verbal and written communication to minimize initial confusion and misunderstanding when dealing with any individual with known or suspected disabilities.

In a non-emergency situation, when a member knows or suspects an individual requires assistance to effectively communicate, the member shall identify the individual's choice of auxiliary aid or service.

The individual's preferred communication method must be honored unless another effective method of communication exists under the circumstances (28 CFR 35.160).

Factors to consider when determining whether an alternative method is effective include:

(a) The methods of communication usually used by the individual.

(b) The nature, length and complexity of the communication involved.

(c) The context of the communication.

In emergency situations involving an imminent threat to the safety or welfare of any person, members may use whatever auxiliary aids and services that reasonably appear effective under the circumstances. This may include, for example, exchanging written notes or using the services of a person who knows sign language but is not a qualified interpreter, even if the person who is deaf or hard of hearing would prefer a qualified sign language interpreter or another appropriate auxiliary aid or service. Once the emergency has ended, the continued method of communication should be reconsidered. The member should inquire as to the individual's preference and give primary consideration to that preference.

If an individual who is deaf, hard of hearing or has impaired speech must be handcuffed while in the custody of the Oro Valley 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.

337.6 TYPES OF ASSISTANCE AVAILABLE

Oro Valley Police Department members shall never refuse to assist an individual with disabilities who is requesting assistance. The Department will not charge anyone to receive auxiliary aids, nor shall they require anyone to furnish their own auxiliary aid or service as a condition for receiving assistance. The Department will make every reasonable effort to provide equal access and timely assistance to individuals who are disabled through a variety of services.

A person who is disabled may choose to accept department-provided auxiliary aids or services or they may choose to provide their own.

Department-provided auxiliary aids or services may include but are not limited to the assistance methods described in this policy.

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337.7 AUDIO RECORDINGS AND ENLARGED PRINT

The Department may develop audio recordings to assist people who are blind or have a visual impairment with accessing important information. If such a recording is not available, members may read aloud from the appropriate form, for example a personnel complaint form, or provide forms with enlarged print.

337.8 QUALIFIED INTERPRETERS

A qualified interpreter may be needed in lengthy or complex transactions (e.g., interviewing a victim, witness, suspect, or arrestee), if the individual to be interviewed normally relies on sign language or speechreading (lip-reading) to understand what others are saying. The qualified interpreter should not be a person with an interest in the case or the investigation. A person providing interpretation services may be required to establish the accuracy and trustworthiness of the interpretation in a court proceeding.

Qualified interpreters should be:

(a) Available within a reasonable amount of time but in no event longer than one hour if requested.

(b) Experienced in providing interpretation services related to law enforcement matters.

(c) Familiar with the use of VRS and/or video remote interpreting services.

(d) Certified in either American Sign Language (ASL) or Signed English (SE).

(e) Able to understand and adhere to the interpreter role without deviating into other roles, such as counselor or legal adviser.

(f) Knowledgeable of the ethical issues involved when providing interpreter services.

Members should use department-approved procedures to request a qualified interpreter at the earliest reasonable opportunity, and generally not more than 15 minutes after a request for an interpreter has been made or it is reasonably apparent that an interpreter is needed. No individual who is disabled shall be required to provide his/her own interpreter (28 CFR 35.160).

337.9 TTY AND RELAY SERVICES

In situations where an individual without a disability would have access to a telephone (e.g., booking, attorney contacts), members must also provide those who are deaf, hard of hearing or impaired speech the opportunity to place calls using an available TTY (also known as a telecommunications device for deaf people, or TDD). Members shall provide additional time, as needed, for effective communication due to the slower nature of TTY and TDD communications.

The Department will accept all TTY or TDD calls placed by those who are deaf or hard of hearing and received via a telecommunications relay service (28 CFR 35.162).

Note that relay services translate verbatim, so the conversation must be conducted as if speaking directly to the caller.

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337.10 COMMUNITY VOLUNTEERS

Interpreter services may be available from community volunteers who have demonstrated competence in communication services, such as ASL or SE, and have been approved by the Department to provide interpreter services.

Where qualified interpreters are unavailable to assist, approved community volunteers who have demonstrated competence may be called upon when appropriate. However, department members must carefully consider the nature of the contact and the relationship between the individual with the disability and the volunteer to ensure that the volunteer can provide neutral and unbiased assistance.

337.11 FAMILY AND FRIENDS

While family or friends of a disabled or impaired individual 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 disabled individual and the person offering services must be carefully considered (e.g., victim/suspect).

Children shall not be relied upon except in emergency or critical situations when there is no qualified interpreter reasonably available.

Adults may be relied upon when (28 CFR 35.160):

(a) There is an emergency or critical situation and there is no qualified interpreter reasonably available.

(b) The person with the disability requests that the adult interpret or facilitate communication and the adult agrees to provide such assistance, and reliance on that adult for such assistance is reasonable under the circumstances.

337.12 REPORTING

Whenever any member of this department is required to complete a report or other documentation, and communication assistance has been provided, such services should be noted in the related report. Members should document the type of communication services utilized and whether the individual elected to use services provided by the Department or some other identified source. If the individual's express preference is not honored, the member must document why another method of communication was used.

All written communications exchanged in a criminal case shall be attached to the report or placed into evidence.

337.13 FIELD ENFORCEMENT

Field enforcement will generally include such contacts as traffic stops, pedestrian stops, serving warrants and restraining orders, crowd/traffic control and other routine field contacts that may involve individuals with disabilities. The scope and nature of these activities and contacts will inevitably vary.

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The Department recognizes that it would be virtually impossible to provide immediate access to complete communication services to every member of this department. Members and/or supervisors must assess each situation and consider the length, complexity and importance of the communication, as well as the individual's preferred method of communication, when determining the type of resources to use and whether a qualified interpreter is needed.

Although not every situation can be addressed in this policy, it is important that members are able to effectively communicate the reason for a contact, the need for information and the meaning or consequences of any enforcement action. For example, it would be meaningless to verbally request consent to search if the officer is unable to effectively communicate with an individual who is deaf or hard of hearing and requires communications assistance.

If available, officers should obtain the assistance of a qualified interpreter before placing an individual with a disability under arrest. Individuals who are arrested and are assisted by service animals should be permitted to make arrangements for the care of such animals prior to transport.

337.13.1 FIELD RESOURCES

Examples of methods that may be sufficient for transactions, such as checking a license or giving directions to a location or for urgent situations such as responding to a violent crime in progress, may, depending on the circumstances, include such simple things as:

(a) Hand gestures or visual aids with an individual who is deaf, hard of hearing or has impaired speech.

(b) Exchange of written notes or communications.

(c) Verbal communication with an individual who can speechread by facing the individual and speaking slowly and clearly.

(d) Use of computer, word processing, personal communication device or similar device to exchange texts or notes.

(e) Slowly and clearly speaking or reading simple terms to individuals who have a visual or mental impairment.

Members should be aware that these techniques may not provide effective communication as required by law and this policy depending on the circumstances.

337.14 CUSTODIAL INTERROGATIONS

In an effort to ensure that the rights of individuals who are deaf, hard of hearing or have speech impairment are protected during a custodial interrogation, this department will provide interpreter services before beginning an interrogation, unless exigent circumstances exist or the individual has made a clear indication that he/she understands the process and desires to proceed without an interpreter. The use of a video remote interpreting service should be considered, where appropriate, if a live interpreter is not available. *Miranda* warnings shall be provided to suspects who are deaf or hard of hearing by a qualified interpreter or by providing a written *Miranda* warning card.

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In order to ensure that communications during custodial investigations are accurately documented and are admissible as evidence, interrogations should be recorded whenever reasonably possible. See guidance on recording custodial interrogations in the Investigation and Prosecution Policy.

337.14.1 QUALIFIED INTERPRETER REQUIRED IN ARRESTS
Upon the arrest of a deaf or hard of hearing person, the arresting officer or supervisor shall make a qualified interpreter available to properly interpret (ARS § 12-242):

(a) *Miranda* warnings.

(b) The interrogation of the deaf or hard of hearing person.

(c) The deaf or hard of hearing person's statements.

337.15 ARRESTS AND BOOKINGS

If an individual with speech or hearing disabilities is arrested, the arresting officer shall use department-approved procedures to provide a qualified interpreter at the place of arrest or booking as soon as reasonably practicable, unless the individual indicates that he/she prefers a different auxiliary aid or service or the officer reasonably determines another effective method of communication exists under the circumstances.

When gathering information during the booking process, members should remain alert to the impediments that often exist when communicating with those who are deaf, hard of hearing, who have impaired speech or vision, are blind, or have other disabilities. In the interest of the arrestee's health and welfare, the safety and security of the facility and to protect individual rights, it is important that accurate medical screening and booking information be obtained. If necessary, members should seek the assistance of a qualified interpreter whenever there is concern that accurate information cannot be obtained or that booking instructions may not be properly understood by the individual.

Individuals who require and possess personally owned communication aids (e.g., hearing aids, cochlear processors) should be permitted to retain them while in custody.

337.16 COMPLAINTS

The Department shall ensure that individuals who are disabled who wish to file a complaint regarding members of this department are able to do so. The Department may provide a qualified interpreter or forms in enlarged print, as appropriate. Complaints will be referred to the department ADA Coordinator.

Investigations into such complaints shall be handled in accordance with the Personnel Complaints Policy. Qualified interpreters used for any interview with a disabled individual during an investigation should not be members of this Department.

337.17 COMMUNITY OUTREACH

Community outreach programs and other such services offered by this department are important to the ultimate success of more traditional law enforcement duties. This department will continue

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to work with community groups, local businesses and neighborhoods to provide equal access to such programs and services.

337.18 TRAINING

To ensure that all members who may have contact with individuals who are disabled are properly trained, the Department will provide periodic training that should include:

(a) Awareness and understanding of this policy and related procedures, related forms and available resources.

(b) Procedures for accessing qualified interpreters and other available resources.

(c) Working with in-person and telephone interpreters and related equipment.

The Training Coordinator shall be responsible for ensuring new members receive training related to interacting with individuals who have disabilities, including individuals who are deaf, hard of hearing, who have impaired speech or vision, or are blind. Those who may have contact with such individuals should receive refresher training at least once every two years thereafter. The Training Coordinator shall maintain records of all training provided, and will retain a copy in each member's training file in accordance with established records retention schedules.

337.18.1 CALL-TAKER TRAINING

Emergency call-takers shall be trained in the use of TTY equipment protocols for communicating with individuals who are deaf, hard of hearing, or who have speech impairments. Such training and information should include:

(a) The requirements of the ADA and Section 504 of the Rehabilitation Act for telephone emergency service providers.

(b) ASL syntax and accepted abbreviations.

(c) Practical instruction on identifying and processing TTY or TDD calls, including the importance of recognizing silent TTY or TDD calls, using proper syntax, abbreviations, and protocol when responding to TTY or TDD calls.

(d) Hands-on experience in TTY and TDD communications, including identification of TTY or TDD tones.

Training should be mandatory for all Communications Bureau members who may have contact with individuals from the public who are deaf, hard of hearing, or have impaired speech. Refresher training should occur every six months.

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School Employee Arrest Reporting

338.1 PURPOSE AND SCOPE

The purpose of this policy is to describe the procedures to follow when a public or private school employee, teacher or non-teacher, has been arrested under certain circumstances.

338.2 SCHOOL EMPLOYEE ARREST REPORTING

In the event a school employee is arrested for any controlled substance offense, a felony involving moral turpitude, child abuse or sexual abuse offense, the Chief of Police or a designee should report the arrest as follows:

338.2.1 ARREST OF A PUBLIC SCHOOL TEACHER

Upon arrest for one of the above crimes, the Chief of Police or a designee may notify by telephone the superintendent of the school district employing the teacher or give written notice of the arrest to the superintendent, or designee, of schools in the county where the person is employed.

338.2.2 ARREST OF A PUBLIC SCHOOL NON-TEACHER EMPLOYEE

Upon arrest for one of the above crimes, the Chief of Police or a designee may notify by telephone the superintendent of the school district employing the non-teacher or may give written notice of the arrest to the governing board of the school district employing the person.

338.2.3 ARREST OF A PRIVATE SCHOOL OR LICENSED DAY-CARE TEACHER

Upon arrest for one of the above crimes, the Chief of Police or a designee may notify by telephone the private school or licensed day-care authority employing the teacher or may give written notice of the arrest to the private school authority employing the teacher.

338.2.4 ARREST OF A PRIVATE SCHOOL OR LICENSED DAY-CARE EMPLOYEE

Upon arrest for one of the above crimes, the Chief of Police or a designee may notify by telephone the private school or licensed day-care authority employing the non-teacher or may give written notice of the arrest to the private school authority employing the person.

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Pupil Arrest Reporting

339.1 PURPOSE AND SCOPE

The purpose of this policy is to describe the procedures to follow when a pupil is arrested on school grounds and during school hours.

339.2 PUPIL ARREST REPORTING

In the event a school pupil is arrested, the arresting officer shall ensure the chief administrative officer of the school or the appropriate designee is ultimately notified of the arrest of a pupil.

339.2.1 PUPIL ARREST AFTER NOTIFICATION

Based upon the circumstances of the investigation, it may be appropriate to notify the school prior to the arrest. Prior notification and assistance from the school, may reduce disruption to school operations and other students.

339.2.2 PUPIL ARREST BEFORE NOTIFICATION

Based upon the circumstances of the investigation, it may be appropriate to arrest the pupil before notifying the school. This may be appropriate if the pupil is a flight risk, if prior notification will impede the investigation or if notification creates additional risks to students, faculty, the officer or the public.

Proper notification to the school after the pupil's arrest should then be made when circumstances reasonably allow.

339.2.3 PARENTAL NOTIFICATION

Upon arrest, it is the arresting officer's responsibility to ensure the parents of the arrested pupil are properly notified. Notification shall be made by the officer, regardless of subsequent notifications by the juvenile detention facility. Notifications should be documented and include the charges against the pupil and information as to where the pupil will be taken.

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DNA Samples

340.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the collection of DNA evidence from those individuals required to provide such samples under Arizona law (ARS § 13-610).

The principal purpose of the DNA database is to assist a federal, state or local criminal justice agency in the investigation or prosecution of offenses in which biological evidence is recovered.

340.1.1 DEFINITIONS

Definitions related to this policy include:

Biological Evidence - Samples obtained in a sexual assault examination kit or any item that contains blood, semen, hair, saliva, skin, tissue or other identifiable biological material on physical evidence or preserved on a slide or swab if such evidence relates to the identification of the defendant.

340.2 PERSONS SUBJECT TO DNA COLLECTION

While the courts may order DNA samples taken in a variety of circumstances, members of this department are only authorized to obtain DNA samples from the following individuals, absent other lawful means (e.g. consent or a search warrant).

Only those qualifying individuals whose DNA information is not currently on file with the Arizona Department of Public Safety (DPS) may be required to provide samples. Verification of DNA samples on file may be determined by a DNA collection flag on the individual's criminal history record or, during regular business hours, by calling DPS. All DNA collection flags should be verified by contacting DPS prior to the collection of the sample (ARS § 13-610(G)).

Any person arrested for offenses listed under ARS § 13-610(O)(3)), whether originally arrested by this department, transferred to a Oro Valley Police Department facility, released on bail, released on their own recognizance, or is a juvenile ordered by the court to submit DNA, shall be required to provide a sample (ARS § 13-610(K) and (L) and ARS § 8-238(A)).

340.2.1 QUALIFYING OFFENSES FOR DNA SAMPLE COLLECTION

(a) The qualifying offenses applicable to adult and juvenile arrestee DNA sample collection are as follows:

- Any offense in Title 13 Chapter 11 - Homicide
- 13-1402 - Indecent exposure
- 13-1403 - Public sexual indecency
- 13-1404 - Sexual abuse
- 13-1405 - Sexual conduct with a minor
- 13-1406 - Sexual assault

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- 13-1410 - Molestation of a child
- 13-1411 - Bestiality
- 13-1417 - Continuous sexual abuse of a child
- 13-1507 - Burglary in the second degree
- 13-1508 - Burglary in the first degree
- Any serious offense pursuant to 13-604 involving the discharge, use or threatening exhibition of a deadly weapon or dangerous instrument, or the intentional or knowing infliction of serious physical injury

(b) Additional qualifying offenses applicable only to adult arrestees are as follows:

- 13-3208 - Keeping or residing in a house of prostitution; employment in prostitution
- 13-3214 - Prostitution
- 13-3555 - Portraying an adult as a minor
- 13-3608 - Incest

340.2.2 SEX REGISTRANTS

Any adult or juvenile who is a convicted felon or required to register as a sex offender is required to submit a DNA sample unless a sample has already been given.

At the time that any such registrant registers, updates registration or is notified by DPS or other law enforcement officer, an appointment shall be made designating the time and place for the collection of DNA samples if no such sample has already been provided.

340.3 PROCEDURE

Upon a determination that any individual is qualified and required to provide DNA samples under Arizona law, a trained employee shall obtain DNA samples in accordance with this policy and proper protocol.

If a sample is required, proof of compliance by this department shall be provided to the court prior to the initial appearance of the arrestee (Ariz. R. Crim. Proc. Rule 4.1(e)).

If the court does not receive proof of compliance, the Department may be ordered by the court to secure a sample (Ariz. R. Crim. Proc. Rule 4.2(a)(9)).

340.3.1 BLOOD SAMPLES

A blood sample shall be drawn in a medically acceptable manner by a licensed professional nurse, a licensed practical nurse, a paramedic, a qualified medical technician, a licensed physician, qualified phlebotomist or other person licensed by the state for this purpose.

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340.3.2 BUCCAL SWABS

Buccal swab samples (taken from the inside of the mouth) should be procured by employees who have successfully completed approved training in the collection of buccal swabs and with the use of DPS buccal swab collectors.

The subject submitting to the test may swab his/her own cheek for the DNA sample if supervised by a qualified Department employee.

340.3.3 REFUSAL TO SUBMIT SAMPLE

If, after an oral and written request, a qualified person refuses to provide any or all of the required DNA samples, the Department shall petition the appropriate court to permit the taking of a sample. Once the court order is obtained, a copy will be provided to the subject prior to the taking of a sample (Ariz. R. Crim. Proc. Rule 2.6, and Ariz. Juv. Ct. Rules of Proc. Rule 23(H)).

340.3.4 USE OF FORCE TO OBTAIN SAMPLES

An authorized employee may use force against an individual who is required to provide a DNA sample when and to the degree the employee reasonably believes force is immediately necessary to collect the sample.

If, after a written or oral request, a qualified person refuses to provide any or all of the required DNA samples, an authorized employee of this department may use reasonable force to obtain such sample under the following conditions:

(a) Prior to the use of reasonable force, the authorized employee shall take and document reasonable steps to secure voluntary compliance.

(b) Prior to the use of reasonable force, the authorized employee shall notify the supervisor, which shall minimally include that the individual was asked to provide the sample and refused.

For the purpose of this section, the "use of reasonable force" shall be defined as the force that an objective, reasonable, trained and competent authorized employee faced with similar facts and circumstances would consider necessary and reasonable to gain compliance.

340.4 PROCESSING DNA SAMPLES

All DNA samples and related materials shall be forwarded to the DNA lab using appropriate packaging (ARS § 13-610(H)).

340.4.1 NOTICE OF A REJECTED SAMPLE

In the event that DPS notifies the Department that a DNA sample or print impression is not usable, the individual whose original sample or impression was provided is required to submit to collection of additional samples. The Department shall thereafter take all reasonable steps to collect additional samples from any such individual and promptly transmit these to DPS (ARS § 13-610(N)).

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340.4.2 FOLLOW-UP NOTICE TO DPS

Within three years of submitting any DNA specimen, sample or impression to DPS, this department shall notify DPS if the individual remains a suspect in a criminal investigation. It shall be the responsibility of DPS to thereafter purge samples of any individual who is no longer a suspect in any criminal investigation.

340.4.3 RECORDS AND RETENTION

The DPS State Combined DNA Index System (CODIS) Laboratory shall also maintain a DNA sample and record as required by statute and according to approved CODIS laboratory procedures.

340.5 RECORD SECURITY

It is unlawful for any person to knowingly misuse or disclose to an unauthorized entity a DNA sample collected or profile obtained for DNA database purposes.

340.6 LITIGATION

The Chief of Police or a designee shall immediately notify the DPS DNA Legal Unit in the event this department is named in a lawsuit involving the DNA Data Bank sample collection, sample use or any aspect of the state's DNA Data Bank Program.

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Child and Dependent Adult Safety

341.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure that children and dependent adults are not left without appropriate care in the event their caregiver or guardian is arrested or otherwise prevented from providing care due to actions taken by members of this department.

This policy does not address the actions to be taken during the course of a child abuse or adult abuse investigation. These are covered in the Child Abuse and the Adult Abuse policies.

341.2 POLICY

It is the policy of this department to mitigate, to the extent reasonably possible, the stressful experience individuals may have when a parent or caregiver is arrested. The Oro Valley Police Department will endeavor to create a strong, cooperative relationship with local, state and community-based social services to ensure an effective, collaborative response that addresses the needs of those affected, including call-out availability and follow-up responsibilities.

341.2.1 REPORTING

(a) For all in custody arrests where children are present or living in the household, the reporting employee will document the following information:

1. Names.
2. Gender.
3. Age.
4. How, where and with whom or which agency the child was placed.

(b) For all in custody arrests where dependent adults are present or living in the household, the reporting employee should document the following information about the dependent adult:

1. Identity.
2. Whether he/she reasonably appears able to care for him/herself.
3. Disposition or placement information if he/she is unable to care for him/herself.

341.3 PROCEDURES DURING AN ARREST

When encountering an arrest or prolonged detention situation, officers should make reasonable attempts to determine if the arrestee is responsible for children or dependent adults. In some cases this may be obvious, such as when children or dependent adults are present. However, officers should inquire if the arrestee has caregiver responsibilities for any children or dependent adults who are without appropriate supervision. The following steps should be taken:

(a) Inquire about and confirm the location of any children or dependent adults.

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(b) Look for evidence of children and dependent adults. Officers should be mindful that some arrestees may conceal the fact that they have a dependent for fear the individual may be taken from them.

(c) Consider inquiring of witnesses, neighbors, friends and relatives of the arrestee as to whether the person is responsible for a child or dependent adult.

Whenever reasonably possible, officers should take reasonable steps to accomplish the arrest of a parent, guardian or caregiver out of the presence of his/her child or dependent adult. Removing children or dependent adults from the scene in advance of the arrest will generally ensure the best outcome for the individual.

Whenever it is safe to do so, officers should allow the parent or caregiver to assure children or dependent adults that they will be provided care. If this is not safe or if the demeanor of the parent or caregiver suggests this conversation would be non-productive, the officer at the scene should explain the reason for the arrest in age-appropriate language and offer reassurance to the child or dependent adult that he/she will receive appropriate care.

341.3.1 AFTER AN ARREST

Whenever an arrest is made, the officer should take all reasonable steps to ensure the safety of the arrestee's disclosed or discovered children or dependent adults.

Officers should allow the arrestee reasonable time to arrange for care of children and dependent adults. Temporary placement with family or friends may be appropriate. However, any decision should give priority to a care solution that is in the best interest of the child or dependent adult. The following guidelines should be followed:

(a) Allow the person reasonable time to arrange for the care of children and dependent adults with a responsible party, as appropriate.

1. Officers should consider allowing the person to use his/her cell phone to facilitate arrangements through access to contact phone numbers, and to lessen the likelihood of call screening by the recipients due to calls from unknown sources.

(b) Unless there is evidence to the contrary (e.g., signs of abuse, drug use, unsafe environment), officers should respect the parent or caregiver's judgment regarding arrangements for care. It is generally best if the child or dependent adult remains with relatives or family friends that he/she knows and trusts because familiarity with surroundings and consideration for comfort, emotional state and safety are important.

1. Except when a court order exists limiting contact, the officer should attempt to locate and place children or dependent adults with the non-arrested parent, guardian or caregiver.

(c) Provide for the immediate supervision of children or dependent adults until an appropriate caregiver arrives.

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(d) Notify the Department of Child Safety or the Division of Aging and Adult Services of the Arizona Department of Economic Security if appropriate.

(e) Notify the field supervisor or Sergeant of the disposition of children or dependent adults.

If children or dependent adults are at school or another known location outside the household at the time of arrest, the arresting officer should attempt to contact the school or other known location and inform the principal or appropriate responsible adult of the caregiver's arrest and of the arrangements being made for the care of the arrestee's dependent. The result of such actions should be documented in the associated report.

341.3.2 DURING THE BOOKING PROCESS

During the booking process, the arrestee shall be allowed to make additional telephone calls to relatives or other responsible individuals as is reasonably necessary to arrange for the care of any child or dependent adult. These telephone calls should be given as soon as practicable and are in addition to any other telephone calls allowed by law.

If an arrestee is unable to resolve the care of any child or dependent adult through this process, a supervisor should be contacted to determine the appropriate steps to arrange for care. These steps may include additional telephone calls or contacting a local, county or state services agency.

341.3.3 SUPPORT AND COUNSELING REFERRAL

If, in the judgment of the handling officers, the child or dependent adult would benefit from additional assistance, such as counseling services, contact with a victim advocate or a crisis telephone number, the appropriate referral information may be provided.

341.4 DEPENDENT WELFARE SERVICES

Whenever an arrestee is unwilling or incapable of arranging for the appropriate care of any child or dependent adult, the handling officer should contact the appropriate welfare service or other department-approved social service to determine whether protective custody is appropriate.

Only when other reasonable options are exhausted should a child or dependent adult be transported to the police's facility, transported in a marked patrol car or taken into formal protective custody.

Under no circumstances should a child or dependent adult be left unattended or without appropriate care.

341.5 TRAINING

The Training Coordinator is responsible to ensure that all personnel of this department who may be involved in arrests affecting children or dependent adults receive approved training on effective safety measures when a parent, guardian or caregiver is arrested.

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Service Animals

342.1 PURPOSE AND SCOPE

Service animals play an important role in helping to overcome the limitations often faced by people with disabilities. The Oro Valley Police Department recognizes this need and is committed to making reasonable modifications to its policies, practices and procedures in accordance with Title II of the Americans with Disabilities Act of 1990 (ADA) to permit the use of service animals that are individually trained to assist a person with a disability.

342.2 SERVICE ANIMALS

The ADA and Arizona law define a service animal as any dog or miniature horse that is individually trained or in training to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual or other mental disability. The work or tasks performed by a service animal must be directly related to the owner's disability (28 CFR 35.104; ARS § 11-1024).

342.2.1 USE OF SERVICE ANIMALS

Some service animals may be readily identifiable. However, many do not have a distinctive symbol, harness or collar. Service animals are not pets and may be trained by an individual or organization to assist people with disabilities.

Service animals may be used in a number of ways to provide assistance, including:

- Guiding people who are blind or have low vision.
- Alerting people who are deaf or hard of hearing.
- Retrieving or picking up items, opening doors or flipping switches for people who have limited use of their hands, arms or legs.
- Pulling wheelchairs.
- Providing physical support and assisting with stability and balance.
- Doing work or performing tasks for persons with traumatic brain injury, intellectual disabilities or psychiatric disabilities, such as reminding a person with depression to take medication.
- Alerting a person with anxiety to the onset of panic attacks, providing tactile stimulation to calm a person with post-traumatic stress disorder, assisting people with schizophrenia to distinguish between hallucinations and reality, and helping people with traumatic brain injury to locate misplaced items or follow daily routines.

342.3 MEMBER RESPONSIBILITIES

Service animals that are assisting individuals with disabilities are permitted in all public facilities and areas where the public is allowed. Department members are expected to treat individuals

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with service animals with the same courtesy and respect that the Oro Valley Police Department affords to all members of the public.

If an animal exhibits vicious behavior, poses a direct threat to the health of others or unreasonably disrupts or interferes with normal business operations, an officer may direct the owner to remove the animal from the premises. Barking alone is not a threat nor does a direct threat exist if the person takes prompt, effective action to control the animal. Each incident must be considered individually. Past incidents alone are not cause for excluding a service animal. Removal of a service animal may not be used as a reason to refuse service to an individual with disabilities. Members of this department are expected to provide all services as are reasonably available to an individual with a disability (ARS § 11-1024).

If it is apparent or if an officer is aware the animal is a service animal, the owner should not be asked any questions as to the status of the animal. If it is unclear whether an animal meets the definition of a service animal, the officer should ask the individual only the following questions:

- Is the animal required because of a disability?
- What task or service has the 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.

Service animals are not pets. Department members should not interfere with the important work performed by a service animal by talking to, petting or otherwise initiating contact with a service animal.

When handling calls of a complaint regarding a service animal, members of this department should remain neutral and should be prepared to explain the ADA requirements concerning service animals to the concerned parties. Businesses are required to allow service animals to accompany their owner into all areas that other customers or members of the public are allowed.

Absent a violation of law independent of the ADA, officers should take no enforcement action beyond keeping the peace. Individuals who believe they have been discriminated against as a result of a disability should be referred to the Civil Rights Division of the U.S. Department of Justice.

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Unmanned Aerial System (UAS) Operations

343.1 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.

343.1.1 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.

343.2 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.

343.3 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.

343.4 PROGRAM COORDINATOR

The Chief of Police will appoint a program coordinator who will be responsible for the management of the UAS program. The program coordinator will ensure that policies and procedures conform to current laws, regulations and best practices and will have the following additional responsibilities:

- Coordinating the FAA Certificate of Waiver or Authorization (COA) application process and ensuring that the COA is current.
- Ensuring that all authorized operators and required observers have completed all required FAA and department-approved training in the operation, applicable laws, policies and procedures regarding use of the UAS.
- Developing uniform protocol for submission and evaluation of requests to deploy a UAS, including urgent requests made during ongoing or emerging incidents.
- Developing protocol for conducting criminal investigations involving a UAS, including documentation of time spent monitoring a subject.

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- 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.
- 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.
- Developing protocols that ensure retention and purge periods are maintained in accordance with established records retention schedules.
- Recommending program enhancements, particularly regarding safety and information security.

343.5 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 use is restricted to the following circumstances:

(a) To provide an aerial vantage point during search and rescue operations.

(b) To provide overwatch capabilities supporting efforts of officers on the ground actively searching for suspect(s) believed to have committed a felony or believed to be a danger to the public or to searching officers.

(c) To photograph or aerially inspect a crime or crash scene.

(d) To provide overwatch during at large special events as deemed necessary by a supervisor.

(e) Any supervisor may request the deployment of a UAS to enhance the likelihood of accomplishing a legitimate public safety mission.

Any uses outside the above-listed circumstances must be approved by the Chief of Police or designee.

343.6 PROHIBITED USE

The UAS video surveillance equipment shall not be used:

- To conduct random surveillance activities.

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- 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.

343.7 RETENTION OF UAS DATA

Data collected by the UAS shall be retained as provided in the established records retention schedule.

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Off-Duty Law Enforcement Actions

344.1 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 Oro Valley Police Department with respect to taking law enforcement action while off-duty.

344.2 POLICY

Officers generally should not initiate law enforcement action while off-duty. 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 certified member of this department who becomes aware of an incident or circumstance that he/she reasonably believes poses an imminent threat of serious bodily injury or death, or significant property damage may take reasonable action to minimize the threat.

When public safety or the prevention of major property damage requires immediate action, officers should first consider reporting and monitoring the activity and only take direct action as a last resort.

Officers should remember that their authority as a peace officer may not extend to actions taken outside their jurisdiction unless authorized by law (ARS § 13-3883).

344.3 FIREARMS

Officers of this department may carry firearms while off-duty in accordance with federal regulations, state law 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 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 or medication or any combination thereof that would tend to adversely affect the officer’s senses or judgment.

344.4 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:

(a) The tactical disadvantage of being alone and the fact there may be multiple or hidden suspects.

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(b) The inability to communicate with responding units.

(c) The lack of equipment, such as handcuffs, OC or baton.

(d) The lack of cover.

(e) The potential for increased risk to bystanders if the off-duty officer were to intervene.

(f) Unfamiliarity with the surroundings.

(g) The potential for the off-duty officer to be misidentified by other peace officers or members of the public.

Officers should consider waiting for on-duty uniformed officers to arrive and gather as much accurate intelligence as possible instead of immediately intervening.

344.4.1 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 Oro Valley Police Department officer until acknowledged. Official identification should also be displayed.

344.4.2 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.

344.4.3 RESPONSIBILITIES

Civilian members 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.

344.4.4 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.

344.5 REPORTING

Any officer, prior to taking any off-duty enforcement action, shall notify and receive approval of a supervisor (or other applicable law enforcement authority if acting outside the jurisdiction of the Oro Valley Police Department). If prior contact is not reasonably possible, an officer shall notify the applicable local law enforcement agency as soon as reasonably practicable. The Sergeant shall determine whether a report should be filed by the employee.

Officers should cooperate fully with the agency having jurisdiction in providing statements or reports as requested or as appropriate.

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Chapter 4 - Patrol Operations

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Patrol Function

400.1 PURPOSE AND SCOPE

The purpose of this policy is to define the functions of the patrol unit of the Department to ensure intra-organization cooperation and information sharing.

400.1.1 FUNCTION

Officers will generally patrol in clearly marked vehicles. They will patrol assigned jurisdictional areas of Oro Valley, respond to calls for assistance, act as a deterrent to crime, enforce state, local and, federal laws when authorized or empowered by agreement or statute and respond to emergencies 24 hours a day, seven days a week.

Patrol will generally provide the following services within the limits of available resources:

(a) Patrol that is directed at the prevention of criminal acts, traffic violations and collisions, the maintenance of public order and the discovery of hazardous situations or conditions.

(b) Crime prevention activities, such as residential inspections, business inspections and community presentations.

(c) Calls for service, both routine and emergency.

(d) Investigation of both criminal and non-criminal acts.

(e) The apprehension of criminal offenders.

(f) Community Oriented Policing and problem-solving activities, such as citizen assists and individual citizen contacts of a positive nature.

(g) The sharing of information between the patrol and other divisions within the Department, as well as other government agencies.

(h) The application of resources to specific problems or situations within the community that may be improved or resolved by Community Oriented Policing and problem-solving strategies.

(i) Traffic direction and control.

(j) Disasters, civic unrest and natural emergencies.

(k) Assist in the service of civil papers.

400.1.2 TERRORISM

It is the goal of the Oro Valley 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.

The supervisor should ensure that all terrorism-related reports and FIs are forwarded to the Criminal Investigations Unit supervisor in a timely fashion. The Criminal Investigations Unit

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supervisor shall review all terrorism-related reports as soon as practicable and contact the Arizona Counter Terrorism Information Center (ACTIC) (877-2-SAVE-AZ) when there is a reasonable suspicion that a terrorism threat exists.

400.2 PATROL INFORMATION SHARING PROCEDURES

The following guidelines are intended to develop and maintain intra-organization cooperation and information flow between the various divisions of the Oro Valley Police Department.

400.2.1 CRIME ANALYSIS UNIT

The Crime Analysis Unit will be the central unit for information exchange. Criminal information and reports can be submitted to the Records Unit for distribution to all divisions within the Department through daily and special bulletins.

400.2.2 CRIME REPORTS

A crime report may be completed by any patrol officer who receives criminal information. The report will be processed and forwarded to the appropriate bureau for retention or follow-up investigation.

400.2.3 PATROL BRIEFINGS

Patrol supervisors, investigative sergeants and special unit sergeants shall share information as much as reasonably possible. All supervisors and/or officers will be provided an opportunity to share information through daily patrol briefings, as time permits.

400.2.4 INFORMATION CLIPBOARDS

Several information clipboards will be maintained in the briefing room and will be available for review by officers from all divisions within the Department. These may include:

- Briefing Book
- Safety Bulletin
- Reports Clipboard
- Daily Schedule Board
- Memo Board
- Other Agency Bulletins

400.3 CROWDS, EVENTS AND GATHERINGS

Officers may encounter gatherings of people, including but not limited to, civil demonstrations, civic, social and business events, public displays, parades and sporting events. Officers should monitor such events as time permits in an effort to keep the peace and protect the safety and rights of those present. A patrol supervisor should be notified when it becomes reasonably foreseeable that such an event may require increased monitoring, contact or intervention.

Officers responding to an event or gathering that warrants law enforcement involvement should carefully balance the speech and association rights of those present with applicable public safety

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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.

Officers may consider the current No Trespass Public Notice List established by the Secretary of State when responding to complaints by an employer of unlawful picketing, assembly or mass picketing on an employer's property (ARS § 23-1321; ARS § 23-1326). If the property is identified on the list, officers may not require any additional documentation from the employer to establish the employer's property rights.

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Bias-Based Policing

401.1 PURPOSE AND SCOPE

This policy provides guidance to department members that affirms the Oro Valley Police Department's commitment to policing that is fair and objective.

Nothing in this policy prohibits the use of specified characteristics in law enforcement activities designed to strengthen the department's relationship with its diverse communities (e.g., cultural and ethnicity awareness training, youth programs, community group outreach, partnerships).

401.1.1 DEFINITIONS

Definitions related to this policy include:

Bias-based policing - An inappropriate reliance on characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, disability or affiliation with any non-criminal group (protected characteristics) as the basis for providing differing law enforcement service or enforcement.

401.2 POLICY

The Oro Valley Police Department is committed to providing law enforcement services to the community with due regard for the racial, cultural or other differences of those served. It is the policy of this department to provide law enforcement services and to enforce the law equally, fairly, objectively and without discrimination toward any individual or group.

401.3 BIAS-BASED POLICING PROHIBITED

Bias-based policing is strictly prohibited.

However, nothing in this policy is intended to prohibit an officer from considering protected characteristics in combination with credible, timely and distinct information connecting a person or people of a specific characteristic to a specific unlawful incident, or to specific unlawful incidents, specific criminal patterns or specific schemes.

401.4 MEMBER RESPONSIBILITIES

Every member of this department shall perform his/her duties in a fair and objective manner and is responsible for promptly reporting any suspected or known instances of bias-based policing to a supervisor. Members should, when reasonable to do so, intervene to prevent any biased-based actions by another member.

401.4.1 REASON FOR CONTACT

Officers contacting a person shall be prepared to articulate sufficient reason for the contact, independent of the protected characteristics of the individual.

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To the extent that written documentation would otherwise be completed (e.g., arrest report, field interview (FI) card), the involved officer should include those facts giving rise to the contact, as applicable.

Except for required data-collection forms or methods, nothing in this policy shall require any officer to document a contact that would not otherwise require reporting.

401.5 SUPERVISOR RESPONSIBILITIES

Supervisors should monitor those individuals under their command for compliance with this policy and shall handle any alleged or observed violations in accordance with the Personnel Complaints Policy.

(a) Supervisors should discuss any issues with the involved officer and his/her supervisor in a timely manner.

1. Supervisors should document these discussions, in the prescribed manner.

(b) Supervisors should periodically review MAV recordings, portable audio/video recordings, Mobile Data Computer (MDC) data and any other available resource used to document contact between officers and the public to ensure compliance with this policy.

1. Supervisors should document these periodic reviews.
2. Recordings that capture a potential instance of bias-based policing should be appropriately retained for administrative investigation purposes.

(c) Supervisors shall initiate investigations of any actual or alleged violations of this policy.

(d) Supervisors should take prompt and reasonable steps to address any retaliatory action taken against any member of this department who discloses information concerning bias-based policing.

401.6 TRAINING

Training on fair and objective policing and review of this policy should be conducted as directed by the Professional Development and Training.

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Briefing Training

402.1 PURPOSE AND SCOPE

Briefing training is generally conducted at the beginning of the officer's assigned shift. Briefing provides an opportunity for important exchange between employees and supervisors. A supervisor generally will conduct briefing. However, officers may conduct briefing for training purposes with supervisor approval.

Briefing should accomplish, at a minimum, the following basic tasks:

(a) Briefing officers with information regarding daily patrol activity, with particular attention given to unusual situations and changes in the status of wanted persons, stolen vehicles and major investigations.

(b) Notifying officers of changes in schedules and assignments.

(c) Notifying officers of new Departmental Directives or changes in Departmental Directives.

(d) Reviewing recent incidents for training purposes.

(e) Providing training on a variety of subjects.

402.2 PREPARATION OF MATERIALS

The supervisor conducting briefing, or the officer if the supervisor is unable to participate in a group briefing session, is responsible for collection and preparation of the materials necessary for a constructive briefing. Supervisors may delegate this responsibility to a subordinate officer in his/her absence or for training purposes.

402.3 RETENTION OF BRIEFING TRAINING RECORDS

Briefing training materials and a curriculum or summary shall be forwarded to the Training Coordinator for inclusion in training records, as appropriate.

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Crime and Disaster Scene Integrity

403.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance in handling a major crime or disaster.

403.2 POLICY

It is the policy of the Oro Valley Police Department to secure crime or disaster scenes so that evidence is preserved, and to identify and mitigate the dangers associated with a major crime or disaster scene for the safety of the community and those required to enter or work near the scene.

403.3 SCENE RESPONSIBILITY

The first officer at the scene of a crime or major incident is generally responsible for the immediate safety of the public and preservation of the scene. Officers shall also consider officer safety and the safety of those persons entering or exiting the area, including those rendering medical aid to any injured parties. Once an officer has assumed or been assigned to maintain the integrity and security of the crime or disaster scene, the officer shall maintain the crime or disaster scene until he/she is properly relieved by a supervisor or other designated person.

403.4 FIRST RESPONDER CONSIDERATIONS

The following list generally describes the first responder's function at a crime or disaster scene. This list is not intended to be all-inclusive, is not necessarily in order and may be altered according to the demands of each situation:

(a) Broadcast emergency information, including requests for additional assistance and resources.

(b) Provide for the general safety of those within the immediate area by mitigating, reducing or eliminating threats or dangers.

(c) Locate or identify suspects and determine whether dangerous suspects are still within the area.

(d) Provide first aid to injured parties if it can be done safely.

(e) Evacuate the location safely as required or appropriate.

(f) Secure the inner perimeter.

(g) Protect items of apparent evidentiary value.

(h) Secure an outer perimeter.

(i) Identify potential witnesses.

(j) Start a chronological log noting critical times and personnel allowed access.

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403.5 SEARCHES

Officers arriving at crime or disaster scenes are often faced with the immediate need to search for and render aid to victims, and to determine if suspects are present and continue to pose a threat. Once officers are satisfied that no additional suspects are present and/or there are no injured persons to be treated, those exigent circumstances will likely no longer exist. Officers should thereafter secure the scene and conduct no further search until additional or alternate authority for the search is obtained, such as consent or a search warrant.

403.5.1 CONSENT

When possible, officers should seek written consent to search from authorized individuals. However, in the case of serious crimes or major investigations, it may be prudent to also obtain a search warrant. Consent as an additional authorization may be sought, even in cases where a search warrant has been granted.

403.6 EXECUTION OF HEALTH ORDERS

Any certified member of this department is authorized to execute and enforce all orders of the local health officer issued for the purpose of preventing the spread of any contagious, infectious or communicable disease (AAC § R9-6-303).

403.7 SCENE CLEANUP

Scene cleanup on public property will be requested through the fire department. Private property owners should be advised to contact their insurance carrier or the state's Crime Victim Compensation Program for submitting a claim for reimbursement for a crime scene cleanup (AAC § R10-4-107).

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Pima Regional Special Weapons and Tactics

404.1 PURPOSE AND SCOPE

The mission of the Pima Regional SWAT Team is to support member agencies in tactical situations that are beyond the scope of regular patrol officers and requiring special tactics, weapons and equipment to reach an appropriate, lawful and safe solution. The Pima Regional SWAT Team is the primary tactical team for all areas within Pima County, with the exception of the City of Tucson. Additionally, the Pima Regional SWAT Team is committed to supporting all public safety agencies in Southern Arizona as part of counter terrorism operations along the U.S./Mexico border.

404.2 POLICY

Refer to the Pima Regional S.W.A.T. Standard Operating Procedures.

404.3 OPERATIONAL GUIDELINES FOR PIMA REGIONAL SPECIAL WEAPONS AND TACTICS

404.3.1 MULTIJURISDICTIONAL SWAT OPERATIONS

The Pima Regional SWAT team, including specialized units and supporting resources, have developed protocols, agreements, memorandums of understanding, collective bargaining agreements or working relationships to support multijurisdictional or regional responses.

404.3.2 MOBILIZATION OF PIMA REGIONAL SPECIAL WEAPONS AND TACTICS

The on-scene supervisor shall make a request to Pima County Sheriff's Department Communications Center and request that the SWAT Commander be notified of the request.

Situations where SWAT should be used:

(a) Hostage Situations: The holding of any person (s) against their will by an armed suspect(s) or a suspect(s) who is believed to be armed with a weapon or dangerous instrument.

(b) Barricaded Subjects: The stand-off created by an armed or potentially armed suspect(s) in any location, whether fortified or not, who is refusing to comply with arrest commands. Or in situations where a person is barricaded in a structure threatening suicide and is known or believed to be armed, and refuses to surrender for medical evaluation.

(c) High Risk Search/Arrest Warrants: The service of search/arrest warrants for criminal investigations involving suspect(s) that are known or believed to be dangerous and pose a specific threat of serious physical injury or death when confronted by law enforcement.

(d) High Risk Arrests: The SWAT Team may be utilized in the arrest of suspect(s) in a criminal case where the suspect(s) pose a substantial risk to arresting officers. These situations may or may not involve an arrest warrant.

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(e) Jail Disturbances: The SWAT Team may be utilized in the suppression of inmates that are involved in acts of violence or disruptive activity that is beyond the capabilities of the Corrections Bureau to control. The team may also be deployed for any hostage situation or barricade at the jail or to retake any portion of the facility under the control of inmates.

(f) Personnel Protective Details: The SWAT Team may be utilized for the protection of special persons, such as VIPs, witnesses or suspects, based on threat or potential threat to the well being of those persons.

(g) Terrorist Incidents: The SWAT Team may be utilized in a broad variety of capacities during any act of terrorism. This could include hostage rescue, warrant service, immediate response, security, and bomb squad support, among others.

(h) Any other situation where the SWAT Team Commander deems it appropriate based on the circumstances.

Certain prerequisites must be met before the team should be deployed. Following are some guidelines that should be met before SWAT will deploy:

(a) A crime has been committed and the suspect is believed to be contained inside a structure.

(b) Patrol personnel have attempted to make the arrest and the suspect(s) has refused to comply with commands.

(c) The suspect(s) are known or believed to be armed.

(d) A barricaded suicidal subject has committed an act that would result in an involuntary committal in a mental hospital, and is known or believed to be armed.

(e) In any case where the use of SWAT is determined to be the safest and best option to solve the problem.

The field supervisor shall notify chain of command of the incident as soon as practical.

404.3.3 ON-SCENE COMMAND RESPONSIBILITIES

Upon arrival of the Pima Regional Special Weapons and Tactics team, the Incident Commander shall brief the Pima Regional SWAT lieutenant and team supervisors. Prior to transferring responsibility to SWAT, it will be the Incident Commander's decision, with input from the Pima Regional SWAT lieutenant, whether to deploy the Pima Regional Special Weapons and Tactics team. Once the Incident Commander authorizes deployment, the Pima Regional SWAT lieutenant will be responsible for the tactical portion of the operation. The Incident Commander shall continue supervision of the command post operation, outer perimeter security and support for the Pima Regional Special Weapons and Tactics team. The Incident Commander and the Pima Regional SWAT lieutenant or a designee shall maintain communications at all times.

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Ride-Along Policy

405.1 PURPOSE AND SCOPE

The ride-along program provides an opportunity for persons to experience the law enforcement function firsthand. This policy provides the requirements, approval process and hours of operation for the ride-along program.

405.1.1 ELIGIBILITY

The Oro Valley Police Department ride-along program is offered to Citizen Academy participants, potential recruits, interns and those employed within the Town. Oro Valley Police Department officers may request his/her supervisor's permission to have a civilian ride along during a duty shift. Any applicant may be disqualified with or without cause from participating in the program.

The following factors may be considered in disqualifying an applicant and are not limited to:

- Prior criminal history.
- Pending criminal action.
- Pending lawsuit against the Department.
- Denial by any supervisor.

405.1.2 AVAILABILITY

The ride-along program is available any day of the week, at any hour.

405.2 PROCEDURE TO REQUEST A RIDE-ALONG

Generally, ride-along requests will be scheduled by the Sergeant. The participant will complete and sign a ride-along waiver form. Information requested will include name, date of birth, address and telephone number.
The Sergeant will schedule a date, based on availability.

If the ride-along is denied after the request has been made, a representative of the Department will contact the applicant and advise him/her of the denial.

405.2.1 PROGRAM REQUIREMENTS

Once approved, civilian ride-alongs will be allowed to ride no more than once every six months. An exception would apply to the following: cadets, explorers, Citizen Volunteer Assistants Program (CVAP), chaplains, reserves and police applicants with approval of the Sergeant.

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. When practicable, ride-alongs who request multiple opportunities to participate in the ride-along program should be rotated among officers.

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Ride-along requirements for police cadets are covered in the Police Cadets Policy.

405.2.2 SUITABLE ATTIRE

Any person approved to ride-along is required to be suitably dressed in a 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 Sergeant or field supervisor may refuse a ride-along to anyone not properly dressed.

405.2.3 PEACE OFFICER RIDE-ALONGS

Off-duty ride-alongs by officers of this department are restricted as follows:

(a) Off-duty officers of this department shall not be permitted to ride-along with other on-duty officers of this department.

(b) Off-duty officers of this department may ride-along with on-duty peace officers of another agency.

Off-duty peace officers of other law enforcement agencies will not be permitted to ride-along with on-duty officers without the express consent of the Sergeant.

In the event that such a ride-along is permitted, the off-duty peace officer shall not be considered on-duty and shall not participate in any law enforcement activity except as emergency circumstances may require.

405.2.4 CIVILIAN EMPLOYEE RIDE-ALONGS

Off-duty civilian employees of this department may ride-along with on-duty officers. Off-duty civilian members of other law enforcement agencies will not be permitted to ride-along with on-duty officers without the express consent of the Sergeant.

In the event that such a ride-along is permitted, the off-duty civilian member shall not be considered on-duty and shall not participate in any law enforcement activity except as emergency circumstances may require.

405.2.5 RIDE-ALONG CRIMINAL HISTORY CHECK

All ride-along applicants are subject to a criminal history check. The criminal history check may include a local records check and a Department of Justice Criminal History System check prior to approval (provided that the ride-along is not an employee of the Oro Valley Police Department).

405.3 OFFICER'S RESPONSIBILITIES

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, such as a high-speed pursuit, 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 practicable have another police unit respond to pick up the participant at that location. The ride-along may be continued or terminated at this time.

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Conduct by a person participating in a ride-along that results in termination of the ride or is otherwise inappropriate should be immediately reported to the Sergeant.

The Sergeant is responsible for maintaining and scheduling ride-alongs. Upon completion of the ride-along, a copy of the ride-along waiver form shall be returned to the Sergeant with any comments that may be offered by the officer.

405.4 CONTROL OF RIDE-ALONG

The assigned employee shall maintain control over the ride-along at all times and instruct him/her in the conditions that necessarily limit participation. These instructions should include:

(a) The ride-along will follow the directions of the officer.

(b) The ride-along will not become involved in any investigation, handling of evidence, discussions with victims or suspects or handling any police equipment.

(c) The ride-along may terminate the ride at any time and the officer may return the observer to his/her home, the place of the ride origin 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 residence or situation that would jeopardize their safety or cause undue stress or embarrassment to a victim or any other person.

(f) Under no circumstance shall a civilian ride-along be permitted to enter a private residence with an officer without the express consent of the resident or other authorized person.

(g) Ride-alongs shall be returned to his/her home, the place of the ride origin or to the station when the ride-along is terminated.

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Hazardous Material Response

406.1 PURPOSE AND SCOPE

Hazardous materials present a potential harm to employees as a result of their exposure. To comply with Arizona law, the following represents the policy of this department.

406.1.1 HAZARDOUS MATERIAL DEFINED

Hazardous material - Includes, without limitation, hazardous material, a regulated substance, a pollutant, a contaminant or as outlined in ARS § 26-301(8).

406.2 HAZARDOUS MATERIAL RESPONSE

Employees may encounter situations involving suspected hazardous materials, such as at the scene of a traffic collision, chemical spill or fire. When employees come into contact with a suspected hazardous material, certain steps should be taken to protect themselves and other persons.

The fire department is the agency trained and equipped to properly respond and mitigate most hazardous materials and biohazards. Responders should not perform tasks or use equipment absent proper training.

A responder entering the area may require decontamination before he/she is allowed to depart the scene and should be evaluated by appropriate technicians and medical professionals for signs of exposure.

The following steps should be considered at any scene involving suspected hazardous materials:

(a) Attempt to identify the type of hazardous material. Identification can be determined by placard, driver's manifest or statements from the person transporting the material.

(b) Notify the appropriate fire department to establish ICS.

(c) Notify DPS if on public roadway.

(d) Provide first aid to injured parties if it can be done safely and without contamination.

(e) Begin evacuation of the immediate and surrounding areas dependent on the material. Voluntary evacuation should be considered. Depending on the shelter material, mandatory evacuation may be necessary.

(f) Responders should remain uphill and upwind of the hazard until a zone of entry and a decontamination area is established.

406.3 REPORTING EXPOSURE

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 in an officer's report, which shall be forwarded via chain of command to the Division

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Commander. 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 a crime report or incident report.

406.3.1 SUPERVISOR RESPONSIBILITIES

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 treat the exposure.

To ensure the safety of employees, safety equipment is available through the Department. Safety items not maintained by the Department will be obtained through the appropriate fire department.

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Hostage and Barricade Incidents

407.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for situations where officers have legal cause to contact, detain or arrest a person, and the person refuses to submit to the lawful requests of the officers by remaining in a structure or vehicle and/or by taking a hostage.

The scope of this policy is not intended to address all variables that officers encounter during their initial response or when a hostage or barricade situation has developed. This policy does not require or purport to recommend specific strategies or tactics for resolution as each incident is a dynamic and rapidly evolving event.

407.1.1 DEFINITIONS

Definitions related to this policy include:

Barricade situation - An incident where a person maintains a position of cover or concealment and ignores or resists law enforcement personnel, and it is reasonable to believe the subject is armed with a dangerous or deadly weapon.

Hostage situation - An incident where it is reasonable to believe a person is unlawfully held by a hostage-taker as security so that specified terms or conditions will be met.

407.2 POLICY

It is the policy of the Oro Valley Police Department to address hostage and barricade situations with due regard for the preservation of life and balancing the risk of injury, while obtaining the safe release of hostages, apprehending offenders and securing available evidence.

407.3 COMMUNICATION

When circumstances permit, initial responding officers should try to establish and maintain lines of communication with a barricaded person or hostage-taker. Officers should attempt to identify any additional subjects, inquire about victims and injuries, seek the release of hostages, gather intelligence information, identify time-sensitive demands or conditions and obtain the suspect's surrender.

When available, department-authorized negotiators should respond to the scene as soon as practicable and assume communication responsibilities. Negotiators are permitted to exercise flexibility in each situation based upon their training, the circumstances presented, suspect actions or demands and the available resources.

407.3.1 EMERGENCY COMMUNICATIONS

Should the Incident Commander determine that an emergency situation exists that involves immediate danger of death or serious physical injury to any person and that such may be averted by interception of wire, electronic or oral communications, the Incident Commander should contact the County Attorney and request authorization for an emergency interception (ARS § 13-3012; ARS § 13-3015).

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407.4 FIRST RESPONDER CONSIDERATIONS

First responding officers should promptly and carefully evaluate all available information to determine whether an incident involves, or may later develop into, a hostage or barricade situation.

The first responding officer should immediately request a supervisor's response as soon as it is determined that a hostage or barricade situation exists. The first responding officer shall assume the duties of the supervisor until relieved by a supervisor or a more qualified responder. The officer shall continually evaluate the situation, including the level of risk to officers, to the persons involved and to bystanders, and the resources currently available.

The handling officer should brief the arriving supervisor of the incident, including information about suspects and victims, the extent of any injuries, additional resources or equipment that may be needed, and current perimeters and evacuation areas.

407.4.1 BARRICADE SITUATION

Unless circumstances require otherwise, officers handling a barricade situation should attempt to avoid a forceful confrontation in favor of stabilizing the incident by establishing and maintaining lines of communication while awaiting the arrival of specialized personnel and trained negotiators. During the interim the following options, while not all-inclusive or in any particular order, should be considered:

(a) Ensure injured persons are evacuated from the immediate threat area if it is reasonably safe to do so. Request medical assistance.

(b) Assign personnel to a contact team to control the subject should he/she attempt to exit the building, structure or vehicle, and attack, use deadly force, attempt to escape or surrender prior to additional resources arriving.

(c) Request additional personnel, resources and equipment as needed (e.g., canine team, 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 Public Information Officer.

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(j) If necessary and available, establish a tactical or exclusive radio frequency for the incident.

(k) Establish a command post.

407.4.2 HOSTAGE SITUATION

Officers presented with a hostage situation should attempt to avoid a forceful confrontation in favor of controlling the incident in anticipation of the arrival of specialized personnel and trained hostage negotiators. However, it is understood that hostage situations are dynamic and can require that officers react quickly to developing or changing threats. The following options while not all-inclusive or in any particular order, should be considered:

(a) Ensure injured persons are evacuated from the immediate threat area if it is reasonably safe to do so. Request medical assistance.

(b) Assign personnel to a contact team to control the subject should he/she attempt to exit the building, structure or vehicle, and attack, use deadly force, attempt to escape or surrender prior to additional resources arriving.

(c) Establish a rapid response team in the event it becomes necessary to rapidly enter a building, structure or vehicle, such as when the suspect is using deadly force against any hostages (see the Rapid Response and Deployment Policy).

(d) Assist hostages or potential hostages to escape if it is reasonably safe to do so. Hostages should be kept separated if practicable pending further interview.

(e) Request additional personnel, resources and equipment as needed (e.g., canine team, 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 PIO.

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(m) If necessary and available, establish a tactical or exclusive radio frequency for the incident.

407.5 SUPERVISOR RESPONSIBILITIES

Upon being notified that a hostage or barricade situation exists, the supervisor should immediately respond to the scene, assess the risk level of the situation, establish a proper chain of command and assume the role of Incident Commander until properly relieved. This includes requesting a Pima Regional SWAT response if appropriate and apprising the Pima Regional SWAT Commander of the circumstances. In addition, the following options, listed here in no particular order, should be considered:

(a) Ensure injured persons are evacuated and treated by medical personnel.

(b) Ensure the completion of necessary first responder responsibilities or assignments.

(c) Request crisis negotiators, specialized units, additional personnel, resources or equipment as appropriate.

(d) Establish a command post location as resources and circumstances permit.

(e) Designate assistants who can help with intelligence information and documentation of the incident.

(f) If it is practicable to do so, arrange for video documentation of the operation.

(g) Consider contacting utility and communication providers when restricting such services (e.g., restricting electric power, gas, telephone service).

(h) Ensure adequate law enforcement coverage for the remainder of the Town during the incident. The supervisor should direct non-essential personnel away from the scene unless they have been summoned by the supervisor or Communications Bureau.

(i) Identify a media staging area outside the outer perimeter and have the department PIO or a designated temporary media representative provide media access in accordance with the Media Relations Policy.

(j) Identify the need for mutual aid and the transition or relief of personnel for incidents of extended duration.

(k) Debrief personnel and review documentation as appropriate.

407.6 INCIDENT COMMANDER RESPONSIBILITIES

It will be the Incident Commander's decision, with input from the Pima Regional SWAT Commander, whether to deploy the Pima Regional SWAT during a hostage or barricade situation. Once the Incident Commander authorizes deployment, the Pima Regional SWAT Commander or the authorized designee will be responsible for the tactical portion of the operation. The Incident Commander shall continue supervision of the command post operation, outer perimeter security and evacuation, media access and support for the Pima Regional SWAT. The Incident

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Commander and the Pima Regional SWAT Commander or the authorized designee shall maintain communications at all times.

407.7 REPORTING

Unless otherwise relieved by a supervisor or Incident Commander, the handling officer at the scene is responsible for completion and/or coordination of incident reports.

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Response to Bomb Calls

408.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines to assist members of the Oro Valley Police Department in their initial response to incidents involving explosives, explosive devices, explosion/bombing incidents or threats of such incidents. Under no circumstances should these guidelines be interpreted as compromising the safety of first responders or the public. When confronted with an incident involving explosives, safety should always be the primary consideration.

408.2 POLICY

It is the policy of the Oro Valley Police Department to place a higher priority on the safety of persons and the public over damage or destruction to public or private property.

408.3 RECEIPT OF BOMB THREAT

Department members receiving a bomb threat should obtain as much information from the individual as reasonably possible, including the type, placement and alleged detonation time of the device.

If the bomb threat is received on a recorded line, reasonable steps should be taken to ensure that the recording is preserved in accordance with established department evidence procedures.

The member receiving the bomb threat should ensure that the Sergeant is immediately advised and informed of the details. This will enable the Sergeant to ensure that the appropriate personnel are dispatched, and, as appropriate, the threatened location is given an advance warning.

408.4 GOVERNMENT FACILITY OR PROPERTY

A bomb threat targeting a government facility may require a different response based on the government agency.

408.4.1 ORO VALLEY POLICE DEPARTMENT FACILITY

If the bomb threat is against the Oro Valley Police Department facility, the Sergeant will direct and assign officers as required for coordinating a general building search or evacuation of the police department, as he/she deems appropriate.

408.4.2 OTHER COUNTY OR MUNICIPAL FACILITY OR PROPERTY

If the bomb threat is against a county or municipal facility within the jurisdiction of the Oro Valley Police Department that is not the property of this department, the appropriate agency will be promptly informed of the threat. Assistance to the other entity may be provided as the Sergeant deems appropriate.

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408.4.3 FEDERAL BUILDING OR PROPERTY

If the bomb threat is against a federal building or property, the Federal Protective Service should be immediately notified. The Federal Protective Service provides a uniformed law enforcement response for most facilities, which may include use of its Explosive Detector Dog teams.

If the bomb threat is against a federal government property where the Federal Protective Service is unable to provide a timely response, the appropriate facility's security or command staff should be notified.

Bomb threats against a military installation should be reported to the military police or other military security responsible for the installation.

408.5 PRIVATE FACILITY OR PROPERTY

When a member of this department receives notification of a bomb threat at a location in the Town of Oro Valley, the member receiving the notification should obtain as much information as reasonably possible from the notifying individual, including:

(a) The location of the facility.

(b) The nature of the threat.

(c) Whether the type and detonation time of the device is known.

(d) Whether the facility is occupied, and, if so, the number of occupants currently on-scene.

(e) Whether the individual is requesting police assistance at the facility.

(f) Whether there are any internal facility procedures regarding bomb threats in place, such as:

1. No evacuation of personnel and no search for a device.
2. Search for a device without evacuation of personnel.
3. Evacuation of personnel without a search for a device.
4. Evacuation of personnel and a search for a device.

The member receiving the bomb threat information should ensure that the Sergeant is immediately notified so that he/she can communicate with the person in charge of the threatened facility.

408.5.1 ASSISTANCE

The Sergeant should be notified when police assistance is requested. The Sergeant will make the decision whether the Department will render assistance and at what level. Information and circumstances that indicate a reasonably apparent, imminent threat to the safety of either the facility or the public may require a more active approach, including police control over the facility.

Should the Sergeant determine that the Department will assist or control such an incident, he/she will determine:

(a) The appropriate level of assistance.

(b) The plan for assistance.

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(c) Whether to evacuate and/or search the facility.

(d) Whether to involve facility staff in the search or evacuation of the building.

1. The person in charge of the facility should be made aware of the possibility of damage to the facility as a result of a search.
2. The safety of all participants is the paramount concern.

(e) The need for additional resources, including:

1. Notification and response, or standby notice, for fire and emergency medical services.

Even though a facility does not request police assistance to clear the interior of a building, based upon the circumstances and known threat, officers may be sent to the scene to evacuate other areas that could be affected by the type of threat, or for traffic and pedestrian control.

408.6 FOUND DEVICE

When handling an incident involving a suspected explosive device, the following guidelines, while not all inclusive, should be followed:

(a) No known or suspected explosive item should be considered safe regardless of its size or apparent packaging.

(b) The device should not be touched or moved except by the bomb squad or military explosive ordnance disposal team.

(c) Personnel should not transmit on any equipment that is capable of producing radio frequency energy within the evacuation area around the suspected device. This includes the following:

1. Two-way radios
2. Cell phones
3. Other personal communication devices

(d) The appropriate bomb squad or military explosive ordnance disposal team should be summoned for assistance.

(e) The largest perimeter reasonably possible should initially be established around the device based upon available personnel and the anticipated danger zone.

(f) A safe access route should be provided for support personnel and equipment.

(g) Search the area for secondary devices as appropriate and based upon available resources.

(h) Consider evacuation of buildings and personnel near the device or inside the danger zone and the safest exit route.

(i) Promptly relay available information to the Sergeant including:

1. The time of discovery.
2. The exact location of the device.

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3. A full description of the device (e.g., size, shape, markings, construction).
4. The anticipated danger zone and perimeter.
5. The areas to be evacuated or cleared.

408.7 EXPLOSION/BOMBING INCIDENTS

When an explosion has occurred, there are multitudes of considerations which may confront the responding officers. As in other catastrophic events, a rapid response may help to minimize injury to victims, minimize contamination of the scene by gathering crowds, or minimize any additional damage from fires or unstable structures.

408.7.1 CONSIDERATIONS

Officers responding to explosions, whether accidental or a criminal act, should consider the following actions:

(a) Assess the scope of the incident, including the number of victims and extent of injuries.

(b) Request additional personnel and resources, as appropriate.

(c) Assist with first aid.

(d) Identify and take appropriate precautions to mitigate scene hazards, such as collapsed structures, bloodborne pathogens and hazardous materials.

(e) Assist with the safe evacuation of victims, if possible.

(f) Establish an inner perimeter to include entry points and evacuation routes. Search for additional or secondary devices.

(g) Preserve evidence.

(h) Establish an outer perimeter and evacuate if necessary.

(i) Identify witnesses.

408.7.2 NOTIFICATIONS

When an explosion has occurred, the following people should be notified as appropriate:

- Fire department
- Bomb squad
- Additional department personnel, such as investigators and forensic services
- Field supervisor
- Sergeant
- Other law enforcement agencies, including local, state or federal agencies, such as the FBI and the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF)
- Other government agencies, as appropriate

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408.7.3 CROWD CONTROL

Only authorized members with a legitimate need should be permitted access to the scene. Spectators and other unauthorized individuals should be restricted to a safe distance as is reasonably practicable given the available resources and personnel.

408.7.4 PRESERVATION OF EVIDENCE

As in any other crime scene, steps should immediately be taken to preserve the scene. The Sergeant should assign officers to protect the crime scene area, which could extend over a long distance. Consideration should be given to the fact that evidence may be imbedded in nearby structures or hanging in trees and bushes.

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Civil Commitments

409.1 PURPOSE AND SCOPE

This policy provides guidelines for when officers may place an individual under protective custody for civil commitment (ARS § 36-525).

409.2 POLICY

It is the policy of the Oro Valley Police Department to protect the public and individuals through legal and appropriate use of the civil commitment process.

409.3 AUTHORITY

An officer may take a person into custody based upon probable cause to believe that the person is a danger to him/herself or others, and that during the time necessary to complete the prepetition screening procedures, the person is likely, without immediate hospitalization, to suffer serious physical harm, serious illness or to inflict serious physical harm on another person (ARS § 36-525).

The officer shall transport the person to a screening or evaluation agency (ARS § 36-525).

An officer shall also take a person into custody and transport the person to the evaluation agency upon the request of authorized medical admission personnel who advise that sufficient grounds exist for protective custody (ARS § 36-524; ARS § 36-525).

If the person is taken into custody at or near his/her residence, the officer shall take reasonable precautions to safeguard the premises, unless the premises are in the possession of a responsible relative or guardian (ARS § 36-525).

409.3.1 MENTAL HEALTH PETITIONS

An officer is also authorized to take persons into protective custody and transported as directed under the following conditions:

(a) Upon receipt of a signed court order (ARS § 36-540).

(b) Upon the written request of the medical director when patient's outpatient treatment has been rescinded (ARS § 36-540; ARS § 36-540.01).

(c) Upon the oral or written request of the medical director of a mental health treatment facility, when a patient is absent without proper authorization from the facility (ARS § 36-544).

409.3.2 EMERGENCY ADMISSION FOR EVALUATION

Upon receipt of an Application for Emergency Admission for Evaluation:

(a) The Application for Emergency Admission for Evaluation must be notarized.

(b) The individual who has completed the Application shall be present / accessible to officers.

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(c) The officer shall read the Application over the phone verbatim to the admitting psychiatrist.

(d) If the admitting psychiatrist finds that there is Reasonable Cause to believe an emergency examination is necessary, the officer will then transport the subject to a mental health facility.

(e) In the event that the person named in the Application is not on scene, the person applying for the Evaluation should be directed to Superior Court to obtain a court order.

409.3.3 VOLUNTARY EVALUATION

If an officer encounters an individual who may qualify for a civil commitment, he/she may inquire as to whether the person desires to voluntarily be evaluated at an appropriate facility. If the individual so desires, the officers should:

(a) Transport the individual to an appropriate facility that is able to conduct the evaluation and admit the person pursuant to a civil commitment.

(b) 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.

409.4 CONSIDERATIONS AND RESPONSIBILITIES

Any officer handling a call involving an individual who may qualify for a civil commitment should consider, as time and circumstances reasonably permit:

(a) Available information that might assist in determining the cause and nature of the individual's action or stated intentions.

(b) Community or neighborhood mediation services.

(c) Conflict resolution and de-escalation techniques.

(d) Community or other resources available to assist in dealing with mental health issues.

While these steps are encouraged, nothing in this section is intended to dissuade officers from taking reasonable action to ensure the safety of the officers and others.

Civil commitments should be preferred over arrest for people with mental health issues, who are suspected of committing minor crimes or creating other public safety issues.

409.5 TRANSPORTATION

When transporting any individual for a civil commitment, the transporting officer may have Communications Bureau 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.

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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, Sergeant approval is required before transport commences.

409.6 TRANSFER TO APPROPRIATE FACILITY

Upon arrival at the facility, the officer will escort the individual into a treatment area designated by a facility staff member. If the individual is not seeking treatment voluntarily, the officer should provide the staff member with the written application for a civil commitment and remain present to provide clarification of the grounds for detention, upon request.

Absent exigent circumstances, the transporting officer should not assist facility staff with the admission process, including restraint of the individual. However, if the individual is transported and delivered while restrained, the officer may assist with transferring the individual to facility restraints and will be available to assist during the admission process, if requested. Under normal circumstances, officers will not apply facility-ordered restraints.

409.7 DOCUMENTATION

A family member or other involved party, should be asked to complete a written application for emergency admission whenever possible. Otherwise, the officer should complete the application for emergency admission. The application shall be provided to the facility staff member assigned to the individual and retain a copy of the application for inclusion in the case report.

The officer should also provide a verbal summary to any evaluating staff member regarding the circumstances leading to the involuntary detention.

409.8 CRIMINAL OFFENSES

Officers investigating an individual who is suspected of committing a minor criminal offense and who is being taken on a civil commitment should resolve the criminal matter by issuing a notice to appear, as appropriate.

When an individual who may qualify for a civil commitment has committed a serious criminal offense that would normally result in an arrest and transfer to a jail facility, the officer should:

(a) Arrest the individual when there is probable cause to do so.

(b) Notify the appropriate supervisor of the facts supporting the arrest and the facts that would support a civil commitment.

(c) Facilitate the individual's transfer to jail.

(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

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offense, the treatment options available, the ability of this department to regain custody of the individual, department resources (e.g., posting a guard) and other relevant factors in making this decision.

409.9 FIREARMS AND OTHER WEAPONS

Whenever an individual is taken into custody for a civil commitment, the handling officers should seek to determine if the individual owns or has access to any firearm or other deadly weapon. Officers should consider whether it is appropriate and consistent with current search and seizure law under the circumstances to seize any such firearms or other dangerous weapons (e.g., safekeeping, evidence, consent).

Officers are cautioned that a search warrant may be needed before entering a residence or other place to search, unless lawful, warrantless entry has already been made (e.g., exigent circumstances, consent). A warrant may also be needed before searching for or seizing weapons.

The handling officers should further advise the individual of the procedure for the return of any firearm or other weapon that has been taken into custody.

409.10 TRAINING

This department will endeavor to provide department-approved training on interaction with mentally disabled persons, civil commitments and crisis intervention.

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Citation Releases

410.1 PURPOSE AND SCOPE

The purpose of this policy is to provide members of the Oro Valley Police Department with guidance on when to release adults who are suspected offenders on a written notice to appear and complaint for a criminal offense, rather than having the person held in custody for a court appearance or released on bail (ARS § 13-3903).

Additional release restrictions may apply to those detained for domestic violence, as outlined in the Domestic Violence Policy.

410.2 POLICY

The Oro Valley Police Department will consider its resources and its mission of protecting the community when exercising any discretion to release suspected offenders on a written notice to appear and complaint, when authorized to do so.

410.3 RELEASE

A suspected offender may be released on issuance of a notice to appear and complaint if the person is arrested for a misdemeanor offense or a petty offense (ARS § 13-3903). Any release pursuant to ARS § 13-3903 does not affect an officer's authority to conduct a lawful search incident to arrest even though the arrested person is released before being taken to a station, booking facility or magistrate (ARS § 13-3903).

410.3.1 RELEASE FOLLOWING FINGERPRINTING

For offenses listed in ARS § 41-1750(C), the offender shall not be released until proof of proper identification and a fingerprint or two fingerprint biometric-based identifier is obtained. If a 10-print fingerprint card is not completed, the person shall be provided with a mandatory fingerprint compliance form with appropriate information and instructions for reporting for 10-print fingerprinting, including available times and locations (ARS § 13-3890; ARS § 13-3903; ARS § 41-1750).

410.4 PROHIBITIONS

The release of a suspected offender on a notice to appear and complaint is not permitted when the person is arrested for disobeying or resisting an injunction prohibiting harassment (ARS § 12-1809) or workplace harassment (ARS § 12-1810), or disobeying or resisting a preliminary injunction or temporary order relative to dissolution of marriage, legal separation or annulment (ARS § 25-315).

See the Domestic Violence Policy for release restrictions related to those investigations.

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Diplomatic and Consular Contacts

411.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure that members of the Oro Valley Police Department extend appropriate privileges and immunities to foreign diplomatic and consular representatives in accordance with international law.

411.2 POLICY

The Oro Valley Police Department respects international laws related to the special privileges and immunities afforded foreign diplomatic and consular representatives assigned to the United States.

All foreign diplomatic and consular representatives shall be treated with respect and courtesy, regardless of any privileges or immunities afforded them.

411.3 CLAIMS OF IMMUNITY

If a member comes into contact with a person where law enforcement action may be warranted and the person claims diplomatic or consular privileges and immunities, the member should, without delay:

(a) Notify a supervisor.

(b) Advise the person that his/her claim will be investigated and he/she may be released in accordance with the law upon confirmation of the person's status.

(c) Request the person's identification card, either issued by the U.S. Department of State (DOS), Office of the Chief of Protocol, or in the case of persons accredited to the United Nations, by the U.S. Mission to the United Nations. These are the only reliable documents for purposes of determining privileges and immunities.

(d) Contact the DOS Diplomatic Security Command Center at 571-345-3146 or toll free at 866-217-2089, or at another current telephone number and inform the center of the circumstances.

(e) Verify the immunity status with DOS and follow any instructions regarding further detention, arrest, prosecution and/or release, as indicated by the DOS representative. This may require immediate release, even if a crime has been committed.

(f) Record all relevant information from any driver license or identification card, including a driver license or identification card issued by DOS (ARS § 28-1652(2)).

Identity or immunity status should not be presumed from the type of license plates displayed on a vehicle. If there is a question as to the status or the legitimate possession of a Diplomat or Consul license plate, a query should be run via the National Law Enforcement Telecommunications System (NLETS), designating "US" as the state.

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411.4 ENFORCEMENT ACTION

If the DOS is not immediately available for consultation regarding law enforcement action, members shall be aware of the following:

(a) Generally, all persons with diplomatic and consular privileges and immunities may be issued a citation or notice to appear. However, the person may not be compelled to sign the citation.

(b) All persons, even those with a valid privilege or immunity, may be reasonably restrained in exigent circumstances for purposes of self-defense, public safety or the prevention of serious criminal acts.

(c) An impaired foreign diplomatic or consular representative may be prevented from driving a vehicle, even if the person may not be arrested due to privileges and immunities.

1. Investigations, including the request for field sobriety tests, chemical tests and any other tests regarding impaired driving may proceed but they shall not be compelled.

(d) The following persons may not be detained or arrested, and any property or vehicle owned by these persons may not be searched or seized:

1. Diplomatic-level staff of missions to international organizations and recognized family members
2. Diplomatic agents and recognized family members
3. Members of administrative and technical staff of a diplomatic mission and recognized family members
4. Career consular officers, unless the person is the subject of a felony warrant

(e) The following persons may generally be detained and arrested:

1. International organization staff; however, some senior officers are entitled to the same treatment as diplomatic agents.
2. Support staff of missions to international organizations
3. Diplomatic service staff and consular employees; however, special bilateral agreements may exclude employees of certain foreign countries.
4. Honorary consular officers

411.5 DOCUMENTATION

All contacts with persons who have claimed privileges and immunities afforded foreign diplomatic and consular representatives should be thoroughly documented and the related reports forwarded to DOS.

(a) Within five working days after the date of any traffic stop of persons with diplomatic or consular privileges, forward all of the following to the Arizona Department of Public Safety (DPS) (ARS § 28-1652(3)):

1. If the driver is involved in a vehicle accident, forward the vehicle accident report.

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2. If a citation was issued to the driver, forward a copy of the citation.
3. If a citation was not issued to the driver, forward a written report of the incident.

411.6 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
Diplomatic Agent	No (note (b))	No	Yes	No	No	Same as Sponsor (full immunity and inviolability)
Member of Admin and Tech Staff	No (note (b))	No	Yes	No	No	Same as sponsor (full immunity and inviolability)
Service Staff	Yes (note (a))	Yes	Yes	Yes	No for official acts. Yes otherwise (note(a))	No immunity or inviolability (note (a))
Career Consul Officer	Yes if for a felony and pursuant to a warrant (note (a))	Yes (note (d))	Yes	No for official acts. Testimony may not be compelled in any case	No for official acts. Yes otherwise (note (a))	No immunity or inviolability
Honorable Consul Officer	Yes	Yes	Yes	No for official acts. Yes Otherwise.	No for official acts. Yes otherwise.	No immunity or inviolability
Consulate Employees	Yes (note (a))	Yes	Yes	No for official acts. Yes Otherwise.	No for official acts. Yes Otherwise (note (a))	No immunity or inviolability (note (a))
Int'l Org Staff (note (b))	Yes (note (c))	Yes (note (c))	Yes	Yes (note (c))	No for official acts. Yes otherwise (note (a))	No immunity or inviolability
Diplomatic-Level Staff of Missions to Int'l Org	No (note (b))	No	Yes	No	No	Same as sponsor (full immunity and inviolability)
Support Staff of Missions to Int'l Org	Yes	Yes	Yes	Yes	No for official acts. Yes otherwise.	No immunity or inviolability

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Notes for diplomatic immunity table:

(a) This table presents general rules. The employees of certain foreign countries may enjoy higher levels of privileges and immunities on the basis of special bilateral agreements.

(b) Reasonable constraints, however, may be applied in emergency circumstances involving self-defense, public safety, or in the prevention of serious criminal acts.

(c) A small number of senior officers are entitled to be treated identically to diplomatic agents.

(d) Note that consul residences are sometimes located within the official consular premises. In such cases, only the official office space is protected from police entry.

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Rapid Response and Deployment

412.1 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 officers in situations that call for rapid response and deployment.

412.2 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.

412.3 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.

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(e) Whether the officers have the ability to effectively communicate with other personnel or resources.

(f) Whether planned tactics can be effectively deployed.

(g) The availability of rifles, shotguns, shields, breaching tools, control devices and any other appropriate tools, and whether the deployment of these tools will provide a tactical advantage.

In the case of a barricaded or trapped suspect, with no hostages and no immediate threat to others, officers should consider covering escape routes and evacuating persons as appropriate, while summoning and waiting for additional assistance (e.g., special tactics and/or hostage negotiation team response).

412.4 PLANNING

The Field Services 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.

412.5 TRAINING

The Training Coordinator should include rapid response to critical incidents in the training plan. This training should address:

(a) Orientation to likely critical incident target sites, such as schools, shopping centers, entertainment and sporting event venues.

(b) Communications interoperability with other law enforcement and emergency service agencies.

(c) Patrol first-response training, including patrol rifle, shotgun, breaching tool and control device training.

(d) First aid, including gunshot trauma.

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(e) Reality-based scenario training (e.g., active shooter, disgruntled violent worker).

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Crisis Intervention Incidents

413.1 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.

413.1.1 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.

413.2 POLICY

The Oro Valley 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.

413.3 SIGNS

Members should be alert to any of the following possible signs of mental health issues or crises:

(a) A known history of mental illness

(b) Threats of or attempted suicide

(c) Loss of memory

(d) Incoherence, disorientation or slow response

(e) Delusions, hallucinations, perceptions unrelated to reality or grandiose ideas

(f) Depression, pronounced feelings of hopelessness or uselessness, extreme sadness or guilt

(g) Social withdrawal

(h) Manic or impulsive behavior, extreme agitation, lack of control

(i) Lack of fear

(j) Anxiety, aggression, rigidity, inflexibility or paranoia

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Members should be aware that this list is not exhaustive. The presence or absence of any of these should not be treated as proof of the presence or absence of a mental health issue or crisis.

413.4 COORDINATION WITH MENTAL HEALTH PROFESSIONALS

The Support Services Lieutenant will collaborate with mental health professionals to develop an education and response protocol. It should include a list of community resources, to guide department interaction with those who may be suffering from mental illness or who appear to be in a mental health crisis.

413.5 FIRST RESPONDERS

Safety is a priority for first responders. It is important to recognize that individuals under the influence of alcohol, drugs or both may exhibit symptoms that are similar to those of a person in a mental health crisis. These individuals may still present a serious threat to officers; such a threat should be addressed with reasonable tactics. Nothing in this policy shall be construed to limit an officer's authority to use reasonable force when interacting with a person in crisis.

Officers are reminded that mental health issues, mental health crises and unusual behavior alone are not criminal offenses. Individuals may benefit from treatment as opposed to incarceration.

An officer responding to a call involving a person in crisis should:

(a) Promptly assess the situation independent of reported information and make a preliminary determination regarding whether a mental health crisis may be a factor.

(b) Request available backup officers and specialized resources as deemed necessary and, if it is reasonably believed that the person is in a crisis situation, use conflict resolution and de-escalation techniques to stabilize the incident as appropriate.

(c) If feasible, and without compromising safety, turn off flashing lights, bright lights or sirens.

(d) Attempt to determine if weapons are present or available.

(e) Take into account the person's mental and emotional state and potential inability to understand commands or to appreciate the consequences of his/her action or inaction, as perceived by the officer.

(f) Secure the scene and clear the immediate area as necessary.

(g) Employ tactics to preserve the safety of all participants.

(h) Determine the nature of any crime.

(i) Request a supervisor, as warranted.

(j) Evaluate any available information that might assist in determining cause or motivation for the person's actions or stated intentions.

(k) If circumstances reasonably permit, consider and employ alternatives to force.

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413.6 DE-ESCALATION

Officers should consider that taking no action or passively monitoring the situation may be the most reasonable response to a mental health crisis.

Once it is determined that a situation is a mental health crisis and immediate safety concerns have been addressed, responding members should be aware of the following considerations and should generally:

- Evaluate safety conditions.
- Introduce themselves and attempt to obtain the person's name.
- Be patient, polite, calm, courteous and avoid overreacting.
- Speak and move slowly and in a non-threatening manner.
- Moderate the level of direct eye contact.
- Remove distractions or disruptive people from the area.
- Demonstrate active listening skills (e.g., summarize the person's verbal communication).
- Provide for sufficient avenues of retreat or escape should the situation become volatile.

Responding officers generally should not:

- 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.

413.7 INCIDENT ORIENTATION

When responding to an incident that may involve mental illness or a mental health crisis, the dispatcher should provide critical information as it becomes available. This includes:

(a) Whether the person relies on drugs or medication, or may have failed to take his/her medication.

(b) Whether there have been prior incidents, suicide threats/attempts, and whether there has been previous police response.

(c) Contact information for a treating physician or mental health professional.

Additional resources and a supervisor should be requested as warranted.

413.8 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.

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(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.

(f) Evaluate whether a critical incident stress management debriefing for involved member's is warranted.

413.9 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.

413.9.1 DIVERSION

Individuals who are not being arrested should be processed in accordance with the Civil Commitments Policy.

413.10 CIVILIAN INTERACTION WITH PEOPLE IN CRISIS

Civilian members may be required to interact with persons in crisis in an administrative capacity, such as dispatching and records request.

(a) Members should treat all individuals equally and with dignity and respect.

(b) If a member believes that he/she is interacting with a person in crisis, he/she should proceed patiently and in a calm manner.

(c) Members should be aware and understand that the person may make unusual or bizarre claims or requests.

If a person's behavior makes the member feel unsafe, if the person is or becomes disruptive or violent, or if the person acts in such a manner as to cause the member to believe that the person may be harmful to him/herself or others, an officer should be promptly summoned to provide assistance.

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413.11 TRAINING

In coordination with the mental health community and appropriate stakeholders, the Department should develop and provide comprehensive education and training to all department members to enable them to effectively interact with persons in crisis.

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Immigration Violations

414.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines to members of the Oro Valley Police Department relating to immigration and interacting with federal immigration officials.

414.1.1 DEFINITIONS

Definitions related to this policy include:

Detentions - A detention occurs when an officer intentionally, through words, actions or physical force causes a reasonable individual to believe he/she is being required to restrict his/her movement. Detentions also occur when an officer actually restrains a person's freedom of movement.

Consensual contacts - A consensual contact occurs 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.

414.2 POLICY

It is the policy of the Oro Valley Police Department that all members make personal and professional commitments to equal enforcement of the law and equal service to the public. Confidence in this commitment will increase the effectiveness of this department in protecting and serving the entire community and recognizing the dignity of all persons, regardless of their national origin or immigration status.

414.3 DETENTIONS

An officer should not detain any individual, for any length of time, for a civil violation of federal immigration laws or a related civil warrant.

An officer who has a reasonable suspicion that an individual already lawfully contacted or detained has committed a criminal violation of federal immigration law may detain the person for a reasonable period of time in order to contact federal immigration officials to verify whether an immigration violation is a federal civil violation or a criminal violation. If the violation is a criminal violation, the officer may continue to detain the person for a reasonable period of time if requested by federal immigration officials (8 USC § 1357(g)(10)). No individual who is otherwise ready to be released should continue to be detained only because questions about the individual's status are unresolved.

If the officer has facts that establish probable cause to believe that a person already lawfully detained has committed a criminal immigration offense, he/she may continue the detention and may request a federal immigration official to respond to the location to take custody of the detained person (8 USC § 1357(g)(10)).

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An officer is encouraged to forgo detentions made solely on the basis of a misdemeanor offense when time limitations, availability of personnel, issues of officer safety, communication capabilities, or the potential to obstruct a separate investigation outweigh the need for the detention.

An officer should notify a supervisor as soon as practicable whenever an individual is being detained for a criminal immigration violation.

414.3.1 DETERMINING IMMIGRATION STATUS DURING STOPS AND DETENTIONS

Unless it would hinder an investigation, officers shall, when practicable, make a reasonable attempt to determine the immigration status of any person lawfully stopped or detained in the enforcement of any state or local law or ordinance where reasonable suspicion exists that the person is unlawfully present in the United States (ARS § 11-1051).

Attempts to determine the immigration status of a detained person should not prolong the detention beyond the time it takes to complete the original investigation or other valid enforcement action.

A person is presumed to be lawfully present in the United States if the person provides any of the following (ARS § 11-1051):

(a) A valid Arizona driver license or a valid Arizona non-operating identification license

(b) A valid tribal enrollment card or other form of tribal identification

(c) Any valid federal, state, or local government-issued identification where proof of legal presence in the United States was required before issuance

If appropriate documentation has been presented to the officer, no obligation exists to pursue further investigation unless additional reasonable inquiry is warranted.

Circumstances may arise that make reasonable attempts to determine the immigration status of a stopped or detained person impracticable (ARS § 11-1051). Examples of these circumstances include but are not limited to time limitations, availability of personnel or other resources, issues of officer safety, and communication capabilities. Officers do not need a supervisor's approval to forgo such attempts in these circumstances but are expected to make reasonable decisions in good faith and based upon the totality of the circumstances presented at the time. Officers who determine that no inquiry regarding a detained person's immigration status is warranted should notify a supervisor and document the reason for no inquiry or for an incomplete inquiry in an associated dispatch log, Field Interview card, or report.

414.3.2 SUPERVISOR RESPONSIBILITIES

When notified that an officer has detained an individual and established reasonable suspicion or probable cause to believe the person has violated a criminal immigration offense, the supervisor should determine whether it is appropriate to:

(a) Transfer the person to federal authorities.

(b) Lawfully arrest the person for a criminal offense or pursuant to a judicial warrant (see the Law Enforcement Authority Policy).

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414.4 ARRESTS

Any person who is arrested shall have his/her immigration status checked. Unless the arrestee continues to be suspected of some crime for which he/she may be held, custody should not be prolonged for the immigration inquiry. The result of an immigration inquiry should be documented, even if the arrestee has been released (ARS § 11-1051).

Supervisor notification is required prior to any arrest or vehicle impound related to or based upon a person's immigration status.

414.5 U VISA AND T VISA NONIMMIGRANT STATUS

Under certain circumstances, federal law allows temporary immigration benefits, known as a U visa, to victims and witnesses of certain qualifying crimes (8 USC § 1101(a)(15)(U)).

Similar immigration protection, known as a T visa, is available for certain qualifying victims of human trafficking (8 USC § 1101(a)(15)(T)).

Any request for assistance in applying for U visa or T visa status should be forwarded in a timely manner to the Criminal Investigations Unit supervisor assigned to oversee the handling of any related case. The Criminal Investigations Unit supervisor should:

(a) Consult with the assigned investigator to determine the current status of any related case and whether further documentation is warranted.

(b) Contact the appropriate prosecutor assigned to the case, if applicable, to ensure the certification or declaration has not already been completed and whether a certification or declaration is warranted.

(c) Address the request and complete the certification or declaration, if appropriate, in a timely manner.

    1. The instructions for completing certification and declaration forms can be found on the U.S. Department of Homeland Security (DHS) website.

(d) Ensure that any decision to complete, or not complete, a certification or declaration form is documented in the case file and forwarded to the appropriate prosecutor. Include a copy of any completed form in the case file.

414.6 PROCEDURES FOR IMMIGRATION COMPLAINTS

Reasonable options when a person reports immigration violations include referrals to federal immigration officials and/or the Arizona Attorney General's office if the report relates to employment violations.

414.7 FEDERAL REQUESTS FOR ASSISTANCE

Requests by federal immigration officials for assistance from this department should be directed to a supervisor. The Department may provide available support services, such as traffic control or peacekeeping efforts.

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414.8 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 without regard to race, ethnicity, or national origin in any way that would violate the United States or Arizona constitutions.

414.9 INFORMATION SHARING

No member of this department will prohibit, or in any way restrict, any other member from doing any of the following regarding the citizenship or immigration status, lawful or unlawful, of any individual (8 USC § 1373):

(a) Sending information to, or requesting or receiving such information from federal immigration officials

(b) Maintaining such information in department records

(c) Exchanging such information with any other federal, state, or local government entity

(d) Members will not limit or restrict the enforcement of federal immigration laws to less than the full extent permitted by federal law (ARS § 11-1051).

414.9.1 IMMIGRATION DETAINERS

No individual should be held based solely on a federal immigration detainer under 8 CFR 287.7 unless the person has been charged with a federal crime or the detainer is accompanied by a warrant, affidavit of probable cause, or removal order. Notification to the federal authority issuing the detainer should be made prior to the release.

414.10 TRAINING

The Training Coordinator should ensure officers receive training on this policy.

Training should include:

(a) Identifying civil versus criminal immigration violations.

(b) Factors that may be considered in determining whether a criminal immigration offense has been committed.

(c) Immigration training offered by Arizona POST.

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Emergency Utility Service

415.1 PURPOSE AND SCOPE

The Town has personnel available to handle emergency calls 24 hours per day, seven days a week. Calls for service during non-business hours are frequently directed to the Police Department. Requests for such service received by this department should be handled in the following manner.

415.1.1 BROKEN WATER LINES

The Town's responsibility ends at the water meter. Any break or malfunction in the water system from the water meter to the citizen's residence or business is the customer's responsibility. The Town's Water Department can only turn off the valve at the meter. The citizen can normally accomplish this.

If a break occurs on the Town side of the meter, emergency personnel should be called as soon as practicable by Communications Bureau.

415.1.2 ELECTRICAL LINES

The Town does not maintain electrical lines to street light poles. When a power line poses a hazard, an officer should be dispatched to protect against personal injury or property damage that might be caused by power lines. The electric company or the Town's Public Works Department should be promptly notified, as appropriate.

415.1.3 RESERVOIRS, PUMPS AND WELLS

The Town's Water Department maintains the reservoirs and public water equipment, as well as several underpass and other street drainage pumps. In the event of flooding or equipment malfunctions, emergency personnel should be contacted as soon as possible.

415.1.4 EMERGENCY NUMBERS

A current list of emergency personnel who are to be called for municipal utility emergencies will be maintained by Communications Bureau.

415.2 TRAFFIC SIGNAL MAINTENANCE

The Town of Oro Valley maintains all traffic signals within the Town, other than those maintained by the Arizona Department of Transportation (ADOT).

415.2.1 OFFICER’S RESPONSIBILITIES

Upon observing a damaged or malfunctioning signal, the officer will advise Communications Bureau of the location and problem with the signal. The dispatcher should make the necessary notification to the proper maintenance agency.

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Aircraft Crashes

416.1 PURPOSE AND SCOPE

The purpose of this policy is to provide department members with guidelines for handling aircraft accidents.

This policy does not supersede, and is supplementary to, applicable portions of the Crime and Disaster Scene Integrity, Emergency Operations Plan and Hazardous Material Response policies.

416.1.1 DEFINITIONS

Definitions related to this policy include:

Aircraft - Any fixed wing aircraft, rotorcraft, balloon, blimp/dirigible or glider that is capable of carrying a person or any unmanned aerial vehicle other than those intended for non-commercial recreational use.

416.2 POLICY

It is the policy of the Oro Valley Police Department to provide an appropriate emergency response to aircraft accidents. This includes emergency medical care and scene management.

416.3 ARRIVAL AT SCENE

Officers or other authorized members tasked with initial scene management should establish an inner and outer perimeter to:

(a) Protect persons and property.

(b) Prevent any disturbance or further damage to the wreckage or debris, except to preserve life or rescue the injured.

(c) Preserve ground scars and marks made by the aircraft.

(d) Manage the admission and access of public safety and medical personnel to the extent necessary to preserve life or to stabilize hazardous materials.

(e) Maintain a record of persons who enter the accident site.

(f) Consider implementation of an Incident Command System (ICS).

416.4 INJURIES AND CASUALTIES

Members should address emergency medical issues and provide care as a first priority.

Those tasked with the supervision of the scene should coordinate with the National Transportation Safety Board (NTSB) before the removal of bodies. If that is not possible, the scene supervisor should ensure documentation of what was disturbed, including switch/control positions and instrument/gauge readings.

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416.5 NOTIFICATIONS

When an aircraft accident is reported to this department, the responding supervisor shall ensure notification is or has been made to NTSB, the Federal Aviation Administration (FAA), and when applicable, the appropriate branch of the military.

Supervisors shall ensure other notifications are made once an aircraft accident has been reported. The notifications will vary depending on the type of accident, extent of injuries or damage and the type of aircraft involved. When an aircraft accident has occurred, it is generally necessary to notify the following:

(a) Fire department

(b) Appropriate airport tower

(c) Emergency medical services (EMS)

416.6 CONTROLLING ACCESS AND SCENE AUTHORITY

Prior to NTSB arrival, scene access should be limited to authorized personnel from the:

(a) FAA.

(b) Fire department, EMS or other assisting law enforcement agencies.

(c) Medical Examiner.

(d) Air Carrier/Operators investigative teams with NTSB approval.

(e) Appropriate branch of the military, when applicable.

(f) Other emergency services agencies (e.g., hazardous materials teams, biohazard decontamination teams, fuel recovery specialists, explosive ordnance disposal specialists).

The NTSB has primary responsibility for investigating accidents involving civil aircraft. In the case of a military aircraft accident, the appropriate branch of the military will have primary investigation responsibility.

After the NTSB or military representative arrives on-scene, the efforts of this department will shift to a support role for those agencies.

If NTSB or a military representative determines that an aircraft or accident does not qualify under its jurisdiction, the on-scene department supervisor should ensure the accident is still appropriately investigated and documented.

416.7 DANGEROUS MATERIALS

Members should be aware of potentially dangerous materials that might be present. These may include, but are not limited to:

(a) Fuel, chemicals, explosives, biological or radioactive materials and bombs or other ordnance.

(b) Pressure vessels, compressed gas bottles, accumulators and tires.

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(c) Fluids, batteries, flares and igniters.

(d) Evacuation chutes, ballistic parachute systems and composite materials.

416.8 DOCUMENTATION

All aircraft accidents occurring within the Town of Oro Valley 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 OVPD members deployed to assist; other Town resources that were utilized; and cross-reference information to other investigating agencies. Suspected criminal activity should be documented in the appropriate crime report.

416.8.1 WRECKAGE

When reasonably safe, members should:

(a) Obtain the aircraft registration number (N number) and note the type of aircraft.

(b) Attempt to ascertain the number of casualties.

(c) Obtain photographs or video of the overall wreckage, including the cockpit and damage, starting at the initial point of impact, if possible, and any ground scars or marks made by the aircraft.

1. Military aircraft may contain classified equipment and therefore shall not be photographed unless authorized by a military commanding officer (18 USC § 795).

(d) Secure, if requested by the lead authority, any electronic data or video recorders from the aircraft that became dislodged or cell phones or other recording devices that are part of the wreckage.

(e) Acquire copies of any recordings from security cameras that may have captured the incident.

416.8.2 WITNESSES

Members tasked with contacting witnesses should obtain:

(a) The location of the witness at the time of his/her observation relative to the accident site.

(b) A detailed description of what was observed or heard.

(c) Any photographs or recordings of the accident witnesses may be willing to voluntarily surrender.

(d) The names of all persons reporting the accident, even if not yet interviewed.

(e) Any audio recordings of reports to 9-1-1 regarding the accident and dispatch records.

416.9 MEDIA RELATIONS

The Public Information Officer (PIO) should coordinate a response to the media, including access issues, road closures, detours and any safety information that is pertinent to the surrounding community. Any release of information regarding details of the accident itself should

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be coordinated with the NTSB or other authority who may have assumed responsibility for the investigation.

Depending on the type of aircraft, the airline or the military may be responsible for family notifications and the release of victims' names. The PIO should coordinate with other involved entities before the release of information.

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Field Training Officer Program

417.1 PURPOSE AND SCOPE

The Field Training Officer Program is intended to provide a standardized program to facilitate the officer's transition from the academic setting to the actual performance of general law enforcement duties of the Oro Valley Police Department.

It is the policy of this department to assign all new police officers to a structured Field Training Officer Program that is designed to prepare the new officer to perform in a patrol assignment and to acquire all of the skills needed to operate in a safe, productive and professional manner.

417.2 FIELD TRAINING OFFICER

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.

417.2.1 SELECTION PROCESS

FTOs will be selected based on the following requirements:

(a) Desire to be an FTO.

(b) Off probation.

(c) Demonstrated ability as a positive role model.

(d) Evaluation by supervisors and current FTOs.

417.2.2 TRAINING

An officer selected as a Field Training Officer shall successfully complete a Field Training Officer's course approved by the Department prior to being assigned as an FTO.

417.3 FIELD TRAINING OFFICER PROGRAM SUPERVISOR

The Field Training Officer Program Supervisor will be selected from the rank of sergeant or above by the Field Services Division Commander or a designee and should have completed supervisory probation.

The responsibilities of the FTO Program Supervisor include the following:

(a) Assignment of trainees to FTOs.

(b) Conduct FTO meetings.

(c) Maintain and ensure FTO/trainee performance evaluations are completed.

(d) Maintain, update and issue the Field Training Manual to each trainee.

(e) Monitor individual FTO performance.

(f) Monitor overall FTO Program.

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(g) Maintain liaison with FTO coordinators of other agencies.

(h) Maintain liaison with academy staff on recruit performance during the academy.

(i) Develop ongoing training for FTOs.

417.4 TRAINEE DEFINED

Trainee (OIT - Officer In Training) - Any entry level or lateral police officer newly appointed to the Oro Valley Police Department.

417.5 REQUIRED TRAINING

Entry level officers shall be required to successfully complete the Field Training Program.

The training period for lateral officers may be modified depending on the trainee's demonstrated performance and level of experience, but shall consist of a minimum of eight weeks.

The required training will take place on at least two different shifts and with at least two different FTOs if reasonably possible.

417.5.1 FIELD TRAINING MANUAL

Each new officer will be issued a Field Training Manual at the beginning of his/her Primary Training Phase. This manual is an outline of the subject matter and skills necessary to properly function as an officer with the Oro Valley Police Department. The officer shall become knowledgeable of the subject matter as outlined. He/she shall also become proficient with those skills as set forth in the manual.

The Field Training Manual will specifically cover those policies, procedures, rules and regulations of the Oro Valley Police Department.

417.6 EVALUATIONS

Evaluations are an important component of the training process and shall be completed as outlined below.

417.6.1 FIELD TRAINING OFFICER

(a) FTOs shall complete and submit a written evaluation on the performance of their assigned trainee to the FTO program supervisor on a daily basis.

(b) FTOs shall review the Daily Trainee Performance Evaluations with the trainee each day.

(c) An end-of-phase evaluation summary on the assigned trainee shall be completed by the FTO at the end of each phase of training.

(d) FTOs shall be responsible for signing off on all completed topics contained in the Field Training Manual, noting the method of learning and evaluating the performance of the assigned trainee.

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417.6.2 TRAINEE

At the completion of the Field Training Program, the trainee shall be provided the opportunity to provide feedback on each of his/her FTOs and of the Field Training Program.

417.7 DOCUMENTATION

All documentation of the Field Training Program will be retained in the officer's training files and will consist of the following:

(a) Daily Trainee Performance Evaluations.

(b) End of phase evaluations.

(c) All other signed documentation from their field training manual.

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Obtaining Air Support Assistance

418.1 PURPOSE AND SCOPE

The use of air support can be invaluable in certain situations. This policy specifies potential situations where the use of air support may be requested and the responsibilities for making a request.

418.2 REQUEST FOR AIR SUPPORT ASSISTANCE

If a supervisor or officer in charge of an incident determines that the use of air support would be beneficial, a request to obtain air support assistance may be made.

418.2.1 REQUEST FOR ASSISTANCE FROM ANOTHER AGENCY

After consideration and approval of the request for air support, Communications Bureau will call the closest agency having air support available. The dispatcher will apprise that agency of the specific details of the incident prompting the request.

418.2.2 CIRCUMSTANCES UNDER WHICH AID MAY BE REQUESTED

Law enforcement air support may be requested under any of the following conditions:

(a) When the aircraft is activated under existing mutual aid agreements.

(b) Whenever the safety of law enforcement personnel is in jeopardy and the presence of the aircraft may reduce such hazard.

(c) When the use of aircraft will aid in the capture of a suspected fleeing felon whose continued freedom represents an ongoing threat to the community.

(d) When an aircraft is needed to locate a person who is lost and whose continued absence constitutes a serious health or safety hazard.

(e) Vehicle pursuits.

(f) Pre-planned events or actions that require air support.

(g) When the Sergeant or equivalent authority determines a reasonable need exists.

While it is recognized that the availability of air support will generally provide valuable assistance to ground personnel, the presence of air support will rarely replace the need for officers on the ground.

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Contacts and Temporary Detentions

419.1 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.

419.1.1 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 an 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 an 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.

419.2 POLICY

The Oro Valley Police Department respects the right of the public to be free from unreasonable searches or seizures. Due to an unlimited variety of situations confronting the officer, the decision to temporarily detain a person and complete an FI, pat-down search, or field photograph shall be left to the officer based on the totality of the circumstances, officer safety considerations, and constitutional safeguards.

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419.3 FIELD INTERVIEWS

Based on observance of suspicious circumstances or upon information from investigation, an officer may initiate the stop of a person, and conduct an FI, when there is articulable, reasonable suspicion to do so. A person, however, shall not be detained longer than is reasonably necessary to resolve the officer's suspicion.

Nothing in this policy is intended to discourage consensual contacts. Frequent casual contact with consenting individuals is encouraged by the Oro Valley Police Department to strengthen community involvement, community awareness, and problem identification.

419.3.1 INITIATING A FIELD INTERVIEW

When initiating the stop, the officer should be able to point to specific facts which, when considered with the totality of the circumstances, reasonably warrant the stop. Such facts include but are not limited to an individual's:

(a) Appearance or demeanor suggesting that he/she is part of a criminal enterprise or is engaged in a criminal act.

(b) Actions suggesting that he/she is engaged in a criminal activity.

(c) Presence in an area at an inappropriate hour of the day or night.

(d) Presence in a particular area is suspicious.

(e) Carrying of suspicious objects or items.

(f) Excessive clothes for the climate or clothes bulging in a manner that suggest he/she is carrying a dangerous weapon.

(g) Location in proximate time and place to an alleged crime.

(h) Physical description or clothing worn that matches a suspect in a recent crime.

(i) Prior criminal record or involvement in criminal activity as known by the officer.

419.4 PAT-DOWN SEARCHES

Once a valid stop has been made, and consistent with the officer's training and experience, the officer may pat a suspect's outer clothing for weapons if the officer has a reasonable, articulable suspicion the suspect may pose a safety risk. The purpose of this limited search is not to discover evidence of a crime, but to allow the officer to pursue the investigation without fear of violence. Circumstances that may establish justification for performing a pat-down search include but are not limited to:

(a) The type of crime suspected, particularly in crimes of violence where the use or threat of weapons is involved.

(b) Where more than one suspect must be handled by a single officer.

(c) The hour of the day and the location or area where the stop takes place.

(d) Prior knowledge of the suspect's use of force and/or propensity to carry weapons.

(e) The actions and demeanor of the suspect.

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(f) Visual indications which suggest that the suspect is carrying a firearm or other dangerous weapon.

Whenever practicable, a pat-down search should not be conducted by a lone officer. A cover officer should be positioned to ensure safety and should not be involved in the search.

419.5 FIELD PHOTOGRAPHS

All available databases should be searched before photographing any field detainee. If a photograph is not located, or if an existing photograph no longer resembles the detainee, the officer shall carefully consider, among other things, the factors listed below.

419.5.1 FIELD PHOTOGRAPHS TAKEN WITH CONSENT

Field photographs may be taken when the subject being photographed knowingly and voluntarily gives consent. When taking a consensual photograph, the officer should have the individual read and sign the appropriate form accompanying the photograph.

419.5.2 FIELD PHOTOGRAPHS TAKEN WITHOUT CONSENT

Field photographs may be taken without consent only if they are taken during a detention that is based upon reasonable suspicion of criminal activity, and the photograph serves a legitimate law enforcement purpose related to the detention. The officer must be able to articulate facts that reasonably indicate that the subject was involved in or was about to become involved in criminal conduct. The subject should not be ordered to remove or lift any clothing for the purpose of taking a photograph.

If, prior to taking a photograph, the officer's reasonable suspicion of criminal activity has been dispelled, the detention must cease and the photograph should not be taken.

All field photographs and related reports shall be submitted to a supervisor and retained in compliance with this policy.

419.5.3 DISPOSITION OF PHOTOGRAPHS

All detainee photographs must be adequately labeled and submitted to the Sergeant with either an associated FI card or other documentation explaining the nature of the contact. If an individual is photographed as a suspect in a particular crime, the photograph should be submitted as an evidence item in the related case, following standard evidence procedures.

If a photograph is not associated with an investigation where a case number has been issued, the Sergeant should review and forward the photograph to one of the following locations:

(a) If the photograph and associated FI or documentation is relevant to criminal organization/enterprise enforcement, the Sergeant will forward the photograph and documents to the designated criminal intelligence system supervisor. The supervisor will ensure the photograph and supporting documents are retained as prescribed in the Criminal Intelligence Systems Policy.

(b) Photographs that do not qualify for retention in a criminal intelligence system or temporary information file shall be forwarded to the Records Unit.

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When a photograph is taken in association with a particular case, the investigator may use such photograph in a photo lineup. Thereafter, the individual photograph should be retained as a part of the case file. All other photographs shall be retained in accordance with the established records retention schedule.

419.5.4 SUPERVISOR RESPONSIBILITIES

While it is recognized that field photographs often become valuable investigative tools, supervisors should monitor such practices in view of the above listed considerations. This is not to imply that supervisor approval is required before each photograph is taken. Access to, and use of, field photographs shall be strictly limited to law enforcement purposes.

419.6 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, officer 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 or recorded verbal statement of consent should be obtained prior to transporting a witness. When the witness is a minor, consent should be obtained from the parent or guardian, if available, prior to transport.

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Criminal Intelligence Systems

420.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that the Oro Valley Police Department appropriately utilizes criminal intelligence systems and temporary information filesto support investigations of criminal organizations and enterprises.

420.1.1 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.

Gang Unit - Criminal Investigations Unit.

Gang Unit Supervisor - Criminal Investigations Unit Supervisor.

420.2 POLICY

The Oro Valley 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.

420.3 CRIMINAL INTELLIGENCE SYSTEMS

No department member may create, submit to or obtain information from a criminal intelligence system unless the Chief of Police has approved the system for department use.

Any criminal intelligence system approved for department use should meet or exceed the standards of 28 CFR 23.20.

A designated supervisor will be responsible for maintaining each criminal intelligence system that has been approved for department use. The supervisor or the authorized designee should ensure the following:

(a) Members using any such system are appropriately selected and trained.

(b) Use of every criminal intelligence system is appropriately reviewed and audited.

(c) Any system security issues are reasonably addressed.

420.3.1 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

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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 Unit. Any supporting documentation for an entry shall be retained by the Records Unit in accordance with the established records retention schedule and for at least as long as the entry is maintained in the system.

The designated supervisor should ensure that any documents retained by the Records Unit are appropriately marked as intelligence information. The Records Supervisor may not purge such documents without the approval of the designated supervisor.

420.4 TEMPORARY INFORMATION FILE

No member may create or keep files on individuals that are separate from the approved criminal intelligence system. However, members may maintain temporary information that is necessary to actively investigate whether a person or group qualifies for entry into the department-approved CIS only as provided in this section. Once information qualifies for inclusion, it should be submitted to the supervisor responsible for consideration of CIS entries.

420.4.1 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 Unit or Property and ID Unit, but should be copies of, or references to, retained documents such as copies of reports, field interview (FI) forms, Communications Bureau 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.

420.4.2 FILE REVIEW AND PURGING

The contents of a temporary information file shall not be retained longer than one year. At the end of one year, the contents must be purged or entered in an authorized criminal intelligence system, as applicable.

The designated supervisor shall periodically review the temporary information files to verify that the contents meet the criteria for retention. Validation and purging of files is the responsibility of the supervisor.

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420.4.3 INQUIRY BY PARENT OR GUARDIAN

When an inquiry is made by a parent or guardian as to whether a juvenile's name is in the street gang participant's file, such information shall be provided by the gang unit supervisor unless the release of such information can be clearly shown to jeopardize an ongoing criminal investigation.

Employees must strictly comply with the procedures governing the release of information from a Department-approved gang intelligence database.

420.4.4 RIGHT TO REQUEST REVIEW OF CRIMINAL INFORMATION

When the parent or guardian of a juvenile who is documented as a criminal gang member submits a written request challenging the accuracy of the information contained within that file, the Chief of Police or a designee shall review the information in the file. If, after conducting a review of the information it is determined the information, is not accurate, all records shall be destroyed.

420.5 INFORMATION RECOGNITION

Department members should document facts that suggest an individual, organization or enterprise is involved in criminal activity and should forward that information appropriately. Examples include, but are not limited to:

(a) Gang indicia associated with a person or residence.

(b) Information related to a drug-trafficking operation.

(c) Vandalism indicating an animus for a particular group.

(d) Information related to an illegal gambling operation.

Department supervisors who utilize an authorized criminal intelligence system should work with the Training Coordinator to train members to identify information that may be particularly relevant for inclusion.

420.6 CRIMINAL STREET GANGS

The Criminal Investigations Unit supervisor should ensure that there are an appropriate number of department members who can:

(a) Testify as experts on matters related to criminal street gangs, and maintain an above average familiarity with identification of criminal street gangs, criminal street gang members and patterns of criminal gang activity.

(b) Coordinate with other agencies in the region regarding criminal street gang crimes and information.

(c) Train other members to identify gang indicia and investigate criminal street gang-related crimes.

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420.7 TRAINING

The Training Coordinator should provide training on best practices in the use of each authorized criminal intelligence system to those tasked with investigating criminal organizations and enterprises. Training should include:

(a) The protection of civil liberties.

(b) Participation in a multiagency criminal intelligence system.

(c) Submission of information into a multiagency criminal intelligence system or the receipt of information from such a system, including any governing federal and state rules and statutes.

(d) The type of information appropriate for entry into a criminal intelligence system or temporary information file.

(e) The review and purging of temporary information files.

420.8 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.

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Bicycle Patrol Unit

421.1 PURPOSE AND SCOPE

The Oro Valley Police Department has established the Bicycle Patrol Unit for the purpose of enhancing patrol efforts in the community. Bicycle patrol has been shown to be an effective way to increase officer visibility in congested areas. A bicycle's quiet operation can provide a tactical approach to crimes in progress. The purpose of this policy is to provide guidelines for the safe and effective operation of the patrol bicycle.

421.2 POLICY

Patrol bicycles may be used for regular patrol duty, traffic enforcement, parking control or special events. Its mobility and visibility in the community are hallmarks of its usefulness.

Bicycles may be deployed to any area at all hours of the day or night, according to Department needs and as staffing levels allow. When feasible, officers may ride in pairs.

Requests for specific deployment of bicycle patrol officers shall be coordinated through the Bicycle Patrol Unit supervisor or the Sergeant.

421.3 SELECTION OF PERSONNEL

When a position is available, interested certified members, who are off probation, shall submit a memorandum of interest via chain of command. A copy will be forwarded to the Bicycle Patrol Unit supervisor. Interested personnel shall be evaluated by the following criteria:

(a) Recognized competence and ability as evidenced by performance.

(b) Special skills or training as they pertain to the assignment.

(c) Good physical condition.

(d) Willingness to perform duties using the bicycle as a mode of transportation.

421.3.1 BICYCLE PATROL UNIT SUPERVISOR

The Bicycle Patrol Unit supervisor will be selected by the Field Services Division Commander or a designee.

The Bicycle Patrol Unit supervisor shall have responsibility for the following:

(a) Organizing bicycle patrol training.

(b) Inspecting and maintaining inventory of patrol bicycles and program equipment.

(c) Scheduling maintenance and repairs.

(d) Evaluating the performance of bicycle officers.

(e) Coordinating activities with the Field Services Division.

(f) Other activities as required to maintain the efficient operation of the unit.

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421.4 TRAINING

Participants in the program must complete an initial Department-approved bicycle-training course after acceptance into the program. Thereafter, bicycle patrol officers should receive yearly in-service training to improve skills and refresh safety, health and operational procedures. The initial training shall minimally include the following:

- Bicycle patrol strategies
- Bicycle safety and accident prevention
- Operational tactics using bicycles

Bicycle patrol officers may be required to qualify with their duty firearm while wearing bicycle safety equipment, including the helmet and riding gloves. Failure to attend training may result in removal from unit.

421.5 UNIFORMS AND EQUIPMENT

Officers shall wear the department-approved uniform and safety equipment while operating the department bicycle. Safety equipment includes department-approved helmet, riding gloves, protective eyewear and approved footwear.

The bicycle patrol unit uniform consists of the standard short-sleeve uniform shirt or other department-approved shirt, with department badge and patches, and department-approved bicycle patrol pants or shorts.

Optional equipment includes a radio head set and microphone and jackets in colder weather. Turtleneck shirts or sweaters are permitted when worn under the long-sleeved uniform shirt.

Bicycle officers shall carry the same equipment on the bicycle patrol duty belt as they would on a regular patrol assignment.

Officers will be responsible for obtaining the necessary forms, citation books and other department equipment needed while on bicycle patrol.

421.6 CARE AND USE OF PATROL BICYCLES

Officers will be assigned a specially marked and equipped patrol bicycle, attached gear bag, one battery and a charger.

Bicycles utilized for uniformed bicycle patrol shall be primarily black or white with a "Police" decal affixed to each side of the crossbar or the bike's saddlebag. Every such bicycle shall be equipped with front and rear reflectors, front and rear lamps. Lamps and reflectors must meet legal requirements.

Bicycles utilized for uniformed bicycle patrol shall be equipped with a rear rack and/or saddle bags sufficient to carry the necessary equipment for handling routine patrol calls, including report writing, vehicle storage and citations.

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Each bicycle gear bag shall include a tire pump, repair tool and tire tube. These items are to remain with/on the bicycle at all times.

Bicycle officers shall conduct an inspection of the bicycle and equipment prior to use to ensure proper working order of the equipment. Officers are responsible for the routine care and maintenance of their assigned equipment (e.g., tire pressure, chain lubrication, overall cleaning).

If a repair is needed, the officer will notify the program supervisor and will have an approved technician repair the bicycle.

Each bicycle will have scheduled maintenance as required, to be performed by a Department-approved repair shop/technician.

At the end of a bicycle assignment, the bicycle shall be returned clean and ready for the next tour of duty.

Officers shall not modify the patrol bicycle, remove, modify or add components except with the express approval of the bicycle supervisor or in the event of an emergency.

Vehicle bicycle racks are available should the officer need to transport the patrol bicycle. Due to possible component damage, transportation of the patrol bicycle in a trunk or on a patrol car push-bumper is discouraged.

Bicycles shall be properly secured when not in the officer's immediate presence.

421.7 OFFICER RESPONSIBILITIES

Officers are not exempt from operating the bicycle in compliance with Arizona law while performing their routine duties unless in response to an emergency call or situation (ARS § 28-815 and ARS § 28-624). Officers may operate the bicycle without lighting equipment during hours of darkness only when it reasonably appears necessary for officer safety and tactical considerations. Officers must use caution and care when operating the bicycle without lighting equipment (ARS § 28-817).

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Foot Pursuits

422.1 PURPOSE AND SCOPE

This policy provides guidelines to assist officers in making the decision to initiate or continue the pursuit of suspects on foot.

422.2 POLICY

It is the policy of this department that officers, when deciding to initiate or continue a foot pursuit, continuously balance the objective of apprehending the suspect with the risk and potential for injury to department members, the public or the suspect.

Officers are expected to act reasonably, based on the totality of the circumstances.

422.3 DECISION TO PURSUE

The safety of department members and the public should be the primary consideration when determining whether a foot pursuit should be initiated or continued. Officers must be mindful that immediate apprehension of a suspect is rarely more important than the safety of the public and department members.

Officers may be justified in initiating a foot pursuit of any individual that the officer reasonably believes is about to engage in, is engaging in or has engaged in criminal activity. The decision to initiate or continue such a foot pursuit, however, must be continuously re-evaluated in light of the circumstances presented at the time.

Mere flight by a person who is not suspected of criminal activity alone shall not serve as justification for engaging in an extended foot pursuit without the development of reasonable suspicion regarding the individual's involvement in criminal activity or being wanted by law enforcement.

Deciding to initiate or continue a foot pursuit is a decision that an officer must make quickly and under unpredictable and dynamic circumstances. It is recognized that foot pursuits may place department members and the public at significant risk. Therefore, no officer or supervisor shall be criticized or disciplined for deciding not to engage in a foot pursuit because of the perceived risk involved.

If circumstances permit, surveillance and containment are generally the safest tactics for apprehending fleeing persons. In deciding whether to initiate or continue a foot pursuit, an officer should continuously consider reasonable alternatives to a foot pursuit based upon the circumstances and resources available, such as:

(a) Containment of the area.

(b) Saturation of the area with law enforcement personnel, including assistance from other agencies.

(c) A canine search.

(d) Thermal imaging or other sensing technology.

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(e) Air support.

Apprehension at another time when the identity of the suspect is known or there is information available that would likely allow for later apprehension, and the need to immediately apprehend the suspect does not reasonably appear to outweigh the risk of continuing the foot pursuit.

422.4 GENERAL GUIDELINES

When reasonably practicable, officers should consider alternatives to engaging in or continuing a foot pursuit when:

(a) Directed by a supervisor to terminate the foot pursuit; such an order shall be considered mandatory.

(b) The officer is acting alone.

(c) Two or more officers become separated, lose visual contact with one another or obstacles separate them to the degree that they cannot immediately assist each other should a confrontation take place. In such circumstances, it is generally recommended that a single officer keep the suspect in sight from a safe distance and coordinate the containment effort.

(d) The officer is unsure of his/her location and direction of travel.

(e) The officer is pursuing multiple suspects and it is not reasonable to believe that the officer would be able to control the suspect should a confrontation occur.

(f) The physical condition of the officer renders him/her incapable of controlling the suspect if apprehended.

(g) The officer loses radio contact with the dispatcher or with assisting or backup officers.

(h) The suspect enters a building, structure, confined space, isolated area or dense or difficult terrain, and there are insufficient officers to provide backup and containment. The primary officer should consider discontinuing the foot pursuit and coordinating containment pending the arrival of sufficient resources.

(i) The officer becomes aware of unanticipated or unforeseen circumstances that unreasonably increase the risk to officers or the public.

(j) The officer reasonably believes that the danger to the pursuing officers or public outweighs the objective of immediate apprehension.

(k) The officer loses possession of his/her firearm or other essential equipment.

(l) The officer or a third party is injured during the foot pursuit, requiring immediate assistance, and there are no other emergency personnel available to render assistance.

(m) The suspect’s location is no longer known.

(n) The identity of the suspect is established or other information exists that will allow for the suspect’s apprehension at a later time, and it reasonably appears that there is no immediate threat to department members or the public if the suspect is not immediately apprehended.

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(o) The officer's ability to safely continue the foot pursuit is impaired by inclement weather, darkness or other environmental conditions.

422.5 RESPONSIBILITIES IN FOOT PURSUITS

422.5.1 INITIATING OFFICER RESPONSIBILITIES

Unless relieved by another officer or a supervisor, the initiating officer shall be responsible for coordinating the progress of the pursuit and containment. When acting alone and when practicable, the initiating officer should not attempt to overtake and confront the suspect but should attempt to keep the suspect in sight until sufficient officers are present to safely apprehend the suspect.

Early communication of available information from the involved officers is essential so that adequate resources can be coordinated and deployed to bring a foot pursuit to a safe conclusion. Officers initiating a foot pursuit should, at a minimum, broadcast the following information as soon as it becomes practicable and available:

(a) Location and direction of travel

(b) Call sign identifier

(c) Reason for the foot pursuit, such as the crime classification

(d) Number of suspects and description, to include name if known

(e) Whether the suspect is known or believed to be armed with a dangerous weapon

Officers should be mindful that radio transmissions made while running may be difficult to understand and may need to be repeated.

Absent extenuating circumstances, any officer unable to promptly and effectively broadcast this information should terminate the foot 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 dispatcher of his/her location and the status of the foot pursuit termination (e.g., suspect in custody, lost sight of suspect), and will direct further actions as reasonably appear necessary, to include requesting medical aid as needed for officers, suspects or members of the public.

422.5.2 ASSISTING OFFICER RESPONSIBILITIES

Whenever any officer announces that he/she is engaged in a foot pursuit, all other officers should minimize non-essential radio traffic to permit the involved officers maximum access to the radio frequency.

422.5.3 SUPERVISOR RESPONSIBILITIES

Upon becoming aware of a foot pursuit, the supervisor shall make every reasonable effort to ascertain sufficient information to direct responding resources and to take command, control and coordination of the foot pursuit. The supervisor should respond to the area whenever possible;

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the supervisor does not, however, need to be physically present to exercise control over the foot pursuit. The supervisor shall continuously assess the situation in order to ensure the foot pursuit is conducted within established department guidelines.

The supervisor shall terminate the foot pursuit when the danger to pursuing officers or the public appears to unreasonably outweigh the objective of immediate apprehension of the suspect.

Upon apprehension of the suspect, the supervisor shall promptly proceed to the termination point to direct the post-foot pursuit activity.

422.5.4 COMMUNICATIONS BUREAU RESPONSIBILITIES

Upon notification or becoming aware that a foot pursuit is in progress, the dispatcher is responsible for:

(a) Clearing the radio channel of non-emergency traffic.

(b) Coordinating pursuit communications of the involved officers.

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

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

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

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

422.6 REPORTING REQUIREMENTS

The initiating officer shall complete appropriate crime/arrest reports documenting, at a minimum:

(a) Date and time of the foot pursuit.

(b) Initial reason and circumstances surrounding the foot pursuit.

(c) Course and approximate distance of the foot pursuit.

(d) Alleged offenses.

(e) Involved vehicles and officers.

(f) Whether a suspect was apprehended as well as the means and methods used.

1. Any use of force shall be reported and documented in compliance with the Use of Force Policy.

(g) Arrestee information, if applicable.

(h) Any injuries and/or medical treatment.

(i) Any property or equipment damage.

(j) Name of the supervisor at the scene or who handled the incident.

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.

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Foot Pursuits

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Public Recording of Law Enforcement Activity

423.1 PURPOSE AND SCOPE

This policy provides guidelines for handling situations in which members of the public photograph or audio/video record law enforcement actions and other public activities that involve members of this department. In addition, this policy provides guidelines for situations where the recordings may be evidence.

423.2 POLICY

The Oro Valley Police Department recognizes the right of persons to lawfully record members of this department who are performing their official duties. Members of this department will not prohibit or intentionally interfere with such lawful recordings. Any recordings that are deemed to be evidence of a crime or relevant to an investigation will only be collected or seized lawfully.

Officers should exercise restraint and should not resort to highly discretionary arrests for offenses such as interference, failure to comply or disorderly conduct as a means of preventing someone from exercising the right to record members performing their official duties.

423.3 RECORDING LAW ENFORCEMENT ACTIVITY

Members of the public who wish to record law enforcement activities are limited only in certain aspects.

(a) Recordings may be made from any public place or any private property where the individual has the legal right to be present.

(b) Beyond the act of photographing or recording, individuals may not interfere with the law enforcement activity. Examples of interference include, but are not limited to:

1. Tampering with a witness or suspect.
2. Inciting others to violate the law.
3. Being so close to the activity as to present a clear safety hazard to the officers.
4. Being so close to the activity as to interfere with an officer's effective communication with a suspect or witness.

(c) The individual may not present an undue safety risk to the officers, him/herself or others.

423.4 OFFICER RESPONSE

Officers should promptly request that a supervisor respond to the scene whenever it appears that anyone recording activities may be interfering with an investigation or it is believed that the recording may be evidence. If practicable, officers should wait for the supervisor to arrive before taking enforcement action or seizing any cameras or recording media.

Whenever practicable, officers or supervisors should give clear and concise warnings to individuals who are conducting themselves in a manner that would cause their recording or

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behavior to be unlawful. Accompanying the warnings should be clear directions on what an individual can do to be compliant; directions should be specific enough to allow compliance. For example, rather than directing an individual to clear the area, an officer could advise the person that he/she may continue observing and recording from the sidewalk across the street.

If an arrest or other significant enforcement activity is taken as the result of a recording that interferes with law enforcement activity, officers shall document in a report the nature and extent of the interference or other unlawful behavior and the warnings that were issued.

423.5 SUPERVISOR RESPONSIBILITIES

A supervisor should respond to the scene when requested or any time the circumstances indicate a likelihood of interference or other unlawful behavior.

The supervisor should review the situation with the officer and:

(a) Request any additional assistance as needed to ensure a safe environment.

(b) Take a lead role in communicating with individuals who are observing or recording regarding any appropriate limitations on their location or behavior. When practical, the encounter should be recorded.

(c) When practicable, allow adequate time for individuals to respond to requests for a change of location or behavior.

(d) Ensure that any enforcement, seizure or other actions are consistent with this policy and constitutional and state law.

(e) Explain alternatives for individuals who wish to express concern about the conduct of Department members, such as how and where to file a complaint.

423.6 SEIZING RECORDINGS AS EVIDENCE

Officers should not seize recording devices or media unless (42 USC § 2000aa):

(a) There is probable cause to believe the person recording has committed or is committing a crime to which the recording relates, and the recording is reasonably necessary for prosecution of the person.

1. Absent exigency or consent, a warrant should be sought before seizing or viewing such recordings. Reasonable steps may be taken to prevent erasure of the recording.

(b) There is reason to believe that the immediate seizure of such recordings is necessary to prevent serious bodily injury or death of any person.

(c) The person consents.

1. To ensure that the consent is voluntary, the request should not be made in a threatening or coercive manner.

2. If the original recording is provided, a copy of the recording should be provided to the recording party, if practicable. The recording party should be permitted to be present while the copy is being made, if feasible. Another way to obtain the

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evidence is to transmit a copy of the recording from a device to a department-owned device.

Recording devices and media that are seized will be submitted within the guidelines of the Property and ID Unit Policy.

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First Amendment Assemblies

424.1 PURPOSE AND SCOPE

This policy provides guidance for responding to public assemblies or demonstrations.

424.2 POLICY

The Oro Valley 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.

424.3 GENERAL CONSIDERATIONS

Individuals or groups present on the public way, such as public facilities, streets or walkways, generally have the right to assemble, rally, demonstrate, protest or otherwise express their views and opinions through varying forms of communication, including the distribution of printed matter. These rights may be limited by laws or ordinances regulating such matters as the obstruction of individual or vehicle access or egress, trespass, noise, picketing, distribution of handbills and leafleting, and loitering. However, officers shall not take action or fail to take action based on the opinions being expressed.

Participant behavior during a demonstration or other public assembly can vary. This may include, but is not limited to:

- Lawful, constitutionally protected actions and speech.
- Civil disobedience (typically involving minor criminal acts).
- Rioting.

All of these behaviors may be present during the same event. Therefore, it is imperative that law enforcement actions are measured and appropriate for the behaviors officers may encounter. This is particularly critical if force is being used. Adaptable strategies and tactics are essential. The purpose of a law enforcement presence at the scene of public assemblies and demonstrations should be to preserve the peace, to protect life and prevent the destruction of property.

Officers should not:

(a) Engage in assembly or demonstration-related discussion with participants.

(b) Harass, confront or intimidate participants.

(c) Seize the cameras, cell phones or materials of participants or observers unless an officer is placing a person under lawful arrest.

Supervisors should continually observe department members under their commands to ensure that members' interaction with participants and their response to crowd dynamics is appropriate.

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424.3.1 PHOTOGRAPHS AND VIDEO RECORDINGS

Photographs and video recording, when appropriate, can serve a number of purposes, including support of criminal prosecutions by documenting criminal acts; assistance in evaluating department performance; serving as training material; recording the use of dispersal orders; and facilitating a response to allegations of improper law enforcement conduct.

Photographs and videos will not be used or retained for the sole purpose of collecting or maintaining information about the political, religious or social views of associations, or the activities of any individual, group, association, organization, corporation, business or partnership, unless such information directly relates to an investigation of criminal activities and there is reasonable suspicion that the subject of the information is involved in criminal conduct.

424.4 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 Communications Bureau, 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.

424.5 PLANNED EVENT PREPARATION

For planned events, comprehensive, incident-specific operational plans should be developed. The ICS should be considered for such events.

424.5.1 INFORMATION GATHERING AND ASSESSMENT

In order to properly assess the potential impact of a public assembly or demonstration on public safety and order, relevant information should be collected and vetted. This may include:

- Information obtained from outreach to group organizers or leaders.
- Information about past and potential unlawful conduct associated with the event or similar events.

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- The potential time, duration, scope and type of planned activities.
- Any other information related to the goal of providing a balanced response to criminal activity and the protection of public safety interests.

Information should be obtained in a transparent manner, and the sources documented. Relevant information should be communicated to the appropriate parties in a timely manner.

Information will be obtained in a lawful manner and will not be based solely on the purpose or content of the assembly or demonstration, or the race, ethnicity, national origin or religion of the participants (or any other characteristic that is unrelated to criminal conduct or the identification of a criminal subject).

424.5.2 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 Town 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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424.5.3 MUTUAL AID AND EXTERNAL RESOURCES
The magnitude and anticipated duration of an event may necessitate interagency cooperation and coordination. The assigned Incident Commander should ensure that any required memorandums of understanding or other agreements are properly executed, and that any anticipated mutual aid is requested and facilitated (see the Outside Agency Assistance Policy).

424.6 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.

424.7 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 Weapon policies).

424.8 ARRESTS

The Oro Valley 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.

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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).

424.9 MEDIA RELATIONS

The Public Information Officer should use all available avenues of communication, including press releases, briefings, press conferences and social media to maintain open channels of communication with media representatives and the public about the status and progress of the event, taking all opportunities to reassure the public about the professional management of the event (see the Media Relations Policy).

424.10 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.

424.11 POST EVENT

The Incident Commander should designate a member to assemble full documentation of the event, to include the following:

(a) Operational plan

(b) Any incident logs

(c) Any assignment logs

(d) Vehicle, fuel, equipment and supply records

(e) Incident, arrest, use of force, injury and property damage reports

(f) Photographs, audio/video recordings, Communications Bureau records/tapes

(g) Media accounts (print and broadcast media)

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424.11.1 AFTER-ACTION REPORTING

The Incident Commander should work with Town 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.

424.12 TRAINING

Department members should receive periodic training regarding this policy, as well as the dynamics of crowd control and incident management. The Department should, when practicable, train with its external and mutual aid partners.

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Civil Disputes

425.1 PURPOSE AND SCOPE

This policy provides members of the Oro Valley Police Department with guidance for addressing conflicts between persons when no criminal investigation or enforcement action is warranted (e.g., civil matters), with the goal of minimizing any potential for violence or criminal acts.

The Domestic Violence Policy will address specific legal mandates related to domestic violence court orders. References in this policy to “court orders” apply to any order of a court that does not require arrest or enforcement by the terms of the order or by Arizona law.

425.2 POLICY

The Oro Valley Police Department recognizes that a law enforcement presence at a civil dispute can play an important role in the peace and safety of the community. Subject to available resources, members of this department will assist at the scene of civil disputes with the primary goal of safeguarding persons and property, preventing criminal activity and maintaining the peace. When handling civil disputes, members will remain impartial, maintain a calm presence, give consideration to all sides and refrain from giving legal or inappropriate advice.

425.3 GENERAL CONSIDERATIONS

When appropriate, members handling a civil dispute should encourage the involved parties to seek the assistance of resolution services or take the matter to the civil courts. Members must not become personally involved in disputes and shall at all times remain impartial.

While not intended to be an exhaustive list, members should give considerations to the following when handling civil disputes:

(a) Civil disputes tend to be confrontational and members should be alert that they can escalate to violence very quickly. De-escalation techniques should be used when appropriate.

(b) Members should not dismiss alleged or observed criminal violations as a civil matter and should initiate the appropriate investigation and report when criminal activity is apparent.

(c) Members shall not provide legal advice, however, when appropriate, members should inform the parties when they are at risk of violating criminal laws.

(d) Members are reminded that they shall not enter a residence or other non-public location without legal authority including valid consent.

(e) Members should not take an unreasonable amount of time assisting in these matters and generally should contact a supervisor if it appears that peacekeeping efforts longer than 30 minutes are warranted.

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425.4 COURT ORDERS

Disputes involving court orders can be complex. Where no mandate exists for an officer to make an arrest for a violation of a court order, the matter should be addressed by documenting any apparent court order violation in a report. If there appears to be a more immediate need for enforcement action, the investigating officer should consult a supervisor prior to making any arrest.

If a person appears to be violating the terms of a court order but is disputing the validity of the order or its applicability, the investigating officer should document the following:

(a) The person's knowledge of the court order or whether proof of service exists.

(b) Any specific reason or rationale the involved person offers for not complying with the terms of the order.

A copy of the court order should be attached to the report when available.

425.4.1 STANDBY REQUESTS

Officers responding to a call for standby assistance to retrieve property should meet the person requesting assistance and the person should be advised that items that are disputed will not be allowed to be removed. The member may advise the person to seek private legal advice as to the distribution of disputed property.

If the other party is uncooperative, the person requesting standby assistance should be instructed to seek private legal advice and obtain a court order to obtain the items. Officers shall not order the other party to allow entry or the removal of any items.

If the other party is not present at the location, the member will not allow entry into the location or the removal of property from the location.

425.5 VEHICLES AND PERSONAL PROPERTY

Officers may be faced with disputes regarding possession or ownership of vehicles or other personal property. Officers may review documents provided by parties or available databases (e.g., vehicle registration), but should be aware that legal possession of vehicles or personal property can be complex. Generally, officers should not take any enforcement action unless a crime is apparent. The people and the vehicle or personal property involved should be identified and the incident documented.

425.6 REAL PROPERTY

Disputes over possession or occupancy of real property (e.g., land, homes, apartments) should generally be handled through a person seeking a court order.

425.6.1 LANDLORD/TENANT ISSUES

For disputes regarding access to a dwelling by a tenant who is accused of domestic violence, officers should be aware that a landlord may refuse to provide a tenant with access to

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a dwelling to reclaim property if the tenant is the person named in an order of protection unless a law enforcement officer escorts the tenant into and out of the dwelling (ARS § 33-1318).

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Medical Aid and Response

426.1 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.

426.2 POLICY

It is the policy of the Oro Valley Police Department that all officers and other designated members be trained to provide emergency medical aid and to facilitate an emergency medical response.

426.3 FIRST RESPONDING MEMBER RESPONSIBILITIES

Whenever practicable, members should take appropriate steps to provide initial medical aid (e.g., first aid, CPR, use of an automated external defibrillator (AED)) in accordance with their training and current certification levels. This should be done for those in need of immediate care and only when the member can safely do so.

Prior to initiating medical aid, the member should contact Communications Bureau 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 Communications Bureau 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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426.4 TRANSPORTING ILL AND INJURED PERSONS

Except in exceptional cases where alternatives are not reasonably available, members should not transport persons who are unconscious, who have serious injuries, or who may be seriously ill. EMS personnel should be called to handle patient transportation.

Officers should search any person who is in custody before releasing that person to EMS for transport.

An officer should accompany any person in custody during transport in an ambulance when requested by EMS personnel, when it reasonably appears necessary to provide security, when it is necessary for investigative purposes, or when so directed by a supervisor.

Members should not provide emergency escort for medical transport or civilian vehicles.

426.5 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 the 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.

426.6 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 Weapon policies.

426.7 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,

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burns, obstetrical cases), and distance or other known delays will affect the EMS response. The Oro Valley Police Department shall be responsible for:

- 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.
- 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.

426.8 AUTOMATED EXTERNAL DEFIBRILLATOR (AED) USE

An AED should only be used by members who have completed a state-approved course in CPR and the use of an AED (ARS § 36-2261(5)).

426.8.1 AED USER RESPONSIBILITY

Members who are issued AEDs for use in department vehicles should check the AED at the first day of their weekly 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 risk manager who is responsible for ensuring appropriate maintenance.

Any member who uses an AED shall contact Communications Bureau as soon as possible and request response by EMS (ARS § 36-2262).

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.

426.8.2 AED REPORTING

Any member using an AED will complete an incident report detailing its use. The AED will be taken out of service and given to the risk manager within eight hours for the data download.

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The risk manager shall ensure that a written report is provided to the Bureau of Emergency Medical Services and Trauma System within five days after use (ARS § 36-2262).

426.8.3 AED TRAINING AND MAINTENANCE
The risk manager should ensure appropriate training is provided to members authorized to use an AED.

The risk manager is responsible for ensuring AED devices are appropriately maintained and tested consistent with the manufacturer's guidelines, and will retain records of all maintenance in accordance with the established records retention schedule (ARS § 36-2262).

426.9 ADMINISTRATION OF OPIOID OVERDOSE MEDICATION

Trained members may administer opioid overdose medication in accordance with protocol specified by the physician or nurse practitioner who prescribed the overdose medication for use by the member (ARS § 36-2228).

426.9.1 OPIOID OVERDOSE MEDICATION USER RESPONSIBILITIES
Members who are qualified to administer opioid overdose medication, such as naloxone, should handle, store and administer the medication consistent with their training. Any expired medication or unserviceable administration equipment should be removed from service and given to the Property and ID Unit.

Any member who provides an opioid antagonist shall contact Communications Bureau as soon as possible and request response by EMS.

426.9.2 OPIOID OVERDOSE MEDICATION REPORTING
Any member administering opioid overdose medication should detail its use in an appropriate report.

The field supervisors will ensure that the Records Supervisor is provided enough information to meet applicable state reporting requirements (AAC § R9-4-602).

426.9.3 OPIOID OVERDOSE MEDICATION TRAINING
The Training Coordinator should ensure Arizona Peace Officer Standards and Training Board (AZPOST)-approved training is provided to members authorized to administer opioid overdose medication (ARS § 36-2228).

426.9.4 OPIOID OVERDOSE REPORTING
When a member makes contact with a person where opioid overdose is suspected, and an opioid overdose medication is not administered, the member shall obtain information for reporting to the Arizona Department of Health Services (DHS). The Criminal Investigations Unit Sergeant will provide the information for the state reporting requirements (AAC § R9-4-602).

426.10 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

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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.

426.11 FIRST AID TRAINING

Subject to available resources, the Training Coordinator should ensure officers receive periodic first aid training appropriate for their position.

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Chapter 5 - Traffic Operations

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Traffic Function and Responsibility

500.1 PURPOSE AND SCOPE

The ultimate goal of traffic law enforcement is to reduce traffic collisions, create a safe traffic environment and address citizen concerns. 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 collision data, enforcement activity records, traffic volume, citizen concerns and traffic conditions. This department provides enforcement efforts toward violations, not only in proportion to the frequency of their occurrence in collision 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 Oro Valley Police Department. Information provided by the Arizona Department of Transportation (ADOT) is a valuable resource for traffic collision 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 collision-causing violations during periods of increased incidence and at the locations of occurrence. All officers will take directed enforcement action on request, and random enforcement action when appropriate, against violators. All officers shall maintain high visibility while working general enforcement, especially at locations where there is a high incidence of collisions.

Other factors to be considered for deployment are citizen requests, construction zones, school zones or special events.

500.3 ENFORCEMENT

Enforcement actions are commensurate with applicable laws and take into account the degree and severity of the violation committed. This department does not establish ticket quotas and the number of arrests or citations issued by any officer shall not be used as the sole criterion for evaluating officer overall performance. The visibility and quality of an officer's work effort will be commensurate with the philosophy of this policy. Several methods are effective in the reduction of collisions.

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500.3.1 WARNINGS
Warnings or other non-punitive enforcement actions should be considered in each situation and substituted for arrests or citations when circumstances warrant.

500.3.2 TRAFFIC CITATIONS
Traffic 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 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

(d) The court contact information

500.3.3 TRAFFIC CITATION COURT JURISDICTION
An officer who issues a traffic citation shall ensure that the citation is properly directed to the court with jurisdiction in which the violation occurred (ARS § 28-1552 and ARS § 28-1558).

500.3.4 PHYSICAL ARREST
Physical arrest can be made on a number of criminal traffic offenses. These physical arrest cases usually deal with, but are not limited to (ARS § 28-121):

(a) Negligent homicide.

(b) Driving under the influence of alcohol/drugs.

(c) Hit-and-run resulting in serious injury or death.

(d) Hit-and-run resulting in damage to any vehicle or property.

500.4 HIGH-VISIBILITY VESTS
The Department has provided American National Standards Institute (ANSI) Class II high-visibility vests to reduce the danger to employees who may be exposed to hazards presented by passing traffic, construction vehicles and disaster recovery equipment (Federal Manual on Uniform Traffic Control Devices, 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 employee.

500.4.1 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 (23 CFR 634.3). Examples of when high-visibility vests should be worn include traffic control duties,

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collision investigations, lane closures and while at disaster scenes, or any time 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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Commercial Motor Vehicle

501.1 PURPOSE AND SCOPE

The primary function of Commercial Motor Vehicle Enforcement is to conduct safety inspections of Commercial Motor Vehicles (CMV) that travel through the Town of Oro Valley, with the intent that such inspections ensure a safer driving environment for the citizens of Oro Valley.

501.2 GENERAL PROCEDURES

All Arizona Revised Statutes (A.R.S.), Federal statutes adopted by the State of Arizona from the Federal Motor Carrier Safety Administration (FMCSA) and Oro Valley Town Codes as they pertain to Commercial Vehicles will be enforced to ensure a safe driving environment. It is the policy of the Oro Valley Police Department that a certified CMV Inspector, per A.R.S. 28-5204(C), needs no further reason to stop a CMV other than to conduct a commercial motor vehicle inspection.

501.3 COMMERCIAL VEHICLE INSPECTOR QUALIFICATIONS

In order to meet the requirements of the CVSA (Commercial Vehicle Safety Alliance), and to maintain the integrity of the enforcement, all officers conducting safety inspections shall have successfully completed Parts A and B of the North American Standard training courses taught by the Arizona Department of Public Safety (DPS). To meet the demands of this enforcement, all officers SHALL remain current on their certifications per the current DPS policy.

An officer shall not conduct inspections unless he/she is currently certified. The CMV Enforcement Coordinator responsible for direct contact with the DPS Commercial Vehicle Enforcement Bureau shall monitor the performance of all Commercial Vehicle Inspectors within OVPD to ensure all certification requirements are maintained.

501.4 INTER-AGENCY OPERATIONS

The Oro Valley Police Department, with the assistance of DPS and/or other local agencies, may at times conduct CMV checkpoints/deployments within the Town of Oro Valley to ensure Motor Carriers are in compliance with FMCSA, state and/or local guidelines. Likewise, any certified inspector may assist in other agency checkpoints/deployments outside the jurisdiction of Oro Valley, with the authorization of the CMV Enforcement Coordinator.

501.5 OUT OF SERVICE VIOLATIONS AND TOWING CMV'S

If a violation of the current CVSA out-of-service criteria is observed, the CMV Inspector shall complete a Driver Vehicle Inspection Report (DVIR) and the driver/vehicle shall be placed out-of-service.

A CMV Inspector may tow a CMV for any out-of-service violation that may not be repairable at the scene and as such may create a public safety hazard. The vehicle may also be moved to a nearby parking lot and placed out of service at the discretion of the CMV inspector. If a CMV is

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to be towed, the CMV Inspector shall document the reason on the inspection report or a basic case report.

501.6 CMV LOAD INSPECTION

A CMV Inspector shall inspect all load areas of a CMV to determine if the load is properly secured per FMCSA 393.100 – 393.136. It may be necessary for a CMV Inspector to break a seal of the load in order to make entry. In that case, the inspector shall document on the DVIR that the seal was broken/removed and shall replace with a seal documenting the new seal number on the DVIR as well. Prior to breaking any lock or seal, the inspector shall ask the driver if he/she can open the lock or seal. If a CMV Inspector needs to check a fully covered load area, the officer shall have a secondary officer present during the inspection of the area.

501.7 SAFETY CONSIDERATIONS

It is strongly recommended that all undercarriage Level I inspections have a secondary officer on scene for safety reasons.

501.8 FORWARDING INSPECTIONS TO DPS

All inspection reports shall be forwarded to the DPS Commercial Vehicle Enforcement division in the timeframe required by DPS.

501.9 COLLISIONS INVOLVING CMV'S

Any commercial motor vehicle involved in a collision should be inspected by a certified commercial vehicle inspector whenever possible.

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Traffic Collision Response and Reporting

502.1 PURPOSE AND SCOPE

The public safety responsibilities of law enforcement include responding to traffic collisions, providing aid and assistance, documentation of the incident and identification of criminal activity. The Oro Valley Police Department prepares traffic collision reports in compliance with Arizona law. As a public service the Oro Valley Police Department makes traffic collision information available to the public.

502.2 CALL RESPONSE

Officers should respond without delay when dispatched to a traffic collision. A traffic collision with injuries or unknown injuries reported may include an emergency response if the officer reasonably believes such a response is appropriate.

502.2.1 RESPONSE CONSIDERATIONS

An officer responding to and upon arrival at a collision, should consider the following:

(a) The most appropriate route to the incident.

(b) Proper placement of the emergency vehicle to provide protection for officers and the scene.

(c) Potential for involvement of hazardous materials.

(d) Additional support that may be necessary (e.g., traffic control, medical aid, HazMat, ambulance, tow vehicles and airship landing).

(e) Provide first aid to any injured parties if it can be done safely, and obtain medical assistance as necessary.

(f) Provision of traffic control and protection of the scene.

(g) Clearance of the roadway.

502.3 COLLISION INVESTIGATION

Investigation of traffic collisions should include, as a minimum:

(a) Identification and interview of all involved parties.

(b) Identification and interview of any witnesses.

(c) Determination if any crime or civil traffic violation has occurred and taking appropriate enforcement action.

(d) Identify and protect items of apparent evidentiary value.

(e) Documentation of the incident as necessary (e.g., statements, measurements, photographs, collection of evidence and reporting) on appropriate report forms.

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502.4 TAKING ENFORCEMENT ACTION

After a thorough investigation in which physical evidence or independent witness statements indicate that a violation of Arizona law led to the collision, officers may issue a traffic citation or a misdemeanor citation to the offending driver.

Incidents involving more serious violations, such as driving under the influence of drugs or alcohol, vehicular manslaughter or other felonies, shall be throughly investigated and appropriate enforcement action should be taken. If a driver subject to enforcement is admitted to a hospital, a supervisor shall be contacted to determine the best enforcement option.

502.5 TRAFFIC COLLISION REPORTING

502.5.1 OFFICER RESPONSIBILITIES

Department members shall utilize traffic collision reporting forms prepared by the Arizona Department of Transportation (ARS § 28-669). All traffic collision reports taken by members of this department shall be forwarded to the Traffic Unit for approval and data entry into the Records Management System.

Department members who investigate a motor vehicle collision shall complete a written report pursuant to ARS § 28-667(A) and ARS § 28-667(B).

502.6 REPORTING SITUATIONS

502.6.1 COLLISIONS INVOLVING DEATH TO DRIVERS

An officer who investigates an collision that involves the death of one or more drivers shall promptly notify the county medical examiner (ARS § 28-668(A)).

502.6.2 TRAFFIC COLLISIONS INVOLVING TOWN VEHICLES

Traffic collision investigation reports shall be taken when a Town-owned vehicle is involved in a traffic collision on a roadway or highway wherein any damage or injury results. A general information report may be taken in lieu of a traffic collision report at the direction of a supervisor when the collision occurs on private property or does not involve another vehicle. Whenever there is damage to a Town vehicle, a Vehicle Damage Report shall be completed and forwarded to the appropriate Division Commander.

Photographs and recorded interviews of the collision scene and vehicle damage shall be taken at the discretion of the traffic investigator or any supervisor.

502.6.3 TRAFFIC COLLISIONS WITH POLICE DEPARTMENT EMPLOYEES

When an employee of this department, either on- or off-duty, is involved in a traffic collision within the jurisdiction of the Oro Valley Police Department and it results in a serious injury or fatality, the Chief of Police may request an outside agency complete an investigation and report.

The term serious injury is defined as any injury that may result in a fatality.

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502.6.4 TRAFFIC COLLISIONS WITH OTHER TOWN EMPLOYEES OR OFFICIALS
The Traffic Sergeant may request assistance from another outside agency for the investigation of any traffic collision involving any Town official or employee where a serious injury or fatality has occurred.

502.7 NOTIFICATION OF TRAFFIC UNIT
In the event of a serious injury, high liability incidents or death-related traffic collision, the supervisor shall notify the Traffic Sergeant to relate the circumstances of the traffic collision and seek assistance from the Traffic Unit.

502.8 TRAFFIC COLLISION REVIEW BOARD
The Board shall meet to review facts and circumstances related to traffic collisions and occurrences resulting in damage to Department vehicles.

(a) A Traffic Collision Board of Inquiry shall be convened when:
    1. The on-scene supervisor cannot determine fault.
    2. The member involved in the collision requests a Board of Inquiry.
    3. The member involved in the collision protests the findings of the supervisor.
    4. Clarification on a point in the investigation is needed.
    5. The Chief of Police determines that a Board of Inquiry is needed.

(b) The Board shall be appointed within 10 days of the incident and shall be comprised of a supervisor and two commissioned officers.

(c) The Board shall report its findings and recommendation to the Chief of Police (or designee) within 10 working days of having concluded its investigation.

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Motorcycle Operations

503.1 PURPOSE AND SCOPE

Motorcycle officers provide the Oro Valley Police Department with an effective means of traffic enforcement, education and traffic control. Officers assigned to the Motor Unit are responsible for general traffic enforcement, collision investigation/prevention and response to citizen complaints and concerns. Improving traffic safety is the primary concern of all police motorcycle operations.

503.2 MOTOR UNIT SELECTION

Officers wishing to be considered for the Motor Unit shall be non-probationary commissioned personnel who have demonstrated consistent proactivity in traffic enforcement.

503.2.1 PROCESS

The selection process shall consist of a practical exercise followed by evaluation of the officer's suitability for this assignment.

(a) The practical exercise will be administered by a current member of the Motor Unit. Failing the practical exercise will eliminate the applicant from further consideration. The practical exercise shall consist of the following:

1. Ability to sit astride the motorcycle in a static position and balance it.
2. To walk the motorcycle forward and backward while sitting astride the motorcycle.
3. To lift a downed motorcycle to an upright position.

(b) The selection process will evaluate the officer's suitability for assignment as a motor officer. It may consist of an oral board, written exams, executive review or review of an officer's past performance with an emphasis on proactive police work.

503.3 MOTOR UNIT TRAINING

503.3.1 INITIAL TRAINING

An officer will complete an approved Basic Police Motor Academy. Upon completion of the Basic Motor Academy, the officer shall successfully complete the current Motor Field Training program.

Upon successful completion of the Field Training program, an officer will be assigned as a solo motor officer.

Due to decreased visibility and the difficulty of hazard recognition/surface appraisal at night, new motor officers will not be assigned to shifts that have an end time later than 1800 hours until they have completed six months as a full time, solo motor officer.

503.3.2 CONTINUED TRAINING

Motor officers shall complete all ongoing Department required motorcycle training. Training should be conducted on a quarterly (or more frequent) basis. Unless an officer is on light duty or extended leave, all motorcycle officers shall complete at least three quarterly training sessions per year.

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503.3.3 REMEDIAL TRAINING

Failure to successfully complete required qualification or proficiency skills at scheduled training will require the officer to complete remedial training. The officer must then perform the skill or qualification to the appropriate standard upon completion of remedial training. If the officer does not perform at a satisfactory level upon the completion of remedial training, the officer will be removed from the Motor Unit. The officer will complete the remedial training process within 30 days of the failed initial training.

503.4 MOTORCYCLE OPERATIONS

The Motor Unit functions largely as a traffic enforcement detail and shall direct their enforcement efforts toward identified traffic-related issues such as:

- Response to reported traffic collisions
- High traffic volume intersections and roadways
- High collision rate intersections and roadways
- Response to community requests and complaints
- School zone enforcement
- Special enforcement issues and other identified traffic related problems
- DUI Enforcement

The Motor Unit also provides support to the Patrol Bureau and assists with special events.

503.4.1 MOTORCYCLE

Officers assigned to the Motor Unit will ride the Department approved motorcycle. Officers shall ride their issued motorcycle for their assigned shifts unless a supervisor authorized the officer to use another vehicle.

503.4.2 OPERATORS

The only authorized operators of a department motorcycle are those officers that are currently certified in the operation of a police motorcycle, or officers in police motorcycle training. Operators of department motorcycles shall be in uniform, unless participating in training or otherwise authorized by a supervisor. The operator shall wear approved boots, protective eye wear, gloves and an approved helmet while operating a department motorcycle. Operators shall obtain an Arizona motorcycle endorsement on their driver’s license upon completion of the Basic Police Motorcycle Academy.

503.4.3 WHITE LINING

White lining is defined as passing of a vehicle in the same lane on or adjacent to the painted lane divider. ARS 28-903 prohibits such actions in general but provides an exception for peace officers in the performance of their official duties. This maneuver may only be done at slow speeds when passing stopped or slow moving traffic.

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503.4.4 OPERATION ON SIDEWALKS, SHARED USE PATHS, ETC.

Police motorcycles may be operated on sidewalks, shared use/multi-purpose paths and other locations where motor vehicles are typically not allowed. The police motorcycle may only operate in these locations when in the performance of official duties and with the due regard for safety of the public. The police motorcycle shall be operated at slow speeds in these locations.

503.4.5 PURSUITS

A police motorcycle may initiate or participate in a pursuit under circumstances described in the Vehicle Pursuit Policy. The police motorcycle shall be replaced with marked patrol vehicles as soon as practical. Police motorcycles must use extreme caution in any situation in which tire-deflation devices may be deployed.

503.4.6 MAINTENANCE

A thorough inspection of the police motorcycle will enhance its performance and potentially avoid injury to its operator. Therefore an officer will inspect the following items on a daily basis:

- Oil Level
- Tire air pressure and tire wear
- Proper functioning of emergency and safety equipment/horn.
- Lights

It is the responsibility of the motor officer to keep the motorcycle clean and washed. Motor maintenance time will be provided on a weekly basis for the upkeep of the motor. Use of this time in contingent on calls for service, staffing and supervisor discretion.

Maintenance for the department motorcycle shall follow factory recommended specifications and guidelines. Maintenance will be conducted by a Department approved facility. The motorcycle shall not be operated more than 250 miles past the scheduled maintenance mileage without the prior approval of the unit supervisor.

Only Department approved items may be mounted or attached to the police motorcycle.

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Vehicle Towing and Release Policy

504.1 PURPOSE AND SCOPE

This policy provides the procedures for towing a vehicle by or at the direction of the Oro Valley Police Department, Town of Oro Valley Town Code and under the authority of ARS § 28-872 and ARS § 28-3511.

504.2 RESPONSIBILITIES

The responsibilities of those employees storing or impounding a vehicle are as follows:

504.2.1 COMPLETION OF VEHICLE IMPOUND REPORT

Department members requesting towing and storage of a vehicle shall do both of the following (ARS § 28-872(D)):

(a) Provide the tow truck operator with a vehicle impound report signed by the member that includes (ARS § 28-872(D)(1)):

1. The vehicle identification number.
2. A number that identifies this department and the officer ordering the tow.
3. The year, make and model of the vehicle.
4. The license plate number if available.
5. The date and time the vehicle was towed.
6. The address from which the vehicle was towed.
7. The name, address and telephone number, if known, of the registered owner and the primary lien holder of the vehicle to permit the towing company to notify the registered owner or the primary lien holder.

(b) Provide a copy of the removal report to the Communications Bureau and:

1. The name and telephone number of the person towing the vehicle.
2. All the information provided to the tow truck operator.

Communications personnel shall promptly record information from the completed vehicle impound report as prescribed by the Arizona Department of Public Safety (DPS) including entry into the National Insurance Crime Bureau (NICB) Impound/Stored Vehicle File (ARS § 28-872(F)).

504.2.2 REMOVAL OF VEHICLE DISABLED IN A TRAFFIC COLLISION

When a vehicle has been involved in a traffic collision and must be removed from the scene, the officer shall have the driver select a towing company, if reasonably possible, and shall relay the request for the specified towing company to the dispatcher. When there is no preferred company requested, a company will be selected from the rotational list of towing companies in Communications Bureau.

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If the owner is incapacitated or for any reason it is necessary for the Department to assume responsibility for a vehicle involved in a collision, the officer shall request the dispatcher to call a company selected from the rotational list of towing companies. The officer will then conduct an inventory and store the vehicle using a Vehicle Removal Report.

504.2.3 DRIVING A NON-TOWN VEHICLE
Vehicles that have been towed by or at the direction of the Department should not be driven by police personnel unless it is necessary to move a vehicle a short distance to eliminate a hazard, prevent the obstruction of a fire hydrant or to comply with posted signs.

504.2.4 DISPATCHER'S RESPONSIBILITIES
Upon receiving a request for towing, the dispatcher shall promptly telephone the specified towing service. The officer shall be advised when the request has been made and the towing service has been dispatched.

When there is no preferred company requested, the dispatcher shall call the next firm in rotation from the list of approved towing companies and shall make appropriate entries on that form to ensure the next firm is called.

504.2.5 TOWING RECOVERED STOLEN VEHICLES
When a member has recovered a confirmed stolen vehicle, a Vehicle Recovery Report shall be completed and an ID Technician shall process the vehicle, unless otherwise directed by a supervisor.

Stolen vehicle cases originating in Oro Valley:

(a) If the vehicle is drivable, an attempt shall be made to contact the registered owner to have them respond and take custody of the vehicle. A Property Invoice and Receipt Form shall be completed and the registered owner shall sign the Evidence Control portion prior to taking custody of the vehicle.

(b) If the vehicle is not drivable, the vehicle shall be towed to a privately owned facility. The owner shall be notified of the storage location.

(c) If the owner cannot be reached, the vehicle shall be stored in a privately owned storage facility.

504.3 TOWING SERVICES
The Town of Oro Valley periodically selects one or more firms to act as official tow services and awards contracts to those firms. Those 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.

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(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 of vehicles obstructing traffic in violation of state or local regulations.

If more than one firm has been awarded contracts, they shall be placed on a rotation list. Nothing in this policy shall require the Department to tow a vehicle.

504.4 TOWING AT ARREST SCENES

Whenever a person in charge or in control of a vehicle is arrested, it is the policy of this department to provide reasonable safekeeping by towing the arrestee's vehicle subject to the exceptions described below. However, a vehicle shall be towed whenever it is needed for the furtherance of an investigation or prosecution of the case, or when the community caretaker doctrine would reasonably suggest that the vehicle should be towed. For example, a vehicle shall be towed if it would present a traffic hazard or if it would be in jeopardy of theft or damage if left at the scene in a high-crime area.

There may be situations where consideration should be given to leaving a vehicle at the scene in lieu of towing, provided the vehicle can be lawfully parked and left in a reasonably secured and safe condition.In such cases, the handling employee shall inform the person responsible for the vehicle that the Department will not be responsible for theft or damages.

504.5 VEHICLE INVENTORY

All property in a stored or impounded vehicle shall be inventoried and listed on the vehicle removal form. This includes the trunk and any compartments or containers, even if they are closed and/or locked. Members conducting inventory searches should be as thorough and accurate as practicable in preparing an itemized inventory. These inventory procedures are for the purpose of protecting an owner's property while the owner is in police custody, to provide for the safety of officers and the public, and to protect the Department against fraudulent claims of lost, stolen or damaged property.

504.6 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, an officer should make reasonable accommodations to permit a driver/owner to retrieve small items of value or personal need (e.g., cash, jewelry, cellular telephone, prescriptions) that are not considered evidence or contraband.

If a search of a vehicle leaves the vehicle or any property contained therein vulnerable to unauthorized entry, theft or damage, personnel conducting the search shall take such steps as are reasonably necessary to secure and/or preserve the vehicle or property.

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Vehicle Impound Hearings

505.1 PURPOSE AND SCOPE

This policy establishes a procedure for the requirement to provide vehicle storage or impound hearings pursuant to ARS § 28-3514.

505.2 NOTICE

Within three business days after immobilization or impoundment, excluding weekends and holidays, the Department shall mail or personally deliver notice of immobilization or storage to the owner/lien holder of the vehicle.

The notice of immobilization or storage shall include all of the following information:

(a) A statement that the vehicle was immobilized or impounded.

(b) The address and telephone number to contact at this department regarding the immobilization or storage.

(c) The name, address and telephone number of the entity that will provide an immobilization or post storage hearing.

(d) The location of the place of storage and a description of the vehicle including the manufacturer, model, license plate number and mileage of the vehicle if available.

(e) A statement that in order to receive an immobilization or post storage hearing the owner, the spouse of the owner, the owner's agent or the person identified in the department's records as having an interest in the vehicle shall within ten days after the date on the notice request an immobilization or post storage hearing by contacting this department in person or in writing.

505.3 STORED OR IMPOUND HEARING

When a vehicle is stored or impounded by any member of the Oro Valley Police Department, a hearing will be conducted upon the request of the owner or operator of the vehicle to determine if probable cause existed for the removal and placement of the vehicle.

The vehicle owner, spouse of the owner or other person having an interest in the vehicle shall have an opportunity for a single post storage hearing for the release of the vehicle by either this department or a justice court but not both (ARS § 28-3514(I)).

The hearing shall be conducted within five business days, excluding weekends and holidays, after the Department receives the request (ARS § 28-3514(F)). The hearing officer must be a person other than the person who directed the storage or impound of the vehicle.

The post storage hearing may be (ARS § 28-3514(A)):

(a) Conducted within this department's jurisdiction.

(b) Conducted telephonically.

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(c) Transferred to a law enforcement agency in the jurisdiction in which the owner, spouse of the owner, the owner's agent or any person identified as having an interest in the vehicle resides.

505.3.1 HEARING PROCEDURES

The vehicle storage hearing is an informal process to evaluate the validity of an order to store or impound a vehicle. The employee who caused the storage or removal of the vehicle does not need to be present for this hearing.

All requests for a hearing on a stored or impounded vehicle shall be submitted in person, in writing or by telephone, within 10 days of the date appearing on the notice (ARS § 28-3514(G)). The Records Unit will generally serve as the hearing officer. The person requesting the hearing may record the hearing at his/her own expense.

The failure of either the registered or legal owner or interested person or his/her agent to request a hearing in a timely manner or to attend a scheduled hearing shall be considered a waiver of and satisfaction of the post-storage hearing.

Any relevant evidence may be submitted and reviewed by the hearing officer to determine if reasonable grounds have been established for the storage or impound of the vehicle. The initial burden of proof established by a preponderance of the evidence that the storage/impound was based on probable cause rests with the Department.

After consideration of all information, the hearing officer shall determine the validity of the storage or impound of the vehicle in question and then render a decision.

(a) If a decision is made that reasonable grounds for storage or impound have been established, the hearing officer shall advise the inquiring party of the decision that the inquiring party may pursue further civil remedies if desired.

1. If mitigating circumstances are found to be relevant, the hearing officer may make reasonable adjustments to the impound period, storage or assessment fees as warranted.

(a) If a decision is made that reasonable grounds for storage or impound have not been established or sufficient mitigating circumstances exist, the vehicle in storage shall be released immediately. Towing and storage fees will be at the Department's expense.

(b) If a decision is made that reasonable grounds for storage have not been established or sufficient mitigating circumstances exist, and the vehicle has been released with fees having been paid, the receipt for such fees will be forwarded to the appropriate Division Commander. The hearing officer will recommend to the appropriate Division Commander that the fees paid by the registered or legal owner of the vehicle in question or the owner's agent be reimbursed by the Department.

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Impaired Driving

506.1 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).

506.2 POLICY

The Oro Valley Police Department is committed to the safety of the roadways and the community and will pursue fair but aggressive enforcement of Arizona's impaired driving laws.

506.3 INVESTIGATIONS

All officers are expected to enforce these laws with due diligence as part of their overall patrol responsibilities.

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 Arizona or another jurisdiction.

506.4 FIELD TESTS

The Traffic Sergeant should identify the primary standardized field sobriety tests and any approved alternate tests for officers to use when investigating violations of DUI laws.

506.5 CHEMICAL TESTS

A person implies consent under Arizona law to a chemical test or tests, and to providing the associated chemical sample, under any of the following (ARS § 28-1321):

(a) The arresting officer has reasonable grounds to believe the person was driving or in actual physical control of a motor vehicle while under the influence of alcohol or drugs.

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(b) The arresting officer has reasonable grounds to believe the person is under 21 years of age and has any amount of alcohol in his/her body.

(c) An officer has reasonable grounds to believe that the person was involved in a traffic accident that resulted in death or serious physical injury and has probable cause to believe that the person caused the accident (ARS § 28-673).

If a person withdraws this implied consent, or is unable to withdraw consent (e.g., the person is unconscious), the officer should consider implied consent revoked and proceed as though the person has refused to provide a chemical sample.

506.5.1 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.

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.

506.5.2 BLOOD SAMPLES

Only persons authorized by law to draw blood shall collect blood samples (ARS § 28-1388). The blood draw should be witnessed by the assigned officer.

Officers should inform the person that if he/she chooses to provide a blood sample, a separate sample can be collected for alternate testing. Two samples should be collected and retained, so long as only one puncture is required.

If a person cannot submit to a blood test 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 shall not be treated as a refusal. However, that arrestee may be required to complete another available and viable test.

506.5.3 URINE SAMPLES

If a urine test will be performed, the person should be promptly transported to the appropriate testing site. The officer shall follow any directions accompanying the urine evidence collection kit.

Whenever practicable, sample collection should be collected by a person of the same gender. The person tested should be allowed sufficient privacy to maintain his/her dignity, to the extent possible, while still ensuring the accuracy of the specimen.

The sample shall be packaged, marked, handled, stored and transported as required by the testing facility.

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506.5.4 PRELIMINARY TESTS
An officer who has reasonable suspicion to believe that a person is in violation of ARS § 28-1381 (DUI) or ARS § 28-1382 (extreme DUI) may request that the person submit to a preliminary breath test before arrest (ARS § 28-1322).

506.5.5 STATUTORY NOTIFICATIONS
An officer arresting a person for DUI shall provide the person with the mandatory statutory warnings for submitting to testing provided by ARS § 28-1321(B).

506.6 REFUSALS
When a person refuses to provide a chemical sample, officers should:

(a) Advise the person of the consequences of refusing a test requested pursuant to ARS § 28-1321.

(b) Audio- and/or video-record the advisement and the response when it is legal and practicable.

(c) Document the refusal in the appropriate report.

(d) Apply for and serve a search warrant, even if consent is given after the person is advised of the consequences.

506.6.1 STATUTORY NOTIFICATIONS UPON CONTINUED REFUSAL
Upon continued refusal to submit to a chemical test, officers shall personally serve the notice of suspension, on behalf of the Arizona Department of Transportation (ADOT), upon the person and take possession of any state-issued license or permit to operate a motor vehicle that is held by that person. If the person's license is surrendered, the officer shall issue the person a 15-day temporary driving permit. If the person's license or permit is not surrendered, the officer should include the reason why in his/her report (ARS § 28-1321).

The order of suspension is effective 15 days after the date it is served and shall be accompanied by printed forms that the person can use to request a hearing regarding the suspension. The order shall notify the person that (ARS § 28-1321; ARS § 28-1385):

(a) He/she may submit a written or online request for a hearing.

(b) The request for a hearing must be received by ADOT within 15 days after the date of the notice, or the order of suspension will become final.

(c) The person's license or permit to drive or right to apply for a license or permit will be suspended.

(d) The person's driving privilege may be reinstated following the period of suspension only if the person completes alcohol or other drug screening.

(e) Unless the person has surrendered his/her license or permit, the person's request for a hearing will not be accepted without a certifying statement that the license or permit is lost or destroyed.

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506.6.2 BLOOD SAMPLE WITHOUT CONSENT

A blood sample may be obtained from a person who refuses to submit to a chemical test when any of the following conditions exist:

(a) A search warrant has been obtained (ARS § 28-1321); or

(b) The officer can articulate that exigent circumstances exist. Exigency does not exist solely because of the short time period associated with the natural dissipation of alcohol or controlled or prohibited substances in the person's bloodstream. Exigency can be established by the existence of special facts, such as a lengthy time delay resulting from an accident investigation or medical treatment of the person; and

(c) If the officer has probable cause to believe that the person has violated the state's impaired driving laws and a sample of blood, urine or other bodily substance has been taken from that person for any reason, the officer may request a portion of that sample for analysis (ARS § 28-1388).

506.6.3 FORCED BLOOD SAMPLE

If an arrestee indicates by word or action that he/she will physically resist a blood draw, the officer should request a supervisor to respond.

The responding supervisor should:

(a) Evaluate whether using force to obtain a blood sample is appropriate under the circumstances.

(b) Ensure that all attempts to obtain a blood sample through force cease if the person agrees to, and completes a viable form of testing in a timely manner.

(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 person to submit to such a sample without physical resistance. This dialogue should be recorded on audio and/or video when practicable.

(d) Ensure that the blood sample is taken in a medically approved manner.

(e) Supervise any use of force and ensure the forced withdrawal is recorded on audio and/or video when practicable.

(f) Monitor and ensure that the type and level of force applied is reasonable under the circumstances:

1. Unless otherwise provided in a warrant, force should generally be limited to handcuffing or similar restraint methods.

2. In misdemeanor cases, if the suspect 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.

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(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.

506.7 ARREST AND INVESTIGATION

506.7.1 ADDITIONAL TESTING

The person tested shall be given a reasonable opportunity to arrange for any physician, registered nurse or other qualified person of the person's own choosing to administer a test or tests, in addition to any administered at the direction of an officer (ARS § 28-1388).

506.7.2 RESULTS FROM HEALTH CARE INSTITUTION

An officer who has reasonable grounds to believe that a person is DUI may request a copy of any written or electronic report of the person’s blood alcohol concentration that is in the possession of a health care institution (ARS § 28-1390).

506.7.3 IGNITION INTERLOCK DEVICE

A person arrested for DUI, who is also under a previous court order to have a certified ignition interlock device (IID) on his/her motor vehicle, shall submit to any test chosen by an officer (ARS § 28-1464).

506.7.4 OFFICER RESPONSIBILITIES

The arresting officer shall file a certified report of a person’s refusal and copies of the notice of suspension and temporary permit with ADOT within five days. The certified report shall contain (ARS § 28-1321):

(a) The officer’s reasonable grounds to believe that the arrested person was driving or in actual physical control of a motor vehicle:

1. While under the influence of intoxicating liquor or drugs, or
2. While under 21 years of age with alcohol in his/her body.

(b) The manner in which the person refused to submit to the test or tests.

(c) That the person was advised of the consequences of refusal.

506.8 RECORDS UNIT 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.

The Records Supervisor should ensure that any driver license or permit seized is destroyed in compliance with ARS § 41-151.15 and ARS § 41-151.19 (public records laws) or forwarded to ADOT within five days after issuance of the notice of suspension to the driver (ARS § 28-1321; ARS § 28-1385).

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506.9 ADMINISTRATIVE HEARINGS

The supervisor will ensure that all appropriate reports and documents related to administrative license suspensions are reviewed and forwarded to ADOT.

506.10 TRAINING

The Training Coordinator 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 Coordinator should confer with the prosecuting attorney's office and update training topics as needed.

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Traffic Citations

507.1 PURPOSE AND SCOPE

This policy outlines the responsibility for traffic citations, the collection of data, the procedure for dismissal, correction and voiding of traffic citations.

507.2 RESPONSIBILITIES

Employees of this department shall use the state of Arizona uniform traffic ticket and complaint form for traffic complaints (ARS § 28-1557(A) and 17C ARS, et seq.).

The Records Unit shall be responsible for the issuance and accounting of all traffic citations provided to employees of this department pursuant to ARS § 28-1557(B). Citations will be kept in a secure location and issued to officers by Records Unit staff. Officers will sign for the citation books when issued and the Records Unit will maintain a receipt for each book issued.

Officers shall return to the Records Unit (ARS § 28-1558(C)):

(a) Each traffic citation issued to an alleged violator of a traffic law or ordinance.

(b) Copies of each traffic citation that is spoiled or on which any entry has been made and not issued to an alleged violator.

507.3 DISMISSAL OF TRAFFIC CITATIONS

Employees of this department do not have the authority to dismiss a citation once it has been issued. Only the court has the authority to dismiss a citation that has been issued. Any request from a recipient to dismiss a citation shall be referred to the Traffic Sergeant for chain of command review. Upon a review of the circumstances involving the issuance of the traffic citation, the chain of command may recommend dismissal of the traffic citation. If approved, the citation will be forwarded to the appropriate prosecutor with a request for dismissal. All recipients of traffic citations whose request for dismissal has been denied shall be referred to the appropriate court.

Should an officer determine 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. Upon dismissal of the traffic citation by the court, the officer shall notify his/her immediate supervisor of the circumstances surrounding the dismissal and shall complete any paperwork as directed or required. The citation dismissal shall then be forwarded to the Field Services Division Commander for review.

Only the court has the authority to dismiss a citation that has been deposited with a court (ARS § 28-1558(B)).

507.4 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. All copies of the citation shall be presented to a supervisor to approve the voiding of the citation. The citation and copies shall then be forwarded to the Records Unit.

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507.5 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 amendment form to the prosecutor.

507.6 DISPOSITION OF TRAFFIC CITATIONS

The court and file copies of all traffic citations issued by members of this department shall be forwarded to the employee's immediate supervisor for review. The citation copies shall then be filed with the Records Unit.

Upon separation from employment with this department, all employees who were issued traffic citation books shall return any unused citations to the Records Unit.

507.7 NOTICE OF PARKING VIOLATION APPEAL PROCEDURE

Disposition of notice of parking violation appeals is conducted pursuant to Arizona law.

507.8 JUVENILE CITATIONS

Completion of traffic citation forms for juveniles may vary slightly from the procedure for adults. The juvenile's age, place of residency and the type of offense should be considered before issuing the juvenile a citation.

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Disabled Vehicles

508.1 PURPOSE AND SCOPE

Law enforcement and other public agencies may develop and adopt a written policy to provide assistance to motorists in disabled vehicles within their primary jurisdiction.

508.2 OFFICER RESPONSIBILITIES

When an on-duty officer observes a disabled vehicle on the roadway, the officer should make a reasonable effort to provide assistance. If that officer is assigned to a call of higher priority, the dispatcher should be advised of the location of the disabled vehicle and the need for assistance. The dispatcher should then assign another available officer or other department member to respond as soon as practicable.

508.3 EXTENT OF ASSISTANCE

In most cases, a disabled motorist will require assistance. After arrangements for assistance are made, continued involvement by Department personnel will be contingent on the time of day, the location, the availability of Department resources and the vulnerability of the disabled motorist.

508.3.1 MECHANICAL REPAIRS

Department personnel shall not make mechanical repairs to a disabled vehicle. The use of push bumpers to relocate vehicles to a position of safety is not considered a mechanical repair.

508.3.2 RELOCATION OF DISABLED VEHICLES

The relocation of disabled vehicles by members of this department by pushing or pulling a vehicle should only occur when the conditions reasonably indicate that immediate movement is necessary to reduce a hazard presented by the disabled vehicle.

508.3.3 RELOCATION OF DISABLED MOTORIST

A disabled motorist blocking the usual flow of traffic, will be moved from the roadway as soon as possible. The relocation of a disabled motorist not blocking the roadway should only occur with the person’s consent and should be suggested when conditions reasonably indicate that immediate movement is necessary to mitigate a potential hazard. The department member may stay with the disabled motorist or transport him/her to a safe area to await pickup.

508.4 PUBLIC ACCESS TO THIS POLICY

This written policy is available upon request.

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Abandoned Vehicle Violations

509.1 PURPOSE AND SCOPE

This policy provides procedures for the removal, recording and storage of vehicles abandoned in violation of abandoned vehicle laws, under the authority of Oro Valley Town Code and ARS § 28-4834.

509.1.1 DEFINITIONS

Definitions related to this policy include:

Abandoned Vehicle - A vehicle, trailer or semitrailer that is subject to registration, whether lost, stolen, abandoned or otherwise unclaimed and that has been abandoned on a public highway, public property or elsewhere, including private property. Evidence that a vehicle was left unattended for a period of 48 hours within the right-of-way of any highway, road, street or other public thoroughfare or for a period of 72 hours on public or private property or elsewhere is prima facie evidence of abandonment (ARS § 28-4801).

509.2 MARKING VEHICLES

Vehicles on public roadways suspected of being abandoned in violation of Arizona abandoned vehicle laws shall be marked with an unattended vehicle tag.

509.2.1 VEHICLE STORAGE

Any vehicle in violation shall be stored by the authorized towing service and a vehicle removal report shall be completed by the officer authorizing the storage of the vehicle as specified in the Vehicle Towing and Release Policy. Stored vehicles shall be entered into Arizona Crime Information Center (ARS § 28-872(F)).

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Chapter 6 - Investigation Operations

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Investigation and Prosecution

600.1 PURPOSE AND SCOPE

The purpose of this policy is to set guidelines and requirements pertaining to the handling and disposition of criminal investigations.

600.2 POLICY

It is the policy of the Oro Valley Police Department to investigate crimes thoroughly and with due diligence, and to evaluate and prepare criminal cases for appropriate clearance or submission to a prosecutor.

600.3 INITIAL INVESTIGATION

600.3.1 OFFICER RESPONSIBILITIES

An officer responsible for an initial investigation shall complete no less than the following:

(a) Make a preliminary determination of whether a crime has been committed by completing, at a minimum:

1. An initial statement from any witnesses or complainants.
2. A cursory examination for evidence.

(b) If information indicates a crime has occurred, the officer shall:

1. Preserve the scene and any evidence as required to complete the initial and follow-up investigation.
2. Determine if additional investigative resources (e.g., investigators or scene processing) are necessary and request assistance as required.
3. If assistance is warranted, or if the incident is not routine, notify a supervisor.
4. Make reasonable attempts to locate, identify and interview all available victims, complainants, witnesses and suspects.
5. Collect any evidence.
6. Take any appropriate law enforcement action.
7. Complete and submit the appropriate reports and documentation.

(c) If the preliminary determination is that no crime occurred, determine what other action may be necessary, what other resources may be available, and advise the informant or complainant of this information.

600.3.2 CIVILIAN MEMBER RESPONSIBILITIES

A civilian member assigned to any preliminary investigation is responsible for all investigative steps, except making any attempt to locate, contact or interview a suspect face-to-face or take any enforcement action. Should an initial investigation indicate that those steps are required, the assistance of an officer shall be requested.

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600.4 CUSTODIAL INTERROGATION REQUIREMENTS

Suspects who are in custody and subjected to an interrogation shall be given the *Miranda* warning, unless an exception applies. Interview or interrogation of a juvenile shall be in accordance with the Temporary Custody of Juveniles Policy. Interviews or interrogation of a person with a communications disability shall be in accordance with the Communications with Persons with Disabilities Policy.

600.4.1 AUDIO/VIDEO RECORDINGS

Any custodial interrogation of an individual who is suspected of having committed any violent felony offense should be recorded (audio or video with audio as available) in its entirety. Regardless of where the interrogation occurs, every reasonable effort should be made to secure functional recording equipment to accomplish such recordings.

Consideration should also be given to recording a custodial interrogation, or any investigative interview, for any other offense when it is reasonable to believe it would be appropriate and beneficial to the investigation and is otherwise allowed by law.

No recording of a custodial interrogation should be destroyed or altered without written authorization from the prosecuting attorney and the Criminal Investigations Unit supervisor. Copies of recorded interrogations or interviews may be made in the same or a different format as the original recording, provided the copies are true, accurate and complete and are made only for authorized and legitimate law enforcement purposes.

Recordings should not take the place of a thorough report and investigative interviews. Written statements from suspects should continue to be obtained when applicable.

600.5 DISCONTINUATION OF INVESTIGATIONS

The investigation of a criminal case or efforts to seek prosecution should only be discontinued if one of the following applies:

(a) All reasonable investigative efforts have been exhausted, no reasonable belief that the person who committed the crime can be identified, and the incident has been documented appropriately.

(b) The perpetrator of a misdemeanor has been identified and a warning is the most appropriate disposition.

1. In these cases, the investigator shall document that the person was warned and why prosecution was not sought.
2. Warnings shall not be given for felony offenses or other offenses identified in this policy or by law that require an arrest or submission of a case to a prosecutor.

(c) The case has been submitted to the appropriate prosecutor but no charges have been filed. Further investigation is not reasonable nor has the prosecutor requested further investigation.

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(d) The case has been submitted to the appropriate prosecutor, charges have been filed, and further investigation is not reasonable, warranted or requested, and there is no need to take the suspect into custody.

(e) Suspects have been arrested, there are no other suspects, and further investigation is either not warranted or requested.

Investigation has proven that a crime was not committed (see the Sexual Assault Investigations Policy for special considerations in these cases).

The Domestic Violence, Child Abuse, Sexual Assault Investigations and Adult Abuse policies may also require an arrest or submittal of a case to a prosecutor.

600.6 COMPUTERS AND DIGITAL EVIDENCE

The collection, preservation, transportation and storage of computers, cell phones and other digital devices may require specialized handling to preserve the value of the related evidence. If it is anticipated that computers or similar equipment will be seized, officers should request that computer forensic examiners assist with seizing computers and related evidence. If a forensic examiner is unavailable, officers should take reasonable steps to prepare for such seizure and use the resources that are available.

600.6.1 DIGITAL EVIDENCE RECORDED BY OFFICERS

Officers handling and submitting recorded and digitally stored evidence from digital cameras and audio or video recorders will comply with these procedures to ensure its integrity and admissibility.

600.6.2 COLLECTION OF DIGITAL EVIDENCE

Once evidence is recorded it shall not be erased, deleted or altered in any way prior to submission. All photographs taken will be preserved regardless of quality, composition or relevance. Video and audio files will not be altered in any way.

600.6.3 SUBMISSION OF DIGITAL MEDIA

The following are required procedures for the submission of digital media used by cameras or other recorders:

(a) As soon as reasonably possible following the collection of digital evidence, the device operator shall download into the department's evidence management program and complete the property evidence paperwork.

(b) Officers requiring a copy of the digital files must request a copy on the evidence form when submitted to evidence.

600.6.4 PRESERVATION OF DIGITAL EVIDENCE

(a) Only evidence technicians are authorized to copy original digital media that is related to case documentation and held as evidence. Only digital forensic examiners are authorized to copy original media seized as evidence. The original digital media shall remain in evidence and shall remain unaltered.

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(b) Digital images that are enhanced to provide a better quality photograph for identification and investigative purposes must only be made from a copy of the original media.

(c) If any enhancement is done to the copy of the original, it shall be noted in the corresponding incident report.

600.7 INVESTIGATIVE USE OF SOCIAL MEDIA AND INTERNET SOURCES

Use of social media and any other internet source to access information for the purpose of criminal investigation shall comply with applicable laws and policies regarding privacy, civil rights and civil liberties. Information gathered via the internet should only be accessed by members while on-duty and for purposes related to the mission of this department. If a member encounters information relevant to a criminal investigation while off-duty or while using his/her own equipment, the member should note the dates, times and locations of the information and report the discovery to his/her supervisor as soon as practicable. The member, or others who have been assigned to do so, should attempt to replicate the finding when on-duty and using department equipment.

Information obtained via the internet should not be archived or stored in any manner other than department-established record keeping systems (see the Records Maintenance and Release and the Criminal Intelligence Systems policies).

600.7.1 ACCESS RESTRICTIONS

Information that can be accessed from any department computer, without the need of an account, password, email address, alias or other identifier (unrestricted websites), may be accessed and used for legitimate investigative purposes without supervisory approval.

Accessing information from any internet source that requires the use or creation of an account, password, email address, alias or other identifier, or the use of nongovernment IP addresses, requires supervisor approval prior to access. The supervisor will review the justification for accessing the information and consult with legal counsel as necessary to identify any policy or legal restrictions. Any such access and the supervisor approval shall be documented in the related investigative report.

Accessing information that requires the use of a third party's account or online identifier requires supervisor approval and the consent of the third party. The consent must be voluntary and shall be documented in the related investigative report.

Information gathered from any internet source should be evaluated for its validity, authenticity, accuracy and reliability. Corroborative evidence should be sought and documented in the related investigative report.

Any information collected in furtherance of an investigation through an internet source should be documented in the related report. Documentation should include the source of information and the dates and times that the information was gathered.

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600.7.2 INTERCEPTING ELECTRONIC COMMUNICATION
Intercepting social media communications in real time may be subject to federal and state wiretap laws. Officers should seek legal counsel before any such interception.

600.8 TRACKING DEVICES AND CELL SITE SIMULATORS

The Support Services Division Commander is responsible for ensuring that search warrants for use of tracking devices and cell site simulators meet the requirements of the provisions contained in ARS § 13-4293 and ARS § 13-4294.

600.9 COLD CASE REGISTER

The Department shall maintain a confidential cold case register for offenses including homicides and felony sexual offenses that have remained unsolved for more than one year. As reasonably practicable, cold cases shall be revisited periodically for new information.

Maintenance of the cold case register and proper notification of the victim, victim's family or appropriate representative shall be in accordance with Arizona law (ARS § 13-4271).

600.10 THEFT NOTIFICATION WEBSITE REGISTRATION

The Criminal Investigations Unit supervisor shall ensure that this department is registered with the free theft notification website and reports stolen items via the website to recycling operations and other law enforcement agencies within a 100-mile radius of a theft (ARS § 44-1641.02; ARS § 44-1641.05).

600.11 MODIFICATION OF CHARGES FILED

Members are not authorized to recommend to the prosecutor or to any other official of the court that charges on a pending case be amended or dismissed without the authorization of the assigned detective or unit supervisor . Any authorized request to modify the charges or to recommend dismissal of charges shall be made to the prosecutor.

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Sexual Assault Investigations

602.1 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 notification requirements are addressed in the Child Abuse and Adult Abuse policies.

602.1.1 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 ARS § 13-1401 et seq.

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.

602.2 POLICY

It is the policy of the Oro Valley 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.

602.3 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 or other multidisciplinary investigative teams as applicable.

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602.4 REPORTING

In all reported or suspected cases of sexual assault, a report should be written and assigned for follow-up investigation. This includes incidents in which the allegations appear unfounded or unsubstantiated.

602.4.1 WEBSITES THAT SEXUALLY EXPLOIT CHILDREN

Members who become aware of a website that sexually exploits children shall notify a supervisor who will ensure the service provider of the website is served notice of the alleged violation pursuant to ARS § 13-3562.

602.5 VICTIM INTERVIEWS

The primary considerations in sexual assault investigations, which begin with the initial call to Communications Bureau, should be the health and safety of the victim, the preservation of evidence, and preliminary interviews to determine if a crime has been committed and to attempt to identify the suspect.

Whenever possible, a member of the SART should be included in the initial victim interviews.

An in-depth follow-up interview should not be conducted until after the medical and forensic examinations are completed and the personal needs of the victim have been met (e.g., change of clothes, bathing). The follow-up interview may be delayed to the following day based upon the circumstances. Whenever practicable, the follow-up interview should be conducted by a qualified investigator.

No opinion of whether the case is unfounded should be included in a report.

Victims should not be asked or required to take a polygraph examination (34 USC § 10449).

Victims should be apprised of applicable victim's rights provisions, as outlined in the Victim and Witness Assistance Policy.

602.6 COLLECTION AND TESTING OF BIOLOGICAL EVIDENCE

Whenever possible, a SART member should be involved in the collection of forensic evidence from the victim.

When the facts of the case indicate that collection of biological evidence is warranted, it should be collected regardless of how much time has elapsed since the reported assault.

If a drug-facilitated sexual assault is suspected, urine and blood samples should be collected from the victim as soon as practicable.

Subject to requirements set forth in this policy, biological evidence from all sexual assault cases, including cases where the suspect is known by the victim, should be submitted for testing.

Victims who choose not to assist with an investigation, do not desire that the matter be investigated or wish to remain anonymous may still consent to the collection of evidence under their control. In these circumstances, the evidence should be collected and stored appropriately.

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602.6.1 COLLECTION AND TESTING REQUIREMENTS
Members investigating sexual assaults or handling related evidence are required to do the following (ARS § 13-1426):

(a) Facilitate the collection of a sexual assault kit when notified by a health care facility that a sexual assault kit is ready for release within five business days of notification.

(b) Ensure the sexual assault kit evidence is submitted to the appropriate laboratory within 15 business days after its receipt in cases where the victim has made a report and there is a reasonable belief that a crime has occurred.

Additional guidance regarding evidence retention and destruction is found in the Property and ID Unit Policy.

602.6.2 MINOR CONSENT TO MEDICAL EXAMINATION
Where a minor, age 12 years or older, is a victim of a sexual assault and it is not possible to contact the parents or legal guardian within the allotted timeframe a medical examination should be conducted. The minor may give consent to a hospital, medical and surgical examination, as well as to diagnosis and care in connection with such violation (ARS § 13-1413).

602.6.3 DNA TEST RESULTS
Members investigating sexual assault cases should notify victims of any DNA test results as soon as reasonably practicable.

A SART member should be consulted regarding the best way to deliver biological testing results to a victim so as to minimize victim trauma, especially in cases where there has been a significant delay in getting biological testing results (e.g., delays in testing the evidence or delayed DNA databank hits). Members should make reasonable efforts to assist the victim by providing available information on local assistance programs and organizations as provided in the Victim and Witness Assistance Policy.

Members investigating sexual assaults cases should ensure that DNA results are entered into databases when appropriate and as soon as practicable.

602.7 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 Investigations Unit supervisor.

Classification of a sexual assault case as unfounded requires the Criminal Investigations Unit supervisor to determine that the facts have significant irregularities with reported information and that the incident could not have happened as it was reported. When a victim has recanted his/her original statement, there must be corroborating evidence that the allegations were false or baseless (i.e., no crime occurred) before the case should be determined as unfounded.

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602.8 CASE REVIEW

The Criminal Investigations Unit supervisor should ensure cases are reviewed on a periodic basis, at least annually, using an identified group that is independent of the investigation process. The reviews should include an analysis of:

- Case dispositions.
- Decisions to collect biological evidence.
- Submissions of biological evidence for lab testing.

The SART and/or victim advocates should be considered for involvement in this audit.

602.8.1 REPORTING TO DEPARTMENT OF PUBLIC SAFETY

The Criminal Investigations Unit supervisor or authorized designee should ensure that the data required by the Department of Public Safety (DPS) regarding sexual assault kits is collected and provided to the Property and ID Unit for required annual reporting to DPS (ARS § 13-1427).

602.9 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 Investigations Unit 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.

602.10 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.
4. Serial crimes investigations.
5. Use of community and other federal and state investigative resources, such as the Violent Criminal Apprehension Program (ViCAP).
6. Techniques for communicating with victims to minimize trauma.

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Asset Forfeiture

603.1 PURPOSE AND SCOPE

This policy describes the authority and procedure for the seizure, forfeiture and liquidation of property associated with designated offenses.

603.1.1 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 Oro Valley Police Department seizes property for forfeiture or when the Oro Valley 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 acting as the liaison between the Department and the prosecutor.

Property subject to forfeiture - Property, including all interests in such property, described in a statute providing for its forfeiture. This may include, but is not limited to (ARS § 13-4304):

(a) The following items used or intended for use in drug offenses in violation of ARS § 13-3401 et seq. (ARS § 13-3413):

1. Property, equipment, containers, materials, money, etc.
2. Vehicles to facilitate the transportation, sale or receipt of, or in which is contained or possessed, any item or drug (with exceptions addressed below).

(b) The following property (ARS § 13-3413):

1. Proceeds traceable to a drug offense in violation of ARS § 13-3401 et seq. committed for financial gain.
2. All proceeds seized in this state and traceable to an offense that:
   (a) Is committed outside Arizona but is equivalent to an Arizona drug offense under ARS § 13-3401 et seq.
   (b) Is punishable by imprisonment for more than one year.
   (c) Involves prohibited drugs, marijuana or other prohibited chemicals or substances.
   (d) Is committed for financial gain.

(c) Property utilized in or proceeds from racketeering offenses (ARS § 13-2314).

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1. Property or interests in property acquired or maintained by an individual in violation of ARS § 13-2312.
2. Any interest in, security of, claims against, or property, office, title, license or contractual right of any kind affording a source of influence over any enterprise or other property which an individual has acquired or maintained an interest in, or control of, or conducted or participated in the conduct of in violation of ARS § 13-2312.
3. Proceeds traceable to an offense included in the definition racketeering (ARS § 13-2301(D)(4)) and held by an individual, and all monies, negotiable instruments, securities and other property used or intended to be used by an individual in any manner or part to facilitate commission of the offense and that an individual either owned or controlled for the purpose of that use (racketeering includes an expansive list of applicable offenses).
4. Any other property of equivalent value to other property subject to forfeiture for racketeering above.
5. Any property or interest in property acquired or maintained by an individual in violation of ARS § 13-2312.

(d) Vehicles used in a drive-by shooting (ARS § 13-1209).

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.

603.2 POLICY

The Oro Valley 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 individual's due process rights.

It is the policy of the Oro Valley 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.

603.3 ASSET SEIZURE

Property may be seized for forfeiture as provided in this policy.

603.3.1 PROPERTY SUBJECT TO SEIZURE

The following may be seized upon review and approval of a supervisor and in coordination with the forfeiture reviewer (ARS § 13-4305):

(a) Property subject to forfeiture identified in a search warrant or court order.

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(b) Property subject to forfeiture not identified in a search warrant or court order when any of the following are true:

1. Property is legally seized incident to an arrest or search as evidence of an offense.
2. The officer has probable cause to believe the property qualifies as property subject to forfeiture.

Whenever practicable, obtaining a search warrant or court order for seizure prior to making a seizure is the preferred method.

A large amount of money standing alone is insufficient to establish the probable cause required to make a seizure.

603.3.2 PROPERTY NOT SUBJECT TO SEIZURE
The following property should not be seized for forfeiture:

(a) Cash and property that does not meet the prosecutor's current minimum forfeiture thresholds should not be seized.

(b) A vehicle, when it appears that the owner or other person in charge of the vehicle did not consent to the use of the vehicle for the relevant offense or know of the offense (ARS § 13-4304).

(c) A vehicle unlawfully in the possession of an individual other than the owner in violation of the criminal laws of this state or of the United States (ARS § 13-4304).

(d) Property or vehicles used for a drug offense involving unlawful substances that do not meet the threshold amounts of ARS § 13-3401 and are not possessed for financial gain (ARS § 13-4304).

603.4 MAINTAINING SEIZED PROPERTY

The Property and ID Unit 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.

(d) Property received for forfeiture is not used by the Department unless the forfeiture action has been completed.

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603.5 FORFEITURE REVIEWER

The Chief of Police will appoint a forfeiture reviewer. Prior to assuming duties, or as soon as practicable thereafter, the forfeiture reviewer should attend a course approved by the Department on asset forfeiture.

The responsibilities of the forfeiture reviewer include:

(a) Remaining familiar with forfeiture laws, particularly ARS § 13-4301 et seq. and the forfeiture policies of the prosecutor.

(b) Serving as the liaison between the Department and the prosecutor and ensuring prompt legal review of all seizures (ARS § 13-4306).

(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 personnel 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 those who may be involved in asset forfeiture receive training in the proper use of the seizure forms and the forfeiture process. The training should be developed in consultation with the appropriate legal counsel and may be accomplished through traditional classroom education, electronic media, Daily Training Bulletins (DTBs) or Departmental Directives. The training should cover this policy and address any relevant statutory changes and court decisions.

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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 (ARS § 13-4306; ARS § 13-4307).
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 is available for other law enforcement personnel and attorneys who may assist in these matters.

(j) Ensuring that the process of selling or adding forfeited property to department inventory is in accordance with all applicable laws and consistent with the use and disposition of similar property.

(k) Upon completion of any forfeiture process, ensuring that no property is retained by the Oro Valley Police Department unless the Chief of Police authorizes in writing the retention of the property for official use.

(l) Ensuring that no seized property is transferred to a federal agency except as authorized by ARS § 13-4306.

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 Town financial directives.

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603.6 DISPOSITION OF FORFEITED PROPERTY

Property that is allocated for official use may not be assigned for use by any person who supervised or exercised discretion in its forfeiture unless the use is approved in writing by the Chief of Police (ARS § 13-4315).

Any funds from the county anti-racketeering revolving fund administered by the county attorney shall be used for purposes specified in ARS § 13-2314.03 (e.g., gang prevention, substance abuse prevention, witness protection or any other purpose permitted by federal law related to forfeited money transferred to a law enforcement agency). If forfeited funds are being requested, the forfeiture reviewer shall take reasonable steps to see that a written application is forwarded to the county attorney and that expenditures of funds are documented and reported as required by ARS § 13-2314.03.

No member of this department may use property that has been seized for forfeiture until the forfeiture action has been completed and the Chief of Police has given written authorization to retain the property for official use. No department member involved in the decision to seize property should be involved in any decision regarding the disposition of the property.

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Informants

604.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the use of informants.

604.1.1 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 Oro Valley Police Department for law enforcement purposes. This also includes a person agreeing to supply information to the Oro Valley Police Department for a benefit (e.g., a quid pro quo in the form of a reduced criminal penalty, money).

604.2 POLICY

The Oro Valley 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.

604.3 USE OF INFORMANTS

604.3.1 INITIAL APPROVAL

Before using an individual as an informant, an officer must receive approval from his/her supervisor. The officer shall compile sufficient information through a background investigation and experience with the informant in order to determine the suitability of the individual, including age, maturity and risk of physical harm, as well as any indicators of his/her reliability and credibility.

Members of this department should not guarantee absolute safety or confidentiality to an informant.

604.3.2 JUVENILE INFORMANTS

The use of informants under the age of 13 is prohibited.

In all cases, a juvenile 13 years of age or older may only be used as an informant with the written consent of each of the following:

(a) The juvenile’s parents or legal guardians

(b) The juvenile’s attorney, if any

(c) The court in which the juvenile’s case is being handled, if applicable

(d) The Chief of Police or the authorized designee

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604.3.3 INFORMANT AGREEMENTS

All informants are required to sign and abide by the provisions of the designated department informant agreement. The officer using the informant shall discuss each of the provisions of the agreement with the informant.

Details of the agreement are to be approved in writing by a supervisor before being finalized with the informant.

604.4 INFORMANT INTEGRITY

To maintain the integrity of the informant process, the following must be adhered to:

(a) The identity of an informant acting in a confidential capacity shall not be withheld from the Chief of Police, Division Commander, Criminal Investigations Unit supervisor or their authorized designees.

1. Identities of informants acting in a confidential capacity shall otherwise be kept confidential.

(b) Criminal activity by informants shall not be condoned.

(c) Informants shall be told they are not acting as police officers, employees or agents of the Oro Valley 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 Criminal Investigations Unit supervisor.
3. Members shall neither solicit nor accept gratuities or engage in any private business transaction with an informant.

(e) Officers shall not meet with informants in a private place unless accompanied by at least one additional officer or with prior approval of the Criminal Investigations Unit supervisor.

1. Officers may meet informants alone in an occupied public place, such as a restaurant.

(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.

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604.4.1 UNSUITABLE INFORMANTS

The suitability of any informant should be considered before engaging him/her in any way in a covert or other investigative process. Members who become aware that an informant may be unsuitable will notify the supervisor, who will initiate a review to determine suitability. Until a determination has been made by a supervisor, the informant should not be used by any member. The supervisor shall determine whether the informant should be used by the Department and, if so, what conditions will be placed on his/her participation or any information the informant provides. The supervisor shall document the decision and conditions in file notes and mark the file “unsuitable” when appropriate.

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.

604.5 INFORMANT FILES

Informant files shall be utilized as a source of background information about the informant, to enable review and evaluation of information provided by the informant, and to minimize incidents that could be used to question the integrity of department members or the reliability of the informant.

Informant files shall be maintained in a secure area within the Criminal Investigations Unit. The Criminal Investigations Unit supervisor or the authorized designee shall be responsible for maintaining informant files. Access to the informant files shall be restricted to the Chief of Police, Division Commander, Criminal Investigations Unit supervisor or their authorized designees.

The Support Services 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 Criminal Investigations 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

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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.

604.5.1 FILE SYSTEM PROCEDURE

A separate file shall be maintained on each informant and shall be coded with an assigned informant control number. An informant history that includes the following information 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

604.6 INFORMANT PAYMENTS

No informant will be told in advance or given an exact amount or percentage for his/her service. The amount of funds to be paid to any informant will be evaluated against the following criteria:

- The extent of the informant's personal involvement in the case
- The significance, value or effect on crime
- The value of assets seized
- The quantity of the drugs or other contraband seized
- The informant’s previous criminal activity
- The level of risk taken by the informant

The Criminal Investigations Unit supervisor will discuss the above factors with the Support Services Division Commander and recommend the type and level of payment subject to approval by the Chief of Police.

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604.6.1 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 Criminal Investigations Unit buy/expense fund.

1. The Criminal Investigations 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 Town 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) Oro Valley 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.

604.6.2 REPORTING OF PAYMENTS

Each informant receiving a cash payment shall be advised of his/her responsibility to report the cash to the Internal Revenue Service (IRS) as income. If funds distributed exceed $600 in any reporting year, the informant should be provided IRS Form 1099 (26 CFR 1.6041-1). If such documentation or reporting may reveal the identity of the informant and by doing so jeopardize any investigation, the safety of officers or the safety of the informant (26 CFR 1.6041-3), then IRS Form 1099 should not be issued.

In such cases, the informant shall be provided a letter identifying the amount he/she must report on a tax return as “other income” and shall be required to provide a signed acknowledgement of receipt of the letter. The completed acknowledgement form and a copy of the letter shall be retained in the informant’s file.

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604.6.3 AUDIT OF PAYMENTS

The Criminal Investigations 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.

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Eyewitness Identification

605.1 PURPOSE AND SCOPE

This policy sets forth guidelines to be used when members of this department employ eyewitness identification techniques.

605.1.1 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.

605.2 POLICY

The Oro Valley 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.

605.3 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.

605.4 EYEWITNESS IDENTIFICATION PROCESS AND FORM

The Criminal Investigations Unit supervisor shall be responsible for the development and maintenance of an eyewitness identification process for use by members when they are conducting eyewitness identifications.

The process should include appropriate related forms or reports that provide:

(a) The date, time and location of the eyewitness identification procedure.

(b) The name and identifying information of the witness.

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(c) The name of the person administering the identification procedure.

(d) If applicable, the names of all of the individuals present during the identification procedure.

(e) An instruction to the witness that it is as important to exclude innocent persons as it is to identify a perpetrator.

(f) An instruction to the witness that the perpetrator may or may not be among those presented and that the witness is not obligated to make an identification.

(g) If the identification is a photographic or live lineup, an instruction to the witness that the perpetrator may not appear exactly as he/she did on the date of the incident.

(h) An instruction to the witness that the investigation will continue regardless of whether an identification is made by the witness.

(i) A signature line where the witness acknowledges that he/she understands the identification procedures and instructions.

(j) A statement from the witness in the witness's own words describing how certain he/she is of the identification or non-identification. This statement should be taken at the time of the identification procedure.

The process and related forms should be reviewed at least annually and modified when necessary.

605.5 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.

605.6 DOCUMENTATION

A thorough description of the eyewitness process and the results of any eyewitness identification should be documented in the case report.

If a photographic lineup is utilized, a copy of the photographic lineup presented to the witness should be included in the case report. In addition, the order in which the photographs were presented to the witness should be documented in the case report.

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605.7 PHOTOGRAPHIC 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 reviewed 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 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.

605.8 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.

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(d) When feasible, members should bring the witness to the location of the subject of the show-up, rather than bring the subject of the show-up to the witness.

(e) The person who is the subject of the show-up should not be shown to the same witness more than once.

(f) In cases involving multiple suspects, witnesses should only be permitted to view the subjects of the show-up one at a time.

(g) The person who is the subject of the show-up should not be required to put on clothing worn by the suspect, to speak words uttered by the suspect or to perform other actions mimicking those of the suspect.

(h) If a witness positively identifies a subject of 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.

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Warrant Service

606.1 PURPOSE AND SCOPE

This policy establishes guidelines for the planning and serving of arrest and search warrants by members of this department. It is understood that this policy cannot address every variable or circumstance that can arise in the service of a search or arrest warrant, as these tasks can involve rapidly evolving and unique circumstances.

This policy is intended to be used in conjunction with the Operations Planning and Deconfliction Policy, which has additional guidance on planning and serving high-risk warrants.

This policy is not intended to address the service of search warrants on locations or property already secured, DUI blood draws or routine field warrant arrests by patrol officers.

606.2 POLICY

It is the policy of the Oro Valley Police Department to balance the safety needs of the public, the safety of department members, privacy interests and other relevant factors when making decisions related to the service of search and arrest warrants.

606.3 OPERATIONS DIRECTOR

The operations director (involved bureau lieutenant, see the Operations Planning and Deconfliction Policy) shall review all risk assessment forms with the involved supervisor to determine the risk level of the warrant service.

The operations director will also have the responsibility to coordinate service of those warrants that are categorized as high risk. Deconfliction, risk assessment, operational planning, briefing and debriefing should follow guidelines in the Operations Planning and Deconfliction Policy.

606.4 SEARCH WARRANTS

Officers should receive authorization from a supervisor before preparing a search warrant application. Once authorization is received, the officer will prepare the affidavit and search warrant, consulting with the applicable prosecuting attorney as needed. He/she will also complete the risk assessment form and submit it, along with the warrant affidavit, to the appropriate supervisor and the operations director for review and classification of risk (see the Operations Planning and Deconfliction Policy).

606.5 ARREST WARRANTS

If an officer reasonably believes that serving an arrest warrant may pose a higher risk than commonly faced on a daily basis, the officer should complete the risk assessment form and submit it to the appropriate supervisor and the operations director for review and classification of risk (see the Operations Planning and Deconfliction Policy).

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If the warrant is classified as high risk, service will be coordinated by the operations director. If the warrant is not classified as high risk, the supervisor should weigh the risk of entry into a residence to make an arrest against other alternatives, such as arresting the person outside the residence where circumstances may pose a lower risk.

606.6 WARRANT PREPARATION

An officer who prepares a warrant should ensure the documentation in support of the warrant contains as applicable:

(a) Probable cause to support the search or arrest, including relevant dates and times to demonstrate timeliness and facts to support any request for nighttime warrant execution.

(b) A clear explanation of the affiant's training, experience and relevant education.

(c) Adequately supported opinions, when relevant, that are not left to unsubstantiated conclusions.

(d) A nexus between the place to be searched and the persons or items central to the investigation. The facts supporting this nexus should be clear and current. For example, the affidavit shall explain why there is probable cause to believe that a particular person is currently residing at a particular location or that the items sought are present at a particular location.

(e) Full disclosure of known or suspected residents at the involved location and any indication of separate living spaces at the involved location. For example, it should be disclosed that several people may be renting bedrooms at a single location, even if the exact location of the rooms is not known.

(f) A specific description of the location to be searched, including photographs of the location, if reasonably available.

(g) A sufficient description of the items to be seized.

(h) Full disclosure of any known exculpatory information relevant to the warrant application (refer to the *Brady* Material Disclosure Policy).

606.7 HIGH-RISK WARRANT SERVICE

The operations director or the authorized designee shall coordinate the service of warrants that are categorized as high risk and shall have sole authority in determining the manner in which the warrant will be served, including the number of officers deployed.

The member responsible for directing the service should ensure the following as applicable:

(a) When practicable and when doing so does not cause unreasonable risk, video or photographic documentation is made of the condition of the location prior to execution of a search warrant. The images should include the surrounding area and persons present.

(b) The warrant service is audio- and video-recorded when practicable and reasonable to do so.

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(c) Evidence is handled and collected only by those members who are designated to do so. All other members involved in the service of the warrant should alert one of the designated members to the presence of potential evidence and not touch or disturb the items.

(d) Reasonable efforts are made during the search to maintain or restore the condition of the location.

(e) Persons who are detained as part of the warrant service are handled appropriately under the circumstances.

(f) Reasonable care provisions are made for children and dependent adults (see the Child and Dependent Adult Safety Policy).

(g) A list is made of all items seized and a copy provided to the person in charge of the premises if present or otherwise left in a conspicuous place.

(h) A copy of the search warrant is left at the location.

(i) The condition of the property is documented with video recording or photographs after the search.

606.8 DETENTIONS DURING WARRANT SERVICE

Officers must be sensitive to the safety risks of all persons involved with the service of a warrant. Depending on circumstances and facts present, it may be appropriate to control movements of any or all persons present at a warrant service, including those who may not be the subject of a warrant or suspected in the case. However, officers must be mindful that only reasonable force may be used and weapons should be displayed no longer than the officer reasonably believes is necessary (see the Use of Force Policy).

As soon as it can be determined that an individual is not subject to the scope of a warrant and that no further reasonable suspicion or safety concerns exist to justify further detention, the person should be promptly released.

Officers should, when and to the extent reasonable, accommodate the privacy and personal needs of people who have been detained.

606.9 ACTIONS AFTER WARRANT SERVICE

The supervisor shall ensure that all affidavits, warrants, receipts and returns, regardless of any associated cases, are filed with the issuing judge or magistrate as soon as reasonably possible, but in any event no later than any date specified on the warrant.

606.10 OUTSIDE AGENCIES AND CROSS-JURISDICTIONAL WARRANTS

With the exception of Pima Regional Special Weapons and Tactics, the operations director will ensure that cooperative efforts with other agencies in the service of warrants conform to existing mutual aid agreements or other memorandums of understanding and will work cooperatively to mitigate risks including, but not limited to, the following:

- Identity of team members

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- Roles and responsibilities
- Familiarity with equipment
- Rules of engagement
- Asset forfeiture procedures

Any outside agency requesting assistance in the service of a warrant within this jurisdiction should be referred to the operations director. The director should review and confirm the warrant, including the warrant location, and should discuss the service with the appropriate supervisor from the other agency. The director should ensure that members of the Oro Valley Police Department are utilized appropriately. Any concerns regarding the requested use of Oro Valley Police Department members should be brought to the attention of the Chief of Police or the authorized designee. The actual service of the warrant will remain the responsibility of the agency requesting assistance.

If the operations director is unavailable, the Sergeant should assume this role.

If officers intend to serve a warrant outside Oro Valley Police Department jurisdiction, the operations director should provide reasonable advance notice to the applicable agency, request assistance as needed and work cooperatively on operational planning and the mitigation of risks detailed in this policy.

Officers will remain subject to the policies of the Oro Valley Police Department when assisting outside agencies or serving a warrant outside Oro Valley Police Department jurisdiction.

606.11 MEDIA ACCESS

No advance information regarding warrant service operations shall be released without the approval of the Chief of Police. Any media inquiries or press release after the fact shall be handled in accordance with the Media Relations Policy.

606.12 TRAINING

The Training Coordinator should ensure officers receive periodic training on this policy and associated topics, such as legal issues, warrant preparation, warrant service and reporting requirements.

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Operations Planning and Deconfliction

607.1 PURPOSE AND SCOPE

This policy provides guidelines for planning, deconfliction and execution of high-risk operations, with the exception of Pima Regional Special Weapons and Tactics.

Additional guidance on planning and serving high-risk warrants is provided in the Warrant Service Policy.

607.1.1 DEFINITIONS

Definitions related to this policy include:

High-risk operations - Operations, including service of search and arrest warrants and sting operations, that are likely to present higher risks than are commonly faced by officers on a daily basis, including suspected fortified locations, reasonable risk of violence or confrontation with multiple persons, or reason to suspect that persons anticipate the operation.

607.2 POLICY

It is the policy of the Oro Valley Police Department to properly plan and carry out high-risk operations, including participation in a regional deconfliction system, in order to provide coordination, enhance the safety of members and the public, decrease the risk of compromising investigations and prevent duplicating efforts.

607.3 OPERATIONS DIRECTOR

The Chief of Police will designate the involved buerau lieutenant to be the operations director.

The operations director will develop and maintain a risk assessment form to assess, plan and coordinate operations. This form should provide a process to identify high-risk operations.

The operations director will review risk assessment forms with involved supervisors to determine whether a particular incident qualifies as a high-risk operation. The director will also have the responsibility for coordinating operations that are categorized as high risk.

607.4 RISK ASSESSMENT

607.4.1 RISK ASSESSMENT FORM PREPARATION

Officers assigned as operational leads for any operation that may qualify as a high-risk operation shall complete a risk assessment form.

When preparing the form, the officer should query all relevant and reasonably available intelligence resources for information about the subject of investigation, others who may be present and the involved location. These sources may include regional intelligence and criminal justice databases, target deconfliction systems, firearm records, commercial databases and property records. Where appropriate, the officer should also submit information to these resources.

The officer should gather available information that includes, but is not limited to:

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(a) Photographs, including aerial photographs, if available, of the involved location, neighboring yards and obstacles.

(b) Maps of the location.

(c) Diagrams of any property and the interior of any buildings that are involved.

(d) Historical information about the subject of investigation (e.g., history of weapon possession or use, known mental illness, known drug use, threats against police, gang affiliation, criminal history).

(e) Historical information about others who may be present at the location (e.g., other criminals, innocent third parties, dependent adults, children, animals).

(f) Obstacles associated with the location (e.g., fortification, booby traps, reinforced doors/windows, surveillance measures, number and type of buildings, geographic and perimeter barriers, the number and types of weapons likely to be present, information that suggests the presence of explosives, chemicals or other hazardous materials, the potential for multiple dwellings or living spaces, availability of keys/door combinations).

(g) Other environmental factors (e.g., nearby venues such as schools and day care centers, proximity of adjacent homes or other occupied buildings, anticipated pedestrian and vehicle traffic at the time of service).

(h) Other available options that may minimize the risk to officers and others (e.g., making an off-site arrest or detention of the subject of investigation).

607.4.2 RISK ASSESSMENT REVIEW

Officers will present the risk assessment form and other relevant documents (such as copies of search warrants and affidavits and arrest warrants) to their supervisor and the operations director.

The supervisor and operations director shall confer and determine the level of risk. Supervisors should take reasonable actions if there is a change in circumstances that elevates the risks associated with the operation.

607.4.3 HIGH-RISK OPERATIONS

If the operations director, after consultation with the involved supervisor, determines that the operation is high risk, the operations director should:

(a) Determine what resources will be needed at the location, and contact and/or place on standby any of the following appropriate and available resources:

1. Pima Regional Special Weapons and Tactics (Pima Regional SWAT)
2. Additional personnel
3. Outside agency assistance
4. Special equipment
5. Medical personnel
6. Persons trained in negotiation
7. Additional surveillance

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8. Canines
9. Property and ID Unit or analytical personnel to assist with cataloguing seizures
10. Forensic specialists
11. Specialized mapping for larger or complex locations

(b) Contact the appropriate department members or other agencies as warranted to begin preparation.

(c) Ensure that all legal documents such as search warrants are complete and have any modifications reasonably necessary to support the operation.

(d) Coordinate the actual operation.

607.5 DECONFLICTION

Deconfliction systems are designed to identify persons and locations associated with investigations or law enforcement operations and alert participating agencies when others are planning or conducting operations in close proximity or time or are investigating the same individuals, groups or locations.

If any conflict is discovered, the supervisor will contact the involved jurisdiction and resolve the potential conflict before proceeding.

607.6 OPERATIONS PLAN

The operations director should ensure that a written operations plan is developed for all high-risk operations. Plans should also be considered for other operations that would benefit from having a formal plan.

The plan should address such issues as:

(a) Operation goals, objectives and strategies.

(b) Operation location and people:

1. The subject of investigation (e.g., history of weapon possession/use, known mental illness issues, known drug use, threats against police, gang affiliation, criminal history)
2. The location (e.g., fortification, booby traps, reinforced doors/windows, surveillance cameras and/or lookouts, number/type of buildings, geographic and perimeter barriers, the number and types of weapons likely to be present, information that suggests the presence of explosives, chemicals or other hazardous materials, the potential for multiple dwellings or living spaces, availability of keys/door combinations), including aerial photos, if available, and maps of neighboring yards and obstacles, diagrams and other visual aids
3. Other environmental factors (e.g., nearby venues such as schools and day care centers, proximity of adjacent homes or other occupied buildings, anticipated pedestrian and vehicle traffic at the time of service)

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4. Identification of other people who may be present in or around the operation, such as other criminal suspects, innocent third parties and children

(c) Information from the risk assessment form by attaching a completed copy in the operational plan.

1. The volume or complexity of the information may indicate that the plan includes a synopsis of the information contained on the risk assessment form to ensure clarity and highlighting of critical information.

(d) Participants and their roles.

1. An adequate number of uniformed officers should be included in the operation team to provide reasonable notice of a legitimate law enforcement operation.

2. How all participants will be identified as law enforcement.

(e) Identification of all communications channels and call-signs.

(f) Use of force issues.

(g) Contingencies for handling medical emergencies (e.g., services available at the location, closest hospital, closest trauma center).

(h) Plans for detaining people who are not under arrest.

(i) Contingencies for handling children, dependent adults, animals and other people who might be at the location in accordance with the Child Abuse, Adult Abuse, Child and Dependent Adult Safety and Animal Control policies.

(j) Communications plan.

607.6.1 OPERATIONS PLAN RETENTION

Since the operations plan contains intelligence information and descriptions of law enforcement tactics, it shall not be filed with the report. The operations plan shall be stored separately and retained in accordance with the established records retention schedule.

607.7 OPERATIONS BRIEFING

A briefing should be held prior to the commencement of any high-risk operation to allow all participants to understand the operation, see and identify each other, identify roles and responsibilities and ask questions or seek clarification as needed. Anyone who is not present at the briefing should not respond to the operation location without specific supervisory approval.

(a) The briefing should include a verbal review of plan elements, using visual aids, to enhance the participants' understanding of the operations plan.

(b) All participants should be provided a copy of the operations plan and search warrant, if applicable. Participating personnel should be directed to read the search warrant and initial a copy that is retained with the operation plan. Any items to be seized should be identified at the briefing.

(c) The operations director shall ensure that all participants are visually identifiable as law enforcement officers.

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1. Exceptions may be made by the operations director for officers who are conducting surveillance or working under cover. However, those members exempt from visual identification should be able to transition to a visible law enforcement indicator at the time of enforcement actions, such as entries or arrests, if necessary.

(d) The briefing should include details of the communications plan.

1. It is the responsibility of the operations director to ensure that Communications Bureau is notified of the time and location of the operation, and to provide a copy of the operation plan prior to officers arriving at the location.
2. If the radio channel needs to be monitored by Communications Bureau, the dispatcher assigned to monitor the operation should attend the briefing, if practicable, but at a minimum should receive a copy of the operation plan.
3. The briefing should include a communications check to ensure that all participants are able to communicate with the available equipment on the designated radio channel.

607.8 PIMA REGIONAL SWAT PARTICIPATION

If the operations director determines that Pima Regional SWAT participation is appropriate, the director and the Pima Regional SWAT supervisor shall work together to develop a written plan. The Pima Regional SWAT supervisor shall assume operational control until all persons at the scene are appropriately detained and it is safe to begin a search. When this occurs, the Pima Regional SWAT supervisor shall transfer control of the scene to the handling supervisor. This transfer should be communicated to the officers present.

607.9 MEDIA ACCESS

No advance information regarding planned operations shall be released without the approval of the Chief of Police. Any media inquiries or press release after the fact shall be handled in accordance with the Media Relations Policy.

607.10 OPERATIONS DEBRIEFING

High-risk operations should be debriefed as soon as reasonably practicable. The debriefing should include as many participants as possible. This debrief may be separate from any Pima Regional SWAT debriefing.

607.11 TRAINING

The Training Coordinator should ensure officers and Pima Regional SWAT team members who participate in operations subject to this policy should receive periodic training including, but not limited to, topics such as legal issues, deconfliction practices, operations planning concepts and reporting requirements.

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Chapter 7 - Equipment

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Department-Owned and Personal Property

700.1 PURPOSE AND SCOPE

Department employees are expected to properly care for Department property assigned or entrusted to them. Employees may also suffer occasional loss or damage to personal or Department property while performing their assigned duties. Certain procedures are required depending on the loss and ownership of the item.

700.2 DOCUMENTATION OF ISSUED PROPERTY

All property issued shall be documented in the appropriate property sheet or equipment log and receipt acknowledged by signature. Upon an employee's separation from the Department, all issued equipment shall be returned and documentation of the return signed by a supervisor.

700.2.1 CARE OF DEPARTMENT PROPERTY

Employees shall be responsible for the safekeeping, serviceable condition, proper care, use and replacement of Department property assigned or entrusted to them. An employee's intentional or negligent abuse or misuse of Department property may lead to discipline including, but not limited to, the cost of repair or replacement.

(a) Employees shall promptly write an officer's report through the chain of command, any loss, damage to or unserviceable condition of any Oro Valley Police Department-issued property or equipment assigned for their use.

1. A supervisor receiving such a report shall conduct an appropriate investigation and forward the officer's report through the chain of command that shall include the result 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, damage or unserviceable condition.

2. A review by the staff to determine whether misconduct or negligence was involved should be completed.

(b) The use of damaged or unserviceable Department property should be discontinued as soon as practicable and, if appropriate and approved by the staff, replaced with comparable Department property as soon as available and following notice to a supervisor.

(c) Except when otherwise directed by competent authority or required by exigent circumstances, Department property shall only be used by those to whom it was assigned. Use should be limited to official purposes and in the capacity for which it was designed.

(d) Department property shall not be thrown away, sold, traded, donated, destroyed or otherwise disposed of without proper authority.

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(e) In the event that any Department property becomes damaged or unserviceable, no employee shall attempt to repair the property without prior approval of a supervisor.

700.2.2 RETURN OF DEPARTMENT PROPERTY
When members resign, are discharged or in any way terminate their association with the Department, they shall surrender all Department property in their possession.

700.3 USE OF PERSONAL PROPERTY
With the exception of knives, the carrying of personal equipment on-duty or its use in the performance of duties requires prior approval by the Chief of Police or appropriate Division Commander. The employee should submit for approval the description of personal property the employee has requested to carry, the reason for its use and the term of its use. Personal property of the type routinely carried by persons not performing law enforcement duties that is not a weapon are excluded from this requirement.

700.3.1 DEFINITIONS
Definitions related to this policy include:

Personal Property - Items or equipment owned by, provided by or purchased totally at the expense of the employee. This definition includes optional equipment items identified in the Uniform Regulations Policy.

700.3.2 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.

The supervisor receiving such a report shall make an appropriate investigation and direct a memo to the appropriate Division Commander that shall include the result of his/her investigation and whether reasonable care was taken to prevent the loss, damage or unserviceable condition.

Upon review by the staff and a finding that no misconduct or negligence was involved, repair or replacement may be recommended by the Chief of Police, who will then forward the claim to the Finance Department.

The Department will not replace or repair costly items (e.g., jewelry, exotic equipment) that are not reasonably required as a part of work.

700.3.3 REPORTING REQUIREMENT
A verbal report shall be made to the employee’s immediate supervisor as soon as circumstances permit.

An officer's 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.

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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 function shall report it as provided below.

(a) A verbal report shall be made to the employee's immediate supervisor as reasonably 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 was made.

700.4.1 DAMAGE BY PERSON OF ANOTHER AGENCY

If employees of another jurisdiction cause damage to personal property or property belonging to the Town of Oro Valley, 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 reasonably 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.

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Mobile Data Computer Use

701.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the proper access, use and application of the Mobile Data Computer (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 Communications Bureau.

701.2 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).

701.3 POLICY

Oro Valley 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.

701.4 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 Sergeants.

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.

701.4.1 USE WHILE DRIVING

Use of the MDC by the vehicle operator should generally be limited to times when the vehicle is stopped. Information that is required for investigative, tactical or safety needs should be transmitted over the radio.

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In no case shall an operator attempt to send or review lengthy messages while the vehicle is in motion.

701.5 DOCUMENTATION OF ACTIVITY

Except as otherwise directed by the Sergeant or other department-established protocol, all calls for service assigned by a dispatcher should be communicated by voice over the police radio and electronically via the 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.

701.5.1 STATUS CHANGES

All changes in status (e.g., arrival at scene, meal periods, in service) will be transmitted over the police radio or through the MDC system.

Members responding to in-progress calls should advise changes in status over the radio to assist other members responding to the same incident. Other changes in status can be made on the MDC.

701.5.2 EMERGENCY ACTIVATION

If there is an emergency activation and the member does not respond to a request for confirmation of the need for emergency assistance or confirms the need, available resources will be sent to assist in locating the member. If the location is known, the nearest available officer should respond in accordance with the Officer Response to Calls Policy.

Members should ensure a field supervisor and the Sergeant are notified of the incident without delay.

Officers not responding to the emergency shall refrain from transmitting on the police radio until a no-further-assistance broadcast is made or if they are also handling an emergency.

701.6 EQUIPMENT CONSIDERATIONS

701.6.1 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 Communications Bureau. It shall be the responsibility of the dispatcher to document all information that will then be transmitted verbally over the police radio.

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701.6.2 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.

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Portable Audio/Video Recorders

702.1 PURPOSE AND SCOPE

This policy provides guidelines for the use of portable audio/video recording devices by members of this department while in the performance of their duties. Portable audio/video recording devices include all recording systems whether body-worn, hand held or integrated into portable equipment.

The Oro Valley Police Department is committed to the belief that body-worn cameras (BWC) is an important and valuable tool for law enforcement. BWC is essentially audio-video documentation of a police officer's investigative and enforcement activities from the perspective of the officer's person. The use of BWC is expected to result in greater transparency, more effective prosecution and improved protection against false allegations of excessive use of force, misconduct or racial profiling.

This policy does not apply to mobile audio/video recordings, interviews or interrogations conducted at any Oro Valley Police Department facility, authorized undercover operations, wiretaps or eavesdropping (concealed listening devices).

702.2 POLICY

The Oro Valley Police Department may provide members with access to portable recorders, either audio or video or both, for use during the performance of their duties. The use of recorders is intended to enhance the mission of the Department by accurately capturing contacts between members of the Department and the public.

702.3 COORDINATOR

The Chief of Police or the authorized designee should designate a coordinator responsible for:

(a) Establishing procedures for the security, storage and maintenance of data and recordings.

(b) Establishing procedures for accessing data and recordings.

(c) Establishing procedures for logging or auditing access.

(d) Establishing procedures for transferring, downloading, tagging or marking events.

702.4 MEMBER PRIVACY EXPECTATION

All recordings made by members on any department-issued device at any time, and any recording made while acting in an official capacity shall remain the property of the department, regardless of ownership of the device it was made on. Members shall have no expectation of privacy or ownership interest in the content of these recordings.

702.5 MEMBER RESPONSIBILITIES

Prior to going into service, each uniformed member will be responsible for making sure that he/she is equipped with a portable recorder, issued by the Department, and that the recorder is in

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good working order. If the recorder is not in working order or the member becomes aware of a malfunction at any time, the member shall promptly report the failure to his/her supervisor and obtain a functioning device as soon as reasonably practicable. Uniformed members should wear the recorder in a conspicuous manner.

Any member assigned to a non-uniformed position may carry an approved portable recorder at any time the member believes that such a device may be useful. Members shall not intentionally record confidential informants or undercover officers unless the recording is conducted specifically for the purpose of documenting a sting, drug purchase/sale or other undercover operation in furtherance of a criminal investigation.

Members should document the existence of a recording in any report or other official record of the contact, including any instance where the recorder malfunctioned or the member deactivated the recording. Members should include the reason for deactivation.

702.6 ACTIVATION OF THE PORTABLE RECORDER

This policy is not intended to describe every possible situation in which the portable recorder should be used, although there are many situations where its use is appropriate. Members should activate the recorder any time the member believes it would be appropriate or valuable to record an incident.

Members should remain sensitive to the dignity of all individuals being recorded and exercise sound discretion to respect privacy by discontinuing recording whenever it reasonably appears to the member that such privacy may outweigh any legitimate law enforcement interest in recording. Requests by members of the public to stop recording should be considered using this same criterion. Recording should resume when privacy is no longer at issue unless the circumstances no longer fit the criteria for recording.

At no time is a member expected to jeopardize his/her safety in order to activate a portable recorder or change the recording media. However, the recorder should be activated in situations described above as soon as reasonably practicable.

702.6.1 AUDIO RECORDER

The portable recorder should be activated in any of the following situations:

(a) All enforcement and investigative contacts including stops and field interview (FI) situations

(b) Traffic stops including, but not limited to, traffic violations, stranded motorist assistance and all crime interdiction stops

(c) Self-initiated activity in which a member would normally notify Communications Bureau

(d) Any other contact that becomes adversarial after the initial contact in a situation that would not otherwise require recording

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702.6.2 BODY-WORN CAMERA

The BWC should be worn at all times that the uniformed officer may become involved in an enforcement situation or as directed in special assignment.

(a) The BWC should be utilized during:

1. Calls for service.
2. During citizen contacts in an investigative or enforcement capacity (e.g. traffic stops, critical incidents, field interviews)
3. When ordered by a supervisor.
4. During suspect/building searches.

(b) Officers should place the BWC in the "event mode" as soon as practical at the onset of an incident.

(c) Once in the "event mode", officers should record the event until the completion of the incident, or they have left the scene (this includes recording of statements).

(d) Additional arriving units to a scene should place their BWC in the "event mode" as soon as practical and continue to record until the completion of the event or they have left the scene (this includes recording of statements).

702.6.3 SURREPTITIOUS USE OF THE PORTABLE RECORDER

Arizona law permits an individual to surreptitiously record any conversation in which one party to the conversation has given his/her permission (ARS § 13-3012).

Members may surreptitiously record any conversation during the course of a criminal investigation in which the member reasonably believes that such a recording will be lawful and beneficial to the investigation.

Members will not make surreptitious recordings of conversations with other department members except when necessary in the course of a criminal investigation or for department administrative investigations with the express consent of the Chief of Police.

702.6.4 CESSATION OF RECORDING

Once activated, the portable recorder should remain on continuously until the member reasonably believes that his/her direct participation in the incident is complete or the situation no longer fits the criteria for activation. Recording may be stopped during significant periods of inactivity such as report writing or other breaks from direct participation in the incident.

702.6.5 EXPLOSIVE DEVICE

Many portable recorders, including body-worn cameras and audio/video transmitters, emit radio waves that could trigger an explosive device. Therefore, these devices should not be used where an explosive device may be present.

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702.6.6 DELETION OF UNINTENTIONAL RECORDINGS

In the event of an unintentional activation of the BWC system during non-enforcement or noninvestigative activities (i.e.: restroom or meal break, other areas where reasonable expectation of privacy exists) members may request recording deletion. A memorandum detailing the circumstances of the unintentional recording will be forwarded via the chain of command to the Chief of Police. If approved, the actual deletion requires two-party authorization. One of those parties will be the Chief of Police or their designee; the other will be an agency BWC Coordinator.

702.7 PROHIBITED USE OF PORTABLE RECORDERS

Members are prohibited from using department-issued portable recorders and recording media for personal use and are prohibited from making personal copies of recordings created while on-duty or while acting in their official capacity.

Members are also prohibited from retaining recordings of activities or information obtained while on-duty, whether the recording was created with department-issued or personally owned recorders. Members shall not duplicate or distribute such recordings, except for authorized legitimate department business purposes. All such recordings shall be retained at the Department.

Members are prohibited from using personally owned recording devices while on-duty without the express consent of the Sergeant. Any member who uses a personally owned recorder for department-related activities shall comply with the provisions of this policy, including retention and release requirements, and should notify the on-duty supervisor of such use as soon as reasonably practicable.

Recordings shall not be used by any member for the purpose of embarrassment, harassment or ridicule.

Members shall not use recorders in department locker rooms, restroom or any other place where there would be a reasonable expectation of privacy.

Any member who may have questions regarding the application of this policy is encouraged to seek clarification from supervisory personnel.

702.8 IDENTIFICATION AND PRESERVATION OF RECORDINGS

702.8.1 AUDIO RECORDER

To assist with identifying and preserving data and recordings, members should download, tag or mark these in accordance with procedure and document the existence of the recording in any related case report.

A member should transfer, tag or mark recordings when the member reasonably believes:

(a) The recording contains evidence relevant to potential criminal, civil or administrative matters.

(b) A complainant, victim or witness has requested non-disclosure.

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(c) A complainant, victim or witness has not requested non-disclosure but the disclosure of the recording may endanger the person.

(d) Disclosure may be an unreasonable violation of someone's privacy.

(e) Medical or mental health information is contained.

(f) Disclosure may compromise an undercover officer or confidential informant.

Any time a member reasonably believes a recorded contact may be beneficial in a non-criminal matter (e.g., a hostile contact), the member should promptly notify a supervisor of the existence of the recording.

702.8.2 BODY WORN CAMERA

(a) The BWC will be placed in the evidence transfer machine at the end of shift for charging and uploading.

(b) The media captured via the BWC will only be uploaded to the evidence server.

(c) Each event must be categorized according to incident type so that proper retention periods will be applied.

702.9 REVIEW OF RECORDED MEDIA FILES

When preparing written reports, members may review their recordings as a resource (see the Officer-Involved Shootings and Deaths Policy for guidance in those cases). However, members shall not retain personal copies of recordings. Members should not use the fact that a recording was made as a reason to write a less detailed report.

Supervisors are authorized to review relevant recordings any time they are investigating alleged misconduct, or reports of meritorious conduct or whenever such recordings would be beneficial in reviewing the member's performance.

Recorded files may also be reviewed:

(a) Upon approval by a supervisor, by any member of the Department who is participating in an official investigation, such as a personnel complaint, administrative investigation or criminal investigation.

(b) Members may use media captured via the BWC for training purposes, with proper authorization from the investigative unit assigned the case. Exceptions: Field Training Officers may use media captured via the BWC to provide immediate training to recruits and to assist with the completion of the daily trainee performance evaluations.

(c) Pursuant to lawful process or by court personnel who are otherwise authorized to review evidence in a related case.

(d) By media personnel with permission of the Chief of Police or the authorized designee.

(e) In compliance with a public records request, if permitted, and in accordance with the Records Maintenance and Release Policy.

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All recordings should be reviewed by the Custodian of Records prior to public release (see the Records Maintenance and Release Policy). Recordings that unreasonably violate a person's privacy or sense of dignity should not be publicly released unless disclosure is required by law or order of the court.

702.10 RETENTION OF RECORDINGS

All recordings shall be retained for a period consistent with the requirements of the organization's records retention schedule but in no event for a period less than 180 days.

702.10.1 RELEASE OF AUDIO/VIDEO RECORDINGS

Requests for the release of audio/video recordings shall be processed in accordance with the Records Maintenance and Release Policy.

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Personal Communication Devices

703.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the use of mobile telephones and communication devices, whether issued or funded by the Department or personally owned, while on-duty or when used for authorized work-related purposes.

This policy generically refers to all such devices as Personal Communication Devices (PCDs) but is intended to include all mobile telephones, personal digital assistants (PDAs), wireless capable tablets and similar wireless two-way communications and/or portable Internet access devices. PCD use includes, but is not limited to, placing and receiving calls, text messaging, blogging and microblogging, emailing, using video or camera features, playing games and accessing sites or services on the Internet.

703.2 POLICY

The Oro Valley Police Department allows members to utilize department-issued or funded PCDs and to possess personally owned PCDs in the workplace, subject to certain limitations.

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.

703.3 PRIVACY EXPECTATION

Members forfeit any expectation of privacy with regard to any communication accessed, transmitted, received or reviewed on any PCD issued or funded by the Department and shall have no expectation of privacy in their location should the device be equipped with location detection capabilities (see the Information Technology Use Policy for additional guidance).

703.4 DEPARTMENT-ISSUED PCD

Depending on a member's assignment and the needs of the position, the Department may, at its discretion, issue or fund a PCD for the member's use to facilitate on-duty performance. Such devices and the associated telephone number, if any, shall remain the sole property of the Department and shall be subject to inspection or monitoring (including all related records and content) at any time without notice and without cause.

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703.5 PERSONALLY OWNED PCD

Members may carry a personally owned PCD while on-duty, subject to the following conditions and limitations:

(a) Permission to carry a personally owned PCD may be revoked if it is used contrary to provisions of this policy.

(b) The Department accepts no responsibility for loss of or damage to a personally owned PCD.

(c) The PCD and any associated services shall be purchased, used and maintained solely at the member's expense.

(d) Members may use personally owned PCDs on-duty for routine administrative work as authorized by the Chief of Police.

(e) The device shall not be utilized to record or disclose any business-related information, including photographs, video or the recording or transmittal of any information or material obtained or made accessible as a result of employment with the Department, without the express authorization of the Chief of Police or the authorized designee.

(f) Use of a personally owned PCD while at work or for work-related business constitutes consent for the Department to access the PCD to inspect and copy data to meet the needs of the Department, which may include litigation, public records retention and release obligations and internal investigations. If the PCD is carried on-duty, members will provide the Department with the telephone number of the device.

(g) All work-related documents, emails, photographs, recordings or other public records created or received on a member's personally owned PCD should be transferred to the Oro Valley Police Department and deleted from the member's PCD as soon as reasonably practicable but no later than the end of the member's shift.

Except with prior express authorization from their supervisor, members are not obligated or required to carry, access, monitor or respond to electronic communications using a personally owned PCD while off-duty. If a member is in an authorized status that allows for appropriate compensation consistent with policy or existing collective bargaining agreements, or if the member has prior express authorization from his/her supervisor, the member may engage in department business-related communications. Should members engage in such approved off-duty communications or work, members entitled to compensation shall promptly document the time worked and communicate the information to their supervisor to ensure appropriate compensation. Members who independently document off-duty department-related business activities in any manner shall promptly provide the Department with a copy of such records to ensure accurate record keeping.

703.6 USE OF PCD

The following protocols shall apply to all PCDs that are carried while on-duty or used to conduct department business:

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(a) A PCD shall not be carried in a manner that allows it to be visible while in uniform, unless it is in an approved carrier.

(b) A PCD may not be used to conduct personal business while on-duty, except for brief personal communications (e.g., informing family of extended hours). Members shall endeavor to limit their use of PCDs to authorized break times, unless an emergency exists.

(c) Members may use a PCD to communicate with other personnel in situations where the use of the radio is either impracticable or not feasible. PCDs should not be used as a substitute for, as a way to avoid or in lieu of regular radio communications.

(d) Members are prohibited from taking pictures, making audio or video recordings or making copies of any such picture or recording media unless it is directly related to official department business. Disclosure of any such information to any third party through any means, without the express authorization of the Chief of Police or the authorized designee, may result in discipline.

(e) Using PCDs to harass, threaten, coerce or otherwise engage in inappropriate conduct with any third party is prohibited. Any member having knowledge of such conduct shall promptly notify a supervisor.

703.7 SUPERVISOR RESPONSIBILITIES

The responsibilities of supervisors include, but are not limited to:

(a) Ensuring that members under their command are provided appropriate training on the use of PCDs consistent with this policy.

(b) Monitoring, to the extent practicable, PCD use in the workplace and take prompt corrective action if a member is observed or reported to be improperly using a PCD.

1. An investigation into improper conduct should be promptly initiated when circumstances warrant.
2. Before conducting any administrative search of a member’s personally owned device, supervisors should consult with the Chief of Police or the authorized designee .

703.8 USE WHILE DRIVING

The use of a PCD while driving can adversely affect safety, cause unnecessary distractions, and present a negative image to the public. Officers operating emergency vehicles should restrict the use of these devices to matters of an urgent nature and should, where practicable, stop the vehicle at an appropriate location to use the PCD.

Except in an emergency, members who are operating vehicles that are not equipped with lights and siren shall not use a PCD while driving unless the device is specifically designed and configured to allow hands-free use (ARS § 28-914). Hands-free use should be restricted to business-related calls or calls of an urgent nature.

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703.9 OFFICIAL USE

Members are reminded that PCDs are not secure devices and conversations may be intercepted or overheard. Caution should be exercised while utilizing PCDs to ensure that sensitive information is not inadvertently transmitted.

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Vehicle Maintenance

704.1 PURPOSE AND SCOPE

Employees are responsible for assisting in maintaining Department vehicles so that they are properly equipped, maintained, refueled and present a clean appearance.

704.2 DEFECTIVE VEHICLES

When a Department vehicle becomes inoperative or in need of repair that affects the safety of the vehicle, that vehicle shall be removed from service for repair. Proper documentation shall be promptly completed by the employee who becomes aware of the defective condition. Paperwork, describing the correction needed, shall be promptly forwarded to vehicle maintenance for repair.

704.2.1 SUSPECTED DAMAGE OR POOR PERFORMANCE

Vehicles that may have suffered damage, perform poorly or whose control or safety features has been diminished shall be immediately removed from service for inspection and repair.

704.2.2 SEVERE USE INSPECTION

Vehicles operated under severe use conditions, including rough roadway or off-road operation, hard or extended braking, pursuits or prolonged high-speed operation, should be removed from service and subjected to a safety inspection as soon as reasonably possible.

704.2.3 REMOVAL OF WEAPONS

All firearms, weapons and kinetic impact weapons shall be removed from a vehicle and properly secured prior to the vehicle being released for maintenance, service or repair.

704.3 VEHICLE EQUIPMENT

Certain items shall be maintained in all Department vehicles for emergency purposes and to perform routine duties.

704.3.1 PATROL VEHICLES

Officers shall inspect the patrol vehicle at the beginning of the shift and ensure that the following equipment, at a minimum, is present in the vehicle:

- emergency road flares
- 1 roll crime scene barricade tape
- 1 first aid kit, CPR mask
- 1 IFAK on passenger head rest
- 1 blanket
- 1 fire extinguisher
- 1 blood borne pathogen kit, including protective gloves and NIOSH particulate respirator mask

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- spare tire
- jack and handle
- rolatape
- traffic cones
- shovel

704.3.2 UNMARKED VEHICLES
An employee driving an unmarked Department vehicle shall ensure the necessary equipment is present in the vehicle. Unmarked vehicles shall have the undercover Arizona Motor Vehicle Division assigned license plate affixed to the vehicle at all times.

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. Whenever practicable, vehicles should be fully fueled when placed into service and refueled before the level falls below one-quarter tank.

Vehicles shall only be refueled at an 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.

Employees using a vehicle shall remove any trash or debris at the end of the shift. Confidential documents should be placed in a designated receptacle provided for the shredding of this material.

704.6 CIVILIAN EMPLOYEE USE
Civilian employees using marked vehicles shall ensure all weapons are removed from the vehicle before going into service. Civilian employees shall not operate the emergency lights or siren of any vehicle unless expressly authorized by a supervisor.

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Vehicle Use

705.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a system of accountability to ensure department vehicles are used appropriately. This policy provides guidelines for on- and off-duty use of department vehicles and shall not be construed to create or imply any contractual obligation by the Town of Oro Valley to provide assigned take-home vehicles.

705.2 POLICY

The Oro Valley Police Department provides vehicles for department-related business and may assign patrol and unmarked vehicles based on a determination of operational efficiency, economic impact to the Department, requirements for tactical deployments and other considerations.

705.3 USE OF VEHICLES

705.3.1 SHIFT ASSIGNED VEHICLES

The Technical Services Lieutenant shall ensure a copy of the shift assignment roster, indicating member assignments and vehicle numbers, is completed for each shift and retained in accordance with the established records retention schedule. If a member exchanges vehicles during his/her shift, the new vehicle number shall be documented on the roster.

705.3.2 OTHER USE OF VEHICLES

Members utilizing a vehicle for any purpose other than their normally assigned duties or normal vehicle assignment (e.g., transportation to training, community event) shall first notify their supervisor.

This subsection does not apply to those who are assigned to transport vehicles to and from the maintenance yard or car wash.

705.3.3 INSPECTIONS

Members shall be responsible for inspecting the interior and exterior of any assigned vehicle before taking the vehicle into service and at the conclusion of their shifts. Any previously unreported damage, mechanical problems, unauthorized contents or other problems with the vehicle shall be promptly reported to a supervisor and documented as appropriate.

The interior of any vehicle that has been used to transport any person other than a member of this department should be inspected prior to placing another person in the vehicle and again after the person is removed. This is to ensure that unauthorized or personal items have not been left in the vehicle.

When transporting any suspect, prisoner or arrestee, the transporting member shall search all areas of the vehicle that are accessible by the person before and after that person is transported.

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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.

705.3.4 MOBILE DATA COMPUTER

Members assigned to vehicles equipped with a Mobile Data Computer (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 Communications Bureau. Use of the MDC is governed by the Mobile Data Computer Use Policy.

705.3.5 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.

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.

705.3.6 KEYS

The loss of a key shall be promptly reported in writing through the member's chain of command.

705.3.7 AUTHORIZED PASSENGERS

Members operating department vehicles shall not permit persons other than Town 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.

705.3.8 ALCOHOL

Members who have consumed alcohol are prohibited from operating any department vehicle unless it is required by the duty assignment (e.g., task force, undercover work). Regardless of assignment, members may not violate state law regarding vehicle operation while intoxicated.

705.3.9 PARKING

Except when responding to an emergency or when urgent department-related business requires otherwise, members driving department vehicles should obey all parking regulations at all times.

705.3.10 ACCESSORIES AND/OR MODIFICATIONS

There shall be no modifications, additions or removal of any equipment or accessories without permission from the Technical Services Lieutenant.

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705.3.11 CIVILIAN MEMBER USE
Civilian members using marked emergency vehicles shall ensure that all weapons have been removed before going into service. Civilian members shall not operate the emergency lights or siren of any vehicle unless expressly authorized by a supervisor.

705.4 INDIVIDUAL MEMBER ASSIGNMENT TO VEHICLES

Department vehicles may be assigned to individual members at the discretion of the Chief of Police. Vehicles may be assigned for on-duty and/or take-home use. Assigned vehicles may be changed at any time. Permission to take home a vehicle may be withdrawn at any time.

The assignment of vehicles may be suspended when the member is unable to perform his/her regular assignment.

705.4.1 ON-DUTY USE
Vehicle assignments shall be based on the nature of the member's duties, job description and essential functions, and employment or appointment status. Vehicles may be reassigned or utilized by other department members at the discretion of the Chief of Police or the authorized designee.

705.4.2 UNSCHEDULED TAKE-HOME USE
Circumstances may arise where department vehicles must be used by members to commute to and from a work assignment. Members may take home department vehicles only with prior approval of a supervisor and shall meet the following criteria:

(a) The circumstances are unplanned and were created by the needs of the Department.

(b) Other reasonable transportation options are not available.

(c) The member lives within a reasonable distance (generally not to exceed a 60-minute drive time) of the Oro Valley Town limits.

(d) Off-street parking will be available at the member's residence.

(e) Vehicles will be locked when not attended.

(f) All firearms, weapons and control devices will be removed from the interior of the vehicle and properly secured when the vehicle is not attended, unless the vehicle is parked in a locked garage.

705.4.3 ASSIGNED VEHICLES
Assignment of take-home vehicles shall be based on the location of the member's residence; the nature of the member's duties, job description and essential functions; and the member's employment or appointment status.

Criteria for use of take-home vehicles include the following:

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(a) Vehicles shall only be used for work-related purposes and shall not be used for personal errands or transports, unless special circumstances exist and the Chief of Police or a Division Commander gives authorization.

(b) Vehicles may be used to transport the member to and from the member's residence for work-related purposes.

(c) Vehicles will not be used when off-duty except:

1. In circumstances when a member has been placed on call by the Chief of Police or Division Commanders and there is a high probability that the member will be called back to duty.

2. When the member is performing a work-related function during what normally would be an off-duty period, including vehicle maintenance or traveling to or from a work-related activity or function.

3. When the member has received permission from the Chief of Police or Division Commanders.

4. When the vehicle is being used by the Chief of Police, Division Commanders or members who are in on-call administrative positions.

(d) While operating the vehicle, authorized members will carry and have accessible their duty firearms and be prepared to perform any function they would be expected to perform while on-duty.

(e) The two-way communications radio, MDC and global positioning satellite device, if equipped, must be on and set to an audible volume when the marked vehicle is in operation.

(f) Unattended vehicles are to be locked and secured at all times.

(a) 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).

(b) All weapons shall be secured while the vehicle is unattended.

(c) All department identification, portable radios and equipment should be secured.

(g) Vehicles are to be parked off-street at the member's residence unless prior arrangements have been made with the Chief of Police or the authorized designee. If the vehicle is not secured inside a locked garage, all firearms and kinetic impact weapons shall be properly secured (see the Firearms Policy regarding safe storage of firearms at home).

(h) Vehicles are to be secured at the member's residence or the appropriate department facility, at the discretion of the Department when a member will be away (e.g., on vacation) for periods exceeding one week.

1. If the vehicle remains at the residence of the member, the Department shall have access to the vehicle.

2. If the member is unable to provide access to the vehicle, it shall be parked at the Department.

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(i) The member is responsible for the care and maintenance of the vehicle.

705.4.4 ENFORCEMENT ACTIONS

When driving a take-home vehicle to and from work outside of the jurisdiction of the Oro Valley 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.

705.4.5 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.

(d) The Department shall be notified of problems with the vehicle and approve any major repairs before they are performed.

(e) All weapons shall be removed from any vehicle left for maintenance.

(f) 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.

705.5 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 division for that purpose.

705.6 DAMAGE, ABUSE AND MISUSE

When any department vehicle is involved in a traffic collision or otherwise incurs damage, the involved member shall promptly notify a supervisor. Any traffic collision report shall be filed with the agency having jurisdiction (see the Traffic Collision Response and Reporting Policy).

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Damage to any department vehicle that was not caused by a traffic collision shall be immediately reported during the shift in which the damage was discovered, documented in an officer's report and forwarded to the supervisor. An administrative investigation should be initiated to determine if there has been any vehicle abuse or misuse.

705.7 ATTIRE AND APPEARANCE

When operating any department vehicle while off-duty, members may dress in a manner appropriate for their intended activity. Whenever in view of or in contact with the public, attire and appearance, regardless of the activity, should be suitable to reflect positively upon the Department.

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Cash Handling, Security and Management

706.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure department members handle cash appropriately in the performance of their duties.

This policy does not address cash-handling issues specific to the Property and Evidence and Informants policies.

706.2 POLICY

It is the policy of the Oro Valley Police Department to properly handle and document cash transactions and to maintain accurate records of cash transactions in order to protect the integrity of department operations and ensure the public trust.

706.3 PETTY CASH FUNDS

The Chief of Police shall designate a person as the fund manager responsible for maintaining and managing the petty cash fund.

Each petty cash fund requires the creation and maintenance of an accurate and current transaction ledger and the filing of invoices, receipts, cash transfer forms and expense reports by the fund manager.

706.4 PETTY CASH TRANSACTIONS

The fund manager shall document all transactions on the ledger and other appropriate forms. Each person participating in the transaction shall sign or otherwise validate the ledger, attesting to the accuracy of the entry. Transactions should include the filing of an appropriate receipt, invoice or cash transfer form. Transactions that are not documented by a receipt, invoice or cash transfer form require a memorandum.

706.5 PETTY CASH AUDITS

This audit requires that the manager and at least one other command staff member, selected by the Chief of Police, review the ledger and verify the accuracy of the accounting. The fund manager and the participating member shall sign or otherwise validate the ledger attesting to the accuracy of all documentation and fund accounting. A discrepancy in the audit requires documentation by those performing the audit and immediate reporting of the discrepancy to the Chief of Police.

Transference of fund management to another member shall require a separate petty cash audit and involve Finance.

A separate audit of each petty cash fund should be completed on a random date, approximately every quarter by the Town.

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706.6 ROUTINE CASH HANDLING

Those who handle cash as part of their property or Criminal Investigations Unit supervisor duties shall discharge those duties in accordance with the Property and Evidence and Informants policies.

Members who routinely accept payment for department services shall discharge those duties in accordance with the procedures established for those tasks.

706.7 OTHER CASH HANDLING

Members of the Department who, within the course of their duties, are in possession of cash that is not their property or is outside their defined cash-handling responsibilities shall, as soon as practicable, verify the amount, summon another member to verify their accounting, and process the cash for safekeeping or as evidence or found property, in accordance with the Property and Evidence and Informants policies.

Cash in excess of $1,000 requires immediate notification of a supervisor, special handling, verification and accounting by the supervisor. Each member involved in this process shall complete an appropriate report or record entry.

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Personal Protective Equipment

707.1 PURPOSE AND SCOPE

This policy identifies the different types of personal protective equipment (PPE) provided by the Department as well the requirements and guidelines for the use of PPE.

This policy does not address ballistic vests or protection from communicable disease, as those issues are addressed in the Body Armor and Communicable Diseases policies.

707.1.1 DEFINITIONS

Definitions related to this policy include:

Personal protective equipment (PPE) - Equipment that protects a person from serious workplace injuries or illnesses resulting from contact with chemical, radiological, physical, electrical, mechanical or other workplace hazards.

Respiratory PPE - Any device that is worn by the user to protect from exposure to atmospheres where there is smoke, low levels of oxygen, high levels of carbon monoxide, or the presence of toxic gases or other respiratory hazards. For purposes of this policy, respiratory protection equipment does not include particulate-filtering masks such as N95 or N100 masks.

707.2 POLICY

The Oro Valley Police Department endeavors to protect members by supplying certain PPE to members as provided in this policy.

707.3 OFFICER RESPONSIBILITIES

Members are required to use PPE as provided in this policy and pursuant to their training.

Members are responsible for proper maintenance and storage of issued PPE. PPE should be stored in an appropriate location so that it is available when needed.

Any member who identifies hazards in the workplace is encouraged to utilize the procedures in the Illness and Injury Prevention Policy to recommend new or improved PPE or additional needs for PPE.

707.4 HEARING PROTECTION

Approved hearing protection shall be used by members during firearms training.

Hearing protection shall meet or exceed the requirements provided in AAC § R20-5-602 and 29 CFR 1910.95.

707.5 EYE PROTECTION

Approved eye protection, including side protection, shall be used by members during firearms training. Eye protection for members who wear prescription lenses shall incorporate the

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prescription (e.g., eye protection that can be worn over prescription lenses). Members shall ensure their eye protection does not interfere with the fit of their hearing protection.

The Rangemaster shall ensure eye protection meets or exceeds the requirements provided in AAC § R20-5-602 and 29 CFR 1910.133.

707.6 HEAD AND BODY PROTECTION

Members who make arrests or control crowds should be provided ballistic head protection with an attachable face shield.

Padded body protection consisting of chest, arm, leg and groin protection should be provided as required by any collective bargaining agreement.

707.7 RESPIRATORY PROTECTION

The Administration Division Commander is responsible for ensuring a respiratory protection plan is developed and maintained by a trained and qualified member. The plan shall include procedures for (29 CFR 1910.134; AAC § R20-5-602):

(a) Selecting appropriate respiratory PPE based on hazards and risks associated with functions or positions.

(b) Fit testing, including identification of members or contractors qualified to conduct fit testing.

(c) Medical evaluations.

(d) PPE inventory control.

(e) PPE issuance and replacement.

(f) Cleaning, disinfecting, storing, inspecting, repairing, discarding and otherwise maintaining respiratory PPE, including schedules for these activities.

(g) Regularly reviewing the PPE plan.

(h) Remaining current with applicable National Institute for Occupational Safety and Health (NIOSH), American National Standards Institute (ANSI), Occupational Safety and Health Administration (OSHA), Environmental Protective Agency (EPA) and state PPE standards and guidelines.

707.7.1 RESPIRATORY PROTECTION USE

Designated members may be issued respiratory PPE based on the member's assignment (e.g., a narcotics investigator who is involved in clandestine lab investigations).

Respiratory PPE may be worn when authorized by a scene commander who will determine the type and level of protection appropriate at a scene based upon an evaluation of the hazards present.

Scene commanders are responsible for monitoring members using respiratory PPE and their degree of exposure or stress. When there is a change in work area conditions or when a member's degree of exposure or stress may affect respirator effectiveness, the scene commander shall

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reevaluate the continued effectiveness of the respirator and direct the member to leave the respirator use area when the scene commander reasonably believes (29 CFR 1910.134; AAC § R20-5-602):

(a) It is necessary for the member to wash his/her face and the respirator facepiece to prevent eye or skin irritation associated with respirator use.

(b) The member detects vapor or gas breakthrough, or there is a change in breathing resistance or leakage of the facepiece.

(c) The member needs to replace the respirator, filter, cartridge or canister.

707.7.2 MEMBER RESPONSIBILITIES FOR RESPIRATORY PROTECTION

Members shall not use self-contained breathing apparatus (SCBA), full-face respirators or cartridge respirators unless they have completed training requirements for the equipment.

Members exposed to environments that are reasonably known to be harmful due to gases, smoke or vapors shall use respiratory PPE.

Members using respiratory PPE shall (29 CFR 1910.134; AAC § R20-5-602):

(a) Ensure that they have no facial hair between the sealing surface of the facepiece and the face that could interfere with the seal or the valve function. Members also shall ensure that they have no other condition that will interfere with the face-to-facepiece seal or the valve function.

(b) Not wear corrective glasses, goggles or other PPE that interferes with the seal of the facepiece to the face, or that has not been previously tested for use with that respiratory equipment.

(c) Perform a user seal check per department-approved procedures recommended by the respirator manufacturer each time they put on a tight-fitting respirator.

(d) Leave a respiratory use area whenever they detect vapor or gas breakthrough, changes in breathing resistance or leakage of their facepiece and ensure that the respirator is replaced or repaired before returning to the affected area.

707.7.3 GAS MASK

Full-face air-purifying respirators, commonly referred to as gas masks, may be fitted with mechanical pre-filters or combination cartridge/filter assemblies for use in areas where gases, vapors, dusts, fumes or mists are present. Members must identify and use the correct cartridge based on the circumstances (29 CFR 1910.134; AAC § R20-5-602):

A scene commander may order the use of gas masks in situations where the use of a SCBA is not necessary. These incidents may include areas where tear gas has or will be used or where a vegetation fire is burning. Gas masks shall not be used if there is a potential for an oxygen-deficient atmosphere.

Members shall ensure their gas mask filters are replaced whenever:

(a) They smell, taste or are irritated by a contaminant.

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(b) They experience difficulty breathing due to filter loading.

(c) The cartridges or filters become wet.

(d) The expiration date on the cartridges or canisters has been reached.

707.7.4 SELF-CONTAINED BREATHING APPARATUS
Scene commanders may direct members to use SCBA when entering an atmosphere that may pose an immediate threat to life, would cause irreversible adverse health effects or would impair an individual's ability to escape from a dangerous atmosphere. These situations may include, but are not limited to:

(a) Entering the hot zone of a hazardous materials incident.

(b) Entering any area where contaminant levels may become unsafe without warning, or any situation where exposures cannot be identified or reasonably estimated.

(c) Entering a smoke- or chemical-filled area.

707.7.5 RESPIRATOR FIT TESTING
No member shall be issued respiratory PPE until a proper fit testing has been completed by a designated member or contractor (29 CFR 1910.134; AAC § R20-5-602).

After initial testing, fit testing for respiratory PPE shall be repeated (29 CFR 1910.134; AAC § R20-5-602):

(a) At least once every 12 months.

(b) Whenever there are changes in the type of SCBA or facepiece used.

(c) Whenever there are significant physical changes in the user (e.g., obvious change in body weight, scarring of the face seal area, dental changes, cosmetic surgery or any other condition that may affect the fit of the facepiece seal).

All respirator fit testing shall be conducted in negative-pressure mode.

707.7.6 RESPIRATORY MEDICAL EVALUATION QUESTIONNAIRE
No member shall be issued respiratory protection that forms a complete seal around the face until (29 CFR 1910.134; AAC § R20-5-602):

(a) The member has completed a medical evaluation that includes a medical evaluation questionnaire.

(b) A physician or other licensed health care professional has reviewed the questionnaire.

(c) The member has completed any physical examination recommended by the reviewing physician or health care professional.

707.8 RECORDS
The Training Coordinator is responsible for maintaining records of all:

(a) PPE training.

(b) Initial fit testing for respiratory protection equipment.

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(c) Annual fit testing.

(d) Respirator medical evaluation questionnaires and any subsequent physical examination results.

(e) These records shall be maintained in a separate confidential medical file.

The records shall be maintained in accordance with the department records retention schedule, AAC § R20-5-602 and 29 CFR 1910.1020.

707.9 TRAINING

Members should be trained in the respiratory and other hazards to which they may be potentially exposed during routine and emergency situations.

All members shall be trained in the proper use and maintenance of PPE issued to them, including when the use is appropriate; how to put on, remove and adjust PPE; how to care for the PPE; and the limitations (29 CFR 1910.132; AAC § R20-5-602).

Members issued respiratory PPE shall attend annual training on the proper use of respiratory protection devices (29 CFR 1910.134; AAC § R20-5-602).

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Chapter 8 - Support Services

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Crime Analysis

800.1 PURPOSE AND SCOPE

Crime analysis should provide currently useful information to aid operational personnel in meeting its tactical crime control and prevention objectives by identifying and analyzing methods of operation of individual criminals, providing crime pattern recognition and providing analysis of data from field interrogations and arrests. Crime analysis can be useful to the Department's long-range planning efforts by providing estimates of future crime trends and assisting in the identification of enforcement priorities.

800.2 DATA SOURCES

Crime analysis data is extracted from many sources including, but not limited to:

- Crime reports
- Open source data
- Subscription source data
- Parole and probation records
- Computer Aided Dispatch data
- Department of Public Safety

800.3 CRIME ANALYSIS FACTORS

The following minimum criteria should be used in collecting data for crime analysis:

- Frequency by type of crime
- Geographic factors
- Temporal factors
- Victim and target descriptors
- Suspect descriptors
- Suspect vehicle descriptors
- Modus operandi factors
- Physical evidence information

800.4 CRIME ANALYSIS DISSEMINATION

For a crime analysis system to function effectively, information should be disseminated to the appropriate units or persons on a timely basis.

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Communications Bureau

801.1 PURPOSE AND SCOPE

This policy establishes guidelines for the basic functions of Communications Bureau. It addresses the immediate information needs of the Department in the course of its normal daily activities and during emergencies.

801.2 POLICY

It is the policy of the Oro Valley Police Department to provide 24-hour telephone service to the public for information and for routine or emergency assistance. The Department provides two-way radio capability for continuous communication between Communications Bureau and department members in the field.

801.3 COMMUNICATIONS BUREAU SECURITY

The communications function is vital and central to all emergency service operations. The safety and security of Communications Bureau, its members and its equipment must be a high priority. Special security procedures should be established in a separate operations manual for Communications Bureau.

Access to Communications Bureau shall be limited to Communications Bureau members, the Sergeant, command staff and department members with a specific business-related purpose.

801.4 RESPONSIBILITIES

801.4.1 COMMUNICATIONS MANAGER

The Chief of Police shall appoint and delegate certain responsibilities to a Communications Manager. The Communications Manager is directly responsible to the Support Services Division Commander or the authorized designee.

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

(a) Overseeing the efficient and effective operation of Communications Bureau in coordination with other supervisors.

(b) Scheduling and maintaining dispatcher time records.

(c) Supervising, training and evaluating dispatchers.

(d) Ensuring the radio and telephone recording system is operational.

1. Recordings shall be maintained in accordance with the established records retention schedule and as required by law.

(e) Processing requests for copies of Communications Bureau information for release.

(f) Maintaining Communications Bureau database systems.

(g) Maintaining and updating Communications Bureau procedures manual.

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(a) Procedures for specific types of crime reports may be necessary. For example, specific questions and instructions may be necessary when talking with a victim of a sexual assault to ensure that his/her health and safety needs are met, as well as steps that he/she may take to preserve evidence.

(b) Ensuring Communications Bureau compliance with established policies and procedures.

(h) Handling internal and external inquiries regarding services provided and accepting personnel complaints in accordance with the Personnel Complaints Policy.

(i) Maintaining a current contact list of Town personnel to be notified in the event of a utility service emergency.

801.4.2 ADDITIONAL PROCEDURES

The Communications Manager should establish procedures for:

(a) Recording all telephone and radio communications and playback issues.

(b) Storage and retention of recordings.

(c) Security of audio recordings (e.g., passwords, limited access, authorized reviewers, preservation of recordings past normal retention standards).

(d) Availability of current information for dispatchers (e.g., Sergeant contact, rosters, member tracking methods, member contact, maps, emergency providers, tactical dispatch plans).

(e) Assignment of field members and safety check intervals.

(f) Procurement of external services (e.g., fire suppression, ambulances, aircraft, tow trucks, taxis).

(g) Protection of essential equipment (e.g., surge protectors, gaseous fire suppression systems, uninterruptible power systems, generators).

(h) Protection of radio transmission lines, antennas and power sources for Communications Bureau (e.g., security cameras, fences).

(i) Handling misdirected, silent and hang-up calls.

(j) Handling security alarms.

(k) Radio interoperability issues.

801.4.3 COMMUNICATIONS SUPERVISOR

Communications Supervisors report to the Communications Manager. The responsibilities of the communications supervisor include, but are not limited to:

(a) Overseeing the efficient and effective operation of Communications Bureau in coordination with other supervisors.

(b) Scheduling and maintaining dispatcher time records.

(c) Supervising, training and evaluating dispatchers.

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(d) Handling internal and external inquiries regarding services provided and accepting personnel complaints in accordance with the Personnel Complaints Policy.

(e) Maintaining a current contact list of Town personnel to be notified in the event of a utility service emergency.

801.4.4 DISPATCHERS

Dispatchers report to a Communications Supervisor. The responsibilities of the dispatcher include, but are not limited to:

(a) Receiving and handling all incoming and transmitted communications, including:

1. Emergency 9-1-1 lines.
2. Business telephone lines.
3. Telecommunications Device for the Deaf (TDD)/Text Telephone (TTY) equipment.
4. Radio communications with members in the field and support resources (e.g., fire department, emergency medical services (EMS), allied agency law enforcement units).
5. Other electronic sources of department information (e.g., text messages, digital photographs, video).

(b) Documenting the field activities of department members and support resources (e.g., fire department, EMS, allied agency law enforcement units).

(c) Inquiry and entry of information through Communications Bureau, department and other law enforcement database systems (e.g., the Arizona Criminal Justice Information System (ACJIS), Arizona Department of Transportation (ADOT) records and Arizona Law Enforcement Telecommunications System (ALETS)).

(d) Monitoring department video surveillance systems.

(e) Maintaining the current status of members in the field, their locations and the nature of calls for service.

(f) Notifying the Sergeant or field supervisor of emergency activity, including, but not limited to:

1. Vehicle pursuits.
2. Foot pursuits.
3. Assignment of emergency response.

801.5 CALL HANDLING

This department provides members of the public with access to the 9-1-1 system for a single emergency telephone number.

When a call for services is received, the dispatcher will reasonably and quickly attempt to determine whether the call is an emergency or non-emergency, and shall quickly ascertain the call type, location and priority by asking four key questions:

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- Where?
- What?
- When?
- Who?

If the dispatcher determines that the caller has a hearing and/or speech impairment or disability, he/she shall immediately initiate a connection with the individual via available TDD/TTY equipment or Telephone Relay Service (TRS), as mandated by the Americans with Disabilities Act (ADA).

If the dispatcher determines that the caller is a limited English proficiency (LEP) individual, the dispatcher should quickly determine whether sufficient information can be obtained to initiate an appropriate response. If language assistance is still needed, the language is known and a language-appropriate authorized interpreter is available in Communications Bureau, the dispatcher should immediately connect the LEP caller to the authorized interpreter.

If no authorized interpreter is available or the dispatcher is unable to identify the caller's language, the dispatcher will contact the contracted telephonic interpretation service and establish a three-party call connecting the dispatcher, the LEP individual and the interpreter.

Dispatchers should be courteous, patient and respectful when dealing with the public.

801.5.1 EMERGENCY CALLS

A call is considered an emergency when there is an immediate or potential threat to life or serious property damage, and the timely arrival of public safety assistance is of the utmost importance. A person reporting an emergency should not be placed on hold until the dispatcher has obtained all necessary information to ensure the safety of the responding department members and affected individuals.

Emergency calls should be dispatched immediately. The Sergeant shall be notified of pending emergency calls for service when department members are unavailable for dispatch.

801.5.2 NON-EMERGENCY CALLS

A call is considered a non-emergency call when there is no immediate or potential threat to life or property. A person reporting a non-emergency may be placed on hold, if necessary, to allow the dispatcher to handle a higher priority or emergency call.

The reporting person should be advised if there will be a delay in the dispatcher returning to the telephone line or when there will be a delay in the response for service.

801.6 RADIO COMMUNICATIONS

The police radio system is for official use only, to be used by dispatchers to communicate with department members in the field. All transmissions shall be professional and made in a calm, businesslike manner, using proper language and correct procedures. Such transmissions shall include, but are not limited to:

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(a) Members acknowledging the dispatcher with their radio identification call signs and current location.

(b) Dispatchers acknowledging and responding promptly to all radio transmissions.

(c) Members keeping the dispatcher advised of their status and location.

(d) Member and dispatcher acknowledgements shall be concise and without further comment unless additional information is needed.

The Communications Manager shall be notified of radio procedure violations or other causes for complaint. All complaints and violations will be investigated and reported to the complainant's supervisor and processed through the chain of command.

801.6.1 FEDERAL COMMUNICATIONS COMMISSION COMPLIANCE
Oro Valley Police Department radio operations shall be conducted in accordance with Federal Communications Commission (FCC) procedures and requirements.

801.6.2 RADIO IDENTIFICATION
Radio call signs are assigned to department members based on factors such as duty assignment, uniformed patrol assignment and/or member identification number. Dispatchers shall identify themselves on the radio with the appropriate station name or number, and identify the department member by his/her call sign. Members should use their call signs when initiating communication with the dispatcher. The use of the call sign allows for a brief pause so that the dispatcher can acknowledge the appropriate department member. Members initiating communication with other law enforcement or support agencies shall use their entire radio call sign, which includes the department station name or number.

801.7 DOCUMENTATION
It shall be the responsibility of Communications Bureau to document all relevant information on calls for service or self-initiated activity. Dispatchers shall attempt to elicit, document and relay as much information as possible to enhance the safety of the member and assist in anticipating conditions that may be encountered at the scene. Desirable information would include, at a minimum:

- Incident control number.
- Date and time of request.
- Name and address of the reporting person, if possible.
- Type of incident reported.
- Involvement of weapons, drugs and/or alcohol.
- Location of incident reported.
- Identification of members assigned as primary and backup.
- Time of dispatch.

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- Time of the responding member's arrival.
- Time of member's return to service.
- Disposition or status of reported incident.

801.8 CONFIDENTIALITY

Information that becomes available through Communications Bureau may be confidential or sensitive in nature. All members of Communications Bureau shall treat information that becomes known to them as confidential and release that information in accordance with the Protected Information Policy.

Automated data, such as ADOT records, warrants, criminal history information, records of internal police files or medical information, shall only be made available to authorized law enforcement personnel.

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Property and ID Unit

802.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for maintaining the integrity, security, and chain of custody for property/evidence that comes into possession of the Oro Valley Police Department via investigations and incidents.

802.1.1 PROPERTY AND ID UNIT SECURITY

The Property and ID Unit shall maintain secure storage and control of all property necessitating custody by the Department. The crime scene technician reports to the crime scene technician supervisor and is responsible for the security of the Property and ID Unit. Property and ID Unit keys are maintained only by the crime scene technician and the crime scene technician supervisor. The crime scene technician and the supervisor shall not loan Property and ID Unit keys to anyone and shall maintain keys in a secure manner.

Any individual entering the Property and ID Unit other than the crime scene technician must be accompanied by the crime scene technician or the crime scene technician supervisor

802.2 DEFINITIONS

Definitions related to this policy include:

Chain of Custody - The continuity of the custody of property/evidence from time of original collection to final disposal.

Evidence - Includes items taken or recovered in the course of an investigation that may be used in the prosecution of a case. This includes photographs and latent fingerprints.

Found Property - Includes property found by an employee or citizen where the owner cannot be readily identified or contacted and has no apparent evidentiary value.

Property - Includes all items of evidence, items taken for safekeeping and found property.

Safekeeping - Includes the following types of property:

- Property obtained by the Department for safekeeping, such as a firearm
- Personal property of an arrestee not taken as evidence
- Property taken for safekeeping under authority of a law

802.3 PROPERTY HANDLING

Any employee who first comes into possession of any property, shall retain such property in his/her possession until it is properly tagged and placed in the designated temporary property locker or storage room, along with the property label. Care shall be taken to maintain the chain of custody for all evidence.

Whenever property is taken from an individual, a property receipt form will be completed. The receipt shall describe the property and contain a notice on how to retrieve the property from the

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Department. A copy of the property receipt form shall be given to the individual from whom the property was taken (ARS § 12-944).

Any property seized by an officer with or without a warrant shall be safely kept for as long as necessary for the purpose of being produced as evidence. Seized property held as evidence shall be returned to its rightful owner unless subject to lawful detention or ordered destroyed or otherwise disposed of by the court.

Where ownership can be established as to found property that has no apparent evidentiary value, such property may be released to the owner without the need for booking. The property documentation must be completed to document the release of property not booked. The owner shall sign the documentation acknowledging receipt of the item.

802.3.1 PROPERTY BOOKING PROCEDURE

All property must be booked prior to the employee going off-duty. Employees booking property shall observe the following guidelines:

(a) Complete a property entry describing each item separately, listing all serial numbers, owner's name, finder's name and other identifying information or markings.

(b) The officer shall mark each item of evidence with initials and date.

(c) Items too small to mark, or that will be damaged, degraded or devalued by marking, should be individually packaged, labeled and the package marked with initials and date.

(d) Complete an evidence/property label and attach it to each package or envelope in which the property is stored.

(e) An original property form shall be submitted with the case report.

(f) When the property is too large to be placed in a temporary property locker, the item may be temporarily stored in any department supply room or other location that can be secured from unauthorized entry.

802.3.2 CONTROLLED SUBSTANCES

All controlled substances shall be booked separately using a separate property entry. Drug paraphernalia shall also be booked separately.

802.3.3 EXPLOSIVES / HAZARDOUS MATERIALS

Officers who encounter a suspected explosive device shall promptly notify the immediate supervisor. The Bomb Squad will be called to handle explosive-related incidents and will be responsible for the handling, storage, sampling and disposal of all suspected explosives.

Explosives or hazardous materials will not be retained in the police facility. Only items that are considered stable and safe may be booked into property. All such items shall be stored in proper containers and in an area designated for the storage of flammable materials.

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802.3.4 EXCEPTIONAL HANDLING

Certain property items require a separate process. The following items shall be processed in the described manner:

(a) Bodily fluids such as blood or semen stains shall be air-dried prior to booking.

(b) License plates / drivers licenses found not to be stolen or connected with a known crime, should be released directly to the crime scene technician or placed in the designated container for destruction or return to the Arizona Department of Transportation's Driver and Vehicle Services. No formal property booking process is required.

(c) All bicycles and bicycle frames require a property entry. Property labels will be securely attached to each bicycle or bicycle frame. The property may be released directly to the crime scene technician, or placed in the bicycle storage area until a crime scene technician can log the property.

(d) All cash shall be counted in the presence of another officer and the envelope initialed by both officers. A supervisor and property evidence technician shall be contacted for cash in excess of $1,000. The supervisor shall also witness the count, and will initial and date the property documentation and specify any additional security procedures to be used.

(e) All evidence collected by personnel processing a crime scene requiring specific storage requirements pursuant to laboratory procedures should clearly indicate storage requirements on the property entry.

(f) Items that are potential biohazards shall be appropriately packaged and marked to reduce the risk of exposure or contamination.

(g) Perishable items shall not be impounded, but shall be photographed and returned to the owner. The owner shall sign for the property. The photograph shall be properly labeled and downloaded into the department's evidence management program.

(h) No liquor of any kind is to be brought into the Department unless there are extenuating circumstances. All alcohol shall be photographed prior to disposal. Alcohol not taken into evidence shall be disposed of by an officer or defendant(s) in the officer's presence.

(i) If a person is in possession of an animal at the time of arrest, the officer shall make every effort to release the animal to a friend, relative, or neighbor of the arrestee. If this cannot be accomplished, the arresting officer shall ask the arrestee to which facility the animal should be taken. As a last resort, the Pima Animal Control Center shall be contacted to take possession of the animal. A notification shall be made in pertinent reports indicating where the animal is. Payment of any fees incurred for care of the animal shall be the responsibility of the arrestee.

Town property, unless connected to a known criminal case, should be released directly to the appropriate Town department. No formal booking is required. In cases where no responsible person can be located, the property should be stored for safekeeping in the manner specified by the on duty supervisor.

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802.4 PACKAGING OF PROPERTY

Packaging will conform to the OVPD Packaging Manual . Certain items require special consideration and shall be booked separately as follows:

(a) Controlled substances.

(b) Firearms (ensure they are unloaded and booked separately from ammunition).

(c) Property with more than one known owner.

(d) Drug paraphernalia.

(e) DUI Blood.

(f) Contraband.

(g) Biohazards.

(h) All cash.

(i) Items submitted for analysis.

See attachment: OVPD PACKAGING MANUAL.pdf

802.4.1 PACKAGING CONTAINER

Employees shall package all property, except controlled substances, in a suitable container that is appropriate for its size. Knife boxes should be used to package knives, handgun boxes should be used for handguns and syringe tubes should be used to package syringes and needles.

A property label shall be securely attached to the outside of all items or group of items packaged together.

802.4.2 PACKAGING CONTROLLED SUBSTANCES

The officer seizing narcotics and dangerous drugs shall retain such property in his/her possession until it is properly weighed, packaged, labeled and placed into property and evidence. Prior to packaging and if the quantity allows, a presumptive test should be made on all suspected controlled substances. In any case whereby fentanyl (or fentanyl variant) is suspected, the substance shall not be tested. When conducted, the results of this test shall be included in the officer's report.

Narcotics and dangerous drugs shall be packaged in an envelope of appropriate size. The booking officer shall initial the sealed envelope. Controlled substances shall not be packaged with other property.

The booking officer shall weigh the suspected narcotics or dangerous drugs in the container in which it was seized. A full description of the item, along with packaging and total weight of the item as seized, will be placed in the property entry.

A completed property label shall be attached to the outside of the packaging.

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802.4.3 RIGHT OF REFUSAL
The crime scene technician has the right to refuse any piece of property that is not properly documented or packaged. Should the crime scene technician refuse an item, he/she shall maintain secure custody of the item in a temporary property locker and may inform the supervisor of the submitting officer.

802.4.4 TESTING OF CONTROLLED SUBSTANCES
Based on the toxic nature of many controlled substances, roadside/field testing shall be strictly prohibited. All presumptive testing shall be conducted in a controlled environment specifically designated for drug testing. A witness officer shall be present during testing for safety purposes. Wearing of PPE will be mandatory for the testing of all drugs. During the testing process the witness officer has the option of wearing the PPE. PPE shall consist of the barrier gown, dust respirator (N-95 or equivalent), nitrile/latex gloves and eye protection. If the witness officer does not elect to wear the PPE, they shall observe the testing process at a minimum of five feet away. The evidence packaging area will have Naloxone available to counteract effects of unintended exposure to opioid-based substances. Reasonable efforts shall be made to limit handling and exposure of suspected controlled substances.

802.4.5 MAINTENANCE OF NALOXONE
The Property and ID Unit is responsible for the maintenance and replacement of Naloxone. The Property and ID Unit will replace Naloxone when expired in accordance with the manufacturer's labeling.

802.5 RECORDING OF PROPERTY
The recording of property shall be in accordance with guidelines established by the Crime Scene Technician Supervisor and chain of custody shall be maintained at all times.

802.6 PROPERTY CONTROL
Each time the crime scene technician receives property or releases property to another person, he/she shall enter this information on the property control card. Officers desiring property for court shall contact the crime scene technician at least one day prior to the court day.

802.6.1 RESPONSIBILITIES OF OTHER PERSONNEL
Every time property is released or received, an appropriate entry on the evidence package shall be completed to maintain the chain of custody. No property or evidence is to be released without first receiving authorization from a supervisor or investigator.

Request for analysis for items other than controlled substances shall be completed on the appropriate forms and submitted to the crime scene technician. This request may be filled out any time after booking of the property or evidence.

802.6.2 TRANSFER OF EVIDENCE TO CRIME LABORATORY
The transporting employee will check the evidence out of property, indicating the date and time on the property entry and the request for laboratory analysis.

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The crime scene technician releasing the evidence must complete the required information on the property control entry. The property and evidence tech will document and maintain chain of custody at all times.

802.6.3 STATUS OF PROPERTY

Each person receiving property will make the appropriate entry to document the chain of custody. Temporary release of property to officers for investigative purposes, or for court, shall be noted on the property entry.

The crime scene technician shall obtain the signature of the person to whom property was released, and the reason for release. Any employee receiving property shall be responsible for such property until it is properly returned to the Property and ID Unit or released to another authorized person or entity.

The return of the property should be recorded on the property entry, indicating date, time and the person who returned the property.

802.6.4 AUTHORITY TO RELEASE PROPERTY

The crime scene technician shall not release any property without a signed authorization from an appropriate authorized member of the Department. The appropriate investigative unit shall authorize the disposition or release of all evidence and property coming into the care and custody of the Department.

For property in custody of the Department for investigatory or prosecutorial purposes and owned by a victim or witness, a crime scene technician shall, upon the request of the owner:

(a) Provide a list describing the property unless such release would seriously impede an investigation.

(b) Return the property expeditiously unless the property is required as evidence.

Upon the direction of a prosecuting attorney, property held as evidence of a crime may be photographed and released to the owner of the property.

802.6.5 RELEASE OF PROPERTY

All reasonable attempts shall be made to identify the rightful owner of found property or evidence not needed for an investigation.

Release of property shall be made upon receipt of an authorized release form, listing the name and address of the person to whom the property is to be released. The release authorization shall be signed by the authorizing supervisor or investigator and must conform to the items listed on the property entry or must specify the specific item to be released.

A crime scene technician shall release the property upon proper identification being presented by the owner for which an authorized release has been received. A signature of the person receiving the property shall be recorded on the original property documentation. After release of all property entered on the property entry, the entry shall be forwarded to the Records Unit for filing with the case.

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Upon release or other form of disposal, the proper entry shall be recorded in all property documentation and logs.

802.6.6 STOLEN OR EMBEZZLED PROPERTY
Stolen or embezzled property or property believed to be stolen or embezzled that is in the custody of this department shall be restored to the owner (ARS § 13-3941). Such property may be released from law enforcement custody when the following are satisfied:

(a) Photographs of the property are filed and retained by the Property and ID Unit.

(b) Satisfactory proof of ownership of the property is shown by the owner.

(c) A declaration of ownership is signed under penalty of perjury.

(d) A receipt for the property is obtained from the owner upon delivery.

If stolen or embezzled property is not claimed by the owner within six months after the conviction of the person for such theft or embezzlement, the property shall be disposed of as specified in ARS § 13-3942.

802.6.7 DISPUTED CLAIMS TO PROPERTY
Occasionally more than one party may claim an interest in property being held by the department, and the legal rights of the parties cannot be clearly established. Such property shall not be released until one party has obtained a court order or other proof of the undisputed right to the involved property.

All parties should be advised that their claims are civil. In extreme situations, legal counsel for the Department may be asked to file an interpleader in court to resolve the disputed claim.

802.6.8 RELEASE AND DISPOSAL OF FIREARMS
A firearm may not be released until it has been verified that the person receiving the weapon is not prohibited from receiving or possessing the weapon by 18 USC § 922 or ARS § 13-3101.

If a firearm is seized for safekeeping at a domestic violence incident under ARS § 13-3601, it may not be released for at least 72 hours or longer if the prosecutor files a notice of intent to retain or if ordered by a court. Prior to release, the Property and ID Unit shall inform the handling investigator that a request to release the firearm has been received. The handling investigator shall, as soon as is reasonably possible, notify the victim of the request. Once the victim has been notified, the investigator will contact the Property and ID Unit to clear the firearm for release.

The Department shall make best efforts for a period of 30 days after the seizure of an abandoned or stolen firearm to protect the firearm from harm and return it to the lawful owner. At the expiration of such period, the firearm or other deadly weapon may be processed for disposal consistent with this policy.

802.7 DISPOSITION OF PROPERTY
All property not held for evidence and held for a minimum of 30 days may be disposed of as follows:

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(a) Property having a value of $150 or more and whose owner is not known requires posting or publication of a notice in the local print media prior to disposal (ARS § 12-944). If, 30 days after notice has been posted or published, the owner or person entitled to the property has not appeared, the property shall be disposed of pursuant to ARS § 12-945.

(b) If the property is a firearm, it shall be disposed of pursuant to ARS § 12-945.

(c) Found property may be returned to the person who found and turned it in as provided in ARS § 12-941.

802.7.1 EXCEPTIONAL DISPOSITIONS

The following types of property shall be destroyed or disposed of in the manner and at the time prescribed by law, unless a different disposition is ordered by a court of competent jurisdiction:

- Weapons declared by law to be nuisances
- Counterfeiting equipment
- Gaming devices
- Obscene matter ordered to be destroyed by the court
- Altered vehicles or component parts
- Controlled substances
- Unclaimed, stolen or embezzled property
- Destructive devices

802.7.2 UNCLAIMED MONEY

If found or seized money is no longer required as evidence and remains unclaimed after 30 days or after final disposition of the case, the money is presumed abandoned property and may be disposed as specified in ARS § 12-942.

802.7.3 RETENTION OF BIOLOGICAL EVIDENCE

The Property and ID Unit Supervisor shall ensure that no biological evidence held by the Department is destroyed without adequate notification to the following persons, when applicable:

(a) The defendant

(b) The defendant’s attorney

(c) The appropriate prosecutor

(d) Any sexual assault victim

(e) The Support Services Division supervisor

Biological evidence shall be retained for a minimum period established by law (ARS § 13-4221), the Property and ID Unit supervisor or the expiration of any sentence imposed related to the evidence, whichever time period is greater. Following the retention period, notifications should

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be made by certified mail and should inform the recipient that the evidence will be destroyed after a date specified in the notice unless a motion seeking an order to retain the sample is filed and served on the Department within 90 days of the date of the notification. A record of all certified mail receipts shall be retained in the appropriate file. Any objection to, or motion regarding, the destruction of the biological evidence should be retained in the appropriate file and a copy forwarded to the Support Services Division supervisor.

All biological evidence related to a homicide or a felony sexual offense that remains unsolved for one year or more after being reported shall be kept for 55 years, even when there are no viable or unexplored investigatory leads (ARS § 13-4221).

Biological evidence related to any homicide may only be destroyed with the written approval of the Chief of Police and the head of the applicable prosecutor's office.

The Property and ID Unit supervisor must ensure that all biological samples are retained in a condition suitable for DNA testing. The Property and ID Unit supervisor may dispose of bulk evidence and retain probative samples of biological evidence using procedures that do not affect the suitability of the sample for DNA testing. Prior to disposing of any bulk evidence, the Property and ID Unit supervisor shall obtain approval from the county attorney or Attorney General and make reasonable efforts to provide written notice to the victim (ARS § 13-4221).

802.8 INSPECTIONS OF THE PROPERTY AND ID UNIT

(a) Unannounced inspections of evidence storage areas shall be conducted annually as directed by the Chief of Police.

(b) An annual audit of evidence held by the Department shall be conducted by a Division Commander who is not routinely or directly connected with evidence control, as assigned by the Chief of Police.

(c) Whenever a change is made in personnel who have access to the Property and ID Unit, an inventory of all evidence/property may be made by an individual not associated with the Property and ID Unit or function to ensure that records are correct and all evidence property is accounted for.

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Records Unit

803.1 PURPOSE AND SCOPE

This policy establishes the guidelines for the operational functions of the Oro Valley Police Department Records Unit. The policy addresses department file access and internal requests for case reports.

803.2 POLICY

It is the policy of the Oro Valley Police Department to maintain department records securely, professionally and efficiently.

803.3 RESPONSIBILITIES

803.3.1 RECORDS SUPERVISOR

The Chief of Police shall appoint and delegate certain responsibilities to a Records Supervisor. The Records Supervisor shall be directly responsible to the Technical Services Lieutenant or the authorized designee.

The responsibilities of the Records Supervisor include but are not limited to:

(a) Overseeing the efficient and effective operation of the Records Unit.

(b) Scheduling and maintaining Records Unit time records.

(c) Supervising, training, and evaluating Records Unit staff.

(d) Maintaining and updating a Records Unit procedure manual.

(e) Ensuring compliance with established policies and procedures.

(f) Supervising the access, use, and release of protected information (see the Protected Information Policy).

(g) Establishing security and access protocols for case reports designated as sensitive, where additional restrictions to access have been implemented. Sensitive reports may include but are not limited to:

1. Homicides.
2. Cases involving department members or public officials.
3. Any case where restricted access is prudent.

803.3.2 RECORDS UNIT

The responsibilities of the Records Unit include but are not limited to:

(a) Maintaining a records management system for case reports.

(a) The records management system should include a process for numbering, identifying, tracking, and retrieving case reports.

(b) Entering case report information into the records management system.

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(a) Modification of case reports shall only be made when authorized by a supervisor.

(c) Providing members of the Department with access to case reports when needed for investigation or court proceedings.

(d) Maintaining compliance with federal, state, and local regulations regarding reporting requirements of crime statistics.

(e) Maintaining compliance with federal, state, and local regulations regarding criminal history reports and auditing.

(f) Identifying missing case reports and notifying the responsible member's supervisor.

(g) Providing records related to a drug overdose fatality as required by ARS § 36-198 and ARS § 36-198.01.

803.4 FILE ACCESS AND SECURITY

The security of files in the Records Unit must be a high priority and shall be maintained as mandated by state or federal law. All case reports including, but not limited to, initial, supplemental, follow-up, evidence and any other reports related to a police department case, including field interview (FI) cards, criminal history records and publicly accessible logs, shall be maintained in a secure area within the Records Unit, accessible only by authorized members of the Records Unit. Access to case reports or files when Records Unit staff is not available may be obtained through the Sergeant.

The Records Unit will also maintain a secure file for case reports deemed by the Chief of Police as sensitive or otherwise requiring extraordinary access restrictions.

803.4.1 ORIGINAL CASE REPORTS

Generally, original case reports shall not be removed from the Records Unit. Should an original case report be needed for any reason, the requesting department member shall first obtain authorization from the Records Supervisor. All original case reports removed from the Records Unit shall be recorded on a designated report check-out log, which shall be the only authorized manner by which an original case report may be removed from the Records Unit.

All original case reports to be removed from the Records Unit shall be photocopied and the photocopy retained in the file location of the original case report until the original is returned to the Records Unit. The photocopied report shall be shredded upon return of the original report to the file.

803.5 CONFIDENTIALITY

Records Unit staff has access to information that may be confidential or sensitive in nature. Records Unit staff shall not access, view or distribute, or allow anyone else to access, view or distribute any record, file or report, whether in hard copy or electronic file format, or any other confidential, protected or sensitive information except in accordance with the Records Maintenance and Release and Protected Information policies and the Records Unit procedure manual.

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Records Maintenance and Release

805.1 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.

805.2 POLICY

The Oro Valley Police Department is committed to providing public access to records in a manner that is consistent with the Arizona Public Records Law (ARS § 39-121 et seq.).

805.3 CUSTODIAN OF RECORDS RESPONSIBILITIES

The Chief of Police shall designate a Custodian of Records. The responsibilities of the Custodian of Records include, but are not limited to (ARS § 39-121.01; ARS § 41-151.14):

(a) Managing the records management system for the Department, including the security, preservation, retention, archiving, release and destruction of department public records.

(b) Maintaining and updating the department records retention schedule including:

1. Identifying the minimum length of time the Department must keep records.
2. Identifying the department division responsible for the original record.

(c) Establishing rules regarding the inspection and copying of department public records as reasonably necessary for the protection of such records.

(d) Identifying records or portions of records that are confidential under state or federal law and not open for inspection or copying.

(e) Establishing rules regarding the processing of subpoenas for the production of records.

(f) Ensuring a current schedule of fees for public records as allowed by law is available.

(g) Acting as the coordinator and liaison with the Arizona State Library in the management of the department records.

805.4 PROCESSING REQUESTS FOR PUBLIC RECORDS

Any department member who receives a request for any record shall route the request to the Custodian of Records or the authorized designee.

805.4.1 REQUESTS FOR RECORDS

The processing of requests for any record is subject to the following (ARS § 39-121.01):

(a) The Department is not required to create records that do not exist.

(b) When a record contains material with release restrictions and material that is not subject to release restrictions, the restricted material shall be redacted and the unrestricted material released.

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1. A copy of the redacted release should be maintained in the case file for proof of what was actually released and as a place to document the reasons for the redactions. If the record is audio or video, a copy of the redacted audio/video release should be maintained in the department-approved media storage system and a notation should be made in the case file to document the release and the reasons for the redacted portions.

(c) A requester may request to examine or be furnished copies, printouts or photographs during regular business hours or request that copies of records be mailed unless otherwise available on the department website.

1. When records are requested to be mailed, the requester shall pay in advance any copying and postage charges.

(d) Records shall be provided to a requester promptly and fees charged as allowed by law.

1. Crime victims, a victim's attorney or family of deceased or incapacitated victims are entitled, upon request, a copy of the police report at no charge for certain crimes under ARS § 39-127.

(e) If a request is denied, the requester should be provided a written denial and the reason for the denial.

(f) Access to a public record is deemed denied if the Custodian of Records fails to promptly respond to a request for production of a public record.

805.5 RELEASE RESTRICTIONS

Examples of release restrictions include:

(a) Personal identifying information, including an individual's photograph; Social Security and driver identification numbers; name, address, and telephone number; and medical or disability information that is contained in any driver license record, motor vehicle record, or any department record, including traffic accident reports, are restricted except as authorized by the Department, and only when such use or disclosure is permitted or required by law to carry out a legitimate law enforcement purpose (18 USC § 2721; 18 USC § 2722; ARS § 28-667).

(b) Member home address and home telephone number (ARS § 39-123).

(c) A photograph of an officer when (ARS § 39-123):

1. Working in an undercover capacity or scheduled to be serving in an undercover capacity within 60 days.

2. The release is not in the best interest of the state after taking into consideration the privacy, confidentiality, and safety of the officer.

3. An order pursuant to ARS § 28-454 is in effect (records maintained by the Arizona Department of Transportation).

(d) Limited information in member disciplinary records (ARS § 39-128).

(e) Victim and witness identifying information, including date of birth, Social Security number, driver license number, address, telephone number, email address,

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place of employment, and the name of a minor victim (ARS § 8-413; ARS § 13-4434; ARS § 39-123.01).

(f) Ongoing investigation materials only where release would hinder an investigation or interfere with official duties.

(g) Certain types of reports involving, but not limited to, child abuse and molestation (ARS § 13-3620).

(h) Arrests or booking reports for the commercial purpose of soliciting legal services (ARS § 39-121.03).

(i) Any other information that may be appropriately denied by Arizona law.

805.6 SUBPOENAS AND DISCOVERY REQUESTS

Any member who receives a subpoena duces tecum or discovery request for records should promptly contact a supervisor and the Custodian of Records for review and processing. While a subpoena duces tecum may ultimately be subject to compliance, it is not an order from the court that will automatically require the release of the requested information.

Generally, discovery requests and subpoenas from criminal defendants and their authorized representatives (including attorneys) should be referred to the County Attorney, Town Attorney or the courts.

All questions regarding compliance with any subpoena duces tecum or discovery request should be promptly referred to legal counsel for the Department so that a timely response can be prepared.

805.7 RELEASED RECORDS TO BE MARKED

Each page of any written record released pursuant to this policy should be stamped in a colored ink or otherwise marked to indicate the department name and to whom the record was released.

Each audio/video recording released should include the department name and to whom the record was released.

805.8 SET ASIDE ORDERS

Orders to set aside records received by the Department shall be reviewed for appropriate action by the Custodian of Records. The Custodian of Records shall set aside 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 record is set aside, members shall not release copies or provide access to such records except by court order (ARS § 13-4051).

805.9 SECURITY BREACHES

Members who become aware that any Oro Valley Police Department system containing personal information may have been breached should notify the Records Supervisor as soon as practicable.

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The Records Supervisor shall ensure notice is given as provided in ARS § 18-552 to any person whose unsecured personal information is reasonably believed to have been acquired by an unauthorized person (ARS § 18-552).

Notice shall be given within 45 days subject to the needs of a law enforcement investigation. Notice may be delayed if notification will impede a criminal investigation, but shall be made within 45 days once there is a determination that the investigation will not be compromised (ARS § 18-552).

For the purposes of the notice requirement, personal information means (ARS § 18-551):

(a) An individual's first name or first initial and last name in combination with any one or more of the following:

1. Social Security number
2. Arizona driver license number or non-operating identification license
3. A private key that is unique to an individual and that is used to authenticate or sign an electronic record
4. Financial account number, credit or debit card number, or any required security code, access code, or password that would permit access to an individual's financial account
5. Individual's health insurance identification number
6. Information about an individual's medical or mental health treatment or diagnosis by a health care professional
7. Individual's passport number
8. Individual's taxpayer identification number or an identity protection personal identification number
9. Unique biometric data generated from a measurement or analysis of human body characteristics to authenticate an individual when the individual accesses an online account

(b) An individual's user name or email address in combination with a password or security question and answer, that allows access to an online 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).

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Protected Information

806.1 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 Oro Valley Police Department. This policy addresses the protected information that is used in the day-to-day operation of the Department and not the public records information covered in the Records Maintenance and Release Policy.

806.1.1 DEFINITIONS

Definitions related to this policy include:

Protected information - Any information or data that is collected, stored or accessed by members of the Oro Valley 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.

806.2 POLICY

Members of the Oro Valley 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.

806.3 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 (ARS § 41-1750; AAC § R13-1-204):

(a) Ensuring member compliance with this policy and with requirements applicable to protected information, including requirements for the National Crime Information Center (NCIC) system, National Law Enforcement Telecommunications System (NLETS), the Arizona Criminal Justice Information System (ACJIS), Arizona Department of Transportation (ADOT) records and Arizona Law Enforcement Telecommunications System (ALETS).

(b) Developing, disseminating and maintaining procedures that adopt or comply with the U.S. Department of Justice's current Criminal Justice Information Services (CJIS) Security Policy.

(c) Developing, disseminating and maintaining any other procedures necessary to comply with any other requirements for the access, use, dissemination, release and security of protected information.

(d) Developing procedures to ensure training and certification requirements are met.

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(e) Resolving specific questions that arise regarding authorized recipients of protected information.

(f) Ensuring security practices and procedures are in place to comply with requirements applicable to protected information.

806.4 ACCESS TO PROTECTED INFORMATION

Protected information shall not be accessed in violation of any law, order, regulation, user agreement, Oro Valley Police Department policy or training. Only those members who have completed applicable training and met any applicable requirements, such as a background check, may access protected information, and only when the member has a legitimate work-related reason for such access.

Unauthorized access, including access for other than a legitimate work-related purpose, is prohibited and may subject a member to administrative action pursuant to the Personnel Complaints Policy and/or criminal prosecution (ARS § 41-1756).

806.5 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.

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 Communications 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.

806.6 SECURITY OF PROTECTED INFORMATION

The Communications Manager will oversee the security of protected information.

The responsibilities of this position include, but are not limited to (AAC § R13-1-201):

(a) Developing and maintaining security practices, procedures and training.

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(b) Ensuring federal and state compliance with the CJIS Security Policy and the requirements of any state or local criminal history records systems.

(c) Establishing procedures to provide for the preparation, prevention, detection, analysis and containment of security incidents including computer attacks.

(d) Tracking, documenting and reporting all breach of security incidents to the Chief of Police and appropriate authorities.

806.6.1 MEMBER RESPONSIBILITIES

Members accessing or receiving protected information shall ensure the information is not accessed or received by persons who are not authorized to access or receive it. This includes leaving protected information, such as documents or computer databases, accessible to others when it is reasonably foreseeable that unauthorized access may occur (e.g., on an unattended table or desk; in or on an unattended vehicle; in an unlocked desk drawer or file cabinet; on an unattended computer terminal).

Sensitive information such as Social Security numbers and personally identifiable information must be encrypted and stored on removable media only when necessary, as approved by the Communications Manager. If it becomes necessary to transfer protected information, encrypted devices shall be utilized.

806.7 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 (ARS § 41-1750(E)).

ACJIS terminal operators shall be trained and certified within six months of hire or assignment.

Basic security awareness training shall be required within six months of initial assignment, and biennially thereafter, for all personnel who have access to ACJIS/NCIC.

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Animal Control

808.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for Oro Valley Police Department personnel in dealing with calls related to animal control and to set forth procedures regarding animal control services, the handling of injured animals and the abatement of animal nuisances (ARS § 9-499.04).

808.2 OFFICER RESPONSIBILITIES

Until a Pima County Animal Care Officer (ACO) is available, the following animal-related calls for service will be handled by the appropriate on-duty officer.

Officers may be dispatched to animal-related calls and should take appropriate actions to control the situation until the arrival of an ACO. 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 ACO. The following are examples of when an officer may consider acting before the arrival of the ACO:

(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 an animal is gravely injured.

808.2.1 ANIMAL CRUELTY COMPLAINTS

Officers shall conduct a preliminary investigation on all reports of animal cruelty and forward the information to the Criminal Investigations Unit. Officers shall not hesitate to take any immediate actions deemed necessary. If immediate action is necessary, officers seizing an animal shall comply with the notice requirements of ARS § 13-4281.

The assistance of an animal control officer may be requested to assist with the investigation when appropriate for the purpose of handling the disposition of any animal associated with the case.

808.2.2 STRAY DOGS

If the dog has a license or can otherwise be identified, the owner should be contacted if reasonably possible. If the owner is contacted, the dog should be released to the owner and a citation may be issued if appropriate. If a dog is taken into custody, it shall be transported to the animal shelter if it is open or to the holding pens, making sure the animal has food, water and bedding.

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808.2.3 ANIMAL BITES TO HUMANS
Officers shall obtain as much information as possible for forwarding to the ACO for follow-up. Officers shall instruct the owner of a biting animal that is a pet, farm animal or domesticated wild animal that, if contacted, to keep the animal confined on the property until contacted by the ACO. If the animal is a stray, every reasonable effort shall be made to capture and impound the animal immediately.

808.2.4 PUBLIC NUISANCE CALLS RELATING TO ANIMALS
Officers shall obtain as much information as possible regarding the nature of the complaint, the complaining person, owner information (if possible) and location of problem. Officers will also document any actions taken, citation 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.

All requests to call in the ACO must be approved by a field supervisor.

808.3 DECEASED ANIMALS
Deceased animals on public property will be reported to Pima County Animal Care.

808.4 INJURED ANIMALS
When any injured domesticated animal is brought to the attention of a member of this agency, 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, Pima County Animal Care shall be contacted.

(a) When it is necessary to dispatch a seriously injured or dangerous animal the Firearms Policy shall be followed. The decision to dispose of a seriously injured animal will rest with the on-duty supervisor if notice is possible (ARS § 9-499.04(B)(1), ARS § 13-3107(C)(6)).

(b) Injured or deceased ranch animals or wildlife should be referred to the appropriate agency as listed by the Arizona Department of Game and Fish, the Bureau of Land Management or the Animal Services Division of the Arizona Department of Agriculture.

(c) When handling dead or injured animals, Department employees shall attempt to identify and notify the owner of the final disposition of the animal.

(d) Each incident shall be documented, at minimum, to include the name of the reporting party and the veterinary hospital and/or person to whom the animal is released.

808.5 CITATIONS
It should be at the discretion of the handling officer or the field supervisor as to the need for, or advisability of, the issuance of a citation for a violation.

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808.6 POST-ARREST PROCEDURES

The arresting officer should make a reasonable effort to ensure that animals or pets under a person's care will be provided with adequate care when that person is arrested. This is only required when there is no person to provide care and the arrestee is expected to be in custody for a time period longer than would reasonably allow him/her to properly care for the animals.

Relatives or neighbors may be contacted, with the owner's consent, to care for the animals. If no persons can be found or the owner does not consent, the appropriate animal control authority should be notified.

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Chapter 9 - Custody

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Temporary Custody of Adults

900.1 PURPOSE AND SCOPE

This policy provides guidelines to address the health and safety of adults taken into temporary custody by members of the Oro Valley Police Department for processing prior to being released or transferred to a housing or other type of facility.

Temporary custody of juveniles is addressed in the Temporary Custody of Juveniles Policy. Juveniles will not be permitted where adults in custody are being held.

Custodial searches are addressed in the Custodial Searches Policy.

900.1.1 DEFINITIONS

Definitions related to this policy include:

Holding cell/cell - Any locked enclosure for the custody of an adult or any other enclosure that prevents the occupants from being directly visually monitored at all times by a member of the Department.

Safety checks - Direct, visual observation by a member of this department performed at random intervals, within time frames prescribed in this policy, to provide for the health and welfare of adults in temporary custody.

Temporary custody - The time period an adult is in custody at the Oro Valley Police Department prior to being released or transported to a housing or other type of facility.

900.2 POLICY

The Oro Valley Police Department is committed to releasing adults from temporary custody as soon as reasonably practicable, and to keeping adults safe while in temporary custody at the Department. Adults should be in temporary custody only for as long as reasonably necessary for investigation, processing, transfer or release.

900.3 GENERAL CRITERIA AND SUPERVISION

No adult should be in temporary custody for longer than six hours without reasonable cause.

900.3.1 INDIVIDUALS WHO SHOULD NOT BE IN TEMPORARY CUSTODY

Individuals who exhibit certain behaviors or conditions should not be in temporary custody at the Oro Valley Police Department, but should be transported to a jail facility, a medical facility or other type of facility as appropriate. These include:

(a) Any individual who is unconscious or has been unconscious while being taken into custody or while being transported.

(b) Any individual who has a medical condition, including pregnancy, that may require medical attention, supervision or medication while in temporary custody.

(c) Any individual who is seriously injured.

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(d) Individuals who are a suspected suicide risk (see the Civil Commitments Policy).

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

(e) Individuals who are obviously in crisis as defined in the Crisis Intervention Incidents Policy.

(f) Individuals who are under the influence of alcohol, a controlled substance or any substance to the degree that may require medical attention, or who have ingested any substance that poses a significant risk to their health, whether or not they appear intoxicated.

(g) Any individual who has exhibited extremely violent or continuously violent behavior.

(h) Any individual who has claimed, is known to be afflicted with, or displays symptoms of any communicable disease that poses an unreasonable exposure risk.

(i) Any individual with a prosthetic or orthopedic device where removal of the device would be injurious to his/her health or safety.

Officers taking custody of a person who exhibits any of the above conditions should notify a supervisor of the situation. These individuals should not be in temporary custody at the Department unless they have been evaluated by a qualified medical or mental health professional, as appropriate for the circumstances.

900.3.2 SUPERVISION IN TEMPORARY CUSTODY

An authorized department member capable of supervising shall be present at all times when an individual is held in temporary custody. The member responsible for supervising should not have other duties that could unreasonably conflict with his/her supervision. Any individual in custody must be able to summon the supervising member if needed. If the person in custody is deaf or hard of hearing or cannot speak, accommodations shall be made to provide this ability.

No individual in custody shall be permitted to supervise, control or exert any authority over other individuals in custody.

900.3.3 ENTRY RESTRICTIONS

Entry into any location where a person is held in custody should be restricted to:

(a) Authorized members entering for official business purposes.

(b) Emergency medical personnel when necessary.

(c) Any other person authorized by the Sergeant.

When practicable, more than one authorized member should be present for entry into a location where a person is held in custody for security purposes and to witness interactions.

900.4 INITIATING TEMPORARY CUSTODY

The officer responsible for an individual in temporary custody should evaluate the person for any apparent chronic illness, disability, vermin infestation, possible communicable disease or any

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other potential risk to the health or safety of the individual or others. The Officer should specifically ask if the individual is contemplating suicide and evaluate him/her for obvious signs or indications of suicidal intent.

The receiving officer should ask the arresting officer if there is any statement, indication or evidence surrounding the individual's arrest and transportation that would reasonably indicate the individual is at risk for suicide or critical medical care. If there is any suspicion that the individual may be suicidal, he/she shall be transported to the Town jail or the appropriate mental health facility.

The officer should promptly notify the Sergeant of any conditions that may warrant immediate medical attention or other appropriate action. The Sergeant shall determine whether the individual will be placed in a cell, immediately released or transported to jail or other facility.

900.4.1 SCREENING AND PLACEMENT

The officer responsible for an individual in custody shall:

(a) Advise the Sergeant of any significant risks presented by the individual (e.g., suicide risk, health risk, violence).

(b) Evaluate the following issues against the stated risks in (a) to determine the need for placing the individual in a single cell:

1. Consider whether the individual may be at a high risk of being sexually abused based on all available known information (28 CFR 115.141), or whether the person is facing any other identified risk.

2. Provide any individual identified as being at a high risk for sexual or other victimization with heightened protection. This may include (28 CFR 115.113; 28 CFR 115.141):

(a) Continuous, direct sight and sound supervision.

(b) Single-cell placement in a cell that is actively monitored on video by a member who is available to immediately intervene.

3. Ensure individuals are separated according to severity of the crime (e.g., felony or misdemeanor).

4. Ensure males and females are separated by sight and sound when in cells.

5. Ensure restrained individuals are not placed in cells with unrestrained individuals.

(c) Ensure that those confined under civil process or for civil causes are kept separate from those who are in temporary custody pending criminal charges.

(d) Ensure separation, as appropriate, based on other factors, such as age, criminal sophistication, assaultive/non-assaultive behavior, mental state, disabilities and sexual orientation.

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900.4.2 CONSULAR NOTIFICATION

Consular notification may be mandatory when certain foreign nationals are arrested. The Field Services Division Commander will ensure that the U.S. Department of State's list of countries and jurisdictions that require mandatory notification is readily available to department members. There should also be a published list of foreign embassy and consulate telephone and fax numbers, as well as standardized notification forms that can be transmitted and then retained for documentation.

Department members assigned to process a foreign national shall:

(a) Inform the individual, without delay, that he/she may have his/her consular officers notified of the arrest or detention and may communicate with them.

1. This notification should be documented.

(b) Determine whether the foreign national's country is on the U.S. Department of State's mandatory notification list.

1. If the country is on the mandatory notification list, then:

(a) Notify the country's nearest embassy or consulate of the arrest or detention by fax or telephone.

(b) Tell the individual that this notification has been made and inform him/her without delay that he/she may communicate with consular officers.

(c) Forward any communication from the individual to his/her consular officers without delay.

(d) Document all notifications to the embassy or consulate and retain the faxed notification and any fax confirmation for the individual's file.

2. If the country is not on the mandatory notification list and the individual requests that his/her consular officers be notified, then:

(a) Notify the country's nearest embassy or consulate of the arrest or detention by fax or telephone.

(b) Forward any communication from the individual to his/her consular officers without delay.

900.5 SAFETY, HEALTH AND OTHER PROVISIONS

900.5.1 TEMPORARY CUSTODY LOGS

Any time an individual is in temporary custody at the Oro Valley Police Department, the custody shall be promptly and properly documented in a custody log, including:

(a) Identifying information about the individual, including his/her name.

(b) Date and time of arrival at the Department.

(c) Any charges for which the individual is in temporary custody and any case number.

(d) Time of all safety checks.

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

(f) Any emergency situations or unusual incidents.

(g) Any other information that may be required by other authorities, such as compliance inspectors.

(h) Date and time of release from the Oro Valley Police Department.

900.5.2 TEMPORARY CUSTODY REQUIREMENTS

Members monitoring or processing anyone in temporary custody shall ensure:

(a) Safety checks and significant incidents/activities are noted on the log.

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

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

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

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

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

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

(f) There is privacy during attorney visits.

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

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

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

900.5.3 MEDICAL CARE

First-aid equipment and basic medical supplies should be available to department members. At least one member who has current certification in basic first aid and CPR should be on-duty at all times.

Should a person in custody be injured or become ill, appropriate medical assistance should be sought. A supervisor should meet with those providing medical aid at the facility to allow access to the person. Members shall comply with the opinion of medical personnel as to whether an individual in temporary custody should be transported to the hospital. If the person is transported while still in custody, he/she will be accompanied by an officer.

Those who require medication while in temporary custody should not be at the Oro Valley Police Department. They should be released or transferred to another facility as appropriate.

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900.5.4 ORTHOPEDIC OR PROSTHETIC APPLIANCE

Subject to safety and security concerns, individuals shall be permitted to retain an orthopedic or prosthetic appliance. However, if the appliance presents a risk of bodily harm to any person or is a risk to the security of the facility, the appliance may be removed from the individual unless its removal would be injurious to his/her health or safety.

Whenever a prosthetic or orthopedic appliance is removed, the Sergeant shall be promptly apprised of the reason. It shall be promptly returned when it reasonably appears that any risk no longer exists.

900.5.5 TELEPHONE CALLS

Every individual in temporary custody should be allowed to make a reasonable number of completed telephone calls as soon as possible after arrival.

(a) Telephone calls may be limited to local calls, except that long-distance calls may be made by the individual at his/her own expense.

  1. The Department should pay the cost of any long-distance calls related to arranging for the care of a child or dependent adult (see the Child and Dependent Adult Safety Policy).

(b) The individual should be given sufficient time to contact whomever he/she desires and to make any necessary arrangements, including child or dependent adult care, or transportation upon release.

  1. Telephone calls are not intended to be lengthy conversations. The member assigned to monitor or process the individual may use his/her judgment in determining the duration of the calls.

(c) Calls between an individual in temporary custody and his/her attorney shall be deemed confidential and shall not be monitored, eavesdropped upon or recorded.

900.5.6 RELIGIOUS ACCOMMODATION

Subject to available resources, safety and security, the religious beliefs and needs of all individuals in custody should be reasonably accommodated. Requests for religious accommodation should generally be granted unless there is a compelling security or safety reason and denying the request is the least restrictive means available to ensure security or safety. The responsible supervisor should be advised any time a request for religious accommodation is denied.

Those who request to wear headscarves or simple head coverings for religious reasons should generally be accommodated absent unusual circumstances. Head coverings shall be searched before being worn.

Individuals wearing headscarves or other approved coverings shall not be required to remove them while in the presence of or while visible to the opposite sex if they so desire. Religious garments that substantially cover the individual’s head and face may be temporarily removed during the taking of any photographs.

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900.6 USE OF RESTRAINT DEVICES

Individuals in custody may be handcuffed in accordance with the Handcuffing and Restraints Policy. Unless an individual presents a heightened risk, handcuffs should generally be removed when the person is in a cell.

The use of restraints, other than handcuffs or leg irons, generally should not be used for individuals in temporary custody at the Oro Valley Police Department unless the person presents a heightened risk, and only in compliance with the Handcuffing and Restraints Policy.

Individuals in restraints shall be kept away from other unrestrained individuals in custody and monitored to protect them from abuse.

900.6.1 PREGNANT ADULTS

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

900.7 PERSONAL PROPERTY

The personal property of an individual in temporary custody should be removed, inventoried and processed as provided in the Custodial Searches Policy, unless the individual requests a different disposition. For example, an individual may request property (i.e., cash, car or house keys, medications) be released to another person. Release of the property requires the recipient's signature on the appropriate form.

The Sergeant shall be notified whenever an individual alleges that there is a shortage or discrepancy regarding his/her property. The Sergeant shall attempt to prove or disprove the claim.

900.8 HOLDING CELLS

A thorough inspection of a cell shall be conducted before placing an individual into the cell to ensure there are no weapons or contraband and that the cell is clean and sanitary. An inspection also should be conducted when he/she is released. Any damage noted to the cell should be photographed and documented.

The following requirements shall apply:

(a) The individual shall be searched (see the Custodial Searches Policy), and anything that could create a security or suicide risk, such as contraband, hazardous items, belts, shoes or shoelaces and jackets, shall be removed.

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

(c) The individual's initial placement into and removal from a locked enclosure shall be logged.

(d) Safety checks by department members shall occur no less than every 15 minutes.

1. Safety checks should be at varying times.
2. All safety checks shall be logged.

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3. The safety check should involve questioning the individual as to his/her well-being.
4. Individuals who are sleeping or apparently sleeping should be awakened.
5. Requests or concerns of the individual should be logged.

900.9 SUICIDE ATTEMPT, DEATH OR SERIOUS INJURY

The Field Services Division Commander will ensure procedures are in place to address any suicide attempt, death or serious injury of any individual in temporary custody at the Oro Valley Police Department. The procedures should include the following (ARS § 11-593):

(a) Immediate request for emergency medical assistance if appropriate.

(b) Immediate notification of the Sergeant, Chief of Police and Support Services Division Commander.

(c) Notification of the spouse, next of kin or other appropriate person.

(d) Notification of the appropriate prosecutor.

(e) Notification of the Town Attorney.

(f) Notification of the Medical Examiner.

(g) Evidence preservation.

900.10 RELEASE AND/OR TRANSFER

When an individual is released or transferred from custody, the member releasing the individual should ensure the following:

(a) All proper reports, forms and logs have been completed prior to release.

(b) A check has been made to ensure that the individual is not reported as missing and does not have outstanding warrants.

(c) It has been confirmed that the correct individual is being released or transported.

(d) All property, except evidence, contraband or dangerous weapons, has been returned to, or sent with, the individual.

(e) All pertinent documentation accompanies the individual being transported to another facility (copies of booking forms, medical records, an itemized list of his/her property, warrant copies).

(f) The individual is not permitted in any nonpublic areas of the Oro Valley Police Department unless escorted by a member of the Department.

(g) Any known threat or danger the individual may pose (escape risk, suicide potential, medical condition) is documented, and the documentation transported with the individual if he/she is being sent to another facility.

1. The department member transporting the individual shall ensure such risks are communicated to intake personnel at the other facility.

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(h) Generally, persons of the opposite sex, or adults and juveniles, should not be transported in the same vehicle unless they are physically separated by a solid barrier. If segregating individuals is not practicable, officers should be alert to inappropriate physical or verbal contact and take appropriate action as necessary.

900.11 TRAINING

Department members should be trained and familiar with this policy and any supplemental procedures.

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Custodial Searches

901.1 PURPOSE AND SCOPE

This policy provides guidance regarding searches of individuals in custody. Such searches are necessary to eliminate the introduction of contraband, intoxicants or weapons into the Oro Valley Police Department facility. Such items can pose a serious risk to the safety and security of department members, individuals in custody, contractors and the public.

Nothing in this policy is intended to prohibit the otherwise lawful collection of evidence from an individual in custody.

901.1.1 DEFINITIONS

Definitions related to this policy include:

Custody search - An in-custody search of an individual and of his/her property, shoes and clothing, including pockets, cuffs and folds on the clothing, to remove all weapons, dangerous items and contraband.

Physical body cavity search - A search that includes a visual inspection and may include a physical intrusion into a body cavity. Body cavity means the stomach or rectal cavity of an individual, and the vagina of a female person.

Strip search - A search that requires an individual to remove or rearrange some or all of his/her clothing to permit a visual inspection of the underclothing, breasts, buttocks, anus or outer genitalia. This includes monitoring an individual who is changing clothes, where his/her underclothing, buttocks, genitalia or female breasts are visible.

901.2 POLICY

All searches shall be conducted with concern for safety, dignity, courtesy, respect for privacy and hygiene, and in compliance with policy and law to protect the rights of those who are subject to any search.

Searches shall not be used for intimidation, harassment, punishment or retaliation.

901.3 FIELD AND TRANSPORTATION SEARCHES

An officer should conduct a custody search of an individual immediately after his/her arrest, when receiving an individual from the custody of another, and before transporting a person who is in custody in any department vehicle.

Whenever practicable, a custody search should be conducted by an officer of the same sex as the person being searched. If an officer of the same sex is not reasonably available, a witnessing officer should be present during the search, when practical.

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901.4 SEARCHES AT POLICE FACILITIES

Custody searches shall be conducted on all individuals in custody, upon entry to the Oro Valley Police Department facilities.

Custody searches should also be conducted any time an individual in custody enters or re-enters a secure area, or any time it is reasonably believed that a search is necessary to maintain the safety and security of the facility.

901.4.1 PROPERTY

Members shall take reasonable care in handling the property of an individual in custody to avoid discrepancies or losses. Property retained for safekeeping shall be kept in a secure location until the individual is released or transferred.

Some property may not be accepted by a facility or agency that is taking custody of an individual from this department, such as weapons or large items. These items should be retained for safekeeping in accordance with the Property and ID Unit Policy.

All property shall be inventoried by objective description (this does not include an estimated value).

901.4.2 VERIFICATION OF MONEY

All money shall be counted in front of the individual from whom it was received. When possible, the individual shall initial the dollar amount on the inventory. Additionally, all money should be placed in a separate envelope and sealed. Negotiable checks or other instruments and foreign currency should also be sealed in an envelope with the amount indicated but not added to the cash total. All envelopes should clearly indicate the contents on the front. The department member sealing it should place his/her initials across the sealed flap.

901.5 STRIP SEARCHES

No individual in temporary custody at any Oro Valley Police Department facility shall be subjected to a strip search unless there is reasonable suspicion based upon specific and articulable facts to believe the individual has a health condition requiring immediate medical attention or is concealing a weapon or contraband. Factors to be considered in determining reasonable suspicion include, but are not limited to:

(a) The detection of an object during a custody search that may be a weapon or contraband and cannot be safely retrieved without a strip search.

(b) Circumstances of a current arrest that specifically indicate the individual may be concealing a weapon or contraband.

    1. A felony arrest charge or being under the influence of a controlled substance should not suffice as reasonable suspicion absent other facts.

(c) Custody history (e.g., past possession of contraband while in custody, assaults on department members, escape attempts).

(d) The individual’s actions or demeanor.

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(e) Criminal history (i.e., level of experience in a custody setting).

No transgender or intersex individual shall be searched or examined for the sole purpose of determining the individual's genital status. If the individual's genital status is unknown, it may be determined during conversations with the person, by reviewing medical records, or as a result of a broader medical examination conducted in private by a medical practitioner (28 CFR 115.115).

901.5.1 STRIP SEARCH PROCEDURES

Strip searches at Oro Valley Police Department facilities shall be conducted as follows (28 CFR 115.115):

(a) Authorization from the Sergeant shall be obtained prior to the strip search.

(b) All members involved with the strip search shall be of the same sex as the person being searched, unless the search is conducted by a medical practitioner.

(c) All strip searches shall be conducted in a professional manner under sanitary conditions and in a secure area of privacy so that the search cannot be observed by those not participating in the search. The search shall not be reproduced through a visual or sound recording.

(d) Whenever possible, a second member of the same sex should be present during the search, for security and as a witness to the finding of evidence.

(e) Members conducting a strip search shall not touch the breasts, buttocks or genitalia of the individual being searched.

(f) The primary member conducting the search shall prepare a written report to include:

1. The facts that led to the decision to perform a strip search.
2. The reasons less intrusive methods of searching were not used or were insufficient.
3. The written authorization for the search, obtained from the Sergeant.
4. The name of the individual who was searched.
5. The name and sex of the members who conducted the search.
6. The name, sex and role of any person present during the search.
7. The time and date of the search.
8. The place at which the search was conducted.
9. A list of the items, if any, recovered during the search.
10. The facts upon which the member based his/her belief that the person searched was concealing a weapon or contraband.

(g) No member should view an individual's private underclothing, buttocks, genitalia or female breasts while that individual is showering, performing bodily functions or

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changing clothes, unless he/she otherwise qualifies for a strip search. However, if serious hygiene or health issues make it reasonably necessary to assist the individual with a shower or a change of clothes, a supervisor should be contacted to ensure reasonable steps are taken to obtain the individual's consent and/or otherwise protect his/her privacy and dignity.

(h) A copy of the written authorization should be retained and made available upon request to the individual or the individual's authorized representative.

901.5.2 SPECIAL CIRCUMSTANCE FIELD STRIP SEARCHES

A strip search may be conducted in the field only with Sergeant authorization and only in exceptional circumstances, such as when:

(a) There is probable cause to believe that the individual is concealing a weapon or other dangerous item that cannot be recovered by a more limited search.

(b) There is probable cause to believe that the individual is concealing controlled substances or evidence that cannot be recovered by a more limited search, and there is no reasonable alternative to ensure the individual cannot destroy or ingest the substance during transportation.

These special-circumstance field strip searches shall only be authorized and conducted under the same restrictions as the strip search procedures in this policy.

901.6 PHYSICAL BODY CAVITY SEARCH

Physical body cavity searches shall be subject to the following:

(a) No individual shall be subjected to a physical body cavity search without approval of the Sergeant and only upon a search warrant or approval of legal counsel. A copy of any search warrant and the results of the physical body cavity search shall be included with the related reports and made available, upon request, to the individual or authorized representative (except for those portions of the warrant ordered sealed by a court).

(b) Only a physician may conduct a physical body cavity search.

(c) Except for the physician conducting the search, persons present must be of the same sex as the individual being searched. Only the necessary department members needed to maintain the safety and security of the medical personnel shall be present.

(d) Privacy requirements, including restricted touching of body parts and sanitary condition requirements, are the same as required for a strip search.

(e) All such searches shall be documented, including:

1. The facts that led to the decision to perform a physical body cavity search of the individual.

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2. The reasons less intrusive methods of searching were not used or were insufficient.
3. The Sergeant's approval.
4. A copy of the search warrant.
5. The time, date and location of the search.
6. The medical personnel present.
7. The names, sex and roles of any department members present.
8. Any contraband or weapons discovered by the search.

(f) A copy of the written authorization shall be retained and should be made available to the individual who was searched or other authorized representative upon request.

901.7 TRAINING

The Training Coordinator shall ensure members have training that includes (28 CFR 115.115):

(a) Conducting searches of cross-gender individuals.

(b) Conducting searches of transgender and intersex individuals.

(c) Conducting searches in a professional and respectful manner, and in the least intrusive manner possible, consistent with security needs.

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Prison Rape Elimination

902.1 POLICY

The Oro Valley Police Department has zero tolerance toward all forms of sexual abuse and sexual harassment (28 CFR 115.111). The Department will not tolerate retaliation against any person who reports sexual abuse or sexual harassment or who cooperates with a sexual abuse or sexual harassment investigation.

The Oro Valley Police Department will take immediate action to protect prisoners who are reasonably believed to be subject to a substantial risk of imminent sexual abuse (28 CFR 115.162).

The Oro Valley Police Department shall ensure the provisions of the P.R.E.A. (28 CFR 115) applicable to its holding cells are followed.

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Chapter 10 - Personnel

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Recruitment and Selection

1000.1 PURPOSE AND SCOPE

This policy provides a framework for employee recruiting efforts and identifying job-related standards for the selection process. This policy supplements the rules that govern employment practices for the Oro Valley Police Department and that are promulgated and maintained by the Human Resources Department.

1000.2 POLICY

In accordance with applicable federal, state, and local law, the Oro Valley Police Department provides equal opportunities for applicants and employees, regardless of actual or perceived race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, pregnancy, genetic information, veteran status, marital status, 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 Executive Officer should employ a comprehensive recruitment and selection strategy to recruit and select employees from a qualified and diverse pool of candidates.

The strategy may 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 Administration 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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1000.4 SELECTION PROCESS

The Department shall actively strive to identify a diverse group of candidates that have in some manner distinguished themselves as being outstanding prospects. Minimally, the Department should employ a comprehensive screening, background investigation and selection process that assesses cognitive and physical abilities and includes review and verification of the following:

(a) A comprehensive application for employment (including previous employment, references, current and prior addresses, education, military record)

(b) Driving record

(c) Reference checks

(d) Employment eligibility, including U.S. Citizenship and Immigration Services (USCIS) Employment Eligibility Verification Form I-9 and acceptable identity and employment authorization documents. This required documentation should not be requested until a candidate is hired. This does not prohibit obtaining documents required for other purposes.

(e) Information obtained from public internet sites

(f) Financial history consistent with the Fair Credit Reporting Act (FCRA) (15 USC § 1681 et seq.)

(g) Local, state and federal criminal history record checks

(h) Polygraph or computer voice stress analyzer (CVSA) examination (when legally permissible) (AAC § R13-4-106)

(i) Medical and psychological examination (may only be given after a conditional offer of employment) (AAC § R13-4-107)

(j) Review board or selection committee assessment

1000.4.1 VETERANS' PREFERENCE

The selection process for veterans will be in accordance with the Town of Oro Valley Personnel Policies and Procedures.

1000.4.2 DISABLED PERSONS' PREFERENCE

The selection process for disabled persons will be in accordance with the Town of Oro Valley Personnel Policies and Procedures.

1000.5 BACKGROUND INVESTIGATION

Every candidate shall undergo a thorough background investigation to verify his/her personal integrity and high ethical standards, and to identify any past behavior that may be indicative of the candidate's unsuitability to perform duties relevant to the operation of the Oro Valley Police Department (AAC § R13-4-106).

1000.5.1 NOTICES

Background investigators shall ensure that investigations are conducted and notices provided in accordance with the requirements of the FCRA (15 USC § 1681d).

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1000.5.2 REVIEW OF SOCIAL MEDIA SITES

Due to the potential for accessing unsubstantiated, private or protected information, the Administration Division Commander should not require candidates to provide passwords, account information or access to password-protected social media accounts.

The Administration 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.

(c) The Department fully complies with applicable privacy protections and local, state and federal law.

Regardless of whether a third party is used, the Administration Division Commander should ensure that potentially impermissible information is not available to any person involved in the candidate selection process.

1000.5.3 DOCUMENTING AND REPORTING

The background investigator shall summarize the results of the background investigation in a report that includes sufficient information to allow the reviewing authority to decide whether to extend a conditional offer of employment. The report shall not include any information that is prohibited from use, including that from social media sites, in making employment decisions. The report and all supporting documentation shall be included in the candidate's background investigation file.

1000.5.4 RECORDS RETENTION

The background report and all supporting documentation shall be maintained in accordance with the established records retention schedule.

1000.6 DISQUALIFICATION GUIDELINES

As a general rule, performance indicators and candidate information and records shall be evaluated by considering the candidate as a whole, and taking into consideration the following:

- Age at the time the behavior occurred
- Passage of time
- Patterns of past behavior
- Severity of behavior
- Probable consequences if past behavior is repeated or made public
- Likelihood of recurrence
- Relevance of past behavior to public safety employment
- Aggravating and mitigating factors

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- Other relevant considerations

A candidate's qualifications will be assessed on a case-by-case basis, using a totality-of-the-circumstances framework.

1000.7 EMPLOYMENT STANDARDS

All candidates shall meet the minimum standards required by state law (AAC § R13-4-105 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 Human Resources Department should maintain validated standards for all positions.

1000.7.1 STANDARDS FOR OFFICERS

Candidates shall meet the minimum standards established by the Arizona Peace Officer Standards and Training Board (AZPOST) (AAC § R13-4-105):

(a) Free of any felony convictions or any offense that would be a felony if committed in Arizona

(b) Citizen of the United States

(c) At least 21 years of age

(d) High school diploma, passed the GED examination or have an accredited degree from an institution of higher education

(e) Undergo a medical examination that meets the standards of AAC § R13-4-107

(f) Not have been dishonorably discharged from the United States Armed Forces

(g) Never been previously denied certified status, have certified status revoked, have a current certified status suspended or have voluntarily surrendered certified status that prevents certification with AZPOST

(h) Meet the drug standards as described in AAC § R13-4-105

(i) Not been convicted of or adjudged to have violated the traffic regulations that govern the movement of vehicles with a frequency within the past three years that indicates a disrespect for traffic laws or a disregard for the safety of others on the highway

1000.8 PROBATIONARY PERIODS

The Executive Officer should coordinate with the Human Resources Department to identify positions subject to probationary periods and procedures.

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Evaluation of Employees

1001.1 PURPOSE AND SCOPE

The Department's employee performance evaluation system is designed to record work performance for both the Department and the employee, providing recognition for good work and developing a guide for improvement.

1001.2 POLICY

The Oro Valley Police Department utilizes a performance evaluation report to measure performance and to use as a factor in making personnel decisions that relate to merit/step increases, promotion, reassignment, discipline, demotion and termination. The evaluation report is intended to serve as a guide for work planning and review by the supervisor and employee. It gives supervisors a way to create an objective history of work performance based on job standards.

The Department evaluates employees in a non-discriminatory manner based upon job-related factors specific to the employee's position, without regard to sex, race, color, national origin, religion, age, disability or other protected classes.

1001.3 EVALUATION PROCESS

Evaluation reports will cover a specific period of time and should be based on documented performance during that period. Evaluation reports will be completed by each employee's immediate supervisor. Other supervisors directly familiar with the employee's performance during the rating period should be consulted by the immediate supervisor for their input.

All sworn and civilian supervisory personnel should attend an approved supervisory course that includes training on the completion of performance evaluations within one year of the supervisory appointment.

Each supervisor should discuss the tasks of the position, standards of performance expected and the evaluation criteria with each employee at the beginning of the rating period. Supervisors should document this discussion in the prescribed manner.

Assessment of an employee's job performance is an ongoing process. Continued coaching and feedback provides supervisors and employees with opportunities to correct performance issues as they arise.

Non-probationary employees placed on a performance plan, shall be notified of such performance as soon as possible in order to have an opportunity to remediate the issues. Such notification should occur at the earliest opportunity, with the goal being a minimum of 90 days written notice prior to the end of the evaluation period.

Employees who disagree with their evaluation and who desire to provide a formal response or a rebuttal may do so in writing in the prescribed format and time period.

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1001.4 EVALUATION FREQUENCY

Evaluation frequency will be in accordance with the Town of Oro Valley Personnel Policies and Procedures.

1001.4.1 RESERVE OFFICER EVALUATIONS

Reserve officer evaluations are covered in the Reserve Officer Policy.

1001.4.2 VOLUNTEER AND RESERVE OFFICER EVALUATIONS

Volunteer and reserve officer evaluations are covered in the Volunteer Program Policy.

1001.5 FULL-TIME PROBATIONARY PERSONNEL

Personnel must successfully complete the probationary period before being eligible for certification as regular employees.

1001.6 FULL-TIME REGULAR STATUS PERSONNEL

Regular employees are subject to three types of performance evaluations:

Regular - An Employee Performance Evaluation shall be completed once each year by the employee's immediate supervisor on or near the anniversary of the employee's date of hire except for employees who have been promoted in which case an Employee Performance Evaluation shall be completed on the anniversary of the employee's date of last promotion.

Transfer - If an employee is transferred from one assignment to another in the middle of an evaluation period and more than two months have transpired since the transfer, an evaluation shall be completed by the current supervisor with input from the previous supervisor.

1001.6.1 RATINGS

The definition of each rating category is as follows:

Outstanding - Actual performance that is well beyond that required for the position. It is exceptional performance, definitely superior or extraordinary.

Successful - Performance of a fully competent employee. It means satisfactory performance that meets the standards required of the position.

Does Not Meet Expectations - Performance is inferior to the standards required of the position. It is very inadequate or undesirable performance that cannot be tolerated.

Space for written comments is provided at the end of the evaluation in the rater comments section. This section allows the rater to document the employee's strengths, weaknesses and suggestions for improvement. Any rating under any job dimension marked unsatisfactory or outstanding shall be substantiated in the rater comments section.

1001.7 PERFORMANCE EVALUATION PROCESS

The performance evaluation process will be in accordance to the Town of Oro Valley Administrative Directives.

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1001.8 EVALUATION REVIEW

After the supervisor finishes the discussion with the employee, the signed performance evaluation is forwarded to the Division Commander. The Division Commander shall review the evaluation for fairness, impartiality, uniformity and consistency. The Division Commander shall evaluate the supervisor on the quality of ratings given.

1001.9 EVALUATION DISTRIBUTION

The original performance evaluation shall be maintained in the employee's personnel file in the office of the Chief of Police for the employee's tenure. A copy will be given to the employee and a copy will be forwarded to Town Human Resources Department.

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Special Assignments and Promotions

1002.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for promotions and for making special assignments within the Oro Valley Police Department.

1002.2 POLICY

The Oro Valley Police Department determines assignments and promotions in a non-discriminatory manner based upon job-related factors and candidate skills and qualifications. Assignments and promotions are made by the Chief of Police.

1002.3 SPECIAL ASSIGNMENT POSITIONS

The following positions are considered special assignments and not promotions:

(a) Pima Regional Special Weapons and Tactics member

(b) Motorcycle officer

(c) Bicycle officer

(d) Canine handler

(e) Collision investigator

(f) Field Training Officer

(g) Community Resources Unit

(h) Training Coordinator

(i) School Resource officer

(j) Task Force assignment

(k) Community Action Team (CAT Squad)

(l) DUI Officer

(m) Lead Officer

1002.3.1 GENERAL REQUIREMENTS

The following requirements should be considered when selecting a candidate for a special assignment:

(a) Off probation

(b) Possession of or ability to obtain any certification required by AZPOST or law

(c) Exceptional skills, experience, or abilities related to the special assignment

1002.3.2 EVALUATION CRITERIA

The following criteria will be used in evaluating candidates for a special assignment:

(a) Presents a professional, neat appearance.

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(b) Demonstrates the following traits:

1. Emotional stability and maturity
2. Sound judgment and decision-making
3. Personal integrity and ethical conduct
4. Leadership skills
5. Initiative
6. Adaptability and flexibility
7. Ability to confront and/or deal with issues both positive and/or negative.
8. Ability to conform to department goals and objectives in a positive manner

1002.3.3 SELECTION PROCESS

The following criteria apply to assignments:

(a) A memorandum of interest shall be written and submitted through the chain of command.

(b) Oral Boards and/or other testing will be conducted, whichever is appropriate for that assignment.

(c) Executive review by the Chief of Police.

The selection process for all special assignment positions may be waived for temporary assignments, emergency situations, training, and at the discretion of the Chief of Police.

1002.4 PROMOTIONAL REQUIREMENTS

Requirements and information regarding any promotional process are available at the Oro Valley Human Resources Department.

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Reduction in Force - Sworn Personnel

1003.1 REDUCTION IN FORCE

(a) A reduction of force may occur whenever it is necessary - by reason of economy, lack of work, insufficient appropriations, change in departmental organization, abolition of a position or other reasons as specified in these policies.

(b) No permanent-status police officer is to be separated by layoff while there are temporary, seasonal, emergency or initial probationary employees serving in the same classification when a permanent-status officer is qualified and available for reassignment.

(c) No permanent-status police officer shall be laid off while there are initial probationary police officers.

1003.2 ORDER OF FORCE REDUCTION

(a) All permanent-status police officers shall have the order of layoff based upon full-time equivalent continuous service in any level of police officer classification/rank. Officers shall be laid off in inverse order of seniority (the least senior police officer to be laid off first).

(b) All permanent-status officers in classifications above the rank of police officer shall have the order of layoff based upon seniority in classification/rank. Employees shall be laid off in inverse order of seniority (least senior employee would be laid off first). Officers may elect to exercise "bump rights" in lieu of layoff or may elect pre-layoff reappointment in lieu of layoff.

1003.3 BUMP RIGHTS

(a) If an officer elects to exercise "bump rights", he/she shall bump the officer in the next lower classification/rank having the least amount of seniority in that classification/rank. Each officer who is bumped shall be laid off and shall have the same rights as a laid off officer.

(b) When an officer bumps into a lower classification/rank, the officer's time served in the higher classification shall be added to the officer's previous time in the classification into which the officer bumps for the purposes of determining the officer's seniority in that classification/rank.

(c) The salary of an officer who bumps into a lower classification shall be the lesser of the following:

1. The officer's salary prior to bumping, or
2. The salary of the highest step in the classification into which the officer bumps.

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(d) Officers who elect to bump to a lower classification/rank shall be offered the former higher classification/rank when an opening becomes available, prior to any other offer, including recall.

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Standards of Conduct

1004.1 PURPOSE AND SCOPE

This policy establishes standards of conduct that are consistent with the values and mission of the Oro Valley Police Department and are expected of all department members. The standards contained in this policy are not intended to be an exhaustive list of requirements and prohibitions but they do identify many of the important matters concerning conduct. In addition to the provisions of this policy, members are subject to all other provisions contained in this manual, as well as any additional guidance on conduct that may be disseminated by this department or a member's supervisors.

1004.2 POLICY

The continued employment or appointment of every member of the Oro Valley Police Department shall be based on conduct that reasonably conforms to the guidelines set forth herein. Failure to meet the guidelines set forth in this policy, whether on- or off-duty, may be cause for disciplinary action.

1004.3 DIRECTIVES AND ORDERS

Members shall comply with lawful directives and orders from any department supervisor or person in a position of authority, absent a reasonable and bona fide justification.

1004.3.1 UNLAWFUL OR CONFLICTING ORDERS

Supervisors shall not knowingly issue orders or directives that, if carried out, would result in a violation of any law or department policy. Supervisors should not issue orders that conflict with any previous order without making reasonable clarification that the new order is intended to countermand the earlier order.

No member is required to obey any order that appears to be in direct conflict with any federal law, state law or local ordinance. Following a known unlawful order is not a defense and does not relieve the member from criminal or civil prosecution or administrative discipline. If the legality of an order is in doubt, the affected member shall ask the issuing supervisor to clarify the order or shall confer with a higher authority. The responsibility for refusal to obey rests with the member, who shall subsequently be required to justify the refusal.

Unless it would jeopardize the safety of any individual, members who are presented with a lawful order that is in conflict with a previous lawful order, department policy or other directive shall respectfully inform the issuing supervisor of the conflict. The issuing supervisor is responsible for either resolving the conflict or clarifying that the lawful order is intended to countermand the previous lawful order or directive, in which case the member is obliged to comply. Members who are compelled to follow a conflicting lawful order after having given the issuing supervisor the opportunity to correct the conflict, will not be held accountable for disobedience of the lawful order or directive that was initially issued.

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1004.3.2 SUPERVISOR RESPONSIBILITIES

Supervisors and managers are required to follow all policies and procedures and may be subject to discipline for:

(a) Failure to be reasonably aware of the performance of their subordinates or to provide appropriate guidance and control.

(b) Failure to promptly and fully report any known misconduct of a member to his/her immediate supervisor or to document such misconduct appropriately or as required by policy.

(c) Directing a subordinate to violate a policy or directive, acquiesce to such a violation, or are indifferent to any such violation by a subordinate.

(d) The unequal or disparate exercise of authority on the part of a supervisor toward any member for malicious or other improper purpose.

1004.4 GENERAL STANDARDS

Members shall conduct themselves, whether on- or off-duty, in accordance with the United States and Arizona Constitutions and all applicable laws, ordinances and rules enacted or established pursuant to legal authority.

Members shall familiarize themselves with policies and procedures and are responsible for compliance with each. Members should seek clarification and guidance from supervisors in the event of any perceived ambiguity or uncertainty.

Discipline may be initiated for any good cause. It is not mandatory that a specific policy or rule violation be cited to sustain discipline. This policy is not intended to cover every possible type of misconduct.

1004.5 CAUSES FOR DISCIPLINE

The following are illustrative of causes for disciplinary action. This list is not intended to cover every possible type of misconduct and does not preclude the recommendation of disciplinary action for violation of other rules, standards, ethics and specific action or inaction that is detrimental to efficient department service:

1004.5.1 LAWS, RULES AND ORDERS

(a) Violation of, or ordering or instructing a subordinate to violate any policy, procedure, rule, order, directive, requirement or failure to follow instructions contained in department or Town manuals.

(b) Disobedience of any legal directive or order issued by any department member of a higher rank.

(c) Violation of federal, state, local or administrative laws, rules or regulations.

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1004.5.2 ETHICS

(a) Using or disclosing one's status as a member of the Oro Valley Police Department in any way that could reasonably be perceived as an attempt to gain influence or authority for non-department business or activity.

(b) The wrongful or unlawful exercise of authority on the part of any member for malicious purpose, personal gain, willful deceit or any other improper purpose.

(c) The receipt or acceptance of a reward, fee or gift from any person for service incident to the performance of the member's duties (lawful subpoena fees and authorized work permits excepted).

(d) Acceptance of fees, gifts or money contrary to the rules of this department and/or laws of the state.

(e) Offer or acceptance of a bribe or gratuity.

(f) Misappropriation or misuse of public funds, property, personnel or services.

(g) Any other failure to abide by the standards of ethical conduct.

1004.5.3 DISCRIMINATION, OPPRESSION OR FAVORITISM

Discriminating against, oppressing or providing favoritism to any person because of age, race, color, creed, religion, sex, sexual orientation, gender identity or expression, national origin, ancestry, marital status, physical or mental disability, medical condition or other classification 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.

1004.5.4 RELATIONSHIPS

(a) Unwelcome solicitation of a personal or sexual relationship while on-duty or through the use of one's official capacity.

(b) Engaging in on-duty sexual activity including, but not limited to, sexual intercourse, excessive displays of public affection or other sexual contact.

(c) Establishing or maintaining an inappropriate personal or financial relationship, as a result of an investigation, with a known victim, witness, suspect or defendant while a case is being investigated or prosecuted, or as a direct result of any official contact.

(d) Associating with or joining a criminal gang, organized crime and/or criminal syndicate when the member knows or reasonably should know of the criminal nature of the organization. This includes any organization involved in a definable criminal activity or enterprise, except as specifically directed and authorized by this department.

(e) Associating on a personal, rather than official basis with persons who demonstrate recurring involvement in serious violations of state or federal laws after the member knows, or reasonably should know of such criminal activities, except as specifically directed and authorized by this department.

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1004.5.5 ATTENDANCE

(a) Leaving the job to which the member is assigned during duty hours without reasonable excuse and proper permission and approval.

(b) Unexcused or unauthorized absence or tardiness.

(c) Excessive absenteeism or abuse of leave privileges.

(d) Failure to report to work or to place of assignment at time specified and fully prepared to perform duties without reasonable excuse.

1004.5.6 UNAUTHORIZED ACCESS, DISCLOSURE OR USE

(a) Unauthorized and inappropriate intentional release of confidential or protected information, materials, data, forms or reports obtained as a result of the member's position with this department.

(b) Disclosing to any unauthorized person any active investigation information.

(c) The use of any information, photograph, video or other recording obtained or accessed as a result of employment or appointment to this department for personal or financial gain or without the express authorization of the Chief of Police or the authorized designee.

(d) Loaning, selling, allowing unauthorized use, giving away or appropriating any Oro Valley Police Department badge, uniform, identification card or department property for personal use, personal gain or any other improper or unauthorized use or purpose.

(e) Using department resources in association with any portion of an independent civil action. These resources include, but are not limited to, personnel, vehicles, equipment and non-subpoenaed records.

1004.5.7 EFFICIENCY

(a) Neglect of duty.

(b) Unsatisfactory work performance including, but not limited to, failure, incompetence, inefficiency or delay in performing and/or carrying out proper orders, work assignments or the instructions of supervisors without a reasonable and bona fide excuse.

(c) Concealing, attempting to conceal, removing or destroying defective or incompetent work.

(d) Unauthorized sleeping during on-duty time or assignments.

(e) Failure to notify the Department within 24 hours of any change in residence address, contact telephone numbers or marital status.

1004.5.8 PERFORMANCE

(a) Failure to disclose or misrepresenting material facts, or making any false or misleading statement on any application, examination form, or other official document, report or form, or during the course of any work-related investigation.

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(b) The falsification of any work-related records, making misleading entries or statements with the intent to deceive or the willful and unauthorized removal, alteration, destruction and/or mutilation of any department record, public record, book, paper or document.

(c) Failure to participate in, or giving false or misleading statements, or misrepresenting or omitting material information to a supervisor or other person in a position of authority, in connection with any investigation or in the reporting of any department-related business.

(d) Being untruthful or knowingly making false, misleading or malicious statements that are reasonably calculated to harm the reputation, authority or official standing of this department or its members.

(e) Disparaging remarks or conduct concerning duly constituted authority to the extent that such conduct disrupts the efficiency of this department or subverts the good order, efficiency and discipline of this department or that would tend to discredit any of its members.

(f) Unlawful gambling or unlawful betting at any time or any place. Legal gambling or betting under any of the following conditions:

1. While on department premises.
2. At any work site, while on-duty or while in uniform, or while using any department equipment or system.
3. Gambling activity undertaken as part of an officer's official duties and with the express knowledge and permission of a direct supervisor is exempt from this prohibition.

(g) Improper political activity including:

1. Unauthorized attendance while on-duty at official legislative or political sessions.
2. Solicitations, speeches or distribution of campaign literature for or against any political candidate or position while on-duty or on department property except as expressly authorized by Town policy, the collective bargaining agreement or the Chief of Police.

(h) Engaging in political activities during assigned working hours except as expressly authorized by Town policy, the collective bargaining agreement or the Chief of Police.

(i) Any act on- or off-duty that brings discredit to this department.

1004.5.9 CONDUCT

(a) Failure of any member to promptly and fully report activities on his/her part or the part of any other member where such activities resulted in contact with any other law enforcement agency or that may result in criminal prosecution or discipline under this policy.

(b) Unreasonable and unwarranted force to a person encountered or a person under arrest.

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(c) Exceeding lawful peace officer powers by unreasonable, unlawful or excessive conduct.

(d) Unauthorized or unlawful fighting, threatening or attempting to inflict unlawful bodily harm on another.

(e) Engaging in horseplay that reasonably could result in injury or property damage.

(f) Discourteous, disrespectful or discriminatory treatment of any member of the public or any member of this department or the Town.

(g) Use of obscene, indecent, profane or derogatory language while on-duty or in uniform.

(h) Criminal, dishonest, or disgraceful conduct, whether on- or off-duty, that adversely affects the member's relationship with this department.

(i) Unauthorized possession of, loss of, or damage to department property or the property of others, or endangering it through carelessness or maliciousness.

(j) Attempted or actual theft of department property; misappropriation or misuse of public funds, property, personnel or the services or property of others; unauthorized removal or possession of department property or the property of another person.

(k) Activity that is incompatible with a member's conditions of employment or appointment as established by law or that violates a provision of any collective bargaining agreement or contract to include fraud in securing the appointment or hire.

(l) Initiating any civil action for recovery of any damages or injuries incurred in the course and scope of employment or appointment without first notifying the Chief of Police of such action.

(m) Any other on- or off-duty conduct which any member knows or reasonably should know is unbecoming a member of this department, is contrary to good order, efficiency or morale, or tends to reflect unfavorably upon this department or its members

1004.5.10 SAFETY

(a) Failure to observe or violating department safety standards or safe working practices.

(b) Failure to maintain current licenses or certifications required for the assignment or position (e.g., driver 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.

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(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.

1004.5.11 INTOXICANTS

(a) Reporting for work or being at work while intoxicated or when the member's ability to perform assigned duties is impaired due to the use of alcohol, medication or drugs, whether legal, prescribed or illegal.

(b) Possession or use of alcohol at any work site or while on-duty, except as authorized in the performance of an official assignment. A member who is authorized to consume alcohol is not permitted to do so to such a degree that it may impair on-duty performance.

(c) Unauthorized possession, use of, or attempting to bring a controlled substance, illegal drug or non-prescribed medication to any work site.

1004.6 LEVELS OF DISCIPLINE

1004.6.1 DISCIPLINARY ACTION

(a) Any member of the Department may be made the subject of disciplinary action for the commission of any act that is prohibited or in violation of Department policy.

(b) Disciplinary action may take one or more of the following forms, not including supervisory counseling for training purposes:

- Counseling with a PPR entry
- Written reprimand
- Suspension without pay
- Demotion
- Dismissal

1004.6.2 LEVELS OF REPRIMANDS

(a) There are three types of written reprimand issued by the Department. The concept of progressive discipline may be applied to these levels, moving from one type of reprimand to the next. Discipline may, however, proceed to more serious discipline without the need to issue any other level of written reprimand. The three levels are:

- Lesser Violation Written Reprimand
- Minor Violation Written Reprimand
- Major Violation Written Reprimand

(b) The original written reprimand, signed by the employee upon whom it is served, shall be placed in the employee's permanent personnel file. An additional copy may be placed into the employee's PPR file.

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Anti-Retaliation

1005.1 PURPOSE AND SCOPE

This policy prohibits retaliation against members who identify workplace issues, such as fraud, waste, abuse of authority, gross mismanagement or any inappropriate conduct or practices, including violations that may pose a threat to the health, safety or well-being of members.

This policy does not prohibit actions taken for nondiscriminatory or non-retaliatory reasons, such as discipline for cause.

These guidelines are intended to supplement and not limit members' access to other applicable remedies. Nothing in this policy shall diminish the rights or remedies of a member pursuant to any applicable federal law, provision of the U.S. Constitution, law, ordinance or collective bargaining agreement.

1005.2 POLICY

The Oro Valley Police Department has a zero tolerance for retaliation and is committed to taking reasonable steps to protect from retaliation members who, in good faith, engage in permitted behavior or who report or participate in the reporting or investigation of workplace issues. All complaints of retaliation will be taken seriously and will be promptly and appropriately investigated.

1005.3 RETALIATION PROHIBITED

No member may retaliate against any person for engaging in lawful or otherwise permitted behavior; for opposing a practice believed to be unlawful, unethical, discriminatory or retaliatory; for reporting or making a complaint under this policy; or for participating in any investigation related to a complaint under this or any other policy.

Retaliation includes any adverse action or conduct, including but not limited to:

- Refusing to hire or denying a promotion.
- Extending the probationary period.
- Unjustified reassignment of duties or change of work schedule.
- Real or implied threats or other forms of intimidation to dissuade the reporting of wrongdoing or filing of a complaint, or as a consequence of having reported or participated in protected activity.
- Taking unwarranted disciplinary action.
- Spreading rumors about the person filing the complaint or about the alleged wrongdoing.
- Shunning or unreasonably avoiding a person because he/she has engaged in protected activity.

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1005.4 COMPLAINTS OF RETALIATION

Any member who feels he/she has been retaliated against in violation of this policy should promptly report the matter to any supervisor, command staff member, Chief of Police or the Town Human Resources Director.

Members shall act in good faith, not engage in unwarranted reporting of trivial or minor deviations or transgressions, and make reasonable efforts to verify facts before making any complaint in order to avoid baseless allegations. Members shall not report or state an intention to report information or an allegation knowing it to be false, with willful or reckless disregard for the truth or falsity of the information or otherwise act in bad faith.

Investigations are generally more effective when the identity of the reporting member is known, thereby allowing investigators to obtain additional information from the reporting member. However, complaints may be made anonymously. All reasonable efforts shall be made to protect the reporting member's identity. However, confidential information may be disclosed to the extent required by law or to the degree necessary to conduct an adequate investigation and make a determination regarding a complaint. In some situations, the investigative process may not be complete unless the source of the information and a statement by the member is part of the investigative process.

1005.5 SUPERVISOR RESPONSIBILITIES

Supervisors are expected to remain familiar with this policy and ensure that members under their command are aware of its provisions.

The responsibilities of supervisors include, but are not limited to:

(a) Ensuring complaints of retaliation are investigated as provided in the Personnel Complaints Policy.

(b) Receiving all complaints in a fair and impartial manner.

(c) Documenting the complaint and any steps taken to resolve the problem.

(d) Acknowledging receipt of the complaint, notifying the Chief of Police via the chain of command and explaining to the member how the complaint will be handled.

(e) Taking appropriate and reasonable steps to mitigate any further violations of this policy.

(f) Monitoring the work environment to ensure that any member making a complaint is not subjected to further retaliation.

(g) Periodic follow-up with the complainant to ensure that retaliation is not continuing.

(h) Not interfering with or denying the right of a member to make any complaint.

(i) Taking reasonable steps to accommodate requests for assignment or schedule changes made by a member who may be the target of retaliation if it would likely mitigate the potential for further violations of this policy.

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1005.6 COMMAND STAFF RESPONSIBILITIES

The Chief of Police should communicate to all supervisors the prohibition against retaliation.

Command staff shall treat all complaints as serious matters and shall ensure that prompt actions take place, including but not limited to:

(a) Communicating to all members the prohibition against retaliation.

(b) The timely review of complaint investigations.

(c) Remediation of any inappropriate conduct or condition and instituting measures to eliminate or minimize the likelihood of recurrence.

(d) The timely communication of the outcome to the complainant.

1005.7 WHISTLE-BLOWING

Arizona law protects employees from retaliation for disclosing information to the appropriate person or entity when the employee has a reasonable belief that this department is violating or will violate the state Constitution or state law, or is engaging in abuse of authority or gross waste of monies (ARS § 23-1501; ARS § 38-532).

Members who believe they have been the subject of retaliation for engaging in such protected behaviors should promptly report it to a supervisor. Supervisors should refer the complaint to the Office of Professional Standards for investigation pursuant to the Personnel Complaints Policy.

1005.8 RECORDS RETENTION AND RELEASE

The Office of Professional Standards shall ensure that documentation of investigations is maintained in accordance with the established records retention schedules.

1005.9 TRAINING

The policy should be reviewed with each new member. All members should receive periodic refresher training on the requirements of this policy.

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Reporting of Employee Convictions

1006.1 PURPOSE AND SCOPE

Convictions of certain offenses may restrict or prohibit an employee's ability to properly perform official duties. Therefore, all employees shall be required to promptly notify the Department of any past and current criminal arrests or convictions.

1006.2 DOMESTIC VIOLENCE CONVICTIONS AND RESTRAINING ORDERS

Arizona 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; ARS § 13-3101(A)(7)(d)).

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.

1006.3 CRIMINAL ARRESTS

Any certified member shall promptly notify his/her immediate supervisor in writing if a firearm used by the member as part of his/her assigned duties has been confiscated as a result of involvement in a domestic violence incident pursuant to ARS § 13-3601(C) (see the Standards of Conduct Policy).

1006.4 CRIMINAL CONVICTIONS

Any person convicted of a felony is prohibited from being a peace officer in the State of Arizona (AAC § R13-4-105(A)(6)).

Upon conviction of a felony committed by any peace officer, the state shall revoke their certified status (AAC § R13-4-109(C)).

Even when legal restrictions are not imposed by statute or by the courts upon conviction of any criminal offense, criminal conduct by a member of this department may prohibit him/her from carrying out law enforcement duties such as being temporarily or permanently prohibited from carrying a firearm.

1006.4.1 COURT ORDERS

All employees shall promptly notify the department if they are part of any court order. Court orders or failure to comply with certain subpoenas or warrants may require suspension of their peace officer certificate (AAC § R13-4-109).

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1006.5 REPORTING PROCEDURE

All members of this department and all retired officers with an identification card issued by the Department shall promptly notify their immediate supervisor (or the Chief of Police in the case of retired officers) in writing of any past or current criminal arrest or conviction regardless of whether the matter is currently on appeal and regardless of the penalty or sentence, if any.

All members and all retired officers with an identification card issued by the Department shall further promptly notify their immediate supervisor (or the Chief of Police in the case of retired officers) in writing if the member or retiree becomes the subject of a domestic violence restraining court 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 paid or unpaid administrative leave, reassignment and/or termination.

Any member failing to provide prompt written notice pursuant to this policy shall be subject to discipline.

1006.6 PROCEDURE FOR RELIEF**

A peace officer may petition the court for permission to carry a firearm following a conviction under state law. Federal law, however, does not provide for any such similar judicial relief and the granting of a state court petition will not relieve one of the restrictions imposed by federal law.

Therefore, relief for any employee falling under the restrictions imposed by federal law may only be obtained by expungement of the conviction. Each employee shall seek relief from firearm restrictions on his/her own time and through his/her own resources.

Pending satisfactory proof of relief from any legal restriction imposed on an employee's duties, the employee may be placed on administrative leave, reassigned or disciplined. The Department may, but is not required to return an employee to any assignment, reinstate any employee or reverse any pending or imposed discipline upon presentation of satisfactory proof of relief from any legal restriction set forth in this policy.

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Drug- and Alcohol-Free Workplace

1007.1 PURPOSE AND SCOPE

The purpose of this policy is to establish clear and uniform guidelines regarding drugs and alcohol in the workplace.

1007.2 POLICY

It is the policy of this department to provide a drug- and alcohol-free workplace for all members.

1007.3 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 Sergeant or appropriate supervisor as soon as the member is aware that he/she will not be able to report to work. If the member is unable to make the notification, every effort should be made to have a representative contact the supervisor in a timely manner. If the member is adversely affected while on-duty, he/she shall be immediately removed and released from work (see Work Restrictions in this policy).

1007.3.1 USE OF MEDICATIONS

Members should avoid taking any medications that will impair their ability to safely and completely perform their duties. Any member who is medically required or has a need to take any such medication shall report that need to his/her immediate supervisor prior to commencing any on-duty status.

No member shall be permitted to work or drive a vehicle owned or leased by the Department while taking any medication that has the potential to impair his/her abilities, without a written release from his/her physician.

Possession of medical marijuana or being under the influence of marijuana on- or off-duty is prohibited and may lead to disciplinary action.

1007.4 MEMBER RESPONSIBILITIES

Members shall report for work in an appropriate mental and physical condition. Members are prohibited from purchasing, manufacturing, distributing, dispensing, possessing or using controlled substances or alcohol on department premises or on department time (41 USC § 8103). The lawful possession or use of prescribed medications or over-the-counter remedies is excluded from this prohibition.

Members who are authorized to consume alcohol as part of a special assignment shall not do so to the extent of impairing on-duty performance.

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Members shall notify a supervisor immediately if they observe behavior or other evidence that they believe demonstrates that a fellow member poses a risk to the health and safety of the member or others due to drug or alcohol use.

Members are required to notify their immediate supervisors of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction (41 USC § 8103).

1007.5 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 Human Resources Department, 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.

1007.6 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.

1007.7 REQUESTING SCREENING TESTS

The supervisor may request an employee or prospective employee to submit to a screening test under any of the following circumstances (ARS § 23-493.04):

(a) The supervisor determines there is a reasonable suspicion that an employee may be affected by the use of drugs or alcohol and that such use may adversely affect the job performance or the work environment.

(b) The supervisor determines there is reasonable suspicion that an employee is currently impaired or exhibiting objective symptoms of intoxication or drug influence while on-duty.

(c) When the employee, whether on- or off-duty, is involved in a shooting or law enforcement-related death.

(d) When the employee is involved in an injury or fatal accident while on-duty.

(e) When the employee is involved in an injury or fatal accident while operating any Town-owned vehicle, whether on- or off-duty.

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(f) During an investigation of an accident in the workplace, provided the testing is performed as soon as practicable after an accident and is administered to employees whom it is reasonable to believe may have contributed to the accident.

(g) When it is performed as part of a drug or alcohol testing program based on a random or chance basis.

(h) As a condition of employment to prospective employees.

Generally testing of employees shall occur during, or immediately before or after, a regular work period. The testing, and travel time if required, will be deemed work time for the purpose of compensation for all paid employees (ARS § 23-493.02).

1007.7.1 SUPERVISOR RESPONSIBILITY

The supervisor shall prepare a written record documenting the specific facts that led to the decision to request the test, and shall inform the employee in writing of the following:

(a) The test will be given to detect either alcohol or drugs, or both.

(b) The result of the test is not admissible in any criminal proceeding against the employee.

(c) The employee may refuse the test, but refusal may result in dismissal or other disciplinary action.

1007.7.2 SCREENING TEST REFUSAL

An employee may be subject to rehabilitative or disciplinary action if he/she:

(a) Fails or refuses to submit to a screening test as requested.

(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.

1007.7.3 DISCIPLINARY ACTION

Rehabilitative or disciplinary action may include (ARS § 23-493.05):

- Enrollment in a rehabilitation, treatment or counseling program, which may include additional drug testing and alcohol impairment testing that has been provided or approved by the Department. Participation in the program may be a condition of continued employment. The cost may or may not be covered by any available health plan or policy.
- Suspension of the employee, with or without pay, for a designated period.
- Termination of employment.

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- In the case of drug testing, refusal to hire a prospective employee.
- Other adverse employment action.

1007.7.4 SCREENING TEST REQUIREMENTS
A supervisor may order a PBT test or other screening device to determine the presence of alcohol. If necessary, a blood sample may be collected by a law enforcement phlebotomist.

All screening tests for drugs or alcohol shall comply with the standards set forth in ARS § 23-493.03.

1007.7.5 SUBSTANCES FOR WHICH TESTING MAY BE REQUIRED
The Department may test for alcohol and any drugs as defined in ARS § 23-493(3), including prescription drugs or over-the-counter compounds (ARS § 23-493.04(A)(4).

1007.7.6 SCREENING TEST RESULTS
Employees have the right to obtain written results of any testing performed. Employees also have the right to have a positive test result explained in a confidential setting (ARS § 23-493.04(A)).

1007.8 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).

1007.9 CONFIDENTIALITY

The Department recognizes the confidentiality and privacy due to its members. Disclosure of any information relating to substance abuse treatment, except on a need-to-know basis, shall only be with the express written consent of the member involved or pursuant to lawful process.

The written results of any screening tests and all documents generated by the employee assistance program are considered confidential medical records and shall be maintained separately from the employee's other personnel files.

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Sick Leave

1008.1 PURPOSE AND SCOPE

This policy provides general guidance regarding the use and processing of sick leave. The accrual and terms of use of sick leave for eligible employees are detailed in the Town personnel manual or applicable collective bargaining agreement.

This policy is not intended to cover all types of sick or other leaves. For example, employees may be entitled to additional paid or unpaid leave for certain family and medical reasons as provided for in the Family and Medical Leave Act (FMLA) (29 USC § 2601 et seq.).

1008.2 POLICY

It is the policy of the Oro Valley Police Department to provide eligible employees with a sick leave benefit.

1008.3 USE OF SICK LEAVE

Sick leave is intended to be used for qualified absences (ARS § 23-373). Sick leave is not considered vacation. Abuse of sick leave may result in discipline, denial of sick leave benefits, or both.

Employees on sick leave shall not engage in other employment or self-employment or participate in any sport, hobby, recreational activity or other activity that may impede recovery from the injury or illness (see the Outside Employment Policy).

Qualified appointments should be scheduled during a member's non-working hours when it is reasonable to do so (ARS § 23-373).

1008.3.1 NOTIFICATION

All members should notify the appropriate supervisor as soon as they are aware that they will not be able to report to work and no less than one hour before the start of their scheduled shifts. If, due to an emergency, a member is unable to contact the supervisor, every effort should be made to have a representative for the member contact the supervisor.

When the necessity to be absent from work is foreseeable, such as planned medical appointments or treatments, the member shall, whenever possible and practicable, provide the Department with no less than 30 days' notice of the impending absence (ARS § 23-373).

Upon return to work, members are responsible for ensuring their time off was appropriately accounted for, and for completing and submitting the required documentation describing the type of time off used and the specific amount of time taken.

1008.4 EXTENDED ABSENCE

Members absent from duty for more than three consecutive days may be required to furnish a statement from a health care provider supporting the need to be absent and/or the ability to return

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to work. Members on an extended absence shall, if possible, contact their supervisor at specified intervals to provide an update on their absence and expected date of return.

1008.4.1 ABSENCE BASED ON DOMESTIC VIOLENCE, SEXUAL VIOLENCE, ABUSE OR STALKING

Members taking paid sick leave for three or more days for a qualified absence related to domestic violence, sexual violence, abuse or stalking, may be requested to provide reasonable documentation that the sick leave is being used for a qualified absence. The member may choose the form of documentation to provide as provided in ARS § 23-373.

1008.5 SUPERVISOR RESPONSIBILITIES

The responsibilities of supervisors include, but are not limited to:

(a) Monitoring and regularly reviewing the attendance of those under their command to ensure that the use of sick leave and absences is consistent with this policy.

(b) Attempting to determine whether an absence of four or more days may qualify as family medical leave and consulting with legal counsel or the Human Resources Department as appropriate.

(c) If permitted in Arizona sick leave law, addressing absences and sick leave use in the member's performance evaluation when excessive or unusual use has:

1. Negatively affected the member's performance or ability to complete assigned duties.
2. Negatively affected department operations.

(d) When appropriate, counseling members regarding excessive absences and/or inappropriate use of sick leave.

(e) Referring eligible members to an available employee assistance program when appropriate.

1008.6 NOTICE

The Human Resources Director shall ensure:

(a) Notice is posted in a conspicuous place for employees to review information on paid sick leave as required by ARS § 23-364.

(b) Employees receive written notice of sick leave provisions that meets the requirements of ARS § 23-375.

(c) Required information regarding paid sick leave is included with the employee's regular paycheck (ARS § 23-375).

1008.7 CONFIDENTIALITY

The Department may not require an employee to disclose the details of an illness or circumstances involved as a condition of permitting sick leave use. If the Department possesses such information, then the information shall be deemed confidential and not disclosed except to the affected employee or with the permission of the affected employee (ARS § 23-377).

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Sick Leave

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Communicable Diseases

1009.1 PURPOSE AND SCOPE

This policy provides general guidelines to assist in minimizing the risk of department members contracting and/or spreading communicable diseases.

1009.1.1 DEFINITIONS

Definitions related to this policy include:

Communicable Disease - A human disease caused by microorganisms that are present in and transmissible through human blood, bodily fluid, tissue, or by breathing or coughing. These diseases commonly include, but are not limited to, hepatitis B virus (HBV), HIV and tuberculosis

Exposure - When an eye, mouth, mucous membrane or non-intact skin comes into contact with blood or other potentially infectious materials, or when these substances are injected or infused under the skin; when an individual is exposed to a person who has a disease that can be passed through the air by talking, sneezing or coughing (e.g., tuberculosis), or the individual is in an area that was occupied by such a person. Exposure only includes those instances that occur due to a member's position at the Oro Valley Police Department. (See the exposure control plan for further details to assist in identifying whether an exposure has occurred.)

1009.2 POLICY

The Oro Valley 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.

1009.3 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. Procedures for post exposure reporting, testing and investigation (AAC § R20-5-164).

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2. Responding to requests and notifications regarding exposures covered under the Ryan White law (42 USC § 300ff-133; 42 USC § 300ff-136).
3. Exposure control mandates in 29 CFR 1910.1030 (AAC § R20-5-602).
4. Reporting contagious diseases to the appropriate board of health or health department (ARS § 36-621).

The ECO should also act as the liaison with the Arizona Division of Occupational Safety and Health (ADOSH) and may request voluntary compliance inspections. The ECO shall annually review and update the exposure control plan and review implementation of the plan (AAC § R20-5-602).

1009.4 EXPOSURE PREVENTION AND MITIGATION

1009.4.1 GENERAL PRECAUTIONS

All members are expected to use good judgment and follow training and procedures related to mitigating the risks associated with communicable disease. This includes, but is not limited to (29 CFR 1910.1030; AAC § R20-5-602):

(a) Stocking disposable gloves, antiseptic hand cleanser, CPR masks or other specialized equipment in the work area or department vehicles, as applicable.

(b) Wearing department-approved disposable gloves when contact with blood, other potentially infectious materials, mucous membranes and non-intact skin can be reasonably anticipated.

(c) Washing hands immediately or as soon as feasible after removal of gloves or other PPE.

(d) Treating all human blood and bodily fluids/tissue as if it is known to be infectious for a communicable disease.

(e) Using an appropriate barrier device when providing CPR.

(f) Using a face mask or shield if it is reasonable to anticipate an exposure to an airborne transmissible disease.

(g) Decontaminating non-disposable equipment (e.g., flashlight, control devices, clothing and portable radio) as soon as possible if the equipment is a potential source of exposure.

1. Clothing that has been contaminated by blood or other potentially infectious materials shall be removed immediately or as soon as feasible and stored/ decontaminated appropriately.

(h) Handling all sharps and items that cut or puncture (e.g., needles, broken glass, razors, knives) cautiously and using puncture-resistant containers for their storage and/or transportation.

(i) Avoiding eating, drinking, smoking, applying cosmetics or lip balm, or handling contact lenses where there is a reasonable likelihood of exposure.

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(j) Disposing of biohazardous waste appropriately or labeling biohazardous material properly when it is stored.

1009.4.2 IMMUNIZATIONS
Members who could be exposed to HBV due to their positions may receive the HBV vaccine and any routine booster at no cost (29 CFR 1910.1030; AAC § R20-5-602).

1009.5 POST EXPOSURE

1009.5.1 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.

1009.5.2 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 and Social Security number 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 Policy).

1009.5.3 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:

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(a) Whether the member has been informed of the results of the evaluation.

(b) Whether the member has been notified of any medical conditions resulting from exposure to blood or other potentially infectious materials which require further evaluation or treatment.

No other information should be requested or accepted by the ECO.

1009.5.4 COUNSELING
The Department shall provide the member, and his/her family if necessary, the opportunity for counseling and consultation regarding the exposure.

1009.5.5 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) Seeking a court order pursuant to ARS § 13-1210.

(c) Seeking HIV testing pursuant to ARS § 36-663.

(d) Disclosure from a health care provider with communicable disease information under ARS § 36-665.

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 Town Attorney to discuss other options when no statute exists for compelling the source of an exposure to undergo testing if he/she refuses.

1009.6 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 (ARS § 36-664).

1009.7 TRAINING
All members shall participate in training regarding communicable diseases commensurate with the requirements of their position. The training (29 CFR 1910.1030; AAC § R20-5-602):

(a) Shall be provided at the time of initial assignment to tasks where an occupational exposure may take place and at least annually after the initial training.

(b) Shall be provided whenever the member is assigned new tasks or procedures affecting his/her potential exposure to communicable disease.

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(c) Should provide guidance on what constitutes an exposure, what steps can be taken to avoid an exposure and what steps should be taken if a suspected exposure occurs.

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Smoking and Tobacco Use

1010.1 PURPOSE AND SCOPE

This policy establishes limitations on smoking and the use of tobacco products by members and others while on-duty or while in Oro Valley Police Department facilities or vehicles.

For the purposes of this policy, smoking and tobacco use includes, but is not limited to, any tobacco product, such as cigarettes, cigars, pipe tobacco, snuff, tobacco pouches and chewing tobacco, as well as any device intended to simulate smoking, such as an electronic cigarette or personal vaporizer.

1010.2 POLICY

The Oro Valley Police Department recognizes that tobacco use is a health risk and can be offensive to others.

Smoking and tobacco use also presents an unprofessional image for the Department and its members. Therefore smoking and tobacco use is prohibited by members and visitors in all department facilities, buildings and as is further outlined in this policy (ARS § 36-601.01). Tobacco use is allowed in vehicles in accordance with this policy.

1010.3 SMOKING AND TOBACCO USE

Smoking and tobacco use by members is prohibited anytime members are in public view representing the Oro Valley Police Department.

It shall be the responsibility of each member to ensure that no person under his/her supervision smokes or uses any tobacco product inside Town facilities.

1010.4 ADDITIONAL PROHIBITIONS

Members may not smoke tobacco products near any entrance, window or ventilation system, or at any facility where persons entering or leaving may be subject to breathing tobacco smoke (ARS § 36-601.01).

1010.4.1 NOTICE

The Chief of Police or the authorized designee shall ensure that proper signage is posted at every entrance to the facility clearly indicating smoking is prohibited, and identifying where complaints regarding smoking violations may be made (ARS § 36-601.01(E)).

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Personnel Complaints

1011.1 PURPOSE AND SCOPE

This policy provides guidelines for the reporting, investigation and disposition of complaints regarding the conduct of members of the Oro Valley Police Department. This policy shall not apply to any questioning, counseling, instruction, informal verbal admonishment or other routine or unplanned contact of a member in the normal course of duty, by a supervisor or any other member, nor shall this policy apply to a criminal investigation.

1011.2 POLICY

The Oro Valley Police Department takes seriously all complaints regarding the service provided by the Department and the conduct of its members.

The Department will accept and address all complaints of misconduct in accordance with this policy and applicable federal, state and local law, municipal and county rules and the requirements of any collective bargaining agreements.

It is also the policy of this department to ensure that the community can report misconduct without concern for reprisal or retaliation.

1011.3 PERSONNEL COMPLAINTS

Personnel complaints include any allegation of misconduct or improper job performance that, if true, would constitute a violation of department policy or of federal, state or local law, policy or rule. Personnel complaints may be generated internally or by the public.

Inquiries about conduct or performance that, if true, would not violate department policy or federal, state or local law, policy or rule may be handled informally by a supervisor and shall not be considered a personnel complaint. Such inquiries generally include clarification regarding policy, procedures or the response to specific incidents by the Department.

1011.3.1 COMPLAINT CLASSIFICATIONS

Personnel complaints shall be classified in one of the following categories:

Informal - A matter in which the complaining party is satisfied that appropriate action has been taken by a supervisor of rank greater than the accused member.

Formal - A matter in which a supervisor determines that further action is warranted. Such complaints may be investigated by a supervisor of rank greater than the accused member or referred to the Office of Professional Standards, depending on the seriousness and complexity of the investigation.

Incomplete - A matter in which the complaining party either refuses to cooperate or becomes unavailable after diligent follow-up investigation. At the discretion of the assigned supervisor or the Office of Professional Standards, such matters may be further investigated depending on the seriousness of the complaint and the availability of sufficient information.

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1011.3.2 SOURCES OF COMPLAINTS

The following applies to the source of complaints:

(a) Individuals from the public may make complaints in any form, including in writing, by email, in person or by telephone.

(b) Any department member becoming aware of alleged misconduct shall immediately notify a supervisor.

(c) Supervisors shall initiate a complaint based upon observed misconduct or receipt from any source alleging misconduct that, if true, could result in disciplinary action.

(d) Anonymous and third-party complaints may be accepted and investigated to the extent that sufficient information is provided.

(e) Tort claims and lawsuits may generate a personnel complaint.

1011.4 AVAILABILITY AND ACCEPTANCE OF COMPLAINTS

1011.4.1 COMPLAINT FORMS

Personnel complaint forms will be maintained in a clearly visible location in the public area of the police facility and be accessible through the department website. Forms may also be available at other Town facilities.

Personnel complaint forms in languages other than English may also be provided, as determined necessary or practicable.

1011.4.2 ACCEPTANCE

All complaints will be courteously accepted by any department member and promptly given to the appropriate supervisor. Although written complaints are preferred, a complaint may also be filed orally, either in person or by telephone. Such complaints will be directed to a supervisor. If a supervisor is not immediately available to take an oral complaint, the receiving member shall obtain contact information sufficient for the supervisor to contact the complainant. The supervisor, upon contact with the complainant, shall complete and submit a complaint form as appropriate.

Although not required, complainants should be encouraged to file complaints in person so that proper identification, signatures, photographs or physical evidence may be obtained as necessary.

1011.5 DOCUMENTATION

Supervisors shall ensure that all formal complaints are documented on a complaint form. The supervisor shall ensure that the nature of the complaint is defined as clearly as possible.

1011.6 ADMINISTRATIVE INVESTIGATIONS

Allegations of misconduct will be administratively investigated as follows.

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1011.6.1 SUPERVISOR RESPONSIBILITIES

In general, the primary responsibility for the investigation of a personnel complaint shall rest with the member's immediate supervisor, unless the supervisor is the complainant, or the supervisor is the ultimate decision-maker regarding disciplinary action or has any personal involvement regarding the alleged misconduct. The Chief of Police or the authorized designee may direct that another supervisor investigate any complaint.

A supervisor who becomes aware of alleged misconduct shall take reasonable steps to prevent aggravation of the situation.

The responsibilities of supervisors include, but are not limited to:

(a) Ensuring that upon receiving or initiating any formal complaint, a complaint form is completed.

  1. The original complaint form will be directed to the Sergeant of the accused member, via the chain of command, who will take appropriate action and/or determine who will have responsibility for the investigation.

  2. In circumstances where the integrity of the investigation could be jeopardized by reducing the complaint to writing or where the confidentiality of a complainant is at issue, a supervisor shall orally report the matter to the member's Division Commander or the Chief of Police, who will initiate appropriate action.

(b) Responding to all complaints in a courteous and professional manner.

(c) Resolving those personnel complaints that can be resolved immediately.

  (a) Follow-up contact with the complainant should be made within 24 hours of the Department receiving the complaint.

(d) Ensuring that upon receipt of a complaint involving allegations of a potentially serious nature, the Division Commander and Chief of Police are notified via the chain of command as soon as practicable.

(e) Promptly contacting the Human Resources Department and the Executive Officer for direction regarding their roles in addressing a complaint that relates to sexual, racial, ethnic or other forms of prohibited harassment or discrimination.

(f) Forwarding unresolved personnel complaints to the Office of Professional Standards, who will determine whether to contact the complainant or assign the complaint for investigation.

(g) Informing the complainant of the investigator’s name and the complaint number within three days after assignment.

(h) Investigating a complaint as follows:

  1. Making reasonable efforts to obtain names, addresses and telephone numbers of witnesses.

  2. When appropriate, ensuring immediate medical attention is provided and photographs of alleged injuries and accessible uninjured areas are taken.

(i) Ensuring that the procedural rights of the accused member are followed.

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(j) Ensuring interviews of the complainant are generally conducted during reasonable hours.

1011.6.2 ADMINISTRATIVE INVESTIGATION PROCEDURES

Whether conducted by a supervisor or a member of the Office of Professional Standards, the following applies to members covered by the Officers' Bill of Rights.

(a) Interviews that could reasonably result in dismissal, demotion, or suspension shall be conducted pursuant to ARS § 38-1104.

(b) Interviews of an accused member shall be conducted during reasonable hours and preferably when the member is on-duty. If the member is off-duty, he/she shall be compensated.

(c) Unless waived by the member, interviews of an accused member shall be at the Oro Valley Police Department or other reasonable and appropriate place.

(d) No more than two interviewers should ask questions of an accused member.

(e) Prior to any interview, an accused member shall be provided with written notice and a copy which may be retained at the member's discretion of the alleged facts that are the basis of the investigation, and with the specific nature of the investigation, the member's status in the investigation, all known allegations of misconduct that are the reason for the interview, and the member's right to have a representative present at the interview. The member shall also be provided with any relevant and readily available materials, including copies of all complaints that contain the alleged facts that are reasonably available, except complaints that are filed with the Department that include allegations of unlawful discrimination, harassment, or retaliation, or complaints that involve matters under the jurisdiction of the Equal Employment Opportunity Commission (ARS § 38-1104).

(f) All interviews should be for a reasonable period and the member's personal needs should be accommodated.

(g) No member should be subjected to offensive or threatening language, nor shall any promises, rewards, or other inducements be used to obtain answers.

(h) Any member refusing to answer questions directly related to the investigation may be ordered to answer questions administratively and may be subject to discipline for failing to do so.

1. A member should be given an order to answer questions in an administrative investigation that might incriminate the member in a criminal matter only after the member has been given a *Garrity* advisement. Administrative investigators should consider the impact that compelling a statement from the member may have on any related criminal investigation and should take reasonable steps to avoid creating any foreseeable conflicts between the two related investigations. This may include conferring with the person in charge of the criminal investigation (e.g., discussion of processes, timing, implications).

2. No information or evidence administratively coerced from a member may be provided to anyone involved in conducting the criminal investigation or to any prosecutor.

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(i) The interviewer should record all interviews of members and witnesses. The member may also record the interview. If the member has been previously interviewed, a copy of that recorded interview should be provided to the member prior to any subsequent interview.

(j) In order to maintain the integrity of each individual's statement, involved members shall not consult or meet with a representative or attorney collectively or in groups prior to being interviewed.

(k) Any accused member may request to have a representative present during an interview at no cost to this department (ARS § 38-1104):

1. The member shall select a representative who is available on reasonable notice so that the interview is not unreasonably delayed.
2. The representative shall participate in the interview only as an observer, but may take notes for the purposes described in ARS § 38-1104. The member or his/her representative may record the member's own interview,; however, this recording does not constitute an official record of the interview (ARS § 38-1104).
3. Unless agreed to by the Chief of Police or the authorized designee, the representative shall be from this department and shall not be an attorney.
4. The member shall be permitted reasonable breaks of limited duration during any interview for telephonic or in-person consultation with others who are immediately available, including an attorney.
5. A member shall not be disciplined, retaliated against, or threatened with retaliation for requesting that a representative be present or for acting as the representative for another officer.
6. The member may discuss the interview with his/her representation or his/her attorney. A member or representative, if the representative is from this department, who releases confidential information without authorization may be subject to disciplinary action (ARS § 38-1104).

(l) If the member is designated as a witness, the member may request to have a representative present at no cost to this department. Unless agreed to by the Chief of Police or the authorized designee, the representative shall be from this department and shall not be an attorney (ARS § 38-1105).

1. Witnesses who learn of information during an interview shall keep the information confidential until served a notice of investigation by the department or released from the confidentiality requirement. However, the witness may discuss the interview with his/her representation or that representative's attorney. A witness or representative if representative is from this department, who releases confidential information without authorization may be subject to disciplinary action (ARS § 38-1105).
2. The representative of the witness may take notes for the purposes outlined in ARS § 38-1105.

(m) All members shall provide complete and truthful responses to questions posed during interviews.

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(n) No employee should be compelled to submit to a polygraph examination, nor should any refusal to submit to such examination be mentioned in any investigation (ARS § 38-1104; ARS § 38-1108).

(o) At the conclusion of the interview, the member may consult with his/her representative and may make a statement that is not to exceed five minutes, addressing specific facts or policies that relate to the interview (ARS § 38-1104).

(p) An officer who recorded a video of an incident where the officer's use of force resulted in a death or serious physical injury to another person shall be allowed the opportunity to view the recorded video and provide any further information regarding the footage that the officer believes is relevant, prior to the completion of the administrative investigation. Prior to viewing the video, the officer shall be read the required notice provided in ARS § 38-1116.

1011.6.3 ADMINISTRATIVE INVESTIGATION FORMAT

Formal investigations of personnel complaints shall be thorough, complete and essentially follow the Complaint - Commendation Form format.

1011.6.4 DISPOSITIONS

Each personnel complaint shall be classified with one of the following dispositions:

Unfounded - When the investigation discloses that the alleged acts did not occur or did not involve department members. Complaints that are determined to be frivolous will fall within the classification of unfounded.

Exonerated - When the investigation discloses that the alleged act occurred but that the act was justified, lawful and/or proper.

Not sustained - When the investigation discloses that there is insufficient evidence to sustain the complaint or fully exonerate the member.

Sustained - When the investigation discloses sufficient evidence to establish that the act occurred and that it constituted misconduct.

Other - If an investigation discloses misconduct or improper job performance that was not alleged in the original complaint, the investigator shall take appropriate action with regard to any additional allegations.

1011.6.5 COMPLETION OF INVESTIGATIONS

Every investigator or supervisor assigned to investigate a personnel complaint or other alleged misconduct shall proceed with due diligence in an effort to complete the investigation within three months of the date a person authorized by this department to initiate an investigation receives notice of an allegation. This will allow time for review by the Chief of Police and allow the Chief of Police to provide the law enforcement officer with a notice of discipline or findings within 180 days, as provided in ARS § 38-1110.

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The investigation period may be extended by the employee in a written waiver or may be suspended during a criminal prosecution if the law enforcement officer is incapacitated or unavailable, or under other special circumstances (ARS § 38-1110).

Should additional time be required, a written request should be made to the Chief of Police 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 law enforcement officer before the end of the 180-day time period (ARS § 38-1110).

1011.6.6 NOTICE TO COMPLAINANT OF INVESTIGATION STATUS
The member conducting the investigation should provide the complainant with periodic updates on the status of the investigation, as appropriate.

1011.7 ADMINISTRATIVE SEARCHES

Assigned lockers, storage spaces and other areas, including desks, offices and vehicles, may be searched as part of an administrative investigation upon a reasonable suspicion of misconduct.

Such areas may also be searched any time by a supervisor for non-investigative purposes, such as obtaining a needed report, radio or other document or equipment.

1011.8 ADMINISTRATIVE LEAVE

When a complaint of misconduct is of a serious nature, or when circumstances indicate that allowing the accused to continue to work would adversely affect the mission of the Department, the Chief of Police or the authorized designee may temporarily assign an accused employee to administrative leave. Any employee placed on administrative leave:

(a) May be required to relinquish any department badge, identification, assigned weapons and any other department equipment.

(b) Shall be required to continue to comply with all policies and lawful orders of a supervisor.

(c) May be temporarily reassigned to a different shift, generally a normal business-hours shift, during the investigation. The employee may be required to remain available for contact at all times during such shift, and will report as ordered.

1011.9 CRIMINAL INVESTIGATION

Where a member is accused of potential criminal conduct, a separate supervisor or investigator shall be assigned to investigate the criminal allegations apart from any administrative investigation. Any separate administrative investigation may parallel a criminal investigation.

The Chief of Police shall be notified as soon as practicable when a member is accused of criminal conduct. The Chief of Police may request a criminal investigation by an outside law enforcement agency.

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A member accused of criminal conduct shall be provided with all rights afforded to a civilian. The member should not be administratively ordered to provide any information in the criminal investigation.

The Oro Valley Police Department may release information concerning the arrest or detention of any member, including an officer, that has not led to a conviction. No disciplinary action should be taken until an independent administrative investigation is conducted.

1011.10 POST-ADMINISTRATIVE INVESTIGATION PROCEDURES

Upon completion of a formal investigation, an investigation report should be forwarded to the Chief of Police through the chain of command. Each level of command should review and include his/her comments in writing before forwarding the report. The Chief of Police may accept or modify any classification or recommendation for disciplinary action.

1011.10.1 DIVISION COMMANDER RESPONSIBILITIES

Upon receipt of any completed personnel investigation, the Division Commander of the involved member shall review the entire investigative file, the member's personnel file and any other relevant materials.

The Division Commander may make recommendations regarding the disposition of any allegations and the amount of discipline, if any, to be imposed.

Prior to forwarding recommendations to the Chief of Police, the Division Commander may return the entire investigation to the assigned investigator or supervisor for further investigation or action.

When forwarding any written recommendation to the Chief of Police, the Division Commander shall include all relevant materials supporting the recommendation. Actual copies of a member's existing personnel file need not be provided and may be incorporated by reference.

1011.10.2 CHIEF OF POLICE RESPONSIBILITIES

Upon receipt of any written recommendation for disciplinary action, the Chief of Police shall review the recommendation and all accompanying materials. The Chief of Police may modify any recommendation and/or may return the file to the Division Commander for further investigation or action.

Once the Chief of Police is satisfied that no further investigation or action is required by staff, the Chief of Police shall determine the amount of discipline, if any that should be imposed. In the event disciplinary action is proposed, the Chief of Police shall, within 180 days, provide the member with a written notice and the following (ARS § 38-1110):

(a) Access to all of the materials considered by the Chief of Police in recommending the proposed discipline.

    (a) If requested by the member, a basic summary or file copies of similar disciplinary cases within the last two years shall be provided, unless prohibited by court rule (ARS § 38-1104).

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(b) No final action should be taken or hearing scheduled until the basic summary or file copies have been provided to the law enforcement officer.

(b) An opportunity to respond orally or in writing to the Chief of Police within five days of receiving the notice.

1. Upon a showing of good cause by the member, the Chief of Police may grant a reasonable extension of time for the member to respond.

2. If the member elects to respond orally, the presentation shall be recorded by the Department. Upon request, the member shall be provided with a copy of the recording.

Once the member has completed his/her response or if the member has elected to waive any such response, the Chief of Police shall consider all information received in regard to the recommended discipline. The Chief of Police shall render a timely written decision to the member and specify the grounds and reasons for discipline and the effective date of the discipline. Once the Chief of Police has issued a written decision, the discipline shall become effective.

1011.10.3 NOTICE OF FINAL DISPOSITION TO THE COMPLAINANT

The Chief of Police or the authorized designee should ensure that the complainant is notified of the disposition (i.e., sustained, not sustained, exonerated, unfounded) of the complaint.

1011.11 PRE-DISCIPLINE EMPLOYEE RESPONSE

The pre-discipline process is intended to provide the accused employee with an opportunity to present a written or oral response to the Chief of Police after having had an opportunity to review the supporting materials and prior to imposition of any recommended discipline. The employee shall consider the following:

(a) The response is not intended to be an adversarial or formal hearing.

(b) Although the employee may be represented by an uninvolved representative or legal counsel, the response is not designed to accommodate the presentation of testimony or witnesses.

(c) The employee may suggest that further investigation could be conducted or the employee may offer any additional information or mitigating factors for the Chief of Police to consider.

(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 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.

1011.12 RESIGNATIONS/RETIREMENTS PRIOR TO DISCIPLINE

In the event that a member tenders a written resignation or notice of retirement prior to the imposition of discipline, it shall be noted in the file.

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1011.13 POST-DISCIPLINE APPEAL RIGHTS

Non-probationary employees have the right to appeal a suspension without pay, demotion, reduction in pay or step, or termination from employment. The employee has the right to appeal using the procedures established by any memorandum of understanding and/or Town personnel rules.

In the event of punitive action against a member covered by the Officers' Bill of Rights, the appeal process shall be in compliance with ARS § 38-1106.

1011.14 PROBATIONARY EMPLOYEES AND OTHER MEMBERS

At-will and probationary employees and members other than non-probationary employees may be disciplined and/or released from employment without adherence to any of the procedures set out in this policy, and without notice or cause at any time. These individuals are not entitled to any rights under this policy.

Any probationary period may be extended at the discretion of the Chief of Police in cases where the individual has been absent for more than a week or when additional time to review the individual is considered to be appropriate (see the Temporary Modified-Duty Assignments Policy).

1011.15 RETENTION OF PERSONNEL INVESTIGATION FILES

All personnel complaints shall be maintained in accordance with the established records retention schedule and as described in the Personnel Records Policy.

1011.16 NOTIFICATION TO THE ARIZONA PEACE OFFICER STANDARDS AND TRAINING BOARD

1011.16.1 DISCIPLINE REPORTING

The Department may report to the Arizona Peace Officer Standards and Training Board (AZPOST) any disciplinary action involving a certified officer that results in the suspension or revocation of his/her certified status (ARS § 41-1828.01(A)). Conduct that results in discipline may be reported for (AAC § R13-4-109):

(a) Failure to meet the minimum qualifications for certification.

(b) Providing false information related to certification as a peace officer.

(c) A medical, physical or mental disability that substantially limits the person's ability to effectively perform the duties of a peace officer.

(d) Violation of a restriction or requirement for certified status.

(e) The illegal use of a controlled substance.

(f) Unauthorized use of, or being under the influence of, alcohol on-duty.

(g) The commission of any offense that would be a felony if committed in Arizona or any offense involving dishonesty, unlawful sexual conduct or physical violence.

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(h) Refusal, failure or delay in performing the duties of a peace officer.

(i) A conduct or pattern of conduct that tends to disrupt, diminish or otherwise jeopardize public trust.

1011.16.2 TERMINATION REPORTING

The Department shall inform AZPOST of the termination, resignation or separation of any certified officer for misconduct pursuant to AAC § R13-4-108 and ARS § 41-1828.01(A). A report shall be submitted within 15 days of a termination and include:

(a) The effective date and nature of the termination.

(b) A detailed description of any termination for cause.

(c) A detailed description of the cause for the suspension or revocation of certified status, including supporting documentation for the decision.

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Seat Belts

1012.1 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.

1012.1.1 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 and AAC § R17-4-512.

1012.2 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 or rented by this department, while on- or off-duty, or in any privately owned vehicle while on-duty. The member driving such a vehicle shall ensure that all other occupants, including non-members, are also properly restrained.

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 member or the public. Members must be prepared to justify any deviation from this requirement.

1012.3 TRANSPORTING CHILDREN

Child restraint systems shall be used for all children who are under 5 years of age or who are under 8 years old and are not more than 4 feet 9 inches tall (ARS § 28-907).

Rear seat passengers in a cage-equipped vehicle may have reduced clearance, which requires careful seating and positioning of seat belts. Due to this reduced clearance, and if permitted by law, children and any child restraint system may be secured in the front seat of such vehicles provided this positioning meets federal safety standards and the vehicle and child restraint system manufacturer's design and use recommendations. In the event that a child is transported in the front seat of a vehicle, the seat should be pushed back as far as possible and the passenger-side airbag should be deactivated. If this is not possible, members should arrange alternate transportation when feasible.

1012.4 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.

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1012.5 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.

1012.6 POLICY

It is the policy of the Oro Valley Police Department that members use safety and child restraint systems to reduce the possibility of death or injury in a motor vehicle collision.

1012.7 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.

1012.8 VEHICLE AIRBAGS

In all vehicles equipped with airbag restraint systems, the system will not be tampered with or deactivated, except when transporting children as written elsewhere in this policy. All equipment installed in vehicles equipped with airbags will be installed as per the vehicle manufacturer specifications to avoid the danger of interfering with the effective deployment of the airbag device.

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Body Armor

1013.1 PURPOSE AND SCOPE

The purpose of this policy is to provide law enforcement officers with guidelines for the proper use of body armor.

1013.2 POLICY

It is the policy of the Oro Valley 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.

1013.3 ISSUANCE OF BODY ARMOR

The Support Services Commander shall ensure that body armor is issued to all officers when the officer begins service at the Oro Valley Police Department and that, when issued, the body armor meets or exceeds the standards of the National Institute of Justice.

The Support Services Commander 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.

1013.3.1 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 assigned to uniform patrol shall wear the Department-issued body armor during duty hours at all times. All personnel participating in a search warrant and/or raid are required to wear body armor. Body armor not routinely worn by personnel not assigned to uniform patrol shall be readily available to the officer - in vehicle or at a Department station during his/her shift.

1013.3.2 INSPECTIONS OF BODY ARMOR

Supervisors should ensure that body armor is worn and maintained in accordance with this policy through routine observation. Annual inspections of body armor may be conducted by an authorized designee for fit, cleanliness and signs of damage, abuse and wear.

1013.3.3 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.

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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.

1013.4 TRAINING COORDINATOR RESPONSIBILITIES

The Training Coordinator should:

(a) Monitor technological advances in the body armor industry for any appropriate changes to Department approved body armor.

(b) Assess weapons and ammunition currently in use and the suitability of approved body armor to protect against those threats.

(c) Provide training that educates officers about the safety benefits of wearing body armor.

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Personnel Records

1014.1 PURPOSE AND SCOPE

This policy governs maintenance and access to personnel records. Personnel records include any file maintained under an individual member's name.

1014.2 POLICY

It is the policy of this department to maintain personnel records and preserve the confidentiality of personnel records pursuant to the Constitution and the laws of Arizona.

1014.3 DEPARTMENT FILE

The department file shall be maintained as a record of a person’s employment/appointment with this department. The department file should contain, at a minimum:

(a) Personal data, including photographs, marital status, names of family members, educational and employment history or similar information. A photograph of the member should be permanently retained.

(b) Election of employee benefits.

(c) Personnel action reports reflecting assignments, promotions and other changes in employment/appointment status. These should be permanently retained.

(d) Original performance evaluations. These should be permanently maintained.

(e) Discipline records, including copies of sustained personnel complaints.

(f) Adverse comments such as supervisor notes or memos may be retained in the department file after the member has had the opportunity to read and initial the comment.

1. Once a member has had an opportunity to read and initial any adverse comment, the member shall be given the opportunity to respond in writing to the adverse comment.
2. Any member response shall be attached to and retained with the original adverse comment.
3. If a member refuses to initial or sign an adverse comment, at least one supervisor should note the date and time of such refusal on the original comment. Such a refusal, however, shall not be deemed insubordination, nor shall it prohibit the entry of the adverse comment into the member's file.

(g) Commendations and awards.

(h) Any other information, the disclosure of which would constitute an unwarranted invasion of personal privacy.

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1014.4 DIVISION FILE

Division files may be separately maintained internally by a member's supervisor for the purpose of completing timely performance evaluations. The Division file may contain supervisor comments, notes, notices to correct and other materials that are intended to serve as a foundation for the completion of timely performance evaluations.

1014.5 TRAINING FILE

An individual training file shall be maintained by the Training Coordinator for each member. Training files will contain records of all training; original or photocopies of available certificates, transcripts, diplomas and other documentation; and education and firearms qualifications. Training records may also be created and stored remotely, either manually or automatically (e.g., Daily Training Bulletin (DTB) records).

(a) The involved member is responsible for providing the Training Coordinator or immediate supervisor with evidence of completed training/education in a timely manner.

(b) The Training Coordinator or supervisor shall ensure that copies of such training records are placed in the member’s training file.

1014.6 INTERNAL AFFAIRS FILE

Internal affairs files shall be maintained under the exclusive control of the Office of Professional Standards in conjunction with the office of the Chief of Police. Access to these files may only be approved by the Chief of Police or the Office of Professional Standards supervisor.

These files shall contain the complete investigation of all formal complaints of member misconduct, regardless of disposition. Investigations of complaints that result in the following findings shall not be placed in the member's department file but will be maintained in the internal affairs file:

(a) Not sustained

(b) Unfounded

(c) Exonerated

1014.7 MEDICAL FILE

A medical file shall be maintained separately from all other personnel records and shall contain all documents relating to the member’s medical condition and history, including but not limited to:

(a) Materials relating to a medical leave of absence, including leave under the Family and Medical Leave Act (FMLA).

(b) Documents relating to workers’ compensation claims or the receipt of short- or long-term disability benefits.

(c) Fitness-for-duty examinations, psychological and physical examinations, follow-up inquiries and related documents.

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(d) Medical release forms, doctor's slips and attendance records that reveal a member's medical condition.

(e) Any other documents or materials that reveal the member's medical history or medical condition, including past, present or future anticipated mental, psychological or physical limitations.

1014.8 SECURITY

Personnel records should be maintained in a secured location and locked either in a cabinet or access-controlled room. Personnel records maintained in an electronic format should have adequate password protection.

Personnel records are subject to disclosure only as provided in this policy, the Records Maintenance and Release Policy or according to applicable discovery procedures.

Nothing in this policy is intended to preclude review of personnel records by the Town Manager, Town Attorney or other attorneys or representatives of the Town in connection with official business.

1014.8.1 REQUESTS FOR DISCLOSURE

Any member receiving a request for a personnel record shall promptly notify the Custodian of Records or other person charged with the maintenance of such records.

Upon receipt of any such request, the responsible person shall notify the affected member as soon as practicable that such a request has been made.

The responsible person shall further ensure that an appropriate response to the request is made in a timely manner, consistent with applicable law. In many cases, this may require assistance of available legal counsel.

All requests for disclosure that result in access to a member's personnel records shall be logged in the corresponding file.

1014.8.2 RELEASE OF PERSONNEL INFORMATION

Except as otherwise provided by law, the home address and phone number of a member shall not be disclosed unless the member consents to the disclosure in writing (ARS § 39-123; ARS § 39-124).

The photograph of an officer may be released (ARS § 39-123; ARS § 39-124):

(a) If the officer has been arrested or has been formally charged with a misdemeanor or a felony offense.

(b) If requested by a newspaper for a specific newsworthy event unless:

1. The officer is working undercover or scheduled to be working undercover within 60 days.

2. The release of the photograph is not in the best interest of the state after consideration of privacy, confidentiality and safety of the officer.

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3. An order is in effect pursuant to ARS § 28-454 (Records maintained by the Department of Transportation).

The Department may release any factual information concerning a disciplinary investigation if the member who is the subject of the investigation (or the member's representative) publicly makes a statement that is published in the media and that the member (or representative) knows to be false. The disclosure of such information, if any, shall be limited to facts that refute any such false statement.

1014.8.3 INVESTIGATION INFORMATION

Records containing information of an investigation of an officer shall not be included in the portion of the officer's personnel file that is available for public inspection and copying until the investigation is complete or the department has discontinued the investigation. If an officer has timely appealed a disciplinary action, the investigation is not complete until the conclusion of the appeal process (ARS § 38-1109).

1014.9 MEMBER ACCESS TO HIS/HER OWN PERSONNEL RECORDS

Any member may request access to his/her own personnel records during the normal business hours of those responsible for maintaining such files. Any member seeking the removal of any item from his/her personnel records shall file a written request to the Chief of Police through the chain of command. The Department shall remove any such item if appropriate, or within 30 days provide the member with a written explanation of why the contested item will not be removed. If the contested item is not removed from the file, the member's request and the written response from the Department shall be retained with the contested item in the member's corresponding personnel record.

Members may be restricted from accessing files containing any of the following information:

(a) An ongoing internal affairs investigation to the extent that it could jeopardize or compromise the investigation pending final disposition or notice to the member of the intent to discipline.

(b) Confidential portions of internal affairs files that have not been sustained against the member.

(c) Criminal investigations involving the member.

(d) Letters of reference concerning employment/appointment, licensing or issuance of permits regarding the member.

(e) Any portion of a test document, except the cumulative total test score for either a section of the test document or for the entire test document.

(f) Materials used by the Departmentfor staff management planning, including judgments or recommendations concerning future salary increases and other wage treatments, management bonus plans, promotions and job assignments or other comments or ratings used for department planning purposes.

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(g) Information of a personal nature about a person other than the member if disclosure of the information would constitute a clearly unwarranted invasion of the other person's privacy.

(h) Records relevant to any other pending claim between the Department and the member that may be discovered in a judicial proceeding.

1014.10 RETENTION AND PURGING

Unless provided otherwise in this policy, personnel records shall be maintained in accordance with the established records retention schedule.

(a) During the preparation of each member’s performance evaluation, all personnel complaints and disciplinary actions should be reviewed to determine the relevancy, if any, to progressive discipline, training and career development. Each supervisor responsible for completing the member's performance evaluation should determine whether any prior sustained disciplinary file should be retained beyond the required period for reasons other than pending litigation or other ongoing legal proceedings.

(b) If a supervisor determines that records of prior discipline should be retained beyond the required period, approval for such retention should be obtained through the chain of command from the Chief of Police.

(c) If, in the opinion of the Chief of Police, a personnel complaint or disciplinary action maintained beyond the required retention period is no longer relevant, all records of such matter may be destroyed in accordance with the established records retention schedule.

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Commendations and Awards

1015.1 PURPOSE AND SCOPE

This policy provides general guidelines for recognizing commendable or meritorious acts of members of the Oro Valley Police Department and individuals from the community.

1015.2 POLICY

It is the policy of the Oro Valley Police Department to recognize and acknowledge exceptional individual or group achievements, performance, proficiency, heroism and service of its members and individuals from the community through commendations and awards.

1015.3 COMMENDATIONS

Commendations for members of the Department or for individuals from the community may be initiated by any department member or by any person from the community.

1015.4 CRITERIA

A meritorious or commendable act may include, but is not limited to:

- Superior handling of a difficult situation.
- Conspicuous bravery or outstanding performance.
- Any action or performance that is above and beyond typical duties.

1015.4.1 DEPARTMENT MEMBER DOCUMENTATION

Members of the Department should document meritorious or commendable acts. The documentation should contain:

(a) Identifying information:

1. For members of the Department - name, division and assignment at the date and time of the meritorious or commendable act
2. For individuals from the community - name, address, telephone number

(b) A brief account of the meritorious or commendable act with report numbers, as appropriate.

(c) The signature of the member submitting the documentation.

1015.4.2 COMMUNITY MEMBER DOCUMENTATION

Documentation of a meritorious or commendable act submitted by a person from the community should be accepted in any form. However, written documentation is preferred. Department members accepting the documentation should attempt to obtain detailed information regarding the matter, including:

(a) Identifying information:

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1. For members of the Department - name, division and assignment at the date and time of the meritorious or commendable act
2. For individuals from the community - name, address, telephone number

(b) A brief account of the meritorious or commendable act with report numbers, as appropriate.

(c) The signature of the person submitting the documentation.

1015.4.3 PROCESSING DOCUMENTATION

Documentation regarding the meritorious or commendable act of a member of the Department should be forwarded to the appropriate Division Commander for his/her review. The Division Commander should sign and forward the documentation to the Chief of Police for his/her review.

The Chief of Police or the authorized designee will present the commendation to the department member for his/her signature. The documentation will then be returned to the Administration secretary for entry into the member's personnel file.

Documentation regarding the meritorious or commendable act of an individual from the community should be forwarded to the Administration Division Commander. The documentation will be signed by the Division Commander and forwarded to the Chief of Police for his/her review. An appropriate venue or ceremony to acknowledge the individual's actions should be arranged. Documentation of the commendation shall be maintained in a file designated for such records.

1015.5 AWARDS

Awards may be bestowed upon employees and members of the public. These awards include:

- THE MEDAL OF HONOR - The Medal of Honor may be awarded to members of the Oro Valley Police Department that perform, with full knowledge of the level of risk involved, acts of bravery clearly above and beyond that which is expected in the line of duty. The heroism of the act must render the recipient so far above all others that it is clearly distinguishable from lesser forms of conspicuous personal bravery. The Medal of Honor may also be awarded to surviving relatives of members who are killed in the line of duty due to the hostile act of others. The recipient of this award will receive an award ribbon, uniform bar and commemorative plaque.
- THE MEDAL OF VALOR - The Medal of Valor may be awarded to any member of the Oro Valley Police Department, who has full knowledge of the level of risk involved, who distinguished him/herself by conspicuous personal gallantry, in accomplishing a specific police mission involving criminal activity or any action against an adversary of the Town of Oro Valley, the State of Arizona or the United States of America. The recipient of this award will receive an award ribbon, uniform bar and commemorative plaque.
- THE CRIMSON SHIELD - The Crimson Shield may be awarded to any member of the Oro Valley Police Department who is seriously injured, incapacitated, or killed in the line of duty due to actions of an adversary of the Town of Oro Valley, the State of Arizona, or the United States of America. The Crimson Shield may be awarded in addition to a higher award where the facts show the recipient is entitled to such award.

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The injury must not be the result of, or concurrent with, conduct of the recipient that is less than acceptable by all standards. The Awards Committee may not consider injuries sustained from clearly routine hazards. The recipient of this award will receive an award ribbon, uniform bar, and commemorative plaque.

- THE CHIEF OF POLICE MEDAL OF MERIT - The Chief of Police Medal of Merit may be awarded to a commissioned member of the Oro Valley Police Department who, with full knowledge of the level of risk involved, distinguished him/herself by conspicuous personal gallantry in accomplishing a specific police mission not involving criminal activity. The recipient of this award will receive a uniform bar and commemorative plaque.
- THE CHIEF OF POLICE CITATION OF EXCELLENCE - The Chief of Police Citation of Excellence may be awarded to commissioned or civilian members of the Oro Valley Police Department who go beyond the call of duty to accomplish a specific mission that reflects positively on the Oro Valley Police Department. The recipient of this award will receive a uniform bar and commemorative plaque.
- THE CHIEF OF POLICE UNIT COMMENDATION - The Chief of Police Unit Commendation may be awarded to units within the Oro Valley Police Department who engage in projects that accomplish goals and objectives that have a clearly positive impact on the community through exemplary teamwork and distinguishing performance. The recipients of this award will receive a uniform bar and commemorative plaque.
- LIFESAVING AWARD - The Life Saving Award shall be awarded to any member of the Oro Valley Police Department who is directly responsible for saving a human life. Documentation and supporting evidence must be included to substantiate the award, such as statements from witnesses, physicians, or supervisors. This award may also be made where evidence suggests that actions by the officer(s) prolonged a human life to the extent that the victim was released to the care of medical authorities, even though the victim might expire at a later time. The Life Saving Award may be awarded in addition to a higher medal where the facts show the recipient is entitled to such an award. The recipient of this award will receive a uniform bar and commemorative plaque.
- THE SERVICE MEDAL - This medal is given to members of the Department when they reach a five-year increment of service. The recipient of this award will receive a commemorative uniform pin.
- THE CHIEF OF POLICE CITATION OF VISION - This Citation may be awarded to members of the Oro Valley Police Department who have worked to complete a goal, enhancement, or mission for the community that by its very nature has a profound, positive effect on the Department through clearly superior levels of dedication. The recipient of this award will receive a uniform bar and a commemorative plaque.
- OFFICER, SUPERVISOR, CIVILIAN EMPLOYEE, EXPLORER AND VOLUNTEER OF THE YEAR AWARDS - The candidate must have provided meritorious and recognizable contributions to the department within the year that clearly sets them apart from their peers. The recipient of this award will receive a uniform bar and a commemorative plaque.

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- CITIZENS AWARD - The purpose of this award is to continually foster community partnerships between the Police Department and the community, to encourage and recognize those citizens who have performed unique acts of valor or heroism or have made significant contributions to public safety and to recognize citizens who have made improvements in the qualify of life in Oro Valley. The recipient of this award will receive a commemorative plaque.

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Fitness for Duty

1016.1 PURPOSE AND SCOPE

All members are required to be free from any physical, emotional or mental condition that might adversely affect the exercise of their job duties. The purpose of this policy is to ensure that all members of this department remain fit for duty and able to perform their job functions.

1016.2 EMPLOYEE RESPONSIBILITIES

(a) It shall be the responsibility of each member of this department to maintain physical condition sufficient to safely and properly perform essential duties of the position.

(b) Each member of this department shall perform his/her respective duties without physical, emotional and/or mental constraints.

(c) During working hours, all employees are required to be alert, attentive and capable of performing assigned responsibilities.

(d) Any employee who feels unable to perform his/her duties shall promptly notify a supervisor. In the event that an employee believes that another employee is unable to perform his/her duties, such observations and/or belief shall be promptly reported to a supervisor.

1016.3 SUPERVISOR RESPONSIBILITIES

(a) A supervisor observing an employee, or receiving a report of an employee, who is perceived to be unable to safely perform his/her duties due to a physical, medical or mental condition shall take prompt and appropriate action in an effort to resolve the situation.

(b) Whenever feasible, the supervisor should attempt to ascertain the reason or source of the problem and in all cases a preliminary evaluation should be made to determine the level of inability of the employee to perform his/her duties.

(c) In the event the employee appears to be in need of immediate medical or psychiatric treatment, all reasonable efforts should be made to provide such care.

(d) A determination should be made whether the employee should be temporarily relieved from his/her duties.

(e) The Chief of Police or designee shall be promptly notified in the event that any employee is relieved from duty.

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1016.4 NON-WORK RELATED CONDITIONS

Any employee suffering from a non-work related condition that warrants a temporary relief from duty may be required to use sick leave or other paid time off in order to obtain medical treatment or other reasonable rest period.

1016.5 WORK RELATED CONDITIONS

Any employee suffering from a work-related condition that warrants a temporary relief from duty shall be required to comply with personnel rules and guidelines for processing such claims.

Upon the recommendation of the Sergeant or unit supervisor and the chain of command, any employee whose actions or use of force in an official capacity result in death or serious injury to another may be temporarily removed from regularly assigned duties and/or placed on paid administrative leave for the well-being of the employee and until such time as the following may be completed:

(a) A preliminary determination that the employee's conduct appears to be in compliance with policy and law.

(b) If appropriate, the employee has had the opportunity to receive necessary counseling and/or psychological clearance to return to full duty.

1016.6 PHYSICAL AND PSYCHOLOGICAL EXAMINATIONS

The Chief of Police may order an officer of this department to submit to a physical examination if the officer has acted or failed to act in a manner that indicates that there is a physical condition materially limiting his/her ability to perform essential job functions (ARS § 38-1112).

Any order requiring an officer to submit to a physical examination should give the officer 10 days' notice prior to the examination, and should include but not be limited to (ARS § 38-1112):

(a) The specific objective facts on which the order is based.

(b) The date, time, place, manner, conditions and scope of the examination.

(c) The identity of the person who will conduct the examination.

A copy of the examining physician’s report shall be provided to the officer at least 20 days prior to any final action being taken. Any officer who has been ordered to submit to a physical examination may, within 20 days of receipt of notice that the examining physician’s report was received by the Department, request an independent medical examination.

1016.7 LIMITATION ON HOURS WORKED

Absent emergency operations members should not work more than:

- 16 hours in one day (24 hour) period or
- 30 hours in any two day (48 hour) period or
- 84 hours in any seven day (168 hour) period

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Except in very limited circumstances members should have a minimum of eight hours off between shifts. Supervisors should give consideration to reasonable rest periods and are authorized to deny overtime or relieve to off-duty status any member who has exceeded the above guidelines.

Limitations on the number of hours worked apply to shift changes, shift trades, rotation, holdover, training, special events, off-duty, general overtime and any other work assignments.

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Meal Periods and Breaks

1017.1 PURPOSE AND SCOPE

This policy regarding meals and breaks, insofar as reasonably possible shall conform to the policy governing all Town employees and the memorandum of understanding.

1017.1.1 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 officers shall advise the Communications Bureau prior to taking a meal period.

The time spent for the meal period shall not exceed the authorized time allowed.

1017.1.2 15 MINUTE BREAKS

Each employee is entitled to a 15 minute break, near the midpoint, 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 does not prohibit them from taking a break if they are outside the facility on official business.

Field officers will take their breaks in their assigned areas, subject to call, and shall monitor their radios.

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Lactation Break Policy

1018.1 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.

1018.2 POLICY

It is the policy of this department to provide, in compliance with the Fair Labor Standards Act, reasonable break time and appropriate facilities to accommodate any employee desiring to express breast milk for her nursing child for up to one year after the child's birth (29 USC § 207).

1018.3 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. 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 are per se reasonable.

While a 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 Communications Bureau or a supervisor prior to taking such a break. Such breaks may be reasonably delayed if they would seriously disrupt Department operations.

Once a lactation break has been approved, the break should not be interrupted except for emergency or exigent circumstances.

1018.4 PRIVATE LOCATION

The Department will make reasonable efforts to accommodate employees with the use of an appropriate room or other location to express milk in private. Such room or place should be in close proximity to the employee's work area and shall be other than a bathroom or toilet stall. The location must be shielded from view and free from intrusion from co-workers and the public (29 USC § 207).

The area assigned for this purpose should not be used for storage of any devices, supplies or expressed milk and should be returned to its' original state after each use.

Employees occupying such private areas shall either secure the door or otherwise make it clear to others that the area is occupied with a need for privacy. All other employees should avoid

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interrupting an employee during an authorized break, except to announce an emergency or other urgent circumstance.

Authorized lactation breaks for employees assigned to the field may be taken at the nearest appropriate private area.

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Payroll Records

1019.1 PURPOSE AND SCOPE

This policy provides the guidelines for completing and submitting payroll records of department members who are eligible for the payment of wages.

1019.2 RESPONSIBILITIES

Members are responsible for the accurate completion and timely submission of their payroll records for the payment of wages.

1019.3 POLICY

The Oro Valley Police Department maintains timely and accurate payroll records.

1019.4 TIME REQUIREMENTS

Members who are eligible for the payment of wages are paid on a scheduled, periodic basis, generally on the same day or date each period, with certain exceptions, such as holidays. Payroll records shall be completed and submitted to Administration as established by the Town payroll procedures.

1019.5 RECORDS

The Finance Department is responsible for payroll records.

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Overtime Compensation Requests

1020.1 PURPOSE AND SCOPE

It is the policy of the Department to compensate nonexempt employees who work authorized overtime either by payment of wages as agreed and in effect through the memorandum of understanding, or by the allowance of accrual of compensatory time off. In order to qualify for either the employee must complete and submit a Request for Overtime Payment as soon as practicable after overtime is worked.

1020.1.1 DEPARTMENT POLICY

Because of the nature of law enforcement work, and the specific needs of the Department, a degree of flexibility concerning overtime policies must be maintained.

Non-exempt employees are not authorized to volunteer work time to the Department. All requests to work overtime shall be approved in advance by a supervisor. If circumstances do not permit prior approval, approval shall be sought as soon as practicable during the overtime shift and in no case later than the end of shift in which the overtime is worked.

Periods of work may be handled between the supervisor and the employee by flexing a subsequent shift schedule to compensate for the time worked rather than by submitting requests for overtime payments. If the supervisor authorizes or directs the employee to complete a form for such a period, the employee shall comply.

The individual employee may request compensatory time in lieu of receiving overtime payment. The employee may not exceed the number of hours identified in the memorandum of understanding.

1020.2 REQUEST FOR OVERTIME PAYMENT FORMS

Employees shall submit all overtime payment request forms for verification by their immediate supervisor. Failure to submit a request for overtime payment in a timely manner may result in a discipline.

1020.2.1 EMPLOYEES' RESPONSIBILITY

Employees shall complete the requests immediately after working the overtime and turn them in to their immediate supervisor. Employees submitting overtime forms for pay when off-duty shall submit forms to their supervisor the first day after returning to work.

1020.2.2 SUPERVISOR RESPONSIBILITIES

The supervisor who verifies the overtime earned shall verify that the overtime was worked before approving the request.

1020.3 ACCOUNTING FOR OVERTIME WORKED

Employees are to record the actual time worked in an overtime status. In some cases, the memorandum of understanding provides that a minimum number of hours will be paid, (e.g., hours for court).

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1020.3.1 ACCOUNTING FOR PORTIONS OF AN HOUR

When accounting for less than a full hour, time worked shall be rounded up to the nearest quarter of an hour as indicated by the following chart:

TIME WORKED	INDICATE ON CARD
Up to 15 minutes	.25 hour
16 to 30 minutes	.50 hour
31 to 45 minutes	.75 hour
46 to 60 minutes	1.0 hour

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Outside / Off-Duty Employment

1021.1 OUTSIDE EMPLOYMENT

(a) Members of the Police Department are prohibited from engaging in regular or part-time employment that in any way violates Department policies.

(b) No member shall become engaged in outside employment without approval from the Chief of Police.

1021.2 OFF-DUTY EMPLOYMENT

(a) All off-duty employment shall be approved through the Office of Professional Standards Supervisor. The business/company requesting the use of off-duty officers will need to directly contact the Off-Duty Coordinator and satisfy the requirements listed in the Off-Duty Employment Contract for the Town of Oro Valley Police Department.

(b) Off-duty work shall not interfere in any way with the member's ability to perform police work at the Department.

(c) Members working off-duty in a police capacity are subject to the same rules, procedures and uniform requirements that govern on-duty officers.

(d) Members that sign up for an off-duty job (either verbally to the off-duty coordinator or in writing) must be at that job on time and, if a conflict arises, he/she must find his/her own replacement for the off-duty job.

(e) Off-duty assignments for extended times (i.e. gem shows) are restricted to three (3) sign-ups until the job has been posted for 72 hours. After the 72-hour posting has passed, officers may sign up again. Officers shall not sign up to hold a job for another officer.

(f) Members who have a replacement officer on a job must notify the Off-Duty Coordinator immediately and prior to the job.

(g) Members who work an off-duty job where the time is reduced or extended must, upon completion of the job, report the hours worked to the off-duty coordinator.

(h) Members shall not transact personal business or engage in outside employment while on duty.

(i) The authority of the Police Department and supervisory officers shall prevail at all times over the authority of any off-duty employer.

(j) All members working off-duty assignments shall immediately respond to a call to active duty by a supervisor or command officer of this Department.

(k) Members will not work more than twenty-five (25) hours of off-duty in one workweek. Members working police-related jobs shall have a rest period of eight (8) continuous hours out of any twenty-four (24) hour period. Members on vacation shall have a minimum of eight (8) hours rest period prior to return to normal duty.

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(l) Members scheduled to work off-duty shall report to the designated off-duty work location at the scheduled time with the appropriate equipment.

(m) Unless approved in advance, compensation for any off-duty work will be billed to the requesting party by the Off-Duty Coordinator.

(n) The Off-Duty Coordinator shall make notification of off-duty job cancellations to the scheduled officers.

(o) The wage scale as established by the Chief of Police shall be charged in all off-duty employment.

1021.2.1 CRITERIA FOR APPROVAL

(a) Supervisors shall be held responsible for their subordinates' adherence to the rules governing outside employment and shall first consider the best interests of the Police Department in off-duty work situations.

(b) Supervisors are responsible for reviewing the performance of subordinates who have outside jobs. If the supervisor determines that the job is interfering with the member's on-duty work, the supervisor shall rescind (for a specified period of time) the member's privilege to work off-duty. Documentation on a memorandum form shall be forwarded to the Chief of Police.

1. If a member's off-duty work privileges have been suspended by that member's supervisor due to on-duty job performance, written authorization from that supervisor will be required prior to reinstatement of off-duty work privileges. If the member has a change in supervisors, the new supervisor shall have the authority to authorize reinstatement of off-duty work privileges.

(c) Members on probation may be allowed to work off-duty in police-related jobs after approval of the Division Commander.

1. Job performance, sick leave and tardy record must meet standards.

1021.2.2 JOB EVALUATION

(a) Members shall submit evaluations of law enforcement related off-duty jobs at the request of a supervisor.

(b) Members are encouraged to report to their supervisor any problems or discrepancies of an administrative nature encountered during law enforcement-related off-duty employment.

1021.2.3 SUSPENSION OF PRIVILEGES

(a) Members who fail to appear for off-duty employment may have their off-duty work privileges suspended.

(b) The member's supervisor may suspend work privileges for violations of this policy.

1021.2.4 INDUSTRIAL INJURY

(a) Injuries arising out of the performance of a police function while off-duty will be covered as an industrial injury and shall be investigated by an on-scene or on-duty supervisor.

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(b) Injuries arising out of a non-police function, such as tripping, falling, etc. while working off-duty, will not be covered under the Town's worker's compensation insurance. If the private employer does not have worker's compensation insurance, the officer will have to pay any medical bills incurred.

1021.3 DISAPPROVAL OF JOB

The Division Commander shall deny a member permission to work outside/off-duty employment when that employment might conflict with Department employment or be detrimental to the Department in any way.

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Occupational Disease and Work-Related Injury Reporting

1022.1 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.

1022.1.1 DEFINITIONS

Definitions related to this policy include:

Occupational disease or work-related injury - An accidental injury, mental illness or occupational disease arising out of and in the course of employment. An occupational disease does not include ordinary diseases to which the general public is exposed (ARS § 23-901; ARS § 23-901.01).

1022.2 POLICY

The Oro Valley Police Department will address occupational diseases, mental health issues and work-related injuries appropriately, and will comply with applicable state workers' compensation requirements (ARS § 23-901 et seq.).

1022.3 RESPONSIBILITIES

1022.3.1 MEMBER RESPONSIBILITIES

Any member sustaining any occupational disease or work-related injury shall report such event as soon as practicable, but within 24 hours, to a supervisor, and shall seek medical care when appropriate.

1022.3.2 SUPERVISOR RESPONSIBILITIES

A supervisor learning of any occupational disease or work-related injury should ensure the member receives medical care as appropriate.

Supervisors shall ensure that required documents regarding workers' compensation are completed and forwarded promptly. Any related Townwide disease- or injury-reporting protocol shall also be followed.

Supervisors shall determine whether the Major Incident Notification and Illness and Injury Prevention policies apply and take additional action as required.

1022.3.3 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 Town's risk management entity, and the Administration Division Commander to ensure any required Arizona Division of Occupational

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Safety and Health (ADOSH) reporting is made as required in the illness and injury prevention plan identified in the Illness and Injury Prevention Policy.

1022.3.4 CHIEF OF POLICE RESPONSIBILITIES

The Chief of Police shall review and forward copies of the report to the Human Resources Department. Copies of the report and related documents retained by the Department shall be filed in the member's confidential medical file.

1022.4 OTHER DISEASE OR INJURY

Diseases 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 Administration 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.

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Personal Appearance Standards

1023.1 PURPOSE AND SCOPE

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.

1023.2 GROOMING STANDARDS

Unless otherwise stated and because deviations from these standards could present officer health and safety issues, the following appearance standards shall apply to all officers, except those whose current assignment would deem them not appropriate, and where the Chief of Police has granted exception.

1023.2.1 HAIR

Hairstyles of all members shall be neat in appearance. For male certified members, hair must not extend below the top edge of the uniform collar while assuming a normal stance. Female certified members with long hair, shall pin it up so it is not resting on the shoulders.

1023.2.2 MUSTACHES

A short and neatly trimmed mustache may be worn. Mustaches shall not extend below the corners of the mouth or beyond the natural hairline of the upper lip.

1023.2.3 SIDEBURNS

Sideburns shall not extend below the bottom of the outer ear opening (the top of the earlobes) and shall be trimmed and neat.

1023.2.4 FACIAL HAIR

Facial hair other than sideburns, mustaches and eyebrows shall not be worn, unless authorized by the Chief of Police or a designee.

1023.2.5 HANDS AND NAILS

Hands and fingernails shall be clean. Fingernails shall be trimmed short and the color neutral.

1023.2.6 JEWELRY AND ACCESSORIES

No jewelry or personal ornaments shall be worn by officers on any part of the uniform or equipment, except those authorized within this manual. Jewelry, if worn around the neck, shall not be visible above the shirt collar.

Earrings shall not be worn by uniformed certified members, investigators or special assignment personnel without permission of the Chief of Police or a designee. Only one ring may be worn on each hand of the employee while on-duty.

1023.3 TATTOOS

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At no time while on-duty or representing the Department in any official capacity shall any offensive tattoo or body art be visible. Examples of offensive tattoos would include, but not be limited to, those which depict racial, sexual, discriminatory, gang-related or obscene language. Visible tattoos on the head, neck, scalp and face are prohibited. The Chief of Police will have the final discretion as to what is considered inappropriate.

1023.4 BODY PIERCING OR ALTERATION

Body piercing or alteration to any area of the body that is visible in any authorized uniform or attire, and is a deviation from normal anatomical features and that is not medically required is prohibited. Such body alteration includes, but is not limited to:

(a) Tongue splitting or piercing.

(b) The complete or transdermal implantation of any material other than hair replacement or breast augmentation.

(c) Abnormal shaping of the ears, eyes, nose or teeth.

(d) Branding or scarification.

The Chief of Police will have the final discretion as to what is considered inappropriate.

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Uniform Regulations

1024.1 PURPOSE AND SCOPE

The uniform and dress policy of the Oro Valley Police Department is established to ensure that uniformed officers, special assignment personnel and civilian employees will be readily identifiable to the public through the proper use and wearing of Department uniforms. Employees should also refer to the following associated policies:

- Firearms Policy
- Department Owned and Personal Property Policy
- Body Armor Policy
- Personal Appearance Standards Policy

The Uniform and Equipment Specifications Manual is maintained and periodically updated by the Chief of Police or a designee. The manual, and associated procedures, should be consulted regarding authorized equipment and uniform specifications.

See attachment: Uniform and Equipment Specifications Manual.pdf

1024.2 WEARING AND CONDITION OF UNIFORM AND EQUIPMENT

Police employees wear the uniform to be identified as the law enforcement authority in society. The uniform also serves an equally important purpose, which is to identify the wearer as a source of assistance in an emergency, crisis or other time of need.

(a) Uniform and equipment shall be maintained in a serviceable condition and shall be ready at all times for immediate use. Uniforms shall be neat, clean and appear professionally pressed.

(b) All peace officers of 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) Employees shall not loan any portion of the uniform to others.

(e) Employees shall not permit the uniform to be reproduced or duplicated.

(f) The uniform is to be worn in compliance with the specifications set forth in the Department's Uniform and Equipment Specifications Manual which is maintained separately from this policy.

(g) All supervisors will perform periodic inspections of their personnel to ensure conformance to these regulations.

(h) Civilian attire shall not be worn in combination with any distinguishable part of the uniform.

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(i) Uniforms are only to be worn while in official law enforcement capacity, while in transit to or from work, for court or at other official Department functions or events.

(j) Employees are not to purchase or drink alcoholic beverages while wearing any part of the Department uniform.

(k) Mirrored sunglasses will not be worn with any Department uniform

(l) Visible jewelry, other than those items listed below, shall not be worn with the uniform-unless specifically authorized by the Chief of Police or a designee.

1. Wrist watch.
2. Wedding rings, class ring or other ring of tasteful design. A maximum of one ring/set may be worn on each hand.
3. Medical alert bracelet.

1024.2.1 DEPARTMENT-ISSUED IDENTIFICATION

The Department issues each employee an official Department identification card bearing the employee's name, identifying information and photo likeness. All employees shall be in possession of their Department-issued identification card at all times while on-duty.

(a) Whenever on-duty or acting in an official capacity representing the Department, employees shall display their Department-issued identification in a courteous manner to any person upon request and as soon as practicable.

(b) Officers working specialized assignments may be excused from the possession and display requirements when directed by their Division Commander.

1024.3 UNIFORM CLASSES

1024.3.1 CLASS A UNIFORM

The Class A uniform is to be worn on special occasions such as funerals, graduations, promotions, ceremonies or as directed. The Class A uniform is required for all certified members. The Class A uniform includes the standard uniform with:

(a) Long sleeve shirt with tie

(b) Trousers

(c) Polished shoes

(d) Optional:

1. Approved headgear may be worn for events held outdoors
2. Ike style jacket

The campaign hat may be worn for events held outdoors. Boots with pointed toes are not permitted.

1024.3.2 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 black crew neck t-shirt must be worn with the uniform.

1. Optional are a black dickey or turtleneck. Any logos must be colored black.

(c) All shirt buttons must remain buttoned except for the last button at the neck.

(d) Polished shoes.

(e) Approved all black, unpolished shoes may be worn.

1024.3.3 CLASS C UNIFORM

The Class C uniform will consist of:

(a) Style 1:

1. Black long or short sleeve shirt.
2. Black BDU pants (bloused optional).
3. Black crew neck t-shirt.
4. Black boots.
5. Nylon gear.

(b) Style 2:

1. Black long or short sleeve polo.
2. Black BDU pants.
3. Black crew neck t-shirt.
4. Black boots.
5. Nylon gear.
6. The exterior body armor vest is mandatory.

Class C uniform shall not be worn for Superior Court or off-duty assignments.

1024.3.4 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.

1024.3.5 INCLEMENT WEATHER GEAR

The Uniform and Equipment Specifications Manual lists the authorized uniform jacket and rain gear.

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1024.4 INSIGNIA AND PATCHES

(a) Shoulder patches - The authorized shoulder patch supplied by the Department shall be machine stitched to the sleeves of all uniform shirts and jackets, three-quarters of an inch below the shoulder seam of the shirt, and be bisected by the crease in the sleeve.

(b) Service stripes and stars - Service stripes and other indicators for length of service shall be worn on long sleeved Class A or Class B 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. Each service stripe shall represent four completed years of service as a full-time employed law enforcement officer with the Oro Valley Police Department.

(c) The regulation nameplate, or an authorized cloth nameplate, shall be worn at all times while in uniform. The nameplate shall display the member's first initial and last name. If the member desires other than the legal first name, the member must receive approval from the Chief of Police. The nameplate shall be worn and placed 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.

(d) When a jacket is worn, the nameplate or an authorized cloth nameplate shall be affixed to the jacket in the same manner as the uniform.

(e) When issued uniform bars as part of an awards process, members shall wear the bars in a uniform manner. The proper method of display is to wear the uniform bars on the right side of the chest, above the nameplate and below service pins, assignment insignias, etc. The bars shall be worn in order of precedence from left to right and shall be no more than three (3) across.

(f) Assignment Insignias - Assignment insignias, (e.g., SWAT, FTO or similar) may be worn as designated by the Chief of Police or a designee.

(g) A flag pin may be worn, centered above the nameplate.

(h) The Department-issued badge, or an authorized sewn-on cloth replica, must be worn and be visible at all times while in uniform. Certified non-uniform personnel will wear or carry their badge in a manner that the badge is in reasonable proximity to their firearm and able to be displayed whenever appropriate.

(i) The designated insignia indicating the member's rank must be worn at all times while in uniform. The Chief of Police or a designee may authorize exceptions.

1024.4.1 MOURNING BADGE

Uniformed employees may wear a black mourning band horizontally centered across the uniform badge whenever a law enforcement officer is killed in the line of duty. The following mourning periods will be observed:

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(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 State - From the time of death until midnight on the day of the funeral.

(c) Funeral attendee - While attending the funeral of a fallen officer.

(d) National Peace Officers Memorial Day (May 15) - From midnight through the following midnight.

(e) As directed by the Chief of Police or a designee.

1024.5 CIVILIAN ATTIRE

There are assignments within the Department that do not require the wearing of a uniform because recognition and authority are not essential to their function. There are also assignments in which wearing civilian attire is necessary.

(a) All members 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 shirts with a collar, slacks or suits that are moderate in style.

(c) All female administrative, investigative and support personnel who elect to wear civilian clothes to work shall wear dresses, slacks, shirts, blouses or suits and footwear that are moderate in style.

(d) The following items shall not be worn on-duty:

1. T-shirt alone.
2. Flip flops.
3. Swimsuit, tube tops or halter tops.
4. Spandex type pants or see-through clothing.
5. Distasteful printed slogans, buttons or pins.
6. Shorts.
7. Sweat shirts, sweat pants or similar exercise clothing.

(e) Variations from this order are allowed at the discretion of the Chief of Police or a designee when the member's assignment or current task is not conducive to wearing such clothing.

(f) No item of civilian attire may be worn on-duty that would adversely affect the reputation of the Oro Valley Police Department or the morale of the employees.

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1024.6 POLITICAL ACTIVITIES, ENDORSEMENTS, ADVERTISEMENTS OR OTHER APPEARANCES IN UNIFORM

Unless specifically authorized by the Chief of Police, Oro Valley 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 him/herself as an employee of the Oro Valley 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 nonprofit publication, or any motion picture, film, video, public broadcast, photo, any website or any other visual depiction.

1024.7 OPTIONAL EQUIPMENT - MAINTENANCE AND REPLACEMENT

(a) Any of the items listed in the Uniform and Equipment Specifications Manual as optional shall be purchased at the expense of the employee.

(b) Maintenance of optional items shall be the financial responsibility of the purchasing employee (e.g., repairs due to normal wear and tear).

(c) Replacement of items listed in this order shall be done as follows:

1. When the item is no longer functional because of normal wear and tear.
2. When the item is no longer functional because of damage in the course of the employee's duties, it may be replaced by the department with command staff approval.

1024.8 UNAUTHORIZED UNIFORMS, EQUIPMENT AND ACCESSORIES

Oro Valley Police Department employees may not wear any uniform item, accessory or attachment unless specifically authorized in the Uniform and Equipment Specifications Manual or by the Chief of Police or a designee.

Oro Valley Police Department employees may not use or carry any tool or other piece of equipment unless specifically authorized by a supervisor.

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Nepotism and Conflicting Relationships

1025.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure equal opportunity and effective employment practices to include recruiting, testing, hiring, compensation, assignment, use of facilities, access to training opportunities, supervision, performance appraisal, discipline and workplace safety and security, while maintaining positive morale by avoiding actual or perceived favoritism, discrimination or other actual or potential conflicts of interest by or between members of this department (See generally ARS § 38-481, AAC § R13-5-315).

1025.1.1 DEFINITIONS

Definitions related to this policy include:

Business relationship - Serving as an employee, independent contractor, compensated consultant, owner, board member, shareholder or investor in an outside business, company, partnership, corporation, venture or other transaction where the Department employee's annual interest, compensation, investment or obligation is greater than $250.

Conflict of interest - Any actual, perceived or potential conflict of interest in which it reasonably appears that a Department employee's action, inaction or decisions are or may be influenced by the employee's personal or business relationship.

Nepotism - The practice of showing favoritism to relatives over others in appointment, employment, promotion or advancement by any public official in a position to influence these personnel decisions.

Personal relationship - Includes marriage, cohabitation, dating or any other intimate relationship beyond mere friendship.

Public official - A supervisor, officer or employee vested with the authority by law, rule or regulation or to whom authority has been delegated.

Relative - An employee's parent, stepparent, spouse, domestic partner, significant other, child (natural, adopted or step), sibling or grandparent.

Subordinate - An employee who is subject to the temporary or ongoing direct or indirect authority of a supervisor.

Supervisor - An employee who has temporary or ongoing direct or indirect authority over the actions, decisions, evaluation and/or performance of a subordinate employee.

1025.2 RESTRICTED DUTIES AND ASSIGNMENTS

The Department will not prohibit all personal or business relationships between employees. However, in order to avoid nepotism or other inappropriate conflicts, the following reasonable restrictions apply:

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(a) Employees are prohibited from directly supervising, occupying a position in the line of supervision or being directly supervised by any other employee who is a relative or with whom they are involved in a personal or business relationship.

1. If circumstances require that such a supervisor/subordinate relationship exist temporarily, the supervisor shall make every reasonable effort to defer matters pertaining to the involved employee to an uninvolved supervisor.

2. When personnel and circumstances permit, the Department will attempt to make every reasonable effort to avoid placing employees in such supervisor/ subordinate situations. The Department reserves the right to transfer or reassign any employee to another position within the same classification in order to avoid conflicts with any provision of this policy.

(b) Employees are prohibited from participating in, contributing to or recommending promotions, assignments, performance evaluations, transfers or other personnel decisions affecting an employee who is a relative or with whom they are involved in a personal or business relationship.

(c) Whenever reasonably possible, Field Training Officers (FTOs) and other trainers will not be assigned to train relatives. FTOs and other trainers are prohibited from entering into or maintaining personal or business relationships with any employee they are assigned to train until such time as the training has been successfully completed and the employee is off probation.

(d) To avoid actual or perceived conflicts of interest members of this department shall refrain from developing or maintaining personal or financial relationships with victims, witnesses or other individuals during the course of, or as a direct result of, any official contact.

(e) Except as required in the performance of official duties or in the case of immediate relatives, employees shall not develop or maintain personal or financial relationships with any individual they know or reasonably should know is under criminal investigation, is a convicted felon, parolee, fugitive, or registered predatory offender, or who engages in intentional violations of state or federal laws.

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Department Badges

1026.1 PURPOSE AND SCOPE

The Oro Valley Police Department badge and uniform patch, as well as the likeness of these items and the name of the Oro Valley Police Department, are property of the Department and their use shall be restricted as set forth in this policy.

1026.2 POLICY

The uniform badge shall be issued to Department members as a symbol of authority. The use and display of Department badges shall be in strict compliance with this policy. Only authorized badges issued by this department shall be displayed, carried or worn by members while on-duty or otherwise acting in an official or authorized capacity.

1026.2.1 FLAT BADGE

Certified officers may purchase at their own expense a flat badge that can be carried in a wallet. The use of the personally owned badge is subject to all the same provisions of department policy as the uniform badge.

(a) An officer may sell, exchange or transfer the flat badge he/she purchased to another officer within the Oro Valley Police Department.

(b) Should the flat badge become lost, damaged or otherwise removed from the officer's control he/she shall make the proper notifications as outlined in the Department-Owned and Personal Property Policy.

(c) An honorably retired officer may keep his/her personally owned badge upon retirement.

(d) The purchase, carrying or display of a personally owned badge is not authorized for civilian personnel.

1026.2.2 CIVILIAN / VOLUNTEER PERSONNEL

Badges and Department identification cards issued to civilian/volunteer personnel shall be clearly marked to reflect the position of the assigned employee (e.g. dispatcher).

(a) Civilian / volunteer personnel shall not display any Department badge except as a part of his/her uniform and while on-duty or otherwise acting in an official and authorized capacity.

(b) Civilian / volunteer personnel shall not display any Department badge or represent him/herself, on- or off-duty, in such a manner which would cause a reasonable person to believe that he/she is a certified officer.

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1026.2.3 RETIREE UNIFORM BADGE

Upon honorable retirement employees may purchase their assigned duty badge for display purposes. It is intended that the duty badge be used only as private memorabilia, as other uses of the badge may be unlawful or in violation of this policy.

1026.3 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 / ID cards are issued to all certified employees, civilian uniformed employees and volunteers for official use only. The Department badge, shoulder patch or the likeness thereof, or the Department name shall not be used for personal or private reasons including, but not limited to, letters, memoranda and electronic communications, such as electronic mail or websites and web pages.

The use of the badge, uniform patch and Department name for all material (e.g., printed matter, products or other items) developed for Department use shall be subject to approval by the Chief of Police or a designee.

Employees shall not loan the badge or identification card to others and shall not permit the badge or identification card to be reproduced or duplicated.

1026.4 PERMITTED USE BY EMPLOYEE GROUPS

The likeness of the Department badge shall not be used without the express authorization of the Chief of Police or a designee.

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Temporary Modified-Duty Assignments

1027.1 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, Town rules, current memorandums of understanding or collective bargaining agreements. For example, nothing in this policy affects the obligation of the Department to engage in a good faith, interactive process to consider reasonable accommodations for any employee with a temporary or permanent disability that is protected under federal or state law.

1027.2 POLICY

Subject to operational considerations, the Oro Valley 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.

1027.3 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) shall be treated equally, without regard to any preference for a work-related injury.

No position in the Oro Valley 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.

1027.4 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.

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(b) The prognosis for recovery.

(c) The nature and scope of limitations and/or work restrictions.

(d) A statement regarding any required workplace accommodations, mobility aids or medical devices.

(e) A statement that the employee can safely perform the duties of the temporary modified-duty assignment.

The 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 Human Resources Department or the Town Attorney as appropriate.

Requests for a temporary modified-duty assignment of 20 hours or less per week may be approved and facilitated by the Sergeant or Division Commander, with notice to the Chief of Police.

1027.5 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.

1027.5.1 EMPLOYEE RESPONSIBILITIES

The responsibilities of employees assigned to temporary modified duty shall include, but not be limited to:

(a) Communicating and coordinating any required medical and physical therapy appointments in advance with their supervisors.

(b) Promptly notifying their supervisors of any change in restrictions or limitations after each appointment with their treating medical professionals.

(c) Communicating a status update to their supervisors no less than once every 30 days while assigned to temporary modified duty.

(d) Submitting a written status report to the Division Commander that contains a status update and anticipated date of return to full-duty when a temporary modified-duty assignment extends beyond 60 days.

1027.5.2 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.

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(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.

1027.6 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.

1027.7 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.

1027.7.1 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 Town's personnel rules and regulations regarding family and medical care leave.

1027.8 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.

1027.9 MAINTENANCE OF CERTIFICATION AND TRAINING

Employees assigned to temporary modified duty shall maintain all certification, training and qualifications appropriate to both their regular and temporary duties, provided that the certification, training or qualifications are not in conflict with any medical limitations or restrictions. Employees who are assigned to temporary modified duty shall inform their supervisors of any inability to maintain any certification, training or qualifications.

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Employee Speech, Expression and Social Networking

1028.1 PURPOSE AND SCOPE

This policy is intended to address issues associated with employee use of social networking sites and to provide guidelines for the regulation and balance of employee speech and expression with the needs of the Department.

Nothing in this policy is intended to prohibit or infringe upon any communication, speech or expression that is protected or privileged under law. This includes speech and expression protected under state or federal constitutions as well as labor or other applicable laws. For example, this policy does not limit an employee from speaking as a private citizen, including acting as an authorized member of a recognized bargaining unit or officer associations, about matters of public concern, such as misconduct or corruption.

Employees are encouraged to consult with their supervisor regarding any questions arising from the application or potential application of this policy.

1028.1.1 APPLICABILITY

This policy applies to all forms of communication including, but not limited to film, video, print media, public or private speech, use of all Internet services, including the World Wide Web, e-mail, file transfer, remote computer access, news services, social networking, social media, instant messaging, blogs, forums, wikis, video and other file sharing sites.

1028.2 POLICY

Because public employees occupy a trusted position in the community 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 Oro Valley Police Department will carefully balance the individual employee's rights against the organization's needs and interests when exercising a reasonable degree of control over its employees' speech and expression.

1028.3 SAFETY

Employees should carefully consider 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 Oro Valley 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 expected to compromise the safety of any employee, employee's family or associates or persons that this department has had professional contact with, such as crime victims or the staff

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of other organizations. Examples of the type of information that could reasonably be expected to compromise safety include:

- Disclosing a photograph and name or address of an officer who is working undercover.
- Disclosing the address of a fellow officer.
- Otherwise disclosing where another officer can be located off-duty.

1028.4 PROHIBITED SPEECH, EXPRESSION AND CONDUCT

To meet the organization'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 Oro Valley 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 Oro Valley Police Department and tends to compromise or damage the mission, function, reputation or professionalism of the Oro Valley 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. For example, posting statements or expressions to a website that glorify or endorse dishonesty 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 to jeopardize 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 Oro Valley 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 gain, or data classified as not public by state or federal law or any disclosure of such materials without the express authorization of the Chief of Police or the authorized designee.

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(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 Oro Valley Police Department on any personal or social networking or other website or web page without the express authorization of the Chief of Police.

(h) Accessing websites for non-authorized purposes, or use of any personal communication device, game device or media device, whether personally or Department-owned, for personal purposes while on-duty, except in the following circumstances:

1. When brief personal communications may be warranted by the circumstances (e.g., inform family of extended hours).
2. During authorized breaks such usage should be limited as much as practicable to areas out of sight and sound of the public and shall not be disruptive to the work environment.

Employees must take reasonable and prompt action to remove any content, including content posted by others, that is in violation of this policy from any web page or website maintained by the employee (e.g., social or personal website).

1028.4.1 UNAUTHORIZED ENDORSEMENTS AND ADVERTISEMENTS

While employees are not restricted from engaging in the following activities as private citizens or as authorized members of a recognized bargaining unit or officer associations, employees may not represent the Oro Valley Police Department or identify themselves in any way that could be reasonably perceived as representing the Oro Valley Police Department in order to do any of the following, unless specifically authorized by the Chief of Police:

(a) Endorse, support, oppose or contradict any political campaign or initiative.

(b) Endorse, support, oppose or contradict any social issue, cause or religion.

(c) Endorse, support, or oppose any product, service, company or other commercial entity.

(d) Appear in any commercial, social or nonprofit publication or any motion picture, film, video, public broadcast or any website.

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, etc.), is affiliated with this department, the employee shall give a specific disclaiming statement that any such speech or expression is not representative of the Oro Valley 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

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the result of an election or a nomination for office. Employees are also prohibited from directly or indirectly using their official authority to coerce, command or advise another employee to pay, lend or contribute anything of value to a party, committee, organization, agency or person for political purposes (5 USC § 1502).

1028.5 PRIVACY EXPECTATION

Employees forfeit any expectation of privacy with regard to e-mails, texts or anything published or maintained through file-sharing software or any Internet site (e.g., Facebook, MySpace, etc.) 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, radio or other communication system or medium 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 does not create an expectation of privacy if accessed through department computers or networks.

1028.6 CONSIDERATIONS

In determining whether to grant authorization of any speech or conduct that is prohibited under this policy, the factors that the Chief of Police or authorized designee should consider include:

(a) Whether the speech or conduct would negatively affect the efficiency of delivering public services.

(b) Whether the speech or conduct would be contrary to the good order of the Department or the efficiency or morale of its members.

(c) Whether the speech or conduct would reflect unfavorably upon the Department.

(d) Whether the speech or conduct would negatively affect the member's appearance of impartiality in the performance of his/her duties.

(e) Whether similar speech or conduct has been previously authorized.

(f) Whether the speech or conduct may be protected and outweighs any interest of the Department.

1028.7 TRAINING

Subject to available resources, the Department may provide training regarding employee speech and the use of social networking to all members of the Department.

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Reserve Officers

1029.1 PURPOSE AND SCOPE

The Oro Valley Police Department Reserve Unit was established to supplement and assist certified police officers in their duties. This unit provides professional, certified reserve officers who can augment regular staffing levels. A reserve officer may be a paid or non-paid certified member.

Reserve officers work part-time and shall hold certification by the Arizona Peace Officer Standards and Training Board (AZPOST) (AAC § R13-4-103).

1029.2 SELECTION AND APPOINTMENT OF POLICE RESERVE OFFICERS

The Oro Valley Police Department shall endeavor to recruit and appoint only those applicants who meet the high ethical, moral and professional standards set forth by this department.

1029.2.1 PROCEDURE

All applicants shall be required to meet and pass the same pre-employment procedures as certified police officers before appointment (AAC § R13-4-110).

Before appointment as a reserve officer, an applicant must have completed, or be in the process of completing, a state-approved basic academy or extended basic academy unless granted a waiver pursuant to state law (AAC § R13-4-110(D)).

1029.2.2 APPOINTMENT

Applicants who are selected for appointment as a reserve officer shall, on the recommendation of the Chief of Police, be sworn in by the Chief of Police and take the Oath of Office as required for regular officers. Members of the reserve unit serve at the Chief of Police's discretion.

A reserve officer may not perform any law enforcement function without completing the training required by AAC § R13-4-110, and without the AZPOST certification pursuant to AAC § R13-4-103.

1029.2.3 COMPENSATION FOR POLICE RESERVE OFFICERS

Compensation for reserve officers is provided as follows:

(a) All property issued to the reserve officer shall be returned to the Department upon termination or resignation.

(b) Reserve Officers are covered under the Town of Oro Valley Worker's Compensation Fund while on duty based upon a starting police officer's salary.

1029.2.4 EMPLOYEES WORKING AS RESERVE OFFICERS

Qualified employees of this department, when authorized, may also serve as reserve officers. However, the Department shall not utilize the services of a reserve in such a way that it would violate employment laws or labor agreements (e.g., a detention officer working as a reserve officer

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for reduced or no pay). Therefore, the Reserve Coordinator should consult with the Department of Human Resources prior to an employee serving in a reserve capacity (29 CFR 553.30).

1029.3 DUTIES OF RESERVE OFFICERS

Reserve officers supplement regular officers in the enforcement of laws and in maintaining peace and order within the community. Assignments of reserve officers will usually be to augment the Field Services Division. Reserve officers may be assigned to other areas within the Department as needed.

1029.3.1 POLICY COMPLIANCE

Police reserve officers shall be required to adhere to all Department policies and procedures. A copy of the policies and procedures will be made available to each reserve officer upon appointment and he/she shall become thoroughly familiar with these policies.

Whenever a rule, regulation or guideline in this manual refers to a certified full-time officer, it shall also apply to a certified reserve officer, unless by its nature it is inapplicable.

1029.3.2 RESERVE COORDINATOR

The Chief of Police shall delegate the responsibility for administering the Reserve Officer Program to a Reserve Coordinator.

The Reserve Coordinator shall have the responsibility of, but not be limited to:

(a) Assigning reserve personnel.

(b) Establishing and maintaining a reserve call-out roster.

(c) Maintaining and ensuring performance evaluations are completed.

(d) Monitoring individual reserve officer performance.

(e) Monitoring the overall Reserve Program.

1029.4 FIELD TRAINING

All reserve officers are required to complete the same field training program as a regular full-time officer.

1029.5 SUPERVISION

Reserve officers perform some of the duties of a peace officer and shall be under the immediate supervision of an on-duty supervisor.

1029.5.1 IDENTIFICATION OF OFFICERS

All reserve officers will be issued a uniform badge and a Department identification card. The uniform badge shall be the same as that worn by a regular full-time officer. The identification card will be the standard identification card.

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1029.5.2 UNIFORM
Reserve officers shall conform to all uniform regulation and appearance standards of this department.

1029.5.3 INVESTIGATIONS AND COMPLAINTS
If a reserve officer has a complaint made against him/her or becomes involved in an internal investigation, that complaint or internal investigation shall be investigated consistent with full-time employees.

Reserve officers are considered at-will employees. Any disciplinary action that may have to be administered to a reserve officer shall be accomplished as outlined in the Policy Manual with the exception that the right to hearing is limited to the opportunity to clear his/her name.

1029.5.4 RESERVE OFFICER EVALUATIONS
While in training, reserve officers will be continuously evaluated using standardized daily and weekly observation reports. The reserve will be considered a trainee until all of the training phases have been completed. Reserve officers having completed their field training will be evaluated annually using performance dimensions applicable to the duties and authorities granted to that reserve officer.

1029.6 TRAINING REQUIREMENTS
Reserve officers are required to meet the training requirements applicable to full-time certified officers, pursuant to AAC § R13-4-110 and AAC § R13-4-111 as outlined in the Training Policy.

1029.7 FIREARMS
Reserve officers shall successfully complete both AZPOST firearms training, pursuant to AAC § R13-4-110(C), and Department-authorized training in the use of firearms. Their appointment must be approved by the Town prior to being issued a Department firearm or otherwise acting as an officer on behalf of the Oro Valley Police Department.

Reserve officers will be issued a duty firearm as specified in the Firearms Policy. Any reserve officer who is permitted to carry a firearm other than the assigned duty weapon or any optional firearm may do so only in compliance with the Firearms Policy.

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Police Explorers

1030.1 PURPOSE AND SCOPE

Exploreres work under direct supervision and perform a variety of routine and progressively advanced tasks in preparation for a career in law enforcement. Explorers will also adhere to the P.O.S.T. 2011 Rules and Regulations.

1030.2 PROGRAM COORDINATOR

The program coordinator will be responsible for tracking the educational and job performance of explorers throughout the Department.

1030.2.1 PROGRAM ADVISORS

The program coordinator may select individual officers to serve as advisors for the Explorer Program. These officers will serve as mentors for each explorer. Explorers 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 explorers. Multiple explorers 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 advisor's supervisor should be referred back to the program coordinator.

1030.3 ORIENTATION AND TRAINING

Newly appointed explorers 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 Explorer Training Manual. Training sessions will be scheduled as needed to train explorers for as many assignments as possible. In addition to job-specific training, information will be offered to prepare explorers 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.

1030.4 EXPLORER UNIFORMS

Each explorer will be provided a uniform meeting the specifications of the Department approved uniform.

1030.5 RIDE-ALONG PROCEDURES

All explorers are authorized to participate in the Ride-Along Program, provided Ride-Along standards are met, on their own time and as approved by their immediate supervisor and the appropriate Sergeant. Applicable waivers must be signed in advance of the ride-along. Cadets and explorers shall wear their uniform while participating in a ride-along.

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Volunteer Program

1031.1 PURPOSE AND SCOPE

It is the policy of this department to use qualified volunteers for specified tasks and duties in order to create efficiencies for the Department and improve services to the community. Volunteers are intended to supplement and support, rather than supplant, certified officers and civilian personnel. Volunteers can be an important part of any organization and have proven to be a valuable asset to law enforcement agencies. Volunteers help to increase department responsiveness, delivery of services and information input, and provide new program opportunities. In addition, volunteers bring new skills and expertise to the Department and prompt new enthusiasm.

1031.1.1 DEFINITIONS

Definitions related to this policy include:

Volunteer - An individual who performs a service for the Department without promise, expectation or receipt of compensation for services rendered. This may include unpaid chaplains, unpaid officers, interns, persons providing administrative support and youth involved in a law enforcement Explorer Post, among others.

1031.1.2 VOLUNTEER ELIGIBILITY

Requirements for participation as an Oro Valley Police Department volunteer include:

(a) Residency in the Town of Oro Valley.

(b) Age requirements:

1. At least 18 years of age for interns.
2. At least 21 years of age for a chaplain.
3. At least 50 years of age for Citizen Volunteer Assistants Program.
4. At least 14 years of age for Explorer.

(c) A valid driver license if the position requires vehicle operation.

(d) Liability insurance for any personally owned equipment, vehicles or horses utilized during volunteer work.

(e) No conviction of a felony, any crime of a sexual nature, any crime related to assault, any crime related to dishonesty or any crime related to impersonating a law enforcement officer.

(f) No conviction of a misdemeanor or gross misdemeanor crime within the past 10 years, excluding petty misdemeanor traffic offenses.

(g) The applicant must not have any mental illness or chemical dependency condition that may adversely affect the person's ability to serve in the position.

(h) Physical requirements reasonably appropriate to the assignment.

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(i) A personal background history and character suitable for a person representing the Department, as validated by a background investigation.

The Chief of Police may apply exceptions for eligibility based on organizational needs and the qualification of the individual.

1031.2 VOLUNTEER MANAGEMENT

1031.2.1 VOLUNTEER COORDINATOR

The function of the Volunteer Coordinator is to provide a central coordinating point for effective volunteer management within the Department, and to direct and assist staff and volunteer efforts to jointly provide more productive services. The Volunteer Coordinator or a designee shall be responsible for the following:

(a) Recruiting, screening, selecting and training qualified volunteers for various positions.

(b) Maintaining records for each volunteer.

(c) Tracking and evaluating the contribution of volunteers.

(d) Maintaining the volunteer guidelines and outlining expectations, policies and responsibilities for all volunteers.

(e) Maintaining a record of volunteer schedules and work hours.

(f) Completion and dissemination as appropriate of all necessary paperwork and information.

(g) Planning periodic recognition events.

(h) Administering discipline when warranted.

(i) Maintaining liaison with other community volunteer programs and assisting in community-wide efforts to recognize and promote volunteering.

(j) Appoint and maintain the Citizen Volunteer Assistants Program Board.

1031.2.2 RECRUITMENT

Volunteers should be recruited on a continuous and ongoing basis in accordance with department policy on equal opportunity nondiscriminatory employment. A primary qualification for participation in the application process should be an interest in, and an ability to assist, the Department in serving the public.

All parties should understand that the recruitment of volunteers is enhanced by creative and interesting assignments. The Volunteer Coordinator may withhold assignment of any volunteer until such time as the requesting unit is prepared to make effective use of volunteer resources.

1031.2.3 SCREENING

All prospective volunteers should complete the volunteer application. The Volunteer Coordinator or a designee should conduct a face-to-face interview with the applicant.

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A documented background investigation shall be completed on each volunteer applicant and shall include, but not necessarily be limited to, the following:

(a) Traffic and criminal background check

(b) Employment

(c) References

(d) Fingerprint check through the Arizona Department of Public Safety (DPS)

(e) Credit check

A volunteer whose assignment requires the use of, access to or places him/her in the vicinity of criminal histories, investigative files or information portals may require submission of prints and clearance through DPS and the FBI.

1031.2.4 SELECTION AND PLACEMENT

Service as a volunteer shall begin with an official notice of acceptance or appointment to a volunteer position. Notice may only be given by an authorized representative of the Department, who will normally be the Volunteer Program Manager. No volunteer should begin performance of any position until he/she has been officially accepted for that position and completed all necessary screening, paperwork, and a public service orientation program (see generally ARS § 38-592(B)(4)).

At the time of final acceptance, each volunteer should complete all necessary enrollment paperwork and will receive a copy of the guidelines and agreement of service with the Department. All volunteers shall receive a copy of the volunteer guidelines and shall be required to sign a volunteer agreement.

Volunteers should be placed only in assignments or programs that are consistent with their knowledge, skills, abilities and with the needs of the Department.

1031.2.5 TRAINING

Volunteers will be provided with an orientation program to acquaint them with the department, personnel, policies and procedures that have a direct impact on their work assignment.

Each volunteer shall complete all related training and must be approved by the Volunteer Coordinator. Volunteers should receive position-specific training to ensure they have adequate knowledge and skills to complete tasks required by the position and should receive periodic ongoing training as deemed appropriate by their supervisor or the Volunteer Coordinator.

Depending on the assignment, training may include:

(a) Role of the volunteer

(b) Department policies

(c) Training specific to the procedure manual for the volunteer position

(d) Discrimination and harassment training

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(e) CPR/first aid

(f) CERT/Citizens Emergency Response Training

(g) Search and rescue techniques

(h) Scenario-based searching methods

(i) Evidence preservation

(j) Basic traffic direction and control

(k) Roadway incursion safety

(l) Self-defense techniques

(m) Vehicle operations, including specialized vehicles

(n) License Plate Reader (LPR)

Training should reinforce to volunteers that they should not intentionally represent themselves as, or by omission infer, that they are certified officers or other full-time members of the Department. They shall always represent themselves as volunteers.

All volunteers shall comply with the rules of conduct and with all orders and directives, either oral or written, issued by the Department. Whenever a rule, regulation or guideline in this manual refers to a certified officer, it shall also apply to a volunteer, unless by its nature it is inapplicable.

1031.2.6 FITNESS FOR DUTY

No volunteer shall report to work or be on-duty when his/her judgment or physical condition has been impaired by alcohol, medication, other substances, illness or injury.

Volunteers shall report to their supervisor any changes in status that may affect their ability to fulfill their duties. This includes, but is not limited to, the following:

(a) Driver license

(b) Medical condition

(c) Arrests

(d) Criminal investigations

(e) All law enforcement contacts other than civil traffic violations.

All volunteers shall adhere to the guidelines set forth by this department regarding drug and alcohol use.

1031.2.7 DRESS CODE

As representatives of the Department, volunteers are responsible for presenting a professional image to the community. Volunteers shall dress appropriately for the conditions and performance of their duties.

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Volunteers shall conform to approved dress consistent with their duty assignment. Uniforms authorized for volunteers should be readily distinguishable from those worn by certified officers. No volunteer shall wear his/her uniform or identifiable parts of that uniform while off-duty.

Volunteers shall be required to return any issued uniform or department property at the termination of service.

1031.3 SUPERVISION OF VOLUNTEERS

Each volunteer who is accepted to a position with the Department must have a clearly identified supervisor who is responsible for direct management of that volunteer. This supervisor will be responsible for day-to-day management and guidance of the work of the volunteer and should be available to the volunteer for consultation and assistance.

A volunteer may be assigned as, and act as, a supervisor or team leader of other volunteers provided the supervising volunteer is under the direct supervision of a paid staff member.

Functional supervision of volunteers is the responsibility of the supervisor in charge of the unit where the volunteer is assigned. Following are some considerations to keep in mind while supervising volunteers:

(a) Ensure volunteers have work space and necessary office supplies.

(b) Make sure the work is challenging. Do not hesitate to give them an assignment or task that will tap these valuable resources.

1031.4 CONFIDENTIALITY

With appropriate security clearance, volunteers may have access to private and confidential information, such as criminal histories or investigative files. Unless otherwise directed by a supervisor, the duties of the position or department policy, all information shall be considered confidential. Only that information specifically identified and approved by authorized personnel shall be released. Confidential information shall be given only to persons who have a need and a right to know as determined by department policy and supervisory personnel.

Each volunteer will receive training in data practices and be required to sign a nondisclosure agreement before being given an assignment with the Department. Subsequent unauthorized disclosure of any private or confidential information, verbally, in writing or by any other means, by the volunteer is grounds for immediate dismissal and possible criminal prosecution.

Volunteers shall not address public gatherings, appear on radio or television, prepare any article for publication, act as correspondents to a newspaper or other periodical, release or divulge any information concerning the activities of the Department, or maintain that they represent the Department in such matters without permission from the proper department personnel.

1031.5 PROPERTY AND EQUIPMENT

Volunteers will be issued an identification card that must be worn at all times while on-duty and not in uniform. Any fixed and portable equipment issued by the Department shall be for

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official and authorized use only. Any property or equipment issued to a volunteer shall remain the property of the Department and shall be returned at the termination of service.

1031.5.1 VEHICLE USE

Volunteers assigned to duties such as darkhouse checks or other assignments that require the use of a vehicle must complete the following:

(a) A driving safety briefing

(b) Verification that the volunteer possesses a valid driver license

The Volunteer Coordinator should ensure that all volunteers receive safety briefing updates and license verification at least once a year.

When operating a Department vehicle, volunteers shall obey all rules of the road, including seat belt requirements.

Except volunteer marked patrol cars, volunteers should not operate a marked patrol car unless it is out of service and is being operated for maintenance purposes only; that it is being operated during a AZPOST-approved skills course; that it is being used to transport equipment; that it is being used to provide supplementary assistance under the direction of fleet services. Volunteers are not authorized to operate a Department vehicle under emergency conditions (lights and siren).

1031.5.2 RADIO AND LPR USAGE

The Volunteer Coordinator should ensure that radio and LPR training is provided for volunteers whenever necessary.

1031.6 DISCIPLINARY PROCEDURES/TERMINATION

A volunteer may be removed from the volunteer program at the discretion of the Chief of Police or the Volunteer Coordinator. Volunteers shall have no property interests in their continued appointment.

Volunteers may resign from volunteer service with this department at any time. It is requested that volunteers who intend to resign provide advance notice of their departure and a reason for their decision.

1031.6.1 EXIT INTERVIEWS

Exit interviews, where possible, should be conducted with volunteers who are leaving their positions. The interview should ascertain why the volunteer is leaving the position and solicit the volunteer's suggestions on improving the position. When appropriate, the interview should also include a discussion on the possibility of involvement in some other capacity with the Department.

1031.7 EVALUATION

An evaluation of the overall volunteer program will be conducted periodically by the Volunteer Coordinator.

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1031.8 EMERGENCY CALL-OUT FOR VOLUNTEER PERSONNEL

The Volunteer Coordinator shall develop a plan outlining an emergency call-out procedure for volunteer personnel.

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Chaplains

1032.1 PURPOSE AND SCOPE

This policy establishes the guidelines for Oro Valley Police Department chaplains to provide emotional support and assist in identifying appropriate counseling to members of the Department and their families.

1032.2 POLICY

The Oro Valley Police Department shall ensure that Department chaplains are properly appointed, trained and supervised to carry out their responsibilities without financial compensation.

1032.3 ELIGIBILITY

Requirements for participation as a chaplain for the Department may include, but are not limited to:

(a) Being above reproach, temperate, prudent, respectable, hospitable, able to teach, be free from addiction to alcohol or other drugs, and excessive debt.

(b) Managing their households, families and personal affairs well.

(c) Having a good reputation in the community.

(d) Successful completion of an appropriate-level background investigation.

(e) Possession of a valid driver license.

The Chief of Police may apply exceptions for eligibility based on organizational needs and the qualifications of the individual.

1032.4 RECRUITMENT SELECTION AND APPOINTMENT

The Oro Valley Police Department shall endeavor to recruit and appoint only those applicants who meet the high ethical, moral and professional standards set forth by this department.

All applicants shall be required to meet and pass the pre-employment procedures as department personnel before appointment.

1032.4.1 RECRUITMENT

Chaplains should be recruited on a continuous and ongoing basis consistent with department policy on equal opportunity and nondiscriminatory employment. A primary qualification for participation in the application process should be an interest in and an ability to assist the Department. Chaplain candidates are encouraged to participate in ride-alongs with department members before and during the selection process.

1032.4.2 SELECTION AND APPOINTMENT

Chaplain candidates shall successfully complete the following process prior to appointment as a chaplain:

(a) Submit the appropriate written application.

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(b) Include a recommendation from employers or volunteer programs.

(c) Interview with the Chief of Police or designee and the chaplain coordinator.

(d) Successfully complete an appropriate-level background investigation.

(e) Complete an appropriate probationary period as designated by the Chief of Police.

Chaplains are volunteers and serve at the discretion of the Chief of Police. Chaplains shall have no property interest in continued appointment. However, if a chaplain is removed for alleged misconduct, the chaplain will be afforded an opportunity solely to clear his/her name through a liberty interest hearing, which shall be limited to a single appearance before the Chief of Police or the authorized designee.

1032.5 IDENTIFICATION AND UNIFORMS

As representatives of the Department, chaplains are responsible for presenting a professional image to the community. Chaplains shall dress appropriately for the conditions and performance of their duties. Uniforms and necessary safety equipment will be provided for each chaplain. Identification symbols worn by chaplains shall be different and distinct from those worn by officers through the inclusion of "Chaplain" on the uniform and not reflect any religious affiliation.

Chaplains will be issued Oro Valley Police Department identification cards, which must be carried at all times while on-duty. The identification cards will be the standard Oro Valley Police Department identification cards, with the exception that “Chaplain” will be indicated on the cards. Chaplains shall be required to return any issued uniforms or department property at the termination of service.

Chaplains shall conform to all uniform regulations and appearance standards of this department.

1032.6 CHAPLAIN COORDINATOR

The Chief of Police shall delegate certain responsibilities to a chaplain coordinator. The coordinator shall be appointed by and directly responsible to the Chief of Police or the authorized designee.

1032.7 DUTIES AND RESPONSIBILITIES

Chaplains assist the Department and its members, as needed. Chaplains should be placed only in assignments or programs that are consistent with their knowledge, skills, abilities and the needs of the Department.

All chaplains will be assigned to duties by the chaplain coordinator or the authorized designee.

Chaplains may not proselytize or attempt to recruit members of the Department or the public into a religious affiliation while representing themselves as chaplains with this department. If there is any question as to the receiving person’s intent, chaplains should verify that the person is desirous of spiritual counseling or guidance before engaging in such discussion.

Chaplains may not accept gratuities for any service or any subsequent actions or follow-up contacts that were provided while functioning as a chaplain for the Oro Valley Police Department.

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1032.7.1 COMPLIANCE

Chaplains are volunteer members of this department, and except as otherwise specified within this policy, are required to comply with the Volunteer Program Policy and other applicable policies.

1032.7.2 OPERATIONAL GUIDELINES

(a) Generally, each chaplain will serve with Oro Valley Police Department personnel a minimum of eight hours per month.

(b) Chaplains shall be permitted to ride with officers during any shift and observe Oro Valley Police Department operations, provided the Sergeant has been notified and has approved the activity.

(c) Chaplains shall not be evaluators of members of the Department.

(d) In responding to incidents, a chaplain shall never function as an officer.

(e) When responding to in-progress calls for service, chaplains may be required to stand-by in a secure area until the situation has been deemed safe.

(f) Chaplains shall serve only within the jurisdiction of the Oro Valley Police Department unless otherwise authorized by the Chief of Police or the authorized designee.

(g) Each chaplain shall have access to current department member rosters, addresses, telephone numbers, duty assignments and other information that may assist in his/her duties. Such information will be considered confidential and each chaplain will exercise appropriate security measures to prevent distribution of the data.

1032.7.3 ASSISTING DEPARTMENT MEMBERS

The responsibilities of a chaplain related to department members include, but are not limited to:

(a) Assisting in making notification to families of members who have been seriously injured or killed and, after notification, responding to the hospital or home of the member.

(b) Visiting sick or injured members in the hospital or at home.

(c) Attending and participating, when requested, in funerals of active or retired members.

(d) Providing counseling and support for members and their families.

(e) Being alert to the needs of members and their families.

1032.7.4 ASSISTING THE DEPARTMENT

The responsibilities of a chaplain related to this department include, but are not limited to:

(a) Attending department and academy graduations, ceremonies and social events and offering invocations and benedictions, as requested.

(b) Participating in in-service training classes.

1032.7.5 ASSISTING THE COMMUNITY

The duties of a chaplain related to the community include, but are not limited to:

(a) Fostering familiarity with the role of law enforcement in the community.

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(b) Providing an additional link between the community, other chaplain coordinators and the Department.

(c) Providing liaison with various civic, business and religious organizations.

(d) Promptly facilitating requests for representatives or leaders of various denominations.

(e) Assisting the community in any other function as needed or requested.

(f) Making referrals in cases where specialized attention is needed or in cases that are beyond the chaplain's ability to assist.

1032.7.6 CHAPLAIN MEETINGS

All chaplains are required to attend scheduled meetings. Any absences must be satisfactorily explained to the chaplain coordinator.

1032.8 PRIVILEGED COMMUNICATIONS

No person who provides chaplain services to members of the Department may work or volunteer for the Oro Valley Police Department in any capacity other than that of chaplain.

Department chaplains shall be familiar with state evidentiary laws and rules pertaining to the limits of the clergy-penitent, psychotherapist-patient and other potentially applicable privileges and shall inform members when it appears reasonably likely that the member is discussing matters that are not subject to privileged communications. In such cases, the chaplain should consider referring the member to a non-department counseling resource.

No chaplain shall provide counsel to or receive confidential communications from any Oro Valley Police Department member concerning an incident personally witnessed by the chaplain or concerning an incident involving the chaplain.

1032.9 TRAINING

The chaplain may request training related to his/her responsibilities. The training may include stress management, death notifications, post-traumatic stress syndrome, burnout for officers and chaplains, 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 Training Coordinator.

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Arizona Peace Officer Standards and Training Board (AZPOST)Certification

1033.1 PURPOSE AND SCOPE

Maintaining valid AZPOST certification is a critical element of an officer's ability to continue employment and is his/her sole professional responsibility. Officers of this department are required to possess and maintain a valid certification (AAC § R13-4-103).

1033.2 CERTIFICATION RETENTION

The certified status of a peace officer may be cancelled, suspended or revoked by AZPOST pursuant to AAC § R13-4-109. Officers shall meet the continuing training, proficiency training and firearms qualification requirements determined by AZPOST to retain certification (AAC § R13-4-111). The Department shall maintain records for each member's AZPOST requirements pursuant to AAC § R13-4-108.

1033.2.1 RESTRICTION OF CERTIFICATION

Officers who fail to complete the retention requirements will have their certification restricted by AZPOST (AAC § R13-4-109.01). The officer may, at the discretion of and based on the needs of the Department, be placed in a temporary administrative assignment until any training or qualification restriction has been removed.

An officer who fails the firearms qualification shall not carry or use a firearm on-duty (AAC § R13-4-109.01(B)). Any officer who fails to satisfy AZPOST continuing training or proficiency training requirements shall not engage in enforcement duties, carry or use a firearm on duty, wear or display a badge, wear a uniform, make arrests, perform patrol functions, or operate a marked police vehicle (AAC § R13-4-109.01(C)).

Officers who fail to meet certification requirements may also face administrative discipline up to and including termination.

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Illness and Injury Prevention

1034.1 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 Oro Valley Police Department as required by Arizona Division of Occupational Safety and Health (ADOSH) (29 CFR 1910.11 et seq.; AAC § R20-5-602).

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 Townwide safety efforts.

1034.2 POLICY

The Oro Valley Police Department is committed to providing a safe environment for its members and visitors and to minimizing the incidence of work-related illness and injuries. The Department will establish and maintain an illness and injury prevention program and will provide tools, training and safeguards designed to reduce the potential for accidents, illness and injuries. It is the intent of the Department to comply with all laws and regulations related to occupational safety.

1034.3 ILLNESS AND INJURY PREVENTION PLAN

The Administration 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 (AAC § R20-5-609).

(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.

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(f) Establishing a process to ensure workplace accidents involving a fatality or in–patient hospitalization of members are reported as required by ADOSH (29 CFR 1904.39; AAC § R20-5-629).

(g) Provisions for traumatic event counseling by licensed mental health professionals (ARS § 38-673).

1034.4 RISK MANAGER RESPONSIBILITIES

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

(a) Managing and implementing a plan to reduce the incidence of member illness and injury.

(b) Ensuring that a system of communication is in place that facilitates a continuous flow of safety and health information between supervisors and members. This system shall include:

1. New member orientation that includes a discussion of safety and health policies and procedures.
2. Regular member review of the illness and injury prevention plan.

(c) Ensuring that all safety and health policies and procedures are clearly communicated and understood by all members.

(d) Taking reasonable steps to ensure that all members comply with safety rules in order to maintain a safe work environment. This includes, but is not limited to:

1. Informing members of the illness and injury prevention guidelines.
2. Recognizing members who perform safe work practices.
3. Ensuring that the member evaluation process includes member safety performance.
4. Ensuring department compliance to meet standards regarding the following (AAC § R20-5-602):
   (a) Bloodborne pathogens (29 CFR 1910.1030)
   (b) Personal protective equipment (PPE) (29 CFR 1910.132)
   (c) Fire Prevention Plan (29 CFR 1910.39)
   (d) Respiratory protection (29 CFR 1910.134)
   (e) Emergency Action Plan (29 CFR 1910.38(a))

(e) Making available a form to document inspections, unsafe conditions or unsafe 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) Conducting and documenting a regular review of the illness and injury prevention plan.

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1034.5 SUPERVISOR RESPONSIBILITIES

Supervisor responsibilities include, but are not limited to:

(a) Ensuring member compliance with illness and injury prevention guidelines and answering questions from members about this policy.

(b) Training, counseling, instructing or making informal verbal admonishments any time safety performance is deficient. Supervisors may also initiate discipline when it is reasonable and appropriate under the Standards of Conduct Policy.

(c) Establishing and maintaining communication with members on health and safety issues. This is essential for an injury-free, productive workplace.

(d) Completing required forms and reports relating to illness and injury prevention; such forms and reports shall be submitted to the risk manager.

(e) Notifying the risk manager 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.

1034.6 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 risk manager via the chain of command.

The risk manager will take appropriate action to ensure the illness and injury prevention plan addresses potential hazards upon such notification.

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1034.7 INSPECTIONS

Safety inspections are crucial to a safe work environment. These inspections identify and evaluate workplace hazards and permit mitigation of those hazards. A hazard assessment checklist should be used for documentation and to ensure a thorough assessment of the work environment.

The risk manager shall ensure that the appropriate documentation is completed for each inspection.

1034.7.1 EQUIPMENT

Members are charged with daily vehicle inspections of their assigned vehicles and of their PPE prior to working in the field. Members shall complete the appropriate form if an unsafe condition cannot be immediately corrected. Members should forward this form to their supervisors.

1034.8 INVESTIGATIONS

Any member sustaining any work-related illness or injury, as well as any member who is involved in any accident or hazardous substance exposure while on-duty shall report such event as soon as practicable to a supervisor. Members observing or learning of a potentially hazardous condition are to promptly report the condition to their immediate supervisors.

A supervisor receiving such a report should investigate the incident or ensure that an investigation is conducted. Investigative procedures for workplace accidents and hazardous substance exposures should include:

(a) A visit to the accident scene as soon as possible.

(b) An interview of the injured member and witnesses.

(c) An examination of the workplace for factors associated with the accident/exposure.

(d) Determination of the cause of the accident/exposure.

(e) Corrective action to prevent the accident/exposure from reoccurring.

(f) Documentation of the findings and corrective actions taken.

Additionally, the supervisor should proceed with the steps to report an on-duty injury, as required under the Occupational Disease and Work-Related Reporting Policy, in conjunction with this investigation to avoid duplication and ensure timely reporting.

1034.9 TRAINING

The risk manager should work with the Training Coordinator to provide all members, including supervisors, with training on general and job-specific workplace safety and health practices. 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.

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(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.

1034.9.1 TRAINING TOPICS
The risk manager shall ensure that training includes:

(a) Reporting unsafe conditions, work practices and injuries, and informing a supervisor when additional instruction is needed.

(b) Use of appropriate clothing, including gloves and footwear.

(c) Use of respiratory equipment.

(d) Availability of toilet, hand-washing and drinking-water facilities.

(e) Provisions for medical services and first aid.

(f) Handling of bloodborne pathogens and other biological hazards.

(g) Prevention of heat and cold stress.

(h) Identification and handling of hazardous materials, including chemical hazards to which members could be exposed, and review of resources for identifying and mitigating hazards (e.g., hazard labels, Safety Data Sheets (SDS)).

(i) Mitigation of physical hazards, such as heat and cold stress, noise, and ionizing and non-ionizing radiation.

(j) Identification and mitigation of ergonomic hazards, including working on ladders or in a stooped posture for prolonged periods.

(k) Back exercises/stretches and proper lifting techniques.

(l) Avoidance of slips and falls.

(m) Good housekeeping and fire prevention.

(n) Other job-specific safety concerns.

1034.10 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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Line-of-Duty Deaths

1035.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to members of the Oro Valley Police Department in the event of the death of a member occurring in the line of duty and to direct the Department in providing proper support for the member's survivors.

The Chief of Police may also apply some or all of this policy in situations where members are injured in the line of duty and the injuries are life-threatening.

1035.1.1 DEFINITIONS

Definitions related to this policy include:

Line-of-duty death - The death of a sworn member during the course of performing law enforcement-related functions while on- or off-duty, or a civilian member during the course of performing their assigned duties.

Survivors - Immediate family members of the deceased member, which can include spouse, children, parents, other next of kin or significant others. The determination of who should be considered a survivor for purposes of this policy should be made on a case-by-case basis given the individual's relationship with the member and whether the individual was previously designated by the deceased member.

1035.2 POLICY

It is the policy of the Oro Valley Police Department to make appropriate notifications and to provide assistance and support to survivors and coworkers of a member who dies in the line of duty.

It is also the policy of this department to respect the requests of the survivors when they conflict with these guidelines, as appropriate.

1035.3 INITIAL ACTIONS BY COMMAND STAFF

(a) Upon learning of a line-of-duty death, the deceased member's supervisor should provide all reasonably available information to the Sergeant and Communications Bureau.

  (a) Communication of information concerning the member and the incident should be restricted to secure networks to avoid interception by the media or others (see the Public Information Officer section of this policy).

(b) The Sergeant should ensure that notifications are made in accordance with the Officer-Involved Shootings and Deaths and Major Incident Notification policies as applicable.

(c) If the member has been transported to the hospital, the Sergeant or the designee should respond to the hospital to assume temporary responsibilities as the Hospital Liaison.

(d) The Chief of Police or the authorized designee should assign members to handle survivor notifications and assign members to the roles of Hospital Liaison (to relieve

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the temporary Hospital Liaison) and the Department Liaison as soon as practicable (see the Notifying Survivors section and theDepartment Liaison and Hospital Liaison subsections in this policy).

1035.4 NOTIFYING SURVIVORS

Survivors should be notified as soon as possible in order to avoid the survivors hearing about the incident in other ways.

The Chief of Police or the authorized designee should review the deceased member's emergency contact information and make accommodations to respect the member's wishes and instructions specific to notifying survivors. However, notification should not be excessively delayed because of attempts to assemble a notification team in accordance with the member's wishes.

The Chief of Police, Division Commander or the authorized designee should select at least two members to conduct notification of survivors, one of which may be the Department Chaplain.

Notifying members should:

(a) Make notifications in a direct and compassionate manner, communicating as many facts of the incident as possible, including the current location of the member. Information that is not verified should not be provided until an investigation has been completed.

(b) Determine the method of notifying surviving children by consulting with other survivors and taking into account factors such as the child's age, maturity and current location (e.g., small children at home, children in school).

(c) Plan for concerns such as known health concerns of survivors or language barriers.

(d) Offer to transport survivors to the hospital, if appropriate. Survivors should be transported in department vehicles. Notifying members shall inform the Hospital Liaison over a secure network that the survivors are on their way to the hospital and should remain at the hospital while the survivors are present.

(e) When survivors are not at their residences or known places of employment, actively seek information and follow leads from neighbors, other law enforcement, postal authorities and other sources of information in order to accomplish notification in as timely a fashion as possible. Notifying members shall not disclose the reason for their contact other than a family emergency.

(f) If making notification at a survivor's workplace, ask a workplace supervisor for the use of a quiet, private room to meet with the survivor. Members shall not inform the workplace supervisor of the purpose of their visit other than to indicate that it is a family emergency.

(g) Offer to call other survivors, friends or clergy to support the survivors and to avoid leaving survivors alone after notification.

(h) Assist the survivors with meeting childcare or other immediate needs.

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(i) Provide other assistance to survivors and take reasonable measures to accommodate their needs, wishes and desires. Care should be taken not to make promises or commitments to survivors that cannot be met.

(j) Inform the survivors of the name and phone number of the Survivor Support Liaison (see the Survivor Support Liaison section of this policy), if known, and the Department Liaison.

(k) Provide their contact information to the survivors before departing.

(l) Document the survivor's names and contact information, as well as the time and location of notification. This information should be forwarded to the Department Liaison.

(m) Inform the Chief of Police or the authorized designee once survivor notifications have been made so that other Oro Valley Police Department members may be apprised that survivor notifications are complete.

1035.4.1 OUT-OF-AREA NOTIFICATIONS

The Department Liaison should request assistance from law enforcement agencies in appropriate jurisdictions for in-person notification to survivors who are out of the area.

(a) The Department Liaison should contact the appropriate jurisdiction using a secure network and provide the assisting agency with the name and telephone number of the department member that the survivors can call for more information following the notification by the assisting agency.

(b) The Department Liaison may assist in making transportation arrangements for the member's survivors, but will not obligate the Department to pay travel expenses without the authorization of the Chief of Police.

1035.5 NOTIFYING DEPARTMENT MEMBERS

Supervisors or members designated by the Chief of Police are responsible for notifying department members of the line-of-duty death as soon as possible after the survivor notification is made. Notifications and related information should be communicated in person or using secure networks and should not be transmitted over the radio.

Notifications should be made in person and as promptly as possible to all members on-duty at the time of the incident. Members reporting for subsequent shifts within a short amount of time should be notified in person at the beginning of their shift. Members reporting for duty from their residence should be instructed to contact their supervisor as soon as practicable. Those members who are working later shifts or are on days off should be notified by phone as soon as practicable.

Members having a close bond with the deceased member should be notified of the incident in person. Supervisors should consider assistance (e.g., peer support group, modifying work schedules, approving sick leave) for members who are especially affected by the incident.

Supervisors should direct members not to disclose any information outside the Department regarding the deceased member or the incident.

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1035.6 LIAISONS AND COORDINATORS

The Chief of Police or the authorized designee should select members to serve as liaisons and coordinators to handle responsibilities related to a line-of-duty death, including, but not limited to:

(a) Department Liaison.

(b) Hospital Liaison.

(c) Survivor Support Liaison.

(d) Critical Incident Stress Management (CISM) coordinator.

(e) Funeral Liaison.

(f) Mutual aid coordinator.

(g) Benefits Liaison.

(h) Finance coordinator.

Liaisons and coordinators will be directed by the Department Liaison and should be given sufficient duty time to complete their assignments.

Members may be assigned responsibilities of more than one liaison or coordinator position depending on available department resources. The Department Liaison may assign separate liaisons and coordinators to accommodate multiple family units, if needed.

1035.6.1 DEPARTMENT LIAISON

The Department Liaison should be a Division Commander or of sufficient rank to effectively coordinate department resources, and should serve as a facilitator between the deceased member's survivors and the Department. The Department Liaison reports directly to the Chief of Police. The Department Liaison's responsibilities include, but are not limited to:

(a) Directing the other liaisons and coordinators in fulfilling survivors' needs and requests. Consideration should be given to organizing the effort using the National Incident Management System (NIMS).

(b) Establishing contact with survivors within 24 hours of the incident and providing them contact information.

(c) Advising survivors of the other liaison and coordinator positions and their roles and responsibilities.

(d) Identifying locations that will accommodate a law enforcement funeral and presenting the options to the appropriate survivors, who will select the location.

(e) Coordinating all official law enforcement notifications and arrangements.

(f) Making necessary contacts for authorization to display flags at half-mast.

(g) Ensuring that department members are reminded of appropriate information–sharing restrictions regarding the release of information that could undermine future legal proceedings.

(h) Coordinating security checks of the member's residence as necessary and reasonable.

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(i) Serving as a liaison with visiting law enforcement agencies during memorial and funeral services.

1035.6.2 HOSPITAL LIAISON

The Hospital Liaison should work with hospital personnel to:

(a) Arrange for appropriate and separate waiting areas for:

1. The survivors and others whose presence is requested by the survivors.
2. Department members and friends of the deceased member.
3. Media personnel.

(b) Ensure, as much as practicable, that any suspects who are in the hospital and their families or friends are not in close proximity to the member's survivors or Oro Valley Police Department members (except for members who may be guarding the suspect).

(c) Ensure that survivors receive timely updates regarding the member before information is released to others.

(d) Arrange for survivors to have private time with the member, if requested.

1. The Hospital Liaison or hospital personnel may need to explain the condition of the member to the survivors to prepare them accordingly.
2. The Hospital Liaison should accompany the survivors into the room, if requested.

(e) Stay with survivors and ensure that they are provided with other assistance as needed at the hospital.

(f) If applicable, explain to the survivors why an autopsy may be needed.

(g) Ensure hospital bills are directed to the Department, that the survivors are not asked to sign as guarantor of payment for any hospital treatment and that the member's residence address, insurance information and next of kin are not included on hospital paperwork.

Other responsibilities of the Hospital Liaison include, but are not limited to:

- Arranging transportation for the survivors back to their residence.
- Working with investigators to gather and preserve the deceased member's equipment and other items that may be of evidentiary value.
- Documenting his/her actions at the conclusion of his/her duties.

1035.6.3 SURVIVOR SUPPORT LIAISON

The Survivor Support Liaison should work with the Department Liaison to fulfill the immediate needs and requests of the survivors of any member who has died in the line of duty, and serve as the long-term department contact for survivors.

The Survivor Support Liaison should be selected by the deceased member's Division Commander. The following should be considered when selecting the Survivor Support Liaison:

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- The liaison should be an individual the survivors know and with whom they are comfortable working.
- If the survivors have no preference, the selection may be made from names recommended by the deceased member's supervisor and/or coworkers. The deceased member's partner or close friends may not be the best selections for this assignment because the emotional connection to the member or survivors may impair their ability to conduct adequate liaison duties.
- The liaison must be willing to assume the assignment with an understanding of the emotional and time demands involved.

The responsibilities of the Survivor Support Liaison include, but are not limited to:

(a) Arranging for transportation of survivors to hospitals, places of worship, funeral homes and other locations, as appropriate.

(b) Communicating with the Department Liaison regarding appropriate security measures for the family residence, as needed.

(c) If requested by the survivors, providing assistance with instituting methods of screening telephone calls made to their residence after the incident.

(d) Providing assistance with travel and lodging arrangements for out-of-town survivors.

(e) Returning the deceased member's personal effects from the Department and the hospital to the survivors. The following should be considered when returning the personal effects:

1. Items should not be delivered to the survivors until they are ready to receive the items.
2. Items not retained as evidence should be delivered in a clean, unmarked box.
3. All clothing not retained as evidence should be cleaned and made presentable (e.g., items should be free of blood or other signs of the incident).
4. The return of some personal effects may be delayed due to ongoing investigations.

(f) Assisting with the return of department-issued equipment that may be at the deceased member's residence.

1. Unless there are safety concerns, the return of the equipment should take place after the funeral at a time and in a manner considerate of the survivors' wishes.

(g) Working with the CISM coordinator to ensure that survivors have access to available counseling services.

(h) Coordinating with the department's Public Information Officer (PIO) to brief the survivors on pending press releases related to the incident and to assist the survivors with media relations in accordance with their wishes (see the Public Information Officer section of this policy).

(i) Briefing survivors on investigative processes related to the line-of-duty death, such as criminal, internal and administrative investigations.

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(j) Informing survivors of any related criminal proceedings and accompanying them to such proceedings.

(k) Introducing survivors to prosecutors, victim's assistance personnel and other involved personnel as appropriate.

(l) Maintaining long-term contact with survivors and taking measures to sustain a supportive relationship (e.g., follow-up visits, phone calls, cards on special occasions, special support during holidays).

(m) Inviting survivors to department activities, memorial services or other functions as appropriate.

Survivor Support Liaisons providing services after an incident resulting in multiple members being killed should coordinate with and support each other through conference calls or meetings as necessary.

The Department recognizes that the duties of a Survivor Support Liaison will often affect regular assignments over many years, and is committed to supporting members in the assignment.

1035.6.4 CRITICAL INCIDENT STRESS MANAGEMENT COORDINATOR

The CISM coordinator should work with the Chief of Police or the authorized designee, liaisons, coordinators and other resources to make CISM and counseling services available to members and survivors who are impacted by a line-of-duty death. The responsibilities of the CISM coordinator include, but are not limited to:

(a) Identifying members who are likely to be significantly affected by the incident and may have an increased need for CISM and counseling services, including:

1. Members involved in the incident.
2. Members who witnessed the incident.
3. Members who worked closely with the deceased member but were not involved in the incident.

(b) Ensuring that members who were involved in or witnessed the incident are relieved of department responsibilities until they can receive CISM support as appropriate and possible.

(c) Ensuring that CISM and counseling resources (e.g., peer support, debriefing, grief counselors) are available to members as soon as reasonably practicable following the line-of-duty death.

(d) Coordinating with the Survivor Support Liaison to ensure survivors are aware of available CISM and counseling services and assisting with arrangements as needed.

(e) Following up with members and the Survivor Support Liaison in the months following the incident to determine if additional CISM or counseling services are needed.

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1035.6.5 FUNERAL LIAISON

The Funeral Liaison should work with the Department Liaison, Survivor Support Liaison and survivors to coordinate funeral arrangements to the extent the survivors wish. The Funeral Liaison's responsibilities include, but are not limited to:

(a) Assisting survivors in working with the funeral director regarding funeral arrangements and briefing them on law enforcement funeral procedures.

(b) Completing funeral notification to other law enforcement agencies.

(c) Coordinating the funeral activities of the Department, including, but not limited to the following:

1. Honor Guard
    - (a) Casket watch
    - (b) Color guard
    - (c) Pallbearers
    - (d) Bell/rifle salute
2. Bagpipers/bugler
3. Uniform for burial
4. Flag presentation
5. Last radio call

(d) Briefing the Chief of Police and command staff concerning funeral arrangements.

(e) Assigning an officer to remain at the family home during the viewing and funeral.

(f) Arranging for transportation of the survivors to and from the funeral home and interment site using department vehicles and drivers.

1035.6.6 MUTUAL AID COORDINATOR

The mutual aid coordinator should work with the Department Liaison and the Funeral Liaison to request and coordinate any assistance from outside law enforcement agencies needed for, but not limited to:

(a) Traffic control during the deceased member's funeral.

(b) Area coverage so that as many Oro Valley Police Department members can attend funeral services as possible.

The mutual aid coordinator should perform his/her duties in accordance with the Outside Agency Assistance Policy.

1035.6.7 BENEFITS LIAISON

The Benefits Liaison (Office of Professional Standards) should provide survivors with information concerning available benefits and assist them in applying for benefits. Responsibilities of the Benefits Liaison include, but are not limited to:

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(a) Confirming the filing of workers' compensation claims and related paperwork (see the Occupational Disease and Work-Related Injury Reporting Policy).

(b) Researching and assisting survivors with application for federal government survivor benefits, such as those offered through the:

  (a) Concerns of Police Survivors (COPS).

  (b) Public Safety Officers' Benefits (PSOB) Programs.

  (c) Public Safety Officers' Educational Assistance (PSOEA) Program.

  (d) Social Security Administration.

  (e) Department of Veterans Affairs.

(c) Researching and assisting survivors with application for state and local government survivor benefits.

  (a) Death benefits (ARS § 23-1046).

  (b) Educational benefits (ARS § 15-1808).

  (c) Health insurance (ARS § 38-1114).

  (d) Pension benefits (ARS § 38-846).

  (e) Agency Administrator: The Town of Oro Valley Insurance Benefits and Payments.

(d) Researching and assisting survivors with application for other survivor benefits such as:

  1. Private foundation survivor benefits programs.

  2. Survivor scholarship programs.

(e) Researching and informing survivors of support programs sponsored by police associations and other organizations.

(f) Documenting and informing survivors of inquiries and interest regarding public donations to the survivors.

  1. If requested, working with the finance coordinator to assist survivors with establishing a process for the receipt of public donations.

(g) Providing survivors with a summary of the nature and amount of benefits applied for, including the name of a contact person at each benefit office. Printed copies of the summary and benefit application documentation should be provided to affected survivors.

(h) Maintaining contact with the survivors and assisting with subsequent benefit questions and processes as needed.

1035.6.8 FINANCE COORDINATOR

The finance coordinator (Administrative Services Manager) should work with the Chief of Police and the Department Liaison to manage financial matters related to the line-of-duty death. The finance coordinator's responsibilities include, but are not limited to:

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(a) Establishing methods for purchasing and monitoring costs related to the incident.

(b) Providing information on finance-related issues, such as:

1. Paying survivors' travel costs if authorized.
2. Transportation costs for the deceased.
3. Funeral and memorial costs.
4. Related funding or accounting questions and issues.

(c) Working with the Benefits Liaison to establish a process for the receipt of public donations to the deceased member's survivors.

(d) Providing accounting and cost information as needed.

1035.7 PUBLIC INFORMATION OFFICER

In the event of a line-of-duty death, the department's PIO should be the department's contact point for the media. As such, the PIO should coordinate with the Department Liaison to:

(a) Collect and maintain the most current incident information and determine what information should be released.

(b) Ensure that department members are instructed to direct any media inquiries to the PIO.

(c) Prepare necessary press releases.

1. Ensure coordination with other entities having media roles (e.g., outside agencies involved in the investigation or incident).
2. Ensure that important public information is disseminated, such as information on how the public can show support for the Department and deceased member's survivors.

(d) Arrange for community and media briefings by the Chief of Police or the authorized designee as appropriate.

(e) Respond, or coordinate the response, to media inquiries.

(f) If requested, assist the member's survivors with media inquiries.

1. Brief the survivors on handling sensitive issues such as the types of questions that reasonably could jeopardize future legal proceedings.

(g) Release information regarding memorial services and funeral arrangements to department members, other agencies and the media as appropriate.

(h) If desired by the survivors, arrange for the recording of memorial and funeral services via photos and/or video.

The identity of deceased members should be withheld until the member's survivors have been notified. If the media has obtained identifying information for the deceased member prior to survivor notification, the PIO should request that the media withhold the information from release until proper notification can be made to survivors. The PIO should ensure that media are notified when survivor notifications have been made.

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1035.8 DEPARTMENT CHAPLAIN

Further information on the potential roles and responsibilities of the chaplain are in the Chaplains Policy.

1035.9 INVESTIGATION OF THE INCIDENT

The Chief of Police shall ensure that line-of-duty deaths are investigated thoroughly and may choose to use the investigation process outlined in the Officer-Involved Shootings and Deaths Policy.

1035.10 LINE-OF-DUTY DEATH OF A LAW ENFORCEMENT ANIMAL

The Chief of Police may authorize appropriate memorial and funeral services for law enforcement animals killed in the line of duty.

1035.11 NON-LINE-OF-DUTY DEATH

The Chief of Police may authorize certain support services for the death of a member not occurring in the line of duty.

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Peer Support Team

1036.1 PURPOSE

The Oro Valley Police Department recognizes the value of providing resources for members to support them in managing both professional and personal crisis. The Peer Support Team offers support for members who are involved in highly stressful situations encountered in the course of their duties. The Peer Support Team also provides on-scene support or debriefings after an incident where a member may be subjected to significant abnormal stress.

1036.2 CRITICAL INCIDENT STRESS MANAGEMENT (CISM)

The Peer Support Team provides on-scene support or debriefings after an incident where a member is subjected to significant abnormal stress. Examples of some CISM incidents include:

- Officer involved shootings,
- Serious line of duty injuries,
- Line of duty deaths,
- Prolonged or violent tactical operations,
- Major disaster scenes, or
- Any incident that creates a stressful situation.

Peer Support Team members will respond and provide a willingness to listen and provide resources.

1036.2.1 CRITICAL INCIDENT DEBRIEFINGS

Debriefings will be conducted by the Peer Support Team within 72 hours of a critical incident. It is mandatory for all Department members involved in the critical incident to attend. Other public safety agencies directly involved may also be invited to attend. Incident debriefings are to discuss thoughts and reactions about the incident, not to critique police operations.

1036.3 PEER SUPPORT TEAM MEMBERS

Peer Support Team members provide support and assistance to employees in times of stress and crisis. If the team is needed, any Department member may request the team (without knowledge or approval of a supervisor) by contacting the team leader directly or through a dispatcher. The responsibilities of a Peer Support Team Member are as follows:

(a) Convey trust and anonymity and assure confidentiality within the policy to employees who seek assistance from the Peer Support Team;

(b) Provide assistance and support;

(c) Provide information on other resources available if a member's needs exceed the abilities of the team member.

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1036.4 CONFIDENTIALITY

It is imperative each Peer Support Team member keep the identities and contacts with members confidential. Confidentiality exceptions exist if the following occur:

(a) There was a commission of serious violation of department policies;

(b) Information concerning the commission of a crime; or

(c) If the member is a danger to themselves or to others.

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Polygraph

1037.1 PURPOSE AND SCOPE

This policy provides guidelines for the use of polygraph examinations as an investigative tool.

1037.2 DEFINITIONS

Definitions related to this policy include:

Polygraph - The polygraph is an instrument that simultaneously records changes in physiological processes such as heartbeat, blood pressure, electrodermal patterns, and respiration; and is used, or the results of which are used, for the purpose of rendering a diagnostic opinion regarding the honesty or dishonesty of an individual.

1037.3 OPERATOR QUALIFICATIONS

Operators of polygraphs must have successfully completed a certified polygraph examiners course and maintain current certification status. The certification training shall include use of the polygraph in criminal investigations and pre-employment examinations.

1037.4 POLYGRAPH ADMINISTRATOR

The Executive Officer, or designee, will ensure the following related to the polygraph program:

1. Preparation and maintenance of a list of all certified polygraph examiners and equipment in the department, and inspection of the equipment for accountability and serviceability every twelve months.
2. Polygraph examiners receive 30 hours of continuing education every year or as often as required.
3. Examiners should perform examinations on a regular basis for a minimum of five years after initial certification.
4. The security of the department's polygraph equipment and software, maintenance of laptop computers, polygraph instruments, associated programs, and ancillary equipment in operable condition and coordination of the purchase of equipment as needed.
5. Maintenance and availability of a polygraph examination room at the Property and Evidence Magee Substation equipped with video and audio monitoring and recording equipment.

1037.5 AVAILABILITY

The Executive Officer will maintain a list of all certified polygraph examiners for reference. In the event of an after-hours request for an immediate polygraph examination, the Support Services Lieutenant may, following call out procedures, request a polygraph examiner to respond.

1037.6 POLYGRAPH USES

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1037.6.1 PRE-EMPLOYMENT EXAMINATION

As part of the hiring process all applicants for employment with the Oro Valley Police Department are subject to a pre-employment polygraph examination.

(a) The possibility of having to undergo a polygraph examination shall be clearly stated in the appropriate job/recruitment flyer.

(b) Personnel trained in such examination and evaluation shall administer the examinations and conduct the evaluation of results.

(c) The results shall not be the single determinant of employment or employment eligibility.

1037.6.2 CRIMINAL INVESTIGATIONS

Examinations may be used in criminal or missing person investigations as a tool to assist investigators.

(a) Examination results alone will not be considered probable cause. The polygraph is a supplement to, not a substitute for, a thorough investigation.

(b) No person shall be coerced into submitting to a polygraph examination. Persons consenting to a polygraph examination will be required to sign a Polygraph Consent and Release Form acknowledging their voluntary submission to the examination and right to refuse at any time.

(c) The decision to do an examination is based on the nature of the investigation, data available, and the characteristics of the person to be examined. Requests must be accompanied by sufficient data for evaluation of the subject.

(d) The format and the content of such examinations shall be at the discretion of the examiner.

1037.6.3 JUVENILES

Polygraph examinations may be conducted on juvenile subjects with the prior written consent of a parent or legal guardian of the juvenile, if available. Written consent shall include the Polygraph Consent and Release form.

1037.6.4 INTERNAL INVESTIGATIONS

At the discretion of the Chief of Police or designee, polygraph examinations may be used in internal investigations as described in the Personnel Complaints policy.

1037.6.5 OUTSIDE LAW ENFORCEMENT AGENCIES

Upon the request of an outside law enforcement agency, polygraph examinations may be provided with the approval of the Executive Officer or designee personnel trained in such examination and evaluation.

1037.6.6 PRIVATE EXAMINATIONS NOT PERMITTED

Polygraph examinations must not be conducted for a private firm, organization, or individual except by connection with investigations in this order.

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1037.7 REQUESTING AN EXAMINER

1. Once approved by the bureau Lieutenant, the requesting sergeant or detective shall:
   (a) Complete the initial investigation.
   (b) Consult with the examiner prior to scheduling a polygraph examination verbally or in writing.
   (c) Provide necessary information to the examiner prior to the exam, including guidance on a post exam interview strategy. The requesting sergeant/detective shall remain at the polygraph location until the completion of the examination.
   (d) Notify the subject of the date and time of the scheduled appointment, and will notify the examiner immediately if the subject cancels the appointment.
2. If the polygraph examiner has reason to believe that an examination may not be advisable, the examiner may delay or deny the examination. This delay or denial will give the examiner time to submit the reason/s and any alternate recommendations to the investigator and the requestor to obtain a second opinion from another polygraph examiner.

1037.8 PRIVATE CONTRACT POLYGRAPH EXAMINERS

Private contract polygraph examiners may be used for investigations and pre-employment screening following prior approval of the appropriate division commander or designee.

A current list of available private contract polygraph examiners to be used in investigations and pre-employment screening shall be maintained by the polygraph administrator and possessed by the Office of Professional Standards.

Outside polygraph examiners used for pre-employment screening and investigations shall possess current polygraph certification and training specific to administering polygraph examinations in criminal investigations and pre-employment examinations.

1037.9 POLYGRAPH FORMS

Persons consenting to a polygraph examination are required to sign a Polygraph Consent and Release Form acknowledging their voluntary submission to the examination and right to refuse at any time. The polygraph examiner maintains all polygraph forms.

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Attachments

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OVPD PACKAGING MANUAL.pdf

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ORO VALLEY POLICE DEPARTMENT

PROPERTY & EVIDENCE PACKAGING MANUAL

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ENVELOPES

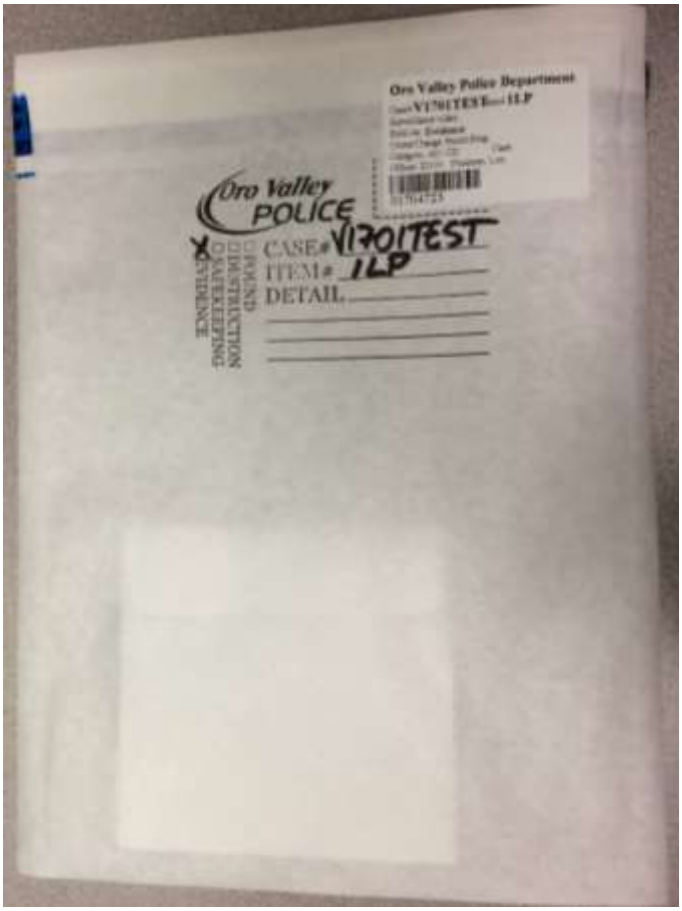
ORO VALLEY POLICE DEPARTMENT PROPERTY & EVIDENCE PACKAGING MANUAL

ALL SUBMITTED PACKAGED ITEMS **MUST BE SEALED WITH BLUE EVIDENCE TAPE**. THE EDGE OF THE EVIDENCE TAPE MUST BEAR OFFICER'S INITIALS, NOT BADGE NUMBER. INITIAL ON THE TAPE TWICE WITH A SHARPIE. THE INITIALS SHALL OVERLAP THE EDGE OF THE TAPE.

EVIDENCE ENVELOPES ARE SELF SEALING WITH A CLEAR LAMINATED REVERSE SIDE FOR VISUAL INSPECTION. THIS ALLOWS OFFICERS TO SEAL AT TIME OF COLLECTION. ONCE BACK AT THE STATION, USE THE BLUE EVIDENCE TAPE FOR INTEGRITY SEAL. ON THE FRONT OF THE ENVELOPE WRITE IN THE CASE NUMBER, ITEM NUMBER, AND CHECK THE BOX NEXT TO THE CORRESPONDING ITEM CLASSIFICATION. MAKE AN ENTRY INTO QUETEL AND AFFIX QUETEL BARCODE LABEL WHERE INDICATED.

NOTE: ITEM NUMBER SHALL CONSIST OF A COMBINATION OF THE OFFICER'S INITIALS AND A NUMERIC NUMBER. EXAMPLE: OFC JANE DOE → 1JD, 2JD, 3JD… <u>OR</u> JD1, JD2, JD3…

NOTE: IF MULTIPLE LABELS NEED TO BE APPLIED, CONTINUE DOWN IN A STRAIGHT LINE SO THE CRIME SCENE TECHNICIAN CAN EASILY SEE THEM. DO NOT AFFIX LABELS TO THE BACK OF ENVELOPE.



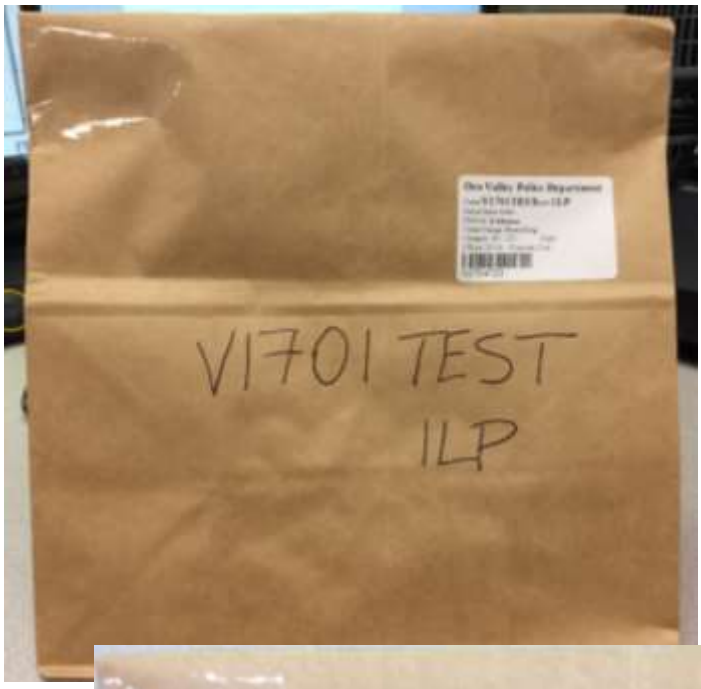
BROWN BAGS

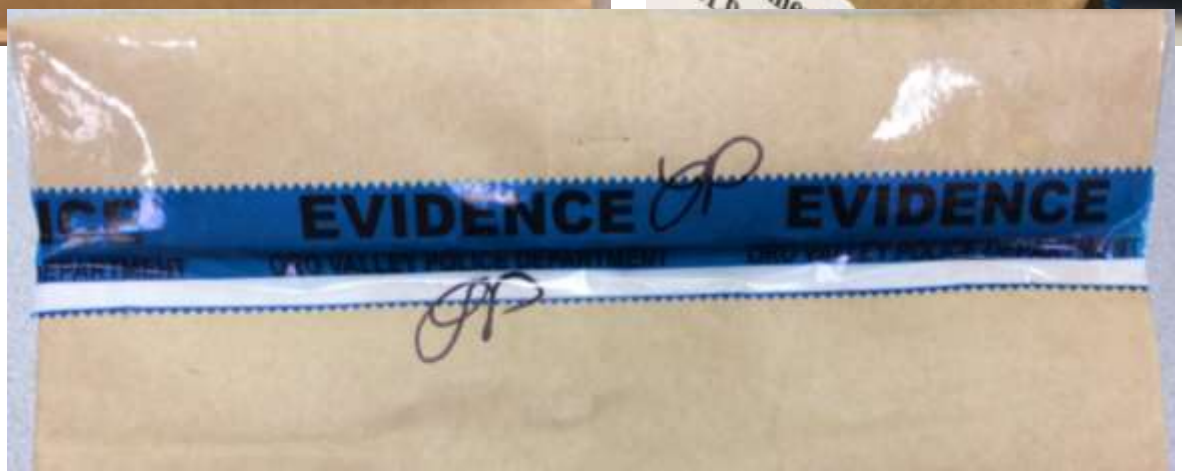
ORO VALLEY POLICE DEPARTMENT PROPERTY & EVIDENCE PACKAGING MANUAL

FOR ITEMS TOO LARGE FOR AN ENVELOPE, PACKAGE THEM IN A BROWN GROCERY BAG. WRITE THE CASE NUMBER AND ITEM NUMBER ON THE BAG. MAKE AN ENTRY INTO QUETEL AND AFFIX QUETEL BARCODE TO THE SAME SIDE AS WRITING.

IF ITEMS ARE ASSOCIATED, THEY CAN BE PLACED IN THE SAME BAG. EACH ITEM REQUIRES ITS OWN BARCODE. MULTIPLE BARCODES CAN BE AFFIXED TO THE BAG. IF ITEMS HAVE A DIFFERENT OWNER, THEY MUST BE PACKAGED AND BARCODED SEPARATELY.

NOTE: UNLESS SOMEHOW REINFORCED, EVIDENCE TAPE MAY SPONTANEOUSLY SHRED IF STRESSED. USE ANOTHER METHOD TO SECURE THE JOINT (PACKING TAPE, SINGLE STAPLE) AND THEN USE THE BLUE TAMPER PROOF EVIDENCE TAPE ACROSS THE JOINT.





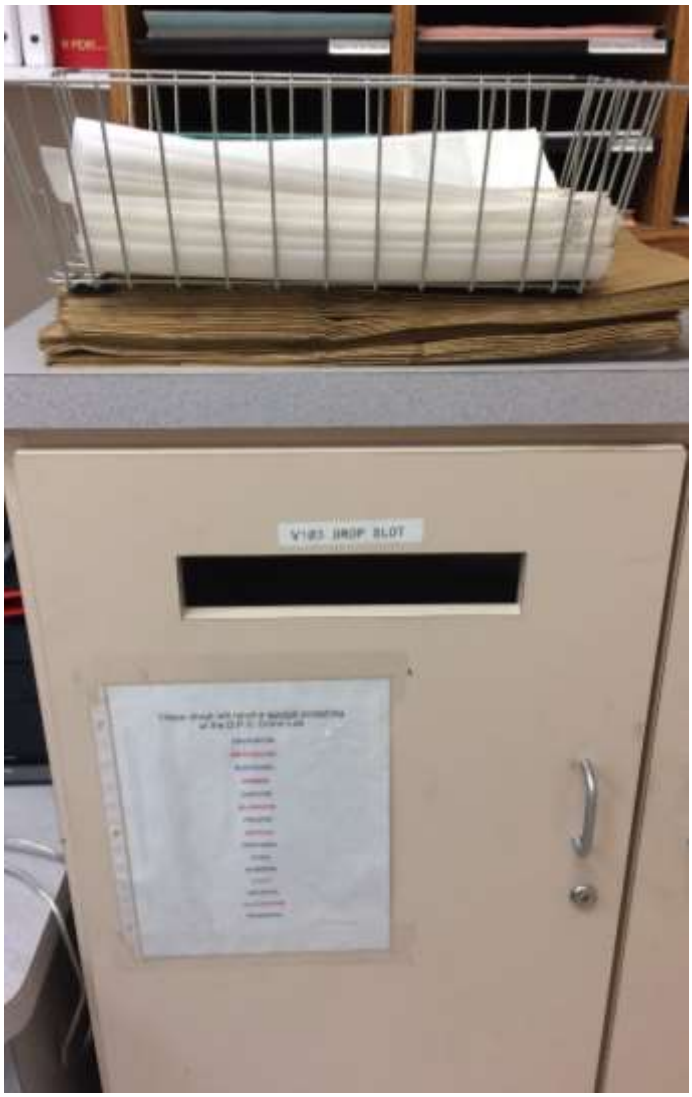
DROP SLOTS & LOCKERS

ORO VALLEY POLICE DEPARTMENT PROPERTY & EVIDENCE PACKAGING MANUAL

PROPERTY AND EVIDENCE MAY BE SUBMITTED BY PLACING ITEMS INTO A DROP SLOT, SUBMISSION LOCKER, EVIDENCE REFRIGERATOR, OR BY DIRECTLY TRANSFERRING THE ITEM TO A CRIME SCENE TECHNICIAN.

DROP SLOTS, BLUE SUBMISSION LOCKERS, AND EVIDENCE REFRIGERATORS ARE LOCATED AT THE MAIN STATION AND THE TANGERINE SUBSTATION. A TOKEN IS NEEDED TO OPERATE THE SUBMISSION LOCKERS. TOKENS ARE LOCATED IN A WHITE CUP TO THE RIGHT OF THE LOCKERS. ONCE YOUR ITEM IS SECURED IN THE LOCKER, DROP THE KEY INTO THE DROP SLOT. THE KEY DOES NOT NEED TO BE TAGGED OR PLACED INTO AN ENVELOPE.

NOTE: UTILIZING THE DROP SLOT FOR SMALLER ITEMS INCREASES THE NUMBER OF AVAILABLE LOCKERS FOR LARGER ITEMS.



LARGE & BULK ITEMS

ORO VALLEY POLICE DEPARTMENT PROPERTY & EVIDENCE PACKAGING MANUAL

ATTACH PROPERTY TAG WITH THE QUETEL BARCODE LABEL TO THE ITEM. IF YOU ARE UNABLE TO ATTACH BARCODE LABEL VIA A TAG, PLACE BARCODE LABEL ON PACKING TAPE, THEN AFFIX TO ITEM. PROPERTY WITHOUT A BAG OR SEAL DOES NOT REQUIRE INITIALS.

NOTE: NEVER AFFIX BARCODE LABEL DIRECTLY TO AN ITEM. BARCODE LABELS DO NOT REMOVE CLEANLY AND MAY DAMAGE PROPERTY.

WHEN THE PROPERTY IS TOO LARGE TO BE PLACED IN A TEMPORARY LOCKER, THE ITEM MAY BE TEMPORARILY STORED IN THE EVIDENCE LOCKER ROOM. CLOSE THE DOOR TO PREVENT UNAUTHORIZED ENTRY.

FIREARMS

REMOVE ALL AMMUNITION, MAGAZINES, CLIPS OR OTHER LOADING DEVICES. **LOADED FIREARMS <u>SHALL NOT</u> BE SUBMITTED** TO THE PROPERTY AND EVIDENCE UNIT. SECURE FIREARM IN A SAFE OPEN POSITION WITH A CABLE TIE. NEVER RUN THE CABLE TIE THROUGH THE BARREL OF THE FIREARM.

SECURE THE FIREARM IN A WINDOWED HANDGUN OR RIFLE BOX, **SERIAL NUMBER SIDE UP**, USING CABLE TIES. SECURE UNLOADED MAGAZINES IN THE SAME BOX AS THE FIREARM. **ALWAYS PACKAGE AMMUNITION SEPARATE.** TWO PIECES OF EVIDENCE TAPE IS SUFFICIENT TO SECURE BOX. DO NOT TAPE THE WINDOW SHUT. WRITE THE CASE NUMBER AND AFFIX THE QUETEL BARCODE LABEL ON THE LEFT END OF THE BOX.

NOTE: FIREARMS THAT HAVE THEIR OWN CASE (SOFT CASE OR HARD CASE) MAY BE SUBMITTED IN SUCH. ATTACH THE QUETEL BARCODE VIA AN EVIDENCE TAG.

PLACE THE FIREARM IN A SUBMISSION LOCKER AND DROP THE KEY INTO THE DROP SLOT. IF FIREARM IS TOO BIG TO BE SECURED IN A LOCKER IT MAY BE TEMPORARILY STORED IN THE EVIDENCE LOCKER ROOM. CLOSE THE DOOR TO PREVENT UNAUTHORIZED ENTRY.

ALWAYS CHECK THE STATUS OF THE FIREARM THROUGH NCIC PRIOR TO SUBMISSION.

AMMUNITION

ORO VALLEY POLICE DEPARTMENT PROPERTY & EVIDENCE PACKAGING MANUAL

THE PROPERTY & EVIDENCE UNIT ACCEPTS ALL AMMUNITION EXCEPT MILITARY ROUNDS. **AMMUNITION <u>MUST BE</u> PACKAGED SEPARATELY** FROM FIREARMS, MAGAZINES, AND HOLSTERS**.** PACKAGE LOOSE AMMUNITION IN A ZIPLOC BAG, FOLD THE BAG OVER, AND SECURE THE BAG WITH PACKING TAPE TO RESTRICT MOVEMENT. AMMUNITION MAY BE SUBMITTED IN RETAIL BOX OR AMMO BOX. ATTACH PROPERTY TAG WITH THE QUETEL BARCODE LABEL TO THE ITEM

NOTE: DO NOT APPLY PACKING TAPE DIRECTLY TO THE AMMUNITION!!

LARGE QUANTITIES OF AMMUNITION SHOULD BE PACKAGED IN BROWN PAPER BAGS. USE MULTIPLE PAPER BAGS TO KEEP THE WEIGHT MORE MANAGEABLE.

CONTROLLED SUBSTANCES

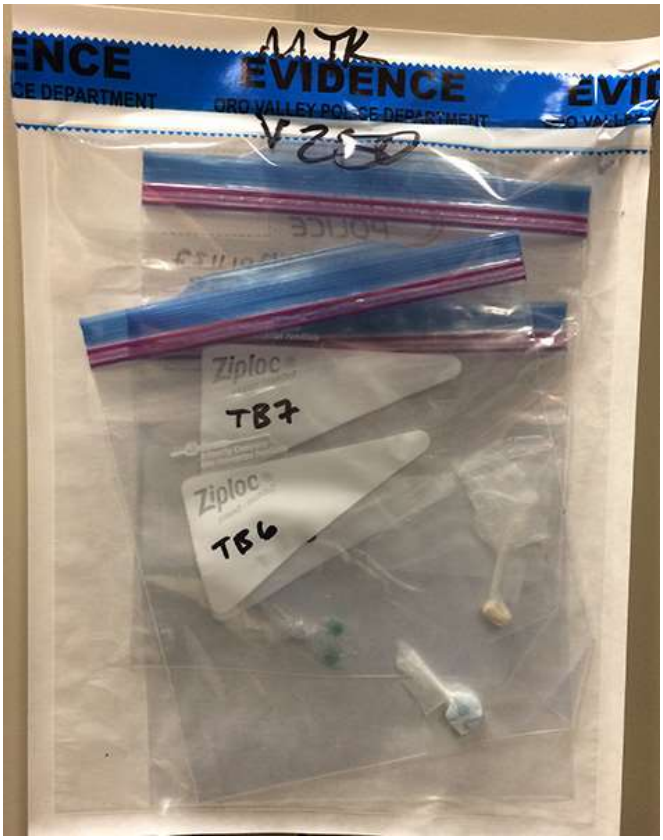
ORO VALLEY POLICE DEPARTMENT PROPERTY & EVIDENCE PACKAGING MANUAL

CONTROLLED SUBSTANCES **MUST BE PACKAGED SEPARATELY FROM ALL OTHER PROPERTY** INCLUDING PARAPHERNALIA. PLACE ITEMS INTO SEPARATE ZIPLOC BAGS AND MARK THE BAG WITH THE ITEM NUMBER. PLACE ZIPLOC BAGS INTO AN EVIDENCE ENVELOPE, SEAL WITH BLUE EVIDENCE TAPE, AND INITIAL THE TAPE SEAL. EACH ITEM NUMBER MUST HAVE A SEPARATE BARCODE. DO NOT PLACE WET OR DAMP ITEMS INTO PLASTIC BAGS. ALLOW TO AIR DRY FIRST.

PRIOR TO PACKAGING AND IF THE QUANTITY ALLOWS, A PRESUMPTIVE TEST SHOULD BE MADE ON ALL SUSPECTED CONTROLLED SUBSTANCES. THE BOOKING OFFICER SHALL WEIGH THE SUSPECTED CONTROLLED SUBSTANCE IN THE CONTAINER IN WHICH IT WAS SEIZED.

NOTE: IN ANY CASE WHERE FENTANYL (OR A FENTANYL VARIANT) IS SUSPECTED, THE SUBSTANCE SHALL NOT BE TESTED.

ITEMS TO BE SUBMITTED TO DPS FOR ANALYSIS MUST BE PACKAGED SEPARATELY. THE BOOKING OFFICER SHALL FILL OUT THE DPS LAB REQUEST FORM AND SUBMIT WITH ITEM.

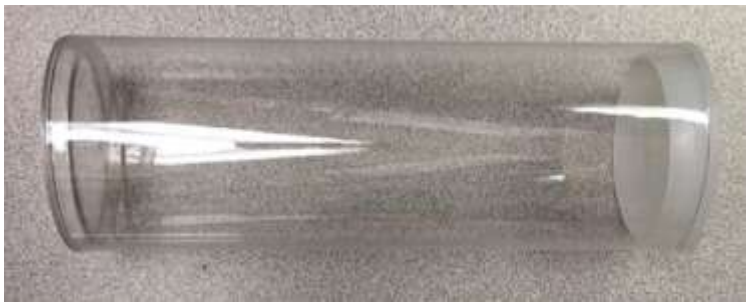


PARAPHERNALIA

ORO VALLEY POLICE DEPARTMENT PROPERTY & EVIDENCE PACKAGING MANUAL

NEVER PACKAGE PARAPHERNALIA IN THE SAME ENVELOPE AS SUSPECTED CONTROLLED SUBSTANCES. EACH ITEM OF PARAPHERNALIA MUST HAVE A BARCODE LABEL GENERATED FOR IT. MULTIPLE PARAPHERNALIA ITEMS MAY GO IN THE SAME ENVELOPE IF THEY PERTAIN TO THE SAME SUBJECT.

SECURE SMALL GLASS PIPES IN A PLASTIC PACKAGING TUBE TO PREVENT BREAKAGE. DISPOSE OF ANY LIQUID IN BONGS PRIOR TO PACKAGING. IF POSSIBLE, PACKAGE BONGS IN A BROWN PAPER BAG. IF THE BONG IS TOO LARGE, SEAL THE OPENINGS OF THE BONG WITH PACKAGING TAPE AND AFFIX THE QUETEL BARCODE VIA PROPERTY TAG.



SHARPS

ANY ITEM WITH A SHARP, JAGGED, OR POINTED EDGE SHALL BE PACKAGED IN A WAY THAT IS SAFE FOR ALL PERSONNEL TRANSPORTING THE ITEM.

KNIVES WITH A FIXED BLADE MUST BE SECURED IN A KNIFE BOX. SMALL POCKET KNIVES CAN BE SUBMITTED, FOLDED CLOSED, IN AN EVIDENCE ENVELOPE. SWORDS SHALL BE SUBMITTED IN A RIFLE BOX WHEN POSSIBLE.

SYRINGES

NEEDLES AND SYRINGES SHOULD BE PACKAGED IN A SHARPS CONTAINER. LARGE QUANTITIES OF CAPPED NEEDLES MAY BE PACKAGED IN A PLASTIC TUBE. IT IS NOT NECESSARY TO TAPE AN INTEGRITY SEAL ON THE TUBE SINCE THE ENVELOPE IS SEALED.

NOTE: DPS DOES NOT ACCEPT LOADED SYRINGES FOR ANALYSIS OF CONTENTS. FILL OUT DPS FORM AND ADVISE A CRIME SCENE TECHNICIAN YOU NEED THE CONTENTS OF THE NEEDLE TO BE TRANSFERRED TO A VIAL FOR DPS ANALYSIS.

BLOOD KITS

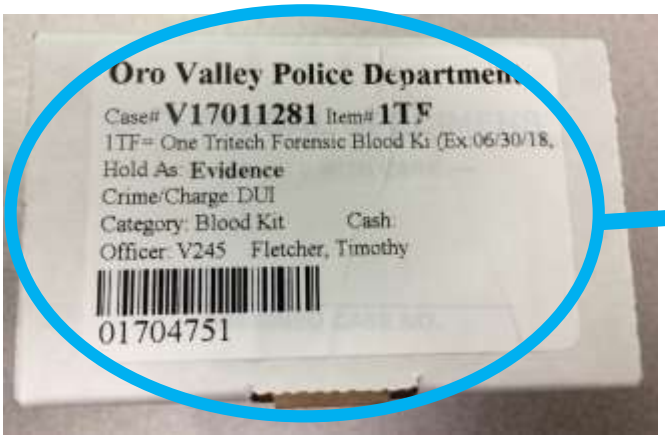
ORO VALLEY POLICE DEPARTMENT PROPERTY & EVIDENCE PACKAGING MANUAL

OBTAIN A DEPARTMENTAL SUPPLIED BLOOD KIT. YOU ARE TO OBTAIN TWO SAMPLES OF BLOOD. ONE SAMPLE WILL BE EVIDENCE AND THE OTHER WILL BE SAFEKEEPING. **ONE ENTRY IS MADE INTO QUETEL AND ONE BARCODE IS PRINTED.**

PLACE COMPLETED WHITE SEALS AROUND THE GLASS VIALS AND PLACE THE VIALS INTO THE PLASTIC BOX. PLACE RED INTEGRITY SEAL OVER THE OPENING OF PLASTIC BOX. PLACE PLASTIC BOX IN CARDBOARD BOX AND PLACE TWO COMPLETED WHITE SEALS OVER OPENING. PLACE BLUE INTEGRITY SEAL OVER THE BOX OPENING AND INITIAL SEAL.

NOTE: YOU **MUST** USE YOUR **INITIALS**. DPS WILL REJECT ITEMS WITH ONLY BADGE NUMBERS ON THE INTEGRITY SEAL.

PLACE THE QUETEL BARCODE LABEL ON THE **END OF THE BOX**. SECURE BLOOD KIT IN EVIDENCE REFRIGERATOR. FILL OUT DPS LAB REQUEST FORM AND PLACE IN THE FOLDER ON THE SIDE OF THE EVIDENCE SUBMISSION REFRIGERATOR.



URINE KITS

OBTAIN A DEPARTMENTAL SUPPLIED URINE KIT. YOU ARE TO OBTAIN ONE URINE SAMPLE FOR EVIDENCE. A SAFEKEEPING SAMPLE IS NOT NECESSARY.

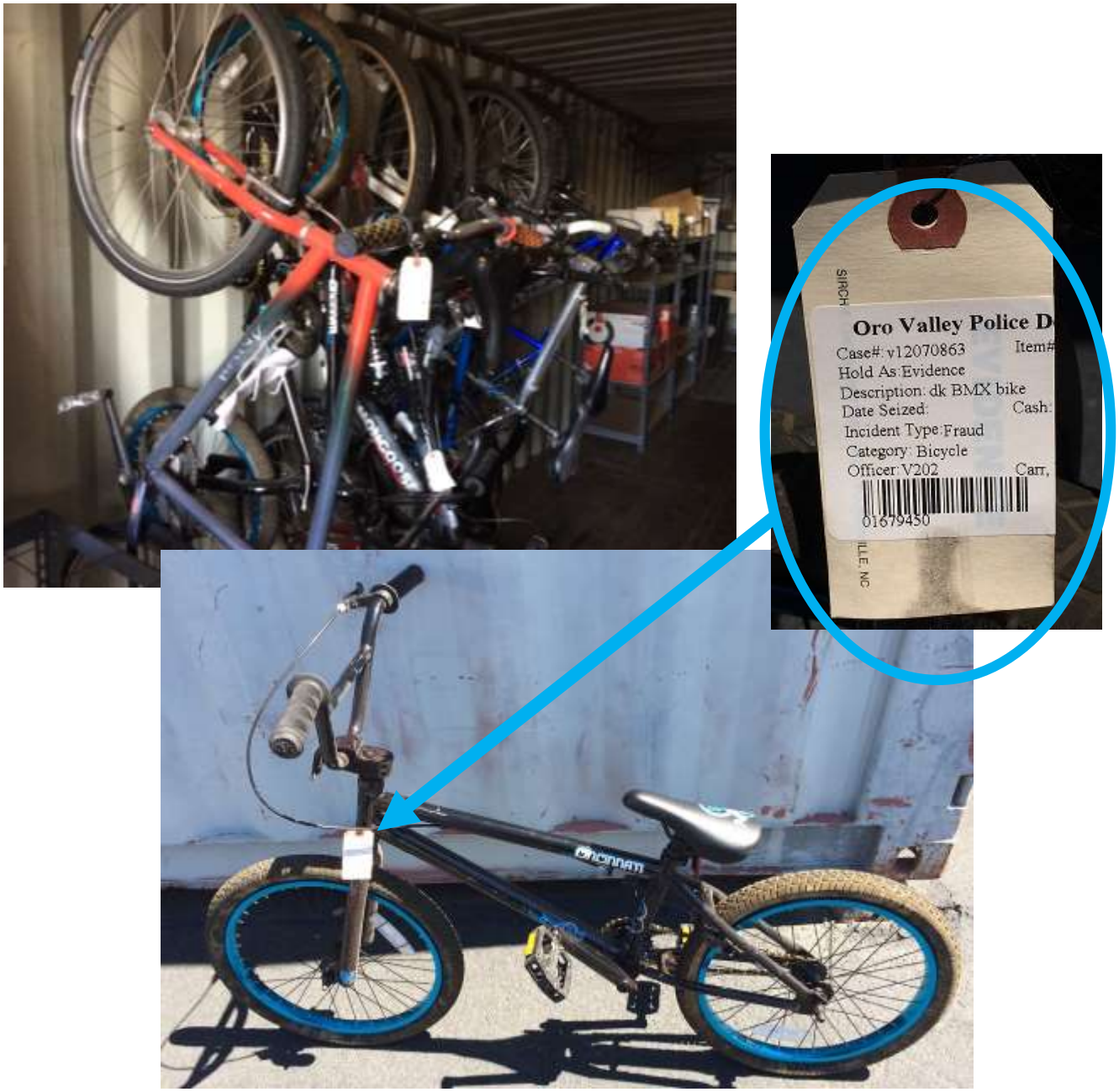
PLACE COMPLETED RED SECURITY SEAL OVER TOP AND SIDES OF CONTAINER. PLACE CONTAINER IN THE SMALL BAGGIE PROVIDED IN KIT AND THEN INTO EVIDENCE BOX. ATTACH COMPLETED WHITE SEAL OVER OPENING OF BOX. PLACE BLUE INTEGRITY SEAL OVER THE BOX OPENING AND INITIAL SEAL. SECURE URINE KIT IN EVIDENCE SUBMISSION REFRIGERATOR. FILL OUT DPS LAB REQUEST FORM AND PLACE IN THE FOLDER ON THE SIDE OF THE EVIDENCE SUBMISSION REFRIGERATOR.

BICYCLES

ORO VALLEY POLICE DEPARTMENT PROPERTY & EVIDENCE PACKAGING MANUAL

ALL BICYCLES AND BICYCLE FRAMES REQUIRE A PROPERTY ENTRY. ATTACH PROPERTY TAG WITH THE QUETEL BARCODE LABEL TO THE HANDLEBARS OF THE BICYCLE. THE BICYCLE MAY BE RELEASED DIRECTLY TO A CRIME SCENE TECHNICIAN, OR PLACED IN THE SALLY PORT UNTIL THE CRIME SCENE TECHNICIAN CAN LOG THE PROPERTY.

NOTE: DO NOT AFFIX THE QUETEL BARCODE LABEL DIRECTLY TO THE FRAME AS IT MAY DAMAGE THE BICYCLE.



LICENSE PLATES

ORO VALLEY POLICE DEPARTMENT PROPERTY & EVIDENCE PACKAGING MANUAL

WHEN SUBMITTING A LICENSE PLATE AS **EVIDENCE**, PACKAGE THE PROPERTY INTO AN EVIDENCE ENVELOPE, GENERATE A QUETEL BARCODE, AND PLACE THE EVIDENCE INTO THE DROP SLOT.

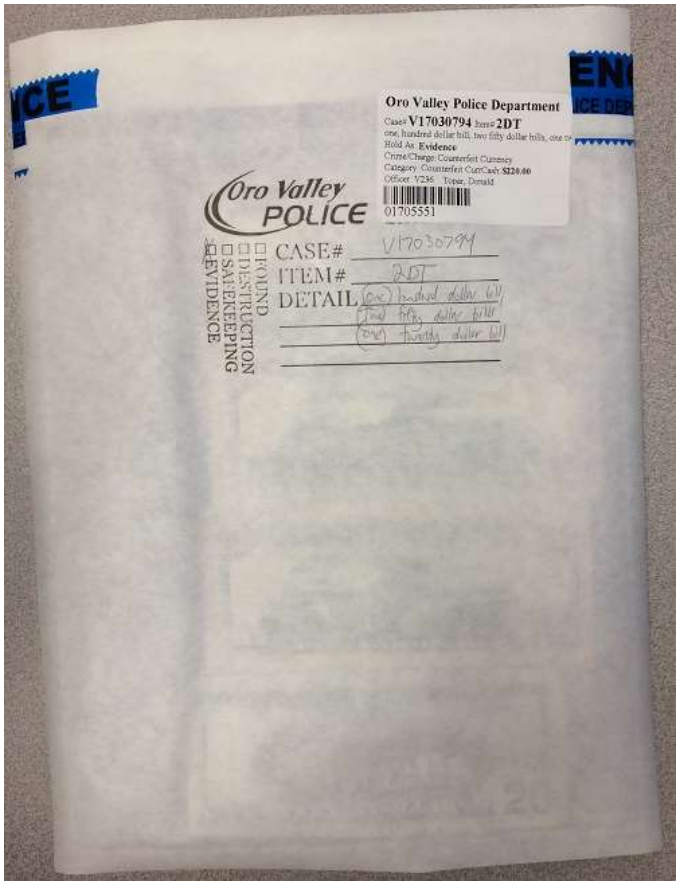
LICENSE PLATES SUBMITTED FOR DESTRUCTION THAT ARE NOT STOLEN OR CONNECTED WITH A KNOWN CRIME, SHOULD BE RELEASED DIRECTLY TO THE CRIME SCENE TECHNICIAN OR PLACED IN THE DROP SLOT. NO FORMAL BOOKING PROCESS IS REQUIRED.

NOTE: WRITE THE REASON FOR DESTRUCTION ON THE BACK OF THE LICENSE PLATE.

CURRENCY

CURRENCY **SHALL BE PACKAGED SEPARATELY FROM ALL OTHER PROPERTY,** INCLUDING WALLETS AND PURSES. FOR CASH IN EXCESS OF $1,000, A SUPERVISOR AND CRIME SCENE TECHNICIAN SHALL BE CONTACTED. THE SUPERVISOR WILL WITNESS THE COUNT AND INITIAL THE INTEGRITY SEAL ALONG WITH THE OFFICER.

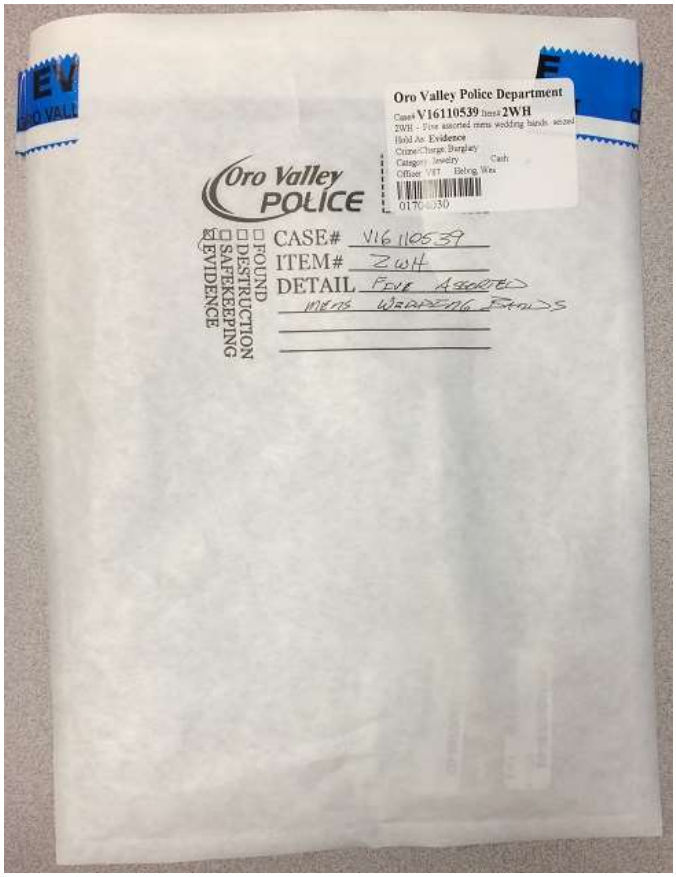
QUETEL WILL AUTOMATICALLY GENERATE A CURRENCY REPORT WHEN THE CATEGORY "CURRENCY" IS SELECTED. ON THE FINAL QUETEL SUBMISSION PAGE REMEMBER TO CHOOSE THE CURRENCY REPORT FROM THE DROP DOWN MENU TO PRINT A COPY FOR THE CASE FILE.

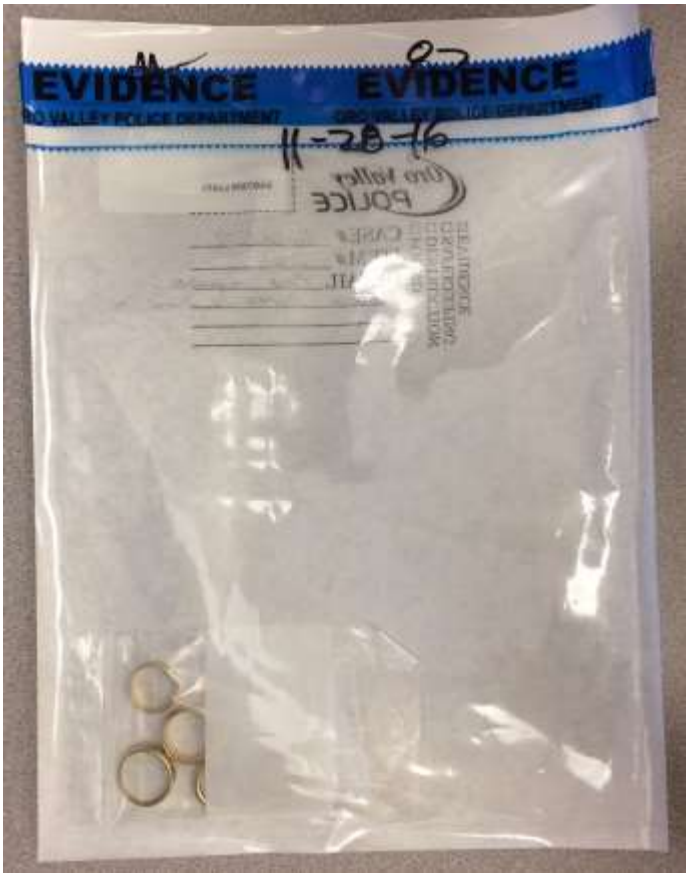


JEWELRY

ORO VALLEY POLICE DEPARTMENT PROPERTY & EVIDENCE PACKAGING MANUAL

BOOK ALL PIECES OF JEWELRY SEPARATELY, NOT AS "ASSORTED JEWELRY". JEWELRY SHOULD BE DESCRIBED AS YELLOW, WHITE, OR CLEAR AS OPPOSED TO GOLD, SILVER, OR DIAMOND TO PROTECT YOURSELF FROM A POTENTIAL VALUE CONTROVERSY.





ALCOHOL & PERISHABLES

ORO VALLEY POLICE DEPARTMENT PROPERTY & EVIDENCE PACKAGING MANUAL

NO LIQUOR OF ANY KIND IS TO BE IMPOUNDED INTO PROPERTY AND EVIDENCE. UNLESS THERE ARE EXTENUATING CIRCUMSTANCES, ALL ALCOHOL SHALL BE PHOTOGRAPHED PRIOR TO DISPOSAL. ALCOHOL NOT TAKEN INTO EVIDENCE SHALL BE DISPOSED OF BY AN OFFICER OR DEFENDANT(S) IN THE OFFICER'S PRESENCE.

PERISHABLE ITEMS SHALL NOT BE IMPOUNDED, BUT SHALL BE PHOTOGRAPHED AND RETURNED TO THE OWNER OR DISPOSED OF. ITEMS THAT MAY HAVE BEEN BITTEN OR TOUCHED SHOULD BE PHOTOGRAPHED AND DNA COLLECTED IF APPLICABLE.

EXPLOSIVES & HAZ MAT

EXPLOSIVES OR HAZARDOUS MATERIALS WILL NOT BE RETAINED IN THE POLICE FACILITY. ONLY ITEMS THAT ARE CONSIDERED STABLE AND SAFE MAY BE BOOKED INTO PROPERTY.

OFFICERS WHO ENCOUNTER A SUSPECTED EXPLOSIVE DEVICE SHALL PROMPTLY NOTIFY THE IMMEDIATE SUPERVISOR. THE BOMB SQUAD WILL BE CALLED TO HANDLE EXPLOSIVE-RELATED INCIDENTS AND WILL BE RESPONSIBLE FOR THE HANDLING, STORAGE, AND DISPOSAL OF ALL SUSPECTED EXPLOSIVES.

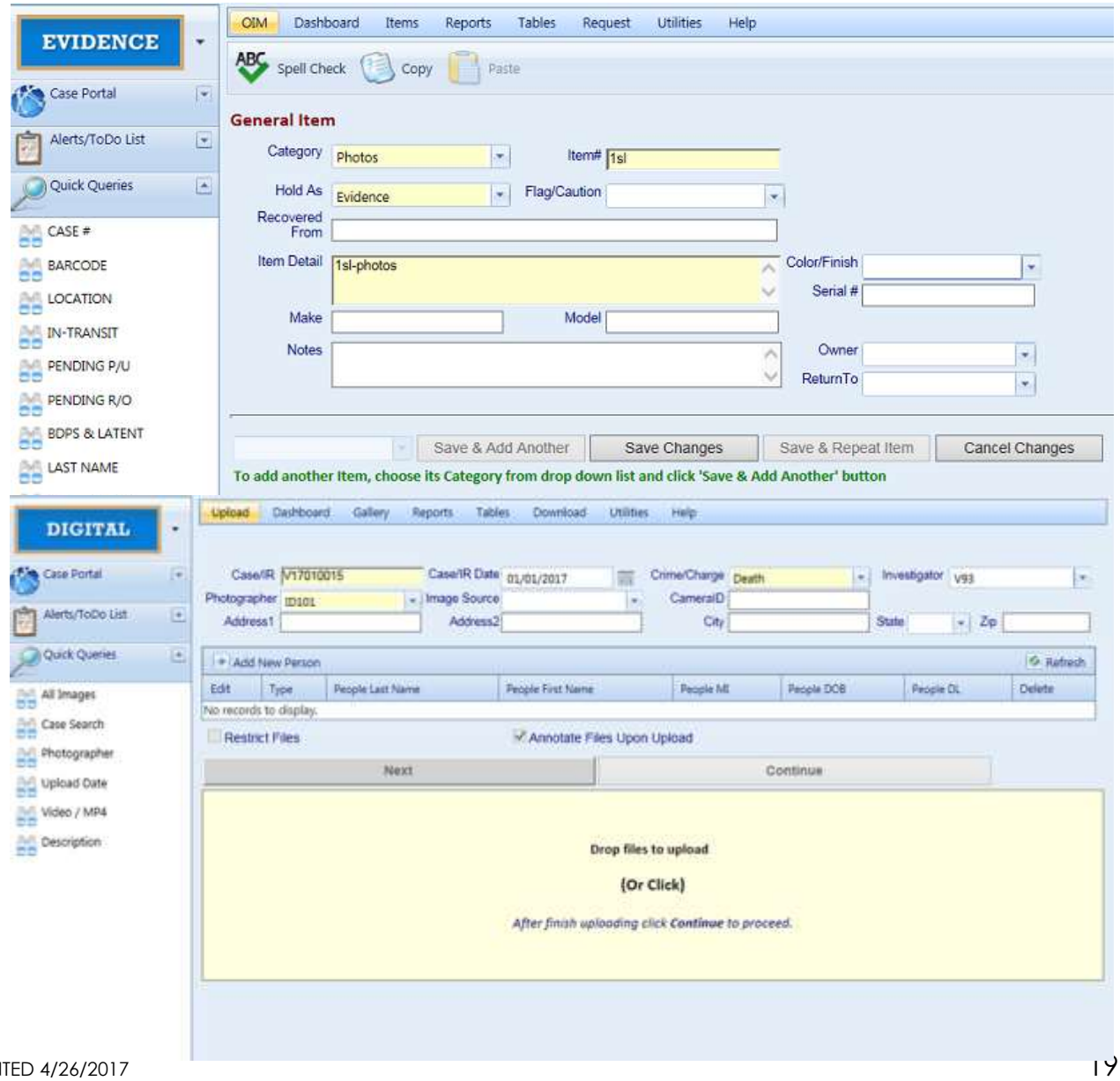
DIGITAL PHOTOS & MEDIA

ORO VALLEY POLICE DEPARTMENT PROPERTY & EVIDENCE PACKAGING MANUAL

ALL PHOTOGRAPHS AND DIGITAL MEDIA (AUDIO INTERVIEWS, PDF FILES, & VIDEO) SHALL BE UPLOADED TO DIGITAL QUETEL. **FOR EVERY DIGITAL QUETEL UPLOAD A CORRESPONDING ENTRY SHALL BE MADE IN EVIDENCE QUETEL TO GENERATE A PROPERTY AND EVIDENCE REPORT.** AN ITEM NUMBER WILL BE ASSIGNED DURING THE EVIDENCE ENTRY. THERE IS NO NEED TO PRINT THE BARCODE LABEL FOR DIGITAL PROPERTY.

NOTE: WHEN ANNOTATING DIGITAL EVIDENCE, ONLY THE ITEM NUMBER IS REQUIRED.

NOTE: SOME VIDEO FORMATS ARE NOT RECOGNIZED BY DIGITAL QUETEL. IF THE VIDEO FORMAT IS NOT SUPPORTED, SUBMIT THE CD / DVD AS PHYSICAL EVIDENCE.



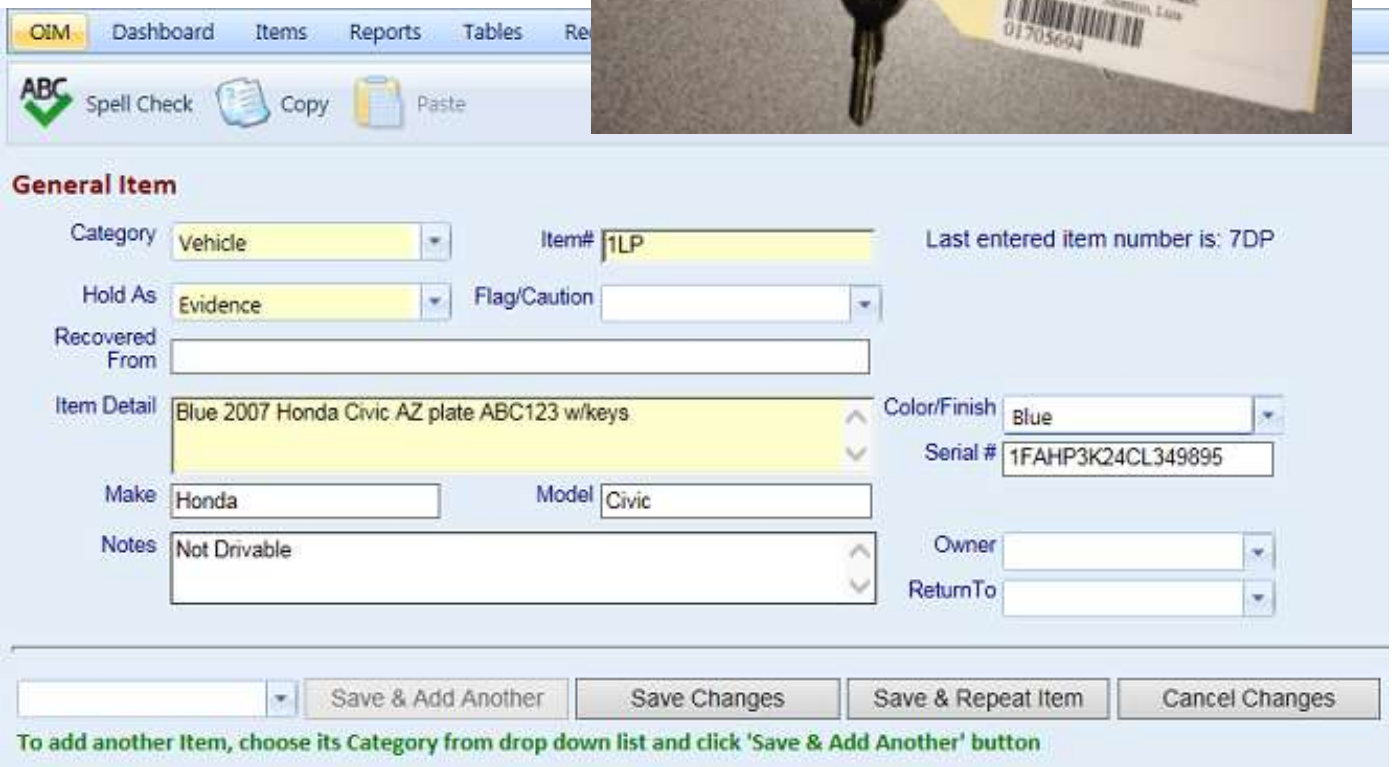
VEHICLE IMPOUNDS

ORO VALLEY POLICE DEPARTMENT PROPERTY & EVIDENCE PACKAGING MANUAL

ALL IMPOUNDED VEHICLES TOWED TO THE OVPD IMPOUND YARD REQUIRE AN ENTRY INTO QUETEL. **DO NOT MAKE A SEPARATE ENTRY IN QUETEL FOR THE KEYS.** NOTATE "W/KEYS" IN THE ITEM DESCRIPTION. IF THE VEHICLE IS NOT DRIVABLE, PLEASE INDICATE SUCH IN THE NOTES FIELD.

BOTH THE VIN AND PLATE NEED TO BE ENTERED INTO QUETEL. ENTER THE VEHICLE DESCRIPTION AND PLATE INFO INTO THE ITEM DETAIL FIELD. ENTER THE VIN INTO THE SERIAL # FIELD. ATTACH PROPERTY TAG WITH QUETEL BARCODE LABEL TO THE KEYS AND DROP THEM INTO THE DROP SLOT. IF THERE ARE NO KEYS, NOTHING FURTHER NEEDS TO BE DONE.

NOTE: PLEASE PARK DRIVABLE VEHICLES ON THE SOUTH END OF THE YARD AND RAISE THE HOOD TO PREVENT PACKRAT DAMAGE. NON-DRIVABLE AND CRASHED VEHICLES SHOULD BE DROPPED ON THE WEST SIDE OF THE LOT. USE A GREASE CRAYON TO MARK THE CASE NUMBER AND RESPONSIBLE OFFICER ON THE WINDSHIELD.



Uniform and Equipment Specifications Manual.pdf

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Uniform and Equipment Specifications Manual

The Department authorizes the following uniform and equipment items set forth in this section. All commissioned personnel shall equip themselves accordingly and wear the uniform as designated.

Headgear:

1. Black Campaign Hat:
   A. Authorized hat with the Class A and Class B uniform only
   B. Silver acorns for officers
   C. Gold acorns for supervisors

2. Eight-Point Hat:
   A. Authorized headgear with Class A and B uniform only

3. Black Ball Cap:
   A. Authorized ball cap has "OVPD" in gold lettering
   B. Officer's badge number on the back is optional
   C. Ball cap must be a fitted cap similar to a "Flex Fit" brand
   D. Ball cap may be worn with any uniform, except Class A
   E. Special assignment caps may be approved by the Chief of Police

4. Navy Style Watch Cap:
   A. May be worn when exposed to temperatures below 40° for a prolonged period of time
   B. The watch cap must only be plain black
   C. May never be worn indoors

Shirts:

1. Class A: Long Sleeve, LAPD blue (sleeves shall not be rolled up):
   A. Flying Cross, Style 48W3986
   B. Blauer, Style 8450-04 Wool Blend shirt

2. Class B Style 1: LAPD blue (sleeves shall not be rolled up):
   A. Long Sleeve:
      i. Flying Cross, Style 48W3986
      ii. Blauer, Style 8450-04 Wool Blend shirt
   B. Short Sleeve:
      i. Flying Cross, Style 98R3986
      ii. Blauer, Style 8460-04 Wool Blend Shirt

3. Class B Style 2: Base Shirt Wool Blend, LAPD blue
   A. Long Sleeve – Blauer, Style 8471-04
   B. Short Sleeve – Blauer, Style 8472-04

4. Class C Style 1: 5.11, Black
   A. Long Sleeve:
      i. Heavy weight – TacLite TDU, Style 72002-019,
      ii. Medium weight – Stryke TDU, Style 72399-019
   B. Short Sleeve – TacLite TDU, Style 71339-019

   All shirts:
   - Shall be embroidered above the right breast pocket with the officer's first initial and last name and stitching shall be 1" tall
   - Members of command staff shall have rank insignia embroidered on collars
   - An Oro Valley Police Badge patch shall be worn above the left breast pocket
   - LONG SLEEVE, HEAVY WEIGHT - "POLICE" shall be worn on a black bordered patch across the upper back of the shirt, about 2 ½" below the seam line
   - LONG SLEEVE, MEDIUM WEIGHT - "POLICE" shall be worn on a black bordered patch across the upper back of the shirt, just below the seam line
   - SHORT SLEEVE - "POLICE" shall be worn on a black bordered patch across the upper back of the shirt, about 2 ½" below the seam line

5. Class C Style 2: Polo, Black (must be worn under specified body armor)
   A. Olympic Polo
      i. Long Sleeve – Style CMP155
      ii. Short Sleeve – Style CMP126
   B. 5.11 Performance Polo
      i. Long Sleeve – Style 72049
      ii. Short Sleeve – Style 41060

6. Class C Style 3: Base Layer, Black (must be work under specified body armor)
   A. Blauer
      i. Men:
         1. Long Sleeve – Style 8781
         2. Short Sleeve – Style 8782
      ii. Women:
         1. Long Sleeve – Style 8781W
         2. Short Sleeve – Style 8782W

Jacket:

1. Black Duty Style Jacket:
   A. Embroidered black name patch with gold lettering
   B. Silver buttons for officers
   C. Gold buttons for supervisors

2. Tuffy Jacket: Approved tuffy jackets with removable liners

3. Ike Jacket: May be worn with Class A uniform only

4. Raingear: Black or yellow may be worn in inclement weather

Necktie: May be required and must be maintained. Ties are not mandatory EXCEPT as directed by the Chief of Police.

1. Department approved necktie may be black or navy

2. Silver tie bar for officers are mandatory when a tie is worn

3. Gold tie bars for supervisors are mandatory when a tie is worn

4. Tie must fit to the top of the belt buckle, but not cover the belt buckle

Trousers:

1. Class A and B: LAPD blue
   A. Fecheimer
      i. Men – Style 39400
      ii. Women – Style 39450
   B. Blauer
      i. 4 - Pocket Wool Trouser 8560-04
      ii. 6 - Pocket Wool Trouser 8567-04 (Class B only)

2. Class C Style 1 and 2: 5.11, Black
   A. Men – Style 74427-019
   B. Women – Style 64402-019

3. Class C Style 3: Blauer, Black
   A. Style 8830

All Trousers:

- Trousers shall be worn so that they rest on the upper portion of the hipbone.
- Each trouser leg shall be tailored so that it falls to the top of the shoe, but not so long as to create a "break" in the trouser leg.
- As a general rule, with the officer standing at attention in full uniform, including accoutrements and regulation footwear, the bottom of the trouser leg shall be 1" to 1½" from the shoe, where the sole and the heel join.

Footwear: Steel toe footwear is strictly prohibited.

1. Class A, B and C**:** Authorized uniform boot or Oxford with polishable plain toe.

2. Class C: Authorized fabric style boot, no polishable toe.

Gloves:

1. Plain black leather or fabric gloves may be worn

2. White gloves shall be used for special events, i.e. color guard

3. Sap gloves are specifically prohibited

Duty Gear and Special Equipment:

1. Gun Belt:
   A. Department issued or equal to
   B. Gun belt shall not necessarily expose the trouser belt
   C. Gun belt shall be held in place with belt keepers, unless a Velcro-type belt is worn

2. Gun Belt Loops (Keepers): Department issued or approved

3. Holster**:** Department issued or approved

4. Handcuffs:
   A. Department issued or approved
   B. Handcuffs are not to be draped over the duty belt

5. Handcuff Case: Department issued or approved

6. Magazine Pouches: Department issued or approved

7. Baton: Department issued or approved, readily accessible (i.e. in car)

8. Baton Holder: Department issued or approved

9. Oleoresin Capsicum (O.C.): Department issued or approved, readily accessible (i.e. in car)

10. Whistle: Department issued or approved

11. Flashlight: Department issued or approved

12. Flashlight Holder

13. Folding Knife: Department issued or approved

14. Mini Recorder: Officers may carry mini-recorders in black cases on the duty belt or in shirt pocket

14. Latex Gloves: (mandatory) Department issued or approved

15. Leather Gear: Plain black leather gear may be worn with Class A or Class B uniforms

Body Armor Provided:

1. Officers shall only wear agency-approved body armor

2. Exterior Body Armor Vest (optional):

   A. Class B Style 2:
      i. Blauer 8470-04 Armorskin wool blend with metal nameplate, badge and pins

   B. Class C Style 2 (Tactical):
      i. The officer's first initial and last name shall be worn on a Velcro patch above the right breast pocket. The Velcro patch shall be 1" tall.
      ii. "POLICE" shall be worn on a Velcro patch below the right breast pocket. The patch shall be 4" x 1¾".
      iii. An Oro Valley Police Badge Patch (Velcro) shall be worn above the left breast pocket.
      iv. "POLICE" shall be worn on a Velcro patch across the upper back of the vest.
      v. Pouches:
         a. The vest shall have no more than five external accessory pouches displayed to the front.
         b. There shall be no more than two single handcuff pouches on the rear of the vest.
         c. Single handcuff pouches are the only authorized pouches to be worn on the back.
         d. Pouches shall be worn vertical and shall be limited to one pouch per vertical line – exception, the cross draw Taser and cartridge pouch.
         e. Authorized pouches are:
            1. Taser pouch (cross draw) with cartridge pouch
            2. Radio pouch
            3. Flashlight pouch
            4. Digital recorder pouch
            5. Collapsible Baton pouch
            6. OC Spray pouch
            7. Handcuff pouch - single pouch or double (double pouch limited to the front of the vest)

   C. Class C Style 3:
      i. Blauer 8780, Black BDU Armorskin Ripstop Carrier
         a. Shall be embroidered above the right breast pocket with the officer's first initial and last name and stitching shall be 1" tall.
         b. Members of command staff shall have rank insignia embroidered on collars
         c. An Oro Valley Police Badge patch shall be worn above the left breast pocket
         d. "POLICE" shall be worn on a black bordered patch across the upper back of the shirt, about 2 ½" below the seam line

Department Polo Shirt: (All Department Personnel)

1. Only a Department-approved polo shirts may be worn with casual sport pants (i.e. Dockers) with belt loops and loafer type shoes.
2. Tennis shoes are not to be worn.
3. Females, while not strictly subject to the above standards, shall dress conservatively.

Emergency Operations Plan 2012.pdf

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Town of Oro Valley

Emergency Operations Plan

Adoption and Approval Date:

September 19, 2012

Prepared by:

Oro Valley Police Department
11000 N. La Cañada Dr.
Oro Valley, AZ 85737

Introduction

TOWN OF ORO VALLEY EMERGENCY OPERATIONS PLAN

PROMULGATION

The Nation's domestic incident management strategy has changed dramatically as a result of the terrorist attacks on September 11, 2001, devastating natural disasters, and due to the constantly changing threat environment. Today's threats include traditional manmade and natural hazards – wildland and urban interface fires, floods, oil spills, hazardous materials releases, transportation accidents, earthquakes, hurricanes, tornadoes, pandemics, and disruptions to critical infrastructure. Additionally, the United States is now faced with the deadly and devastating terrorist arsenal of chemical, biological, radiological, nuclear, and high-yield explosive weapons.

The federal government has responded to these complex and emerging 21st century threats with the introduction of various directives, guidelines, mandates, and policies to create a unified and coordinated approach to incident management. Two of those documents, the National Response Framework (NRF) and National Incident Management System (NIMS) provide a consistent framework for incident management between all levels of government and is applicable to all incidents regardless of the cause, size, or complexity.

In the event of a natural or manmade disaster within the Town of Oro Valley, Town officials must be prepared to implement plans and procedures to protect lives, property, and the environment. The Town of Oro Valley's Emergency Operations Plan (EOP) aligns the Town's capabilities and resources into a unified, all-discipline, and all hazard approach to incident management. The EOP is based on existing statutory authority and is also consistent with the guidelines established in the NRF and NIMS.

The EOP provides a framework for how the Town prevents, protects, mitigates against, responds to, and recovers from all disasters. It describes the roles and responsibilities of Town departments and how they will coordinate resources and activities with each other and other federal, state, county, regional, private-sector, and non-government partners. The Town EOP also supports the Pima County Emergency Operations Plan.

The Town Council gives its full support of the Town EOP and urges Town employees and community members to prepare for emergencies before they occur.

Dr. Satish I. Hiremath
Mayor, Town of Oro Valley
September 19, 2012

APPROVAL AND IMPLEMENTATION

The Town of Oro Valley, in accordance with Homeland Security Presidential Directive (HSPD) 5, Homeland Security Act of 2002, and Arizona Revised Statutes (§ARS 26-344 and §ARS 26-345), is required to prepare for and respond to emergencies/disasters in order to save lives and protect public health and property. The Town of Oro Valley Emergency Operations Plan, upon adoption, supersedes all previous versions of the Town of Oro Valley Emergency Operations Plan.

Applicability

The EOP addresses the consequences of any emergency, disaster, or incident for which there is a need for Town resources to provide preparedness, mitigation, response, and recovery assistance. The EOP is designed so that it can be partially or fully activated in the context of a threat, anticipation of a significant event, or in response to an incident.

The EOP applies to all Town departments that have a primary duty, or may be requested to provide assistance or conduct operations in the context of actual or potential incidents of local, regional, or national significance. It provides the foundation for establishing interagency and multi-jurisdictional mechanisms for Town coordination and involvement in incident response and recovery operations. Finally, the EOP also serves as the base for the development of other emergency plans and procedures for the Town.

Modifications

The EOP is considered a "living document" and therefore will require periodic review and potential modifications based on: actual incidents; training and exercising of emergency capabilities; updated planning guidance; laws; and policies.

The Oro Valley Police Department in coordination with the Town Manager, will review the EOP at least once every two years to ensure currency and applicability. Per the resolution of adoption, the Town Manager may approve modifications to the EOP. Any and all changes do not require Mayor and Council approval. Changes will take effect immediately upon issuance of the official Notice of Change.

RECORD OF CHANGES

CHANGE NUMBER	COPY NUMBER	DATE ENTERED	POSTED BY

RECORD OF DISTRIBUTION

NAME	TITLE	AGENCY/DEPARTMENT	DATE	# COPIES

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Basic Plan

TOWN OF ORO VALLEY EMERGENCY OPERATIONS PLAN

PURPOSE, SCOPE, SITUATION OVERVIEW AND PLANNING ASSUMPTIONS

The Town of Oro Valley is vulnerable to natural and manmade disasters. These disasters can affect the Town in a variety of ways, necessitating immediate response operations, and long-term recovery activities. The Town of Oro Valley Emergency Operations Plan (EOP) considers the risks of disasters in the Town and establishes how the Town will prevent, protect, mitigate against, respond to, and recover from disasters.

Purpose

The purpose of the EOP is to outline the framework for the coordinated response and efficient use of Town resources during emergencies and major disasters. The EOP is an all hazards plan that describes how the Town is organized to respond to emergencies. The EOP outlines how Town departments will coordinate resources and activities with local, county, state, federal, private-sector, and non-governmental organizations (NGOs) to prevent, protect, mitigate against, respond to, and recover from any emergency that could adversely affect the health and safety of Town residents, visitors, and the environment. The EOP is designed to accomplish the following:

1. Establish the systems and coordination that will allow for optimal response to and recovery from all disasters. This includes actions to save lives, protect property, and the environment, meet basic disaster-caused human needs, and restore the community to pre-disaster or improved conditions.

2. Establish the administrative and organizational basis for disaster operations in the Town.

3. Outline town-wide coordination and key activities required to prevent or lessen the impact of disasters in the Town before, during, or after a disaster.

4. Define the emergency management policies, roles, and responsibilities of Town departments that may be requested to provide assistance before, during, or after disasters.

5. Guide comprehensive emergency planning efforts before, during, and after a disaster.

6. Assist in developing an enhanced level of disaster preparedness and awareness throughout the Town.

7. Integrate with local, state, or federal statutes or laws that guide and/or support emergency planning efforts.

8. Synchronize plans with other relevant policies, emergency plans, systems, and programs to ensure full integration and unity of effort.

9. Outline procedures for requesting and coordinating disaster assistance.

10. Provide for flexibility in response and recovery operations that may be required to address the problems presented by the disaster.

Scope

The EOP is a major component of the Town's comprehensive emergency management program, which addresses all hazards, all emergency phases, all impacts, all people, and all stakeholders.

1. All Hazards. The EOP is meant to address all of the hazards that may require disaster response in the Town. The hazards are identified through a thorough risk assessment and prioritized on the basis of the impact and likelihood of occurrence. This approach allows the Town to address the specific considerations of unique hazards, while strengthening of the functions common to most disasters.

2. All Phases. The EOP is based on the five core capabilities identified in Presidential Policy Directive 8 (PPD-8): prevention; protection; mitigation; response; and recovery:
    a. Prevention. The capabilities necessary to avoid, prevent, or stop a threatened or actual act of terrorism.
    b. Protection. The capabilities necessary to secure the homeland against acts of terrorism and manmade or natural disasters.
    c. Mitigation. The capabilities necessary to reduce loss of life and property by lessening the impact of disasters.
    d. Response. The capabilities necessary to save lives, protect property, the environment, and to meet basic human needs after an incident has occurred.
    e. Recovery. The capabilities necessary to assist communities affected by an incident to recover effectively.

> A secure and resilient Nation with the capabilities required across the whole community to prevent, protect against, mitigate, respond to, and recover from the threats and hazards that pose the greatest risk (PPD-8).

3. All Impacts. The concepts identified in the EOP are meant to be used to address all types of disaster impacts, regardless of their cause, severity, or complexity – no matter how unprecedented or extraordinary. While the EOP focuses primarily on

disasters, it addresses and distinguishes between the following types of incidents when appropriate:

a. Emergencies are routine events which make up the majority of incidents and are handled by responsible jurisdictions or agencies through other established authorities and plans.
b. Disasters are non-routine events which may exceed the capabilities and resources of the Town and will require multi-agency response and additional assistance from county, state, or federal governments.
c. Catastrophes are extremely rare events where most, if not all, of the conditions exist:
    i. Most or all of the Town is destroyed or heavily impacted;
    ii. Town government is unable to perform its usual services;
    iii. Help from nearby jurisdictions is limited or cannot be provided; and
    iv. Most or all of the daily community functions are interrupted.

4. All Stakeholders. Effective emergency management requires trust and close working relationships among all levels of government, non-governmental organizations, the private sector, and the public. The planning process also enhances collaboration with other regional partners to develop and integrate planning efforts for disasters with multi-jurisdictional impacts.

5. All People. A key element of effective emergency planning is to consider the whole community that may be impacted by a disaster. The planning process encompasses as many audiences as practically possible and helps identify needs and resources that may be needed during response and recovery from a disaster.
    a. There are additional planning considerations to take into account when addressing the functional needs population. The functional needs population may include:
        i. Economically disadvantaged;
        ii. Limited language proficiency;
        iii. People with disabilities – physical, mental, cognitive, or sensory;
        iv. Age vulnerable (under 5 or over 65); and
        v. Culturally/geographically isolated.
    b. The **Pima County Office of Emergency Management and Homeland Security (PCOEMHS)** is the lead agency in coordinating regional planning efforts relating to the functional needs population. Functional needs planning addresses response and recovery activities that help address specialized needs such as: transportation; communications; and medical care. The Town collaborates with PCOEMHS and other local partners on these planning efforts.

Limitations

This EOP is adopted by the Town to save lives, protect property, and the environment; therefore, its provisions shall be liberally construed for the accomplishment of these purposes. The EOP may be impacted by changes in the law, public policy, emergency planning guidelines, budget considerations, and the threat environment, making it impossible to promise the delivery of a perfect emergency management system.

An incident might damage, destroy, and/or overwhelm government assets, the private sector, infrastructure, and other systems. As a result, the Town can only endeavor to make reasonable efforts to respond based on the information and resources available.

It is expressly the purpose of this plan to provide for and promote the health, safety and welfare of the general public. It is not intended to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by its provisions.

Liability

Liability issues and potential concerns among government agencies, private entities, and other response partners are addressed in local, state, and federal statute. Statutory protection exists to safeguard emergency responders, volunteers and emergency management personnel against liability during emergencies. Participating personnel will comply with all federal, tribal, state and local laws, rules, regulations, standards and Executive Orders, as applicable, without limitation. Any changes in the governing laws, rules, and regulations shall also apply but do not require an amendment to this Plan. Examples of current liability protection include but are not limited to:

1. ARS § 26-314: Immunity of state, political subdivisions and officers, agents and emergency workers; limitation; rules;

2. ARS § 26-353: Emergency response; immunity; and

3. Public Law 105-19: Volunteer Protection Act of 1997.

The Town will not be liable for any claim based upon the exercise or performance, or the failure to exercise or perform, a discretionary function or duty on the part of its political subdivisions or any employee of its political subdivisions, excepting willful misconduct, gross negligence or bad faith of any such employee in carrying out the provisions of this plan. No provision of or term used in this plan is intended to impose any duty whatsoever upon the Town or any of its officers or employees, for whom the implementation or enforcement of this plan shall be discretionary and not mandatory.

In addition to statute, mutual aid and intergovernmental agreements established between agencies address the provision of assistance and liability during an emergency. For

example, the Town is a signee on the Arizona Mutual Aid Compact (AZMAC) which may be used among signatory agencies for dispatching mutual aid assistance to any affected area in accordance with local ordinances, resolutions, emergency plans or agreements.[1]

Non-Discriminatory

The EOP is not intended to create or otherwise establish or designate any particular class or group of persons who will or should be specially protected, benefited or excluded by its provisions. In keeping with anti-discrimination policies, no emergency services will be limited or denied on the basis of race, color, national origin, religion, sex, age, or disability. Furthermore, no special treatment will be extended to any person or group in an emergency or disaster over and above what would normally be expected in the way of local government services.

Situation Overview

Emergency Planning

Emergency planning addresses all phases of emergency management, and the methodology that the Town will use to activate and deploy its resources in response and recovery operations. In addition, the planning process:

1. Addresses routine to catastrophic incidents;

2. Considers all hazards and threats including natural and manmade disasters;

3. Is a key component of the emergency preparedness cycle that includes: planning; organizing; training and exercising; equipping; evaluating; taking corrective actions;

4. Includes stakeholder participation, as applicable;

5. Takes into account the essential needs of the functional needs population;

6. Complies with applicable local, state, and federal regulations and statutes;

7. Takes into account national standards, planning guidelines, and best practices; and

8. Is revised regularly in order to maintain maximum applicability in a constantly changing threat environment.

[1] Town Resolution No. 10-14 Arizona Mutual Aid Compact.

Integration of Planning Efforts

Planning efforts for the EOP are coordinated and integrated both vertically and horizontally among all levels of government.

1. Vertical Integration. Vertical integration is the meshing of emergency plans both up and down the various levels of government. It follows the concept that the foundation for operations is at the local level and that support from Federal, State, Regional and private sector entities is layered onto the local activities.

2. Horizontal Integration. Integrates operations across a jurisdiction and allows departments and support agencies to produce emergency plans that meet their internal needs or regulatory requirements and still integrate into overarching county or state plans. It also ensures that a jurisdiction's set of plans supports neighboring and partnering jurisdictions' emergency plans.

The EOP is supported by a variety of internal plans, procedures, and policies that are developed and maintained by individual Town departments and external agencies. The departments and agencies with primary responsibility for the execution of these plans are also responsible for ensuring that it conforms to procedures outlined in this EOP. They also manage and protect the plans according to applicable statutes, laws, and protections relating to sensitive, classified, homeland security, or Protected Critical Infrastructure Information (PCII).

1. Supporting Documents. Supporting documents can take many different forms in order to accomplish a variety of different objectives. Examples include but are not limited to:
    a. Emergency Support Functions (ESFs). The ESFs address major functional areas required to respond to disasters. Examples of functional areas include:
        i. Transportation
        ii. Communications
        iii. Public Works and Engineering
        iv. Firefighting
        v. Emergency Management
        vi. Mass Care, Emergency Assistance, Housing, and Human Services
        vii. Logistics Management and Resource Support
        viii. Public Health and Medical Services
        ix. Search and Rescue
        x. Oil and Hazardous Materials Response
        xi. Agriculture and Natural Resources
        xii. Energy
        xiii. Public Safety and Security
        xiv. Long-Term Community Recovery
        xv. External Affairs

b. Support Annexes. Support Annexes describes the functional processes necessary to ensure efficient and effective implementation of incident management objectives.
c. Incident Annexes. Incident Annexes address contingency or hazard situations requiring specialized response or recovery operations.
d. Continuity of Operations Plan (COOP). Establishes the policies and procedures for continuity of operations following an incident.
e. Standard Operating Procedures (SOP). Reference documents that provide more details about specific operations or functions.

2. Supplemental Agency Plans. Provide details on each individual organization's authorities, response protocols, and technical guidance for responding to and managing emergencies. Examples include but are not limited to:
    a. First Responder Plans. Responding agencies have plans and procedures on how they respond to routine emergencies and how they expand and coordinate their efforts during larger incidents.
    b. Jurisdictional Emergency Operations Plans. Local jurisdictions maintain their own individual emergency operations plans that establish how they coordinate with other agencies in response to disasters.

Residents and citizens also have a critical role and shared responsibility to be prepared to take appropriate actions to protect themselves, their families, businesses, and properties in order to build a more resilient community. Public and private sector entities also develop and maintain plans that detail their internal procedures for emergencies.

1. Local Business and Other Organizational Plans. Local businesses and organizations should also develop and maintain emergency response plans, standard operating procedures, and continuity of operations plans in order to prepare for and respond to disasters that may impact their property or employees.

2. Individual and Family Emergency Plans. The public is responsible for preparing for disasters just as the various levels of government do. In large events, local government and disaster relief organizations in the region may be overwhelmed; therefore the public needs to be prepared as well through the development of individual and family emergency plans, 72-hour preparedness kits, and communications plans.

Hazard and Threat Analysis

The development of emergency plans is based on local hazard and threat analysis. Hazard analysis begins with hazard identification and then assesses the risk based on history and probability of an event within a jurisdiction or area. The vulnerability is assessed based on aspects of population and property locations within potential risk areas. Hazard analysis is based upon several key factors:

1. Nature of a potential event;

2. History of previous occurrences of a particular hazard;

3. Probability and potential magnitude of a hazard; and

4. Warning time associated with a hazard that allows consideration for the time available for preparation.

The hazard analysis process indicates that the Town of Oro Valley is vulnerable to the adverse effects of all hazards including natural and man-made disasters, which may result in the loss of life, property damage, and economic and social disruption.

1. Natural Hazards: In general, the greatest hazards to the Town are natural events such as: flooding/flash flooding; extreme temperature; drought; winter storms; and severe wind.

2. Technological Hazards: The Town is also to vulnerable to manmade and technological hazards such as: hazardous materials and transportation related incidents.

3. Terrorism and Weapons of Mass Destruction (WMD): Acts of terrorism can come in many forms including the use of WMD involving Chemical, Biological, and Radiological, Nuclear, or Explosive (CBRNE) weapons.

The Pima County Multi-Jurisdictional Hazard Mitigation Plan (PCMJHMP) contains the complete hazard analysis for the Town, along with other participating local jurisdictions covering a variety of natural hazards.

Capability Assessment

Capability is a structured element as identified through the Target Capabilities List (TCL) published by the US Department of Homeland Security. The Arizona Department of Emergency Management (ADEM) maintains an assessment that outlines the capabilities within Pima County to perform tasks across the prevention, protection, mitigation, response, and recovery spectrum. The Town is included in the assessment.

Consequences of Disasters

All hazards disaster planning is based on the premise that all disasters present similar consequences. These consequences may demand multi-agency/discipline response at all levels of government and the private sector. Dealing with these consequences is an important part of the Plan in the response and recovery phases. By identifying potential consequences, stakeholders and actions needed to address them may be identified. The following is a list of the primary consequences anticipated in any disaster. Specific hazards may present unique consequences that require more tailored response and recovery efforts.

1. Displaced People. Disasters often produce large numbers of displaced people who need a wide range of services (i.e. housing, food, clothing, financial assistance, child and special needs care, information, employment assistance, medical assistance, etc.) during both response and recovery.

2. Injured/Ill People. Rapid events, such as tornadoes, technical industrial accidents, crime or terrorist attack, generally do not allow people time to escape the event. The result can be a wide range of injuries or illnesses requiring significant coordination of fire, police, Hazardous Materials (Hazmat), EMS, medical and public health and environment agencies.

3. Fatalities. The deaths of citizens and responders are the greatest tragedy associated with disasters. The Pima County Office of the Medical Examiner has statutory authority for determining the cause of death, identification, processing, and notification of kin. Several agencies may assist with the collection, storage, and final disposition of the dead. In the event of criminal or terrorist events, investigation and evidence preservation must also be considerations. The effective management of the fatalities is essential to the emotional and mental needs of the families, the community well being, prosecution and the prevention of potential public health and environmental crises.

4. Damaged or Destroyed Property. These are among the most common results of all disasters. Property damage and destruction may be limited by pre- or post-disaster mitigation. Responsibilities for damaged property vary based on ownership (public property versus private property). The rapid assessment of property to determine the losses of infrastructure, government buildings, homes, businesses, cultural, historic, and natural sites is critical to the disaster declaration process and the prioritization of recovery efforts. Debris management is a major component of this consequence of disaster.

5. Loss of Essential Services. Loss of services is closely linked to the disaster's impact on the government, businesses, and infrastructure. The preservation and continuity of government; first responder agencies; public health and medical; utilities; and environmental services are high priorities following a disaster.

6. Loss of Critical Infrastructure. The preservation and restoration of critical infrastructure and facilities is essential to sustained response and recovery operations. The repair and restoration requires close coordination between the public and private sector.

7. Economic Damage. The loss of population, property, businesses, and infrastructure can produce both immediate and long-term economic damage to the community. This impact must be accurately assessed and integrated into recovery planning.

8. Financial Impact/Unplanned Expenses. Response and recovery from disaster can produce significant expenses that are not part of routine budget planning. It is essential to have effective documentation and accounting policies in place for possible reimbursement. Addressing these expenses is often a shared responsibility if the event qualifies as a legally declared emergency/disaster at the local, state, and federal levels. Eligibility for certain types of funding is contingent on maintaining a current hazard mitigation plan.

9. Environmental Damage/Increase Health and Safety Hazards. Disasters can damage the environment both directly and indirectly. Fires, floods, storms, and technical/industrial disasters can impact broad geographic areas in a variety of ways. They may also have secondary impacts such as causing the release of sewage, hazardous materials, or other cascading events that can pollute the air, surface and sub-surface water, watersheds, the land, or kill/injure our plant and wildlife resources. Assessing this damage and implementing strategies for mitigation and recovery requires broad coordination of the public and private sector.

10. Psychological Impacts. Disasters can produce a wide range of immediate and long-term mental trauma for both first responders and the general public. Psychological impacts should be addressed from the on-set of a disaster and continue through the recovery period.

11. Companion Animal Issues. The collection, rescue, transportation, housing, care, feeding, tracking, and potential disposal of companion animals are often significant elements of disaster response. Effectively addressing these issues can be essential to ensuring the physical and mental well-being of their owners. This is a broadly shared responsibility.

12. Wildlife Issue. Disasters can produce large numbers of endangered, injured and dead animals. Failure to protect these resources can have significant impacts on the environment, public health, and the economy. This is a broadly shared responsibility.

13. Debris. Large amounts of debris on public and private property are a common consequence of disasters. Debris may be organic or inorganic, it may hamper

response and recovery operations, and pose significant public health and safety concerns. Debris management and removal requires an effective combined effort of the public and private sectors as well as the general public and property owners.

14. Litigation. Disasters raise issues related to liability, responsibility, accountability, negligence, and criminal culpability. These can lead to a wide range of legal proceedings involving both the public and private sector.

15. Loss of Confidence in Public and Private Institutions. Failure to effectively prepare for, mitigate, respond to or recover from disaster events can result in a loss of confidence in public and private institutions. This complex consequence is best addressed through effective preparedness and public engagement/education prior to disaster events.

Planning Assumptions

The Town of Oro Valley's Emergency Operations Plan is based on the following planning assumptions:

1. A disaster may:
    a. Occur at anytime with little or no warning;
    b. Be the result of single or multiple hazards or threats;
    c. Involve multiple jurisdictions simultaneously (impacting the county, region, state, or nation);
    d. Result in fatalities, casualties, property loss, displaced persons, disruption of normal life-support systems, essential services and infrastructure;
    e. Require significant information-sharing across jurisdictions and between the public and private sectors;
    f. Overwhelm response and recovery capabilities of the Town, county, state, and federal government;
    g. Require extremely short-notice resource coordination and response timelines;
    h. Require prolonged, sustained response operations and support activities; and
    i. Attract a sizeable influx of spontaneous unaffiliated volunteers and undesignated donations.

2. A large-scale incident may exceed the emergency response capabilities of the Town of Oro Valley. Additional resources can be requested from Pima County, neighboring jurisdictions, the state, and the federal government through local, county, and state disaster declarations.

3. Widespread energy outages or shortages may require the use of alternative methods to deliver essential services, utilities, or provide information to the public.

4. Overwhelmed communications systems could impair communication between first responders, to other jurisdictions, and the public.

5. Emergency response personnel may be unable or unavailable to report to work due to the incident.

6. Response operations may be unavailable or severely hindered due to blocked access or damage to facilities and infrastructure.

7. Non-essential Town operations may be curtailed to free up resources to respond and recover from an incident.

8. The Town is dependent on privately owned and operated critical infrastructure resources to provide services. If critical facilities are rendered inoperable or depleted, response and recovery efforts may be delayed or significantly hindered.

9. Private and nongovernmental organizations can provide additional support and assistance to response and recovery efforts and to those impacted by disaster. Requests for assistance will be coordinated through the Town Emergency Operations Center (EOC), if activated.

10. Competing demands for resources may require the prioritization of scare resources.

11. The Town may be unable to satisfy all requests for assistance during a disaster.

12. Town residents, businesses, and other organizations need to be prepared to be self-sufficient following a disaster for a minimum of three days (72 hours).

CONCEPT OF OPERATIONS

Incident management activities will be initiated and conducted using the concepts and principles identified by the National Incident Management System (NIMS). The Incident Command System (ICS) will be used as the on-scene incident management system to direct and control response activities.

In response to a call for emergency assistance through the 9-1-1 system, the appropriate assignment of resources for police, fire and emergency medical services will be deployed to the scene. As soon as the first response units from the lead agency arrives on-scene, generally the most official responder will assume the position of Incident Commander and will continue serving in this capacity until a determination is made to transfer incident command to a more senior person. Should the response require the close coordination of multiple response agencies, the Incident Commander will make a determination to transition to a Unified Command.

Emergency events usually begin as routine calls for services. The escalation of an event may impact the Town and its ability to provide services; therefore requiring additional assistance and resources. An Incident Commander may request the activation of the Town Emergency Operations Center (EOC). When activated, the EOC will help coordinate a multi-agency response to the incident, including requests for assistance through mutual aid agreements and the next higher level of government (i.e. Town to Pima County).

Plan Activation

The authority to activate this EOP is not limited to any one jurisdictional leadership position, but may vary depending on an incident and authority over the incident. Therefore, the decision to activate the EOP may be made by the: Town Mayor or designee; Town Manager or designee; Chief of Police or designee; Incident Commander; or at the request of another Town department director. The EOP may be activated in part or in whole, and/or in conjunction with supplemental department or interagency plans as needed based on the incident.

Additional EOP activation circumstances include:

1. When the Governor has proclaimed a State of Emergency in an area including the Town of Oro Valley;

2. A Presidential declaration of a National Emergency;

3. Proclamation of State of War Emergency by the federal government; and

4. Receipt of an attack warning or actual attack on the United States

Disaster Declaration Process

In the event that Town resources are overwhelmed during a response to an incident, as defined in Town Code, Section 2-1-3 (C), the Mayor may, by proclamation, declare a local emergency to exist due to fire, conflagration, flood, earthquake, explosion, war, bombing, or any other natural or man-made calamity or disaster or in the event of threat or occurrence of riot, route, or affray or other acts of civil disobedience which endanger life or property within the Town. After such declaration, the Mayor shall govern by proclamation and impose all necessary regulations to preserve the peace and order of the Town, including but not limited to:

1. Imposition of a curfew in all or any portion of the Town;

2. Ordering the closing of any business;

3. Closing to public access any public building, street or other public area; and

4. Calling upon regular and/or auxiliary law enforcement agencies and organizations within or without the political subdivision for assistance.

A declaration of emergency by the Town will be communicated to the Pima County Office of Emergency Management and Homeland Security (PCOEMHS) or the Pima County Emergency Operations Center, when activated. Pima County may also notify the Arizona Department of Emergency Management (ADEM) who will contact the Federal Emergency Management Agency (FEMA) per established policies and procedures.

In the event that legal questions or concerns arise before, during, or after an incident, the Town Legal Department will provide legal guidance throughout the decision-making process.

Town Emergency Operations Center (EOC)

The Town EOC is the centralized location that coordinates a multi-agency response to an incident. The EOC supports the on-scene response by facilitating emergency declarations, mobilizing resources, requesting assistance from other agencies, disseminating emergency public information, organizing and implementing large scale evacuations, coordinating shelter and mass care for evacuees, and providing decision-making support to elected officials. The following are possible criteria for activation of the Town EOC:

1. A threat (or potential threat) increases the risk in the Town;

2. Coordination of response activities are needed;

3. Resource coordination is needed to respond to an event;

4. Conditions are uncertain or could possibly escalate;

5. Pima County declares an emergency; and

6. At the discretion of any of the individuals authorized to activate the EOC.

EOC Organizational Structure

The EOC staffing level and composition is contingent on the specific requirements of an incident. The organizational structure of the EOC is modular, extending to incorporate all elements necessary for the type, size, scope, and complexity of a given incident. The structure can be condensed, expanded, or reconfigured as needed. While the structure is flexible, it is organized around the below areas:

1. Command/EOC Management. Responsible for the overall disaster policy and coordination.

2. Operations. Supports field operations and coordinate town-wide response activities through the implementation of the EOC Action Plan.

3. Planning. Collect, evaluate, process, and disseminate information for use in the EOC.

4. Logistics. Supports operational activities through the provision of supplies, equipment, facilities, personnel, mutual aid, and other support services necessary for disaster response and recovery.

5. Finance/Administration. Coordination of the financial planning, operations, and reporting services required to effectively respond to and recover from a disaster.

Within the framework of each of the sections, Town department and external agency personnel make up the vast majority of the EOC staff. When activated in the Town EOC, assigned personnel will provide support within their respective functions or expertise. Staff will work together within their networks and statutory or regulatory authorities to ensure a coordinated and effective response to disasters.

ORGANIZATION AND ASSIGNMENT OF RESPONSIBILITIES

This section provides an overview of the organization and roles and responsibilities of local, state, federal, private sector, and nongovernmental organizations and citizens involved in support of a disaster.

Organization

The response organization to implement actions under this Plan is composed of Town government and private agencies. The response structure is designed to be flexible to accommodate any response and recovery requirements. This EOP also supports the Pima County Emergency Operations Plan.

The Town response structure is composed of but not limited to the following departments and agencies:

1. Development and Infrastructure Services
2. Finance
3. Human Resources
4. Information Technology
5. Legal Department
6. Magistrate Court
7. Mayor and Council
8. Parks, Recreation, Library, and Cultural Resources
9. Police Department
10. Town Clerk
11. Town Manager
12. Water Utility
13. Golder Ranch Fire District
14. Mountain Vista Fire District

Assignment of Responsibilities

The EOP is built upon the idea that emergency response activities performed by public and private sector entities are closely aligned with day-to-day roles and responsibilities. Departments and agencies are responsible for the development of response plans that guide internal operations during an emergency, standard operating procedures, continuity of operations plans, and other policies or procedures that address emergency operations. Departments and agencies that have significant roles and responsibilities in response and recovery activities are detailed below.

Town Departments

1. Mayor and Council. The Mayor, or designee, as the Town's chief executive is responsible for the public safety and welfare of the people in the Town of Oro Valley. As provided in Town Code, upon declaration of a local emergency, the Mayor shall govern by proclamation and has the authority to impose all necessary regulations to preserve the peace and order of the Town. During an incident, the Mayor, or designee, may direct any Town Department to utilize its authorities and resources in order to save lives, protect property, and the environment and ensure an effective response. Town departments serve under the Mayor, or designee, in accomplishing response missions.

2. Town Manager. The Town Manager on behalf of the Mayor may coordinate operations and provide necessary direction and control for response and recovery activities. The Town Manager will also be a liaison to Town department directors, Mayor and Council, and other officials.

3. Police Department. For the purposes of this Plan, emergency management responsibilities and activities within the Town are generally delegated to the Police Department. However, depending on the type of incident, other Town departments or agencies may have statutory authority in response and recovery activities. In that case, the Police Department will provide support to the impacted department as requested. The Chief of Police, or designee, will work in conjunction with the Town Manager to determine any necessary activation levels of the Emergency Operations Center.

4. Town Departments. All Town departments are responsible for fulfilling their specific response functions and to coordinate departmental participation in town-wide prevention, protection, mitigation, response, and recovery activities. The development and maintenance of supporting documents are the responsibility of each department. Additional responsibilities may include but are not limited to:
    a. Develop supporting documents to the EOP including: Emergency Support Functions (ESFs); departmental Continuity of Operations Plans (COOPs); and departmental Standard Operating Procedures (SOPs).
    b. Develop departmental procedures for notifying staff and external agencies of an escalating situation, recall procedures for personnel during non-duty hours, prepare go-boxes, and attend pertinent training.
    c. Identify risk reduction strategies that could be employed pre-emergency.
    d. Provide support to response and recovery operations, as needed.
    e. Following an incident, participate in an initial damage assessment of facilities, infrastructure, resources, and personnel.
    f. Assign staff to the EOC, if requested.
    g. Identify alternate locations for critical functions, to include having necessary arrangements and procedures in place for making an orderly transition.

Fire Departments

1. Golder Ranch Fire District (GRFD). GRFD maintains and develops their own policies and procedures on tactical and operational responses to routine emergencies and significant incidents. GRFD will respond to incidents in accordance to their organizational policies and procedures, automatic and mutual aid agreements, operational guides, and other plans.

2. Mountain Vista Fire District (MVFD). MVFD maintains and develops their own policies and procedures on tactical and operational responses to routine emergencies and significant incidents. MVFD will respond to incidents in accordance to their organizational policies and procedures, automatic and mutual aid agreements, operational guides, and other plans.

Pima County

1. Pima County Office of Emergency Management and Homeland Security (PCOEMHS). PCOEMHS as the designated county emergency management agency has specific statutory and legal authority before, during, and after an incident. In addition to legal authority, PCOEMHS also helps coordinate preparedness, mitigation, response, and recovery activities throughout the region. Examples include but are not limited to:
    a. Develop and maintain a county-wide emergency management program that incorporates all applicable governments, private and volunteer organizations;
    b. Develop and maintain the Pima County Emergency Operations Plan;
    c. Develop and maintain partnerships between local jurisdiction, state and federal agencies, private sector, and volunteer organizations during all phases of emergency management;
    d. Manage the County EOC, including staffing, activation procedures, and standard operating procedures;
    e. Request and coordinate assistance from the State of Arizona and the Federal government;
    f. Coordinate county personnel, equipment, and resources to alleviate suffering and loss resulting from a disaster;
    g. Coordinate county departments tasked with other activities before, during, and after an incident;
    h. Maintain the Pima County Multi-Jurisdictional Hazard Mitigation Plan and inclusion in the State of Arizona Multi-Hazard Mitigation Plan;
    i. Implement policy decisions relating to emergency management and homeland security matters in Pima County;
    j. Coordinate functional needs planning within the county; and
    k. Execute all other duties, not specifically listed herein, herein, pursuant to state law and County policy.

2. The Pima County Health Department, Pima County Sheriff's Department, and Pima County Office of the Medical Examiner also have specific legal and statutory authorities before, during, and after incidents. All departments develop and maintain their own operational, standard operating procedures, and emergency plans according to their established policies and procedures.

State of Arizona

1. Arizona Department of Public Safety (DPS). The mission of DPS is to protect human life and property by enforcing state laws, deterring criminal activity, ensuring highway and public safety, and providing vital scientific, technical, and operational support to other law enforcement agencies.

2. Arizona Division of Emergency Management (ADEM). Ensures that the state is prepared to deal with large-scale emergencies and is responsible for coordinating the state response in any incident. When activated, the State will be responsible for coordinating statewide emergency operations, to include the provision of mutual aid and other support, and the redirection of essential supplies and other resources to help meet the need of local jurisdictions. The state also coordinates efforts with federal officials.

3. Arizona Counter Terrorism Information Center (ACTIC). ACTIC is the state's fusion center which is a multi-disciplinary operations hub. The ACTIC is operated by Department of Public Safety (DPS) and links together the state's homeland security stakeholders in one facility to enhance Arizona's capability to collect, analyze, share, and disseminate critical homeland security information and intelligence. In addition to state and local participants, the ACTIC incorporates the Federal Bureau of Investigation (FBI), Joint Terrorism Task Force (JTTF), Department of Homeland Security (DHS) and other federal partners.

Federal

1. Federal Emergency Management Agency (FEMA). Ensures that the nation is prepared to prevent, protect, mitigate against, respond to, and recover from all hazards. FEMA is responsible for establishing and implementing federal guidelines, providing support to state and local governments as requested and responsible for coordinating national response or recovery operations as needed.

2. Pursuant to HSPD-5, the Secretary of Homeland Security is responsible for coordinating Federal operations within the United States to prepare for, respond to, and recover from terrorist attacks, major disasters, and other emergencies. Several Federal agencies have independent authorities to declare disasters or emergencies. These authorities may be exercises concurrently with or become part of a major disaster or emergency declared under the Stafford Act.

Other

1. Hospitals, Nursing Facilities, and Assisted Living Facilities. These facilities are responsible for ensuring the safety and well-being of visitors and tenants to their facilities. Hospitals also play an essential role in medical care of victims following an incident.

2. Individuals, Families, and Businesses. The public is responsible for preparing for disasters just as the various levels of government do. Specifically, individual, family, and/or business plans need to be developed and maintained to ensure a high level of preparedness in the event of a disaster.

3. Private Sector and Nongovernmental Organizations (NGOs). Their roles in mitigation, preparedness, response, and recovery are highlighted below:
    a. Participate in coordination activities designed to maintain good working relationships with local emergency response agencies;
    b. Take part in regional planning, training, and exercise activities in order to strengthen regional preparedness;
    c. Maintain emergency plans, procedures, and guidelines to support the activities described in this EOP;
    d. Support local response operations with resources and personnel; and
    e. Aid in the identification of those whose needs have not been met and help coordinate the provision of assistance.

4. School Districts. School districts are responsible for ensuring the safety and well-being of students, staff and visitors to their facilities. To that end, emergency plans should be developed taking into account those hazards to which schools might reasonably be exposed such as natural or manmade hazards. The districts are encouraged to be proactive in developing and implementing these plans with input from emergency management, police and fire departments, and the American Red Cross to develop formal plans for utilizing schools as public shelters in the event of an incident.

5. Volunteers. Volunteers play an important role in strengthening the capacity of local communities to resist the effects of a disaster. Volunteers are encouraged to affiliate with local organizations to receive proper training and education in the event of activation. Examples of organizations include but are not limited to: American Red Cross; Community Emergency Response Teams (CERT); Fire Corps and/or Medical Reserve Corps; and Citizen Volunteer Assistants Program (CVAP).

DIRECTION, CONTROL, AND COORDINATION

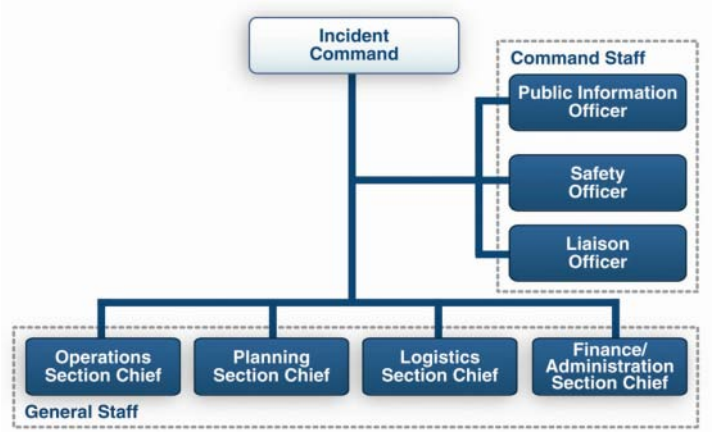
This section discusses the framework for all direction, control, and coordination activities during an incident. It identifies who has tactical and operational control of response assets, and explains how multi-jurisdictional coordination systems support the efforts of organizations to coordinate efforts across jurisdictions while allowing each jurisdiction to retain its own authorities.

Direction and Control

Incident Command/Unified Command

When an incident occurs the Town's first response generally comes from the Oro Valley Police Department, emergency services, or from another Town department such as the Water Utility or Development and Infrastructure Services. Per the principles of the National Incident Management System (NIMS), Incident Command is established at the scene. The incident is managed by an Incident Commander, generally from the main response agency. Direct tactical and operational responsibility for incident management activities rests with the on-scene Incident Commander. For hazards that require the close coordination of multiple agencies, Incident Command will typically transition to a Unified Command which would likely be comprised of officials who have jurisdictional authority or functional responsibility for the incident under statute, law, ordinance, or other agreement.

Figure 1. Incident Command System (ICS)



The number of ICS positions filled is variable depending on the incident. In a smaller incident, not all positions may be activated; however, in a larger incident, more positions may need to be activated.

Incident Command Post (ICP)

The Incident Commander will establish an Incident Command Post (ICP). The ICP is the physical location where the tactical-level, on-scene incident or unified command and management organization is located. The ICP is usually established in the close vicinity of the incident site.

Area Command

If there are multiple incidents or multiples sites within the impacted area, an ICP will be established at each site or for each event. Each ICP will then report to an Area Command organization. Area Command will oversee the management of the multiple ICPs and has the responsibility for: setting overall strategy and priorities; allocating critical resources according to priorities; ensuring incidents are properly managed; and ensuring operational objectives are met. Area Command may become Unified Area Command when incidents are multi-jurisdictional.

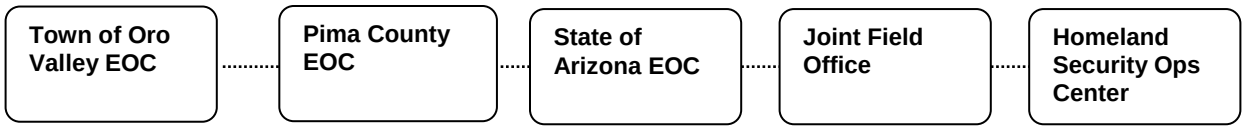
Coordination

In the event of an expanding incident, the incident management structure establishes a progression for requesting and receiving additional assistance and support from local, regional, state, or national agencies.

Multi-Agency Coordination (MAC) Group

A Multi-Agency Coordination (MAC) Group may be convened to manage executive leadership decision-making about regional resources. A MAC Group is part of the Multi-Agency Coordination System and is comprised of agency representatives that have jurisdiction, functional, or significant supportive responsibilities in an incident or incidents. MACS provide the architecture to support coordination for incident prioritization, critical resource allocation, communications systems integration, and information coordination during singular or multiple incidents. The elements of MACs include facilities, equipment, personnel, procedures, and communications. Two of the most commonly used elements are EOC and MAC groups.

Figure 2. EOCs/Multi-Agency Coordination Centers

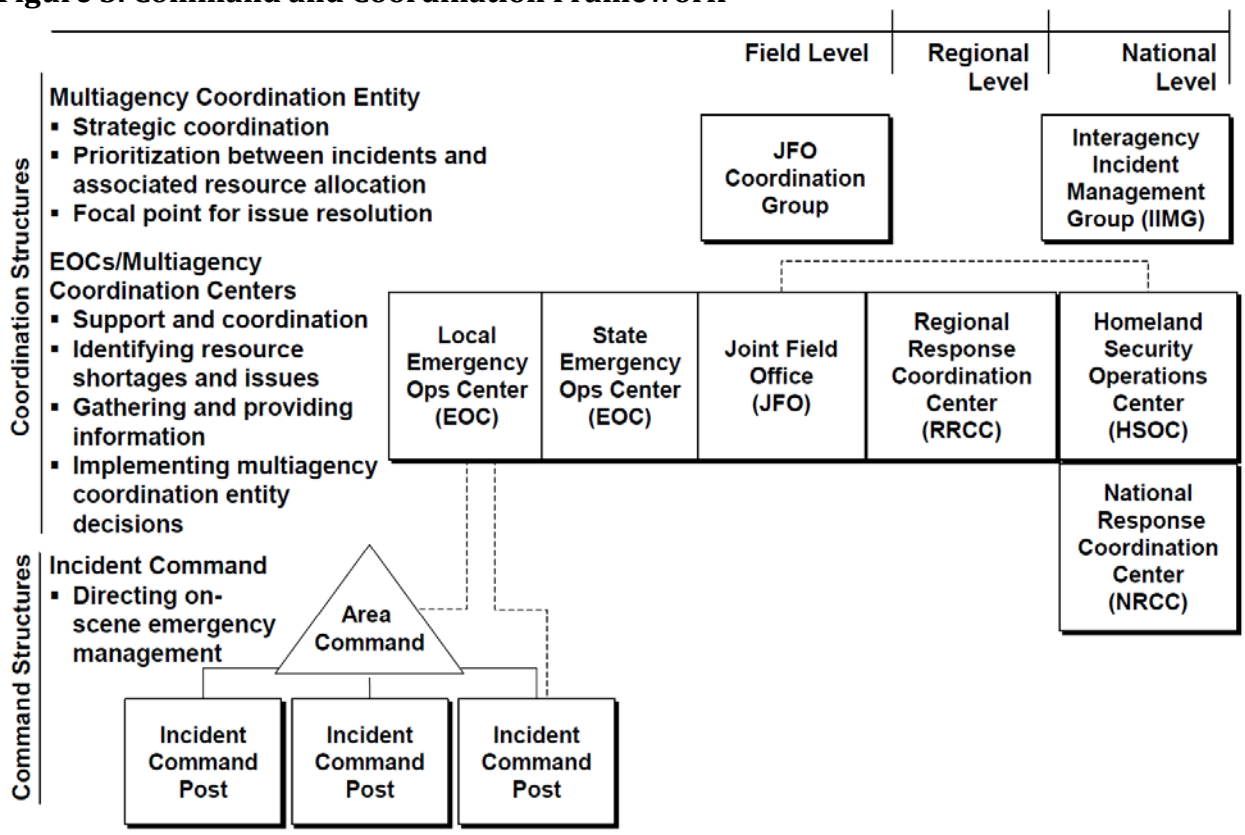


In accordance with NIMS processes, resource and policy issues are addressed at the lowest possible geographic, organizational, and jurisdictional level practicable. If local resources are exceeded, the local officials may request additional expertise, resources, and support from the next level for resolution.

Integration of Local, State, and Federal Response

As the response efforts unfolds and additional resources or personnel are requested to augment existing capabilities, personnel from other local, state, or federal agencies will integrate into the Incident Command Post, Area Command, EOC, and MAC Group to enhance the ability of these organizations to effectively respond to an incident. The figure below identifies how relationships function between the different levels of government.

Figure 3. Command and Coordination Framework [2]



The focal point for coordination of Federal support is the Joint Field Office. As appropriate the JFO maintains connectivity with Federal elements in the Incident Command Post in support of State, local, and tribal efforts.

[2] 2008. *National Incident Management System.* Washington, DC: DHS

EOP under the National Terrorism Advisory System (NTAS)

Under the National Terrorism Advisory System (NTAS), the Department of Homeland Security will coordinate with other federal entities to issue formal, detailed alerts when the federal government receives information about a specific or credible terrorist threat. These alerts will include a clear statement that there is an "imminent threat" or "elevated threat." The alerts also will provide a concise summary of the potential threat, information about actions being taken to ensure public safety, and recommended steps that individuals and communities, businesses and governments can take.

Alerts will be based on the nature of the threat. In some cases, alerts will be sent directly to law enforcement or affected areas of the private sector; while in others, alerts will be issued more broadly to the American people through both official media channels including a designated webpage (www.dhs.gov/alerts), as well as social media channels such as Facebook and Twitter.

Additionally, alerts will have a "sunset provision," meaning that individual threat alerts will be issued with a specified end date. Alerts may be extended if new information becomes available or if the threat evolves significantly.

In the event that a NTAS alert is released by DHS, the Town of Oro Valley may implement additional precautions in order to preserve and protect the health and safety of Town staff and residents. These actions will be identified by the Chief of Police or designee, likely in coordination with other designated law enforcement officials at the local, state, or federal level.

Threat information and actions will be protected according to applicable statutes, laws, and protections relating to sensitive, classified, homeland security, or Protected Critical Infrastructure Information (PCII).

Recovery

Recovery is a complex and long-term process that involves a range of interdependent and often concurrent activities that progressively advance a community toward a successful recovery. There are generally multiple different stakeholders involved in recovery activities.

The nature and the severity of the disaster will help determine the recovery actions in each of the recovery phases and their timing. The three recovery phases identified in the National Disaster Recovery Framework (NDRF) are:

1. Short-Term Recovery. Phase of recovery which addresses the health and safety needs beyond rescue, the asssessment of the scope of damages and needs, the restoration of base infrastructure and the mobilization of recovery organizations and resources including restarting and/or restoring essential services for recovery decisionmaking.

2. Intermediate Recovery. Phase of recovery which inovolves returning indivduals, families, critical infrastructure, and essential government or commercial services to a functional, if not pre-disaster state. Such activities are often characterized by temporary actions that provide a bridge to permanent measures.

3. Long-Term Recovery. Phase of recovery that may continue for months or years and address complete redevelopment and revitalization of the impacted area, rebuilding or relocating damaged or destroyed social, economic, natural and built environments and move to self-sufficiency, sustainabilty, and resilience.

In addition to the National Disaster Recovery Framework (NDRF), the federal government is currently developing other recovery planning guidelines. These new guidelines have not yet been released for implementation at the local, county, or state level. However, when finalized and released, the Town will develop applicable documents and plans in order to be in compliance with new guidelines, as required.

INFORMATION COLLECTION AND DISSEMINATION

Information collection and sharing is critical to coordinating response and recovery actions, the decision-making process, and identifying and deploying resources to meet the needs of an incident. Information is essential throughout prevention, protection, mitigation, response and recovery activities.

An effective information and dissemination system will provide durable, reliable, timely, and effective exchanges between data analysts, first responders, the media, and the general public.

Information Collection

The Town Emergency Operations Center (EOC) when activated will manage the collection and analysis of incident information and disseminate it to first responders, the media, and general public as needed. The major functions of information collection and intelligence gathering are:

1. Gathering, analyzing, and distributing information and intelligence;

2. Preparing, distributing, and documenting the Incident Action Plan (IAP);

3. Conducting long-range and/or contingency planning;

4. Developing demobilization plans;

5. Maintaining incident documentation; and

6. Checking in, tracking, and demobilizing resources assigned to the incident.

Two important aspects of developing an overall situational awareness are common operating picture (COP) and big picture awareness.

1. Common Operating Picture (COP). The common operating picture is a term used to ensure that response agencies share knowledge and understanding about the details of an event, its causes, its location, and its timing. The term entails sharing the "who, what, where, when, why, and how" of an event.

2. Big Picture. The "big picture" is a term used to ensure that response agencies share knowledge and understanding about the event and its ramifications, directions, impacts, and effects upon the people, property, environment, and critical systems in the Town and the region. This picture is necessary to meet immediate needs as well as recovery phase needs.

One method to obtain information is through a rapid assessment that can help identify critical information:

1. Accurate plot of the impact and magnitude of the affected area;

2. Demographics of those injured, killed, and displaced;

3. Lifesaving needs, such as evacuation plans, timelines, and instructions, and search and rescue;

4. Information on damage to government infrastructure, residential dwellings, temporary housing plans, and restoration timelines;

5. The risk of damage to the community from imminent hazards and anticipated expansion of incident scope;

6. The status, capacities, and the commodities of shelters, including Special Medical Needs Shelters and animal shelters;

7. Ability of government organizations to continue essential functions and services;

8. Damage to and status of critical infrastructure and facilities;

9. Location, capabilities, and number of all deployed response resources including equipment, commodities, and personnel; and

10. Requests and/or need for county, state, or federal assistance.

Information and intelligence gathering may also include analyzing the conditions for the potential for cascading events. Cascading events are events that occur as a direct or indirect result of an initial event. For example, if a flash flood disrupts electricity to an area and, as a result of the electrical failure, a traffic collision involving a hazardous materials spill occurs, the traffic collision is a cascading event. If, as a result of the hazardous materials spill, a neighborhood must be evacuated and a local stream is contaminated, these are also cascading events. Taken together, the effect of cascading events can be crippling to a community.

Information Sources

Intelligence gathering provides critical information about situational awareness, resource status, incident status, and the potential escalation of an incident. Sources of information may include the following:

1. On-scene Information. Generally, the most accurate information is obtained from those on the ground closest to the potential or actual incident site. First responders

and Incident Command is often the most reliable source of information. Accurate information from the scene can help provide vital data to decision-makers so that they can prioritize activities and to deploy resources.

2. Predictive Modeling. Technological capabilities and tools in predicting the number and type of casualties and the damage to infrastructure (e.g., bridges, roads, hospitals, and public buildings) and housing stocks can be integrated into pre-incident planning and response and recovery activities.

3. Images/Pictures. Pictures should include both pre-and post incident images to help with response and recovery efforts, including determining overall public and private facility loss to help support requests for assistance through the Stafford Act.

4. Fusion Centers. Fusion centers are designed to promote information sharing between the federal, state, and local government. Communication and coordination with the fusion center during an incident will be accomplished through established policies and procedures.

5. Operational information such as risk assessments, medical intelligence, weather reports, structural designs of buildings, and containment of hazard materials can help create situational awareness for response and recovery activities. Incident information can be used to help manage, coordinate, and direct response activities in order to: prevent/deter additional activity, incidents, and/or attacks; conduct a thorough and comprehensive investigation; and identify, process, collect, create a chain of custody for, safeguard, examine/analyze, and store all situational intelligence and/or probative evidence.

Information Dissemination

Information and intelligence gathered during response and recovery activities will need to be disseminated to first responders, in addition to applicable officials, external agencies, media entities, and the general public. Information will be disseminated internally and externally according to established policies and procedures.

Internal (Response Personnel)

There are several tools that are available to ensure that information is adequately collected, analyzed, and shared among response personnel and agencies.

1. WebEOC. WebEOC is a computer based system that will be used to manage multiple aspects of the incident including tracking and sharing of information.

2. Incident Command System (ICS) Forms. The use of standard ICS forms is encouraged to ensure compatibility between Incident Command and the Emergency Operations Center, if activated.

3. Briefings. Information briefings will be conducted regularly and at the beginning of each operational period.

4. Liaison Officer. In a large incident, the Liaison Officer position will help relay information between agencies, media entities, and the general public.

External (Media, General Public, and Other Officials)

Public confidence is important to maintain throughout all phases of emergency management and during and immediately after an incident.

1. The size and nature of the incident will dictate the type and amount of information released to the public and the specific timeline for release.

2. Information will be released to the public and media based on established policies and procedures. Designated Public Information Officers (PIOs) will generally be the spokesperson (s) for the Town in emergency situations.

3. Information will be disseminated through available means including: electronic, hard copy, video, telephone, email, and social media.

Long-Term Considerations

The longevity of information collection and dissemination is variable dependent on the incident. Incidents that are larger in size and scope will have different information collection and dissemination needs than a smaller more routine incident. A large scale incident may require broader information and collection and dissemination activities over an extended period of time, especially if impacting and involving multiple jurisdictions. Long-term information needs will be determined by the Incident Commander and within the Emergency Operations Center.

COMMUNICATIONS

Effective communication is critical to decision-making, emergency response efforts, and resource support and coordination during an incident, especially one of larger scope. The integration of support services and technologies is critical to effective incident response and responder safety.

Communications Framework

The Town of Oro Valley's communication function is coordinated by the Town's Information Technology Department and the Police Department. The communications system includes capabilities for: interoperability; redundancy for voice and data communications capabilities, including backup power generation; and the notification and/or warning of key officials, Town personnel, emergency responders, and the general public.

1. The Town is National Incident Management System (NIMS) compliant and communication systems are interoperable, address plain language use, present consistent and accurate information, and use common and consistent terminology.

2. The Town is a partner in the Pima County Wireless Integrated Network (PCWIN), which upon project completion will significantly enhance the interoperability capabilities between response agencies.

3. If the nature or magnitude of the emergency requires immediate warning or evacuation of the general public, then the public will be notified based on establish policies and procedures.

More detailed tactical and operational plans and procedures relating to communications capabilities are developed and maintained by a variety of local, state, and federal departments and agencies. They also manage and protect the plans according to applicable statutes, laws, and protections relating to sensitive, classified, homeland security, or Protected Critical Infrastructure Information (PCII).

ADMINISTRATION, FINANCE AND LOGISTICS

Throughout the prevention, protection, mitigation, response, and recovery phases of emergency preparedness, administrative, financial, and logistical support is needed. This section identifies: administrative protocols used before, during, and after an incident; the financial protocols used to recover costs incurred during an emergency; and logistics or resource mechanisms used to identify and acquire resources in advance of and during emergency operations, especially to overcome gaps potentially identified in a capability assessment.

Documentation of events, decisions, expenses, after-action reporting, and follow through issues, needs, and requirements is important through all phases of emergency management.

Administration

Documentation

Documentation is an administrative process used by a jurisdiction to document the response and recovery from a disaster. All departments and agencies involved in the incident shall document their actions and expenses throughout response and recovery operations. Examples of essential documentation include but are not limited to:

1. Incident Report. An incident report should be prepared and transmitted from Incident Command up the chain of command, when an on-going emergency incident appears likely to become more severe, may require activation of the Emergency Operations Centers, or additional assistance from adjacent local governments and Pima County may be needed.

2. Incident Action Plan (IAP). The IAP is intended to provide supervisory personnel with a common understanding of the situation and with direction for future action. The IAP includes a statement of objectives, organizational description, assignments, and support materials for a defined operational period. The plan is generally prepared at the outset of an incident's organized response or the beginning of an operational period for more extended events. Written IAPs must be maintained as part of the historical record for an incident.
    a. The IAP describes the intended course of action (s) to be taken by the Incident Command or Emergency Operations Center staff for a specified period.
    b. An Incident Briefing Form may be used on smaller incidents.

3. Situation Report (SITREP). During active disasters, participating departments and agencies will prepare situation reports. Each SITREP should contain pertinent

information regarding agency response/recovery operations and be distributed to all departments and agencies involved in the event response.

a. ICS Form 209, Incident Status Summary may be used as the SITREP format.

4. Hazardous Materials Spills Report. In the event of a hazardous materials spill, there are specific state and federal reporting requirements, including a written Incident Action Plan. The Town department or agency responsible for the spill shall make the required report. If the party responsible for a reportable spill cannot be located, it will be the responsibility of the Incident Commander to ensure that the required reports are filed.

5. Photography. An important aspect of documentation is scene photographs that are taken at the incident scene to help estimate costs, overall damage, and potential impacts on structures, people, and the environment. After-incident photos can be compared to pre-incident pictures in order to compare images of the impacted area, estimate relative cost of damage, and the efforts undertaken to resolve the situation.

6. Records. The Town is responsible for establishing and maintaining administrative controls necessary to manage the expenditure of funds and to provide reasonable accountability and justification for expenditures made to support emergency operations. This record keeping shall be done in accordance with Town fiscal policies and standard cost accounting procedures.

7. Activity Logs. The Incident Command Post (ICP) and the EOC shall maintain accurate logs recording key response activities including:
    a. ICS forms;
    b. Activation or deactivation of emergency facilities;
    c. Emergency notifications to local governments and to state and federal agencies;
    d. Significant changes in the emergency situation;
    e. Major commitments of resources or requests for additional resources from external sources;
    f. Issuance of protective action recommendations to the public;
    g. Evacuations;
    h. Casualties; and
    i. Containment or termination of the incident.

8. Preservation of Records. In order to continue normal government operations following an emergency or disaster, vital records must be protected. These include legal documents, property and tax records, and electronic files. The principal causes of damage to records are fire, water, and technological failure; therefore, essential records should be protected accordingly.

After-Action Report (AAR)

The after-action report will include a review of actions taken, identification of equipment shortcomings, recommendations on improving operational readiness, highlights the successes and strengths, and details other key issues affecting incident management. The AAR will include appropriate feedback from all local, regional, state, federal, nongovernmental, and private sector partners participating in the incident.

As part of the AAR process, each agency or department that is involved or impacted by the incident should perform a "hot-wash." The hot-wash is a brief discussion with all participants to elicit information about three basic issues: what was the planned activity; what actually occurred; and what improvements could be made for future incidents. A hot-wash is usually conducted immediately after an incident is resolved, or after a particular activity or operation has taken place within an incident or event. The information gathered will be submitted to the Incident Commander and emergency management staff to be incorporated into AARs.

The Oro Valley Police Department, in coordination with other Town departments and external agencies will incorporate pertinent information from the after-action review process into an update of emergency plans and procedures, as needed.

Finance

Timely finance support of response activities will be critical to successful emergency response, and recovery efforts. Innovative and expeditious means may be used to achieve financial objectives; however, it is required that generally accepted Town of Oro Valley financial policies, principles and regulations may be employed to ensure against fraud, waste, abuse, and to achieve proper control and use of public funds.

Documentation of Costs

Expenditure tracking should commence upon notice or obvious occurrence of disaster that require expense of labor, equipment use, materials, and other expenses. Written records need to be maintained for all disaster related personnel, supplies, equipment, and other disaster related expenses.

1. Incident Costs. Town departments and external agencies involved in the incident shall maintain written detailed reports of expenses. Examples of emergency and/or disaster costs include:
    a. Personnel costs (including overtime or backfill);
    b. Equipment operations costs;
    c. Costs for leased or rented equipment;
    d. Costs for contract services to support emergency operations; and
    e. Costs of specialized supplies expended for emergency operations.

2. Incident cost information may be used to:
    a. Estimate projected response costs;
    b. Submit cost recovery requests to responsible parties or insurers;
    c. Request financial assistance for allowable response and recovery costs from the state and/or federal government;
    d. Develop future budgets; and
    e. Serve as the basis for long-term recovery needs and financing.

The Town Finance Department will maintain detailed reports of costs for emergency operations, compile reports, and include total expenditures by category. This information is essential for requesting state or federal disaster assistance. The Finance department will follow prescribed administrative, fiscal, and procurement procedures.

State or Federal Reimbursement

The state and federal government require very detailed information for cost reimbursement after an incident. Examples include but are not limited to:

1. Costs and revenues associated with emergency operations should be segregated from normal operating expenses.

2. Separate records should be maintained for each vehicle and piece of heavy equipment used for emergency operations.

3. Vehicle and equipment documentation should include the miles and/or hours operated by location and by operator.

4. Vehicle operating expenses should include fuel, tires, tubes and maintenance.

5. Labor costs should be compiled separate from vehicle and/or equipment expenses.

6. Equipment documentation should include exactly where the equipment was used and for what; hours and minutes used; and the name of the equipment operator if applicable.

7. Revenues and subsidies for emergency operations must be subtracted from any costs claimed.

8. Requisitions, purchase orders, and invoices must be maintained for all supplies, materials and equipment expenses claimed.

9. Costs for supplies and materials must include documentation of exactly where resources were used and for what purpose.

10. All noncompetitive procurements must be justified.

Cost Recovery Programs

The Town will work with the Pima County Office of Emergency Management and Homeland Security to: coordinate educational opportunities to responding agencies and local officials about the cost recovery process; disseminate information about pre and post incident funding opportunities; and provide overall guidance for the reimbursement and cost recovery process.

There are various programs that allow the Town, County, State, and other supporting agencies to recover the costs incurred during and after an emergency operation. There are also cost recovery programs that provide assistance to individuals and families. The amount of assistance available depends on the size and type of the incident. A Presidentially declared disaster would likely provide more assistance than a locally declared disaster. Several of the core cost recovery programs are highlighted below:

1. State and Federal Public Assistance Program[3]. Public assistance provides supplemental aid to State, County, and local government agencies to help them recover from disasters as quickly as possible.
    a. PETS Act. Reimburses states and counties for work done in association with disaster mitigation, regulations associated with the PETS Act that authorizes FEMA to provide rescue, care, shelter, and essential needs for individuals with household pets and service animals, and to the household pets and animals themselves following a major disaster or emergency.
    b. Donated Resources. Donated resources used on eligible work that is essential to meeting immediate threats to life and property resulting from a major disaster may be credited toward the non-federal share of grant costs under the Public Assistance Program. Donated resources may include volunteer labor, donated equipment, and donated materials.

2. Hazard Mitigation Grant Program (HMGP). This FEMA program provides grants to state and local governments to implement long-term hazard mitigation measures after a Presidential declaration in order to reduce the loss of life and property due to natural disasters.

3. Individual and family assistance.
    a. Small Business Administration (SBA). The SBA provides low interest, long-term loans for physical and economic damage caused by a declared disaster. It offers loans to homeowner, renters, businesses of all sizes, and private, nonprofit organizations to repair or replace real estate, personal property, machinery and equipment, inventory, and business assets that have been damaged or destroyed in a declared disaster.

[3] FEMA's Disaster Assistance Program http://www.fema.gov/pdf/government/grant/pa/policy.pdf

b. Individual and Households Program (IHP). Assistance covers temporary housing needs, home repairs, and losses to personal property, transportation expenses, funeral and medical expenses upon a Presidential declaration.
c. Disaster Unemployment Assistance. This program may be implemented by the Department of Labor upon a Presidential declaration. It allows those unemployed due to a disaster access to unemployment benefits.
d. Worker's Compensation. The Department of Labor administers several compensation programs which provide wage replacement benefits, medical treatment, vocational rehabilitation, and other benefits to federal workers or their dependents that are injured at work or acquire an occupational disease.

Insurance

The insurance industry plays an important role in recovering costs after a disaster and the rebuilding of communities after a disaster.

1. Self-insurance. Access to self-insurance provides organizations, individuals, and businesses to insure their livelihood through a variety of different insurance plans. This type of insurance is paid for by each entity that chooses to carry the insurance policy.

2. Homeowner policies. Individual homeowners have access to a variety of private insurance companies to insure their home and its contents. Depending on the location of the home, there may be caveats about the type of coverage homeowners have in the event of a disaster.

3. National Flood Insurance Program (NFIP). The NFIP is a federal program enabling property owners in participating communities to purchase insurance protection against losses from flooding. This insurance is designed to provide an insurance alternative to disaster assistance to meet the escalating costs of repairing damage to buildings and their contents caused by floods. Participation in the NFIP is based on an agreement between local communities and the Federal Government.

Mutual Aid Agreements

The Town has a variety of automatic and mutual aid agreements in place with first responder agencies, other local jurisdictions, nongovernmental agencies, and private sector organizations to provide emergency assistance in the event of a disaster. The individual agreements contain specific procedures for reporting, agency responsibilities and command and control guidelines. Existing agreements are generally in writing; however, in an emergency an agreement may be arranged verbally after a disaster occurs. To be eligible for reimbursement by FEMA, the mutual aid assistance has to meet the criteria identified in the Disaster Assistance Policy (DAP9523.6).[4]

[4] FEMA Disaster Assistance Policy 9523.6 Mutual Aid Agreements for Public Assistance and Fire Management Assistance.

Logistics

The essence of logistics is to ensure that sufficient resources (i.e. equipment, supplies, tools, and personnel) are on hand or available to respond to the various types of incidents that may occur. Essential resources can be acquired in several different ways:

1. Have and store any potentially needed items in the event of a disaster;

2. Arrange for just in time delivery of needed resources by contract vendors; and

3. Arrange for mutual aid from neighboring jurisdictions, nongovernmental organizations, or private sector.

To the extent possible, these methods have been pre-planned, negotiated, and ensured prior to an incident.

1. Town departments will develop and maintain an inventory of equipment, tools, and other resources that can be used during an emergency.

2. Town departments will identify resource needs and resolve potential gaps through mutual aid or other resourcing methods.

3. Town departments will also maintain resources as necessary to ensure availability during an incident.

During a significant incident, the Logistics Section in the Town EOC will identify the processes and procedures for providing resources, supplies, and other services to support incident response and recovery operations. Requests for resources during and after an incident will be arranged and acquired through Logistics.

Under Town Code 3-4-3 (B)(6), the Procurement Agent may make or authorize others to make emergency procurements where there exists a threat to public health, welfare, or safety; provided that such emergency procurements shall be made with such competition as is practicable under the circumstances. An emergency procurement shall be limited to those materials, services, or construction necessary to satisfy the emergency need.

In addition:

1. Town resources are first identified for use and if they cannot be attained then mutual aid organizations are contacted.

2. The Town also maintains a list of vendors that is queried for possible supplies and equipment. Town approved vendors are given first priority because they have already met all approval standards for working with the Town.

3. Automatic mutual aid also occurs between agencies in the region. Within these agreements are the procedures for reporting, agency responsibilities, and command and control guidelines.

4. Non-governmental agencies such as the American Red Cross have agreements in place to provide sheltering services.

5. Pima County resources may be available upon declaration of a Town emergency. State and federal resources can be requested upon additional declarations by Pima County or the state.

6. The Emergency Management Assistance Compact (EMAC) is a congressionally ratified organization that provides interstate mutual aid. States, counties, and local entities that have signed onto the EMAC have agreed upon liability and reimbursement procedures allowing for expedited sharing of resources. To enact the EMAC, the governor must fire declare a state of emergency and then the state can request resources through the signatories of the compact. National Guard Resources are also deployed at the will of the governor or the president of the US.

Resource Management

Emergency management and incident response activities require carefully managed resources to meet incident needs. Resource management during an incident is a finite process, as shown in the below figure, with a distinct beginning and ending specific to the needs of the particular incident.

Figure 4. Resource Management Cycle[5]

[5] 2008. *National Incident Management System.* Washington, DC: DHS

Resource management preparedness activities are conducted on a continual basis to help ensure that resources are ready to be mobilized when called to an incident. This includes resource typing, credentialing, and inventorying.

1. Resource Typing. Resource typing is categorizing, by capability, the resources requested, deployed, and used in incidents.

2. Credentialed Personnel. The credentialing process entails the objective evaluation and documentation of an individual's current certification, license, or degree; training and experience; and competence or proficiency to meet nationally accepted standards, provide particular services and/or functions, or perform specific tasks under specific conditions during an incident.

3. Resource Inventory. Preparedness organizations should inventory and maintain current data on their available resources. The data is then made available to communications/dispatch centers, Emergency Operations Centers, and other applicable organizations.

The function of resourcing typing, credentialing, and maintaining current lists of resources falls into the Logistics section of any EOC activation in response to incident.

PLAN DEVELOPMENT AND MAINTENANCE

The following section describes the development and maintenance process used to develop the Plan including regional collaboration, training and exercising, making revisions, and the reissuance of the Plan.

Plan Development

The Town EOP was developed following FEMA's Comprehensive Preparedness Guide 101, Version 2 (CPG 101) and utilizing a regional collaborative planning process. The regional collaboration engaged planners from Pima County, City of Tucson, Town of Marana, Town of Oro Valley, and Town of Sahuarita in the process. Emergency plans have been integrated and deconflicted to enhance the efficiency and effectiveness of emergency management activities as a region. As such, it is important to ensure continued collaboration and coordination with these regional entities whenever changes, updates, or other items identified in this plan are made. These plans also factor in applicable guidelines and recommendations issued by the federal government.

Training and Exercising

The Police Department will coordinate and conduct periodic exercises of the EOP with various Town departments in order to train and exercise different areas of prevention, protection, mitigation, response, and recovery activities. Training and exercises may include: National Incident Management System (NIMS); Emergency Operations Center (EOC); tabletops; functional exercises; and partial or full scale exercises. These activities will be integrated and/or coordinated into applicable regional, state, and federal activities.

Training and exercises will follow the Homeland Security Exercise and Evaluation Program (HSEEP) and other recommended training guidelines.

Plan Maintenance

The Police Department in coordination with the Town Manager is responsible for the overall management and maintenance of the EOP. The EOP will be reviewed at least once every two years and revised as necessary to maintain maximum adaptability and flexibility. The EOP is considered a "living document" so is one that may need to be updated and revised more frequently in response to a constantly changing emergency management and homeland security landscape. Changes in any of the below variables may necessitate adjustments to administrative and/or procedural provisions of the EOP:

1. Actual incident (s);
2. After-action reports (AARs);
3. Community profile and trends ;
4. Community Demographics;

5. Critical Infrastructure;
6. Legislation;
7. Policies;
8. Risk assessments;
9. Technology;
10. Threat environment;
11. Training and exercising; and
12. Vulnerability assessments.

In addition, any Town department or agency with assigned responsibilities may propose changes to the Plan. The Police Department will coordinate all proposed modifications to the plan with applicable departments and stakeholders, as required. The updated document (s) will be forwarded to the Town Manager for approval. Changes do not need to be approved by Town Council. No proposed changes will contradict or override statutes, laws, or regulations.

Notice of Change

After coordination has been accomplished and necessary signed approval process is accomplished, an official Notice of Change will be issued. The notice will specify the date, number, subject, purpose, background, and action required, and provide the change language on one or more numbered and dated insert pages that will replace the modified pages in the Plan. Once published, the modifications will be considered part of the Plan for operational purposes pending a formal revision and reissuance of the entire document. Interim changes can be further modified or updated using the above process.

Plan Distribution

The Police Department will distribute the initial plan upon approval, and future Notices of Change to all Town departments and other agencies. The Police Department will also maintain the plan distribution list.

Public Information Requests

While the EOP is made generally made available to the public, supporting documents, specific operational or tactical plans are protected from disclosure due to sensitive material relating to operations, response, critical functions or infrastructure, criminal investigations, and other homeland security issues.

Public inquires for information will be processed and responded to based on established Town policies and procedures for Freedom of Information Act (FOIA) requests, and applicable statutes, laws, and protections relating to sensitive, classified, homeland security, or Protected Critical Infrastructure Information (PCII).

AUTHORITIES AND REFERENCES

Authorities and references provide the legal basis for emergency operations and activities in the Town of Oro Valley. This section highlights key authorities and references at the local, county, state, and federal level, but is not intended to be an inclusive list of applicable laws and statutes.

Responsibility for responding to emergencies generally rests with the Town government. Neighboring jurisdictions and state and federal agencies will not assume authority or responsibility for responding to any incident, unless continuity of operations/continuity of government thresholds are met as outlined in established plans, resources are or imminently exhausted or the Town requests outside assistance. When requested, these agencies will provide support to local command and control as long as it does not impair their own response.

The EOP does not alter or impede the ability of the Federal government, State agencies, and County, Local, or Tribal jurisdictions to carry out their specific authorities or to perform their responsibilities under all applicable laws, executive orders, and directives. Any changes in the governing laws, rules, and regulations shall apply but do not require an amendment to this Plan.

Authorities

Town of Oro Valley

1. Oro Valley Planning and Zoning Code

2. Oro Valley Town Code
    a. Oro Valley Town Code 2-1-3(C): Office of Mayor
    b. Oro Valley Town Code 3-4-3 (B)(6): Procurement

3. Resolution No. (R) 05-65: Approving the designation of NIMS as the standard for all Incident Management in the Town of Oro Valley.

4. Resolution No. (R) 10-14: Arizona Mutual Aid Compact.

State of Arizona

1. §ARS 11-952: Intergovernmental agreements and contracts

2. §ARS 23-1022: Compensation as exclusive remedy for employees

3. §ARS 26-307: Powers of counties, cities, towns and state agencies designated by the governor to make order, rules and regulations; procedure

4. §ARS 26-308: Powers of local government; local emergency management establishment; organization

5. §ARS 26-309: Mutual aid; responsibilities of agencies and officials; agreements; definition

6. §ARS 26-311: Local emergency; power of political subdivision; state agency assistance

7. §ARS 26-312: Authority of executive officers and governing bodies to accept materials or funds

8. §ARS 26-314: Authority of executive officers and governing bodies to accept materials or funds

Federal

1. Americans with Disabilities Act of 1990 as amended by the American Disabilities Act Amendments Act of 2008, Public Law 110-325

2. Code of Federal Regulations, Title 44, Chapter 1, Federal Emergency Management Agency, October 1, 2008.

3. Disaster Assistance Program, Federal Emergency Management Agency

4. Disaster Mitigation Act of 2000, Public Law 106-390.

5. Executive Order 13347, *Individuals with Disabilities in Emergency Preparedness,* July 26, 2004.

6. Freedom of Information Act Disclosure Exemption, 5 U.S.C. Section 552(b) (7) (E).

7. Hazardous Materials Transportation Act of 1994, 49 U.S.C. Section 5101-5127

8. Health Insurance Portability and Accountability Act of 1996 (HIPAA), Public Law 104-191, August 21, 1996.

9. Homeland Security Act of 2002, 6 U.S.C. 101, et seq, as amended.

10. Homeland Security Presidential Directive 5, *Management of Domestic Incidents,* February 28, 2003.

11. Homeland Security Presidential Directive 7, *Critical Infrastructure Identification, Prioritization, and Protection,* December 17, 2003.

12. Homeland Security Presidential Directive 8, *National Preparedness,* March 30, 2011.

13. National Security Presidential Directive 51/Homeland Security Presidential Directive 20, *National Continuity Police,* May 4, 2007.

14. Pets Evacuation and Transportation Standards Act of 2006 (PETS Act), Public Law 109-308.

15. Post-Katrina Emergency Management Reform Act of 2006, Public Law 109-295.

16. Public Law 93-288, The Disaster Relief Act of 1974, as amended by Public Law 100-707, The Robert T. Stafford Disaster Relief and Emergency Assistance Act.

17. Superfund Amendments and Reauthorization Act of 1986, Public Law 99-149, as amended.

18. Volunteer Protection Act of 1997, Public Law 105-19

19. 18 USC §2332a Weapons of Mass Destruction (WMD)

References

1. Arizona State Emergency Response and Recovery Plan (AZSERRP), 2008

2. Disaster Loans. U.S. Small Business Association. (http://www.sba.gov)

3. Emergency Planning and Special Needs Populations. FEMA Emergency Management Institute. (http://training.fema.gov/index.asp).

4. Pima County Emergency Operations Plan (Draft), 2012

5. Pima County Multi-Jurisdictional Hazard Mitigation Plan (PCMJHMP), 2012

6. U.S. Department of Homeland Security (DHS).
    a. 2011. *National Preparedness System.* Washington, DC: FEMA.
    b. 2011. *National Preparedness Goal (First Edition).* Washington, DC: FEMA.
    c. 2011. *National Disaster Recovery Framework: Strengthening Disaster Recovery for the Nation.* Washington, DC: FEMA.
    d. 2011. *Implementation Plan for Presidential Policy Directive 8: National Preparedness.* Washington, DC: FEMA.
    e. 2010. *Developing and Maintaining Emergency Operations Plans (CPG) 101: Comprehensive Preparedness Guide Version 2.0.* Washington, DC: FEMA.
    f. 2009. *National Infrastructure Protection Plan.* Washington, DC: DHS
    g. 2008. *DHS Risk Lexicon.* Washington, DC: DHS

h. 2008. *CSEPP Planning Guidance.* Washington, DC: FEMA.
i. 2008. *National Incident Management System.* Washington, DC: DHS
j. 2008. *National Response Framework.* Washington, DC: DHS
k. 2007. *Emergency Management Planning Guide for Special Needs Populations.* Washington, DC: DHS
l. 2007. *National Preparedness Guidelines.* Washington, DC: DHS
m. 2005. *National Planning Scenarios.* Washington, DC: DHS
n. 1996. *State and Local Guide (SLG) 101: Guide for All Hazards Emergency Operations Planning.* Washington, DC: FEMA.

APPENDIX I – GLOSSARY OF TERMS

American Red Cross – A nongovernmental humanitarian organization led by volunteers that provide relief to victims of disasters and helps people prevent, prepare for, respond to, and recover from emergencies. The American Red Cross accomplishes this through services that are consistent with its Congressional Charter and the Principles of the International Red Cross Movement.

Agency – As jurisdiction that has statutory responsibility for incident management or is an agency assisting or cooperating by providing resources or other assistance.

Agency Representative – A person assigned by a primary, assisting, or cooperating federal, state, local, or tribal government agency or private entity that has been delegated authority to make decisions affecting that agency's or organization's participation in incident management activities following consultation with the leadership of that agency.

Annex – Additions to this plan that provide guidance on how a broad function or support activity will be carried out such as volunteer management, donations management, financial management, and logistics management.

Appendix – An appendix is a supplement to an annex that adds information about how to carry out the function in the face of a specific hazard.

Area Command (Unified Area Command) - An organization established 1) to oversee the management of multiple incidents that are each being handled by an ICS organization, or 2) to oversee the management of large or multiple incidents to which several Incident Management Teams have been assigned.

Attack – A hostile action against the United States by foreign forces or terrorists, resulting in the destruction of or damage to military targets, injury or death to the civilian population, or damage to or destruction of public or private property.

Available Resources - Resources assigned to an incident, checked in, and available for use, normally located in a Staging Area.

Cascading Events – Additional events that occur as a direct or indirect result of an initial event.

Casualty - Any person who is declared dead or is missing, ill, or injured.

Catastrophic Incident – Any natural or man-made incident, including terrorism that results in extraordinary levels of mass casualties, damage, or disruption severely affecting the population, infrastructure, environment, economy, national morale, and/or government functions. A catastrophic event could result in sustained national impacts over a prolonged period of time; almost immediately exceeds resources normally available to

local, state, tribal, and private sector authorities in the impacted area; and significantly interrupts governmental operations and emergency services to such an extent that national security could be threatened.

Chain of Command - A series of command, control, executive, or management positions in hierarchical order of authority.

Citizen Corps – A community-based program, administered by FEMA that brings government and nongovernmental entities together to conduct all hazards emergency preparedness, planning, and response.

Command Staff - In an Incident Command System (ICS), the Command Staff consists of the Incident Commander and the special staff positions of Public Information Officer, Safety Officer, Liaison Officer, and other positions as required, who report directly to the Incident Commander. They may have an assistant or assistants, as needed.

Common Operating Picture (COP) - A broad view of the overall situation as reflected by situation reports, aerial photography, and other information or intelligence.

Continuity of Government (COG) - Activities that address the continuance of constitutional governance. COG planning aims to preserve and/or reconstitute the institution of government and ensure that a department or agency's constitutional, legislative and/or administrative responsibilities are maintained.

Continuity of Operations Plan (COOP) - The plan provides the organization with an operational framework for continuing its essential functions when normal operations are disrupted or otherwise cannot be conducted from the primary facility.

Coordinating Agency – The Coordinating Agency has ongoing responsibilities throughout the prevention, preparedness, response, recovery, and mitigation phases of incident management including: pre-incident planning and coordination; maintaining ongoing contact with other agencies; conducting periodic meetings; coordinating efforts with corresponding private-sector organizations; and coordinating functional activities relating to emergency planning and preparedness.

Credible Threat - A potential terrorist threat that, based on a threat assessment, is credible and likely to involve Weapons of Mass Destruction.

Critical Infrastructure - Systems and assets, whether physical or virtual, so vital to the United States that the incapacity or destruction of such systems and assets would have a debilitating impact on security, national economic security, national public health or safety, or any combination. Local jurisdictions can also identify critical infrastructure pertinent to local security, economy, or public confidence.

Cultural Resources - Cultural resources include historic and prehistoric structures, archeological sites, cultural landscapes, and museum collections.

Cyber - Pertaining to computers and their support systems, such as servers, routers, and switches that support critical infrastructure.

Damage Assessment – The process used to appraise or determine the number of injuries and deaths, damages to public and private property, and status of key facilities and services resulting from a man-made or natural disaster.

Decontamination – The reduction or removal of chemical, biological, or radiological material from the surface of a structure, area, object, or person.

Deputy - A fully qualified individual who, in the absence of a superior, could be delegated the authority to manage a functional operation or perform a specific task. In some cases, a deputy could act as relief for a superior and therefore must be fully qualified in the position. Deputies can be assigned to the Incident Commander, General Staff, and Branch Directors.

Disability – According to the ADA, the term "individual with a disability" refers to "a person who has a physical or mental impairment that substantially limits one or major life activities, a person who has a history or record of such an impairment, or a person who is regarded by others as having such an impairment." See http://www.ada.gov/pubs/ada.htm for more information.

Disaster – An occurrence of a natural catastrophe, technological accident, or human-caused event that has resulted in severe property damage, deaths, and/or multiple injuries. A "large scale disaster" is one that exceeds the response capability of the local jurisdiction and requires state, and potentially Federal involvement.

Disaster Field Office (DFO) – The office is established in or near the designated area of a Presidential declared major disaster to support Federal and State response and recovery operations. The DFO houses the Federal Coordinating Officer (FCO) and Emergency Response Team (ERT) and where possible, the State Coordinating Officer (SCO) and support staff.

Disaster Recovery Center (DRC) - Facilities established in a centralized location within or near the disaster area at which disaster victims (individuals, families, or businesses) apply for disaster aid.

Earthquake – The sudden motion or trembling of the ground produced by abrupt displacement of rock masses, usually within the upper 10 to 20 miles of the earth's surface.

Emergency - Any incident, whether natural or man-made, that requires responsive action to protect life or property.

Emergency Management – For the purposes of this Plan, emergency management at the Town is generally delegated to the Police Department, with support with other departments or agencies based on the specific incident.

Emergency Medical Services- Services, including personnel, facilities, and equipment, required to ensure proper medical care for the sick and injured from the time of injury to the time of final disposition (which includes medical disposition within a hospital, temporary medical facility, or special care facility; release from the site; or being declared dead).

Emergency Operations Center (EOC) - The physical location at which the coordination of information and resources to support domestic incident management activities normally takes place. An EOC may be a temporary facility or may be located in a more central or permanently established facility, perhaps at a higher level of organization within a jurisdiction.

Emergency Operations Plan (EOP) – The plan is maintained by various jurisdictional levels for responding and managing a wide variety of potential hazards. It describes how people and property will be protected; details who is responsible for carrying out specific actions; identifies the personnel, equipment, facilities, supplies, and other resources available; and outlines how all actions will be coordinated.

Emergency Public Information - Information that is disseminated primarily in anticipation of an emergency or during an emergency. In addition to providing situational information to the public, it also frequently provides directive actions required to be taken by the general public.

Emergency Response Team (ERT) - An interagency team, consisting of the lead representative from each Federal department or agency assigned primary responsibility for an ESF and key members of the Federal Coordinating Officer's staff, formed to assist the FCO in carrying out his/her coordination responsibilities. The ERT may be expanded by the FCO to include designated representatives of other Federal departments and agencies as needed. The ERT usually consists of regional-level staff.

Emergency Support Function (ESF) – A grouping of government and private sector capabilities into an organizational structure to provide support, resources, program implementation, and services that are most likely to be needed to save lives, protect property and the environment, restore essential services and critical infrastructure, and help victims and communities return to normal. The ESFs serve as the primary operational level mechanism to provide assistance to local, regional, or tribal governments.

Emerging Infectious Diseases - New or recurring infectious diseases of people, domestic animals, and/or wildlife, including identification, etiology, pathogenesis, zoonotic potential and ecological impact.

Environment - Natural and cultural resources and historic properties as those terms are defined in this glossary and in relevant laws.

Environmental Response Team - Established by the Environmental Protection Agency (EPA), the Environmental Response Team includes expertise in biology, chemistry, hydrology, geology, and engineering. The Environmental Response Team provides technical advice and assistance for both planning and response to discharges and releases of oil and hazardous substances into the environment.

Evacuation – The organized, phased, and supervised withdrawal, dispersal, or removal of civilians from dangerous or potentially dangerous areas, and their reception and care in safe areas. There are spontaneous, voluntary, or mandatory or directed evacuations.

Evacuees – All persons removed or moving from areas threatened or struck by a disaster.

Federal - Of or pertaining to the Federal Government of the United States of America.

Federal Coordinating Officer (FCO) - The Federal officer who is appointed to manage Federal resource support activities related to Stafford Act disasters and emergencies. The FCO is responsible for coordinating the timely delivery of Federal disaster assistance resources and programs to the affected state and local governments, individual victims, and the private sector.

First Responder - Local and nongovernmental police, fire, and emergency personnel who, in the early stages of an incident, are responsible for the protection and preservation of life, property, evidence, and the environment. These personnel include emergency response providers as well as emergency management, public health, clinical care, public works, and other skilled support personnel (such as equipment operators) who provide immediate support services during prevention, response, and recovery operations. First responders may include personnel from federal, state, local, tribal, or nongovernmental organizations.

Flash Flood – Follows a situation in which rainfall is so intense and severe and runoff is so rapid that recording the amount of rainfall and relating it to stream stages and other information cannot be done in time to forecast a flood condition.

Flood – A general and temporary condition of partial or complete inundation of normally dry land areas from overflow or tidal waters, unusual or rapid accumulation or runoff of surface waters, or mudslides/mudflows caused by accumulation of water.

Hazard – A natural or man-made source or cause of harm or difficulty.

Hazardous Material – Any substance or material that when involved in an accident and released in sufficient quantities, poses a risk to people's health, safety, and/or property. These substances and materials include explosives, radioactive materials, flammable

liquids or solids, combustible liquids or solids, poisons, oxidizers, toxins, and corrosive materials.

High-Hazard Areas - Geographic locations that, for planning purposes, have been determined through historical experience and vulnerability analysis to be likely to experience the effects of a specific hazard (e.g., hurricane, earthquake, HAZMAT accident) that would result in a vast amount of property damage and loss of life.

Historic Property - Any prehistoric or historic district, site, building, structure, or object included in or eligible for inclusion in the National Register of Historic Places, including artifacts, records, and remains which are related to such district, site, building, structure, or object.

Household Pet – Domesticated animal, such as a dog, cat, bird, rabbit, rodent, or turtle that is traditionally kept in the home for pleasure rather for commercial purposes, can travel in commercial carries, and be housed in temporary facilities. Household pets does not include reptiles (except turtles), amphibians, fish, insects/arachnids, farm animals (including horses), and animals kept for racing purposes.

Incident – An occurrence, caused by either human action or natural phenomena that may cause harm and that may require action.

Incident Action Plan (IAP) - An oral or written plan containing general objectives reflecting the overall strategy for managing an incident. It may include the identification of operational resources and assignments. It may also include attachments that provide direction and important information for management of the incident during one or more operational periods.

Incident Command Post (ICP) - The field location at which the primary tactical-level, on-scene incident command functions are performed. The ICP may be collocated with the incident base or other incident facilities and is normally identified by a green rotating or flashing light.

Incident Command System (ICS) - A standardized on-scene emergency management construct specifically designed to provide an integrated organizational structure that reflects the complexity and demands of single or multiple incidents, without being hindered by jurisdictional boundaries. ICS is the combination of facilities, equipment, personnel, procedures, and communications operating with a common organizational structure, designed to aid in the management of resources during incidents. ICS is used for all kinds of emergencies and is applicable to small as well as large and complex incidents. ICS is used by various jurisdictions and functional agencies, both public and private, for organized field-level incident management operations.

Incident Commander (IC) - The individual responsible for all incident activities, including the development of strategies and tactics and the ordering and release of resources. The IC

has overall authority and responsibility for conducting incident operations and is responsible for the management of all incident operations at the incident site.

Incident Management Team (IMT) - The Incident Commander and appropriate Command and General Staff personnel assigned to an incident.

Incident of Local or Regional Significance - An actual or potential high-impact event that requires a coordinated and effective response by, and appropriate combination of local, regional, state, federal, nongovernmental, and/or private sector entities in order to save lives, minimize damage, and provide the basis for long-term community recovery and mitigation activities.

In-Kind Donations - Donations other than cash (usually materials or professional services) for disaster survivors.

Intermediate Recovery - Phase of recovery which involves returning individuals, families, critical infrastructure and essential government or commercial services to a functional, if not pre-disaster, state. Such activities are often characterized by temporary actions that provide a bridge to permanent measures.

Joint Field Office (JFO) - A temporary federal facility established locally to provide a central point for federal, state, local, and tribal executives with responsibility for incident oversight, direction, and/or assistance to effectively coordinate protection, prevention, preparedness, response, and recovery actions. The JFO will combine the traditional functions of the JOC, the FEMA DFO, and the JIC within a single federal facility.

Joint Information Center (JIC) - A facility established to coordinate all incident-related public information activities. It is the central point of contact for all news media at the scene of the incident. Public information officials from all participating agencies should collocate at the JIC.

Joint Information System (JIS) – A system that integrates incident information and public affairs into a cohesive organization designed to provide consistent, coordinated, timely information during a crisis or incident operations. The mission of the JIS is to provide a structure and system for developing and delivering coordinated interagency messages; developing, recommending, and executing public information plans and strategies on behalf of the Incident Commander (IC); advising the IC concerning public affairs issues that could affect a response effort; and controlling rumors and inaccurate information that could undermine public confidence in the emergency response effort.

Joint Operations Center (JOC) - The JOC is the focal point for all federal investigative law enforcement activities during a terrorist or potential terrorist incident or any other significant criminal incident, and is managed by the Senior Federal Law Enforcement Official (SFLEO). The JOC becomes a component of the JFO when the NRF is activated.

Jurisdiction - A range or sphere of authority. Public agencies have jurisdiction at an incident related to their legal responsibilities and authorities. Jurisdictional authority at an incident can be political or geographical (*e.g*., city, county, tribal, state, or federal boundary lines) or functional (*e.g*., law enforcement, public health).

Key Resources – Publicly or privately controlled resources essential to operation of the economy and the government. Most often linked in terminology with Critical Infrastructure.

Liaison Officer - A member of the Command Staff responsible for coordinating with Agency Representatives from cooperating and assisting agencies.

Limited English Proficiency – Persons who do not speak English as their primary language and who have a limited ability to read, speak, write or understand English.

Long Term Recovery - Phase of recovery that may continue for months or years and addresses complete redevelopment and revitalization of the impacted area, rebuilding or relocating damaged or destroyed social, economic, natural and built environments, and move to self-sufficiency, sustainability, and resilience.

Mass Care – The actions that are taken to protect evacuees and other disaster victims from the effects of the disaster. Activities include mass evacuation, mass sheltering, mass feeding, and access and functional needs support, and household pet and service animal coordination.

Major Disaster - As defined by the Stafford Act, any natural catastrophe (including any hurricane, tornado, storm, high water, wind-driven water, tidal wave, tsunami, earthquake, volcanic eruption, landslide, mudslide, snowstorm, or drought). Additionally, regardless of cause, any fire, flood, or explosion, in any part of the United States, which in the determination of the President causes damage of sufficient severity and magnitude to warrant major disaster assistance under this act to supplement the efforts and available resources of States, local governments, and disaster relief organizations in alleviating the damage, loss, hardship, or suffering caused thereby.

Memorandums of Understanding (MOUs) - The Town of Oro Valley have a variety of MOUs that are in place for quick activation and sharing of resources during an emergency. Examples of MOUs may include, but are not limited to: response organizations; EMAC; alert and notification of the public; resource agreements for outside assistance, personnel, and equipment; medical facilities; water and wastewater utilities; and evacuation agreements.

Mitigation – The capabilities necessary to reduce loss of life and property by lessening the impact of disasters. Mitigation capabilities include, but are not limited to: community-wide risk reduction projects; efforts to improve the resilience of critical infrastructure and key resource lifelines; risk reduction for specific vulnerabilities from natural hazards or acts of terrorism; and initiatives to reduce future risks after a disaster has occurred.

Mobilization - The process and procedures used by all organizations - federal, state, local, and tribal – for activating, assembling, and transporting all resources that have been requested to respond to or support an incident.

Mobilization Center - An off-site temporary facility at which response personnel and equipment are received from the point of arrival and are pre-positioned for deployment to an incident logistics base, to a local Staging Area, or directly to an incident site, as required. A mobilization center also provides temporary support services, such as food and billeting, for response personnel prior to their assignment, release, or reassignment and serves as a place to out-process following demobilization while awaiting transportation.

Multiagency Coordination System (MACS) - A combination of resources that are integrated into a common framework for coordinating and supporting domestic incident management activities. These resources may include: facilities; equipment; personnel; procedures; and communications. An example of a MAC is an Emergency Operations Center (EOC).

Mutual Aid Agreement - A written agreement between agencies, organizations, and/or jurisdictions that they will assist one another on request by furnishing personnel, equipment, and/or expertise in a specified manner.

National - Of a nationwide character, including the federal, state, local, and tribal aspects of governance and policy.

National Counterterrorism Center (NCTC) - The NCTC serves as the primary federal organization for analyzing and integrating all intelligence possessed or acquired by the U.S. Government pertaining to terrorism and counterterrorism, excepting purely domestic counterterrorism information.

National Disaster Medical System (NDMS) - A coordinated partnership between DHS, HHS, DOD, and the Department of Veterans Affairs established for the purpose of responding to the needs of victims of a public health emergency. NDMS provides medical response assets and the movement of patients to health care facilities where definitive medical care is received when required.

National Disaster Response Framework (NDRF) – The NDRF describes the concepts and principles that promote effective Federal recovery assistance. It is a companion document to the *National Response Framework (NRF).*

National Incident Management System (NIMS) - A set of principles that provides a systematic, proactive approach guiding government agencies at all levels, nongovernmental organizations, and the private sector to work seamlessly to prevent, protect against, respond to, recover from, and mitigate the effects of incidents, regardless of cause, size, location or complexity, in order to reduce the loss of life or property and harm to the environment.

National Preparedness – The actions taken to plan, organize, equip, train, and exercise to build and sustain the capabilities necessary to prevent, protect against, mitigate the effects of, respond to, and recover from those threats that pose the greatest risk to the security of the Nation.

National Response Center - A national communications center for activities related to oil and hazardous substance response actions. The National Response Center, located at DHS/USCG Headquarters in Washington, DC, receives and relays notices of oil and hazardous substances releases to the appropriate Federal OSC.

National Response Framework - A concerted national effort to prevent terrorist attacks within the United States; reduce America's vulnerability to terrorism, major disasters, and other emergencies; and minimize the damage and recover from attacks, major disasters, and other emergencies that occur.

National Response System - Pursuant to the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), the mechanism for coordinating response actions by all levels of government (40 CFR § 300.21) for oil and hazardous substances spills and releases.

National Response Team (NRT) - The NRT, comprised of the 16 federal agencies with major environmental and public health responsibilities, is the primary vehicle for coordinating federal agency activities under the National Oil and Hazardous Substances Pollution Contingency Plan (NCP). The NRT carries out national planning and response coordination and is the head of a highly organized federal oil and hazardous substance emergency response network. EPA serves as the NRT Chair, and DHS/USCG serves as Vice Chair.

National Special Security Event (NSSE) - A designated event that, by virtue of its political, economic, social, or religious significance, may be the target of terrorism or other criminal activity.

Natural Resources - Natural resources include land, fish, wildlife, domesticated animals, plants, biota, and water. Water means salt and fresh water, surface and ground water, including water used for drinking, irrigation, aquaculture, and recreational purposes, as well as in its capacity as fish and wildlife habitat, including coral reef ecosystems as defined in 16 U.S.C. 64501. Land means soil, surface and subsurface minerals, and other terrestrial features.

Nongovernmental Organization (NGO) - A nonprofit entity that is based on interests of its members, individuals, or institutions and that is not created by a government, but may work cooperatively with government. Such organizations serve a public purpose, not a private benefit. Examples of NGOs include faith-based charity organizations and the American Red Cross.

Pollutant or Contaminant - As defined in the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), includes, but is not limited to, any element, substance, compound, or mixture, including disease-causing agents, which after release into the environment and upon exposure, ingestion, inhalation, or assimilation into any organism, either directly from the environment or indirectly by ingestion through food chains, will or may reasonably be anticipated to cause death, disease, behavioral abnormalities, cancer, genetic mutation, physiological malfunctions, or physical deformations in such organisms or their offspring.

Presidential Policy Directive 8: National Preparedness (PPD-8) – PPD-8 directs the development of a National Preparedness Goal to identify those activities that must be accomplished in order to prevent and protect against acts of terrorism in the homeland, and mitigate against, respond, to and recover from emergencies and disasters regardless of their cause.

Preparedness – The actions taken to plan, organize, equip, train, and exercise to build and sustain the capabilities necessary to prevent, protect against, mitigate the effects of, respond to, and recover from those threats that pose the greatest risk to the security of the Nation.

Prevention – The capabilities necessary to avoid, prevent, or stop a threatened or actual act of terrorism i.e. prevention of imminent threats. Prevention capabilities include but are not limited to: information sharing and warning; domestic counterterrorism; and preventing the acquisition or use of weapons of mass destruction.

Primary Agencies – An agency that is designated as a primary agency in prevention, protection, mitigation, response or recovery operations.

Principal Federal Official (PFO) - The federal official designated by the Secretary of Homeland Security to act as his/her representative locally to oversee, coordinate, and execute the Secretary's incident management responsibilities under HSPD-5 for Incidents of National Significance.

Private Sector - Organizations and entities that are not part of any governmental structure. This includes for-profit and not-for-profit organizations, formal and informal structures, commerce and industry, private emergency response organizations, and private voluntary organizations.

Protection – The capabilities necessary to secure the homeland against acts of terrorism, and manmade or natural disasters. Protection capabilities include, but are not limited to: defense against WMD threats; defense of agriculture and food; critical infrastructure protection; protection of key leadership and events; border security; maritime security; transportation security; immigration security; and cyber security.

Public Assistance Program - The program administered by FEMA that provides supplemental federal disaster grant assistance for debris removal and disposal, emergency protective measures, and the repair, replacement, or restoration of disaster damaged, publicly owned facilities and the facilities of certain private nonprofit organizations.

Public Health - Protection, safety, improvement, and interconnections of health and disease prevention among people, domestic animals and wildlife.

Public Information Officer (PIO) - A member of the Command Staff responsible for interfacing with the public and media or with other agencies with incident related information requirements.

Public Works - Work, construction, physical facilities, and services provided by governments for the benefit and use of the public.

Rapid Disaster Assessment: A rapid assessment is a quick evaluation of what has happened and used to help prioritize response activities, allocate resources and determine the immediate need for outside assistance. In most cases, a rapid assessment will be completed within a few hours of the incident.

Recovery – Refers to those capabilities necessary to assist communities affected by an incident to recover effectively, including, but not limited to, rebuilding infrastructure systems; providing adequate interim and long-term housing for survivors; restoring health, social, and community services; promoting economic development; and restoring natural and cultural resources.

Regional Response Teams (RRTs) - Regional counterparts to the National Response Team, the RRTs comprise regional representatives of the federal agencies on the NRT and representatives of each state within the region. The RRTs serve as planning and preparedness bodies before a response, and provide coordination and advice to the federal OSC during response actions.

Resilience – The ability to adapt to changing conditions and withstand and rapidly recover from disruption due to emergencies.

Resources - Personnel and major items of equipment, supplies, and facilities available or potentially available for assignment to incident operations and for which status is maintained. Resources are described by kind and type and may be used in operational support or supervisory capacities at an incident or at an EOC.

Response – Refers to the capabilities necessary to save lives, protect property and the environment, and meet basic human needs after an incident has occurred.

Risk Assessment – A product or process that collects information and assigns a vale to risks for the purpose of informing priorities, developing or comparing courses of action, and informing decision making.

Scenario - Hypothetical situation composed of a hazard, an entity impacted by that hazard, and associated conditions including consequences when appropriate.

Search and Rescue - Operational activities that include locating, extricating, and providing on-site medical treatment to victims trapped in collapsed structures.

Security – The protection of the Nation and its people, vital interests, and the way of life.

Senior Federal Official (SFO) - An individual representing a federal department or agency with primary statutory responsibility for incident management. SFOs utilize existing authorities, expertise, and capabilities to aid in management of the incident working in coordination with other members of the JFO Coordination Group.

Senior Official - The elected or appointed official who, by statute, is charged with implementing and administering laws, ordinances, and regulations for a jurisdiction. He or she may be a mayor, city manager, etc.

Service Animal - Any guide dog, signal dog, or other animal individually trained to assist an individual with a disability.

Short Term Recovery - Phase of recovery which addresses the health and safety needs beyond rescue, the assessment of the scope of damages and needs, the restoration of basic infrastructure and the mobilization of recovery organizations and resources including restarting and/or restoring essential services for recovery decision-making.

Situation Assessment - The evaluation and interpretation of information gathered from a variety of sources (including weather information and forecasts, computerized models, GIS data mapping, remote sensing sources, ground surveys, etc.) that, when communicated to emergency managers and decision makers, can provide a basis for incident management decision making.

Span of Control – The number of individuals a supervisor is responsible for, usually expressed as a ratio of supervisors to individuals. Under NIMS, an appropriate span of control is between 1:3 and 1:7.

Staging Area – Location established where resources can be placed while awaiting a tactical assignment. The operations section manages staging areas.

Standard Operating Procedure (SOP) - A complete reference document or an operations manual that provides the purpose, authorities, duration, and details for the preferred

method of performing a single function or a number of interrelated functions in a uniform manner.

State - Any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and any possession of the United States.

State Coordinating Officer (SCO) - The individual appointed by the Governor to coordinate state disaster assistance efforts with those of the Federal Government.

Strategic Plan - A plan that addresses long-term issues such as impact of weather forecasts, time-phased resource requirements, and problems such as permanent housing for displaced disaster victims, environmental pollution, and infrastructure restoration.

Subject-Matter Expert (SME) - An individual who is a technical expert in a specific area or in performing a specialized job, task or skill.

Subsidence – A hazard associated with the loss of ground water, or underground erosion that result in the collapse of surface earth; as in sink holes or earth fissures.

Support Agencies – Support agencies provide support to an incident, using their own authorities, subject-matter experts, capabilities, or resources.

Target Capabilities List (TCL) – A FEMA document that coupled with the National Preparedness Guidelines provides doctrine, priorities, and targets to guide preparedness capabilities. The TCL identifies long-term goals for national preparedness and defines 37 specific capabilities that communities, the private sector, and all levels of governments should collective possess in order to respond effectively to disasters.

Telecommunications - The transmission, emission, or reception of voice and/or data through any medium by wire, radio, other electrical electromagnetic or optical means. Telecommunications includes all aspects of transmitting information.

Terrorism – Under the Homeland Security Act of 2002, terrorism is defined as activity that involves an act dangerous to human life or potentially destructive of critical infrastructure or key resources and is a violation of the criminal laws of the United States or of any state or other subdivision of the United States in which it occurs and is intended to intimidate or coerce the civilian population or influence a government or affect the conduct of a government by mass destruction, assassination or kidnapping.

Threat - An indication of possible violence, harm, or danger.

Transportation Management - Transportation prioritizing, ordering, sourcing, and acquisition; time-phasing plans; fleet management; and movement coordination and tracking.

Tribe - Any Indian tribe, band, nation, or other organized group or community, including any Alaskan Native Village as defined in or established pursuant to the Alaskan Native Claims Settlement Act (85 Stat. 688) [43 U.S.C.A. and 1601 et seq.], that is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.

Tornado - A local atmospheric storm, generally of short duration, formed by winds rotating at very high speeds, usually in a counter-clockwise direction. The vortex, up to several hundred yards wide, is visible to the observer as a whirlpool-like column of winds rotating about a hollow cavity or funnel. Winds may reach 300 miles per hour or higher.

Unaffiliated Volunteer - An individual who is not formally associated with a recognized voluntary disaster relief organization - also known as a "spontaneous" or "emergent" volunteer.

Unified Command - An application of ICS used when there is more than one agency with incident jurisdiction or when incidents cross political jurisdictions. Agencies work together through the designated members of the Unified Command to establish their designated Incident Commanders at a single ICP and to establish a common set of objectives and strategies and a single Incident Action Plan.

Universal Task List (UTL) – A list of 1,600 unique tasks that can facilitate efforts to prevent, protect against, respond to, and recover from the major events that are represented by the National Planning Scenarios. It presents a common vocabulary and identifies key tasks to support development of essential capabilities among organizations at all levels.

Unsolicited Goods - Donated items offered by and/or sent to the incident area by the public, the private sector, or other source, that have not been requested by government or nonprofit disaster relief coordinators.

Urban Search and Rescue – Operational activities that include locating, extricating, and providing on-site medical treatment to victims trapped in collapsed structures.

Vital Records – Records that are essential to the rights and interests of individuals, governments, corporations, and other entities, including vital statistics, land and tax records, licenses, charters, statutes, ordinances, court records, official proceedings and financial records of the City and historical information.

Volunteer - For purposes of NIMS, a volunteer is any individual accepted to perform services by the lead agency, which has authority to accept volunteer services, when the individual performs services without promise, expectation or receipt of compensation for services performed.

Volunteer and Donations Coordination Center - Facility from which the Volunteer and Donations Coordination Team operates. It is best situated in or close by the EOC for coordination purposes.

Vulnerability - A physical feature or operational attribute that renders an entity open to exploitation or susceptible to a given hazard.

Warning - The alerting of emergency response personnel and the public to the threat of extraordinary danger and the related effects that specific hazards may cause. A warning issued by the National Weather Service (e.g., severe storm warning, tornado warning, tropical storm warning), for example, for a defined area indicates that a particular type of severe weather is imminent in that area.

Watch - As defined by the National Weather Service, the indication that conditions are favorable in a defined area for the specified type of severe weather (e.g., flash flood, severe thunderstorm, tornado, and tropical storm).

Weapon of Mass Destruction (WMD) – Any destructive device; any weapon that is designed or intended to cause death or serious bodily injury through the release, dissemination, or impact of toxic or poisonous chemicals or their precursors; any weapon involving a biological agent, toxin, or vector, or any weapon that is designed to release radiation or radioactivity at a level dangerous to human life.

WebEOC. A shared, internet based software program that allows interactive reporting, communications, resource inventory, and other command and control aspects among various users.

Whole Community – A focus on enabling the participation in national preparedness activities of a wider range of players from the private and nonprofit sectors, including nongovernmental organizations and the general public, in conjunction with the participation of Federal, state, and local governmental partners in order to foster better coordination and working relationships. Used interchangeably with "all-of-Nation."

APPENDIX II – ACRONYMS

AAR – After Action Report
ACTIC – Arizona Counter Terrorist Information Center
ADEM – Arizona Department of Emergency Management
ARC – American Red Cross
ARS – Arizona Revised Statutes
BP – Basic Plan
CAD – Computer Aided Dispatch
CBRNE – Chemical, Biological, Radiological, Nuclear, and Explosive Device
CERT - Community Emergency Response Team
CERCLA - Comprehensive Environmental Response, Compensation, and Liability Act
CFO - Chief Financial Officer
CIKR - Critical Infrastructure/Key Resources
COG – Continuity of Government
CONOPS – Concept of Operations
COOP – Continuity of Operations Plan
CPG – Comprehensive Preparedness Guide
DCO - Defense Coordinating Officer
DFO - Disaster Field Office
DHS - Department of Homeland Security
DMAT - Disaster Medical Assistance Team
DMORT - Disaster Mortuary Operational Response Team
DOC - Department of Commerce
DOD - Department of Defense
DOE - Department of Energy
DOI - Department of the Interior
DOJ - Department of Justice
DOL - Department of Labor
DOS - Department of State
DOT - Department of Transportation
DPA - Defense Production Act
DRC - Disaster Recovery Center
DRM - Disaster Recovery Manager
DSCA - Defense Support of Civil Authorities
EAS - Emergency Alert System
EM – Emergency Management
EMAC – Emergency Management Assistance Compact
EMS – Emergency Medical Services
EOC - Emergency Operations Center
EOP – Emergency Operations Plan
EPA - Environmental Protection Agency
EPCRA - Emergency Planning and Community Right-to-Know Act
ESF - Emergency Support Function
FBI - Federal Bureau of Investigation
FCO - Federal Coordinating Officer
FEMA - Federal Emergency Management Agency
FIRST - Federal Incident Response Support Team
FMC - Federal Mobilization Center
FNS - Food and Nutrition Service
FOC - FEMA Operations Center
FOG - Field Operations Guide
FRC - Federal Resource Coordinator
GAR - Governor's Authorized Representative
GIS - Geographical Information System
GSA - General Services Administration
HAZMAT – Hazardous Materials
HHS - Department of Health and Human Services
HSC - Homeland Security Council
HSOC - Homeland Security Operations Center
HSPD - Homeland Security Presidential Directive
HQ - Headquarters
IAP – Incident Action Plan
IC - Incident Command
ICP - Incident Command Post
ICS - Incident Command System
IMT - Incident Management Team
IOF - Interim Operating Facility

IPAWS – Integrated Public Alert and Warning System
JFO - Joint Field Office
JIC - Joint Information Center
JIS - Joint Information System
JOC - Joint Operations Center
JTTF - Joint Terrorism Task Force
MAC – Multi-Agency Coordination
MMRS – Metropolitan Medical Response System
MOU - Memorandum of Understanding
NASA - National Aeronautics and Space Administration
NCR - National Capital Region
NCS - National Communications System
NCTC - National Counterterrorism Center
NDRF – National Disaster Response Framework
NDMS - National Disaster Medical System
NFIP – National Flood Insurance Program
NGO - Nongovernmental Organization
NICC - National Infrastructure Coordinating Center
NICC - National Interagency Coordination Center
NIMS - National Incident Management System
NIPP - National Infrastructure Protection Plan
NIRT - Nuclear Incident Response Team
NMRT - National Medical Response Team
NOAA - National Oceanic and Atmospheric Administration
NRC - Nuclear Regulatory Commission
NRCC - National Response Coordination Center
NRF - National Response Framework
NRT - National Response Team
NSC - National Security Council
NVOAD - National Voluntary Organizations Active in Disaster
NWCG - National Wildland Coordinating Group
OSC - On-Scene Coordinator
OSHA - Occupational Safety & Health Administration
PCC - Policy Coordination Committee
PDA - Preliminary Damage Assessment
PDD - Presidential Decision Directive
PFO - Principal Federal Official
POC - Point of Contact
POD – Point of Distribution
RA - Reimbursable Agreement
RAMP - Remedial Action Management Program
RCP - Regional Contingency Plan
RCRA - Resource Conservation and Recovery Act
RFI - Request for Information
RRCC - Regional Response Coordination Center
RRT - Regional Response Team
ROC - Regional Operations Center
SAC - Special Agent-in-Charge
SAR - Search and Rescue
SARA – Superfund Amendment & Reauthorization Act of 1986
SBA – Small Business Administration
SCO - State Coordinating Officer
SFLEO - Senior Federal Law Enforcement Official
SFO - Senior Federal Official
SIOC - Strategic Information and Operations Center
SITREP – Situation Report
SOG - Standard Operating Guideline
SOP - Standard Operating Procedure
TCL – Target Capabilities List
TSA - Transportation Security Administration
UASI – Urban Area Security Initiative
UC – Unified Command
USACE - U.S. Army Corps of Engineers
USCG - U.S. Coast Guard
USDA - U.S. Department of Agriculture
US&R - Urban Search and Rescue
WMD - Weapons of Mass Destruction
UTL – Universal Task List

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