Lafayette Police Department

Policy Manual

TABLE OF CONTENTS

Policy	Title
100	Command Structure
200	On-Duty Conduct
201	Police Vehicle Operations
202	Response to Resistance (Revised 2/2020)
203	Control Devices
204	Conducted Energy Weapons (Revised 4/2020)
205	Handcuffing and Restraints
206	Stop and Frisk
207	Field Interviews and Interrogations
208	Temporary Detention of Juveniles
209	Warrant Service
210	Vehicle Pursuits
211	Roadblocks
212	Handguns and Qualification
213	Urban Rifle Program (Revised 8/12/2020)
214	Domestic Violence
215	Advocacy Support Services
216	Canine Unit
217	Training
218	Property and Evidence Management
219	Video Recording and Photography of Police Action 220

220	Opioid Overdose Rescue
300	Incident Command and Preparedness Plan
301	Mobile Field Force Operations
302	Citizen Ride-Along
303	IDACS/NCIC Guidelines
304	Tactical Response Team 305
305	Crisis Negotiation Team
306	Motor Vehicle Inventory
307	Vehicle Towing and Impound
308	Response to Serious Injury and Fatal Crashes
309	Operating while Intoxicated
310	Sobriety Checkpoints
311	Safety and Security Escorts
400	Internal Investigations and Discipline
401	Employee Selection Practices
402	Officer Re-appointment
403	Brady Disclosure Requirements
404	Release of Information
405	Juvenile Arrests and Public Information
406	Department use of Social Media
500	Death Investigations
501	Criminal Intelligence Information
502	Missing Children Reports
600	Professional Appearance Standards
600-Addendum	Uniform Requirements
601	Body Armor
602	Mobile and Body Worn Cameras
603	Use of Police Vehicles

604	Off-Duty Weapons
605	Communication Devices
606	Surveillance Cameras
607	Small-Unmanned Aircraft Systems
700	Wellness and Physical Fitness
701	Off-Duty Law Enforcement Actions
702	Sick Leave and Family and Medical Leave Act (FMLA)
703	Bereavement Leave
704	Temporary Modified-Duty Assignments
705	Work Related Illness and Injury
706	Communicable Diseases
707	Line of Duty Death and Critical Incidents
708	Discrimination
709	Sexual Harassment
710	Military Leave
711	Smoking and Tobacco Use
712	Off-Duty Employment
713	Off-Duty Training
714	Employee Use of Social Media
715	Gifts and Gratuities
716	Use of Deadly Force Investigations
717	Department Owned Vehicle Post-Accident Procedures

COMMAND STRUCTURE

100.1 PURPOSE

The purpose of this policy is to describe the structure of the department and the responsibilities of the elements within the department. The department is organized into functional divisions as described in this policy. All members' responsibilities are relative to their assignment.

100.2 POLICY

100.2.1 Departmental Structure

The department is a paramilitary organization and, as such, holds each member responsible for understanding and following the concepts and philosophies of a traditional police organization. Incumbent on each member is adherence to the "Chain of Command." The duties and responsibilities of each organizational element include:

Office of Chief of Police: The Office of Chief of Police consists of the Chief of Police and the Deputy Chief of Police. This function administers, directs and coordinates department activities according to state/local law and department/city administrative policies.

a. Chief of Police - Highest ranking member in the "Chain of Command." Duties include, but are not limited to, establishing policies, directives and philosophy for department operations.
b. Deputy Chief of Police - Second highest ranking member in the "Chain of Command." The deputy chief is responsible for the management of department operations.

100.2.2 Department Operations

The Deputy Chief plans for and administers the operations of the Uniform Division, Investigative Division, Administrative Services Division, and Special Operations Division.

a. Uniform Division - Commanded by a captain who is responsible for uniform operations which include, but are not limited to staffing, responses to calls for services, preliminary criminal investigations, and community and problem-solving policing activities.
b. Investigative Division - Commanded by a captain who is responsible for investigative operations which include, but are not limited to, staffing, administering the post investigation of crimes against persons and property, apprehension of the person(s) responsible and providing the appropriate support for judicial prosecution.
c. Administrative Services Division - Commanded by a captain who is responsible for administrative operations that include, but are not limited to, staffing, records

identification, personnel management, internal investigations, recruiting, property management, public relations and community programs.

d. Special Operations Division - Commanded by a captain who is responsible for operations that include, but are not limited to, traffic enforcement and control, accident investigations, street crimes, drug task force, crime analysis, emergency communications, predictive and directed patrols and department resource allocation.

100.2.3 Chain of Command/Command Authority and Responsibility

The Chief of Police is the Chief Executive Officer of the Lafayette Police Department and is the highest level in the "Chain of Command." Command and control authority move downward from the Chief to the Deputy Chief, to the Captains, to the Lieutenants, to the Sergeants.

Lines of authority will follow the organizational structure that is part of this policy. In keeping with the principle of "Unity of Command," a member's immediate supervisor is accountable for the work performance and evaluation of the member, even though the supervisor may not work with the member every day. In the absence of that supervisor, a member's immediate supervisor will be someone on-duty who is of the same rank or performing the same function as the member's absent supervisor.

The member whose duty function most closely relates to the situation at hand will assume command until relieved by proper authority (e.g., at a major crime scene, a Detective Commander will assume command of the investigation rather than a Patrol Commander, and at a natural disaster, the Patrol Commander rather than a Detective Commander). In exceptional situations where duty function is not a factor or is uncertain, the ranking member present will assume command of the situation. The ranking member will be determined by seniority in grade when ranking members are of equal rank.

The principle of "span of control," absent exigent circumstances, dictates that each supervisor or commander has direct control over his/her designated component. However, all levels of supervision and management are responsible and will be held accountable for maintaining positive member conduct and/or for promptly addressing inappropriate member behavior.

Each supervisor or commander is empowered with the authority commensurate to the position's supervisory or command responsibilities. Each member is empowered with the authority commensurate to his/her responsibilities.

A supervisor or commander may delegate authority to a subordinate, but the responsibility will remain with the member who delegated the authority. When authority is delegated, members will assume the scope of command from which authority was delegated, just as if that member had the original authority and responsibility.

Every member will obey a lawful order of a superior, even if the order was relayed by a member of equal or lesser rank (e.g., a Lieutenant receives an order from a Captain, which has been relayed to the Lieutenant by a communications dispatcher).

A member receiving a conflicting order will obey the last given order. The member issuing any order that conflicts with, or countermands a previous order or standing directive, will assume

responsibility for his/her actions and the actions of the subordinates obeying the issued order. A member is responsible to only one supervisor at any given time. (See Rule #17, part A)

No member is required to obey an order that the member knows, or has reason to believe, is an unlawful order. A member who obeys an order he/she knows is unlawful, or has reason to believe is unlawful, will be held accountable for the consequences of his/her actions. A member who disobeys a lawful order, believing such an order to be unlawful, will be required to show that his/her disobedience was in good faith and with reasonable cause.

POLICY
200

LAFAYETTE POLICE DEPARTMENT

Policy Manual

ON-DUTY CONDUCT

200.1 PURPOSE

The purpose of this policy is to establish guidelines to regulate a member while he/she is acting in an on-duty capacity. It will be the policy of the Lafayette Police Department that every member provides prompt, courteous, and effective assistance to the public. The need for assistance by a citizen takes precedence over any activity, except those of any emergency nature. It shall never be acceptable to place routine department business ahead of providing service to the public.

200.2 POLICY

200.2.1 Public Service

Prompt assistance shall be rendered whether requested in person, by telephone, by letter, or by electronic communication.

Each member shall render immediate attention to the needs of any person without referral to any other member or agency, unless this cannot be avoided.

200.2.2 Courtesy

A member of the department shall be civil, orderly, and courteous to the public, co-workers, and supervisors and shall not use coarse, insensitive, abusive, violent, or profane language.

When in public, in an on-duty capacity, supervisors shall be addressed by rank/position/title.

200.2.3 Responsibilities of a Supervisor

Supervisors shall enforce the rules/regulations of the department and shall ensure the proper conformity to department directives and procedures.

Supervisors shall take immediate, appropriate action(s) when the conduct of members is contrary to the public interest or the good reputation or proper operation of the department. A supervisor shall take this action even if the involved employee is not assigned to his/her shift or division.

200.2.4 Manner of Issuing Orders

Orders from supervisors to members of the department shall be clear, understandable, and expressed in a civil tone.

200.2.5 Chain Of Command

Members of the department shall conduct official business through the chain of command.

Lateral communication is encouraged and members should inform immediate supervisors of communication or information which has potential to affect the mission of the department.

POLICE VEHICLE OPERATIONS

200.1 PURPOSE AND SCOPE

There are occasions when it becomes necessary for a member, in the performance of his/her duties, to operate a police vehicle contradictory to established traffic regulations.

The purpose of this policy is to establish guidelines for the operation of the police vehicle that will not restrict a member's ability to perform effectively, yet maximize the safety for the public and officers.

200.2 DEFINITIONS

Due Regard - A reasonably well-trained officer performing similar duties and under similar circumstances would act in the same manner.

True Emergency - A situation in which there is a high probability of death or serious bodily injury to an individual, or significant property loss, and action by an emergency vehicle operator may reduce the seriousness of the situation.

Silent Run - operating in the emergency mode utilizing only red/blue light(s).

200.3 PROCEDURE

200.3.1 Normal Response

Members shall obey all lawful traffic regulations while on routine patrol.

Members shall consider road, traffic, and weather conditions at all times while operating a police vehicle.

200.3.2 Emergency Response

Police vehicles shall be operated in an emergency mode only when the member has reasonable cause to believe that a true emergency exists (see Definitions), or when in the pursuit of an actual or suspected violator of the law. All pursuits must be in compliance with LPD Policy 210.

While operating a police vehicle in the emergency mode, the red/blue lights and siren should both be in operation if so equipped.

Exception: Silent Runs

An officer is obligated to drive with due regard at all times for the safety of all persons.

200.3.3 Silent Runs

Silent runs may be applicable in the following instances:

a. Robbery in progress.
b. Burglary in progress.
c. Situations in which the officer's discretion determines the necessity for red/blue light(s) only.

When using red/blue lights only, a member should obey all traffic regulations, except:

a. A member may exceed the posted speed limit, but must operate at a reasonable speed so as not to endanger life or property.
b. A member may proceed through an intersection without completely stopping if the member is sure that it will not interfere with the operation of any other vehicles in or close to the intersection.

200.3.4 Use of Seat Belts

All occupants of vehicles owned by the City of Lafayette shall wear seatbelts.

Exceptions - when the safety of the occupants, or those applying it, would be at risk.

200.3.5 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 safety 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 (policy 205).

Under certain circumstances, an officer may determine that use of a safety belt or prisoner restraint system is not appropriate. Those circumstances include:

a. When the person to be transported proves to be too dangerous to the officer who is attempting to apply the restraint.
b. When the person to be transported has a disability or physical abnormality that makes the use of a restraint impossible.

RESPONSE TO RESISTANCE

202.1 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.

202.2 DEFINITIONS

Deadly Force - That force reasonably anticipated and intended to create a substantial likelihood of causing death or very serious 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.

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

202.3 POLICY

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

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

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

202.3.1 Legal Intervention

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.

202.3.2 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. This policy shall not be construed to require officers to assume unreasonable risks to themselves.

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

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

It is also recognized that circumstances may arise in which officers reasonably believe that it would be impractical or ineffective to use any of the tools, weapons or methods provided by this department. Officers may find it more effective or reasonable to improvise their response to rapidly unfolding conditions that they are confronting. In such circumstances, the use of any improvised device or method must nonetheless be reasonable and utilized only to the degree that reasonably appears necessary to accomplish a legitimate law enforcement purpose.

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

202.3.3 Use of Force to Effect an Arrest

An officer may use reasonable force to (I.C. § 35-41-3-3):

a. Effect a lawful arrest.
b. Prevent escape.

202.3.4 Factors used to Determine Reasonableness

When determining whether to apply force and evaluating whether an officer has used reasonable force, a number of factors should be taken into consideration as time and circumstances permit.

These factors include, but are not limited to:

a. Immediacy and severity of the threat to officers or others.
b. The conduct of the individual being confronted as reasonably perceived by the officer at the time.
c. Officer/subject factors (e.g., age, size, relative strength, skill level, injuries sustained, level of exhaustion or fatigue, the number of officers available vs. subjects, etc.).
d. The effects of drugs or alcohol.
e. The individual’s mental state or capacity.

f. Proximity of weapons or dangerous improvised devices.
g. The degree to which the individual 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 individual 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 individual 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 individual or awareness of any propensity for violence.
q. Any other exigent circumstances.

202.3.5 Pain Compliance Techniques

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

Officers utilizing any pain compliance technique should consider:

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

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

202.3.6 Use of Force to Seize Evidence

In general, officers may use reasonable force to lawfully seize evidence and to prevent the destruction of evidence. However, officers are discouraged from using force solely to prevent a person from swallowing evidence or contraband. In the instance when force is used, officers should not intentionally use any technique that restricts blood flow to the head, restricts respiration or which creates a reasonable likelihood that blood flow to the head or respiration would be restricted.

202.3.7 Use of Deadly Force

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 bodily injury.
b. An officer may use deadly force to stop a fleeing subject when the officer has probable cause to believe that the individual has committed, or intends to commit, a felony involving the infliction or threatened infliction of serious bodily injury or death, and the officer reasonably believes that there is an imminent risk of serious bodily injury or death to any other person if the individual is not immediately apprehended. Under such

circumstances, a verbal warning should precede the use of deadly force, where feasible (I.C. § 35-41-3-3). Warning shots are not permitted. 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 individual has a weapon or is attempting to access one and it is reasonable to believe the individual intends to use it against the officer or another.
2. The individual is capable of causing serious bodily injury or death without a weapon and it is reasonable to believe the individual intends to do so.

202.3.8 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.

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 unless that officer has specifically been trained to disable vehicles in that manner.

202.3.9 Reporting the Use of Force

Any time a member of this department uses force they shall, immediately upon stabilizing the scene, notify an on-duty shift commander.

A use of force is characterized as any one, or combination of, the following:

a. Soft Hand Tactics pressure points, joint manipulation, take downs, strikes to major muscle groups)
b. Hard Hand Tactics (closed fist strikes to the head, face or areas that are not major muscle groups)
c. K-9 Apprehension
d. Pepper Spray/OC
e. Other Less-Lethal
f. Other Lethal
g. Handgun
h. Patrol Rifle
i. Taser
j. Pointing a Firearm

Any use of force by a member of this department, whether injuries are evident or alleged, shall be documented promptly, completely, and accurately in an appropriate use of force report.

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.

All non-deadly force reports should be completed and submitted prior to the end of the officer and supervisor's tour of duty.

202.3.10 Medical Considerations

Prior to booking or release, medical assistance shall be obtained for any person who exhibits signs of physical distress, has sustained visible injury, expresses a complaint of injury or continuing pain, or was rendered unconscious. Any individual exhibiting signs of physical distress after an encounter should be continuously monitored until he/she can be medically assessed.

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

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

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

202.3.10 Supervisor Responsibilities

A supervisor shall be notified of every response to resistance. It is incumbent upon the supervisor on duty to respond to the scene. It is understood that not every situation will require a response by a supervisor, but it is the responsibility of the supervisor to do the following:

a. Gather the initial facts of the incident from the officer(s) involved
b. Determine if it is necessary to make the scene. A pointing a firearm or soft hand R2R may not dictate a response by a supervisor. Factors used to make this decision will vary, but should include any injuries, need for medical attention, complaints by the suspect or witnesses, the deployment of a Taser, and the type of force used.
c. Determine if statements from suspect(s) or witnesses are needed to complete the investigation.
d. Complete the Use of Force module before the end of the tour of duty.
e. Determine if other divisions such as Detectives, Administrative Services or the Adams Group should be notified.

CONTROL DEVICES

203.1 PURPOSE AND SCOPE

This policy provides guidelines for the use and maintenance of control devices that are described in this policy. Less lethal weapons are devices intended to be less likely to result in death and/or serious bodily injury than firearms. It is understood that accidental, incidental, and correlative casualties are risked wherever force is applied, but less lethal weapons are designed to minimize these risks as much as possible. Less lethal weapons are intended to be used to limit the escalation of conflict, or where employment of lethal force is prohibited or undesirable.

203.2 POLICY

In order to control individuals who are violent or who demonstrate the intent to be violent, the Lafayette Police Department authorizes officers to use control devices in accordance with the guidelines in this policy and the Use of Force Policy. The Chief of Police may also authorize other positions or individual department members to use specific control devices.

203.2.1 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 those members 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 person 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.

The Lafayette Police Department also recognizes that the tense, uncertain, and rapidly evolving situations officers encounter may require the use of improvised and/or unconventional devices to resolve. In order to effect a lawful objective, officers are authorized to:

a. Use, under certain conditions, whatever issued or available instrument is needed at the time.
b. The reasonable use of such instruments is authorized and will be reviewed under the same standards, practices, and training as department issued or authorized impact devices.

This policy shall not be construed to require officers to assume unreasonable risks to themselves.

The reasonableness of an officer's decision to use less lethal weapons must be viewed from the perspective of the officer on the scene without the benefit of 20/20 hindsight. Allowance must be made for the fact that officers are often forced to make split second decisions in circumstances that are tense, uncertain, and rapidly evolving.

The Lafayette Police Department does not require officers to employ a less lethal weapon if the use of lethal force is justified and the deployment or use of a less lethal weapon creates an unnecessary risk of serious bodily injury or death to the officer or another person.

The head of the defensive tactics training 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 head of the defensive tactics training unit or the designated instructor for a particular control device. The inspection shall be documented.

203.2.2 Responsibilities

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

Any damaged, inoperative, outdated, or expended control devices or munitions, along with documentation explaining the cause of the damage, shall be reported to their shift commander. Documentation shall also be forwarded through the chain of command, when appropriate, explaining the cause of damage.

203.3 PROCEDURES

203.3.1 Baton

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

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

The Lafayette Police Department authorizes the carry and use of the following Impact Devices:

a. Expandable batons
b. Flashlights

203.3.2 Tear gas

Tear gas may be used for crowd control, crowd dispersal or against barricaded suspects based on the circumstances. Only the shift supervisor, incident commander, CDU team commander, or SWAT team 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 practical, fire and emergency medical services 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.

203.3.3 Chemical Munitions

Chemical agents dispersed in liquid, gas, or powder form and defined as intermediate less lethal weapons as a use of force option. They are designed to result in temporary dysfunction without causing permanent physical injury.

Authorized Chemical Munitions - The Lafayette Police Department authorizes the use of the following delivery methods for chemical munitions:

a. 12-gauge shotgun
b. 37MM and 40MM less lethal and chemical munitions launchers
c. Hand-tossed or launch-able grenades

203.3.4 Oleoresin Capsicum (OC)

As with other control devices, OC spray and pepper projectiles may be considered for use to bring under control an individual or group 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 department members or the public.

Some practical uses for OC Spray include:

a. Repel human and animal attacks
b. Temporarily incapacitate violently resisting subjects
c. Compel barricaded subjects to leave an enclosed area
d. Disperse violent crowds or riots

Any use of a chemical weapon or spray requires the deploying employee to complete the established use of force reporting procedure in addition to a detailed narrative of the circumstances surrounding its use.

Uniformed members carrying OC spray shall carry the device in its authorized holster on the equipment belt or vest carrier.

Plainclothes and non-field members may carry OC spray as authorized, in accordance with the needs of their assignments or at the direction of their supervisors.

203.3.5 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 who complain of further severe effects shall be examined by appropriate medical personnel.

Officers will ensure when transporting prisoners who are known to have been subjected to any chemical spray that the prisoner is not placed in a prone position and stays upright with a clear airway to avoid possible positional asphyxia.

203.3.6 Less-Lethal Munitions

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.

Impact weapons systems are generally defined as intermediate, less-lethal weapons as a use of force option. They are designed to result in temporary dysfunction through disorientation and/or incapacitation. These goals are accomplished through pain compliance and blunt trauma from expelled projectiles from the various weapon systems.

The Lafayette Police Department authorizes the use of the following delivery methods for Extended Range Impact Munitions:

a. 12-gauge shotgun
b. 37MM and 40MM less lethal launchers
c. “Stinger”-type rubber pellet grenades

203.3.7 Deployment and Use of Less Lethal Munitions

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 individuals 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 officers, other department members, and/or other people.
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.

Officers will not use Extended Range Impact Munitions on subjects who are exhibiting only verbal resistance and/or passive resistance and make no overt indication of further aggressive or resistive behavior. Officers will not use Extended Range Impact Munitions on subjects who are under physical restraint (i.e., handcuffed), unless the subject is still violently resisting and lesser means of controlling the subject have failed.

203.3.8 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 suspect 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.

203.3.9 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 shotguns and projectiles at the beginning of each shift to ensure that the shotguns are in proper working order, the projectiles are of the approved type, and appear to be free from defects.

When they are not deployed, shotguns will be unloaded and properly and securely stored in police department vehicles. When deploying a kinetic energy projectile shotgun, officers 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.

203.3.10 Training for Control Devices

The head of the defensive tactics training unit shall ensure that those members 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. Before being authorized to carry any control device, members will be given access to and receive training on this policy.

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 member's training file.
c. Members who fail to demonstrate proficiency with the control device or knowledge of the Use of Force Policy will be provided remedial training. If a member cannot demonstrate proficiency with a control device or knowledge of the Use of Force Policy after remedial training, the member will be restricted from carrying the control device and may be subject to discipline.
d. Retraining or recertification should occur at least annually.

Conducted Energy Weapons

204.1 PURPOSE AND SCOPE

This policy provides guidelines for the issuance, training, and use of department issued Conducted Energy Weapons (CEW).

204.2 POLICY

A CEW device is used to control a violent or potentially violent individual. This department recognizes that Conducted Energy Weapons can be employed to subdue persons. The decision to use the Conducted Energy Weapon must be made dependent on the actions of the subject(s) or threat facing the officer(s) and including the totality of the circumstances surrounding the incident. The Conducted Energy Weapon may also be used to subdue attacking canines or other dangerous animals.

204.3 PROCEDURE

204.3.1 Device Management

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

CEW devices 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 inventory.

Officers shall only use the CEW device and cartridges that have been issued by the department.

Uniformed officers who have been issued the CEW device shall wear the device in an approved holster. Non-uniformed officers may secure the CEW device in the driver's compartment of their vehicles.

Members carrying the CEW device should perform a spark test prior to every shift.

When carried while in uniform, officers shall carry the CEW device in a weak-side holster on the side opposite the duty weapon.

a. All CEW devices 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 the issued CEW device is properly maintained and in good working order.
c. Officers should not hold a firearm and the CEW device at the same time.

LPD-certified CEW instructor(s), under supervision of the Chief of Police, shall be responsible for the issuance and safe storage of the CEW devices.

Members are responsible for ensuring that their issued CEW has an adequate power supply and the most recent firmware update available. Members MUST dock their battery pack, at a minimum, when the CID indicates 20% or less battery power, or no longer than 30 days since it was last docked.

204.3.2 Pre-Application Guidelines

A verbal warning of the intended use of the CEW 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:

a. Provide the individual with a reasonable opportunity to voluntarily comply.
b. Provide other officers and individuals with a warning that the CEW device may be deployed.

The aiming laser should not be intentionally directed into anyone's eyes.

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

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

204.3.3 Application of the CEW ECW

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

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.

Flight from a pursuing officer, coupled with other known and articulable circumstances or factors, can be cause for the use of the CEW device to apprehend an individual. Examples of articulable factors include, but are not limited to, the nature of the criminal activity known to the officer prior to the flight of the individual and danger cues that indicate to a reasonable officer that the suspect is a safety threat to himself or others.

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

Officers will not use CEWs on subjects who are exhibiting only verbal resistance and/or passive resistance and make no overt indication of further aggressive behavior (i.e. implied weapons, threats, nonverbal cues, etc.)

The use of the CEW device on certain individuals should 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.
c. Obvious juveniles.
d. Individuals with obviously low body mass.
e. Individuals who are handcuffed or otherwise restrained, unless the subject is still violently resisting and lesser means of controlling the subject have failed.
f. 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.
g. Individuals whose position or activity may result in collateral injury (e.g., falls from height, operating vehicles).

Because the application of the CEW device in the drive-stun mode (i.e., direct contact without probes) relies primarily on pain compliance, the use of the drive-stun mode 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.

204.3.4 Targeting Considerations

The preferred targeting areas include the individual's back or front, lower-center mass. The head, neck, chest, and groin should be avoided when reasonably practicable.

If the dynamics of a situation or officer safety do not permit the officer to limit the application of the CEW device 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.

204.3.5 Multiple Applications of the CEW ECW

Officers should apply the CEW device for only one standard cycle and then evaluate the situation before applying any subsequent cycles. Officers should not intentionally apply more than one CEW device at a time against a single individual.

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

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

204.3.6 Post-Deployment Guidelines and Medical Treatment

Officers should take appropriate actions to control and restrain the individual to minimize the need for longer or multiple exposures to the CEW device. As soon as practicable, officers shall notify a supervisor any time the CEW device has been discharged.

Immediately upon gaining control and restraining the subject, the deploying officer will remove the probes using the approved method and universal precautions and provide basic aftercare (i.e. alcohol swabs, bandages if needed).

Used CEW device probes shall be treated as a sharp's biohazard, similar to a used hypodermic needle, and handled appropriately. Universal precautions should be taken.

All persons who have been struck by CEW device probes, who have been subjected to the electric discharge of the device, or who sustained direct exposure of the laser to the eyes shall be medically assessed prior to booking. Officers should request that medics make the scene in order to assess the subject to see if further medical treatment is necessary and/or in order to obtain a medical refusal from the subject.

If the subject is going to need a medical clearance due to intoxication prior to booking at the jail, officers may forgo medics making the scene and transport said person directly to the hospital for evaluation. Officers shall notify medical staff that the person has been subjected to the electronic discharge of a CEW device. Officers shall not transport subjects who appear to be in any serious distress or subjects who are bleeding heavily from any sustained injuries. In such an event, medics will be called to the scene.

Additionally, any such individual who falls under any of the following categories should, as soon as practicable, be examined by paramedics or other qualified medical personnel:

a. The person may be pregnant.
b. The person reasonably appears to be in need of medical attention.
c. The CEW device probes are lodged in a sensitive area (e.g., groin, female breast, head, face, neck).
d. The person requests medical treatment.
e. The subject exhibits abnormal behavior (i.e. excited delirium), before or after deploying the CEW.

Any individual exhibiting signs of distress or who is exposed to multiple or prolonged applications (i.e., more than 15 seconds) shall be transported to a medical facility for examination or medically evaluated prior to booking. If any individual refuses medical attention, such a refusal should be witnessed by another officer and/or medical personnel and shall be fully documented in related reports. If an audio recording is made of the contact or an interview with the individual, any refusal should be included, if possible.

The transporting officer shall inform any person providing medical care or receiving custody that the individual has been subjected to the application of the CEW device.

204.3.7 Dangerous Animals

The CEW device 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.

204.3.8 Off-Duty Considerations

Officers are not authorized to carry department CEW devices while off-duty, unless they are working in an off-duty capacity, in uniform. Officers traveling off-duty in their take-home vehicles may deploy the CEW in the event that they intervene in situations that require an immediate police response; at which point, they will be considered ‘on-duty.’

Officers shall ensure that CEW devices 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.

204.3.9 Documentation and Reports

If feasible, photograph the locations on the subject’s body where the probes penetrated or current was applied. The photographs should be retained as evidence/documentation. Officers shall document all CEW device discharges in the related arrest/crime reports and the response to resistance reporting form. Notification shall also be made to a supervisor in compliance with the Response to Resistance Policy.

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

a. Identification of all personnel firing CEW devices
b. Identification of all witnesses
c. Medical care provided to the subject
d. Observations of the subject’s physical and physiological actions
e. Any known or suspected drug use, intoxication, or other medical problems

204.3.10 Training

Personnel who are authorized to carry the CEW device shall be permitted to do so only after successfully completing the initial department-approved training. Any personnel who have not carried the CEW device as a part of their assignments for a period of one year or more shall be recertified by a qualified CEW device instructor prior to again carrying or using the device. Proficiency training for personnel who have been issued CEW devices should occur every year.

A reassessment of an officer’s knowledge and/or practical skills may be required at any time if deemed appropriate by the training officer. All training and proficiency for CEW devices will be documented in the officer’s training files.

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

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

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

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

The training officer should ensure that all training includes:

a. A review of this policy.
b. A review of the Response to Resistance Policy.
c. Performing weak-hand draws or cross-draws to reduce the possibility of unintentionally drawing and firing a firearm.
d. Target area considerations to include techniques or options to reduce the unintentional application of probes near the head, neck, chest, and groin.
e. Handcuffing a subject during the application of the CEW device and transitioning to other force options.
f. De-escalation techniques.
g. Restraint techniques that do not impair respiration following the application of the CEW device.

HANDCUFFING AND RESTRAINTS

205.1 PURPOSE AND SCOPE

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

205.2 POLICY

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

205.2.1 Use of Restraints

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

The Lafayette Police Department authorizes the carry and use of the following police restraints:

a. Handcuffs
b. Flex cuffs
c. Leg restraints (Shackles)

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

a. The circumstances or crime leading to the arrest.
b. The demeanor and behavior of the arrested person.
c. The age and health of the person.
d. Whether the person is known to be pregnant.
e. 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.
f. Whether the person has any other apparent disability.

Restraints may be used in an attempt to minimize the risk of personal injury to officers and citizens during police operations, all members will handcuff, as soon as possible:

a. All persons subject to lawful custodial arrest.
b. Persons stopped for investigations when an officer has a reasonable suspicion, based on articulable facts that the person has committed a crime, and a reasonable suspicion based on articulable facts that the person:

1. Will flee if not restrained.
2. Might present an immediate threat of serious physical injury to the officer or another person if not restrained.
3. The person is, or the officer reasonably suspects based on articulable facts the person will be, physically uncooperative with the officer in a way which interferes with the officer's ability to pursue the investigation or conduct the stop safely if the person is not restrained.

205.2.2 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.

205.2.3 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 and, unless in the event of extraordinary circumstances, they should not be restrained by the use of leg irons, waist chains or handcuffs behind the body.

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

205.2.4 Restraint of Juveniles

A juvenile under 12 years of age should generally 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.

205.2.5 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.

Officers should:

a. Secure the restraints behind the subject's back in a safe and effective manner whenever possible.
b. Gap and double-lock restraints, when safely possible, in order to minimize the risk of injury to the restrained person.
c. Use reasonable judgment regarding appropriate restraint methods when handcuffing/ restraining excessively large or small individuals and any other circumstances where conventional restraints and methods are not possible or advisable.

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.

Officers will not use police restraints to "hog tie" subjects by connecting the subject's bound legs directly to the restraints on their wrists. Officers will not use police restraints to inflict pain or punishment on the restrained subject unless the use of pain compliance techniques are justified as defined in policy.

205.2.6 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 distorting that person's vision. Officers should avoid commingling 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.

205.2.7 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.

205.2.8 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 vehicle, 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 vehicle).

205.2.9 Guidelines for Use of Leg Restraints

When applying leg restraints, the following guidelines should be followed:

a. 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.
b. 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.
c. 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.
d. The officer should look for signs of labored breathing and take appropriate steps to relieve and minimize any obvious factors contributing to this condition.
e. 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).

205.2.10 Required Documentation

If a person is arrested, the use of restraints other than handcuffs shall be documented in the related report.

The officer should include, as appropriate:

a. The amount of time the person was restrained.
b. How the person was transported and the position of the person during transport.
c. Observations of the person's behavior and any signs of physiological problems.
d. Any known or suspected drug use or other medical problems.

STOP AND FRISK

206.1 PURPOSE

To provide guidance for the use of the “stop and frisk” as an investigatory function.

206.2 POLICY

The Lafayette Police Department recognizes that an investigatory stop of an individual is a seizure within the meaning of the Fourth Amendment; therefore, officers will conduct themselves according to guidelines established through procedures and training, and by court rulings.

206.4 PROCEDURES

While the terms "stop" and "frisk" are commonly used in conjunction in law enforcement, they are separate and distinct acts, the former being a detainment and the latter being a search.

206.4.1 Grounds for Investigatory Stop

To lawfully detain an individual, a member must have a reasonable, articulable suspicion that the person stopped has committed or is about to commit a crime.

a. The standard for reasonable suspicion is less demanding than that for probable cause; it requires only particularized, objective facts which taken together with rational inferences from those facts of the circumstances, reasonably warrant suspicion that a crime has been, is being, or will be committed.
b. An overly intrusive investigatory stop may be viewed as an arrest requiring probable cause. The scope of activities permitted during an investigatory stop is determined by the circumstances that initially justified the stop. Pertinent considerations include:
    1. The amount of force used by police.
    2. The need for such force.
    3. The extent and duration to which the individual’s freedom of movement was restrained.

206.4.2 Grounds for Frisk

To frisk an individual lawfully, a member must have a reasonable, articulable belief that the person stopped is armed and dangerous. The member need not be certain that an individual is armed, however, the issue is whether a reasonable, prudent person in the circumstances would be warranted in the belief that his/her safety, or that of others, is in danger.

Members are entitled to draw from the facts of the circumstances in light of his/her experience.

206.4.3 Nature of Frisk

The scope of the search must be designed to discover guns, knives, clubs, or other hidden instruments which might be used to harm the member or others nearby.

The initial search for weapons must be a limited intrusion and is an “outer clothing pat-down” for such. Only in such cases where the “outer clothing pat-down” results in the discovery of objects that are believed to be weapons, or when it is readily apparent that the object is contraband, can the search be extended to the actual removing of that object from the subject’s person.

206.4 4 Documentation

As the “stop” aspect is considered a detention and the “frisk” aspect is considered a search under the Fourth Amendment, officers shall properly document their actions in a case report whenever a “Terry Stop” has been performed.

FIELD INTERVIEWS AND INTERROGATIONS

207.1 PURPOSE

The purpose of this policy is to provide guidelines for members of the Lafayette Police Department pertaining to interviews conducted of suspects, witnesses, and victims.

207.2 POLICY

207.2.1 Interviews of Suspects

The Constitution of the United States provides all citizens with certain guarantees. Some of these guarantees are in the form of requirements placed on law enforcement to ensure that no infringement of individual rights occurs during a criminal investigation. Members shall adhere to all constitutional requirements of suspects during the course of any investigations that apply to the following:

a. Use of coercion
b. Involuntary confessions or admissions
c. Delays in arraignment
d. Advice of rights during questioning/interrogation
e. Depriving suspects of the right to counsel
f. Security of the person and their property from unlawful search and seizure
g. All other protections afforded to citizens under the constitution

207.2.2 Applicable Case Law

It is the responsibility of each member to be informed on Supreme Court case law and any other appellate case law that relates to the interviewing and/or interrogation of citizens. Annual training is provided by this agency with respect to new Supreme Court case law, changes in state/federal statutes, and state/federal appellate case law. This training is often provided in the form of prosecutorial updates, memorandums, general orders from the Chief of Police, and roll call training.

207.2.3 Recorded Interviews

Every attempt should be made to video/audio record interviews or interrogations with suspects, witnesses, or victims by members of this agency. Members can achieve this objective via the body-worn cameras for patrol officers or the designated video/audio recorded interview rooms. An audio recorded interview/interrogation should be the last resort if all other options are not practical or available given the circumstances.

207.2.4 Major Incidents

During a major incident, every attempt should be made to conduct all interviews/interrogations at the Lafayette Police Department in a video-recorded interview room. Members must weigh the importance of a particular interview and select the appropriate environment to conduct the interview.

TEMPORARY DETENTION OF JUVENILES

208.1 PURPOSE AND SCOPE

This policy provides guidelines consistent with Indiana state law and the Juvenile Justice and Delinquency Prevention Act for juveniles taken into temporary custody by members of the Lafayette Police Department (42 USC § 5633).

208.2 DEFINITION

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 (Non-status 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) (I.C. § 31-37-1-2). It also includes an offense for possession of a handgun (I.C. § 35-47-10-5; 28 CFR 31.303).

Status Offender - A juvenile suspected of committing delinquent act(s) of the law that would NOT be a criminal violation but for the age of the offender. Examples may include running away, alcohol offenses related to minors (I.C.7.1-5-7), curfew violation, habitual disobedience of parent (I.C. 31-37-2-4), and truancy. A juvenile in custody on a court order or warrant based upon a status offense is also a status offender. (I.C. 31-37-2-1)

Non-secure Custody - When a juvenile is held in the presence of an officer or other department member 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 (i.e. video) does not replace direct visual observation. Juvenile detention by members will be minimal and will never be punitive in nature.

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 cell within the adult temporary holding area, whether or not the cell door is locked.

Juvenile detention by members will be minimal and will never be punitive in nature. No member shall submit any juvenile to secure detention in excess of the six-hours permitted by law or without an order of the court.

Sight and Sound Separation – If the child is detained in a secure facility, the child shall be restricted to an area of the facility in which the child has not more than haphazard or incidental sight or sound contact with persons charged with, imprisoned for, or incarcerated for crimes. (I.C. 31-37-7-2)

208.3 POLICY

Members of the Lafayette Police Department are required in the course of their duties to detain juvenile status offenders and juvenile criminal offenders. The Lafayette Police Department is committed to releasing juveniles from temporary custody and detention as soon as reasonably practicable and to keeping juveniles safe while in custody at headquarters. Juveniles should be held in temporary custody only for as long as reasonably necessary for processing, transfer, or release. No Lafayette Police officer shall submit any juvenile to secure detention in excess of the six-hours permitted by law or without an order of the court.

208.4 PROCEDURE

208.4.1 Juveniles Who Should Not Be Held

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

a. Unconsciousness or having been unconscious while being taken into custody or transported.
b. Serious injuries or a medical condition requiring immediate medical attention.
c. A suspected suicide risk or showing obvious signs of severe emotional or mental disturbance.
    1. If the officer taking custody of a juvenile believes that he/she may be a suicide, risk, the officer shall ensure continuous direct supervision until evaluation, release, or transfer to an appropriate facility is completed.
d. Significant intoxication or showing signs of having ingested any substance that poses a significant risk to their health, whether or not they appear intoxicated.
e. Extremely violent or continuously violent behavior.
f. Afflicted with, or displaying symptoms of, a communicable disease that poses an unreasonable exposure risk.

Officers taking custody of a juvenile exhibiting any of the above conditions should take reasonable steps to provide medical attention or mental health assistance and should notify a supervisor of the situation. These juveniles should not be held at the Lafayette Police Department unless they have been evaluated by a qualified medical or mental health professional, as appropriate for the circumstances.

208.4.2 Custody of Juveniles

Juveniles taken into custody for status offenses will be transported to the Tippecanoe County Assessment Center for disposition. If the Assessment Center is unavailable, then the offender must be held non-securely until release or transfer.

Juveniles arrested for non-status offenses will be transported to the Tippecanoe County Assessment Center for disposition. If the Assessment Center is unavailable, federal regulations permit a six-hour period of secure detention in an adult jail or lockup for juveniles accused of committing criminal-type offenses.

The Monthly Log of Juveniles Held report must be completed for all secure detentions initiated by members at headquarters. These notations to the log must be completed at the time detention begins and when the detention ends. Entries to the Monthly Log of Juveniles Held will be reported to the Indiana Office of Juvenile Justice and Delinquency Prevention

Anytime a non-status or status offender is held in violation of this policy, the incident should be documented with an explanation and forwarded to the member's first line supervisor.

No juvenile should be held in temporary custody at the department without authorization of the shift supervisor. Juvenile non-offenders taken into custody shall be held in non-secure custody unless otherwise authorized by this policy.

208.4.3 Custody of Juvenile Non-Offenders

Non-offenders, who are children taken into protective custody, and may include Children In Need of Services (CHIN'S) or children who have been separated from their parents (e.g. missing children) should generally not be held at the Lafayette Police Department. Custodial arrangements should be made for non-offenders as soon as reasonably possible. Juvenile non-offenders may not be held in secure custody (42 USC § 5633).

208.4.4 Advisements

When a juvenile is taken into custody for one of the listed offenses, the officer shall notify the superintendent of the school district in which the juvenile is enrolled, or if the juvenile is enrolled in a private school, the chief administrative officer of the juvenile's school, within 48 hours. The officer should notify the school official of the reasons the juvenile was taken into custody, but may not disclose information that is confidential under state or federal law (I.C. § 31-37-4-3).

a. Murder (IC 35-42-1-1).
b. Attempted murder (IC 35-41-5-1).
c. Voluntary manslaughter (IC 35-42-1-3).
d. Involuntary manslaughter (IC 35-42-1-4).
e. Reckless homicide (IC 35-42-1-5).
f. Aggravated battery (IC 35-42-2-1.5).
g. Battery (IC 35-42-2-1).
h. Kidnapping (IC 35-42-3-2).
i. A sex crime listed in IC 35-42-4-1 through IC 35-42-4-8.
j. Sexual misconduct with a minor (IC 35-42-4-9).
k. Incest (IC 35-46-1-3).
l. Robbery as a Level 2 felony or a Level 3 felony (IC 35-42-5-1).
m. Burglary as a Level 1 felony, Level 2 felony, Level 3 felony, or Level 4 felony (IC 35-43-2-1).
n. Assisting a criminal as a Level 5 felony (IC 35-44.1-2-5).
o. Escape (IC 35-44.1-3-4) as a Level 4 felony or Level 5 felony.
p. Trafficking with an inmate as a Level 5 felony (IC 35-44.1-3-5).
q. Causing death when operating a vehicle (IC 9-30-5-5).

r. Criminal confinement (IC 35-42-3-3) as a Level 2 or Level 3 felony.
s. Arson (IC 35-43-1-1) as a Level 2 felony, Level 3 felony, or Level 4 felony.
t. Possession, use, or manufacture of a weapon of mass destruction (IC 35-47-12-1).
u. Terroristic mischief (IC 35-47-12-3) as a Level 2 or Level 3 felony.
v. Hijacking or disrupting an aircraft (IC 35-47-6-1.6).
w. A violation of IC 35-47.5 (controlled explosives) as a Level 2 felony, Level 3 felony, or Level 4 felony.
x. A controlled substances offense under IC 35-48.
y. A criminal organization offense under IC 35-45-9.
z. Domestic battery (IC 35-42-2-1.3).
aa. Or when a Lafayette Police officer, having reasonable grounds to believe that an individual has a mental illness, is either dangerous or gravely disabled, and is in immediate need of hospitalization (IC 12-26-4-1).

208.4.5 No Contact Requirements (Sight and Sound Restrictions)

Sight and sound separation shall be maintained between all juveniles and adults while in custody at the Lafayette Police Department (42 USC § 5633; I.C. § 31-37-7-2). 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 Lafayette Police Department shall maintain a constant, side-by-side presence with the juvenile or the adult to minimize any sight and/or sound contact. If inadvertent or accidental sight and/or sound contact does occur, reasonable efforts shall be taken to end such contact.

208.4.6 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 Lafayette 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.

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

208.4.7 Interviews and Interrogations

No interview or interrogation of a juvenile should occur unless the juvenile has the apparent capacity to consent, and does knowingly and voluntarily consent to an interview or interrogation (I.C. § 31-32-5-1). Also that an attorney, parent or guardian with no interest adverse to the child has been advised of the reason the juvenile has been taken into custody, and has consented to the interview or interrogation.

208.4.8 Recording Interrogations

Custodial interrogations of juveniles that take place at the Lafayette Police Department or other place of detention shall be audio and video recorded (Ind. Evid. R. 617; I.C. § 31-30.5-1-2).

Audio-only recording is permitted when the interrogation occurs at a non-detention location (e.g., home, school) (I.C. § 31-30.5-1-3). Recordings shall be retained as required by I.C. § 31-30.5-1-4.

208.4.9 Case Reports

Juvenile detention/arrest reports should be completed using the standard Lafayette Police Department reporting process format.

Warrant Service

209.1 PURPOSE

To provide guidelines for the service of arrest warrants. This will include warrants issued on Lafayette Police Department cases and warrants held by other law enforcement agencies.

209.2 POLICY

It is the policy of the Lafayette Police Department to be proactive in the service of arrest warrants for Lafayette Police Department criminal cases and other law enforcement criminal and civil cases while being aware of the person/suspect's constitutional rights.

209.3 PROCEDURE

209.3.1 Lafayette Police Department Warrants

When an officer finds a person wanted on warrant or learns a person being detained is wanted on warrant, the officer must determine that the original warrant is on file and personnel at the Lafayette Police Department have the copy in hand.

Once that has been completed, the member must verify all the personal information listed on the warrant matches that of the individual being detained such as full name, date of birth, Social Security number, etc.

Once information on the warrant is confirmed, the officer shall arrest the person(s) named on the warrant.

In all cases, the suspect should not be taken into custody until the officer has satisfied the above procedure. The subject identified as possibly having a warrant should not be forced to come to the police department in an attempt to confirm their identity. If an officer brings someone to the police department against the person's will, an arrest has been affected regardless of intention. If the subject voluntarily comes to the police department then no arrest would occur, however, the officer should make it clear the subject is not under arrest.

209.3.2 Warrants Held by Other Agencies

If a member discovers that someone is wanted on a warrant held by another agency, it must be confirmed via a NCIC/IDACS hit confirmation through a dispatch terminal. The only exception to this is if the officer is detaining someone wanted on warrant by another local agency, that agency may come to the scene and make the arrest.

If a hit confirmation has been received and the personal information has been confirmed, an arrest should be affected, and the subject should be transported to the county jail unless other arrangements have been made. If there are local charges, the outside agency needs to be notified at the time of arrest.

At the jail, the copy of the warrant may be read to the arrestee.

209.3.3 Warrants with Incorrect Personal Information

If an officer believes a person wanted on warrant has been located, but the information doesn't match, the officer will have to take extra steps to verify and confirm identity.

If it is a typographical error, the issuing court should be contacted during business hours to confirm identity information. When court is not in session, contact should be made with the "on-call" prosecuting attorney.

Other methods of identification should be considered including:

a. Previous arrest photographs.
b. Tattoos.
c. Other identifying marks.
d. Verbal confirmation from the subject that they had been arrested for the charge listed on the warrant.
e. Eyewitness identification by the original arresting officer.
f. Fingerprints.

However, prior to making any arrest in any of the above situations, officers should contact the Prosecuting Attorney's Office for advice before effecting the arrest.

If unable to make positive identification, the person should be released after gathering as much information as possible.

209.3.4 Warrants from Other Departments

If a subject wanted on another agencies' warrant has personal information which does not match the original warrant, it is the other agency's responsibility to take the necessary steps to verify identification. If possible, an officer from that agency should come to the scene to make a determination.

POLICY
210

LAFAYETTE POLICE DEPARTMENT

Policy Manual

VEHICLE PURSUITS

210.1 PURPOSE

The purpose of this policy is to establish guidelines regarding vehicle pursuits. This policy is intended to regulate the manner in which vehicle pursuits are initiated and conducted.

210.2 DEFINITIONS

Vehicle pursuit - A deliberate attempt by an officer in an emergency vehicle to apprehend a fleeing suspect who is actively attempting to elude apprehension.

Police vehicle - A vehicle utilized by the Lafayette Police Department.

Marked Police Vehicle - A police vehicle equipped with operable emergency lights and sirens and prominent Lafayette Police Department markings that make it immediately identifiable as a police vehicle.

Unmarked Police Vehicle - A police vehicle equipped with operable emergency lights and sirens but without prominent Lafayette Police Department markings.

Primary Unit - The police unit immediately following the suspect vehicle and that assumes primary control of the pursuit.

Secondary Unit - Any police unit that becomes involved as a backup to the primary unit and follows the primary unit at a safe distance.

Trail or Trailing - The unauthorized following of a pursuit at any distance, to include paralleling, intercepting, or tracking.

Caravanning - Direct participation in, or following of, a pursuit by emergency vehicles other than the primary and authorized secondary units.

Terminate - To abandon or abort the pursuit.

Termination Point - The location where the pursuit comes to a conclusion.

210.3 POLICY

The Lafayette Police Department will weigh the importance of apprehending a fleeing suspect who is actively attempting to elude apprehension against the risks associated with vehicle pursuits.

210.4 PROCEDURE

210.4.1 Initiation of Pursuit

A vehicle pursuit is authorized only in instances where the officer determines there is an immediate threat to human life, immediate action is necessary, and insufficient time exists to resort to an alternative

The decision to initiate a pursuit must be based on the officer's conclusion that the immediate danger to the officer and the public created by the pursuit is less than the immediate or potential danger to the public should the suspect(s) remain at large

Unless a greater hazard would result, a pursuit should not be initiated if the suspect(s) can be identified with enough certainty that they can be apprehended at a later time.

In deciding whether to initiate or continue a pursuit, the officer shall take the following into consideration:

a. The seriousness of the offense
b. Known information on the suspect
c. Road configuration (e.g. interstate, divided highway, work zone)
d. Physical location and population density (e.g. residential area, school zone, business district)
e. Existence of vehicular and pedestrian traffic
f. Lighting and visibility
g. Weather and environmental conditions
h. The relative performance capabilities of the pursuit vehicle and the vehicle being pursued
i. Officer training and experience
j. Available equipment
k. Speed and evasive tactics employed by the suspect
l. The presence of other persons in the police and suspect vehicle
m. Any other condition or situation that would create an unreasonable risk

A pursuit should not be initiated or engaged in while providing transportation for any person, other than law enforcement officers.

210.4.2 Pursuit operations

Upon initiating a vehicle pursuit, the officer shall activate emergency lights, sirens, and cameras and they shall remain activated for the duration of the pursuit.

Upon initiating a vehicle pursuit, the officer shall notify the Communications Center of the

a. initial purpose of the stop;
b. any information concerning the use of weapons, threat of force, other unusual hazard(s);
c. location, direction and speed of the pursuit;
d. description of the pursued vehicle, including license plate number, if known; and
e. number, identity, and description of any known occupants inside the pursued vehicle.

The officer shall continuously update communications on the pursuit conditions, location, weather conditions, and presence of vehicle and pedestrian traffic.

Communications personnel shall notify an available supervisor of the pursuit, clear the radio channel of non-emergency traffic, and relay necessary information to other officers and jurisdictions, if necessary.

When available and authorized, a secondary unit shall immediately notify communications that they are joining the pursuit and he/she should assume responsibility for relaying information to communications.

Unless authorized by supervisory personnel or exigent circumstances exist that dictate otherwise, a pursuit shall consist of no more than two police vehicles (a primary and a secondary unit).

a. All other personnel shall stay clear of the pursuit unless instructed to participate by a supervisor.
b. Caravanning and trailing is prohibited. Officers should monitor the progress of the pursuit and be prepared to assist if directed by a supervisor.
c. The number of police vehicles engaged in a pursuit may be adjusted with supervisory approval.
d. The supervisor shall consider the number of units from other jurisdictions in determining the number of vehicles participating.
e. The primary unit may request additional units to join the pursuit if it appears certain that the number of officers involved is not sufficient to safely effect the arrest of the suspect(s). This request will be approved or denied by the supervisor.

A police vehicle not equipped with operable emergency red & blue lights shall not pursue; if a police vehicle is equipped with an operable siren, it shall be used.

210.4.3 Supervisory Responsibilities

Supervisors are responsible for managing all vehicle pursuits to include whether the pursuit should continue or be terminated.

When made aware of a vehicle pursuit, the supervisor shall notify the Communications Center that he/she is monitoring the pursuit and accepting supervisory responsibility.

The supervisor is responsible for:

a. Monitoring incoming information
b. Coordinating and directing activities as needed to ensure that proper procedures are used, ensuring that:
    1. no more than the necessary number of units are involved
    2. sufficient resources have been requested, including aircraft, when available and circumstances warrant their use
    3. the appropriate radio channel is being utilized; and
    4. surrounding jurisdictions have been notified, when necessary.
c. Terminating the pursuit when necessary
    1. the supervisor shall respond to the termination point following a pursuit
    2. if possible, the supervisor should avoid participating in the pursuit so that he/she can make objective decision regarding the pursuit.

210.4.4 Pursuit tactics

All officers involved in a vehicle pursuit shall wear a seatbelt.

Non-involved officers shall not follow the pursuit on parallel streets unless authorized by a supervisor.

Marked police vehicles shall be used to pursue vehicles, when available. Any officer operating an unmarked police vehicle shall disengage when an officer operating a marked police vehicle becomes available to engage in the pursuit.

Deliberate contact to forcibly stop the pursued vehicle by a police vehicle is prohibited, unless:

a. the officer is justified in using deadly force because the continued movement of the pursued vehicle would place others in imminent danger of serious bodily injury or death; and
b. the apparent risk of harm to any other person other than the occupant(s) of the pursued vehicle is so great as to outweigh the apparent risk of harm involved in making a forcible stop.

Officers shall not attempt to pass the pursued vehicle, nor should they attempt to drive beside the pursue vehicle, unless they are justified in establishing a roadblock, for which supervisory approval is required.

210.4.5 Termination of the Pursuit

The primary unit and supervisor shall continually re-evaluate and assess the pursuit situation including all of the initiating factors and terminate the pursuit whenever it is reasonable to believe the risks associated with continued pursuit are greater than the public safety benefit of making an immediate apprehension.

The pursuit may be terminated by the primary unit at any time.

A supervisor may order the termination of a pursuit at any time.

A pursuit should be terminated if the suspect's identity has been determined, immediate apprehension is not necessary to protect the public or officers, and apprehension at a later time is feasible.

The pursuit should be terminated if the pursued vehicle's location is no longer definitively known.

210.4.6 Inter-jurisdictional Pursuits

Pursuit into any other jurisdiction shall be governed by this policy.

The pursuing officer shall notify a supervisor and communications when it is likely that a pursuit will continue into a neighboring jurisdiction or across the county or state line. Communications shall immediately notify law enforcement in the jurisdiction being entered by the pursuit.

When a pursuit extends into another jurisdiction, the responsible supervisor shall determine if the other jurisdiction should be asked to assume the pursuit. The following should be considered:

a. The distance between the pursuing and pursued vehicles and the speed involved.
b. The pursuing officer's level of familiarity with the area.
c. Communication limitations at longer distances.

Officers should not relinquish the pursuit to another jurisdiction unless the physical condition of the Lafayette Police Department officer or vehicle he/she is operating does not allow safe continuation of the pursuit.

a. If it is determined that the control of the pursuit should be relinquished to another jurisdiction, the request shall be clearly relayed to that agency. Confirmation of their acceptance of control of the pursuit should be obtained.
b. Once a pursuit has been taken over by the law enforcement agency of another jurisdiction, the initial pursuing officers shall cease emergency driving and proceed to the termination point.

210.4.7 Pursuits from Other Jurisdictions

Participation in a neighboring jurisdiction's pursuit is appropriate only in response to a specific request for participation. Mere notification of the existence of a pursuit shall not be construed as a request for participation. Upon such notification, the communications center shall clarify whether this agency is being requested to assist in the pursuit.

Prior to acceptance of a pursuit from another agency, the responsible supervisor shall determine the degree of involvement by the Lafayette Police Department, if any, and provide the appropriate direction.

The reason for the pursuit must be clear and shall meet all the criteria of this policy.

If the original jurisdiction terminates their pursuit, the Lafayette Police Department officers shall terminate their pursuit unless directed otherwise by the responsible supervisor.

210.4.8 Post-Pursuit Procedures

Whenever an officer engages in a pursuit, he/she shall file a written report detailing the circumstances. This report shall be reviewed by the appropriate supervisor(s) to determine compliance with policy.

The affected division's commander shall be notified as soon as possible after the conclusion of the pursuit.

A supervisor shall file a written report in the appropriate pursuit reporting module documenting the details. The pursuit-reporting module should be completed prior to the end of the involved officer and supervisors tour of duty during which the pursuit occurred.

Any pursuit that results in a fatality, personal injury, or serious property damage shall be investigated by personnel who were not directly involved in the pursuit.

All videos of vehicular pursuits shall be reviewed following the incident.

The department shall analyze police pursuit activity to identify any additions, deletions, or modifications warranted in departmental pursuit procedures. This analysis shall consider the following implications on the organization:

a. Policy
b. Equipment
c. Training
d. Philosophical approach
e. Inter-jurisdictional issues

210.4.9 Training

Officers who drive police vehicles shall be given initial and periodic updated training in the agency's pursuit policy and safe driving tactics.

ROADBLOCKS

Roadblocks may be construed to be a use of force, including deadly force, and are subject to policies guiding such use. Officers and supervisors shall consider these facts and requirements prior to deciding how, when, where, and if a roadblock should be employed.

211.1 PURPOSE AND SCOPE

The purpose of this policy is to provide established guidelines and procedures to be followed when setting up a roadblock, as well as heightening the officer's awareness to the potential dangers of setting roadblocks.

211.2 DEFINITION

Roadblock - Any barricade or obstruction set up by officers with the intent to block, whether partially or completely, the escape route of a fleeing vehicle.

211.3 POLICY

In deciding whether to use roadblocks, officers and supervisors should balance the risk of allowing the pursuit to continue with the potential hazards arising from the use of a roadblock to the public, the officers, and persons in or on the pursued vehicle. With this in mind, the decision to use a roadblock should be reasonable in light of the circumstances known to the officer at the time of the decision.

Roadblocks will only be established to prevent the escape of an individual suspected or convicted of a serious felony.

Because roadblocks involve a potential for serious injury or death to occupants of the pursued vehicle, 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.

If roadblocks are deployed, it should only be done under extraordinary conditions 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 the public.

211.4 PROCEDURE

Upon the authority of the shift commander, roadblocks shall be established using the following criteria:

a. A roadblock shall not be established on a blind curve or crest of a hill where the driver of the fleeing vehicle, or any other vehicle, would be denied the ability to stop.

b. The roadblock shall not be placed in a dark or shaded location where it cannot be readily seen by any driver of any vehicle.
c. Every effort should be made to locate the roadblocks in an area that would minimize the probability of property damage or personal injury. Considerations include population, proximity to parks, hospitals, schools, and open areas as opposed to residential and business districts.

Dispatch shall be advised of the roadblock and all pertinent information for relay to the pursuing vehicles.

This policy is intended to address the use of roadblocks for the purpose of apprehending fleeing motorists only. It should not be confused with the need to block roadways in the interest of public safety or in assisting other public safety agencies (i.e. traffic crash investigations, civil disturbances, assisting the fire department, etc.).

HANDGUNS AND QUALIFICATION

212.1 PURPOSE

The purpose of this policy is to set training, proficiency, and qualification standards for all firearms carried by police department officers while on or off-duty.

Officers of the Lafayette Police Department who are authorized to carry a firearm are required to maintain proficiency with all firearms they carry on or off-duty (see Policy 604). Therefore, unless excused by the Chief of Police, or their designee, all officers are required to participate in all scheduled firearms training held by the department.

Officers are also required to achieve a minimum qualification score with all firearms on an approved qualification course selected by the LPD firearms coordinator and approved by the Chief of Police as outlined by this procedure. Officers authorized to carry a firearm should be prepared to meet qualification standards at any time if asked to show proficiency.

212.2 DEFINITIONS

Department Issued Firearms - firearms issued by the department for official on-duty use.

Alternate Primary Pistols - non-issued, personally-owned pistols, approved for official on-duty use.

Alternate Primary Rifles - non-issued, personally-owned rifles, approved for official on-duty use.

Secondary Firearms (Back-up Firearms) - A pistol supplied by the officer to be used in back-up capacity, or other-than-primary role while on-duty.

Off-Duty Firearms - A pistol supplied by the officer to be used if official action becomes required, while in an off-duty status. Officers are not required to carry a firearm while off-duty.

LPD department-issued pistol -The Lafayette Police Department will provide and maintain a pistol for each officer. No modifications shall be made to any department weapon without the permission of the Chief of Police or his/her designee. All modifications need to be made by an approved department armorer.

Optics (red dot) may be added to department owned pistols. It is necessary that the optics mounted to the pistol co-witness with department issued factory night sights. Modified or raised (suppressor sights) aftermarket sights are strictly prohibited unless authorized by the Chief of Police.

212.3 POLICY

212.3.1 LPD Pistol Proficiency Course (PPC)

The Lafayette Police Department will utilize the qualification course prescribed by the Indiana Law Enforcement Academy (ILEA). Officers are required to successfully complete the ILEA Pistol Proficiency Course (PPC) at lease annually, with their department-issued pistol. This course of fire pertains to qualification with department issued pistols, as well as department approved alternate pistols.

Officers must also demonstrate proficiency in the safe handling, maintaining, and disassembly of the weapon.

212.3.2 LPD Pistol Transition/Replacement Course

This course will be used when the Lafayette Police Department transitions pistol platforms, or a replacement pistol is issued to an officer. This course is as prescribed by the Indiana Law Enforcement Academy (ILEA).

Officers are required to successfully complete the ILEA Pistol Proficiency Course (PPC). Failure to successfully post a qualifying score in three consecutive attempts will result in remedial training as later described in the policy.

Officers must also demonstrate proficiency in the safe handling, maintaining, and disassembly of the weapon. This qualification attempt shall occur as soon as can be scheduled.

212.3.3 LPD Secondary Pistol/ Off-Duty Pistol Proficiency Course (Modified ILEA PPC)

If an officer chooses to carry a secondary firearm while on official duty, or a firearm off-duty they must successfully complete the modified version of the ILEA Pistol Proficiency Course (PPC) at least annually. The modified version is identical to the PPC, with time requirements being removed for all stages of fire upon the course. This is to allow for lower round capacity weapons to be considered for secondary use/off-duty use.

212.3.4 Retired Officer Proficiency Course (Modified ILEA PPC)

Retired officers wishing to carry weapons authorized by 18 USC 926C the “Law Enforcement Officers Safety Act of 2003” (LEOSA), must successfully complete the ILEA Pistol Proficiency Course (PPC) at least annually. The modified version can be considered if the weapon platform being used has a lower round capacity than is needed to complete the course in time. Retired officers must also demonstrate proficiency in the safe handling and disassembly of the weapon.

212.4 PROCEDURE

212.4.1 Qualification Procedures

Officers are required to demonstrate proficiency with all approved firearms at least once annually. In the event of a departmental weapon platform transition, or a replacement weapon being issued, officers must also complete the ILEA PPC. An officer that passes the proficiency course shall return to duty immediately, receiving the proper documentation in their training file.

Failure to demonstrate proficiency with a duty pistol on the first qualification attempt will initiate the following procedures:

a. The officer will immediately attempt the proficiency course a second time.
b. Any officer who fails to demonstrate proficiency on the second attempt will:
    1. Receive a Letter of Instruction authored by the senior firearms instructor present. This letter shall be submitted to the Captain of Patrol for review. The Captain of Patrol will notify the officer's division commander.
    2. The senior firearms instructor on site will take possession of all department-issued firearms, and ammunition. The firearms will be remanded to the custody of the Captain of Administrative Services for inspection and secured storage. The officer shall be placed on administrative duty by authority of the administrative staff until proficiency can be demonstrated.
    3. The officer will be provided the opportunity to meet with their division commander to discuss their performance and training options.
    4. Instructors will be rotated in and out of the remedial training effort as directed by the lead firearms instructors.
    5. The officer shall receive remedial training to enhance the skills necessary to obtain the proficiency standard. This training shall be scheduled as quickly as possible in working with firearms instructors and time availability of the range. Initial remedial training will not exceed 300 rounds and no more than four hours of instruction. This does not include the time and rounds needed for the qualification attempt.
    6. After completion of remedial training, the officer will be eligible for a third attempt to successfully pass the proficiency course.
    7. This qualification attempt will require the officer to demonstrate proficiency by completing the qualification course three times, posting a passing score in each consecutive attempt.
c. If the officer qualifies on the third attempt, the officer shall receive a Letter of Instruction, detailing the successful demonstration of proficiency, and the remedial training received. After review and approval by the Captain of Patrol, the officer shall return to their regular full-duty status. The Captain of Patrol will notify the administrative staff.
d. If an officer fails to demonstrate proficiency on the third attempt:
    1. The officer will relinquish their department issued firearm(s) to the senior firearms instructor on site.
    2. The officer will be excused from the range.
    3. The senior firearms instructor on site will notify the Captain of Patrol of the officer's failure to demonstrate proficiency and author a Letter of Instruction, detailing the previous remedial training and the subsequent qualification attempt.
    4. The officer will continue on administrative duty and assigned tasks until further remedial training can be coordinated, and the officer demonstrates proficiency by completing three consecutive qualification courses with a minimum passing score.
    5. The officer will be issued appropriate written documentation by the administrative staff.
    6. The officer will be provided the opportunity to meet with their division commander to discuss their performance and training options.
    7. Instructors will be rotated in and out of the remedial training effort as directed by the lead firearms instructors.
    8. Additional remedial training shall be scheduled as soon as possible for any officer who fails to qualify on the third attempt. This remedial instruction will be tailored to address the officers identified needs. This may include additional range time or classroom sessions. A maximum of 300 rounds of ammunition and four hours of

instruction may be allotted prior to another qualification attempt. Each qualification period will consist of three qualification attempts, regardless of score.

e. Should the officer meet proficiency standards any time after the third failed qualification attempt, the officer will remain on administrative duty until an administrative review is conducted by the administrative staff of the department. The administrative staff shall be provided with a written summary, authored by the senior of the involved firearms instructors detailing the remedial training provided and other information pertinent to the officer's demonstration of proficiency. After the administrative review, the officer may return to their full-duty status, or may be left on administrative duty based on the decision of the Chief of Police. Should they remain on administrative duty, the officer will be provided information on what is necessary to return to full-duty status.

f. If an officer is unable to qualify at the completion of each remedial training session:
    1. The LPD firearms coordinator will provide a written report to the Captain of Patrol including information on the type and length of remedial training given and any progress the officer may have demonstrated. This will allow for administrative review of the officer's progress.
    2. The officer will remain on administrative duty.
    3. The officer will be provided the opportunity to meet with their division commander to discuss their performance and training options.
    4. Instructors will be rotated in and out of the remedial training effort as directed by the lead firearms instructors.
    5. After administrative review, additional remedial training may be scheduled to take place as soon as possible, given officer, instructor, and range availability. This continued remedial training shall take place upon order of the Chief of Police.
    6. Another qualification session requiring three consecutive scores of 192 or higher will occur after the remedial training has been completed.
    7. If the officer successfully demonstrates proficiency following any additional remedial session, they shall remain on administrative duty while their duty status is determined upon an administrative review, as listed above in that section.
    8. The firearms instructors will continue the above process of offering remedial training and qualification until the officer is able to demonstrate proficiency or otherwise directed by the Chief of Police.

URBAN RIFLE PROGRAM

213.1 PURPOSE

To establish guidelines regarding the approval, training, use, and deployment of Urban Police Rifles (UPR's), and to establish standards in regards to the weapon type, caliber, mandatory training, and deployment.

213.2 DEFINITIONS

For the purpose of this order, the term Urban Patrol Rifle, or UPR, means a department-owned, or personally-owned, semi-automatic, center-fire, .223-caliber rifle. The rifle is to be manufactured by Colt, or by another department-approved manufacturer. It shall be inspected and approved by a department armorer who has been certified by the manufacturer and by the Lafayette Police Department to be carried by sworn police officers while on-duty.

213.3 POLICY

It is the policy of the Lafayette Police Department to ensure that all sworn officers will be issued a department owned UPR, or provide a personally owned UPR, and be properly trained in its use, have passed an approved qualification course, and maintain an acceptable gun.

Each UPR to be carried on duty shall have its serial number, make, and model recorded with the department.

Officers who are assigned an Urban Patrol Rifle shall meet the requirements set forth in this policy prior to carrying the patrol rifle on-duty.

213.4 PROCEDURE

213.4.1 Accessories

Each approved patrol rifle will be equipped with a tactical sling approved by the LPD firearms coordinator.

Officers may use approved auxiliary lights and optics on their patrol rifle approved by the LPD firearms coordinator.

All accessories that are not listed can only be used with approval from the LPD firearms coordinator.

213.4.2 Qualification Course

The department's firearms coordinator, in conjunction with all the patrol rifle instructors, shall determine the annual qualification course(s). Officers must successfully demonstrate proficiency with the rifle they carry.

Demonstrated proficiency includes:

a. Achieving a minimum qualifying score on all department-prescribed courses.
b. Attaining and demonstrating knowledge of the laws concerning the use of authorized weapons.
c. Attaining and demonstrating a knowledge of department policies on the use of force, escalating/de-escalating force, and deadly force; and
d. Being familiar with the safe handling procedures for the use of these weapons.

Failure to demonstrate proficiency with the patrol rifle will initiate the following procedures:

a. If the officer fails on the first attempt, they will immediately re-shoot the qualification course.
b. An officer that passes the qualification course on the second attempt shall return to duty immediately. The senior rifle instructor onsite will ensure the proper documentation is noted in the officer's training file.
c. Any officer who fails to demonstrate proficiency on the second attempt will receive a letter of instruction authored by the senior firearms instructor onsite, detailing the qualification attempt, and reviewed by the appropriate Division Captain.
d. The officer will receive remedial training at that time. This initial remedial will not exceed 4 hours and/or 200 rounds.
e. Upon completion of the remedial training, the officer will attempt to demonstrate proficiency a second time.
f. An officer that passes the proficiency course shall return to duty immediately, receiving the proper documentation in their training file.

If an officer fails to qualify on the third or any subsequent attempt, the senior rifle instructor on site will:

a. Take possession of the weapon, unless the weapon is personally owned. In such a case, the officer is not approved to use the weapon for official on-duty use.
b. Excuse the officer from the range.
c. The firearms instructor will notify the Captain of Patrol of the officer's failure to demonstrate proficiency and schedule another round of remedial training.
d. The firearms instructor will provide a written report to the Captain of Patrol, including information on the type and length of remedial training given, and any progress the officer may have demonstrated.
e. The report shall include any information of prior remedial firearms training.
   The firearms instructors will continue the above process of offering remedial training, and qualification, until the officer is able to demonstrate proficiency, or otherwise directed by the Chief of Police.

213.4.3 Return to Full-Duty from Leave or Modified-Duty Assignment

Should an officer be on light-duty or leave of some type and miss a qualification course of fire, they will complete the qualification course upon returning to full-duty, or at the next available range opportunity.

The officer may also be asked to complete other firearms training missed during an absence from the department.

213.4.4 Carrying of Patrol Rifles

Officers will carry their patrol rifles in a department-approved, weapon-securing device. In the absence of one of these devices in a department-owned vehicle or personally-owned vehicle, the patrol rifle will be carried in the trunk.

213.4.5 Department Responsibilities

To ensure efficient and reliable operation when needed, the Lafayette Police Department armorer will maintain the weapon in good working order at all times.

While being carried on duty, each weapon is subject to inspection by the on-duty supervisor, department rifle instructors, or the department armorers.

The inspecting officer shall immediately secure any weapon found to be improperly maintained. The weapon may be re-deployed when it is determined by a department armorer to be serviceable and the LPD firearms coordinator has been made aware.

213.4.6 Ammunition

The Lafayette Police Department will authorize and provide specific .223 rounds to be used by all patrol rifles. Personnel are prohibited from deploying ANY ammunition not provided by LPD.

213.4.7 Deployment

This section is to serve as a guideline regarding the deployment of patrol rifles. It is impossible to place into writing every possible scenario, circumstance, or set of facts, in which a patrol rifle should be deployed. The listed examples of deployable UPR situations are guidelines only, and the deployment of the UPR is not limited exclusively to these examples.

Situations where the suspect may be:

a. Wearing or utilizing body armor or another ballistic protection device that would defeat, impede, or otherwise inhibit the use of a handgun.
b. Armed with, or has ready access to, a high-powered weapon which surpasses the ballistic capability of weapons normally carried by street officers.
c. Armed and situated in a distant or fortified location which affords suspect(s) a tactically superior position in which the deployment of a UPR may be deemed necessary to meet any threat posed by the suspect(s).
d. Armed and/or barricaded where the officer is manning a perimeter position.
e. Where exigent circumstances exist, and the on-duty supervisor deems the deployment of the UPR is appropriate. Absent the immediate presence of a supervisor where exigent

circumstances exist, the decision to deploy a UPR will be at the discretion of the officer on scene.

213.4.8 Use of Deadly Force

Officers should be aware that even though the specialty ammunition authorized by the Lafayette Police Department decreases the risk of the .223 caliber round over-penetrating, it does not decrease the overall range of the round in the event of a missed shot.

Officers must evaluate the surrounding area and the risks a missed shot might pose to persons in the area.

Nothing in this order shall replace the established Use of Force policy outlined in this manual.

Officers shall follow the Use of Force policy in regards to the deployment of a UPR.

DOMESTIC VIOLENCE

214.1 PURPOSE AND SCOPE

It shall be the policy of the Lafayette Police Department to enforce all laws that will allow the police officer to intervene in domestic violence, the threat of physical violence, or deterring the possibility of physical violence against any person, along with providing assistance to victims.

214.2 DEFINITIONS

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

Domestic violence - When a family or household member commits, attempts to commit, or conspires to commit any of the offenses specified in I.C. 35-31.5-2-76 against another family or household member.

Primary physical aggressor - Refers to the person who the investigating officer determines has engaged in criminal behavior and was not acting in a manner consistent with self-defense.

214.3 POLICY

The Lafayette Police Department has a pro-arrest domestic violence policy. This means officers will investigate all claims of domestic violence and violations of court orders, and will take the necessary actions to hold the batterer accountable. Arrests are the preferred outcome when probable cause exists. It shall also be the policy of this department to provide victims and offenders access to appropriate civil remedies and community resources whenever possible.

214.4 PROCEDURES

214.4.1 Responding Officer Responsibilities

Respond to the scene quickly and safely.

Ensure safety of officers, victims, suspects, and bystanders.

Restore order, separate all parties, and attempt to calm them.

Assess the need for medical attention and obtain it if necessary.

Interview all parties separately. Interview the victim, offender, and witnesses out of sight and hearing of one another, when practicable.

Document all relevant spontaneous statements made by the victim and the offender.

Document in your report any children that are present, are in the household, or witnessed the violence. Officers should interview articulate children who witnessed domestic violence.

If needed, you may forward a report to detectives for a Heartford House interview, but the on-scene interview is typically more valuable than a forensic interview days later.

Take photographs of the scene, victim injuries, and suspect injuries for evidence.

Notify the victim of her/his rights (per state statute) and answer questions if possible. Make referrals to the department's Victim Advocate.

Verify if any protective orders are in place and have been served.

Officers shall strive to determine the primary physical aggressor and refrain from making, or threatening dual arrests (arresting both parties). This department does recognize there are situations in which dual arrests may be appropriate, but if dual arrests are necessary, they should be authorized by a shift commander.

When no arrest is made, officers will not issue warnings of dual arrest upon a return call in order to deter the parties from calling the police in the future. An officer cannot determine what will take place in the future.

The officer(s) should evaluate all facts at the scene and determine if there is probable cause for an arrest of the primary physical aggressor.

214.4.2 Arrests

An officer shall take the appropriate action when there is probable cause the person has committed a battery; even when the victim does not want the offender prosecuted. Officers shall not ask a victim if she wishes to prosecute and will act based on probable cause. The existence of physical injury is not required to make an arrest for domestic battery.

An officer shall arrest when there are active/valid arrest warrants on file for anyone at the scene.

An officer shall arrest when there is a violation of an active order of protection on file for any party at the scene and probable cause exists for invasion of privacy. This is regardless of whether the suspect was invited back by the victim.

If the suspect leaves the scene, officers should make every attempt to locate the suspect and a report will be filed promptly and sent to the prosecutor's office.

If an officer has probable cause to arrest and discretion dictates that no arrest be made; the officer must submit a detailed report and have shift command approval to explain why no arrest was made.

214.4.3 Officer involved domestic violence incidents

Patrol response - In a domestic violence situation involving an officer, the dynamics between the responding patrol officer and the accused officer (i.e. collegiality, rank differential) has the potential for making on-scene decisions additionally difficult. Therefore, the responding patrol officer shall immediately request a commander.

On-scene commander response – Respond to the call and assume responsibility for all on-scene decision-making to include securing the scene and collecting evidence, ensuring an arrest is made where probable cause exists, attempting to locate the alleged offender if he/she has fled, and addressing issues of victim safety and removing firearms when appropriate.

Arrest decisions – Policies on arrest for domestic violence incidents vary among state, county, and local jurisdictions. In all cases, responding officers should base arrest decisions on probable cause. The on-scene commander and/or responding officer is responsible for determining whether probable exists, ensuring an arrest is made when probable cause does exist, or submitting written documentation to explain why an arrest was not made.

Designated principal contact - Promptly following the report of the incident, the department shall assign a member of the Administrative Services Division as the victim's principal contact for case information. This connection is essential for addressing safety and informing victims about all aspects of department protocols, policies, and laws. Administrative Services, along with the department's Victim Advocate, will coordinate interviews, court appearances, protective orders, and other needed requests for the victim if he/she so chooses.

Weapon removal - When an officer involved arrest is made, the on-scene commander shall relieve the accused officer of all department issued weapons, and request the suspect member to relinquish all personal firearms to this department until such incident is reviewed.
Weapons may be seized, even if an arrest is not made, pursuant to the law (I.C. 35-47-14).

214.4.4 Relevant Indiana code:

Battery and Domestic Battery (35-42-2-1 and 35-42-2-1.3)

Officer Responsibilities to prevent further violence (35-33-1-1.5)

Officers are responsible for transporting or obtaining transportation for the alleged victim and each child to a designated safe place to meet with a domestic violence counselor, local family member, or friend. This includes assisting the alleged victim with retrieving toiletries, medication, and necessary clothing. Officers are responsible for providing the alleged victim with immediate and written notice of victim's rights as defined in IC 35-40.

Seizure and retention of firearms (IC 35-47-14)

ADVOCACY SUPPORT SERVICES

215.1 PURPOSE

To provide guidelines to members about the department's Victim Advocacy Program and to outline the types of services which are available to victims of violent crime.

215.2 POLICY

Historically, victim assistance has been administered through the county prosecutor's office. Consequently, victims of violent crime were not made aware of available support services/financial assistance in a timely manner. In an effort to enhance the quality and timeliness of services provided to victims, as well as to provide an additional problem-solving resource to officers, the Lafayette Police Department has instituted a Victim Advocacy Program.

In cooperation with the YWCA, a Victim Assistance Specialist will work within the department in an effort to identify violent crime victims in a timelier manner so as to educate on available community services.

In 1978, the Indiana General Assembly enacted into law a program to provide financial assistance to violent crime victims, known as the Indiana Violent Crime Victim Compensation Fund. This fund assists victims and their dependents with medical expenses, funeral expenses, lost wages, counseling, child care expenses, attorney fees and emergency shelter services. Aside from assisting victims with the Indiana Violent Crime Victim Compensation Fund, the Victim Assistance Specialist can also:

a. Provide Assistance in filing a protective order, including advocating in court.
b. Provide 24 hour on-call assistance for officers, including hospital or on the scene.
c. Assist victims with DCS issues or any other court support.
d. Create a bridge between officer and/or prosecutor with the victim.
e. Work as a team with the Sexual Assault Nurses to offer support and advocacy.
f. Assist victims of violent crime such as robberies or assault.
g. Assist victims of families of domestic battery and child abuse.
h. Assist families of suicide or homicide victims.
i. Assist those involved in OWI injuries or death.
j. Work as a team with the YWCA Domestic Violence Intervention and Prevention Program to help provide emergency shelter, support, and education.
k. Provide information on area resources for financial assistance and housing.

215.3 PROCEDURES

The Victim Assistance Specialist will review case reports and will provide follow-up contact with violent crime victims to ensure that they are aware of the available social services and other types of assistance.

The Victim Assistance Specialist is available for call-out for those victims who request immediate consultation. Further, should an officer feel that it would be beneficial for the victim to receive immediate consultation or if assistance is necessary to gain the victim's cooperation, the Victim Assistance Specialist will respond if called to the scene. This should occur only after stabilization of the incident being investigated and when deemed appropriate by the lead case investigator.

The Victim Assistance Specialist should be notified on all homicides. Again, this will occur only after incident stabilization and when deemed appropriate by the lead case investigator.

Call-out of the Victim Assistance Specialist should occur through dispatch so that the notation of the call-out appears in the call notes of the CAD

215.3.1 Support Counselor

The Lafayette Police Department may facilitate a support counselor(s) for the purpose of member mental health, as well as assistance with critical incidents to any member of the police or community.

The support counselor shall be appointed by the Chief of Police or his designee and have the requisite abilities and education to effectively facilitate issues relating to crisis or mental health assistance.

CANINE UNIT

216.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the management and tactical deployment of canines for a variety of operational purposes.

216.2 POLICY

The Lafayette Police Department will use trained canine teams to the greatest extent possible as a support tool for departmental operations. The use of trained police canine teams will follow the established policies and procedures as set forth.

216.3 PROCEDURE

216.3.1 General Use

Departmental Canines may be used in the following situations:

a. Tracking criminal suspects or escapees who have fled from the scene of a crime.
b. Searching buildings and other areas for unauthorized persons and/or evidence.
c. Searching areas for evidence left by perpetrators of a crime.
d. On the scene of tactical operations.
e. Physical apprehension of suspects fleeing from crimes or warrant services.
f. Protection of the handler or other officers.
g. Public relations demonstrations.
h. Scent Detection (Narcotics and explosives).
i. Tracking missing persons.
j. Scenes of civil disturbance (riots).

216.3.2 Authorized Use

The police canine is a less lethal tool and may be used in situations when an officer is justified in using less lethal force. Canine officers may deploy their canines under the following circumstances:

a. If the handler or another officer is assaulted.
b. If the dog is assaulted.
c. To apprehend a felony suspect, known felon, or a misdemeanor suspect in a crime of violence.
d. To prevent the escape of a felony or misdemeanor suspect fleeing the scene of a crime of violence.
e. To protect the handler, another officer, a citizen or other party who is in danger of physical violence.

f. Other situations may arise that would warrant the deployment of the police canine. The totality of the circumstances of each individual incident should be reviewed by the canine handler and the on-scene commander to determine if the canine should be deployed. The canine deployment is ultimately the decision of the canine handler and in any deployment it is his or her responsibility to ensure that all department policies and procedures are followed.

216.3.3 Prohibited Use

Departmental Canines may not be used in the following situations:

a. When the use of less lethal force is not justified
b. To coerce, frighten, or intimidate a suspect.
c. To transport a suspect.
d. Police canines will not normally be handled or given commands by anyone other than the assigned handler except under extreme circumstances.

216.3.4 Use of Force

These procedures apply to a bite that might have occurred accidentally or while off-duty:

a. Any suspect physically apprehended by a canine will be offered access to medical treatment for any injury sustained.
b. Department members will obtain a medical clearance or refusal of treatment prior to transporting an arrestee sustaining canine-related injuries to jail. Jail personnel will be advised of the nature and location of all injuries.
c. Departmental reporting forms relating to K-9 Apprehension/Tracking will be completed and routed through the chain of command. A detailed department case or supplemental report will also be completed by the canine handler.
d. Canine apprehensions will be reviewed by a Canine Unit commander, and the Captain of the Uniform Division, for policy and procedure compliance.

216.3.5 Training

Only trained and certified canines will be assigned in an official capacity. Canines will be trained regularly and certified annually.

Canine handlers will be trained and certified annually in their proficiency as a handler.

Any canine team failing to certify or maintain their certification will not work as a canine team in any official capacity until certification is obtained.

Controlled substance training aids will be assigned to canine handlers to be utilized by Lafayette Police Department canine teams during training. The controlled substance training aids will be audited yearly by a canine unit commander. The canine unit commander will maintain a detailed list of all controlled substance training aids assigned to each canine handler. All controlled substance training aids will be handled, stored, and maintained appropriately per department policies and procedures.

Canine handlers will be responsible for maintaining all canine training and deployment records.

Canine records will be audited yearly by a canine unit commander.

The canine unit commander will review all training events and ensure that department policies and procedures are followed.

Canine handlers will be responsible for maintaining all necessary equipment for both training and on-duty deployment. Any request for additional equipment, resources, and training aids will be routed through the canine unit commander.

TRAINING

217.1 PURPOSE AND SCOPE

This policy establishes general guidelines for how training is to be identified, conducted, and documented. This policy cannot address every aspect of training, but is meant to address outsourced training and in-house training led by approved instructors and can differ from instruction.

217.2 DEFINITIONS

Trainers and Instructors – The Lafayette Police Department uses its own and other Indiana Law Enforcement Academy (ILEA) certified “instructors”, designated as such by the Law Enforcement Training Board, to deliver the larger part of its yearly training. Officers, especially newly appointed, may receive training from Field Training Officers (FTO’s) who are not ILEA certified instructors but have been through an approved FTO training program. It is important to distinguish between these two and that all “instructors” are held to departmental and ILEA standards and guidelines. Field Training Officers may also be ILEA instructors, but have no requirement to be, but shall receive proper training in being a FTO.

Training Coordinator – The supervisor charged with all Lafayette Police training and its instructors, records, documents, equipment.

217.3 POLICY

The Department shall administer a training program that will meet the standards of federal, state, departmental, and the Indiana Law Enforcement Training Board training requirements. It is a priority of this department to provide continuing education and training for the professional growth and development of its officers.

The objectives of the training program are to:

a. Enhance the level of law enforcement service to the public.
b. Increase the tactical and technical expertise and overall effectiveness of sworn personnel.
c. Provide for continued professional development of sworn personnel.
d. Ensure compliance with Indiana Law Enforcement Training Board rules and regulations concerning law enforcement training.

217.4 PROCEDURE

217.4.1 Training Protocols

All training must be properly vetted by a member's supervisor or the Training Coordinator and officers are forbidden from attending law enforcement related training that has not been approved by one of these person(s). The captain of each division guides training and requests must include that commander as well.

All training must conform to Lafayette Police Department policies and procedures and no training supersedes these policies and procedures, if in conflict.

Officers, when in doubt, should seek clarification from their immediate supervisor or the Training Coordinator.

217.4.2 Training Plan

It is the responsibility of the Training Coordinator to develop, review, update and maintain a yearly training plan and to ensure that mandated basic, in-service and department-required training is completed by all Officers as needed or required.

All approved instructor training will be documented into the ILEA Acadis system for their records as well as the current in-house reporting and tracking system.

The plan will include information on curriculum, training material, training facilities, and scheduling.

Officers will test yearly on department rules, regulations, policies, and procedures.

The plan will address federal, state, and department-required minimum-mandated training of officers.

The training requirements established by the Indiana Law Enforcement Training Board are only the minimum qualification standards and training requirements for officers. Additional training should be completed as necessary and appropriate.

217.4.3 Training Attendance

All officers assigned to attend training shall attend as scheduled unless previously excused by their immediate supervisor. Excused absences should be limited to:

a. Court appearances.
b. Previously approved vacation or time off.
c. Illness or medical leave.
d. Physical limitations preventing the member's participation.
e. Emergency situations or department necessity.

Any member who is unable to attend training as scheduled shall notify his/her supervisor as soon as practicable.

Officers are expected to attend any school or training session organized, or provided for, the department, or to attend any school or training session to which they are assigned. They shall report to such training sessions, classes, or schools at the appointed time, promptly, and be neat in the required dress. Officers shall follow the approved per-diem guidelines and are required to turn in any associated receipts.

217.4.4 Training Records

The Chief of Police or his designee shall submit a written report to the Executive Director of the Indiana Law Enforcement Training Board detailing the basic and in-service training status of each officer by March 31st each year (I.C. § 5-2-1-1).

The Training Coordinator is responsible for the creation, filing, and storage of all training records. Training records shall be retained in accordance with the established records retention schedule.

POLICY 218

LAFAYETTE POLICE DEPARTMENT

Policy Manual

PROPERTY AND EVIDENCE MANAGEMENT

218.1 PURPOSE

To establish uniform procedures for collection, classification, identification, processing, accountability, and disposal of found, recovered, confiscated property or evidence.

218.2 POLICY

The Lafayette Police Department will safeguard and properly dispose of all property and evidence which comes into its custody. The department will strive to maintain property and evidence in the same condition as received.

The department's property/evidence management system will develop and maintain measures with respect to the handling, securing and disposing of said property or evidence. Every reasonable effort will be made to ensure its return to its rightful owner, in accordance with all applicable laws and department policies.

Property or evidence not returned to an owner will be disposed of as outlined in this policy and consistent with state law.

218.3 PROCEDURES

218.3.1 Collection of Property/Evidence

As soon as possible after an officer receives an item of property/evidence, he/she shall complete the Property and Evidence Voucher, including a full and complete description of the item. Any items collected shall be documented in the officer's investigative report and the printed barcode label should, if possible, be attached to the item. Some items (e.g. wallets purses, suitcases, tool boxes), which may contain multiple items, may utilize one printed barcode label.

Barcoded property/evidence will be placed into the property/evidence lockers

Found bicycles will be placed in the designated area at the LPD Training Center

Officers will check with the Records Section to determine if a stolen or lost report has been made for any property received. The officer's investigative report should note such a records check.

The evidence manager will verify that the Property and Evidence Voucher has been submitted correctly and has been completed for each item.

Property items shall not be engraved or otherwise permanently marked or inscribed by any officer.

Items that clearly have no value do not need to be brought to headquarters for storage. If an item appears to be trash it may be handled as such if an officer has contacted a supervisor who concurs that the item(s) does not need to be brought in. If after conferring with shift commander, the item is not brought to headquarters, proper documentation should be made.

All property and evidence must be properly packaged and guidelines are available in the LPD Evidence Packaging Manual

218.3.2 Special Circumstances

When an item of apparent high value can be described in no other appropriate manner a photograph should be taken of the item. Said photo should be uploaded using the Axon capture application.

All currency/money/coins that are property will be removed from purses, wallets, etc., counted and sealed in an envelope with the dollar amount and case number noted on the envelope. All currency/money/coins over $100.00 should be verified by at least two persons. A separate printed barcode label for the money is required.

Rare/collectable coins will be an exception and shall be retained in the property storage room with proper documentation.

A supervisor will be notified by any officer upon finding, recovering, or seizing cash, negotiable checks, or bonds with a face value of $100 or more, or precious metal, gems, or jewelry with a face value $500 or more. If in doubt about the value, assume it is over $500. These items will then be placed by the officer in a secure property/evidence locker.

Firearms shall be unloaded and left in such a state so that it is obvious that the weapon is safe (i.e. slide or bolt locked back, cylinder open) prior to storing in a property/evidence locker. Any weapon, which due to its condition cannot be rendered safe, shall be stored in a separate property/evidence locker from any other items of property/evidence. Notification of its location and condition shall be sent to the Property Evidence Manager and the Captain of Administrative Services. Any ammunition not held as evidence will be contained in a bag noted “To Be Destroyed” and placed in a locker.

All narcotics shall be handled with proper protective outer-wear (gloves) due to absorption qualities. Officers and property/evidence managers should never handle drugs/narcotics with bare hands.

Only authorized personnel shall have access to areas used by the department for storage of property/evidence. Entry to property/evidence areas shall be controlled to prevent the alteration, unauthorized removal, theft, damage, or other compromise of property/evidence stored by the department.

218.3.3 Property/Evidence Disposition

Property/evidence shall be disposed of consistent with Indiana state law or any court order.

Recovered property may be disposed of in the following ways:

a. Public auction.
b. Destruction.
c. Conversion to city use.
d. Returned to owner or an authorized representative.

Every reasonable effort should be made by an officer to locate the owner of any property before it is brought to the police department for storage.

a. If the owner can be located, the officer should note that it was returned to the owner in their investigative report.
b. Evidence and Property personnel will release recovered property that has been moved to final storage in the property storage room.

Firearms can be released only upon the approval of the Captain of Administrative Services or one of his designee(s) after a review of the case.

218.3.4 Hazardous Materials

Hazardous materials, including explosives, biohazard material, chemicals, combustibles, etc. will not be transported into this building for storage. If such materials are encountered, a supervisor shall be contacted and will direct the officer in finding a suitable location in which to store said item(s). For the purposes of this policy fireworks are considered as combustibles.

Combustibles that are considered evidence shall be photographed and transported to a facility capable of storing combustibles. The Property and Evidence Manager shall be notified of such.

Bio-Hazardous materials that are considered as evidence shall be photographed and properly documented prior to release for proper destruction.

Combustibles and bio-hazardous materials that are not evidence shall not be brought into the police department.

In any case of suspected explosives, the officer(s) shall contact the shift commander who shall determine which course of action to take.

VIDEO RECORDING AND PHOTOGRAPHY OF POLICE ACTION

219.1 PURPOSE AND SCOPE

The purpose and scope of this policy is to guide personnel in the appropriate response to a citizen(s) and/or media photographing or video-recording police actions.

219.2 POLICY

Individuals have a First Amendment right to record police officers in the public discharge of their duties. The right to record is not limited to streets and sidewalks. It includes areas where individuals have a legal right to be present, including an individual's home or business, or other private property.

219.3 PROCEDURE

Officers must not search or seize a camera or recording device without a warrant except under very limited circumstances as described herein.

Officers are prohibited from threatening, intimidating, or otherwise discouraging any individual from recording police activities.

Officers must not intentionally block or obstruct cameras or recording devices in any manner, with these exceptions:

a. To protect the identity of a victim/witness.
b. To preserve the integrity of evidence (those things that might be protected because they are only known to the person who committed the crime).
c. To protect the dignity of a deceased person.

Officers are prohibited from deleting recordings or photographs and from damaging or destroying recording devices/cameras under any circumstances, except if the device is used as a weapon in an assault.

A person may record public police activity unless the person engages in actions that jeopardize the safety of the officer, the suspect, bystanders in the vicinity, or if they violate the law or incite others to violate the law. Examples of such actions include:

a. Repeatedly instructing a witness being questioned by a police officer not to respond to the officer's questions.
b. Persistently engaging or attempting to engage an officer in conversation while the officer is in the midst of their duties.
c. Hindering a lawful arrest.
d. Inciting bystanders to hinder or obstruct an officer in the performance of their duties.

e. Obstructing passage/path of the police officer or suspect.

An individual's recording of police activity from a safe distance without any action to obstruct the activity or threaten the safety of others does not amount to interference.

Cameras or recording devices will not be seized without a warrant unless:

a. Officers have probable cause to believe that critical evidence of a crime is contained on/in the camera or recording device; and
b. Officers first have explained the circumstances and have unsuccessfully attempted to get the consent of the person in possession of the recording device; and
c. The seizure of the camera/recording device is for no longer than reasonably necessary for the officer, acting with diligence, to obtain a warrant to seize the evidence; and
d. Supervisory approval has been granted for the seizure.

If a camera/recording device is seized without a warrant, officers are prohibited from viewing the evidence contained in the device until a warrant is obtained for that seizure; unless, the officer can articulate the exigency of viewing the photographs or recordings on the device to prevent a person from being at risk of danger or bodily harm.

POLICY
220

LAFAYETTE POLICE DEPARTMENT

Policy Manual

OPIOID OVERDOSE RESCUE

220.1 PURPOSE

To establish guidelines and regulations governing the utilization of the opioid rescue kits used by the Lafayette Police Department. The objective of this protocol is to reduce injuries and deaths caused by opioids in the City of Lafayette.

220.2 POLICY

It is the policy of the Lafayette Police Department that all officers are required to be initially trained and certified in the use of opioid rescue kits. Compliance with the training requirement and with this protocol provides a member of the Lafayette Police Department with civil immunity when using an opioid rescue kit, except if that member commits an act of gross negligence or willful misconduct. (IC 16-31-6-2.5)

220.3 PROCEDURES

220.3.1 Deployment

All uniform personnel, up to and including the rank of lieutenant, will be issued a naloxone kit.

Naloxone kits will also be located in evidence prep areas and shift command offices.

220.3.2 Naloxone Use

Members will ensure that EMS is en route and informed of a likely opioid overdose.

Members of the Lafayette Police Department will make scene security their priority on calls for service that involve a potential opioid overdose.

Upon arrival, the scene should be assessed for environmental signs that are consistent with opioid use.

Members should be aware that individuals who are suffering from an opioid overdose may become combative after the administration of the naloxone kit.

When deploying a naloxone kit, members will maintain universal precautions.

Naloxone kits will be administered in a manner consistent with training and policy.

Individuals who have received a naloxone treatment must be evaluated by EMS personnel.

220.3.3 Documentation

All naloxone deployments will be documented in a case report.

Supervisors will be notified upon the deployment of a naloxone kit.

Supervisors will be responsible for notifying the Naloxone Program Coordinator of the deployment, the case number and will request a replacement kit be issued to the member.

The Naloxone Program Coordinator will complete the required monthly report documenting naloxone deployments by the Lafayette Police Department.

220.4 TRAINING

220.4.1 Initial Training

Training topics will include:

a. Overview of 2014 Indiana Senate Bill 227.
b. Patient assessment.
c. Signs and symptoms of an overdose.
d. Universal precautions.
e. Rescue breathing.
f. Use of intra-nasal naloxone.
g. Juvenile and infant administration.

220.4.2 Continuing Education

Members participating in the Lafayette Police Department's opioid overdose rescue protocols will receive annual training updates.

The Lafayette Police Department will select qualified trainers to administer annual recertification training.

INCIDENT COMMAND AND PREPAREDNESS PLAN

300.1 PURPOSE

This department has adopted the National Incident Management System (NIMS) as the primary method to prepare for, respond to, and manage critical incidents. Within NIMS is an Incident Command Structure (ICS) that may be utilized for any size or type of critical incident or event as a means to coordinate the efforts of individual members and other responding agencies as they work toward the stabilization of the incident. The ICS may expand or contract depending on the complexity of the incident and the on-scene requirements, as determined by the incident commander.

300.2 DEFINITIONS

National Incident Management System (NIMS): A system that provides a consistent nationwide approach for state, local, and tribal governments; the private sector; and nongovernmental organizations to work effectively and efficiently together to prepare for, respond to, and recover from domestic incidents, regardless of cause, size, or complexity. To provide for interoperability and compatibility among state, local, and tribal capabilities, the NIMS includes a core set of concepts, principles, and terminology.

Incident Command System (ICS): A standardized on-scene emergency management system that provides for the adoption of an integrated organizational structure. ICS is the combination of facilities, equipment, personnel, procedures, and communications operating within a common organizational structure, designed to aid in the management of resources during incidents. It can be 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, to organize field-level incident management operations.

Incident: An occurrence natural or human-caused that requires an emergency response to protect life, property, or both. Incidents can, for example, include major disasters, terrorist attacks, terrorist, threats, wild land and urban fires, floods, hazardous materials spills, nuclear accidents, aircraft accidents, earthquakes, hurricanes, tornadoes, tropical storms, war-related disasters, public health and medical emergencies, and other occurrences requiring an emergency response.

Event: A scheduled occurrence that may require use of the ICS to be successfully completed.
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, as well as plans and contingencies for the demobilization of resources at the conclusion of the operation. It may also include attachments that provide

direction and important information for management of the incident during one or more operational periods.

Incident Management Team (IMT): The IMT consists of the incident commander and appropriate command and general staff personnel assigned to the incident.

Unified Command (UC): This is 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 designated members of the UC, often the senior person(s) from agencies and/or disciplines participating in the UC, to establish a common set of objectives and strategies, appoint a single operations section chief, and approve a single IAP. The IC responsibility is shared within the UC, with the function most important at the time taking the lead role. The lead responsibility may shift as the incident progresses. For example, at a crash involving hazardous materials, the fire department would assume the lead role until the HAZMAT concerns are mitigated. Then, as the incident progresses to the crash investigation phase, the lead role would shift to the police department.

Unity of Command: A chain of command designed to ensure efficiency in meeting a specific objective. Every individual assigned to an incident or event reports to one supervisor. If a responder is assigned to the HAZMAT group, he or she reports to the HAZMAT group supervisor. That supervisor, in turn, reports to a branch director, who reports to the operations section chief. In this manner, there is less confusion about who is in charge of specific functions. The exception to this is when the section chief reports to a unified command.

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 operations at the incident site. Responsibilities of the IC can be assumed by the officer handling the original call to the chief of the department and any additional qualified officers, depending on the size, scope and complexity of the incident or event.

Command Staff: In an incident management organization, the command staff consists of the deputy incident commander and the special staff positions of public information officer, safety officer, liaison officer, and other positions as required (such as an intelligence officer), who report directly to the IC. They may have an assistant or assistants, as needed.

Function: Function refers to the General Staff functional areas in ICS: (command, operations, planning, logistics, and finance/administrations); the term function is also used when describing the activity involved, e.g., the planning function. A sixth function, intelligence, may be established, if required, to meet incident management needs.

Safety Officer: This officer oversees the safety of all operations within the incident or event, and has the authority to stop an operation if it is unsafe. The safety officer and his or her assistants oversee tactical operations to ensure the safety of responders and the general public.

Liaison Officer: A member of the command staff responsible for coordinating with representatives from cooperating and assisting agencies.

Public Information Officer (PIO): This officer prepares and dispenses all public information regarding the incident, with the approval of the IC. In a large or complex incident, there may be many PIOs operating under a joint information system (JIS) and out of a joint information center

(JIC), but there shall be only one overall PIO for the incident or event. This individual is usually assigned from the agency having primary control of the incident. All agency PIOs enter their input for the public information release, help edit it, and agree to its contents. It is then approved by the IC or UC before being released to the public. A media staging area shall be designated to ensure that media access will not interfere with law enforcement operations. The location of the media staging area should be communicated to media outlets to help ensure their cooperation. The IC shall approve all media releases prior to the PIO giving them to the media.

Base: A base is the location where primary logistics functions are coordinated and administered. The ICP and the base may share a location. An incident can have more than one base, with each base name containing an appropriate designator to prevent confusion. If the incident is so geographically large that one base cannot support it, a second logistics section can be activated. A deputy IC (logistics) can be assigned to monitor the logistics needs of each base.

Camp: A location where personnel not currently assigned to the incident can rest and recuperate. A camp is often adjacent to a base with the term base/camp referring to both.

Staging Area: Staging areas are established to assemble resources while awaiting a tactical assignment. The operations section manages staging areas.

300.3 POLICY

It is understood that such disasters will require a coordinated effort on the part of many organizations both public and private. Whenever feasible, the National Incident Management System /Incident Command System (NIMS/ICS) will be used in conjunction with other agency policies and procedures as outlined in various written directives. These policies, plans, and agreements include, but are not limited to, the following:

a. Critical Incident Responses
b. Emergency Operations Plans
c. Public Demonstrations and Civil Disorders
d. Hazardous Material Incidents
e. Lost or Missing Persons
f. Planned Special Events
g. City Emergency Management Plans
h. Mutual Aid Agreements
i. Hostage/Barricade Situations
j. Natural or Man-made Disasters
k. Bomb Threats/Disposals
l. Weapons of Mass Destruction Incidents
m. Terrorist Acts

It is also understood that Incident Command System principles, as detailed in NIMS, will be followed at all significant planned events.

300.4 PROCEDURE

300.4.1 Incident Assessment

The first responder shall assess the operational situation immediately upon arrival and proceed according to applicable policies and procedures.

The initial responsibility for management of assigned resources lies with the first responder on scene. The initial IC will be responsible for the following duties:

a. Assess the situation
b. Establish the command organization based on the needs of the incident and the assets available
c. Establish immediate priorities
d. Ensure adequate safety measures are in place
e. Coordinate with key people and officials; and
f. Authorize release of information to the media.

The first responder shall maintain command and control of the incident or event until relieved by a higher authority, if necessary.

The chief of police or his or her designee shall exercise command and control over all law enforcement resources committed to an incident or event that is citywide or multijurisdictional in nature.

Determining which incidents warrant ICS implementation is a matter of good judgment, although the use of ICS is encouraged on small or everyday recurring events to gain experience. Factors to consider for implementation include the following:

a. Size. How large a geographical area is or will be affected?
b. Scope. How many resources are likely to be involved? What will be necessary to achieve stabilization and/or containment?
c. Duration. How long can one reasonably expect the event or incident to last with or without ICS intervention?
d. Multi-Agency Involvement. Will other police agencies and emergency responding departments, such as the fire department, be involved?
e. Will specialized teams be deployed, such as SWAT or search and rescue?

300.4.2 ICS Activation

The on-duty supervisor or highest ranking officer shall determine whether the incident warrants an ICS response and convey this immediately to the Captain of Patrol.

The first responder shall serve as the initial IC. Prior to being relieved, the first responder shall have the latitude and authority to assign any person to any assignment or task, regardless of rank.

Based on the type of incident the Chief of Police may implement the following operational responses. These levels of operation clearly define our level of commitment and strategies as incidents expand from the routine, to complex, to major in content. Our operational levels would be adjusted according to the actual as well as the anticipated need for police service in any given incident.

Level 1: Alert Status GUARDED. Patrol Operations are at a level where temporary additional manpower in needed for normal operations. Additional personnel are activated or another agency may be asked to help respond for routine call handling. The situation presents a moderate risk to critical resources In sections of the community. (Examples: SWAT activation, MFF activation, power failure, need for large security/perimeter presence; major crime scene).

Level 2: Alert Status ELEVATED. Normal shift schedule, however extra days off maybe denied. Additional personnel may be activated. Directed patrol will be initiated to hard and soft targets. EOC may be activated. Mutual aid likely. The situation presents a specific threat to the community. Effects may involve multiple jurisdictions and functions; operational services to the community may be disrupted. The duration of this event is short term (less than 3 days) and a restoration plan may be developed and implemented (Examples: Riot, large fire or structure collapse, hazardous material release, specific school threat identified).

Level 3: Alert Status HIGH. All days off cancelled and employees work a minimum 12-hour shift. Mutual aid agreements are implemented. Directed patrol initiated to hard and soft targets. Normal operations are suspended; multiple casualties are likely. Extensive reliance on external agencies and jurisdictions are necessary to resolution. Long term (three days or more) commitment of personnel and other resources are required. Resources from State may also be requested. A restoration plan must be developed and implemented. (Examples: Major natural or man-made disaster, terrorist incident involving hazardous material, state of emergency declared)

300.4.3 Establishing Command

As soon as practical following ICS activation, the responsibility of the initial IC shall be assumed by a ranking member, if necessary. Most often, this will be an on-duty patrol supervisor. However, depending upon the nature of the incident, command may be first assumed by a higher ranking or more qualified member.

The IC shall specify the components to be activated and designate an officer in charge of each component. If a section is not activated for the incident, the IC shall be responsible for performing that function.

Sworn personnel and select support staff shall be activated and assigned by the IC, or his or her designee, as warranted. Additional agency personnel, or assistance from other localities, shall be requested by the IC in accordance with the emergency operations plans, mutual aid agreements, or mutual aid as permitted by state law.

All section chiefs shall report directly to the IC.

All requests for additional staffing or specialized units shall be authorized by the IC.

The IC shall establish an Incident Command and determine an incident designator to be used by all responders. This designator shall be one or two geographical words, such the street name or specific place name of the incident. Examples include: “Hill Street Command,” or “Washington Bridge Command.” The designator chosen shall clearly distinguish the event and not be easily confused with other locations.

The IC will determine the ICP location. This location should be carefully chosen based on such factors as incident size, need for security, proximity to the incident, and support issues such as communications, shelter from the elements, and related considerations. The ICP can be moved at a later time if necessary.

The IC will inform communications of the establishment of command and the ICP’s specific location. For example, the “ICP location will be in the service yard at the west end of the Washington Tunnel.”

300.4.4 Documentation Unit

The unit is also responsible for preparing and maintaining the following:

a. Status reports and intelligence on the current situation
b. Status of resources assigned to the incident
c. Situation summaries (situation status reports [SITSTAT], resource status reports [RESTAT]) and projections for future events
d. Incident and area maps
e. Accurate and complete incident files
f. Incident demobilization plan to include specific instructions if needed; an
g. Technical specialists to deal with special areas of expertise.

For events that can be planned, the Captain of Operations or his designee should assign members to assist in planning the event with other county, public safety, or law enforcement agencies. Additionally, plans for events that occur annually (such as fairs, holiday parades, major sporting events), shall be maintained, updated, and disseminated prior to the event.

300.4.5 Personnel Accountability

The IC, or designee, shall maintain strict personnel accountability and shall be continually updated by the section chiefs in order to keep an ongoing, accurate assessment of the entire operation.

If the IC establishes command after units are already actively deployed, the IC should conduct (or have conducted) a radio roll call to determine their positions. In ICS mode, communications shall maintain and keep the IC apprised of the location of all deployed units.

During major incidents, the IC may appoint a safety officer who shall have the responsibility and authority to stop an operation or part of it if safety requirements are not being met.
d. Depending on the size and duration of the incident, consideration should be given to relief provisions for operations personnel.

300.4.6 Transfer or Assumption of Command

Incident command can be transferred to an officer of higher rank, to a more qualified member, an individual with particular expertise, or to a larger IMT in order to help maintain a manageable span of control. Transfer of command may also be necessary in order to relieve a member who has been in command for an extended period of time. Prior to the transfer of command, the following actions are required:

a. Assess the current situation with the current IC
b. Receive a briefing from the current IC and document the transfer. At minimum, the incoming commander should be apprised of the current situation, assignment of resources, and tactical and strategic needs
c. Determine an appropriate time for the transfer of command
d. Notify others of the change in incident command; and
e. Assign the current IC to another position in the incident organization (such as OPS).

There shall be a transfer of command briefing wherein all sections are briefed and all involved personnel are advised of the new command.

300.4.7 Demobilization

The planning section shall develop a demobilization plan for large incidents or events.

When the incident has been resolved or stabilized to such a point that command is no longer necessary, the IC shall notify communications that the incident is being terminated.

Communications shall rebroadcast the message, and members will return to their normal supervisory chain of command unless otherwise advised.

300.4.8 After Action Report

The IC shall submit an after action report which should include, but may not be limited to, the following:

a. A brief description and outcome of the incident
b. A statement of personnel and equipment utilized
c. Cost analysis to include salaries, equipment, food and incidentals
d. A copy of incident/event logs and all submitted reports
e. Any maps, forms, or related documentation
f. A summary of deaths and injuries to members and citizens and an assessment of damage to private and public property
g. Any information relating to the status of criminal investigations and subsequent prosecutions;
h. A final evaluation and any subsequent conclusions relating to the agency's overall response to the critical incident or event, to include
i. Any problems encountered regarding personnel, equipment, resources or multiagency response
j. Suggestions to revise policy or improve training and equipment; and
k. Any other consideration that would improve the agency's response to critical incidents or events in the future.

300.4.9 Training and Review

The Training Coordinator shall:

a. Conduct NIMS/ICS training: The training coordinator director shall ensure that annual training is conducted in the form of tabletop or actual field exercises and should include multiple agencies. The director or a designee shall prepare an after-action report following each training exercise. Awareness-level NIMS courses are required for all sworn members. Advanced NIMS courses are required for supervisors, to coincide with increasing levels of responsibility.
b. Be responsible for facilitating and documenting NIMS/ICS training as required by the Department of Homeland Security.
c. With input from command and supervisory personnel with specific incident command and emergency management responsibilities, the planning unit shall conduct an annual review of established NIMS/ICS procedures and perform departmental updates as required.

MOBILE FIELD FORCE OPERATIONS

301.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for managing crowds and preserving the peace during demonstrations and civil disturbances. The Mobile Field Force may also be used for wide area searches (property and people) and for other emergencies outlined below.

301.2 DEFINITIONS

Civil Disturbance: A gathering that constitutes a breach of the peace or any assembly of persons where there is a threat of collective violence, destruction of property, or other unlawful acts. Such a gathering may also be referred to as a riot or unlawful assembly.

Demonstration: A lawful assembly of persons organized primarily to engage in First Amendment activity. These may be scheduled events that allow for law enforcement planning. They include, but are not limited to, marches, protests, and other assemblies intended to attract attention. Lawful demonstrations can devolve into civil disturbances that necessitate enforcement action.

Crowd Control: Techniques used to address civil disturbances, to include a show of force, crowd containment, dispersal equipment and tactics, and preparations for multiple arrests.

Crowd Management: Techniques used to manage lawful assemblies before, during, and after the event for the purpose of maintaining their lawful status through event planning, pre-event contact with group leaders, issuance of permits when applicable, information gathering, personnel training, and other means.

Impact Munitions: Projectiles designed and intended to deliver non-penetrating impact energy from safer than contact range. These may include direct fire or non-direct skip-fired rounds. The latter are projectiles that are discharged toward the ground in front of a target, theoretically delivering the energy to the subject following contact with the ground.

Gas Munitions - Aerosol restraint spray, known as oleoresin capsicum (OC), High-volume OC delivery systems (such as MK-9 and MK-46). CS (2-chlorobenzalmalononitrile) chemical agents.

Combination Projectiles – Some munitions will use a combination of projectiles and CS gas for crowd control.

Grenadier – A department member who has specific training in less lethal OC Aerosols, impact munitions, chemical munitions and distraction device munitions.

Mass Arrest – Mass Arrest occurs when logistically more arrest occur than there are officers to deal with the arrests “one on one”. Mass arrests will be based on probable cause and any mass arrest will be at the discretion of the Captain of Patrol.

301.3 POLICY

The primary objectives of the Mobile Field Force shall be the observation, containment, isolation and dispersion of crowds. The MFF may also be utilized in wide area searches (missing persons, looking for suspects, canvassing, and evidence recovery), mass arrest incidents and as a SWAT outer perimeter team.

This agency will strive to effectively manage crowds during demonstrations or civil disturbances to prevent loss of life, injury, or property damage and minimize disruption to persons who are uninvolved.

Officers encountering such incidents shall adhere to this policy to protect life, property, and the exercise of First Amendment rights. In rare circumstances involving emergencies, and in widespread highly volatile civil unrest with the potential for widespread violence, the incident commander (IC) may temporarily suspend any policy, provision, or guideline contained herein when such action is determined to be the only reasonable alternative for the prevention of loss of life or major property damage.

301.4 PROCEDURES

The Chief of Police and/or his designee(s) may impose reasonable restrictions on the time, place, and manner in which persons engage in First Amendment activity. The department shall place only those limitations and restrictions on demonstrations necessary to maintain public safety and order and, to the degree possible, facilitate uninhibited commerce and freedom of movement.

301.4.1 Mobile Field Command Structure

Commanders shall be appointed by the Captain of the Uniform Division. The Captain of the Uniform Division can alter the command structure, as needed. The MFF will be staffed with a commander and 2 squad leaders. All will have the rank of Sergeant or above.

Officer Appointment - The Captain of the Uniform Division, or his/her designee(s) shall appoint qualified members to the Mobile Field Force. Members must meet requirements set forth in this policy to be considered for appointment to the Mobile Field Force

Appointment criteria:

a. Members must have two (2) consecutive years of law enforcement experience at the time of their appointment.
b. Members must be in good standing with the Lafayette Police Department.
c. Successfully complete and maintain physical fitness requirements of Lafayette Police Department and/or the Mobile Field Force.

301.4.2 Activating the Mobile Field Force

The highest ranking on-duty Uniform Division supervisor has the authority to activate the Mobile Field Force.

After activating the MFF, the Adams Group will be notified as quickly as possible. The following objectives should be attempted by on duty personnel:

a. The Uniform Division Captain shall be notified immediately upon activation of the Mobile Field Force.
b. An incident command post shall be established and an incident commander assigned once the Mobile Field Force is activated

301.4.3 Use of Force

Unless exigent circumstances justify immediate action, officers shall not independently make arrests or employ force without command authorization. All Mobile Field Force response to resistance, must comply with other related department policies. All OC spray, impact munitions, gas munitions will be used by appropriately trained Grenadiers, or members trained by Grenadiers.

All officers providing assistance to this agency through mutual aid agreements, contracts, or related means shall be informed that they are under the direction and control of this department's command and Supervisory personnel.

The following restrictions and limitations on the use of force shall be observed during demonstrations and civil disturbances:

a. In all cases, weapons should be carried and deployed only by trained and authorized officers.
b. Mobile Field Force members shall adhere to applicable Lafayette Police Department policies, procedures, rules, and regulations when responding to any incident or situation.
c. Canine teams may respond with the Mobile Field Force as backup when appropriate and at the direction of the Mobile Field Force Commander or Uniformed Division Captain.
d. Motor vehicles may be used to surround and move persons as appropriate but shall not be brought into contact with them unless deadly force is warranted.

301.4.4 Impact Munitions

Impact projectiles shall not be fired indiscriminately into crowds.

Non-direct (skip-fired) projectiles and munitions may be used in civil disturbances.

Direct-fired impact munitions may be used during civil disturbances against specific individuals who are engaged in conduct that poses an immediate threat of harm and the need to arrest and subdue using the munitions fits the safety needs of the Mobile Field Force.

A verbal warning should be given prior to the use of impact projectiles when reasonably possible.

Department issued electronic control weapons (ECWs) shall be used during civil disturbances only for purposes of restraint or arrest of actively resistant individuals when alternative less forceful means of control are not available or are unsuitable and only when the individual can be accurately targeted. ECWs shall not be fired indiscriminately into crowds.

Aerosol restraint spray, known as oleoresin capsicum (OC), may be used against specific individuals engaged in unlawful conduct or actively resisting arrest, or as necessary in a defensive capacity when appropriate. OC spray shall not be used indiscriminately against

groups of people where bystanders would be unreasonably affected and must be used in adherence with all relatable response to resistance and OC spray policies. High-volume OC delivery systems (such as MK-9 and MK-46) are designed for and may be used in civil disturbances against groups of people engaged in unlawful acts or endangering public safety and security when approved by the Mobile Field Force commander. Whenever reasonably possible, a warning shall be issued prior to the use of these systems.

CS (2-chlorobenzalmalononitrile) chemical agents are primarily offensive weapons that shall be used with the utmost caution. CS may be deployed defensively to prevent injury when lesser force options are either not available or would likely be ineffective. Such munitions shall be deployed at the direction of the IC and only when avenues of escape are available to the crowd. When reasonably possible, their use shall be announced to the crowd in advance.

Riot batons or similar device can be used in the following situations:

a. primarily as a defensive weapon
b. as a means of overcoming resistance
c. as a show of force; or
d. as a means to contain or disperse a crowd.

301.4.5 Use-of-Force Reporting and Investigation

Uses of Force shall be documented pursuant to Response to Resistance Policy, and completed by the team commander(s).

An after action report may be requested by the Captain of Patrol.

301.4.6 Mass Arrest

Mass Arrests will be authorized by the Captain of Patrol.

Mass arrests shall be conducted by designated squads.

An adequate secure area shall be designated for holding prisoners after initial booking and while awaiting transportation.

Arrest teams shall be advised of the basic offenses to be charged in all arrests, and all arrestees shall be advised of these charges.

Arrestees who are sitting or lying down but agree to walk shall be escorted to the transportation vehicle for processing; two or more officers shall carry those who refuse to walk.

Prisoners shall be searched incident to arrest for weapons, evidence of the crime of arrest, and contraband.

Photographs shall be taken of the arrestee and any prisoner property and a field arrest form shall be completed.

Transporting officers shall not accept prisoners without a properly prepared field arrest form and photographs, and shall ensure that all property is properly processed.

Injured prisoners and those who request medical attention shall be provided medical attention prior to transportation to the detention facility. Photographs shall be taken of all injuries.

301.4.7 Deactivation

When the disturbance has been brought under control, the Mobile Field Force commander shall ensure that the following measures are taken:

a. All personnel engaged in the incident shall be accounted for and an assessment and documentation made of personal injuries.
b. Witnesses, suspects, and others shall be interviewed or questioned, If possible and/or practical based on evidentiary value and type of crime being investigated.
c. All necessary personnel shall be debriefed as required.
d. All written reports shall be completed as soon as possible after the incident.
e. An After Action Review will be completed by a MFF team commander and submitted to the Captain of patrol within 48 hours after the incident.

POLICY
302

LAFAYETTE POLICE DEPARTMENT

Policy Manual

Citizen Ride-Along

302.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for a ride-along with members of the

Lafayette Police Department. This policy provides the requirements, approval process, and member responsibilities for ride-alongs.

302.2 POLICY

Any person wanting to participate in the department's ride-along program must meet certain criteria and be willing to abide by all department policies. The on-duty shift commander must ensure all safety precautions are completed and must approve any request before a person may participate in this program.

302.2.1 Eligibility

Persons eligible to participate in the ride-along program must be 18 years old, possess a valid government issued photo identification, have no significant felony or misdemeanor arrests or convictions, and meet one of the criteria listed below:

a. Those with career, educational, or community interests (to include but not limited to: judges, legislators, prosecutors, department citizens' academy participants, current college students with law enforcement interests, etc.).
b. Media representatives.
c. Civilian employees with the Layette Police Department.
d. Students participating in an approved department internship program.
e. Current applicants for police officer with the department.
f. Current law enforcement officers.

302.2.2 Requests to participate

Requesting citizens must complete and submit a Ride-Along Waiver of Liability form that is attached to this policy. This form must be filled out for each request. These forms will be available from a shift commander or Records Division.

All ride-along applicants are subject to a criminal history check. The criminal history check (RMS, NCIC, and IDACS) must be completed/passed before being allowed to ride in the program. Information submitted must include: full name, current address, date of birth, and social security number. The criminal history check must be completed and submitted with the Ride-Along Waiver.

Completed requests along with the criminal history check must be turned in to the Office of the Chief of Police, at least 24 hours prior to the date. Incomplete forms cannot be processed. All requests must be approved by the Chief or his/her designee, however the shift commander will have ultimate veto power of any rider before or during a ride-along, as outlined below.

The Captain of Patrol or his/her designee will schedule a date, based on availability, generally one week after the date of application. If approved, a copy of the waiver form will be forwarded to the appropriate division as soon as possible for scheduling considerations.

302.3 PROCEDURE

Once approved, ride-along applicants will be allowed to participate no more than once in every six month period. An exception may apply to the following law enforcement-involved participants:

a. Volunteers.
b. Chaplains.
c. Any others with approval from the Office of the Chief of Police.

Unless specifically approved by the on-duty shift commander, no more than one ride-along participant will be allowed in department vehicles at a given time.

302.3.1 Suitable attire

Any person approved to participate in a ride-along is required to be clean in appearance and suitably dressed in a collared shirt, blouse or jacket, slacks and shoes. Sandals, t-shirts, tank tops, shorts and ripped or torn pants are not permitted. Hats and ball caps will not be worn without the express consent of the on-duty shift commander. Shirts will be free of any print that would be demeaning or offensive to the public or members of the Lafayette Police Department. The shift commander may refuse a ride-along to anyone who is not dressed appropriately.

302.3.2 Employee responsibilities

The assigned department employee shall consider the safety of the ride-along or job observation participant at all times. The member shall maintain control over the participant and shall instruct the individual about the conditions that may limit his/her participation.

Instructions should include:

a. The participant will follow the directions of the department member.
b. The participant will not become involved in any investigation, handling of evidence, discussions with victims or suspects, reading an individual's criminal history or other protected information, or handling any police department equipment.
c. The rider is present only to observe the officer.
d. Participation may be terminated at any time by the member if the participant interferes with the performance of the member's duties.
e. Participants may be allowed to continue a ride-along during the transportation and booking process, provided it does not jeopardize their safety.
f. Employees will not allow participants to be present in any location or situation that would jeopardize the participant's safety or cause undue stress or embarrassment to a victim or any other member of the public.
g. Participants who are not law enforcement officers shall not be permitted to accompany the department member into a private residence without the express consent of the resident or other authorized person.
h. No rider will be permitted to carry a firearm.
i. Subjects participating in the Ride-Along Program are not granted access to confidential information, police records, or police computer systems.
j. The member assigned to provide a ride-along shall advise the dispatcher that a ride-along participant is present in the vehicle before going into service.
k. An officer with a ride-along participant should use sound discretion when encountering a potentially dangerous situation.
l. 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 on-duty shift commander.

POLICY 303

LAFAYETTE POLICE DEPARTMENT

Policy Manual

IDACS/NCIC GUIDELINES

303.1 PURPOSE

To establish guidelines and procedures involved in entering, updating, and clearing IDACS/NCIC information in compliance with state guidelines.

303.2 POLICY

All appropriate investigative or identifying information for IDACS/NCIC will be entered in the system. Such information shall be maintained in accordance with Indiana State Police procedure.

303.3 PROCEDURE

303.3.1 IDACS/NCIC Entry

Officer's Responsibility:

a. If there is sufficient information available at the time of the initial call, the member taking the report shall deliver the appropriate information along with the case folder/jacket to a dispatcher in the Communications Center to be entered into IDACS/NCIC consistent with state guidelines.
b. Any member (officer, detective, records clerk, or dispatcher) who receives subsequent information regarding stolen items which enables those items to be entered into IDACS/NCIC or requires modification is responsible for ensuring that the appropriate information and case folder/jacket is delivered to the Communications Center to be entered.
c. Any member (officer, detective, records clerk, or dispatcher) who receives subsequent information which enables an article or person to be removed from IDACS/NCIC (e.g. recovered/found property, found person) is responsible for ensuring that the appropriate information and the case folder/jacket is delivered to the Communications Center for the appropriate action.

Shift Command/Supervisor Responsibilities:

a. Ensure that IDACS/NCIC entries have been made in a timely manner by the investigating officer when appropriate.
b. Whenever a dispatcher receives a hit confirmation message through the IDACS/NCIC computer regarding stolen articles, a missing person, or a wanted person, the shift commander shall provide the dispatcher with guidance/direction on the necessary follow-up to conduct.

TACTICAL RESPONSE TEAM

304.1 PURPOSE

The purpose of this policy is to provide guidelines for the department's response to situations that require, or may require the Tactical Response Team to be activated.

304.2 DEFINITIONS

Active killer- An armed suspect who is actively killing or attempting to kill civilians and/or law enforcement and continues to do so while having access to additional victims.

After Action Report- A document to be completed following an operation to include the actions taken (or failures to act and omissions) by personnel, mission results and any pertinent and relevant information related to same operation including lessons learned and any training recommendations identified. Documentation should be supported with the operational plan, related reports, and any other written or photographic material associated with the operation.

Barricaded subject- A barricade situation may be defined as the standoff created by an armed or potentially armed suspect in any location, whether fortified or not, who is refusing to comply with lawful orders for surrender.

Command Post- The field location at which the primary tactical-level, on-scene incident command functions are performed.

High-risk warrant- A search or arrest warrant characterized by known or suspected hazards and risks to such a degree that the service of which exceeds the capabilities of the normal patrol and investigative functions.

Hostage- A person held by force or fear by a hostage taker who intends to harm the person or as security that specified terms or an ultimatum will be met.

Immediate action team- A team prepared to respond to unplanned events at the crisis site.

Incident Commander- The individual responsible for all incident activities, including the development of strategies and tactics and the ordering and the 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 Commander will be the acting on-duty shift commander during the incident and will remain Incident Commander until relieved by higher authority.

Operator- A sworn law enforcement officer trained, equipped and assigned to a tactical law enforcement operations unit or team.

Public Information Area- The Incident Commander shall secure a location for all media personnel to assemble and wait for all information and news releases. This area will be set up outside the outer perimeter and out of view of the command post.

Risk Assessment- The process of evaluating and determining the presence of any or all potential hazards or dangerous conditions to law enforcement personnel and the public that may be present or may occur during an operation to determine the appropriate risk level of that pending action.

Sniper- A highly-trained operator whose missions include intelligence gathering, observation and the capability of delivering precision fire with a rifle. Operator with long rifle capability; long rifle marksman.

Team Commander- The designated individual(s) responsible for the management, operation and deployment of a tactical team.

Team Leader- A team member, regardless of rank, with an appropriate level of experience and competence who works directly with team members. Acts in an administrative, tactical and operational capacity under the Team Commander to coordinate and supervise training, planning and deployment activities.

304.3 POLICY

The primary objective of the Tactical Response Team shall be the resolution of high-risk police situations with reasonable force. The Tactical Response Team has highly trained supervisors and officers skilled in the use of special weapons, equipment, and techniques designed to reduce the risk to law enforcement personnel and innocent citizens in dangerous situations.

304.4 PROCEDURE

Tactical Response Team response situations (include but not limited to):

a. Active Killer
b. Barricaded subject
c. High-risk Warrant Service
d. Hostage situations
e. Sniping Operations
f. Security Situations where special security risk situations or protection of government officials is authorized.
g. Riots, strikes, or civil disorders, to assist specialized crowd control teams.
h. Other situations may include but are not limited to incidents of a high-risk nature in which a specialized unit response would be beneficial.

304.4.1 Tactical Response Team Activation

The first line supervisor will respond to and conduct a risk assessment of the incident and involved persons. When completing the risk assessment, a criminal history utilizing local and national databases should be completed.

In the event it is believed that the Tactical Response Team is needed, the first line supervisor will contact the Captain of Patrol and/or the Tactical Team Commander and brief them on the incident. Once the Captain of Patrol or his designee has approved the Tactical Response Team activation, it will be the responsibility of the first line supervisor to make sure that dispatch contacts the Tactical Response Team and the Crisis Negotiator Team (CNT), and notifies them of the activation.

Once the Tactical Response Team is activated, the first line supervisor will assume Incident Command until relieved by higher authority. It is the responsibility of the Incident Commander to establish a command post, medical and fire staging area and a public information area. The Incident Commander will be responsible for requesting ambulance and fire personnel to stand by during the operation.

The command post and the public information area will be separate locations. The Incident Commander will be exclusively responsible for operations unless relieved by higher authority.

The Tactical Operations Center (TOC) may be set up separate from the command post and the location of the TOC will be at the discretion of the Team Commander.

Request from other agencies will be authorized as follows:

a. The initial request will be made to the Chief or his designee.
b. Response to such requests will be made with the understanding that the Lafayette Police Department will retain supervision over departmental personnel involved in the concerned incident as it pertains to the Tactical Response Team operations and department policy.

When approval is granted by the chief (or designee), they will notify, or cause to be notified the Captain of Patrol or his designee. Depending on the nature of the incident, the Captain of Patrol (or designee) will initiate further notification, as he deems appropriate.

The Captain of Patrol (or designee) will normally respond to all other agency requests to ensure appropriate control and usage of the Tactical Response Team.

304.4.2 Containment

Suspects will be contained and isolated in the smallest area possible. This area will be designated as the “inner perimeter.”

Civilians or any injured parties will be evacuated as soon as possible.

As soon as practical after arrival, the Tactical Response Team will relieve uniform personnel from the inner perimeter positions. The team will be under the direct control of the Tactical Response Team Commander.

An outer perimeter will be maintained by the patrol division. Outer perimeter personnel will be responsible for pursuit of persons/vehicle fleeing outside of the inner perimeter.

The outer perimeter will be made secure from vehicular or pedestrian traffic. This will be the responsibility of the Incident Commander (or designee).

In the event it is decided to cease negotiations and carry out a tactical resolution, the Team Commander will determine the appropriate method and time to implement the plan and maintains direct control over tactical personnel.

Assurance of probable cause, validity of warrant, correct locations, legality of police intervention, etc., is the responsibility of the requesting entity. The Tactical Response Team is not an investigative unit and its presence does not relieve the requesting entity of its responsibility.

The Tactical Response Team will be responsible for the appropriate paperwork that it generates (Use of Force, First Report of Injury, etc.) The Tactical Response Team does not prepare the original case report, arrest subjects or impound property.

Unless extenuating circumstances arise, the Tactical Response Team will not act without first advising the Captain of Patrol or his designee. Every effort is made to keep the Captain of Patrol or his designee fully informed of the situation.

Negotiators will be used to resolve any high risk situations whenever possible.

Contained and isolated subjects will not be allowed to gain freedom.

Tactical Response Team/Negotiator personnel will not permit themselves or other persons to be exchanged for hostages.

Weapons are not negotiable items.

304.4.3 Administration

The Captain of Patrol (or designee) assumes ultimate responsibility for the Tactical Response Team program and reports to the Deputy Chief.

The Team Commander must be a current member of the team and will be selected from the rank of Sergeant or Lieutenant. The Team Commander will accomplish the mission of the Tactical Response Team program. The program will consist of direct command and control of the team, selection of personnel, training, and assignments of team personnel. The Team Commander will also perform other duties as directed by the Captain of Patrol or his designee.

304.4.4 After Action Reports

In the case of all Tactical Response Team activations, an After Action Report, will be prepared within 72 hours by the Team Commander, if the team arrives on the scene of an incident. The after action report will include the actions taken (or failures to act and omissions) by personnel, mission results and any pertinent and relevant information related to same operation including lessons learned and any training recommendations identified. Documentation should be supported with the operational plan, related reports, and any other written or photographic material associated with the operation.

The report will be prepared for the Captain of Patrol (or designee) and forwarded through the chain of command.

An After Action Report will be prepared even if a team is cancelled en route to the scene.

304.4.5 Equipment

The Tactical Response Team program requires special equipment to accomplish its mission. The Team Commander will be responsible for maintenance of items used by their team and is responsible for reporting to the Captain of Patrol (or designee) all expendable items used during training or call-outs.

A semi-annual inventory will be conducted by the Team Commander of all equipment utilized by the Tactical Response Team. Each individual team member will be responsible for personally assigned equipment.

It will be the responsibility of the Team Commander to ensure that all equipment turned in as a result of employee separation from the unit is accounted for and in good repair.

CRISIS NEGOTIATION TEAM

305.1 PURPOSE AND SCOPE

The purpose of this directive is to establish policy and procedures for the selection, training, and responsibilities for members of the Crisis Negotiation Team (CNT).

The department has established, and will maintain, a Crisis Negotiation Team, which will be available to respond to incidents which may require specialized skills in order to negotiate with subjects, and to respond to any situation in which the use of a negotiator could enhance the ability to preserve life or ensure the protection of property.

305.2 POLICY

The Crisis Negotiation Team will respond to incidents including, but not limited to; hostage situations, barricaded subjects, and suicidal subjects in which the on-duty commander determines there to be a need for specialized negotiators.

305.2.1 Command Structure

Crisis Negotiation Team Commander - The Captain of Patrol assumes ultimate responsibility for the Crisis Negotiation Team and reports directly to the Deputy Chief.

The Crisis Negotiation Team is under the direct supervision of the team commander. The team commander shall be selected by the Captain of the Patrol division.

The Crisis Negotiation Team commander shall be responsible for the selection, training, and equipment needs of the Crisis Negotiation Team. The commander of the Crisis Negotiation Team will administer the program and direct assignments of Crisis Negotiation Team members, in addition to performing additional duties at the request of the Patrol Captain.

The Crisis Negotiation Team commander, or his/her designee, shall be responsible for maintaining all documents relevant and relating to any incident call-out and ensure that all documentation is stored as evidence according to departmental policy. These items may include, but are not limited to recordings of the negotiations, photographs, and assessment sheets.

305.2.2 Selection Process

Negotiators shall be selected to the Crisis Negotiation Team after submitting a letter of interest and participating in a competitive oral interview process with the Crisis Negotiation Team commander or his/her designee(s).

Applicants must be in good standing with the department and have completed a minimum of two (2) years of sworn law enforcement service.

All negotiators shall complete an accredited crisis negotiation course upon selection to the team and shall attend all training sessions, unless excused by the team commander.

Negotiators are considered to be on-call at all times and are expected to carry their issued department-issued cell phone with them at all times.

305.2.3 Team Deployment

The Crisis Negotiation Team shall be activated at the discretion of the Captain of Patrol or his/her designee.

The Crisis Negotiation Team shall be activated each time the SWAT Team is deployed, unless instructed otherwise by the Captain of Patrol.

Upon activation, dispatch will send a page to all members of the Crisis Negotiation Team. All on-duty negotiators will respond to the scene of the incident. Off-duty negotiators shall respond according to pre-arranged protocol established by the Crisis Negotiation Team commander.

The Crisis Negotiation Team commander or his/her designee shall work with the SWAT commander to establish a command post for the incident.

The selection of negotiation strategies, approaches, tactics and related items shall be at the discretion of the Crisis Negotiation Team commander, based upon the circumstances and the team's training and experience.

305.2.4 Mutual Aid Requests

Requests from outside agencies for the utilization of the Lafayette Police Department Crisis Negotiation Team shall be made to the Captain of Patrol or his/her designee. Response to such requests shall be made with the understanding that the Lafayette Police Department will retain supervision over department personnel involved in the incident.

305.2.5 Equipment

All members of the Crisis Negotiation Team shall have access to equipment relating to the function of the team. Team members are expected to maintain all equipment issued to the team in a state of operational readiness. Any damage to equipment shall immediately be reported to the Crisis Negotiation Team commander.

Team members shall be responsible for any equipment assigned to them.

An annual inspection of all equipment shall be completed by the Crisis Negotiation Team commander.

POLICY
306

LAFAYETTE POLICE DEPARTMENT

Policy Manual

MOTOR VEHICLE INVENTORY

306.1 PURPOSE AND SCOPE

The purpose of this policy is to provide a standardized procedure for inventorying the contents of motor vehicles impounded by officers of the Lafayette Police Department.

306.2 POLICY

A motor vehicle inventory is an administrative measure to protect an owner's property while it is in the custody of the Lafayette Police Department, to insure against claims of lost, stolen and/or vandalized property and to provide for the safety of personnel against harm from hazardous materials present in a motor vehicle. It is the policy of the Lafayette Police Department for officers to inventory the contents of all motor vehicles impounded by this agency.

306.3 PROCEDURE

306.3.1 Authority to Conduct a Motor Vehicle Inventory

An inventory shall be conducted by an authorized member of the Lafayette Police Department without a warrant or probable cause when:

a. the vehicle has been lawfully seized or impounded pursuant to a provision of state law or local ordinance.
b. when officers conduct the inventory search within the scope of this policy as an administrative procedure.

Examination of the contents of a motor vehicle with the intent of discovering evidence of a crime is a search, not an administrative inventory.

306.3.2 Scope of Inventory

The contents of all motor vehicles lawfully seized and/or impounded by the Lafayette Police Department shall be inventoried. Inventories shall be recorded, written, or typed in a manner and format approved by the Lafayette Police Department.

An inventory should be conducted in the location at which the vehicle is seized unless the opportunity to conduct the inventory is limited by safety and/or practicality.

The motor vehicle inventory shall include any pre-existing damage to the vehicle's interior and exterior.

The motor vehicle inventory shall extend to all areas of the vehicle in which personal property and/or hazardous materials may reasonably be found, including, but not limited to, the passenger compartment, trunk, cargo area(s), and glove compartment.

Members of this agency shall enlist the assistance of an approved towing service to unlock motor vehicle doors in order to complete an inventory.

Closed and locked areas shall not be forced open and no effort shall be made that is likely to result in damage to the motor vehicle; areas to which access is not possible shall be logged on the inventory as such.

Officers shall open all containers found in the motor vehicle when the officers are unable to reasonably ascertain the contents from examining the container's exterior.

Reasonable effort shall be made to open closed and/or locked containers inside the motor vehicle to inventory its contents.

Closed and locked containers shall not be forced open and no effort shall be made that is likely to result in damage to the container; containers to which access is not possible shall be logged on the inventory as such.

VEHICLE TOWING AND IMPOUND

307.1 PURPOSE AND SCOPE

It is the purpose of this policy to provide guidelines and procedures for towing, impounding, and the release of motor vehicles by the Lafayette Police Department.

307.2 DEFINITIONS

Impoundment: For purposes of this policy, the seizing and temporary custody of a motor vehicle for a legitimate police purpose.

Public Assistance Towing: Towing of motor vehicles for public assistance or for purposes of public safety; it does not involve custody of the vehicle by the police agency or authorization of the police for its release.

307.3 POLICY

307.3.1 General

Impoundment of motor vehicles shall use contract commercial towing services, towing vehicles, and impoundment lots as authorized by the City of Lafayette and the Lafayette Police Department.

Vehicles impounded by or otherwise taken into the custody of the Lafayette Police Department shall be inventoried in a manner consistent with the agency's policy on motor vehicle inventories (refer to policy 306).

Officers shall complete forms authorized by the Lafayette Police Department whenever a vehicle is towed for impoundment as evidence or for other purposes.

Motor vehicles shall not be impounded for purposes other than those permitted or defined by state law or municipal ordinance, (e.g., not as a form of punishment, or as a means of conducting vehicle searches when probable cause does not exist or consent to search cannot be obtained).

When impoundments are ordered, the officer should make reasonable effort to ensure the safety of the operator and any passengers and that transportation is arranged if the reasonable safety of the operator or any passengers cannot be afforded at the scene.

Vehicle operators may be permitted to remove unsecured valuables of a non-evidentiary nature from the vehicle prior to its removal for impoundment. The nature of these valuables shall be noted in the vehicle inventory.

307.3.2 Vehicle Impoundment

Officers may impound a vehicle when permitted by state law, municipal ordinance, safety reasons, and/or purposes of safekeeping.

A vehicle shall be impounded if the vehicle contains evidence of a crime that cannot be processed at the scene and must be secured to ensure evidentiary integrity.

Officers should not unnecessarily impound motor vehicles for purposes of gathering evidence when such processing can be reasonably, effectively, and safely conducted at or near the scene.

A “hold” may be placed on any vehicle impounded for evidence for such period of time necessary to complete evidence collection or investigation.

a. Investigating officers shall complete their investigation of the vehicle in a timely manner so that it can be released to the owner.

Impoundment of stolen vehicles or suspected stolen vehicles is appropriate when the owner cannot be contacted, the owner is contacted and cannot or will not respond in a reasonable amount of time, or immediate removal is necessary for safety reasons or purposes of safekeeping. Officers should document reasonable efforts to contact owners with means readily available.

Vehicles may be impounded if the vehicle is needed for purposes of the investigation following a vehicle crash. Such cases may but do not necessarily involve custody of the operator.

Following motor vehicle crashes, an officer may request impoundment when the operator is unwilling or unable to take charge of the vehicle, and;

a. The vehicle cannot be legally parked and sufficiently secured at the scene, or;
b. There is property in or attached to the vehicle that cannot be sufficiently secured at the scene or placed in the custody of a responsible person.

307.3.3 Public Assistance Towing

Officers may request towing services for motorists following vehicle crashes or in other instances where involved vehicles are not operable

Officers may help facilitate the removal of a vehicle by contacting the towing service chosen by the motorist; a towing service contracted by the city can be used at the request of the motorist or when the motorist gives no direction otherwise.

307.3.4 Release of Impounded Vehicles

Impounded vehicles shall be released to owners who personally appear at the Lafayette Police Department. The owner must obtain a written release to be presented to the operator of the impound facility.

Vehicles shall only be released with proof of ownership, personal identification, and proof that the vehicle is insured

Proof of ownership may be in the form of Indiana Bureau of Motor Vehicles registration record, signed motor vehicle title, and/or signed and dated bill of sale.

Vehicle owners who are not available to personally appear to obtain a motor vehicle release may obtain a release by providing a signed, dated, and notarized affidavit to a third party, authorizing the third party to take possession of the vehicle.

Vehicles shall not be released to the owner if a licensed driver is not available to remove the vehicle from the impound facility.

The Lafayette Police Department may authorize the release of a vehicle to an unlicensed vehicle owner if the owner arranges the removal by a towing service legally conducting business and when the release of the vehicle from the impound facility by a towing service is coordinated with the operator of the impound facility.

The owner of a vehicle may obtain personal property from an impounded vehicle only when:

a. Removal has been coordinated with the operator of the impound facility; and
b. The vehicle owner has obtained written release from the Lafayette Police Department
c. The vehicle owner may obtain the vehicle title, bill of sale, registration, and/or insurance documents without written release; removal of these items must be coordinated with the operator of the impound facility.

POLICY

308

LAFAYETTE POLICE DEPARTMENT

Policy Manual

RESPONSE TO SERIOUS INJURY AND FATAL CRASHES

308.1 PURPOSE AND SCOPE

To provide guidance to Lafayette Police Department officers when responding to crashes that involve fatal, life-threatening, and/or serious injuries and describe the function and responsibilities of crash reconstruction investigators.

308.1 DEFINITIONS

Serious injury – Includes, but not limited to, possible permanent disability, amputation, multiple internal injuries, and/or paralysis.

308.3 POLICY

It is the policy of the Lafayette Police Department to respond to and investigate all crashes involving fatal, life threatening, and/or serious injuries and to deploy crash reconstruction investigators when necessary.

308.4 PROCEDURES

308.4.1 Response to Serious or Fatal Crashes

Responding Officers' Responsibility:

a. Secure the scene and ensure that all vehicles involved in a fatal or potentially fatal crash remain in their final resting place;
b. Determine whether the crash meets the criteria for investigation by a crash reconstruction investigator or a Fatal Alcohol Crash Team (FACT) investigator and notify patrol supervisor, if necessary;
c. Protect the crash scene and all physical evidence until relieved by a supervisor or a crash reconstruction investigator;
d. Complete the initial Indiana Standard Officers Crash Report;
e. Document the scene by digital photograph and/or video, and upload the files to the appropriate digital file storage system before the end of his/her tour of duty;
f. Attempt to identify all involved;
g. Identify all witnesses and obtain recorded witness statements wherever possible; and
h. Assist the crash reconstruction investigator(s) or FACT, as needed, with all aspects of the investigation.

Commanders' Responsibility:

a. Assist with requests for additional resources from crash investigators;
b. Assist with requests from the media;
c. Determine if the crash requires the assistance of a crash reconstruction investigator or the on-call FACT and contact the appropriate personnel, based on the policy statement and the circumstances of the incident; and
d. Prepare and distribute media release to the designated Community Outreach personnel or coordinate its release with the crash reconstruction investigator or the Traffic Unit supervisor.

308.4.2 Investigation

The officer assigned as the primary investigator will conduct a thorough initial investigation.

All vehicles involved in a fatal vehicle crash, regardless of the severity of damage, will be impounded and stored inside a secure storage area until released by a Lafayette Police Department crash reconstruction investigator.

a. Vehicles carrying hazardous materials or perishable loads will only be stored at the direction of a patrol supervisor or member of the Lafayette Police Department Traffic Unit.
b. All vehicles that are stored following involvement in a fatal vehicle crash and are awaiting the execution of a search warrant will be stored at Lafayette Police Department-owned facility inside a secure storage area.

308.4.3 Activation of Crash Reconstruction Investigator(s)

The on-duty patrol supervisor is responsible for requesting a crash reconstruction investigator, based on the policy statement and the circumstances of the incident.

Upon supervisory direction, the crash reconstruction investigator will be assigned to the investigation. If there is no crash reconstruction investigator on duty, the patrol supervisor will notify the Traffic Unit supervisor, on-call crash reconstruction investigator, or the on-call Fatal Alcohol Crash Team supervisor.

Until relieved, the initial officer will be responsible for protecting the crash scene, securing witness identification, and ensuring traffic control around the crash scene prior to the arrival of the crash reconstruction investigator or the FACT.

308.4.4 Responsibilities of the Crash Reconstruction Investigator

Crash Reconstruction Investigator Responsibility:

a. Shall evaluate the situation and respond to the scene, when necessary, based on the policy statement, circumstances of the incident, request of a patrol supervisor, and/or the needs of the patrol shift.
b. Request appropriate investigative, traffic control, and safety resources.

c. Notify Traffic Unit supervisor of the investigation in a timely manner.
d. Continue with their investigation until completed.
e. Submit a preliminary report before going off-duty.
f. Prepare and distribute media release to the designated Community Outreach personnel or coordinate its release with the on-duty patrol supervisor or Traffic Unit supervisor.
g. Shall be responsible for coordinating all phases of the investigation:
    a. Accident scene photography
    b. Measurements and diagrams
    c. Witness and victim interview documentation
    d. BMV reporting and State Police notifications
    e. Evidence collection and preservation
    f. Case presentation to the Prosecuting Attorney.
    g. Coordination of the appropriate death or injury notification.

OPERATING WHILE INTOXICATED

309.1 PURPOSE

To provide uniform guidelines for the enforcement of the Indiana law regarding incidents of Operating While Intoxicated.

309.2 POLICY

The Lafayette Police Department will make every effort within the scope of its resources to reduce the number of impaired drivers on the streets of the city. Sworn officers must be alert for signs of alcohol and/or drug impairment in all contacts with motorists and make every effort to detect and apprehend impaired drivers.

309.3 PROCEDURE

309.3.1 OWI Detection and Pre-Arrest Screening

The officer's observation in this stage is crucial in establishing probable cause upon which the arrest decision is based. Officers must perform the following tasks:

a. Recognize and identify specific driving behaviors that have a high probability of signifying that the driver may be intoxicated/impaired by alcohol and/or drugs.
b. Recognize and identify specific driving and other behaviors occurring during the vehicle stop or contact that provide additional evidence/indication that a driver may be intoxicated/impaired.
c. Note all observations leading to the determination that the driver may be intoxicated/impaired.
d. Recognize and identify specific characteristics and actions commonly associated with intoxicated/impaired drivers during face-to-face contact.
e. For officer and subject safety, it is not recommended that field tests be conducted in the roadway between a patrol vehicle and subject vehicle. If a safe location cannot be found, transport the subject to the department holding area and conduct the field tests.
f. The officer shall make every effort to perform Standardized Field Sobriety Tests, but in some circumstances other appropriate field sobriety tests to assess impairment may be used.
g. If probable cause is determined after field sobriety tests are administered or refused, the officer shall then read the Indiana Implied Consent notice and offer a chemical test(s).
h. Suspects who are in custody and subjected to an interrogation shall be given the Miranda warning.
i. Handcuff and search the subject.
j. Transport the subject for chemical testing

309.3.2 Statutory Observations

Officers should advise a person that in order to comply with the implied consent laws of Indiana, they must submit to each chemical test offered (I.C. § 9-30-6-2).

Once an officer has determined that an operator of a motor vehicle exhibits signs of alcohol and/or drug impairment, that officer shall make every effort to perform Standardized Field Sobriety Tests.

After a Field Sobriety Test has been performed, a Portable Breath Test may be given. A Portable Breath Test will not be administered prior to or as a substitution for the Field Sobriety Tests.

If after giving this test it is believed that the degree of impairment may be caused by drugs and/or alcohol, then a certified DRE officer may be called to assist with a drug evaluation of the driver.

If, after administering the Field Sobriety Tests and/or a Portable Breath Test, the officer determines that adequate probable cause exists for an arrest, then the officer shall advise the operator of the Implied Consent and offer a chemical test for intoxication.

a. The suspected violator will then be transported to the appropriate facility for a certified chemical test for intoxication.
b. Officers shall not release OWI suspects or arrange for alternate transportation in lieu of arrest after Probable Cause has been established and the Implied Consent has been read.

309.3.3 Chemical Tests

A person implies consent to a chemical test or tests, and to providing the associated chemical sample, under any of the following (I.C. § 9-30-6-1 et seq.; I.C. § 9-30-7-2):

a. The officer has probable cause to believe that the person has committed an offense under any of the following:
    1. OWI (I.C. § 9-30-5-1 et seq.)
    2. Implied Consent (I.C. § 9-30-6-1 et seq.)
    3. Circuit Court Alcohol Abuse Deterrent Programs (I.C. § 9-30-9-1 et seq.)
    4. Open Alcoholic Beverage Containers/Consumption of Alcohol in Motor Vehicles (I.C. § 9-30-15-1 et seq.)

b. The officer has probable cause to believe that the person has committed an offense in (a) above and has been involved in an accident involving actual or imminent death or serious bodily injury (I.C. § 9-30-6-6).

An officer may administer more than one chemical test during the course of an OWI investigation (I.C. § 9-30-6-2; I.C. § 9-30-7-3).

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.

If, after a certified chemical test for intoxication has been given and the results constitute prima facie evidence of intoxication (.08% BAC or higher) or if the suspect refuses to submit to the

chemical test, officers will arrest the operator, charging the suspect with the appropriate Operating While Intoxicated statute.

POLICY 310

LAFAYETTE POLICE DEPARTMENT

Policy Manual

SOBRIETY CHECKPOINTS

310.1 PURPOSE

The purpose of this policy is to provide guidelines for the physical construction and operation of a sobriety checkpoint in order to maximize the deterrent effect and increase the perception of "risk of apprehension" of motorists who would operate a vehicle while impaired by alcohol or other drugs.

310.2 POLICY

It shall be the policy of the Lafayette Police Department to implement a sobriety checkpoint program. This will be done as a part of a comprehensive enforcement program. To ensure standardization of this program, a clear and concise set of written guidelines has been developed governing procedures on how checkpoints will be operated within this jurisdiction.

To implement this policy this agency must:

a. Satisfy federal, state, and local legal requirements.
b. Conduct checkpoints with a minimal amount of intrusion or motorist inconvenience.
c. Assure the safety of the public and the law enforcement officers involved.
d. Provide for an objective site selection process based on relevant data.
e. Provide for public information and education to maximize the deterrent effect and heighten awareness of the impaired driving problem.
f. Provide for a systematic procedure for data collection and after-impact analysis report to monitor and ensure standardization and consistency of the sobriety checkpoint program.

310.3 PROCEDURES

310.3.1 General Guidelines

Written guidelines, consistent with existing agency policies, prepared in advance of the checkpoint program must:

a. Be approved by the Office of the Chief or designee prior to commencement of the checkpoint.
b. Specify signing, safety equipment, warning devices, barriers, etc. that will be used, as well as their placement and proper use at the scene. This specification will be consistent with applicable standards and regulations.

c. Specify an objective method for selecting motorists to be contacted (e.g. every vehicle, every fifth vehicle, etc.).
d. Provide for an operational briefing of personnel prior to each checkpoint to designate assignments and respective duties.
e. Provide for the removal of vehicles to the predetermined area when further investigation is required.
f. Include a detailed site map.

310.3.2 Site Selection

The Lafayette Police Department must be able to objectively outline criteria utilized in the site selection process:

a. Alcohol/drug related traffic experiences.
b. Unusual incidence of alcohol/drug related crashes.
c. Alcohol/drug impaired driving violations.
d. Unusual number of nighttime single vehicle crashes.
e. Any other documented alcohol/drug related vehicular incidents.
f. Select locations that permit the safe flow of traffic through the checkpoint.
g. Consideration should be given to posted speed limits, traffic volume, and visibility.
h. Ensure sufficient adjoining space is available to pull vehicles off the traveled portion of the roadway.
i. Consider other conditions that may pose a hazard.
j. The site should have maximum visibility from each direction and sufficient illumination.
k. If permanent lighting is unavailable, ensure that portable lighting is provided.

310.3.3 Personnel

A sworn, uniformed officer will be assigned to provide on-scene supervision of the checkpoint.

The checkpoint will be staffed by a sufficient number of uniformed personnel to assure a safe and efficient operation.

310.3.4 Advanced notification

For the purpose of public information and education, the Lafayette Police Department will announce to the media checkpoints will be conducted.

The Lafayette Police Department will encourage media interest in the sobriety checkpoint program to enhance public perception of aggressive enforcement, to heighten the deterrent effect, and to assure protection of constitutional rights.

The Lafayette Police Department will provide advance notification of the checkpoint to public safety agencies expected to be impacted.

310.3.5 Motorist safety

Special care is required to warn approaching motorists of the sobriety checkpoint.

Basic equipment will include, but is not limited to:

a. Warning signs placed in advance of the checkpoint.
b. Safety cones or similar devices.
c. Permanent/portable lighting.
d. Marked patrol vehicles.

The use, placement, and types of traffic control devices must comply with federal, state, or local transportation codes.

310.3.6 Contingency Planning

Any deviation from the predetermined guidelines must thoroughly document the reason for the deviation (e.g. traffic backing up, intermittent inclement weather, etc.).

310.3.7 Data Collection and Evaluation

To monitor and ensure standardization and consistency of the sobriety checkpoint program, a systematic method of data collection will be incorporated.

After action report may include, but is not limited to:

a. Time, date, and location of checkpoint.
b. Weather conditions.
c. Number of vehicles passing through the checkpoint.
d. Average time delay to motorists.
e. Predetermined order of selecting motorists.
f. Number and type of arrests.
g. Number of motorists detained for field sobriety.
h. Identification of unusual incidents such as safety problems or other concerns.

To assist in determining the effectiveness of a checkpoint operation, a periodic impact analysis will include the following types of information:

a. Crash rate reduction.
b. Impaired driving offenses.
c. Impaired driving convictions.
d. Public opinion survey to determine increased perception of detection and apprehension of impaired drivers.

SAFETY AND SECURITY ESCORTS

311.1 PURPOSE

To establish written guidelines for safety and/or security escorts.

311.2 POLICY

Department personnel will only provide safety and/or security escort services in accordance with the procedures defined in this policy.

311.3 PROCEDURE

Emergency support personnel: Occasionally, events occur which require medical, rescue, and logistical support personnel to be escorted into the critical incident command perimeter. Members should evaluate the circumstances to determine a reasonable method of escort assistance and coordinate a response with the incident commander. If a police vehicle is used to escort emergency support personnel driving personal or non-emergency equipped vehicles, officers will discuss the response with the operator of the vehicle transporting personnel or supplies. The escorting member shall:

a. Have the emergency flashing signal lights of the non-emergency equipped vehicle operating.
b. Drive with due regard for other motorists and pedestrians.
c. Exercise due care and caution while passing vehicles considering the following vehicle.
d. Stop and clear an intersection controlled by a signal or sign when attempting to pass through the intersection against the signal or sign before signaling the escorted vehicle through the intersection.

Other emergency vehicles: As a general rule, police vehicles will not be used to escort other emergency vehicles being operated with emergency response equipment activated and being driven under the exemptions from traffic regulation. Members may however:

a. Ride with or drive the other emergency vehicle to the emergency destination upon supervisory approval.
b. Coordinate the blocking of intersections to assist the other emergency vehicle's response.

The only exception of escorting emergency vehicles would be if a true emergency existed and the emergency vehicle in question was without functional emergency equipment/lights. If a police vehicle is used to escort an emergency vehicle with nonfunctioning

emergency lights, members will discuss the response with the operator of the other emergency vehicle. The escorting member shall:

a. Have the emergency flashing signal lights (flashers) of the other emergency vehicle operating, if possible.
b. Drive with due regard for other motorists and pedestrians.
c. Exercise due care and caution while passing vehicles considering the following vehicle.
d. Stop and clear an intersection controlled by a signal or sign when attempting to pass through the intersection against the signal or sign before signaling the escorted vehicle through the intersection.

Funeral or school escorts: As a general rule, police vehicles will not be used to escort funeral processions or school related processions. Extenuating circumstances must be present to authorize such escorts such as extremely long or high profile events that create public safety concerns. All such security escorts require prior shift command approval.

a. The officer should arrive a few minutes prior to the time of the escort.
b. The officer will activate the emergency lights on their patrol units (i.e. red and blue, flashing/rotating, and wigwag).
c. The officer will then assume a position in front of the hearse and lead the funeral procession.
d. The escort will follow a predetermined route to the designated location.
e. The speed of the escort should be kept as close to 20 MPH as possible. This may vary due to route, length of procession and other variables.
f. The officer may request an additional officer to assist at busy intersections. The officer should advise dispatch when they pick up the escort and when they complete it. At the completion of the escort, the officer will resume normal patrol duties.

Private vehicles: Police vehicles are prohibited from escorting private vehicles, even where it is deemed that a true medical emergency exists. In such instances, summoning an EMS unit to your location and rendering aid would be the more prudent course of action.

Security escorts - The department will not routinely provide security escort services to private businesses or financial institutions unless there are exigent or unusual circumstances. All such security escorts require prior shift command approval.

INTERNAL INVESTIGATIONS AND DISCIPLINE

400.1 PURPOSE AND SCOPE

This policy provides guidelines for the reporting, investigation, and disposition of complaints regarding the conduct of members of the Lafayette 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. The purpose of the policy is to establish an internal investigative procedure to assure prompt, thorough, and impartial investigation and processing of alleged and/or suspected personnel misconduct.

400.2 POLICY

Police officers must be free to exercise their best judgment and to initiate law enforcement action in a reasonable, lawful, and impartial manner without fear of reprisal. At the same time, enforcers of the law have a primary obligation to meticulously respect the rights of all people. Therefore, a system of complaint and disciplinary procedures have been established which not only will subject the officer to corrective action when improper conduct becomes evident, but will also protect the individual officer when he or she discharges their duties properly, thereby insuring the highest level of departmental integrity.

400.3 PROCEDURE

All complaints against department members, alleged or suspected violations of laws, ordinances, or departmental rules, regulations and policy, shall be investigated. Complaints shall be accepted by the Administrative Services Division or any other member of the Lafayette Police Department. These complaints include, but are not limited to:

a. Violations reported to supervisors by members of the department in any manner of communication.
b. Violations observed by any member of the department.
c. Complaints received in person, by telephone or in writing from any citizen. Anonymous complaints will not be excluded; however the seriousness and nature of the complaint will determine investigative measures.

400.3.1 Duties of Supervisors/Commanders

Each supervisor shall maintain vigilance of any member malfeasance, misfeasance, or nonfeasance at its earliest stage. Department supervisors shall not seek higher command authority or responsibility to initiate an investigation.

The supervisor receiving a complaint will as soon as possible, but before completing their tour of duty, shall complete the initial phase of the investigative process. This process includes the

gathering of facts, review of available video, documentation of the complaint, and interview of available witnesses.

If the supervisor can prove the complaint to be unfounded, unsubstantiated, or false in nature, it will be forwarded to Administrative Services to disposition the complaint and close out. If the complaint is of a criminal nature, or the supervisor determines that the nature of the complaint rises to the level of a more serious matter, they will immediately contact Administrative Services.

This procedure will be followed in all cases, including those investigated and concluded by the immediate superior. Notification of any complaint to the Administrative Services Division may be forwarded through any communication conveyance.

If a complaint requires further investigation, it may be returned to the accused member's supervisors for follow up, or it may be assigned to the Administrative Services Division.

The investigating supervisor shall forward completed investigative findings to the Administrative Services Division for further review and analysis.

The Administrative Services Division will disposition the complaint. If the complaint is sustained, the complaint will be returned to the accused officer's supervisors for their recommendation of disciplinary action, and it will be forwarded through that division's chain of command, including the Chief's Office.

400.3.2 Disciplinary Authority of Supervisor/Commanders

Supervisors may impose the following actions:

a. Counseling (not considered disciplinary action, stays with shift command).
b. Corrective write-up (not considered disciplinary action, but goes to IA file).

Supervisors may request the following disciplinary action through the chain of command:

a. Written reprimand.
b. Suspension without pay.
c. Demotion (if applicable).
d. Termination.

Immediate Action:

A supervisor may relieve a member of duty (with pay) when it appears such action is in the best interest of the Department.

a. Any member so relieved shall be directed to report back to the police department at a day and time directed by their supervisor(s).
b. The supervisor imposing the relief of duty will also report to the police department at the same time as the affected member.
c. Administrative Services, along with the Chief's Office, will determine if more investigation is needed, disciplinary action will be imposed, or the member is exonerated.

400.3.3 Administrative Services Function

The function of the Administrative Services Division is to investigate complaints of a serious, complex, or time-consuming nature. The use of Administrative Services in such investigations is intended to relieve supervisory personnel from prolonged investigations, which would take them away from their primary duties.

The Administrative Services Captain will act as the Department advocate in carrying out any internal department investigation. In the Administrative Services Captain's absence, an alternate will be appointed with the approval of the Chief's Office.

The Administrative Services Division shall be responsible for receiving and recording complaints and allegations against department personnel or the department, and for initiating, completing, and presenting investigations to the accused member's supervisors or the Chief of Police for appropriate action.

The captain in charge of the Administrative Services Division is authorized to conduct departmental internal investigations; all personnel are directed to cooperate fully in these investigations.

If a criminal prosecution is contemplated against a member, the member who is to be interviewed by the criminal investigator has the same rights as any other citizen in a criminal investigation. In an employee allegation in a criminal matter, where only administrative disciplinary action is desired, no Miranda warnings are necessary and the member can be ordered to truthfully answer questions. (Rule #47)

A member may be ordered to submit to a polygraph examination as part of any Administrative Services investigation. The polygraph question set shall specifically be directed and narrowly related to the investigation. However, when a complaint from a citizen is the basis for the investigation, the infraction is non-criminal, and no corroborating information has been discovered, the member shall not be required to submit to the examination.

400.3.4 Chief Actions

The Chief of Police, upon receipt of a disciplinary report and recommendation for action or exoneration from the accused member's chain of command, shall review the case file, facts found, and action recommended.

The Chief of Police may rule to exonerate the accused member, find the complaint unfounded, not sustained, sustained, or remand the case to the Administrative Services Divisions for further investigation if deemed necessary.

The Chief of Police may impose any disciplinary or corrective action deemed appropriate as justified by the record and authorized by the law and Civil Service rules and regulations.

In the case of a suspension, the Chief of Police shall, in writing, notify the accused member of specific charges, any disciplinary action to be imposed, and the member's right to appeal the administrative action to the Civil Service Board in accordance with the rules established by the Civil Service Board.

The charging form shall include:

a. The particular rule(s) or policies which are alleged to have been violated.
b. A statement of alleged acts or omission which constitutes the violation.
c. The date, time, and location of the alleged acts or omissions.
d. The disciplinary action.
e. It is the charged member's right to accept the disciplinary action as ordered, or appeal the Chiefs action to the Civil Service Board for a hearing.
f. Nothing in this order will diminish the authority of the Chief of Police to order suspension or file charges with the Civil Service Board.

EMPLOYEE SELECTION PRACTICES

401.1 PURPOSE AND SCOPE

This policy is to specify the Administrative Services Division's responsibilities in the selection and hiring of employees for the Lafayette Police Department.

401.2 POLICY

It is the policy of the City of Lafayette Police Department to select and hire the most qualified sworn and non-sworn employees possible. To achieve the goal of hiring the best employees available, this department shall practice a regimented and rigorous selection process while simultaneously affording equal opportunity to everyone who might apply.

401.3 PROCEDURES

The Administrative Services Division shall disseminate standard operating procedures to ensure that all matters of employment, as they relate to the personnel function, are in compliance with county, state, and federal laws which mandate equal opportunity and forbid discrimination in the workplace.

At a minimum, such standard operating procedures shall specify the process for the selection of qualified applicants for sworn and non-sworn positions.

The minimum qualifications for selection to sworn positions in this department shall meet or exceed the minimum state qualifications set forth by merit law.

A copy of the qualifications, as promulgated by the Administrative Services Division, shall be provided to each applicant as part of the application.

The Captain of Administrative Services shall ensure that all elements of the selection process are administered, scored, evaluated, and interpreted in a fair and uniform manner.

The Captain of Administrative Services will ensure that all testing, examinations, interviews, and investigations used in the selection process are conducted by personnel trained to conduct such functions.

The Administrative Services Division will ensure that all applicants receive notification of the disposition of their application.

Any and all test results pertaining to each applicant shall be recorded and maintained as a part of this department's personnel records for a period to be determined by the Chief's Office and maintained in a secure area with restricted access.

POLICY 402

LAFAYETTE POLICE DEPARTMENT

Policy Manual

OFFICER RE-APPOINTMENT

402.1 PURPOSE AND SCOPE

This policy is to establish a consistent and fair procedure in recognizing previous years of service for re-appointed members of this department.

402.2 POLICY

In the past, members have resigned their position within the department for other employment opportunities. In many cases, these members have sought and gained re-appointment with the department after a period of absence. Historically, years of service have been the baseline used in determining vacation time, eligibility for consideration for promotion/specialty duties (i.e. SWAT Team, detectives), and shift bidding rights. The following guideline have been established to clarify the circumstances for when the department will recognize the previous years of service of a re-appointed member.

402.3 PROCEDURE

A previously employed officer who re-applies for a sworn position within twelve (12) months of resignation and is eventually rehired shall be entitled to count previous years of service when calculating:

a. Amount of annual vacation time earned.
b. Eligibility for application for promotion/special duties.
c. Shift seniority/bidding rights.

The department will not recognize previous years of service for a re-hired, previously employed officer if that officer's application for re-hire is not submitted and received within twelve (12) months since the date of resignation.

Officers re-hired under these circumstances will be considered probationary officers and their years of service will be calculated with their new date of hire.

Any previously employed officer seeking re-appointment with the department will be subjected to the same screening process as any other applicant. As such, successful completion of each phase of the screening process is required before that officer will be considered for employment.

This policy deals solely with privileges that the department affords to sworn personnel and has no direct bearing on years of previous service in determining retirement through the 1977 Police Officer' and Firefighters Pension and Disability Fund (PERF.)

BRADY DISCLOSURE REQUIREMENTS

403.1 PURPOSE AND SCOPE

It is the purpose of this policy to provide officers with the information necessary to properly fulfill the reporting and testimonial requirements mandated under U.S. Supreme Court decisions including Brady v. Maryland 373 U.S. 83 (1963) and Giglio v. U.S. 405 U.S. 150 (1972).

403.2 DEFINITIONS

Exculpatory evidence: evidence is exculpatory if it tends to negate the defendant's responsibility for the charged crime and is material to guilt or punishment.

Material evidence: evidence is material when there is reasonable probability that it would affect the outcome of a criminal proceeding or trial.

Impeachment evidence: evidence that demonstrates that a witness is biased or prejudiced against a party, has some other motive to fabricate testimony, or has a poor reputation for truthfulness.

403.3 POLICY

The Lafayette Police Department will conduct fair and impartial criminal investigations and will provide the prosecution with both incriminating and exculpatory evidence, as well as information that may adversely affect the credibility of a witness. In addition to reporting all evidence of guilt, the Lafayette Police Department will assist the prosecution by complying with its obligation to disclose information that is both favorable and material to the defense. The department will identify and disclose to the prosecution potentially exculpatory information, as provided in this policy.

403.3.1 Disclosure of Investigative Information

Officers must include in their investigative reports adequate investigative information and reference to all material evidence and facts that are reasonably believed to be either incriminating or exculpatory to any individual in the case. If an officer learns of potentially incriminating or exculpatory information anytime after submission of a case, the officer or the handling investigator must prepare and submit a supplemental report documenting such information as soon as practicable. Supplemental reports shall be promptly processed and transmitted to the prosecutor's office.

If information is believed to be privileged or confidential (e.g., informant or protected personnel files), the officer should discuss the matter with a supervisor and/or prosecutor to determine the appropriate manner in which to proceed.

403.3.2 Brady Process

The Administrative Services Division will coordinate requests for Brady information. The responsibilities include, but are not limited to:

(a) Working with the appropriate prosecutors' offices and the City Attorney's office to establish systems and processes to determine what constitutes Brady information and the method for notification and disclosure.
(b) Maintaining a current list of members who have Brady information in their files or backgrounds.

403.3.3 Disclosure of Requested Information

Disclosure of information to the prosecutor:

a. Material Evidence: The Lafayette Police Department shall disclose to the prosecutor all evidence pertinent to criminal investigations.
b. Substantiated/Sustained Findings of Misconduct: The Lafayette Police Department shall disclose to the prosecution information regarding any final determination by the Chief of Police, or his designee, of a sustained finding against an employee related to dishonesty, untruthfulness, or bias regardless of discipline given.
c. Criminal Convictions: The Lafayette Police Department shall disclose to the prosecution information regarding criminal convictions of an employee if related to dishonesty or untruthfulness.
d. In-Lieu-of Actions/Agreements: Actions and agreements such as resignation, demotion, retirement, or separation from service of an employee/officer in lieu of disciplinary action may be Brady information if it is relevant to the case at hand.
e. Use of Force: Prior use of excessive force, when use of force is pertinent to the ongoing criminal prosecution, shall be considered Brady material.

403.3.4 Exceptions

Allegations that are unsubstantiated, not sustained, not credible, without merit, false, or have been determined to be unfounded are not Brady information and shall not be reported to the prosecutor. This includes rumor and speculation.

403.3.5 Notifications

If Brady information exists, the employee/officer who is the subject of the information shall be notified. The notification shall include the opportunity to review the information that will be presented to the prosecutor. If the information identifies any other individual who may have privacy rights to the information, the department shall notify that person of the intent to release information to the prosecutor.

RELEASE OF INFORMATION

404.1 PURPOSE

To provide guidelines for the release of information to the public and media. These guidelines are not intended to cover every instance, but it is felt that these guidelines, combined with common sense, will cover most questions in these sometimes-sensitive areas.

404.2 POLICY

The right of the public to know is a premise deeply seated in the American way of life. Normally, this right to know is fostered through the various forms of the news media. It therefore becomes incumbent upon the Department to make available to the media certain information relevant to our duties. We must forever keep in mind the rights of those accused so as not to prejudice any future judicial proceedings. It is with this in mind that this policy is designed.

404.3 PROCEDURES

It is the policy of this Department that when a crime is believed to have been committed, pertinent facts relating to the crime itself and to investigative procedures may properly be made available. The identity of a suspect prior to arrest and the results of investigative procedures shall not be disclosed except to the extent necessary to:

a. To aid in the investigation,
b. To assist in the apprehension of the suspect, and/or
c. To warn the public of any dangers.

Members shall not cause;

a. The deliberate posing of a person in custody for photographing or televising by representatives of the news media, and
b. The interviewing by representatives of the news media of a person in custody unless:
    1. In writing, the subject requests or consents to an interview after being adequately informed of his rights to consult with counsel, and
    2. After being adequately informed of his right to refuse to grant an interview.

From the time of arrest, issuance of an arrest warrant, or the filing of any complaint, information or indictment in any criminal matter, until the completion of trial or disposition without trial, no law enforcement officer within this agency shall release or authorize the release of any extra judicial statement for dissemination by any means of public communication relating to that matter and concerning:

a. The prior criminal record (including arrest, indictments, or other charges of a crime), or the character or reputation of the accused.

b. If the accused person has not been apprehended, any information necessary to aid in their apprehension or to warn the public of any dangers they may present may be released.
c. The existence or contents of any confession, admission, or statement given by the accused person, or the refusal or failure of the accused to make any statement, except that: the officer may announce without further comment that the accused denies the charges made against him.
d. The performance of any examinations or tests or the accused refusal or failure to submit to an examination or test.
e. The identity, testimony, or credibility of prospective witnesses, except that the officer may announce the identity of the victim if the announcement is not otherwise prohibited by law.
f. The possibility of a plea of guilty to the offense charged or any lesser offense.
g. Any opinion as to the accused guilt or innocence or as to the merits of the case or the evidence in the case.

It shall be appropriate during this period for a member:

a. To announce the fact and circumstances of arrest, including the time and place of arrest, resistance, pursuit, and use of weapons.
b. To announce the identity of the investigating and arresting officer, agency, and the length of the investigation.
c. To make an announcement, at the time of seizure of any physical evidence other than a confession, admission, or statement, which is limited to a description of the evidence seized.
d. To disclose the nature, substance, or text of the charge, including a brief description of the offense charged.
e. To quote from or refer without comment to public records of the court in the case.
f. To announce the scheduling or result of any stage in the judicial process.
g. To request assistance in obtaining evidence.

Any officer of this department may provide the above-authorized information to the news media regarding newsworthy incidents such as, but not limited to, low profile criminal or vehicle crash investigations.

If an inquiry is received regarding a high profile investigation or one involving departmental procedures or internal matters, any media release given shall be made by a designated Public Information Officer or the Chief of Police, or his designee. Representatives of the media should be directed accordingly.

Under no circumstance should any member of this department make any comment to the media regarding any law enforcement incident not involving this department without prior approval of the Chief of Police. Under these circumstances, the member should direct the media to the agency handling the incident.

To protect the safety and rights of department members and other persons, advance information about planned actions by law enforcement personnel, such as movement of persons in custody or the execution of an arrest or search warrant, should not be disclosed to the media, nor should media representatives be invited to be present at such actions except with the prior approval of the Chief of Police.

Any exceptions to the above should only be considered for the furtherance of legitimate law enforcement purposes. Prior to approving any exception, the Chief of Police will consider, at a minimum, whether the release of information or the presence of the media would unreasonably endanger any individual or prejudice the rights of any person or is otherwise prohibited by law.

Nothing in this rule precludes any member from replying to charges of misconduct that are publicly made against him/her or precludes any member from participating in any legislative, administrative, or investigative hearing, or supersedes any more restrictive rule governing the release of information concerning juvenile or other offenders.

The identities of officers involved in shootings or other critical incidents may only be released to the media upon the approval of the Chief of Police. Any requests for copies of related reports or additional information not contained in the daily bulletin shall be referred to a public information officer. Requests should be reviewed and fulfilled by the Captain of Administrative Services. Such requests will be processed in accordance with the provisions of the Indiana Public Records Act

POLICY 405

LAFAYETTE POLICE DEPARTMENT

Policy Manual

JUVENILE ARRESTS AND PUBLIC INFORMATION

405.1 PURPOSE

To provide guidelines for the release of information pertaining to investigations/arrests of juveniles while protecting the confidentiality of records as mandated by law.

405.2 POLICY

All records pertaining to allegations of juvenile delinquency or children in need of services are deemed confidential by Indiana State law. IC 31-39-3-4 mandates that “each law enforcement agency shall take appropriate actions to protect these records from unauthorized disclosure.”

405.3 PROCEDURES

IC 31-39-3-2 determines that the following information is considered public information in allegations of juvenile delinquency, which would be a crime if committed by an adult.

a. The nature of the offense allegedly committed and the circumstances immediately surrounding it, including the time, location, and property involved.
b. The identity of any victim.
c. A description of the method of apprehension.
d. Any instrument of physical force used.
e. The identity of any officers assigned to the investigation except for the undercover units.
f. The age and sex of any child apprehended or sought for the alleged commission of the offense.

The identity of a child shall be public information if the child is apprehended or sought for the alleged commission of an act specified under IC 31-30-1-2, IC 31-30-1-4 or IC 31-30-3-3 (waiver to adult court.)

The identity of the alleged juvenile offender is also public information:

a. If a child at least sixteen (16) years of age who allegedly committed a violation of a misdemeanor traffic law, unless the violation is an offense under IC 9-30-5 (offense relating to OWI.)
b. If a child who allegedly committed a violation of an infraction, unless the violation is an offense under IC 7.1-5-7 (Alcohol Violations relating to Minors.)
c. If a child who allegedly committed a violation of an ordinance.
d. If a child who is alleged to have committed an act that would be a crime if committed by an adult; and that child has previously been waived to adult court.

IC 31-30-1-4 then lists the following offenses and therefore the identity of the alleged offender is also public information, if the individual was sixteen (16) years of age or older at the time of the alleged violation:

a. IC 35-42-1-1 (murder)
b. IC 35-42-3-2 (kidnapping)
c. IC 35-42-4-1 (rape)
d. IC 35-42-4-2 (criminal deviate conduct)
e. IC 35-42-5-1 (robbery) if:
    1. It was committed while armed with a deadly weapon;
    2. It results in bodily injury or serious bodily injury.
f. IC 35-42-5-2 (carjacking)
g. IC 35-45-9-3 (criminal gang activity)
h. IC 35-45-9-4 (criminal gang intimidation)
i. IC 35-47-2-1 (carrying a handgun without a license)
j. IC 35-47-10 (children and firearms)
k. IC 35-47-5-4.1 (dealing in a sawed-off shotgun)
l. IC 35-48-4-1 (dealing in cocaine or a narcotic drug)
m. IC 35-48-4-2 (dealing in a schedule I, II, or III controlled substance)
n. IC 35-48-4-3 (dealing in a schedule IV controlled substance)

Records relating to the detention of any child in a secure facility shall be open to public inspection. {IC 31-39-3-3} Questions should be referred to the juvenile division commander or the Captain of Detectives.

DEPARTMENT USE OF SOCIAL MEDIA

406.1 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

Use of social media as part of a criminal investigation, other than disseminating Information to the public on behalf of this department

406.2 DEFINITIONS

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.

406.3 POLICY

The Lafayette Police Department will use social media as a method of effectively informing the public about department services, issues, investigations, recruitment 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.

406.3.1 Authorized Users

Only members authorized by the Chief of Police or the authorized designee may utilize social media on behalf of the Department. 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.

406.3.2 Department Sanctioned Use

Personnel representing the department via social media outlets shall do the following:

Conduct themselves at all times as representatives of the department and, accordingly, shall adhere to all department standards of conduct, policies, rules and regulations. Unless used for a covert purpose, identify themselves as a member of the department.

Not make statements about the guilt or innocence of any suspect or arrestee, or comments concerning pending prosecutions, nor post, transmit, or otherwise disseminate confidential information, including photographs or videos, related to department training, activities, or work-related assignments without expressed written authorization of the Chief of Police.

Shall not conduct political activities or private business.

Use of personally owned devices to manage the department's social media activities or in the course of official duties is prohibited without expressed written permission.

Personnel shall observe and abide by all copyright, trademark, and service mark restrictions in posting materials to electronic media.

406.3.3 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.

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. Media releases.
h. Recruitment of personnel.

406.3.4 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 Lafayette 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 the department’s social media site that a member 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.

406.3.5 Public Posting Prohibited

Department social media sites shall be designed and maintained to prevent posting of content by the public. The department may provide a method for members of the public to contact department members directly.

POLICY
500

LAFAYETTE POLICE DEPARTMENT

Policy Manual

DEATH INVESTIGATIONS

500.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for situations where officers initially respond to and investigate the circumstances of a deceased person. 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 and use of appropriate resources and evidence-gathering techniques is critical.

500.2 POLICY

It is the policy of the Lafayette Police Department to investigate incidents involving the death of a person, including those from natural causes, accidents, workplace incidents, suicide and homicide. All investigations will be documented in a case report.

500.2.1 Investigation Considerations

Emergency medical services and fire personnel shall be called in all suspected death cases unless death is obvious (e.g., decapitated, decomposed).

Officers are responsible for securing the scene of any death investigation and ensuring that a supervisor is notified. Responding Officers will treat every death scene as a homicide until a reasonable determination is made otherwise. It is the responsibility of the supervisor to determine whether follow-up investigation is required. The patrol supervisor is also responsible for allocating additional resources or support personnel, and to notify the Detective Division as necessary. The Detective Division will be notified of any suspicious deaths. The exception to this would be a fatal traffic accident which is being investigated by a member of the department's Traffic Crash Investigation Team, or the Fatal Alcohol Crash Team.

500.2.2 Coroner Request

Officers are not authorized to pronounce death unless they are also coroners, deputy coroners or appointed coroner investigators. The Coroner shall be called in all sudden or unexpected deaths or deaths due to other than natural causes. State law requires that the Coroner be notified when any person dies (I.C. § 35-45-19-3):

a. As a result of violence, suicide, or accident.
b. Suddenly when in apparently good health.
c. While unattended.
d. From poisoning or an overdose of drugs.
e. As a result of a disease that may constitute a threat to public health.
f. As a result of a disease, an injury, a toxic effect, or unusual exertion incurred within the scope of the deceased person's employment.

g. Due to sudden infant death syndrome.
h. As a result of a diagnostic or therapeutic procedure.
i. Under any other suspicious or unusual circumstances.

500.2.3 Role of Detective Division

Upon arrival to any death scene, the responding detective commander or his/her designee shall be responsible for the conduct, direction, and/or resources of all death investigations.

POLICY 501

LAFAYETTE POLICE DEPARTMENT

Policy Manual

CRIMINAL INTELLIGENCE INFORMATION

501.1 PURPOSE

The purpose of this policy to provide members in general, and those members assigned to the criminal intelligence function in particular, with guidelines for the collection, analysis and distribution of criminal intelligence information.

501.2 DEFINITION

Criminal Intelligence Information is defined in Indiana Code 5-2-4-1 (2) as information on identifiable individuals compiled in an effort to anticipate, prevent or monitor criminal activity, including terrorist activity. Criminal intelligence information does not include criminal investigative information which is information on identifiable individuals compiled in the course of the investigation of specific criminal acts.

28 CFR Part 23 - A federal regulation for law enforcement agencies to implement standards for operating federally funded multi-jurisdictional criminal intelligence systems. It applies to systems operating through federal funding under the Omnibus Crime Control and Safe Streets Act of 1968.

Criminal Intelligence - Information that has been collected, analyzed, and disseminated based on activities and associations of individuals, groups, businesses, and organizations that are identified as being involved or potentially involved in criminal behavior or activities.

Strategic Intelligence - Information concerning existing patterns or emerging trends of criminal activity designed to assist in criminal apprehension and crime control strategies, for both short and long-term departmental goals.

Reasonable Suspicion - Established when information exists which provides sufficient facts to give a trained law enforcement or criminal investigative agency officer, investigator or employee a basis to believe that there is a reasonable possibility that an individual or organization is involved in a definable criminal activity or enterprise. Reasonable suspicion is the minimum threshold necessary for submission of a criminal intelligence record to a criminal intelligence database.

Need-to-know - Necessity to obtain or receive criminal intelligence information in the performance of official responsibilities as a law enforcement or criminal justice authority.

Right-to-know - Legal authority to obtain or receive criminal intelligence information pursuant to court order, statute, or decisional law

501.3 POLICY

Information gathering is a fundamental and essential element in the duties of any law enforcement agency. When acquired, information is used to prevent crime, pursue and apprehend offenders, and obtain evidence necessary for conviction.

It is the policy of the Lafayette Police Department to maintain compliance with all applicable Indiana Codes governing the collection, analysis, and distribution of criminal intelligence information, the language of which is consistent with Federal Regulation 28 CFR Part 23: “Criminal Intelligence Systems Operating Policies”.

Specifically, IC 5-2-4-3 “Grounds Required for Collecting and Keeping Information”, states: Criminal Intelligence information concerning a particular individual shall be collected and maintained by a state or local criminal justice agency only if grounds exist connecting the individual with known or suspected criminal activity and if the information is relevant to that activity.

In addition, IC 5-2-4-5 “Political, Religious or Social Information Prohibited”, states: No criminal justice agency shall collect or maintain information about the political, religious or social views, associations or activities of any individual, group, associations or activities of any individual, group, association, corporation, limited liability company, business, or partnership unless such information directly relates to an investigation of past or threatened criminal acts or activities and there are reasonable grounds to suspect the subject of the information is or may be involved in criminal acts or activities.

It is the mission of the intelligence function to gather information from all sources in a manner consistent with the law, and to analyze that information to generate criminal intelligence on the existence, identities, and capabilities of criminal suspects and enterprises generally, and in particular, to further crime prevention and enforcement objectives identified by the Lafayette Police Department.

501.3.1 Organization

Primary responsibility for the direction of criminal intelligence operations, personnel assigned to the criminal intelligence function, and the collection, evaluation, analysis and dissemination of criminal intelligence information housed at the LPD is held by the Captain of the Operations Division.

The Captain of the Operations Division shall report the activities of the intelligence function directly to the Office of the Chief in a manner and on a schedule prescribed by that authority.

The Captain of Operations shall ensure that the activities of the criminal intelligence functions are in compliance with the policies, procedures, mission, and goals of the LPD.

The gathering of information in support of the intelligence function is the responsibility of each member of the LPD. Although specific assignments to criminal intelligence operations will be made as deemed necessary by the Office of the Chief.

501.3.2 Criminal Intelligence Functioning Operations

The Lafayette Police Department will maintain compliance with all Indiana Codes governing the storage, review, confidentiality, and dissemination of criminal intelligence information.

IC 5-2-4-2 “Reference to Intelligence File Prohibited”, states: Criminal intelligence information shall not be placed in a criminal history file, nor shall a criminal history file indicate or suggest that a criminal intelligence file exists on the individual to whom the information relates. Criminal history information may, however, be included in criminal intelligence files.

IC 5-2-4-4 “Review of Retention File”, states: Criminal intelligence information shall be reviewed by the chief executive officer of the criminal justice agency at regular intervals to determine whether the grounds for retaining the information still exists, and if not, it shall be destroyed.

IC 5-2-4-6 “Information Confidential-Need to Know”, states: Criminal intelligence information is hereby declared confidential and may be disseminated only in accordance with section 7 [IC 5-2-4-7] of this chapter, and only if the agency making the dissemination is satisfied that the need to know and intended uses of the information are reasonable and that the confidentiality of the information will be maintained.

IC 5-2-4-7 “Unauthorized release of Information-Penalty”, states: (a) except as provided in subsection (b), a person who knowingly releases criminal intelligence information to an agency or person other than a criminal justice agency commits a class A misdemeanor.

When necessary to avoid imminent danger to life or property, a criminal justice agency may disseminate an assessment of criminal intelligence information to: (1) a government official; or (2) another individual: (A) whose life or property is in imminent danger; (B) who is responsible for protecting the life or property of another person; or (C) who may be in a position to reduce or mitigate the imminent danger to life or property.

MISSING CHILDREN REPORTS

502.1 PURPOSE AND SCOPE

To provide a guideline for the receipt and initial investigation of the various types of missing children reports.

502.2 DEFINITIONS

Child - any person under the age of 18.

Missing child - a child outside the care/control of their parent, guardian, or caretaker.

Endangered - a missing child who fits one or more of the following categories:

a. 12 years old or younger or believed to be; out of their “safety zone” for their age and development (i.e. a young child from out of town lost at Columbian park.)
b. Mentally incapacitated.
c. In a life-threatening situation (needs medication, etc…) in the company of others who could endanger his/her welfare (i.e. abduction, etc…)

Runaway - a child who voluntarily leaves custody/care of guardian or caretaker (note: a runaway can be an endangered child.)

Abducted - a missing child who has been involuntarily removed from guardian child or caretaker custody. Abductions fall into two broad categories;

Family - a family member has taken the child that does not have legal authority.

Non-family- a person not related to the child has taken the child without the permission or knowledge of the guardian.

AMBER™ Alert - alert used to provide a statewide system for the rapid dissemination of information regarding abducted children (I.C. § 10-13-5-1).

502.3 POLICY

It is the policy of this department to thoroughly investigate reports of all missing children and to treat every child reported missing as “at-risk” until information to the contrary is confirmed.

502.4 PROCEDURE

This section outlines the basic responsibilities of each department member involved in such a call.

502.4.1 Type of Response

Identifying the Child's status:

a. If the caller reports a runaway 12 YEARS OLD OR YOUNGER or the child is endangered, regardless of age, an officer will be dispatched to the scene as soon as possible.
b. If the caller reports a runaway 13 YEARS OLD OR OLDER and there are no endangering circumstances given.
c. If a caller reports a LOST OR MISSING CHILD, regardless of age, an officer will be immediately dispatched to the location the child was last seen. The caller will be instructed to meet the officer at that location.
d. If a caller reports an ABDUCTED CHILD an officer should be immediately dispatched, and the shift commander notified. Details of the abduction should be obtained by dispatcher and broadcast to all units immediately. Information should be given to all area agencies for immediate broadcast.

When member verifies a child is missing (whatever the circumstance) information will be given to a dispatcher for immediate entry into IDACS/NCIC in compliance with federal law.

502.4.2 First Responding Officer

Respond in an appropriate manner (emergency response may be warranted.) Identify caller, and the witness/complainant with most information (i.e. person to last see child.)

Collect information (basic who/what/why/when/where/how); establish the time frame between when the child was last seen and when they were discovered "missing."

Based on the information gathered, make an initial assessment of the type of incident; if not enough information is developed for a clear assessment, treat the incident as an abduction.

If the report is of a runaway age 12 or younger, or endangered at any age, request assistance for a preliminary search for the child while the initial investigation is completed.

a. Once enough information has been gathered, notify communications by phone or radio for an immediate attempt to locate broadcast and entry of the missing child into IDACS/NCIC.
b. Obtain a parent/guardian signature on the clearinghouse report form.
c. Obtain a photograph of the missing child.
d. Notify the shift commander of the situation.
e. Carefully observe the conditions of the child's home.
f. Assess report; is this case a true runaway?

If the report is of a runaway 13 or older, with no endangering factors, investigate the runaway.

a. Have the parent or guardian sign the clearinghouse report form.
b. Obtain a recent photograph of the missing child.
c. Have the missing child entered into IDACS/NCIC.
d. Follow-up any immediate leads on the missing child's location.

e. Request broadcast of child's description and possible locations.

If the initial report is of a lost child:

a. Distribute information of the child's description and possible locations via e-mail, MCT or BOLO
b. Search the child's home and immediate area with focus on places child might hide and become trapped (vehicles, crawl spaces, etc…)
c. Request additional unit(s) for search as area dictates
d. Identify additional witnesses who can verify the reporter's account of the incident.
e. Preserve/secure scene, if it is identifiable where child was last seen.
f. Identify child's "comfort zone" (places child might play or be attracted to.)
g. If child was lost away from home, ensure there is someone at the child's residence if the child returns home.

If child is not found in a reasonable (short) amount of time:

a. Have the child entered into IDACS/NCIC within 2 hours of the report.
b. Have parent or guardian sign clearinghouse report form.
c. Handle case with "abduction" response protocol.

If the report is of an abducted child:

a. Provide immediate broadcast of child/suspect descriptions, relationship of child to suspect, vehicle description, type of force used.
b. Search home and immediate area (comfort zone.)
c. Request additional units and notify shift commander immediately.
d. If the adduction was witness:
    1. Isolate witnesses.
    2. Secure the crime scene.
e. If abduction was not witnessed, identify crime scene as soon as possible.
f. Coordinate preliminary search of area from information gathered, if warranted.
g. As soon as possible, have information provided to communications for entry into IDACS/NCIC.
h. Have parent of guardian sign missing child report (clearinghouse form.)

(The initial responding officer's responsibility is large, so many of these tasks may be delegated to other responding officers. The responsibility for completion of these tasks will remain with the first responder.)

502.4.3 Responding Shift Commander (in case of abduction or possible abduction.)

Confirm initial responding officer's assessment of situation.

Have communications notify Chief, Deputy Chief and Division Captains.

Assess whether an Amber Alert is warranted.

The following criteria are utilized to determine if an AMBER™ Alert should be requested (I.C. § 10-13-5-4):

a. An officer has a reasonable belief that an abduction has occurred.
b. An officer believes that a child is in imminent danger of serious bodily injury or death.

c. Enough descriptive information exists about the victim and the abductor for this department to request that the superintendent of the Indiana State Police (ISP) issue an AMBER™ Alert.
d. The victim of the abduction is a child less than 18 years of age.
e. The victim is a temporary or permanent resident of the state of Indiana.

The following procedures for initiating an AMBER™ Alert are used when a member of the Lafayette Police Department receives a report from a parent or guardian that a child is missing:

a. Obtain approval to activate an Alert through shift command.
b. Activation of an Alert is processed through IDACS. The case officer shall provide all relevant information to the Dispatch Center for activation through IDACS.
c. Contact can be made by calling the Fusion Center at 1-866-400-4432 for additional assistance
d. Contact can be made with the Indiana Missing and Exploited Child and Adult Clearinghouse at 1-800-831-8953 for additional assistance.

Assess whether a Silver Alert is warranted.

The following criteria are utilized to determine if a SILVER Alert should be requested:

a. The person must be a Missing Endangered Adult, Missing Endangered Child, or High Risk Missing Person or have a mental impairment validated through a credible medical authority (Physician, Physician's Assistant, or Nurse Practitioner).
b. There must be enough descriptive information to believe the broadcast will help.
c. Request must be recommended by the law enforcement agency of jurisdiction.
d. Enter the person into IDACS/NCIC with message key EME.
e. If you believe the criteria has been met, call the Clearinghouse at 800-831-8953 as soon as possible. Clearinghouse personnel will verify the criteria has been met and request you obtain a recent image of the missing person and complete the INDIANA SILVER ALERT REQUEST FORM at https://www.in.gov/isp/3412.htm.

Request additional personnel as needed:

a. Investigative personnel
b. Evidence Technician if crime scene is identified.
c. Additional Dispatch personnel for Amber Alert or Silver Alert.
d. Additional on-duty officers for search, if needed.
e. Activation of Tactical Team for additional search personnel, if needed.

Establish command post separate from the crime scene or victim's house.

Assign personnel:

a. Search Team Leader (if needed) if the child was reported missing from another location, go to the child's home, and search their room and the immediate area (with consent). Be mindful the child may have returned home and may be hiding in or near their house.
b. Member to remain with victim's family (to conduct in-depth interview, provide assistance, etc…)
c. Team Leader to organize neighborhood canvass, if applicable.
d. Brief arriving personnel and assign them tasks as needed.

502.4.4 Responding Detectives (in case of abduction or possible abduction)

Debrief first responders.

Interview witnesses.

Initiate records checks on victim, parents.

Review developed information and resolve contradictory information.

Coordinate and provide information gathered to command post for distribution to search teams, etc.

Consider immediate media contact, coordinate news release through one source.

502.4.5 Other Circumstances

Runaway reports:

a. All cases of reported runaways will be assigned to a detective. It is the discretion of the shift commander if case should go through normal case assignment, or if a detective should be immediately contacted.
b. If a missing child reported as a runaway reaches the age of emancipation, the reporting parent or guardian will be contacted and a missing person report will be offered as an option to the reporting party. If the reporting party declines to report the runaway as missing or they have had contact with the missing person, the runaway report will be cancelled.

Family Abductions:

a. If it is determined the child has been taken by a known family member:
    1. The first responder will attempt to identify the legal guardian, and verify, if possible, the family member has no legal guardianship over the child.
    2. The first responder will determine by investigation whether the child's welfare is endangered.
b. If it is determined the child is endangered the initial investigation will proceed as a possible abduction.

Once initial investigation has been conducted, the prosecutor or one of his deputies will be contacted and advised of the situation and request an opinion on whether the case is civil, criminal, or unable to determine. If the case opinion is not civil then the investigation will proceed as an abduction.

PROFESSIONAL APPEARANCE STANDARDS

600.1 PURPOSE

The Lafayette Police Department will strive to display a high standard of personal appearance and has established the following policy regarding those standards.

600.2 POLICY

600.2.1 Hair

Hair must be clean, neat, combed and of a natural color.

Hair shall not be worn longer than the top of the shirt collar, at the back of the neck, when standing with the head in a normal posture.

Hair shall not extend more than ¼" (one quarter inch) below the top of the ear.

The bulk or length of the hair shall not interfere with normal wearing of all standard department headgear. Sideburns shall be neatly trimmed, and shall not extend below the bottom of the ear lobe, unless in conjunction with a beard.

Female officers shall wear their hair in a manner in which it does not extend below the bottom line of the shirt collar. The only exception to this would be for the hair to be pulled back in a ponytail, or bun. Bangs shall not extend to a length that interferes with vision.

Members shall be clean-shaven, but may have a mustache with or without a beard that conforms to the following:

(1) The mustache must be neatly trimmed and not extend below the upper lip line or below the corners of the mouth, unless in conjunction with a beard or goatee.
(2) No facial hair will be allowed on the neck or upper cheek area.
(3) Any beard or goatee must be accompanied by a mustache, and all facial hair must be of a natural color.

All facial hair will not exceed ¼ (one quarter inch) in length.

600.2.2 Earrings

Male members are prohibited from wearing earrings while on duty.

Female members are allowed to wear earrings as long as they do not dangle from the ear.

600.2.3 Tattoos

Tattoos may be visible by members of this department while on duty and in their official capacity with the exception of court appearances where members are required to wear either their class-A or class-B long sleeve uniform shirt. The class-A long sleeve uniform shall be worn for all jury trials unless directed otherwise by your commander. The class-B long sleeve shall be worn during traffic court if the member has visible tattoos. Detectives will wear the appropriate formal attire unless directed otherwise by their commander or at the request of the prosecutor's office.

Any member wishing to obtain a tattoo or currently has a tattoo to include new hires, that would be visible in the short sleeve uniform shirt, must first present the tattoo to the professional appearance board for review. The professional appearance board will then review the proposed/current tattoo and submit their recommendations to the Adams Group for final approval. The professional appearance board will consist of members from the rank of officer to Lieutenant from multiple divisions. A Lieutenant from Administrative Service shall serve as the board executive.

The following guidelines will apply to all tattoos:

a. Tattoos representing bias against any group or protected class are prohibited.
b. Tattoos containing offensive, vulgar, or lewd words or images are prohibited.
c. Tattoos on the face, head, hands or neck are prohibited. No tattoo shall extend below the break of the wrist.
d. The adding of any content to an existing approved tattoo must follow the above described approval process.

600.2.4 Hats

Members in Class A uniform will be expected to wear their issued class a uniform hat at appropriate times, such as special crowd control assignments and funerals.

Members will be authorized to wear the approved baseball style cap with the Class B uniform only. The only exception is for special events, with prior approval from the division commander.

a. The ball cap will be a navy blue, fitted style, structured baseball cap.
b. Refer to the Uniform Division SOP for authorized design.

During the cold weather months, a head band, trooper cap (with flaps), skull cap or watch cap may be worn with all Uniform Classifications.

600.2.5 Uniform Specifications

Uniforms must be properly tailored, in good repair, properly cleaned and pressed.

Line officers must wear polished Indiana state seal silver buttons.

Commanding officers must wear polished Indiana state seal brass buttons.

Members may wear short or long sleeves dependent on the current weather conditions. Members shall use common sense in this approach to maintain uniformity in appearance.

Funeral dress will be the Class A long sleeve uniform with tie and hat, unless otherwise specified by the Chief or his designee.

Officers may elect to wear the Class A or Class B uniform while on duty.

a. Metal badge and name plate must be affixed to the outer most garment in all Uniform Classifications, directly below the badge on the officer's left chest.
b. Each member is required to maintain the Class A Uniform at all times regardless of job assignment.

Mock turtlenecks must be black in color and not have any readily apparent logos that stand out in a contrasting color. Silver or gold LPD embroidery is optional. The neck of the mock turtleneck should be in good condition and not have apparent stretching.

600.2.6 Footwear/Leather

Footwear and leather must be clean and is required to have a leather toe capable of being polished. Footwear must be black in color, and clear of any scuffmarks or visible contrasting manufacturers' logos. Clarino finish shoes are also authorized.

600.2.7 Uniform Hardware and Weapons

Only authorized hardware is to be attached to the uniform. All hardware will be clean, polished and in good repair. (See Uniform Division SOP)

Members must carry the department owned, authorized and issued handgun. Members will be accountable for cleaning and inspecting their weapon.

Members must carry all issued equipment on their person, unless authorized by the Chief's Office otherwise.

600.2.8 Uniform Classifications

Class A Uniform

a. The Class A Uniform shall be worn for courtroom testimony and funeral details. The only exceptions to this would be traffic court, where the Class B long sleeve uniform may be worn, or if a specific uniform is requested by the Prosecutors Office. Detectives or administrative personnel may wear formal civilian attire.
b. See the Uniform Division SOP for Class A uniform specifics.

Class B Uniform

a. The Class B Uniform is authorized for general patrol use.
b. The Class B Uniform shall not be authorized for funeral details.
c. See the Uniform Division SOP for Class B uniform specifics.

Formal Dress Uniform

a. Officers will be authorized to wear the formal dress uniform for funerals, weddings, ceremonies, public speaking events or any occasion designated as appropriate by the Office of the Chief of Police.
b. See the Uniform Division SOP for Formal Dress uniform specifics.

Special Event Uniform

a. The Special Event Uniform is pre-authorized for all downtown festivals.
b. See the Uniform Division SOP for Special Event uniform specifics.

LPD Logo/Casual Wear Clothing

a. Police personnel will be authorized to wear the crest of the LPD Patch/Logo on casual wear clothing while on duty.
b. Police personnel wearing clothing items, which by lettering or logo designate them as a member of the Lafayette Police Department, shall conduct themselves appropriately and within rules and policy.
c. See the Uniform Division SOP for Casual Wear clothing specifics.

Plain Clothes Dress

a. Plain clothes officers shall, at all times, present a clean and professional appearance.
b. See the Uniform Division SOP for Plain Clothes dress specifics.

Vendors

a. It shall be the responsibility of each officer to ask their commanders if an item is approved to be worn.
b. A Uniform Division SOP will be established with approved items vendors and embroidery locations.

LAFAYETTE POLICE DEPARTMENT

Policy Manual

Uniform Requirements

The Lafayette Police Department will require all officers to commit to a professional personal appearance. This addendum will serve as the living document to outline approved uniform items and specific uniform equipment requirements to adhere to the Professional Appearance Standards policy.

The spirit of this living document uniform addendum is to readily adjust or modify approved uniform items without having to amend the Professional Appearance Standard policy. Uniform items may be adjusted for multiple reasons including, but not limited to;

a. Manufacturer discontinued uniform item
b. Improved uniform item identified
c. Poor uniform item performance
d. Tactical purposes

Members of the Lafayette Police Department receive uniform allowance and are expected to utilize allowance funds to purchase any uniform items in need of repair or replacement. Officers are expected to self-identify items in need of repair or replacement. Commanders, at any rank and of any division, will address officers in need of replacing or repairing equipment or uniform items.

Members wearing ill fitting, worn or disheveled uniform items, or utilizing unauthorized uniform items or equipment, once identified, will be required to conform to the Professional Appearance Standards policy.

Members may report or identify improved uniform items or equipment through their chain of command. Uniform items or equipment will require research and approval prior to officer use.

Uniform Specifications

Uniforms must be properly tailored and in good repair, properly cleaned and pressed.

Officers may elect to wear the Class A or Class B uniform while on duty.

Members may wear short or long sleeves with either Class A or Class B uniforms, dependent on the current weather conditions. Members shall use common sense in this approach to maintain uniformity in appearance.

Each member is required to maintain the Class A uniform at all times regardless of job assignment.

Funeral dress will be the Class A uniform long sleeve uniform with tie and hat, unless otherwise specified by the Chief or his designee.

Line officers must wear polished Indiana state seal silver buttons on Class A uniforms.

Commanding officers must wear polished Indiana state seal brass buttons on Class A uniforms.

All officers wearing the Class A or Class B uniform must present a department issues metal badge and name tag on the left breast. Metal badge and name plate must be affixed to the outer most garment in all Classes of uniform (exceptions require approval from Chief of Police).

Approved hats, footwear, undershirts, mock turtlenecks may not show any contrasting colors.

a. Mock turtlenecks and undershirts may be worn with the Class A or Class B uniform and must be black in color and must not have any readily apparent logos that stand out in a contrasting color. The neck of the mock turtleneck should be in good condition and not have apparent stretching.

Footwear and leather belt items must be clean and polished. Footwear must be black in color, of boot style construction and clear of any scuffmarks or visible contrasting manufacturer's logos.

Uniform Hardware and Weapons

a. Only authorized insignias are to be attached to uniform. All hardware will be clean, polished and in good repair. (Attachment 2)
b. Members must carry duty issued Glock model 17 or model 19 handgun.
c. Members will be accountable for cleaning and inspecting their weapon.
d. Members must carry all issued equipment on their person, unless authorized by the Chief's office otherwise.

Class A Uniform

Class A uniform consists of long and short sleeve polyester 7-button placket dress shirts that utilize silver or brass Indiana state seal buttons. The color is LAPD or dark navy. Matching plain dress uniform slacks are worn with this style.

Class A uniform pants will consist of a polyester plain dress trouser, dark navy or LAPD color.

LPD collar pins or rank collar brass will be worn on each collar.

A black t-shirt is worn under short sleeve shirt and may not extend lower than the sleeve.

A dark navy blue tie or approved mock turtleneck, black in color, is worn with long sleeve Class A shirt.

Approved insignias may be worn with this uniform style. (Attachment 2).

Only high gloss leather belt and holster may be worn with this uniform.

The ballistic vest shall be worn under the Class A uniform shirt.

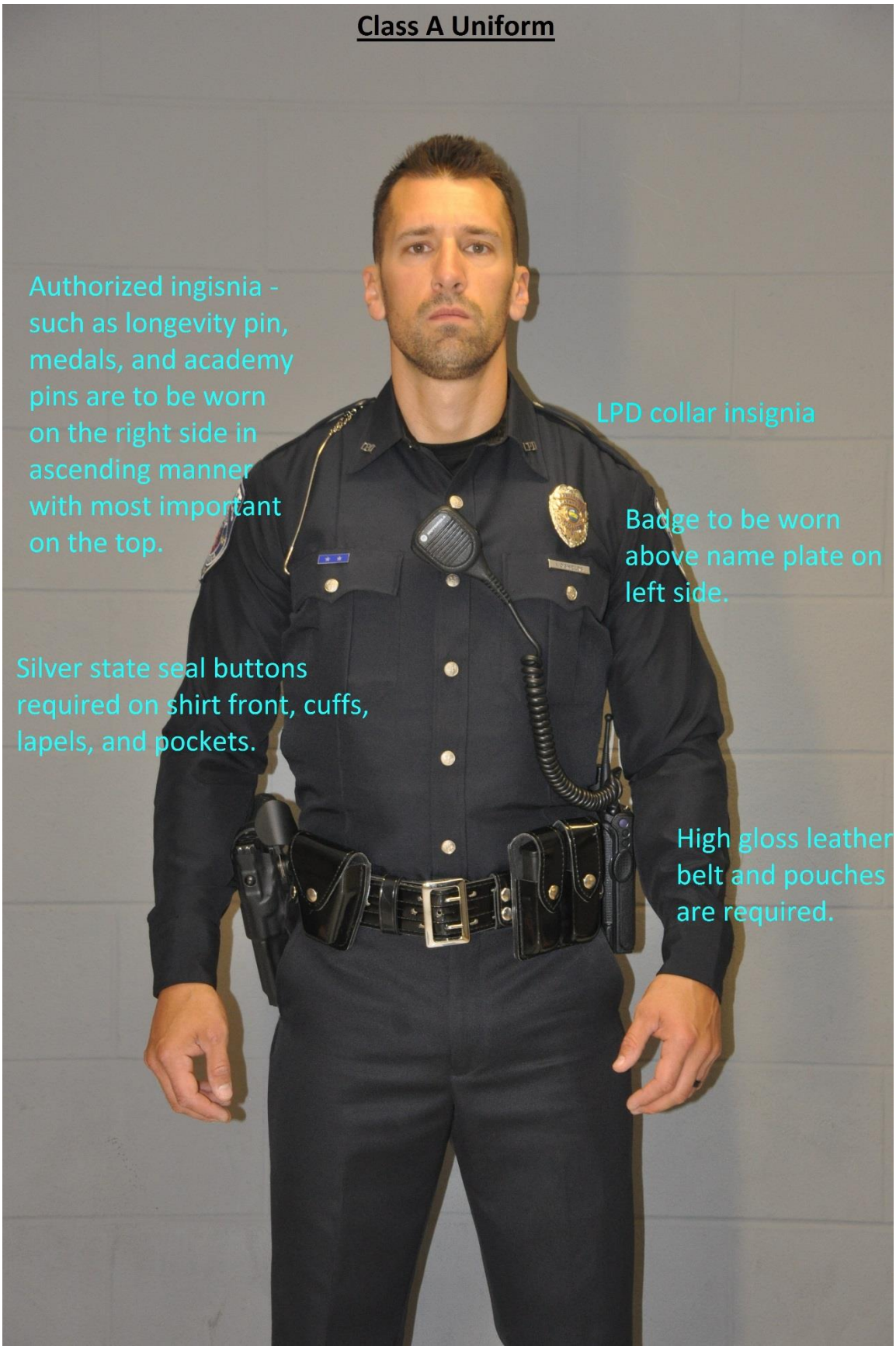
The issued campaign hat is part of the Class A uniform.

The approved sweater may be worn over the Class A uniform Shirt.

Approved coats and jackets may be worn over the Class A uniform.

The Class A uniform is the approved attire for courtroom testimony. Class B may be worn to Traffic Court or upon prosecutor request.

Class A Uniform



Class B Uniform

The Class B Uniform will consist of approved vendor items on Attachment 1.

a. Navy blue short or long sleeved approved shirt with patches sewn to shoulders. Collar insignias shall be affixed to the shirt collars.
b. Navy blue approved cargo pocket trousers.
c. An approved external ballistic vest carrier shall be worn with the Class B uniform. The ballistic external vest shall be worn over the uniform shirt or sweater.

Black nylon duty belt, belt keepers and approved holster shall be worn with the Class B uniform. All gear pouches and items attached to the duty belt shall have a consistent appearance. All gear pouches shall be black in color and made of nylon.

Undershirts must be black in color with no exposed logos. Undershirts shall not extend below the sleeve line on short sleeve shirts.

Black undershirts and mock turtlenecks are permitted with long sleeve shirts. Manufacturer logos must be blacked out.

Footwear for the Class B uniform must be fashioned of boot construction. Tactical type boots are acceptable, Hiking boots or gym shoes are prohibited. Footwear must be black in color and clear of any scuffmarks or visible contrasting manufacture's logo.

Ties are not permitted with Class B uniforms.

Campaign hat is not approved with the Class B uniform. Approved ball cap may be worn (Attachment 1).

The Class B uniform with long sleeve shirt is approved for traffic court or upon prosecutorial request.

Class B External Vest Carrier Specifications

Members may only carry approved equipment items and gear on the ballistic external vest.

The TASER holster, TASER, firearm and exposed knife blades are prohibited from being attached to the external vest carrier.

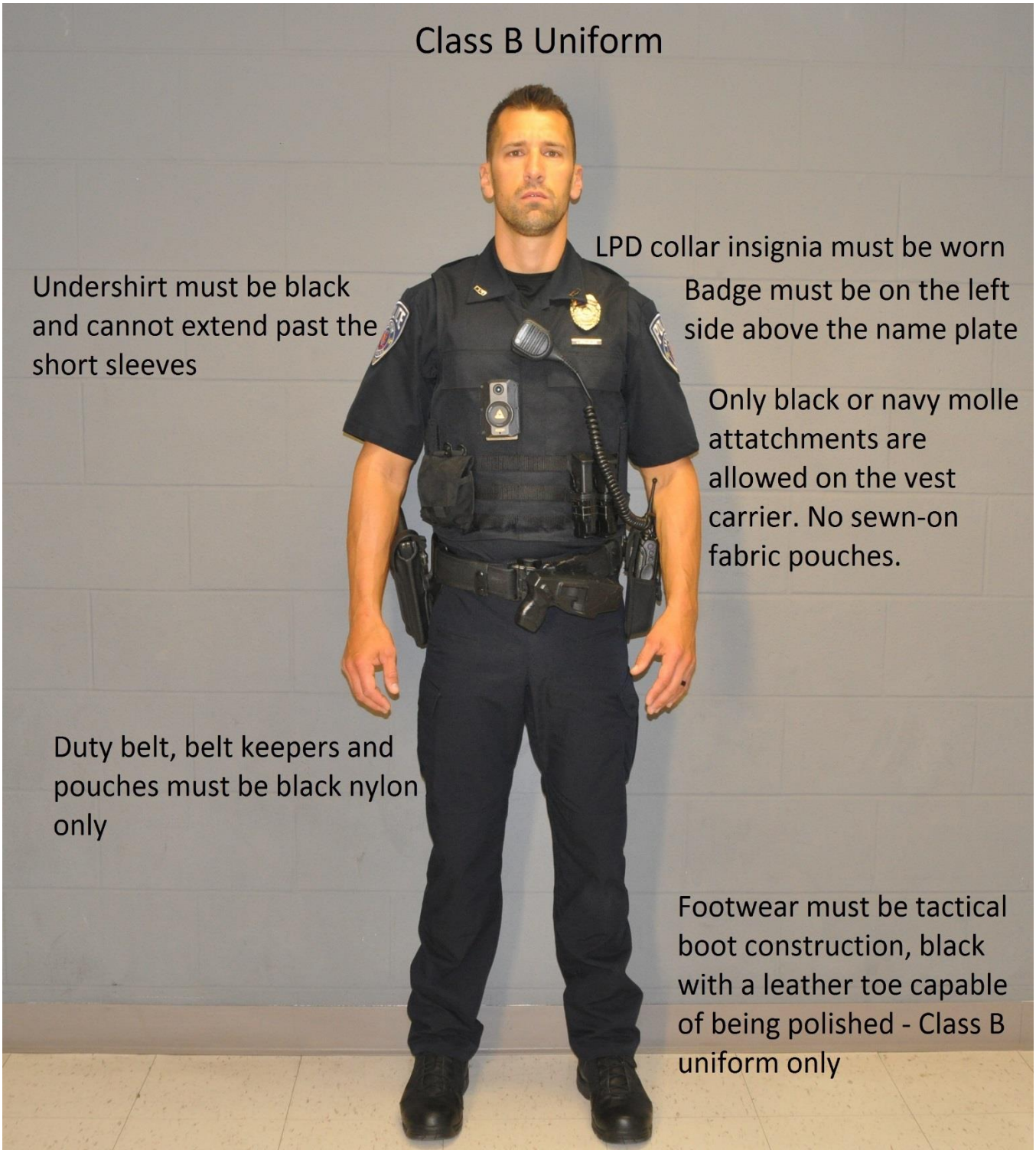
a. The approved ballistic external carrier must be dark navy in color (attachment 1). Molle attachment systems are approved. Molle attachments may not extend above the bottom of the pocket line without prior approval. Molle attachment systems shall be black or navy blue in color. Fabric pouches sewn to the external vest to secure or hold duty gear are prohibited.

b. Issued metal police badge and name plate shall be affixed to the left breast of the external ballistic vest carrier. The badge will be placed above the name plate. No other insignia will be worn on the outer vest carrier.

c. Approved molle attachments include: handgun magazines, rifle magazines, baton, portable radio, handcuffs, flashlight, OC spray, department issue cell phone, body worn camera, lock blade knife.

d. Officers are responsible for becoming proficient with equipment they place on their vest carrier. The external carrier is intended to alleviate the amount of duty gear officers are expected to carry on the belt.

Class B Uniform



<u>Attachment 1 – Approved Uniform Items</u>

Class A Uniform

Long/Short sleeve 7-button placket shirt Dark Navy.

a. Flying Cross "The Command Shirt" 100% Polyester
   - Men 87R78Z (SS) 35W78Z (LS)
   - Women 177R78Z (SS) 127R78Z (LS)

b. Blauer fleece-lined quarter zip, stand up collar sweater model 228, dark navy. Sweater option is required to have badge tab, name tab and is the outermost garment. Epaulets are optional

Plain Dress Trouser Dark Navy:

a. Flying Cross model 32230 100% Polyester
   - Women's model 32230W-86

Class B Uniform

Shirts – Dark Navy

a. Blauer Armor Skin polyester base shirt, model 8371 (LS) and 8372 (SS)
b. Blauer Armor Skin Fleece Base shirt (LS) model 8373
c. Blauer fleece-lined quarter zip, stand up collar sweater Style 228. Sweater is to be worn under the ballistic outer vest carrier. Epaulets are optional.

Cargo Pants – Dark Navy

Male Officers

a. 5.11 Taclite Pro pant model 74273
b. 5.11 Stryke pant model 74369
c. 5.11 PDU twill pant model 74326
d. Flying Cross FX Class B model FX57300

Female Officers

a. 5.11 Taclite Pro women's model 64360
b. 5.11 Stryke pant women's model 64386
c. 5.11 PDU B-CL Twill women's pant model 64306
d. Flying Cross FX Class B model FX57300W

External Vest Carrier – Dark Navy

a. J&G Uniforms model 4501
b. Blauer FLEXRS Armorskin XP model 8360XP
c. Blauer Polyester Armorskin model 8370NYPD

Ball Cap – Dark Navy

a. Under Armour model 1330607. Approved embroidery on-file with Freckles Graphics. Female officers may obtain approval on cap style, for adjustable back.

Hats

Members in Class A uniform will be expected to wear their issued campaign hat at appropriate times, such as special crowd control assignments and funerals.

Members will be authorized to wear the approved baseball style cap with the Class B Uniform only.

a. The ball cap will be a dark navy, fitted style, structured baseball cap. The ball cap shall not have any netting, plastic rear sizing snaps, or foam in the manufacture of the hat. No contrasting, visible manufacturing logos or markings are permitted.

b. Female officers, the presence of a sizing snap or strap is permitted to allow for a pony tail. There are no pins or accessories approved for wear on the ball cap.

c. The ball cap must bear the approved LPD logo in full color. Members may have their badge number embroidered on the back of the cap.

During the cold weather months, a head band, trooper cap (with flaps), skull cap or watch cap may be worn with all uniform classifications. Cold weather headgear will be plain black in color. Any manufacturer's logos of a contrasting color must be removed or blacked out. The trooper cap must bear the metal hat badge when worn.

Handgun Holsters

Members wearing Class A and Class B uniforms shall only utilize a department issued holster.

a. Safariland 6360 level III retention duty holster or department issued holster.
b. Safariland 6004-25 single strap led shroud with drop flex adaptor (DFA)

Coats and Jackets

Members wearing Class A and Class B uniforms shall be permitted to wear dark navy jackets and coats. Coats and jackets must display police patches on the shoulders.

Members wearing a coat or jacket over the Class B uniform shall consider officer safety, as the garment may cover essential police gear on the external vest carrier.

Footwear

Footwear for the Class B uniform must be fashioned of boot construction. Tactical type boots are acceptable. Hiking boots or gym shoes are prohibited. Footwear must be black in color and clear of any scuffmarks or visible contrasting manufacture's logo.

Footwear for the Class A uniform must be black in color, leather and have the ability for a polished toe. Class A boots and shoes shall be clear of any scuffmarks or visible contrasting manufacturer's logos.

Attachment 2 - Insignias

Authorized Uniform Insignia Wear

Insignias are only authorized on the short and long sleeve Class A uniform shirts.

Officers who have earned specific awards, or who are participating in specified collateral duty assignments, may be authorized to wear identifying insignia on their duty uniform

The authorized insignia will be worn in an ascending manner, by virtue of importance, from bottom to top above the right shirt pocket. The most highly recognized insignia shall be worn at the top.

The following is a list of currently authorized medals, duty assignments, and other qualifying insignia. It is listed by level of importance, starting with the highest recognition.

a. Gold /Silver / Bronze Merit Awards
b. Purple Heart
c. National Exchange Club "Officer of Year" Insignia
d. Specialty Unit Recognition
e. Longevity Star Pin - One Star per 5 years on department
f. Indiana Law Enforcement Academy Pin
g. Higher Education Supervisory Pin

Officers may elect to wear the approved American Flag Pin. This pin shall be placed centered on the seam of the right breast pocket. The pin will be fastened flush with the top of the pocket seam. All additional insignia will be worn above the flag, centered, with 1/8 inch spacing between each item attached.

Officers insignia will be silver, when appropriate, or have a silver backing. Command Staff insignia will gold, when appropriate, and will have a gold backing.

Attachment 3 – Formal Dress Uniform

Guidelines: The Formal Dress Uniform has been designed to enhance officer appearance and promote a professional image at functions in which dress attire is appropriate.

The Formal Dress Uniform is available for all sworn officers to purchase.

Approved Dress Uniform Functions

a. Funerals, Weddings, Memorial Services, Recruit graduations

b. Formal Police Celebrations, Award ceremonies

c. High Profile Court Cases (Prosecutor Discretion)

d. Any occasion authorized by the Chief of Police or his designee.

Formal Dress Uniform Vendor - Only approved vendors for the LPD Formal Dress uniform shall be utilized. Any uniform purchased from an unauthorized Vendor will not be approved for wear.

Formal Dress Uniform Specifications

High Collar Coat

Certified Army Cloth and Navy "choker white" pattern Midnight Blue, 55/45 poly/wool tropical weave.

- epaulettes with red piping Includes silver "P" buttons (Or Indiana Seal Buttons)
- red piping at top of collar and bottom of collar badge tab
- Four black belt hooks which are removable for cleaning
- Gold Buttons for Commanders, silver buttons for all officers

Matching Midnight Blue Trousers **-** 1/2 inch red braid (for all officers)

Matching Midnight Blue Saucer Cap (Honor Guard Only) Includes silver "P" buttons
Plain High Gloss Visor Includes workable black nylon chin strap

Shoulder Cord

- Single Loop Shoulder Cord Commanders
- Commanders Gold
- Patrol light blue
- Detectives silver
- Honor Guard red

Sam Browne Belt Rig

- High Gloss Clarino
- Includes belt, strap, and clip assemblies to connect strap to belt brass tone for commanders, silver tone for officers

Holster, High Gloss Level One, Clarino, for Glock model 17 or 19. Reinforcing grommet and screw will be silver

Bates High Gloss Shoe (Model 942)

Collar dogs (LPD letters shaped by ½ a wreath) will be gold for commanders and silver for officers

POLICY 601

LAFAYETTE POLICE DEPARTMENT

Policy Manual

BODY ARMOR

601.1 PURPOSE

The purpose of this policy is to provide guidelines for the allocation, wear, and care for Lafayette Police Department issued body armor.

601.2 POLICY

It is the policy of the Lafayette Police Department to maximize officer safety through the use of body armor in conjunction with the practice of prescribed safety procedures. While body armor provides a significant level of protection, it is not a substitute for sound, basic safety procedures.

601.3 PROCEDURE

601.3.1 Allocation

Officers will be issued soft body armor as part of their initial uniform and equipment allocation.

The officers' soft body armor will be replaced by the department at no cost to the officer during the expiration year of the body armor that is assigned to them per IC 36-8-10-4.5. That is approximately every 5 years.

601.3.2 Use of body armor

Officers shall only wear department approved body armor.

The wearing of soft body armor will be mandatory under the following circumstances:

a. While in uniform, on-duty, and performing patrol field operations (including court appearances).
b. While in uniform, off-duty, and employed for the reason of being a police officer.
c. When involved in a pre-planned operation where there is the potential for high risk activity.
d. By emergency responder teams during a call out which include but are not limited to:
    1. SWAT
    2. CDU
    3. CNT
e. During any departmental firearms training.

The City of Lafayette and their agents assume no responsibility for the manufacture, failure, maintenance, or use of body armor.

MOBILE AND BODY WORN CAMERAS

602.1 PURPOSE

This policy is intended to provide officers with guidance on when and how to use Mobile Cameras (in-car) and body worn cameras (BWCs) so that officers may reliably record their contacts with the public in accordance with the law.

602.2 POLICY

It is the policy of the Lafayette Police Department that officers shall activate the Mobile Cameras and/or BWC when appropriate during the proper performance of his or her official duties, where the recordings are consistent with this policy and law. This policy does not govern the use of surreptitious recording devices used in undercover operations.

602.3 PROCEDURES

The Lafayette Police Department has adopted the use of the Mobile and BWC systems to accomplish several objectives. The primary objectives are as follows:

a. Mobile Cameras and BWCs allow for an additional method of documentation of police-public contacts, arrests and critical incidents. They can also serve to enhance officer reports and testimony in court.
b. Audio and video recordings also enhance the Lafayette Police Department's ability to review probable cause for arrest, officer and suspect interaction, and evidence for investigative and prosecutorial purposes and to provide additional information for officer evaluation and training.
c. The Mobile Camera and BWC may also be useful in documenting crime and accident scenes or other events that include the confiscation and documentation of evidence or contraband.

602.3.1 When and How to Use the Mobile Camera and BWC

Mobile Camera:

a. Officers are required to activate both their fleet and Mobile Body Worn Camera when dispatched to a call, self-initiating a call, or interacting with citizens in a law enforcement capacity.
b. Officers shall ensure that the Mobile Camera is activated during all law enforcement related contacts with citizens in which the Mobile Camera would provide the most advantageous perspective. Examples of this include, but are not limited to; traffic stops, traffic accidents, disabled vehicles and citizen roadway contacts.

c. The backseat camera shall be activated during all transports.

Body Worn Camera:

a. Officers shall activate the BWC to record all contacts with citizens in the performance of their official duties.
b. Whenever possible, officers should inform individuals that they are being recorded. In locations where individuals have a reasonable expectation of privacy, such as a residence, they may decline to be recorded unless the recording is being made pursuant to an active investigation within the residence. The BWC shall remain activated until the event is completed in order to ensure the integrity of the recording unless the contact moves into an area restricted by this policy.
c. If an officer fails to activate the BWC, fails to record the entire contact, or interrupts the recording, the officer shall document, in their police report or in an email to their commander, why a recording was not made, was interrupted, or was terminated before the end of that tour of duty.
d. Officers may elect to turn off the audio recording function of the BWC during non-investigatory portions of an incident. However, the video recording function must be active throughout the call unless covered and documented in (c) above.
e. Civilians shall not be allowed to review the recordings at the scene.

602.3.2 Procedures for Mobile Camera and BWC Use

Mobile Camera and BWC equipment is primarily issued to uniformed personnel as authorized by the Lafayette Police Department. Officers who are assigned both types of audio/video recording equipment must use the equipment unless otherwise authorized by supervisory personnel.

Police personnel shall only use Mobile Camera and BWC equipment that has been issued by the Lafayette Police Department. The Mobile Camera and BWC equipment and all data, images, video and metadata captured, recorded or otherwise produced by the equipment is the sole property of the Lafayette Police Department.

Requests to use any video for training, promotional, or educational purposes, that are law enforcement related, must be made through the chain of command and approved by the Chief's Office.

Police personnel who operate patrol vehicles with Mobile Cameras and who are issued BWCs must complete an agency approved and/or provided training program to ensure proper use and operations.

Mobile Cameras and BWCs will be used with reasonable care to ensure proper functioning. Equipment malfunctions shall be brought to the attention of the officer's supervisor as soon as possible so that a replacement may be issued and/or the defective unit be written up for repair.

Officers will dock any BWC or Mobile Camera assigned to them at the end of every tour of duty.

Officers shall inspect and test the Mobile Cameras and BWCs prior to each shift in order to verify proper functioning and shall notify their supervisor of any problems. This includes ensuring that all batteries have a full charge.

Officers shall not edit, alter, erase, duplicate, copy, share or otherwise distribute in any manner Mobile Camera or BWC recordings without prior written authorization and approval of the Chief or his or her designee.

Officers are encouraged to inform their supervisor of any recordings that may be of value for training purposes.

BWC's are not required to be activated during taped or audio/video taped statements.

In the event that a BWC is used as the recording device for an audio/video taped statement, the officer should use the "bookmark" feature of the camera so that the starting location of the statement is quickly and easily able to be located.

If an officer is involved in an officer involved shooting (OIS) or other serious response to resistance, the department reserves the right to limit or restrict an officer from viewing the video file.

a. In the case of an OIS, Use of Deadly Force Policy takes effect and Criminal Investigations and Administrative Services will conduct their investigations prior to the officer viewing his/her video file.
b. In the event of a different type of officer involved incident, where the Criminal Investigation and Administrative Services Divisions may be involved, both Division Captains reserve the right to restrict the officer's ability to view the video file until a time deemed appropriate to the investigation.
c. Any video of the incident is restricted at the beginning of these types of investigations due to the officer's perception of the incident being the most critical factor when determining how the decision to respond to resistance was made.
d. The officer will be afforded the right to view his/her video file of the incident prior to completing his/her written report covering the incident and may be re-interviewed by either Division.
e. This procedure is in place to assure fairness in the investigation for the officer and so that an accurate and timely report can be written by the officer.

Requests for deletions of portions of the recordings (e.g., in the event of an unintentional private recording) must be submitted in writing and approved by the Chief or his or her designee in accordance with state record retention laws. All requests and final decisions shall be kept on file.

Officers shall note in incident, arrest, and related reports when recordings were made during the incident in question. However, Mobile Camera and BWC recordings are not a replacement for written reports.

602.3.3 Restrictions on Using the Mobile Cameras and BWCs

Mobile Cameras and BWCs shall be used only in conjunction with official law enforcement duties. The Mobile Cameras and BWCs shall not generally be used to record:

a. Communications with other police personnel without the permission of the Chief.
b. Encounters with undercover officers or confidential informants.
c. When on break or otherwise engaged in personal activities; or
d. In any location where individuals have a reasonable expectation of privacy, such as a restroom or locker room.

602.3.4 Medical Treatment Facilities

The Lafayette Police Department values the importance of preserving the privacy of medical treatment records for individuals. However, it has historically been the case that many responses to resistance and complaints on officers from the public are generated in medical treatment settings such as an Emergency Room. Balancing the importance of privacy with the need for accurate recordings in these types of settings, personnel of LPD will adhere to the following standards.

a. Officers will ensure that their BWC is recording when they have a subject in custody who requires medical treatment at a medical facility.
b. Officers may elect to not activate their BWC in a medical treatment facility if they are speaking with the victim or witness to a crime and the situation is non-confrontational.
c. Officers will not record in medical treatment facilities when engaged in non-law enforcement activities.

602.3.5 Off Duty Employment

Officers who are assigned Mobile Cameras and BWC's shall use them in accordance with this policy during all uniformed (Class A or Class B) off duty jobs.

Officers who are not assigned Mobile Cameras and/or BWC's shall obtain a BWC that has been designated for check-out and utilize it during all uniformed off duty jobs. Prior to the use of the cameras, they will need to be administratively assigned to the officer during the check-out process. Upon return of the camera, the device will need to be removed from the officer who temporarily used it.

Uniformed officers working off duty details that involve large crowds need not activate their cameras during general event security. Officers may use their discretion and should choose to activate their cameras when they become involved in specific police-related activity during the event.

USE OF POLICE VEHICLES

603.1 PURPOSE

The Lafayette Police Department provides vehicles to its personnel which enable them to fulfill their assigned duties. Personnel meeting specific criteria may participate in a Take Home Vehicle Plan. This plan enhances the department in achieving its mission of providing a safe and secure community through visibility, availability, and rapid response, while exercising sound fiscal management over resources.

603.2 POLICY

603.2.1 Fleet Management

The Deputy Chief is responsible for the overall management of the vehicle fleet as follows:

a. Coordinate with Division Commanders to satisfy their vehicle and transportation requirements.
b. Consolidate all vehicle procurement and operational budgetary issues.
c. Prepare all vehicle and vehicle equipment procurement documents.
d. Monitor fleet operation for most efficient utilization. Reassign vehicles as needed to meet this objective.
e. Coordinate the preparation of all vehicles for issue.
f. Develop and implement a departmental vehicle inspection program.
g. Coordinate all major vehicle repairs with the Municipal Garage. Any repair must be approved by the Fleet Manager. Routine tire replacement is excluded from this requirement.
h. Coordinate and insure that all preventive maintenance practices are followed.

603.3 PROCEDURES

Members operating or riding in the police vehicle off-duty will have a Department-issued handgun available for immediate use and will carry their credentials. Members will display their credentials upon request.

No suspect or prisoner will be left unattended in a police vehicle. The key will not be left in the ignition when it affords the prisoner/suspect an opportunity to commandeer the vehicle.

Members are prohibited from using the police vehicle while engaged in political activities such as setting up signs and attending rallies, caucuses, promotional events, or fundraisers. Further, no bumper stickers, decals, insignia, banners, or placards of any type may be attached to the police vehicle without specific prior written approval of the Chief of Police.

All occupants of police vehicles must wear the safety belt system at all times when the police vehicle is being driven. The safety belt system will be utilized for all prisoners.

All damage to police vehicles incurred or discovered will be immediately reported to an on-duty, supervisory officer.

When a police vehicle is involved in an accident the on-duty Shift Commander will be notified of such and a crash investigation and report will be requested. If the crash occurs within our jurisdiction, the Shift Commander will assign an officer to investigate the accident and complete a crash report.

No equipment additions, deletions or modifications to Lafayette Police Department owned vehicles may be made without specific and written authorization from the Chief of Police or his/her designee.

603.3.1 Maintenance

Routine maintenance will be performed through the vehicle maintenance facilities.

Each person operating a city owned vehicle is responsible for identifying any problem that arises while in control of the vehicle and for delivering the vehicle to the city vehicle maintenance facility for repair. If the vehicle is inoperable, the driver is to contact their immediate supervisor or the city maintenance facility for instructions. During non-working hours, the supervisor may have the vehicle towed to city maintenance facility if justified.

The officer identifying a problem or observing the need for required, routine maintenance shall complete a LPD Request for Fleet Service.

The Police Department Fleet Manager is responsible for monitoring required safety and preventive maintenance inspections. All unassigned vehicles will be the responsibility of the Police Department Fleet manager.

Each driver is responsible for checking fluid levels as often as necessary in accordance with the vehicle operations manual. Lighting and safety equipment of the vehicle should be checked prior to daily operation.

The required departmental interval for oil and oil filter changes is 5,000 miles.

603.3.2 Emergency Equipment

Police vehicles used in general patrol service must have an operating siren, alternately flashing or blinking red/blue lights, and a functioning two-way radio.

Unmarked Enforcement Vehicles will at a minimum, have an operating siren and alternately flashing or blinking red/blue lights, (mounting of the lights will be dependent on the design of the vehicle), and a functioning two-way radio while such vehicles are being operated as police patrol vehicles. Covert vehicles, by the nature of their function, will not be identifiable as a police vehicle, and therefore, not be used for traffic enforcement or emergency response.

603.3.3 Take-Home Plan

Must be a sworn full-time police officer.

Must be a resident of Tippecanoe County. (Note: this criteria can be waived at the discretion of the Chief of Police.)

Off-duty use of a police vehicle must be governed by the exercise of good judgment and common sense. Thought must be given as to how its use will be viewed by the public. Abuse will not be tolerated and may result in termination of the Take-Home privilege or employment. Off-duty use of the police vehicle is considered to be beneficial to both the police and the public. Increased crime deterrence through visibility and increased manpower available for use by the department provides increased protection and service to the public.

Due to the high visibility, members are reminded that when operating the police vehicle off-duty, they must be appropriately dressed.

Members must monitor their portable or installed police radio while operating the vehicle off duty.

It is the responsibility of every member to ensure that their assigned take home vehicle is maintained in an orderly fashion. All vehicles are subject to inspection and every effort will be made to ensure that the vehicle is clear of trash, swept out, and the exterior of the vehicle is washed at appropriate intervals.

603.3.4 Use of Tobacco Products

a. In accordance with City policy "City Vehicle Usage', smoking and the use of tobacco products is prohibited in City owned vehicles.
b. This includes both marked and unmarked police vehicles.

603.3.5 Chemical Intoxicants (Drugs, Alcohol, Prescription Narcotics)

Any member, under the care of a physician, who has been prescribed a narcotic medication must notify their direct supervisor prior to operating a Lafayette Police Department vehicle while taking the medication.

Members of the Lafayette Police Department are prohibited from operating department owned vehicles after the consumption of any amount of chemical intoxicants in both on and off duty capacities.

OFF-DUTY WEAPONS

604.1 PURPOSE

To provide guidelines and requirements for carrying off-duty weapons.

604.2 POLICY

Traditionally, most police departments, including this one, have mandated officers to carry firearms while in an off-duty capacity. More recent thought trends, as well as liability lawsuits stemming from the improper care and use of firearms, have caused a re-thinking of this position as outlined below.

604.3 PROCEDURE

Off-duty members shall not be required to be armed, unless operating or riding in a department police vehicle.

All off-duty weapons must be carried in a safe and secure manner and in such a way as not to be in view by casual observation.

Members may carry their issued weapon while off-duty.

If a member wants to carry his/her own weapon while off-duty, he/she must meet the following requirements on an annual basis:

a. Off-duty weapons shall be inspected and certified as safe by a department firearms instructor.
b. It shall be the responsibility of the requesting officer to submit in writing the make, model, caliber, and serial number of the weapon, along with the endorsement of the Chief's Office to be approved for use.

Members shall pass an annual qualification course that is to be established by the department firearms coordinator.

If a member fails to qualify his/her weapon at the regularly scheduled off-duty weapons qualification, the prior authorization to carry that weapon will be nullified. It shall then be the member's responsibility to contact a department firearms instructor to re-qualify with that weapon for authorization to carry it off-duty.

If the off-duty weapon chambers ammunition other than that used by the department, such ammunition shall be supplied by, and at the expense of, the requesting member.

Off-duty weapons will be used in accordance with all appropriate policies, directives, and standard operating procedures.

COMMUNICATION DEVICES

605.1 PURPOSE AND SCOPE

To establish guidelines for use of communication devices owned and maintained by the Lafayette Police Department and issued to sworn personnel for enhanced communication and information access during the normal course of police operations.

605.2 DEFINITIONS

Communication devices - includes mainframe computers, minicomputers, microcomputers, networks, software, data, department-issued, dual-purpose cellular phones, and computer-related supplies. Access to some department computing resources is controlled through the use of assigned accounts with an access ID. The Information Technology department of the City of Lafayette will manage access and security and will be responsible for department compliance with Tippecanoe County's computer-related policy.

Members shall use the department's electronic resources with the understanding that these resources are provided for the furtherance of achieving the mission and objectives of the department.

605.3 PROCEDURE

605.3.1 General Guidelines

The use of electronic resources is restricted to appropriately authorized members. On electronic resources where access is controlled through the use of an access ID, eligible users are allowed to use only their authorized access ID.

Use of an access ID will be permitted only after a signed "Understanding of Attached Policy" is received by the IT Department.

Use of the electronic resources must be related to the mission and objectives of the Lafayette Police Department.

Members authorized to use Lafayette Police Department's electronic resources should ensure that all safeguards available to them are in place to guard against inappropriate use.

Intentional abuse or interference of the department's electronic resources is strictly prohibited. Intentional interference with the work of another authorized user or violations of confidentiality, copyrights, or license agreements is prohibited.

Actions which attempt to circumvent prescribed channels to obtain computer privileges and resources are prohibited.

605.3.2 Department Issued Cellular Phones

The Lafayette Police Department recognizes that issuing department cellular phones to members as a piece of required equipment will increase the efficiency and effectiveness of both communication and evidence collection.

The department-issued cellular phone will be the official departmental point of contact for the member when he/she is on or off-duty.

Department-issued cellular phone will be used for the collection of both photographic and audio evidence.

Department-owned cellular phones are to be primarily utilized for department related activities. Personal use of department issued cellular phones is allowed, within department guidelines of use and care.

As department-issued cellular phones will be utilized for evidence collection, it is likely that the entire contents of the phone will be discoverable in subsequent court proceedings.

Social media accounts utilized on the phone will be for work purposes to aid in investigations.

Sending, saving, accessing, or viewing obscene or similarly offensive material, not related to an active investigation, on department phones is prohibited.

Prohibited material includes, but is not limited to, sexual comments, sexual orientation, jokes or images, racial slurs, gender-specific comments, or any comments that would discriminate against or harass someone on the basis of his or her race, color, sex, age, national origin or ancestry, disability, or any other category protected by federal, state, or local law.

Further, any use of the internet, email, or any other electronic resource to engage in harassment or discrimination prohibited by department policy is unlawful and strictly prohibited.

605.3.3 Cellular Phone Use and Driving

This section governs the use of both personal and department-issued cellular phones.

Cellular phones are not to be used while operating a city-owned vehicle.

Any member’s use of a cellular phone while operating a city-owned vehicle must be done while safely parked.

605.3.4 Damage to department-issued cellular phones

Any damage or malfunction observed on the department-issued phone will be reported to the member's immediate supervisor as soon as is practical.

Damage or malfunction caused by a member's negligent care of the department-issued equipment may result in the member reimbursing the City of Lafayette for a replacement.

605.3.5 Electronic Resource Security

All department-owned electronic resources, and the data stored on them, are the property of the Lafayette Police Department.

Therefore, all messages created, sent or retrieved over the internet or Lafayette Police Department email are the property of the Lafayette Police Department. Subsequently, the department reserves the right to retrieve and read any message composed, sent or received using Lafayette Police Department's electronic resources for any department related reason. This includes, but is not limited to, ensuring compliance with this and all other department policies.

Department-owned software will not be removed or copied without prior authorization from the Chief of Police or his designee; according to software licensing.

Alleged violations of this policy will be referred to the Captain of Administrative Services.

SURVEILLANCE CAMERAS

606.1 PURPOSE

The placement of surveillance cameras in the City of Lafayette will contribute to public safety for residents and visitors by employing a system that incorporates modern technology available through video monitoring, storage, and retrieval capabilities. This system will be designed to improve the department's ability to prevent and detect public safety emergencies, criminal conduct, as well as identify and apprehend participants of such events. This "smart policing" technology, combined with the confidence and trust of our residents, can provide a safer community, a more efficiently run police agency, and greatly enhance our investigative abilities.

606.2 POLICY

This policy will specify rules of acceptable department use of the surveillance system and designate system specifications in order to achieve program goals without compromising the public's right to privacy.

606.2.1 Design Specifications

The system used by the Lafayette Police Department will utilize multiple fixed and adjustable cameras focused on predetermined public areas in public places. Cameras shall be situated in a manner and location that will maximize the field of view of public areas for public safety purposes only. Camera placement will minimize the potential inadvertent capture of images from areas where there would be a reasonable expectation of privacy.

In any location where the view of any camera may compromise a citizen's privacy expectation, a supervisor shall review the camera's location and either make a recommendation to re-locate the unit or to employ window-blanking technology to minimize, if not eliminate, the potential for video intrusion.

The system shall be equipped with Pan, Tilt, and Zoom (PTZ) cameras that allow operators to manipulate the framing or focal length of a video image only for the specific purpose of monitoring suspicious persons or activities or as the result of a call for service.

606.2.2 Racial Profiling/Nondiscrimination

No operator shall select any person for observation in view of this camera system based solely on their race, ethnicity, or sex. The surveillance camera system shall only be used for purposes directly related to public safety or authorized internal or criminal investigations. The surveillance camera system shall not be used to track individuals arbitrarily or based on race, gender, ethnicity, sexual orientation, disability, or other classifications protected by law.

Operators shall make specific observations of individuals based only on articulable reasonable suspicion that the person may be or may have been involved in criminal activity or as the result of a call for service to law enforcement of criminal activity in the area of the camera's viewing parameters.

606.2.3 Storage/Retrieval of Images

Video images captured by the surveillance system will be automatically recorded over as the storage capacity of the system requires unless the Department or another law enforcement agency submits a request to review the captured images for a legitimate legal purpose.

Authorized users will be limited to police employees and the necessary access for technical support personnel.

606.2.4 Identifying Monitored Zones

The surveillance camera system shall be equipped with capabilities that provide an audit trail of system use and user access.

606.2.5 Video Data

Video data that is not retained for evidentiary purposes or based upon public safety necessity or pursuant to a court order shall not be reproduced, distributed, provided, or shown to other persons except as required by law.

Video data retained for evidentiary purposes shall only be reproduced for legal purposes and in accordance with the law. All copies will be accounted for in accordance with established evidentiary procedures.

Requests for copies of video data not involving criminal activity, criminal investigation or intelligence gathering may be requested through established production of documents procedures.

606.2.6 Pan, Tilt, and Zoom (PTZ) Camera Usage

All active observation operations employing PTZ cameras shall be done as the result of specific articulable probable cause.

PTZ camera operators are responsible for protecting the public's right to privacy as delineated in this and other department policies. PTZ camera operators are forbidden from looking at non-public areas and areas in which there is a reasonable expectation of privacy.

PTZ camera operations may be audited for misuse violations.

606.2.7 Policy Violations

Unauthorized access to the surveillance camera system, misuse of the camera system, unauthorized reproduction of surveillance camera images, or unauthorized distribution of camera images is strictly prohibited.

Violations of this policy will result in disciplinary action and/or termination from city employment.

SMALL-UNMANNED AIRCRAFT SYSTEMS

607.1 PURPOSE

The City of Lafayette has implemented a small Unmanned Aerial System (sUAS) program to assist public safety personnel by providing increased situational awareness, enhanced personnel safety, and act as a force multiplier to improve operating efficiency.

This policy sets forth how the sUAS program will operate unmanned aerial vehicles (UAVs) in coordination with missions as guided by the Certificate of Authorization (COA) and/or waiver(s) issued by the Federal Aviation Administration (FAA). This policy is designed to minimize risk to people, property and aircraft during the operation of the sUAS while continuing to safeguard the right to privacy of all persons.

607.2 DEFINITIONS

Branch Director: Supervises the sUAS Program. Responsible for approving use of the sUAS on a mission, overseeing administrative functions related to the sUAS program to include, but not limited to aircraft logs, equipment logs and maintenance logs.

Division Leader: Responsible for assisting Branch Director as needed with administrative and command duties.

Flight Crew: A team consisting of Pilot-in-Command, Pilot, Visual Observer, Camera and Remote Sensing Operator, and Observers.

Pilot-in-Command (PIC): Directly responsible for and is the final authority as to the operation of the small unmanned aircraft system.

Pilot: Responsible for operating the sUAS in flight, not required to be the PIC.

Visual Observer: Responsible to maintain line-of-sight and 360-degree hazard awareness around the aircraft at all times and assist the PIC and pilot with safety of flight.

Camera and Remote Sensing Operator: Responsible for the operation of all camera (video and still) and remote sensing functions during sUAS missions.

Observers: Properly trained sworn public safety personnel.

Small Unmanned Aerial System (sUAS): Unmanned aerial vehicle (UAV) weighing less than 55 pounds and associated support equipment, including but not limited to ground control station, data links, telemetry, communications, navigation equipment, batteries and charging equipment.

Defined Incident Perimeter: The location to be determined by the scope of the operation and a defined operational ceiling at or below 400 feet Above Ground Level (AGL) and does not fly higher than 400 feet above the structure's immediate uppermost limit.

Digital Imagery: Digital recording of images, sounds, and associated data.
Preflight Briefing: A discussion led by the PIC prior to the aircraft launch that shall include, but not limited to:

a. Review of mission goals and methods to achieve goals, including handoff procedures.
b. Review of current and forecasted weather conditions for missions.
c. Review of relevant and current Notices to Airmen (NOTAMs) and Temporary Flight Restrictions (TFRs).
d. Identification of mission limitations and safety issues such as battery charge, GPS signal strength and potential for radio interference.
e. Review of proposed flight area, including maximum and minimum authorized altitude.
f. Review of communication procedures between PIC, Visual Observer, Camera Operator and Incident Command, to include availability of two cell phones and a hand-held radio capable of communicating with Air Traffic Control (ATC) in the event of a flyaway or other inflight emergency.
g. Review of emergency procedures that include aircraft system failure, Flight Termination Point (FTP), Lost Link Procedures (LLP), and Divert/Contingency Point (DCP) to be used.
h. Review of required video or digital images,
i. Contents of the COA and/or waiver(s).
j. Frequencies to be used.
k. Preflight check of UAV per manufacturer’s approved checklist.

607.3 POLICY

It is the policy of the City of Lafayette that only authorized personnel from Lafayette Police and Fire departments may deploy a sUAS when such use is appropriate in the performance of their official duties, and where the use and collection of aerial images, both audio and visual, or other data originating from or generated by the sUAS, comport with the policy provisions herein and applicable law.

607.4 PROCEDURES

607.4.1 Administration

All deployments of the sUAS shall be authorized by the Branch Director or his/her designee. The City of Lafayette has adopted the use of sUAS to provide an aerial visual perspective in responding to emergencies, exigent circumstances, and the following objectives:

a. Situational Awareness: To assist command staff, first responders and government officials in understanding the nature, scale and scope of an incident and for planning and coordinating an effective response.
b. Search and Rescue: To assist missing person investigations, AMBER Alerts, Silver Alerts and other search and rescue missions; to search for person(s) suspected of committing a felony crime against person(s) or property or suspected of committing a crime of violence.
c. Force Protection: To support the tactical deployment of officers and equipment in emergencies.

d. Visual Perspective: To provide an aerial visual perspective to assist personnel in providing direction for crowd control, traffic incident management, special circumstances, and temporary perimeter security.
e. Scene Documentation: To document a crime scene, accident scene or other major incident scene as needed.

607.4.2 sUAS use

Aircraft:

a. The sUAS shall be maintained in an airworthy condition. Prior to flight, the PIC shall conduct a preflight check of the sUAS.
b. General Airworthiness: The Branch Director or his/her designee shall be responsible for ensuring that the aircraft is maintained in an airworthy condition, and may rely on testing and evaluation data provided by other governmental agencies, the aircraft manufacturer and independent testing facilities.
c. Mission Specific Airworthiness: The PIC shall be responsible for ensuring that the aircraft is airworthy prior to each mission. The PIC may rely on the inspection and reports provided by agency personnel appointed with the responsibility for maintaining the aircraft.
d. Radio Frequency: The sUAS shall use the assigned radio frequencies and antenna equipment approved in the current COA and/or waiver(s).
e. Maintenance: The Branch Director or his/her designee shall be responsible for the maintenance of the aircraft, which shall be performed by authorized sUAS team members or by manufacturer certified personnel. The PIC shall conduct a pre and post flight inspection of the sUAS. Any discrepancies shall be documented in the appropriate logs.
f. Software and Hardware changes: Persons authorized to conduct sUAS maintenance shall document all changes in the aircraft and ground control station logbooks. All previously proven systems, to include payloads, shall be installed or removed as required for missions and documented in the appropriate aircraft log. Test flights shall be conducted and documented after major alterations.
g. Storage Transport: The aircraft shall be stored in a secure manner to limit possible damage to the unit while in transit. The blades shall be stored per the manufacturer's recommendations, and the full aircraft shall be stored in the assigned case. Batteries shall be transported in the appropriate container to prevent possible damage. Batteries shall not be dropped or punctured.
h. Battery Charge: All components of the sUAS necessitating a charged battery shall be charged in accordance with the manufacturer's recommendations. To the extent possible by the manufacturer's recommendations, the sUAS shall be fully charged when not in use. Special attention shall be given to Lithium-ion Polymer (LiPO) batteries to prevent fire, explosion or other damage.

Pilots:

a. Pilot Rating: The Branch Director and Division Leader shall obtain a Remote Pilot Certificate with sUAS rating issued by the FAA prior to sUAS operation.
b. Initial Training: Either manufacturer representatives, certified instructors as designated by the manufacturer, or authorized personnel from Lafayette Police or Fire departments shall properly train all pilots who will be flying missions as directed.
c. The sUAS pilots will meet all conditions of the COA and/or waiver(s).

d. The pilots will have a working knowledge of local airspace, ATC communications, specific sUAS aerodynamic factors and the ability to obtain and interpret weather. All pilots shall meet the following aeronautical experience and maintain current logs:
    1. Successfully complete the sUAS Initial Ground School conducted by an authorized sUAS team member consisting of FAA regulations, best practices and operating techniques prior to beginning Basic Flight Operations Training.
    2. Basic Flight Operations Training: All pilots must successfully complete the Basic Flight Operations Training/Curriculum for sUAS as approved in consultation with the manufacturer.
    3. Mission Training: All pilots shall successfully complete in-service mission training to increase core competencies in all sUAS operations, systems and roles with conducting a mission in accordance with approved Mission Training Curriculum. This training is in addition to Basic Flight Operations Training.
    4. In-service Training: All pilots shall have a minimum of three (3) qualifying sUAS flights to include take-offs and landings in the preceding 90 days to be eligible to fly missions, and successfully complete recurrent ground and flight instruction every 12 calendar months that includes but is not limited to updated industry standards and field exercises, as well as a review of current case law governing the use of sUAS.

Visual Observer:

a. A Visual Observer is required for all training and mission flights of the sUAS.
b. Visual Observers shall meet all conditions of the COA and/or waiver(s).
c. Visual Observers shall have a working knowledge of local airspace, ATC communications, specific sUAS aerodynamic factors and the ability to obtain and interpret weather.
d. Visual Observers shall receive instruction on relevant 14 CFR Part 91 regulations such as the obligation to see and avoid other aircraft and the ability to identify position for purposes of relaying position reports to the PIC.
e. Visual Observers shall attend the preflight briefing.

Camera and Remote Sensing Operator:

a. The Camera and Remote Sensing Operator is not required for training or mission flights of the sUAS.
b. The Camera and Remote Sensing Operator shall receive instruction on camera and sensing equipment operations, including recording and storing digital data for evidentiary purposes prior to assisting with missions.
c. If assigned to the mission, the Camera and Remote Sensing Operator shall attend the preflight briefing.

Flight Conditions:

a. Daylight: All sUAS operations shall be conducted during daylight hours. Night flight is prohibited unless otherwise noted in the COA and/or waiver(s).
b. Line-of-sight: All sUAS operations shall be conducted within line-of-sight of the PIC and Visual Observer at all times.
c. Altitude: All flights shall be conducted at or below 400 AGL or not higher than 400 feet above a structure's immediate uppermost limit, unless otherwise noted in the COA and/or waiver(s).
d. Weather: The PIC is responsible for obtaining a current weather briefing prior to flight. Flight into known icing conditions is prohibited.

Flight Requirement:

a. Mission Requests: All requests for sUAS missions shall be made to the Branch Director. Considerations for use of sUAS shall include:
    1. Location of mission, safety of people and property are paramount.
    2. Intended area of operation, to minimize conflict with local air traffic. Consultation with local ATC and current COA AND/OR WAIVER(S) is expected.
    3. Current and forecasted weather and its potential impact on flight operations.
    4. Availability of PIC and Visual Observer.
    5. Usefulness of the information gathered by the sUAS versus other means.
    6. Any other risk factors that will affect the safety of flight such as terrain, proximity of structures, reduced visibility, etc.
    7. Strength of radio and GPS signal as indicated on the aircraft and ground control unit.
b. Personnel Designation: Once the Branch Director has approved the mission request, he/she shall identify the Flight Crew and coordinate with the individual(s) requesting the mission.
c. Preflight Preparation: Prior to any mission, the PIC shall conduct a preflight briefing to include the IMSAFE checklist.
d. Scene Review: The PIC and Visual Observer are responsible for identifying any unsafe conditions at the scene. This includes, but is not limited to:
    1. Take-off and landing site: This area shall be free from obstructions and debris that may interfere with the aircraft's rotors. This includes creation of a flight line, from which other public safety personnel and civilians shall remain clear.
    2. Flight Perimeter: This location shall utilize authorized law enforcement or fire department personnel and standard protocols to minimize civilian traffic or interference during flight operations. These individuals do not have to be trained as Visual Observers.
    3. Obstructions: The Flight Crew shall identify all obstructions to the area of proposed flight prior to take-off.
e. Notice to Airmen (NOTAM): A NOTAM (D), Distant NOTAM, shall be issued for all sUAS training and mission operations through the local NOTAM issuing authority per the COA and/or waiver(s).
f. Documentation: A copy of the current COA and/or waiver(s), flight log, aircraft maintenance log, and pilot certifications shall be kept with the sUAS at all times.

Flight Operations:

a. All flight operations shall be conducted in accordance with the manufacturer's recommendations and guidelines.
b. The aircraft must operate with the position and navigation or anti-collision lights on at all times unless otherwise noted in the COA and/or waiver(s).
c. If at any time the PIC or Visual Observer believes that there is potential for air-to-air conflict, risk of harm to individuals or property, the PIC shall immediately terminate the flight.
d. In the event of lost communications with the aircraft, Lost Link Procedures shall be used. If the aircraft does not immediately execute these orders, the PIC shall notify the appropriate ATC facility. If the PIC and Visual Observer lose sight of the aircraft, ATC shall be immediately notified.

Prohibited Acts:

a. Warrantless Search: The sUAS shall not be operated in violation of the Indiana or United States of America constitutions, statutes or regulations. When a search warrant is required by law and no warrant exception exists, flight is prohibited unless a search warrant signed by an authorized judge or magistrate is obtained.
b. Routine Patrol: sUAS shall not be used for routine patrol duties, such as traffic enforcement or the monitoring of people or crowds when no significant safety threats exist.

c. Weapons: The aircraft shall not be equipped with weapons of any kind.
d. Spraying and Dropping: The PIC is prohibited from spraying or dropping anything from the aircraft, except for lifesaving materials and two-way communication devices, in support of authorized missions,
e. Hazardous Materials: The aircraft shall not carry HAZMAT.
f. Exceeding Aircraft Limitations: The aircraft shall not be flown in a manner inconsistent with manufacturer limitations.
g. High Risk Missions: The aircraft shall not be flown for any mission that the Branch Director or the PIC determines that the risk of flying the aircraft outweighs the benefit to the mission. Risk may include hazards to individuals or property on the ground, possible collision hazards with other aircraft or loss of control of the aircraft. Other members of the sUAS team, including the Branch Director, cannot countermand the PIC's determination to not fly a mission. However, the Branch Director can countermand a PIC's determination to fly a mission. The PIC has sole responsibility for the sUAS during flight operations.
h. Daisy-Chaining Visual Observers: Unless noted in the COA and/or waiver(s), daisy-chaining of Visual Observers to extend the line-of-sight is prohibited.
i. Manned Aircraft in Operating Area: sUAS flights are prohibited when other manned aircraft are operating with the Defined Incident Perimeter.
j. Commercial Use: As a Public Aircraft, flying for compensation or hire is prohibited. Cost reimbursement between governmental agencies is permitted.

Documentation and Reporting:
a. Flight Documentation: The PIC, or his/her designee, shall complete all required flight documentation including: maintenance discrepancies, flight logs, type of mission and mission parameters. The Division Leader shall submit monthly reports containing the above information, even if no flights occurred during that month (recorded as "0 flights") to the FAA through the COA AND/OR WAIVER(S) online system.
b. Incident and Accident Reporting: The Branch Director shall be responsible for reporting any incidents or accidents to the FAA through the COA and/or waiver online system and supplying any additional documentation that may be required.
c. All missions shall be documented in the appropriate log, and all flight time shall be accurately recorded. In addition, each deployment of the sUAS for any missions shall include the following information: reason for the flight; time, date and location of the flight; name of the supervisor approving the deployment and the staff assigned; summary of the activities conducted, actions taken, and the outcomes from the deployment.

Digital Imagery Retention and Management:
a. All Digital Imagery shall be handled and in accordance with existing Lafayette Police Department policy on data and record retention, where applicable, and stored in accordance with state records retention laws.
b. All Digital Imagery shall be securely downloaded at the completion of each mission. The PIC will record information for each file that shall include case reference numbers, CAD event reference numbers or other mission identifiers as appropriate, and sUAS personnel involved in the mission.
c. No person shall edit, alter, erase, duplicate, copy, share or otherwise distribute in any manner sUAS Digital Imagery without prior written approval from the Chief of Police or his/her designee.
d. All access to the sUAS Digital Imagery shall require authorization from the Chief of Police or his/her designee. Access will be routinely audited to ensure that only authorized users are accessing the data for legitimate and authorized purposes.

e. Stored Digital Imagery files shall be retained no longer than necessary for purposes of investigation, prosecution or training.

WELLNESS AND PHYSICAL FITNESS

700.1 PURPOSE

To provide to members information regarding their individual fitness levels and general wellness while ensuring their continued ability to perform the physical component of their job assignment.

700.2 POLICY

All sworn personnel with this agency will be required to submit to an annual medical examination. Further, all sworn personnel will be required to participate in an annual physical fitness assessment.

700.2.1 Medical Examination

Sworn personnel shall, on an annual basis, submit to a medical examination with the physician of their choosing.

Upon completion of the examination, members shall submit documentation to the Office of the Chief of Police. This documentation need only confirm that the member was examined and the date of the appointment.

Each member shall submit this documentation no later than September 30th of each year.

700.2.2 Physical Fitness Assessment

A standard physical fitness assessment will be administered annually.

See the Physical Fitness SOP for assessment details.

Only documented injuries or disabilities that would preclude an officer from safely participating will be grounds for exemption from the yearly requirement.

An officer's level of physical fitness will not affect his/her duty status.

The physical fitness assessment will be an information-based program intended to provide to personnel an understanding of their current physical fitness level.

OFF-DUTY LAW ENFORCEMENT ACTIONS

701.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines to officers of the Lafayette Police Department regarding acceptable criteria for making an off-duty arrest and appropriate behavior for ensuring safety during off-duty enforcement actions.

701.2 DEFINITIONS

Out-of-Uniform/Non-Uniformed: Officers wearing clothes commonly worn while off duty; also referred to as civilian attire or street clothes.

701.3 POLICY

Out-of-uniform, off-duty officers may confront criminal activity to which they should take, or must decide whether to take, enforcement action. When engaged in off-duty enforcement of this type, non-uniformed officers risk being mistaken as criminal suspects by responding officers.

The following protocols are intended to define when off-duty, non-uniformed enforcement action is authorized and how it should be conducted in order to reduce the potential of officer-on-officer shootings and related injuries. This policy is also intended to limit unnecessary enforcement action by off-duty officers.

Officers are not expected to place themselves in unreasonable peril and should first consider reporting and monitoring the activity. However, any officer 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 or loss, may take reasonable action to minimize or eliminate the threat.

701.4 PROCEDURE

Officers shall avoid becoming involved or making arrests in neighborhood quarrels or disputes when off duty, except when lives are in danger, and an on-duty officer of the department with jurisdiction is not immediately available.

Officers shall not make arrests in their own quarrels or those of their families, except under grave circumstances such as would justify them in using measures of self-defense; nor shall they apply for a warrant for an assault upon themselves or make a complaint for damages, or adjust the same without reporting the case in writing to the Chief.

Department members should refrain from handling incidents of personal interest (e.g., family or neighbor disputes) and should remain neutral. In such circumstances members should call the responsible agency to handle the matter.

701.4.1 Decision to Intervene

Officers should consider waiting for on-duty uniformed law enforcement personnel to arrive while gathering as much accurate intelligence as possible, instead of immediately intervening. However, if an officer decides to intervene, he/she must evaluate whether the action is necessary or desirable, and should take into consideration:

a. The potential to be misidentified by other law enforcement personnel.
b. The potential to be misidentified by members of the public, who may be armed or who may take action.
c. The tactical disadvantage of being alone and the possibility of multiple or hidden suspects.
d. Limited off-duty firearms capabilities and ammunition.
e. The inability to communicate with responding law enforcement personnel.
f. The lack of equipment, such as body armor, handcuffs or control devices.
g. Unfamiliarity with the surroundings, including escape routes.
h. The potential for increased risk to bystanders by confronting a suspect or taking action.

If involvement is reasonably necessary, the officer should attempt to call or have someone else call 9-1-1 to request immediate assistance. If possible, the dispatcher receiving the call should obtain a description of the off-duty officer from the caller and broadcast that information to responding officers.

Whenever practicable, the officer should loudly and repeatedly identify him/herself as an officer with the Lafayette Police Department until acknowledged. Official identification should also be displayed when possible.

701.4.2 Liability Protection

Officers have liability protection for the on and off-duty performance of official duties. This protection does not extend to those actions that the police officer knows, or reasonably should know, are in conflict with law, or the established policies of the department.

Authorized Off-Duty Arrests: When off duty and within the legal jurisdiction of this law enforcement agency, an officer may make and arrest when

1) There is an immediate need to prevent a serious crime, or apprehend a suspect connected with a serious crime;
2) The crime requires a full custodial arrest; and
3) The arresting officer is adequately prepared and equipped to handle the situation

Prohibitions on Off-Duty Arrests: Off-Duty arrests are prohibited under the following circumstances:

1) The officer is personally involved in the incident underlying the arrest.
2) A uniformed officer is readily available to deal with the incident.

3) When engaged in off-duty employment of a non-police nature, and the officer's actions are in furtherance of the interests of the private employer.
4) When the arrest is based solely as enforcement of a minor traffic violation.
5) The officer is not in possession of proper departmental identification and an authorized departmental firearm, or
6) The reasonably perceived consequences and risks of responding outweigh the risks of not responding

701.4.3 Reporting

If prior notification to the appropriate local law enforcement agency is not reasonably possible before taking action, the officer shall notify the agency as soon as reasonably practicable. Officers shall cooperate fully with the agency having jurisdiction by providing statements or reports as requested or as appropriate.

Officers shall notify the Shift Supervisor regarding any law enforcement action taken while off-duty. The Shift Supervisor may send a supervisor to the location. The supervisor may request assistance from the Internal Affairs Unit, if deemed appropriate.

SICK LEAVE and FAMILY AND MEDICAL LEAVE ACT (FMLA)

702.1 PURPOSE AND SCOPE

This policy provides general guidance regarding the use and processing of sick leave. The Lafayette Police Department recognizes that officers will need days off from work to address personal or family medical needs. 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.).

Officers accrue 30 sick days (240 hours) per year from your date of hire. Officers may accumulate sick leave to a maximum of 90 days (720 hours). Officers are not paid for accrued sick leave upon termination of your employment.

702.2 POLICY

This department realizes that on occasion an officer may be unable to report for duty due to an illness or injury. Furthermore, this department realizes that due to the unpredictable nature of activities an employee may have to become involved in, he/she may become injured and require an extended sick leave to recuperate.

702.3 PROCEDURE

Your use of sick leave is for the purpose of sickness or injury and not as an extension of vacation leave. You are expected to be at home while on sick leave unless you are on a medical related errand or appointment. Abuse of sick leave can result in discipline up to and including termination of employment.

702.3.1 Authorized Use of Sick Leave

When an employee is unable to report for duty due to an illness or injury, they are permitted to use sick leave in one hour increments for personal illness, preventative care, medical, vision, and dental appointments. Members may also use up to five days of sick leave annually for illness and care of a member of your immediate family, including a spouse, child, or parent.

The employee shall notify his/her supervisor not less than one hour prior to his/her scheduled tour of duty (also refer to Rule of Conduct #30):

a. The employee shall advise his/her supervisor of the reason he/she is unable to report for duty.
b. The employee shall give an estimate as to when he/she should be able to return to duty.
c. A family member shall make the proper notification if the employee is unable to do so.

d. If the illness/injury is duty related, the appropriate forms shall be completed in compliance with the Worker's Compensation policy (05-30).
e. If the employee is unable to report for duty for 3 or more consecutive scheduled work days, the employee shall present his/her supervisor with a note from a physician explaining the illness or injury, and the employee shall present a "Return to Duty" form signed by his/her physician when returning to duty. The physician should also provide an estimation regarding length of time necessary for recuperation. The employee shall contact Human Resources regarding options related to the FMLA.
f. After having been absent on personal sick leave, no employee may work off duty until the employee has reported back to work and completed one tour of duty. This does not apply to sick leave used for doctors' appointments or medical emergencies related to a family member.
g. When planning medical treatment, you must consult with your supervisor and make a reasonable effort to schedule the leave so as not to disrupt the department's operations. If sick leave is foreseeable, you must give your supervisor as much advance notice of the need for leave as practicable under the circumstances.
h. While off on sick time, the employee will receive full pay and benefits as approved by the City of Lafayette.

702.3.2 Prohibited Use of Sick Leave

Abuse of sick leave may include but is not limited to:

a. Taking the day off before or after a holiday
b. Calling in sick on the same days each year
c. Having a vacation request denied and calling in sick on those days
d. Having an unusual number of sick days prior to your scheduled days off, or
e. Otherwise creating suspicion or showing an unusual pattern of sick leave

702.3.3 Illnesses and Injuries Affecting Job Performance/Duty Limitations

Whenever an employee has an illness or injury which will, or can affect his/her job performance, or places limits on duties he/she can perform:

a. The employee must immediately notify his/her supervisor of the situation.
b. The employee must obtain a completed "Return to Duty" form from a physician, and forward the form to his/her supervisor.
c. The employee shall be responsible for keeping his/her supervisor apprised of his/her status until they are released for full duty by their physician.
d. The employee shall devote their full attention to recovery and shall not engage in any activity that may aggravate or prolong the illness or injury.
e. The employee should contact Human Resources to inform them of the illness/limitations and discuss options regarding the FMLA.
f. Refer to policy 704 (Temporary Modified Duty Assignments)

702.3.4 Family and Medical Leave Act

The City of Lafayette provides up to 12 weeks of leave in accordance with the Family and Medical Leave Act (FMLA) to all eligible employees. The city utilizes a rolling 12 month period for the determination of eligibility for FMLA leave. The Human Resources Department is responsible for administering the City of Lafayette's FMLA policy. Any questions about the application of the FMLA or this policy should be directed to Human Resources. Please refer to the City of Lafayette employee handbook (Family and Medical Leave Act).

POLICY 703

LAFAYETTE POLICE DEPARTMENT

Policy Manual

BEREAVEMENT LEAVE

703.1 PURPOSE AND SCOPE

The purpose of this policy is to set guidelines for funeral (Bereavement) leave for regular full time Police Department employees, for paid and unpaid leave, depending on the relationship between that individual and the Officer.

703.2 POLICY

It is the policy of the Lafayette Police Department to provide bereavement leave to its regular full time sworn employees when appropriate

703.3 PROCEDURE

Bereavement leave for all Officers must be arranged through the appropriate chain of command.

The request must state the relationship between the deceased and the Officer and the length of requested absence.

Paid Leave will be granted for normal workdays that fall within the categories listed below:

a. 48 hours for employee's:
    1. Spouse
    2. Sibling
    3. household member
    4. children
    5. parents
    6. step parents
    7. step children
b. 36 hours for employee's:
    1. Grandparents
    2. spouse's parents
    3. spouse's sibling
c. One duty day funeral service for employee's:
    1. Aunt/Uncle
    2. spouse's grandparents
    3. spouse's step parents
    4. spouse's step siblings
d. 4 hours for funeral service of co-worker

An Officer may be granted emergency vacation leave, if accrued, or unpaid leave when a greater period of absence from work is necessary. The Department reserves the right to require documentation confirming the need for funeral leave.

TEMPORARY MODIFIED-DUTY ASSIGNMENTS

704.1 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.

704.2 POLICY

Subject to operational considerations, the Lafayette 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.

704.2.1 General Considerations

Priority consideration for temporary modified-duty assignments will be given to employees with work-related injuries or illnesses that are temporary in nature. Employees having disabilities covered under the Americans with Disabilities Act (ADA) or the Indiana Civil Rights Act shall be treated equally, without regard to any preference for a work-related injury.

No position in the Lafayette Police Department shall be created or maintained as a permanent 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 may otherwise limit them in employing their law enforcement officer powers. Employees on limited duty are not prohibited from taking enforcement action where failing to act might result in serious bodily injury or death. The employee must weigh the seriousness of the situation against his/her limited physical restrictions.

Employees on limited-duty are prohibited from performing off-duty employment of a police related nature, or any other work that might further aggravate their injury or condition. Off-duty employment of this nature can resume after the employee has been cleared by a physician, provided the required "Return to Duty" form to their supervisor and Human Resources, and worked one tour of duty.

704.2.2 Medical Exemptions

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.

704.2.3 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.

Pregnant employees should notify their immediate supervisors as soon as practicable and provide a statement from their medical providers identifying any pregnancy-related job restrictions or limitations. If at any point during the pregnancy it becomes necessary for the employee to take a leave of absence, such leave shall be granted in accordance with the city's personnel rules and regulations regarding family and medical care leave.

WORK RELATED ILLNESS AND INJURY

705.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance regarding timely reporting of work-related injuries and occupational illnesses.

705.2 DEFINITIONS

Work-related illness or injury - An injury or a disease arising out of and in the course of employment. This includes a disease that is a result of a work-related injury (I.C. § 22-3-6-1; I.C. § 22-3-7-10).

705.3 POLICY

The Lafayette Police Department will address work-related injuries and occupational illnesses appropriately, and will comply with applicable state worker's compensation requirements.

705.3.1 Employee Responsibilities

Any employee sustaining any occupational illness 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 (I.C. § 22-3-3-1).

705.3.2 Where to Report for Medical Attention

An employee sustaining a work related injury/illness between the hours of 8am and 6pm should be taken to the Regional Occupational Care Center (ROCC/Unity Healthcare) for treatment. Major medical issues during these hours may need to be treated at St. Elizabeth Hospital.

An employee sustaining a work related injury/illness between the hours of 6pm and 8am should be taken to St. Elizabeth Hospital for treatment.

705.3.3 Return to Duty Form

If an employee is unable to report for duty due to an injury a "Return to Duty" form must be submitted to the members shift commander. For further details see the Sick Leave policy (policy 702).

705.3.4 Supervisor Responsibilities

A supervisor learning of any work-related injury or occupational illness should ensure the member receives medical care as appropriate. Supervisors shall ensure that required

documents regarding worker's compensation are completed and forwarded promptly (First Report of Injury, Blood Exposure Form, and injury module). The supervisor should contact Human Resources immediately for any injury requiring emergency room assessment or hospitalization.

POLICY

706

LAFAYETTE POLICE DEPARTMENT

Policy Manual

COMMUNICABLE DISEASES

706.1 PURPOSE AND SCOPE

This policy provides general guidelines to assist in minimizing the risk of department members contracting and/or spreading communicable diseases. This policy also addresses the requirement that the Lafayette Police Department have a policy on communicable diseases and provide related training (I.C. § 16-41-11-6).

706.2 DEFINITIONS

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 (i.e., 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 Lafayette Police Department. (See the exposure control plan for further details to assist in identifying whether an exposure has occurred.)

Emergency Medical Services Provider - A firefighter, a law enforcement officer, a paramedic, an emergency medical technician, a physician licensed under IC 25-22.5, a nurse licensed under IC 25-23, or other person who provides emergency medical services in the course of the person's employment.

706.3 POLICY

The Lafayette 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. The following are guidelines to prevent and mitigate any exposures:

706.4 PROCEDURE

706.4.1 Exposure Prevention and Mitigation – 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 (I.C. § 16-41-11-4):

a. Stocking disposable gloves, antiseptic hand cleanser, CPR masks or other specialized equipment in the work area or department vehicle, 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.
h. Handling all sharps and items that cut or puncture (e.g., needles, broken glass, razors, knives) cautiously and using puncture-resistant containers for their storage and/or transportation.
i. Avoiding eating, drinking, smoking, applying cosmetics or lip balm, or handling contact lenses where there is a reasonable likelihood of exposure.
j. Disposing of bio hazardous waste appropriately or labeling bio hazardous material properly when it is stored.

706.4.2 Immunizations

Members who could be exposed to HBV due to their positions may receive the HBV vaccine and any routine booster at no cost. All department employees shall be offered an education program, an opportunity to be screened for previous exposure, and vaccinations to Hepatitis “B” Virus.

706.4.3 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 but in no case more than 24 hours after the exposure. Human Resources must be notified within 24 hours of injury/illness and complete appropriate OSHA paperwork {First Report of Injury and State of Indiana Blood Exposure Form}. The supervisor shall complete the incident documentation in conjunction with other reporting requirements that may apply.

706.4.4 Reporting Requirements

The supervisor on-duty shall investigate every exposure or suspected exposure that occurs as soon as possible following the incident. The supervisor shall ensure the following information is documented:

a. Name of the employee exposed
b. Date and time of incident
c. Location of 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.

706.4.5 Medical Consultation, Evaluation, and Treatment

Department members shall have the opportunity to have a medical evaluation immediately after an exposure and follow-up evaluations as necessary.

706.4.6 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 may be achieved by:

a. Obtaining consent from the individual.
b. Providing notification to emergency medical services providers under I.C. § 16-41-10-2).
c. HIV testing when ordered by a physician (I.C. § 16-41-6-1).
d. Public health officials seeking consent or a court order (I.C. § 16-41-6-2).

706.4.7 Confidentiality of Reports

Any workers' compensation related exposure comes to Human Resources and will be discussed with the appropriate level of management.

706.4.8 Training

All members shall participate in training regarding communicable diseases commensurate with the requirements of their position. The training shall (I.C. § 16-41-11-5):

a. 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. Be provided whenever the member is assigned new tasks or procedures affecting his/her potential exposure to communicable disease.
c. 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.
d. Be properly documented.

LINE OF DUTY DEATH AND CRITICAL INCIDENTS

707.1 PURPOSE

The purpose of this policy is to direct the Lafayette Police Department in its mission to provide support and emotional care for the immediate family members of an officer who is killed in the line of duty or is involved in a critical incident. If the incident is the line of duty death of a police officer, funeral arrangements are to be decided by the family of the officer with their wishes taking precedence over those of the agency.

707.2 POLICY

It shall be the responsibility of the Lafayette Police Department to provide liaison assistance to the primary family of an officer who dies in the line of duty or who is hospitalized for any period of time because of a line of duty injury. This assistance shall include, but is not limited to, the clarification and comprehensive study of survivor benefits and emotional support for the surviving family.

707.3 DEFINITIONS

Critical Incident: A line of duty incident that causes, or has the potential to cause, death or serious bodily injury to an officer or to another person due to law enforcement involvement, duties or actions.

Line of Duty Death: Any action, felonious or accidental, which claims the life of a Lafayette Police Officer who is performing work related functions either while on or off duty.

Line of Duty Injury or Illness: For the purposes of this policy, a line of duty injury or illness shall be an injury or systemic illness serious enough that hospitalization or time away from the department is ordered by a physician for an indefinite period.

Survivors: Primary family members of the injured or deceased officer, including spouse, children, grandchildren, parents, grandparents, siblings, fiancé and/or significant others.

Beneficiary: Those designated by the officer as recipients of specific death benefits.

Benefits: Financial payments made to the family to assist with financial stability following the loss of a loved one.

Funeral Payments: Financial payments made to the surviving families of an officer killed in the line of duty which are specifically earmarked for funeral expenses.

707.4 PROCEDURE

707.4.1 Line of Duty Critical Incident Information Form

This form, which provides critical information about an officer in the event his or her family needs to be notified, will be maintained in an electronic and confidential format (PDF). These electronic files will be accessible to Command Staff only and accessed only in the event that a critical incident has occurred.

It will be mandatory that every member of the Lafayette Police Department completes and maintains updated information for page one of this form. In event that information on page one changes, it is the member's responsibility to update that information in a reasonable time frame.

The remaining pages of the form are optional.

Annually, every officer will be required to review the Line of Duty Critical Incident Information Form on file to ensure that the information is accurate.

Commanders will have secure access to officers' information forms on their patrol car laptops (Admin share/ Line of duty death forms) so that the information can be readily accessible if the commander cannot leave the scene of the incident.

707.4.2 Officer in Charge (OIC)

In order to prevent duplication of efforts and to ensure that the process works for the benefit of the officer or his or her family, the OIC shall coordinate all departmental functions regarding the incident. The Administrative Services Captain shall make the OIC assignment.

The OIC shall make assignments of tasks and duties in order to facilitate effective communication with primary family members of the affected officer.

As soon as is reasonably possible, the OIC shall work to coordinate support services for primary family members.

707.4.3 Death / Critical Incident Notification

The name of the injured or deceased officer will be released by the OIC, or another person designated by the Chief of Police, only after the notification of primary family members has been made.

Coordination of Communication with other Agencies

In order to reduce the likelihood of unnecessary confusion and to respect the wishes of officers' families, it will be the expectation of the Lafayette Police Department that no member contacts the family members of an injured or deceased officer from another police department without first coordinating with a member of that agency's command staff.

Only in extremely exigent circumstances, such as the reasonable belief that the officer may die prior to respective agency notification being made, will members of the Lafayette Police Department notify a family without coordinating with that agency.

The notification plan will be formulated using the most recent confidential Line of Duty Death or Injury Information provided by the officer.

Notification will always be made by two or more persons. The Chief of Police, his representative, and pre-selected persons of the officer's choice will notify the family if time to assemble these persons exists. Delays in developing the appropriate notification team must be weighed against the importance of the timely notification of primary family.

If the above suggested persons are not readily accessible, notification shall be made by a supervisor on duty. The opportunity to get the family to the hospital prior to the demise of the officer is significantly more important than who delivers the notification.

If the family wishes to go to the hospital, they may be transported via department vehicle. It is highly recommended that the family not drive themselves to the hospital.

If the primary surviving family members do not live in close proximity to the City of Lafayette, the OIC shall request personal notification from a police department that has jurisdiction in their area.

As soon as most public safety families see the notification team or notifying officer, they will know something is wrong.

Ask to be admitted to the house. Do not make a notification on the doorstep.
Gather everyone in the home and ask them to sit down.
Inform them slowly and clearly of the information you have about the incident.

It is important to use the officer's name during the notification

If the officer has already died, relay that information. Do not give the family a false sense of hope.

Notifying personnel must be prepared for unexpected responses from survivors to include hysteria and possible verbal or physical attack.

707.4.4 Assisting the family at the hospital

The OIC will designate an Emergency Room Liaison (ERL) to act as an information liaison between medical personnel and the family members of the affected officer.

The duties of the ERL will include:

The ERL will ensure the family is updated as soon as they arrive at the hospital.

The ERL will ensure that pertinent information on the officer's condition is relayed on a regular and timely basis.

The ERL should prepare the family for what they might see and accompany them to the hospital's emergency department.

The ERL will be responsible for notifying emergency room personnel that all medical bills related to the care and treatment of the officer should be routed through the City of Lafayette's Human Resources Department.

If the injuries to the officer are likely fatal and it is possible for the family to visit their officer prior to death, they should be afforded the opportunity. There is a definite need to touch and hold the body while there is still life, and being present when death occurs can be comforting to the family.

The ERL shall also make the family and fellow officers aware of hospital policy about visitation with the body following the demise and explain why an autopsy is needed.

The OIC will designate a person(s) to be present the entire time the family is at the hospital and should arrange whatever assistance the family may need in coordination with the ERL.

The OIC or his/her designee, will make arrangements for transportation of the family back to their residence or other desired reasonable location.

707.4.5 Providing Follow-up Support Services

In the event of a line of duty death or critical incident, the Lafayette Police Department will make every effort to ensure that the family receives the support services that they need and/or request.

The OIC will ensure that the support services are coordinated with the family.

Examples of support services to be offered when appropriate are:

Debriefing the family with details about the incident that can be discussed.

Debriefing with selected officers about what can be expected through channels of electronic communication, social media and the media.

707.4.6 Support for the family during a Wake or Funeral

The following services will be offered to and provided for the family unless they request otherwise.

a. In the event of a line of duty death, department vehicles and drivers will be made available to the family if they desire transportation to and from the funeral home.

b. Unless the family requests otherwise, officers pre-selected by the deceased officer will act as liaisons for the family. The duties of the liaisons shall include:

c. Ensure the needs of the family come before the wishes of the department.

d. Meet with the family regarding funeral arrangements. Since most members have not pre-arranged their wishes for the handling of their own funeral, the family will most likely need to decide all aspects of the funeral.

e. If the family decides to have a line of duty funeral, the department should make the family aware of what services the department can offer during the funeral ceremony (Honor Guard, standing watch, escorts, etc.).

f. Know all information concerning the death and the continuing investigation to answer any questions that the family may have.

g. Be constantly available to the family throughout this traumatic process.

h. See that the surviving parents are afforded recognition and will have proper placement arranged for them during the funeral and procession.

The Public Information Officer (PIO) will handle the media. In the event that the family should decide to grant an interview, the PIO would attend and offer to screen all questions presented to the family to guard against jeopardizing upcoming legal proceedings.

The OIC or his/her designee, will be responsible for assisting the family in any way needed with the preparation of the home or in the securing of a facility to host the influx of visitors after the funeral.

The OIC or his/her designee, will be responsible for providing the family with access to other public safety survivors or other support groups (Concerns of Police Survivors, etc.).

The Lafayette Police Department will coordinate with the OIC or his/her designee, on routine residence checks by the officer's or survivor's home for as long as is reasonable following the incident. Officers conducting the residence checks will also inquire if any harassing telephone calls are being received.

707.4.7 Division Support

Due to the traumatic effect an incident of this nature may have on the on duty personnel; the captain of the member's division will have the discretion to relieve those personnel who are temporarily unable to perform their duties.

It will also be the responsibility of that captain to ensure that enough off duty personnel are called in so that the functions of the Lafayette Police Department are not impaired.

Debriefings with departmental personnel should take place as soon as feasible. The division captain will be responsible for developing the content of the debriefings and the coordination of scheduling the debriefings so that all officers may attend.

707.4.8 Providing Information and Assistance on Benefits to the Surviving Family

The OIC will gather information on all benefits available to the family (i.e. Life insurance through the City, death benefits through the State of Indiana, Workman's Compensation benefits, Fraternal Order of Police Benefits, etc.).

The OIC should visit with the surviving family to discuss these benefits within a few days following the funeral. A prepared document of the benefit payments due to the family should be given to the family. Follow up with the family should be conducted on a regular basis to ensure that the family has received every possible benefit that they are due.

If there are surviving children from a former marriage, the guardian of those children shall also receive a prepared document of the available benefit payments.

707.4.9 Providing departmental support during criminal legal proceedings

If criminal violations surround the death, the family will be informed of all developments prior to any press releases.

If there are not any court proceedings surrounding the circumstances of the officer's death, the department will relay that information to the surviving family as soon as it becomes known.

707.4.10 Providing extended support

It is important to help the primary surviving family members maintain a relationship with the Lafayette Police Department, if they so desire.

Members of the Lafayette Police Department are encouraged to keep in touch with surviving family.

The Chief of Police shall observe the officer's death date with a short note to the family and/or flowers for the grave.

Increased contact with the surviving family is encouraged during holiday seasons.

POLICY

708

LAFAYETTE POLICE DEPARTMENT

Policy Manual

DISCRIMINATION

708.1 PURPOSE AND SCOPE

The purpose of this policy is to prevent department members from being subjected to discrimination. Nothing in this policy is intended to create a legal or employment right or duty that is not created by law.

708.2 DEFINITIONS

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 - Is verbal or physical conduct that demeans or shows hostility or aversion toward an individual based upon that individual's protected class. It has the effect of interfering with an individual's work performance or creating a hostile or abusive work environment. Conduct that may, under certain circumstances, constitute discriminatory harassment can include making derogatory comments, crude and offensive statements or remarks; making slurs or off-color jokes; stereotyping; engaging in threatening acts; making indecent gestures, pictures, cartoons, posters or material; making inappropriate physical contact; or using written material or department equipment and/or systems to transmit or receive offensive material, statements or pictures. Such conduct is contrary to department policy and to a work environment that is free of discrimination.

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.

708.3 POLICY

The Lafayette 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, and retaliation. The Department will not tolerate discrimination against a member in hiring, promotion, discharge, compensation, fringe benefits and other privileges of employment. The Department will take preventive and corrective action to address any behavior that violates this policy or the rights and privileges it is designed to protect. The nondiscrimination policies of the Department may be more comprehensive

than state or federal law. Conduct that violates this policy may not violate state or federal law but still could subject a member to discipline.

708.3.1 Considerations

Discrimination and discriminatory harassment do not include actions that are in accordance with established rules, principles or standards, including:

Acts or omission of acts based solely upon bona fide occupational qualifications under the Equal Employment Opportunity Commission and the Indiana Civil Rights Commission guidelines.

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 department rules or regulations, or any other appropriate work-related communication between supervisor and member.

708.3.2 Responsibilities

This policy applies to all department members, who shall follow the intent of 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.

Complaints should also be filed with the Human Resources Department.

Any member who believes, in good faith, that he/she has been discriminated against, harassed or subjected to retaliation, or who has observed harassment, discrimination or retaliation, is encouraged to promptly report such conduct in accordance with the procedures set forth in this policy. Supervisors and managers receiving information regarding alleged violations of this policy shall determine if there is any basis for the allegation and shall proceed with a resolution as stated below.

708.4 PROCEDURE

708.4.1 Reporting

Any employee who feels that he/she has been the victim of discrimination or has not been afforded equal opportunity may report the incident to any supervisor.

Any supervisor receiving such a complaint or inquiry shall forward such complaint through the chain of command to the Chief's office.

The Chief's office may direct the Administrative Services Division to investigate the complaint or designate an appropriate investigator to conduct the investigation. The findings in any such investigation shall be submitted directly to the Chief's office for resolution.

If an employee wishes to make a confidential complaint or inquiry, he or she may go directly to the Administrative Services Division or to the Chief's office to lodge such a complaint or inquiry, and at the

time of lodging such complaint or inquiry, request that the matter be kept confidential. Every effort shall then be made to maintain confidentiality without compromising the investigation.

Every complaint shall be investigated thoroughly and promptly. In founded complaints, management shall take immediate and appropriate correction action.

708.4.2 Supervisor Responsibilities

The responsibilities of each supervisor and manager shall include, but are not limited to:

The Captain of Administrative Services shall be the principal advisor to the Chief's office on matters regarding Equal Opportunity and Discrimination in the Workplace.
As office of the Chief's principal advisor on such matters, the Captain of Administrative Services shall stay abreast of the current laws, directives, court decisions, etc. concerning Equal Opportunity and Discrimination, and shall maintain current reference material on such topics.

Continually monitoring the work environment and striving to ensure that it is free from all types of unlawful discrimination, including harassment or retaliation.

Taking prompt, appropriate action within their work units to avoid and minimize the incidence of any form of discrimination, harassment or retaliation.

Ensuring that their subordinates understand their responsibilities under this policy.

Ensuring that members who make complaints or who oppose any unlawful employment practices are protected from retaliation and that such matters are kept confidential to the extent possible.

Making a timely determination regarding the substance of any allegation based upon all available facts.

Notify Human Resources in writing of the circumstances surrounding any reported allegations or observed acts of discrimination, harassment or retaliation no later than the next business day.

708.4.3 Investigation of Complaints

Various methods of resolution exist. During the pendency of any such investigation, the supervisor of the involved member should take prompt and reasonable steps to mitigate or eliminate any continuing abusive or hostile work environment. It is the policy of the Department that all complaints of discrimination, retaliation or harassment shall be fully documented and promptly and thoroughly investigated.

708.4.4 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.

708.4.5 Training

All new members shall be provided with a copy of this policy as part of their orientation. The policy shall be reviewed with each new member. The member shall certify by signing the prescribed form that 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 with the Department.

All members shall receive annual training on the requirements of this policy and shall certify by signing the prescribed form that they have reviewed the policy, understand its contents and agree that they will continue to abide by its provisions.

SEXUAL HARASSMENT

709.1 PURPOSE AND SCOPE

The purpose of the Sexual Harassment Policy is to define sexual harassment, prevent sexual harassment from occurring, train employees concerning sexual harassment, provide investigative procedures to follow, establish disciplinary guidelines and ensure sexual harassment victims return to a safe and positive work environment after an investigation

709.2 DEFINITIONS

Sexual harassment is considered a form of sexual discrimination by Title VII of the Civil Rights Act of 1964. The Equal Employment Opportunities Commission (EEOC) enforces this act and has mandated that all companies (including the City) have a legal responsibility to provide their employees with a harassment-free workplace. The City takes this responsibility very serious and has created this manual to help ensure a workplace for our employees that is harassment-free.

Sexual harassment victims can be female or male and harassment can occur between individuals of the opposite sex or between individuals of the same sex. While sexual harassment most often takes place in situations where there is a difference in authority or power, other forms of sexual harassment do occur. The City recognizes the following types of sexual harassment:

a. Quid Pro Quo - This harassment occurs when sexual advances are demanded of an employee in exchange for some employment benefit such as pay increases, promotion, hiring, or continued employment. This type of behavior if proven true, will be considered sexual harassment on the first occurrence by the City.
b. Hostile Work Environment - An intimidating or hostile work environment is considered sexual harassment when employees are subjected to behavior of a sexual nature or that could be considered as such by a reasonable person. While this behavior will not aIways constitute sexual harassment on the first occurrence, the City will not tolerate this behavior.
c. Sexual Harassment - For the purpose of this Policy sexual harassment Is defined as any threatening or unwelcome attention, either verbal or physical behavior of a sexual nature, in the workplace that a reasonable person would interpret as harassment of a sexual nature when:
    1. Submission to the conduct Is made or threatened to be made explicitly or Implicitly a term or condition of employment
    2. Submission to or rejection of the conduct is used or threatened to be used as a basis for an employment decision.
    3. The conduct has the purpose or effect of Interfering with an individual's work performance, or of creating a hostile or intimidating work environment.

Behavior that may be considered evidence of sexual harassment includes, but is not limited to, the following:

a. Physical sexual contact: assault, pinching, grabbing, touching, fondling, hugging.
b. Offensive verbal language: explicit jokes, sexual remarks about a person's body or clothing, foul language, sexual suggestions and descriptions, sexual innuendos.
c. Nonverbal sexual conduct: staring, displaying sexual material, offensive hand or body gestures.

Additional Definitions - The following definitions will be used by Human Resources for the purpose of this Policy and any actions brought about from an alleged incident:

a. Alleged Victim - A person who allegedly has been harassed in violation of this Policy.
b. Complainant - The person who brings a complaint of violation of this Policy. This person may be the alleged victim, a coworker, or other persons.
c. Alleged Harasser -The person accused of violating this Policy.
d. Investigator - The person assigned the responsibilities of conducting/leading an Investigation of alleged sexual harassment.
e. Specific and Credible Allegations - Allegations that provide factual details such as, but not limited to: Time, Place, Actions, Participants, Witnesses

Allegations do not have to be based on first-hand observation of events to be "specific and credible," but direct observation usually provides better details than indirect knowledge.

709.3 POLICY

Prevention is the best tool to eliminate sexual harassment in the workplace. The City is committed to providing a harassment-free workplace for all employees. The City strictly forbids sexual harassment under this Policy. The following guidelines are expected to be adhered to by all employees:

a. Avoid any type of sexual behavior in the workplace.
b. Do not hang, post, or bring to work any pornographic material. This restriction includes posters, pictures, magazines, cartoons, letters, books or other such items.
c. Keep conversations clean. Avoid vulgar language, talk about sex, explicit jokes, sexual innuendos, sexist remarks, commenting on co-worker's appearances and cuss words in your conversations.
d. Keep your actions above reproach. Web sites and emails you view should be clean. Offensive hand gestures should not be made even if between friends. Don't 'look' at a co-worker in an inappropriate manner.
e. Avoid all physical contact. There should never be any pinching, grabbing or fondling. Other contact such as hugging, rubbing, brushing, touching or kissing should also be avoided.
f. Avoid inner office dating. Affectionate behaviors between employees may be offensive to others and could be construed as sexual harassment if it occurs frequently.
g. Company dress code must be followed by all employees. View Policy in the Human Resource Department and per Lafayette Police policy.

709.3.1 Sexual Harassment Complaint

In determining whether alleged conduct is sexual harassment, Human Resources will consider all available evidence and the circumstances and context under which the alleged incident occurred. Although repeated incidents generally create a stronger claim of sexual harassment, a single serious incident can be sufficient. The City treats each incident confidentially on a case-

by-case basis, ensures everyone's privacy is protected and ensures employees will also be treated lawfully.

Sexual harassment could be perpetrated by immediate supervisors, agents of the employer, supervisors in other areas, co-workers, or non-employees. A complaint this Policy has been violated may be made through Human Resources, Complaints must state specific and credible allegations to warrant an Investigation. Complainant generally has only 180 days after alleged incident to file a complaint. It may become more difficult to prove the allegations after significant time has passed and therefore prompt reporting is encouraged.

When deciding whether to investigate a complaint, the City will consider the desires of the victim but may initiate an investigation without the victim's consent if circumstances warrant this action.

709.4 PROCEDURE

709.4.1 Complaint Procedures

If an employee feels victimized, he/she should take quick action to get the problem resolved. The City has developed the following procedures to be used in handling an alleged sexual harassment violation.

An Employee should record all information about the incident as soon as possible. Record the date, time, who was involved, names of any witnesses, and full details of the alleged harassment.

The alleged victim should inform the alleged harasser he/she was offended and expects the behavior to stop immediately, Many times this action will correct the situation, especially if the behavior was unintentional.

If after the alleged harasser is told of the offending behavior and the alleged victim feels the situation is resolved, no further action Is necessary, However, all documentation of the incident should be kept In case any future Incidents happen.

If not satisfied with the alleged harasser's actions or another incident occurs, the alleged victim should report to Human Resources or his/her supervisor. A copy of the written documentation should also be provided at this time.

The City will initiate an investigation immediately. Except In unusual circumstances, Human Resources will conduct an interview with the alleged victim within 5 business days. All details will be discussed and written documentation will be verified against alleged victim's statements.

The City will also interview the complainant (If different than the alleged victim), the alleged harasser, and other persons who might have valuable knowledge of the incident. Names and information will be kept confidential as much as possible during this process.

Human Resources will gather as much additional information as possible to help with the final determination of the case, Information contained in time sheets, emails, expense reports, performance appraisals and disciplinary records may be used to help understand the context of the incident.

709.4.2 Documentation

After conducting interviews and reviewing all information, a decision will be made by Human Resources. Absent extenuating circumstances, a written finding will be issued within 15 days of when the complaint was filed. Both the alleged victim and alleged harasser will receive a copy of the findings. Third party complainants will only be notified the investigation is concluded. The complaint will be determined to be one of the following:

1. Founded-the incident was sexual harassment.
2. Unfounded-the incident was not sexual harassment.
3. Inconclusive-the evidence was conflicting, no eyewitnesses were able to support the complaint and/or there was insufficient evidence to prove harassment occurred.

709.4.3 Resolution

If sexual harassment is shown to have occurred, the disciplinary action taken will largely depend on two factors: The severity of the harassment and how often the incidents occurred.

Disciplinary action may lead up to and include termination of employment. Disciplinary actions for violations of this Policy should commensurate with the nature of the violation and the harasser's disciplinary history. The City believes an employee who violates this Policy should be responsible for his/her actions regardless of contributing factors such as substance abuse, emotional stress or personal problems.

Disciplinary action may also include, but is not limited to, required counseling, community service, financial restitution, educational classes and/or other actions as determined by Human Resources.

If the complaint proves to be unfounded or inconclusive, all parties will be reminded of the City's Policy on sexual harassment and warned of the consequences of violating the Policy. A follow-up investigation might be necessary to ensure all details and evidence pertaining to the incident was uncovered. Human Resources will determine the need for an additional investigation.

709.4.4 Return to Work: Alleged Victim, Complainants and Others

Alleged victim will be made aware of all procedures and protective measures taken during the investigation.

Throughout the investigation procedures, resolution period and afterwards, any and all appropriate measures will be taken to protect the alleged victim, complainant and others from harm caused by the alleged harasser's behavior.

Retaliation by any person against the alleged victim, complainants and others will not be tolerated by the City. Any circumstance or behavior indicative of retaliation should be reported to Human Resources and/or the victim’s direct supervisor immediately.

709.4.5 Return to Work: Alleged Harasser

This Policy cannot be used to bring false charges. An employee filing a false complaint under this Policy will be subject to disciplinary action, up to and including termination of employment.

If the complaint is determined to be unfounded, all necessary steps will be taken to ensure alleged harasser's reputation is restored and that he/she returns to a positive, harassment-free work area.

709.4.6 Conclusion

This Policy will be reviewed and revised as needed and appropriate and is subject to review and revision at any other time as deemed necessary by the Mayor and the Human Resource Department.

MILITARY LEAVE

710.1 PURPOSE AND SCOPE

The City of Lafayette supports officers who are members of the Indiana National Guard or a member of a reserve branch of the United States military, or a member of the retired personnel of the naval, air, or ground forces of the United States.

710.1 DEFINITIONS

Military leave, per this policy, is defined as time where military member(s) are on military assignment based on military duty orders and away from the police department.

Duty orders, per this policy, are defined as a written directive or verbal from the military chain of command for the military member to report for military service.

Military necessity for purposes of the military notice exception is defined in regulations of the Secretary of Defense as “a mission, operation, exercise or requirement that is classified, or a pending or ongoing mission, operation, exercise or requirement that may be compromised or otherwise adversely affected by public knowledge.”

710.2 POLICY

It is the policy of the Lafayette Police Department to support its employees who serve in defense of this country as members of the Indiana National Guard or reserve branch of the United States military. Pursuant to this policy, and in accordance with existing state and federal laws, no member of this department will discriminate in any manner against another member who is a member of the Indiana National Guard or a member of a reserve branch of the United States military because of that member’s membership in the Indiana National Guard or reserve branch of the United States military.

710.2.1 Responsibilities of the Department

The police department and the City of Lafayette’s Human Resources Department will ensure compliance to the provisions of state and federal laws regarding the employment or reemployment of Indiana National Guard and reserve members of the United States military. The department will ensure that Indiana National Guard members and military reserve members receive the necessary time off for all mandated military training as required by law. The department will ensure that no discrimination exists in the hiring, training, promotion, transfer, scheduling, or termination of Indiana National Guard members or reserve military members because of their membership in the Indiana National Guard or military reserve.

710.2.2 Responsibilities of Indiana National Guardsmen and United States Military Reservists

Members of this department who are members of the Indiana National Guard or members of a reserve branch of the military will keep their immediate supervisor apprised of their status in the Indiana National Guard or military reserve. Official documentation of military duty orders for training or deployment will be provided to the member's respective commander.

The Indiana National guard or military reserve member will give reasonable notice to the department when requesting military leave, unless giving notice is precluded by military necessity or is otherwise impossible or unreasonable. An Indiana National Guard member and a military reserve member shall provide advanced notice of military orders to their immediate supervisor as soon as possible.

The notice may be provided by the employee or by an appropriate officer of the branch of the military in which the employee will be serving. However, no notice is required if military necessity prevents the giving of notice or the giving of notice is otherwise impossible or unreasonable.

Members of the Indiana National Guard and military reserve shall make reasonable effort to reduce conflict between their departmental duties and their military duties by attempting to schedule military training, if possible, at times that least affect departmental manpower requirements. Members shall be reasonable and prudent in requesting leave for military training that, while career enhancing, is not required training, when such leave creates serious manpower shortages in the department.

710.2.3 Military Leave

The City of Lafayette provides city employees who are members of the Indiana National Guard or members of a reserve branch of the United States military with 120 hours of paid military leave per year. This leave is to be requested in a timely manner. For Fair Labor Standards Act (FLSA) time accounting purposes, the department allows, beyond minimum requirements, that military leave be recorded and counted as hours worked.

When a member's military training requirements exceed 120 hours, the member may request, and shall be granted unpaid leave for military training. No member will be required to use annual vacation or personal days for military training, however, the member may choose to use annual vacation or personal days versus unpaid leave for military training.

710.2.4 Return to Work after Military Leave

A member who has been on military leave is required to return to work for this department on the first full calendar day following the completion of the period of military service and the expiration of eight hours after the time required for safe transportation from place of service to the person's residence. The returning military member is entitled to be treated as if he or she had been continuously employed for all seniority purposes, including retirement benefits.

POLICY 711

LAFAYETTE POLICE DEPARTMENT

Policy Manual

Smoking and Tobacco Use

711.1 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 Lafayette Police Department facilities or vehicles. This policy is intended to reflect and support the City of Lafayette's Ordinance 9.04. This policy does not affect Rule of Conduct II, E. 15 "Use of Tobacco". This policy applies to all enclosed facilities owned by the City of Lafayette shall be subject to the provisions of this policy, including city vehicles, whether or not they are occupied by more than one person.

711.2 DEFINITIONS

Smoking - The act of puffing, having in one's possession, holding or carrying a lighted or smoldering cigar, cigarette, pipe, or smoking equipment of any kind, or lighting a cigar, cigarette, pipe or smoking equipment of any kind, including any device that is intended to simulate smoking, such as an electronic cigarette or personal vaporizer.

Tobacco Use - Includes smoking as defined above and the use of smokeless chewing tobacco, snuff or any similar product containing tobacco.

711.3 POLICY

The Lafayette 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 vehicles, and as is further outlined in this policy.

711.3.1 Smoking and Tobacco Use

Smoking and tobacco use by members is prohibited any time members are in public view representing the Lafayette Police Department.

It shall be the responsibility of each member to ensure that no person under his/her supervision smokes or uses any tobacco product inside City facilities and vehicles.

711.3.2 Employees Who Smoke Shall Follow the Below Guidelines:

a. Do so only at designated area outside of the building
b. Not smoke inside of a department owned/leased vehicle
c. Not smoke while directing traffic, working parking control, or at any time while dealing with a citizen or other employee
d. Discard smoking materials only in the proper receptacle

e. Faithfully report this to the wellness program for health insurance data

OFF DUTY EMPLOYMENT

712.1 PURPOSE

This policy provides guidelines for department members who seek to engage in authorized, outside employment in compliance with Merit Rule #10.

712.2 DEFINITIONS

Outside Employment – Duties or services performed by members of this department for another employer, organization, or individual who is not affiliated directly with this department when wages, compensation, or other consideration for such duties or services is received. Outside employment also includes duties or services performed by those members who are self-employed and receive compensation or other consideration for services, products, or benefits rendered.

712.3 POLICY

Members of the Lafayette Police Department shall obtain written approval from the Chief or Deputy Chief of Police prior to engaging in any outside employment. Approval of outside employment shall be at the discretion of the Chief or Deputy Chief of Police in accordance with the provisions of this policy. Failure to obtain prior written approval for outside employment or engaging in outside employment that is prohibited by this policy may lead to disciplinary action.

712.3.1 Request and approval

Members must submit a request for outside employment to their immediate supervisors.

The request will then be forwarded through the chain of command to the Deputy Chief of Police for consideration.

Long term or reoccurring outside employment (e.g. LSC security, Purdue University events) will be approved once each calendar year.

712.3.2 Prohibited outside employment

The department reserves the right to deny any request for outside employment that involves:

a. The use of department time, facilities, equipment, or supplies.
b. The use of the Lafayette Police Department badge, uniform, or influence for private gain or advantage.
c. The member's receipt or acceptance of any money or other consideration for the performance of duties or services that he/she would be required or expected to render in

the course or hours of his/her employment or appointment or as a part of his/her regular duties.

d. The performance of duties or services that may later be subject directly or indirectly to the control, inspection, review, audit, or enforcement of any other member of this department.
e. Demands on the member's time that would render the performance of his/her duties for this department deficient or substandard.
f. Officers are specifically prohibited from working outside employment adjacent to their normal working hours for more than 16 total continuous hours in a 24-hour period.
g. When any member calls in sick or is on light duty status, he/she shall not be permitted to return to their outside employment until they have returned to duty and completed their normal tour of duty.
h. A member serving a suspension shall not work any outside employment as a representative of the Lafayette Police Department during the suspension period.
i. Activities that may conflict with any other policy or rule of the department.

712.3.3 Department Resources

Members are prohibited from using any department equipment or resources in the course of, or for the benefit of any outside employment. This shall include the prohibition against any member using his/her position with this department to gain access to official records or databases of this department or other agencies.

OFF-DUTY TRAINING

713.1 PURPOSE

To establish guidelines that allows members of the Lafayette Police Department to attend training in an off-duty capacity without interfering with the integrity, effectiveness, and operational mission of the Lafayette Police Department.

713.2 POLICY

It shall be the policy of the Lafayette Police Department that members may attend training in an off-duty capacity in which they have paid and arranged for provided that the procedures outlined in the policy are followed.

a. Officers shall notify the Chief's Office of the intent to attend training along with a course description for review prior to attendance of training.
b. Approval from the Chief's Office shall be subject, but not limited, to the following:
    1. Approval shall not be granted when training is in direct conflict with the policies, procedures, or operational orders of the Lafayette Police Department.
    2. Approval shall not be granted when, in the opinion of the Chief's Office, the training compromises the integrity and effectiveness of the mission of the Lafayette Police Department
c. Officers shall not disseminate any written materials or information received from the training without the approval of the Chief's Office.
d. Officers shall not at any time institute any practice learned from the training without the approval from the Chief's Office.

EMPLOYEE USE OF SOCIAL MEDIA

714.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure that any use of member's personal social media does not violate the department mission.

714.2 DEFINITIONS

Social media - Any of a wide array of Internet-based tools and platforms that allow for the sharing of information or content.

Profile – On-line persona which would identify a social media user as a member of the Lafayette Police Department

714.3 POLICY

Personnel are free to express themselves as private citizens on social media sites to the degree that their speech does not impair working relationships of this department, impede the performance of duties, impair discipline and harmony among coworkers, or negatively affect the public perception of the department or the city.

As public employees, personnel are cautioned that speech made pursuant to their official duties -- that owes its existence to the employee's professional duties and responsibilities -- is not protected speech under the First Amendment and may form the basis for discipline if deemed detrimental to the department. Personnel should assume that their speech and related activity on social media sites will reflect upon their office and this department.

714.3.1 Personal Use

Precautions and Prohibitions - Department personnel shall abide by the following when using the member's private social media:

a. Personnel are not permitted to access their personal social media accounts while on-duty unless it is required to accomplish or enhance performance of their duties.
b. Personnel shall not post, transmit, or otherwise disseminate any information to which they have access as a result of their employment without written permission from the chief executive or his or her designee. Personnel are permitted to re-broadcast official department postings.
c. For safety and security reasons, department personnel shall not post information pertaining to any other member of the department without their permission. Officers who are, or who may reasonably be expected to work in undercover operations, are

encouraged not to post any form of visual or personal identification.

When using social media, department personnel should be mindful that their speech becomes part of the worldwide electronic domain. Therefore, adherence to the department's code of conduct is required in the personal use of social media. In particular, department personnel are prohibited from the following:

a. Members are prohibited from expressing speech containing obscene or sexually explicit language, images, or acts and statements or other forms of speech that ridicule, malign, disparage, or otherwise express bias against any race, any religion, or any protected class of individuals.
b. Members shall not engage in speech involving themselves or other department personnel which may reflect on behavior that would reasonably be considered reckless or irresponsible.
c. Members shall not engage in prohibited speech noted herein, nor provide grounds for undermining or impeaching an officer's testimony in criminal proceedings. Department personnel thus sanctioned are subject to disciplinary action.
d. Department personnel may not divulge information gained by reason of their authority; make any statements, speeches, appearances, and endorsements; or publish materials that could reasonably be considered to represent the views or positions of this department without express authorization.

Department personnel should be aware that they may be subject to civil litigation for:

a. publishing or posting false information that harms the reputation of another person, group, or organization (defamation);
b. publishing or posting private facts and personal information about someone without their permission that has not been previously revealed to the public, is not of legitimate public concern, and would be offensive to a reasonable person;
c. using someone else's name, likeness, or other personal attributes without that person's permission for an exploitative purpose; i.e. publishing the creative work of another, trademarks, or certain confidential business information without the permission of the owner.

Department personnel should expect that any information created, transmitted, downloaded, exchanged, or discussed in a public online forum may be accessed by the department at any time without prior notice.

Reporting violations -- Any employee becoming aware of or having knowledge of a posting of any website or web page in violation of the provision of this policy shall notify his or her supervisor immediately for follow-up action.

GIFTS AND GRATUITIES

715.1 PURPOSE

To establish fair and reasonable guidelines governing the acceptance of gifts and gratuities. Members shall not place themselves in a position where an officer's private interests may appear to, or may actually conflict with their official duties. The appearance which officers project, as well as their actions, are deemed by the department to be important elements in determining whether or not there is compliance with, or a violation of, Rule 18.

715.2 POLICY

715.2.1 Prohibited Actions

Members shall not accept from any person, business, or organization any gift (including money, tangible or intangible personal property, food, beverage, loan, promise, service, or entertainment) for the benefit of the member or the department if it may reasonably be inferred that the person, business, or organization

a. seeks to influence action of an official nature or seeks to affect the performance or nonperformance of an official duty; or
b. has an interest which may be substantially affected directly or indirectly by the performance of an official duty.

Members shall not solicit services or goods for free or at a reduced price.

715.2.2 Report and Disposition of Unsolicited Gifts

Any member receiving an unsolicited gift, which may reasonably be inferred to be connected to the member's official position shall immediately report the receipt of such gift to the Chief and/or Deputy Chief, who shall determine its disposition.

The Chief and/or Deputy Chief shall dispose of the gift in an appropriate manner and shall notify the original recipient of its disposition.

POLICY 716

LAFAYETTE POLICE DEPARTMENT

Policy Manual

Use of Deadly Force Investigations

716.1.1 PURPOSE

To provide guidelines for all affected sworn personnel following a police action shooting.

716.2.2 POLICY

It is the policy of this department to investigate all sworn member involved shootings and to do so in such a manner as to offer support for those involved in the incident, while at the same time ensuring that the integrity of the investigation is of the highest caliber.

716.3. PROCEDURES

The following procedures will be used to investigate every incident of a firearm discharged by a sworn member of this department, except for target practice, hunting, ballistic examinations, and incidents that involve destroying an animal during the course of their official duties.

716.3.1 Involved Member

Whenever a member discharges his/her firearm either intentionally or accidentally, he/she shall immediately do the following:

a. Determine the physical condition of any injured person(s) and render first aid when appropriate.
b. Request necessary emergency medical aid.
c. Notify Dispatch of the incident and location.
d. The member will remain at the scene, unless injured, until arrival of the appropriate investigators or unless instructed by a supervisor to report to a different location.
e. The member will protect his/her weapons for examination and submit all weapons to the appropriate investigator or supervisor upon request. Members shall not reload or empty the weapon, unless conditions deem it tactically necessary to do so.
f. The member will prepare a detailed report of the incident.
g. The member is prohibited from discussing the case with anyone with the exception of on scene Command Personnel, Administrative Service Personnel, Criminal Investigators, or the Chief's Office.
h. The member shall be placed on "administrative leave" without loss of pay or benefits pending the results of the investigation. The member will however be available at all times while on leave for Internal Affairs and other administrative interviews and statements regarding the case, and shall remain subject to recall to duty. The "administrative leave" shall not be interpreted to imply or indicate that the member acted improperly.

716.3.2 On-Duty Commander

The following are the responsibilities of the on duty Uniformed Patrol Commander.

a. Proceed immediately to the scene.
b. Ensure that the Adams Group is notified.
c. Secure the scene and coordinated additional resources as needed.
d. Conduct a preliminary investigation to include: Number of rounds fired, direction of shots fired, witnesses, suspect information, why shooting occurred.
e. Render command assistance to the assigned investigators.
f. Assist the involved member(s).
g. Submit a detailed report.

716.4 Administrative Services Division

The Administrative Services Division shall conduct an internal investigation of every incident of firearms discharged by a department member except when such was for firearms training, ballistic examinations, and incidents involving the destroying of an injured animal if no near miss or hit of a human resulted. The internal investigation by Administrative Services will be subordinate to the criminal investigation conducted by the Detective Division. The purpose of the Internal Investigation are as follows:

a. Was the shooting within policy and accidental
b. To evaluate training considerations
c. To determine the quality of supervision prior to, during, and after the shooting incident.

Upon completion of the Internal Investigation, a detailed report of the findings will be submitted to the Chief of Police and the Use of Deadly Force Review Board.

The Administrative Services Division has the discretion to conduct an investigation in circumstances where a member destroys and animal in defense of his/her safety or the safety of others. The convening of a shooting review board in these instances will be at the discretion of the office of the Chief of Police.

716.5 Criminal Investigation Unit

The Criminal Investigation Unit will conduct a thorough investigation of every shooting by a police member, which results in injury or death. The investigation shall include the following minimum procedural standard:

a. Proceed immediately to the scene following notification
b. Secure the scene
c. Examine the weapons of all members present at the time the shots were fired, including secondary weapon(s) and any weapon(s) in police vehicles.
d. Seize the weapon(s) which may have been fired.
e. Seize samples of unspent ammunition.
f. Separate, secure and interview all on scene witnesses and sworn personnel.
g. Photograph and diagram the scene.
h. Secure all physical evidence.
i. Secure telecommunications tapes.
j. Obtain hospital autopsy, lab and photographic reports.

Upon completion of the criminal investigation, a detailed report of the investigation will be submitted to the Chief of Police and the Use of Deadly Force Review Board.

716.6 Use of Deadly Force Review Board (Members)

The Use of Deadly Force Review Board shall convene and review the circumstances attendant to each discharge of a firearm by a department member (except in those circumstances as already noted.) The Board shall consist of the following:

a. Deputy Chief of Police (Board Chairman)
b. Captain of Patrol Division
c. Captain of Detective Division
d. Commanding Officer of the member who discharged his/her weapon.
e. Two members of the same rank, if possible, as the member who discharged his/her weapon.

716.6.1 Use of Deadly Force Review Board

The Use of Deadly Force Review Board will evaluate, in explicit and fact finding fashion each aspect of an officer-involved shooting. Such evaluation shall include:

a. A thorough review of the Criminal Investigation report.
b. A thorough review of the Internal Investigation report.
c. A hearing of direct testimony, if necessary, from the members and witnesses.

The Use of Deadly Force Review Board will develop findings and make recommendations to the Chief of Police as to whether or not the shooting was within policy, and accidental. The Use of Deadly Force Review Board shall also recommend discipline considerations to the Chief of Police.

DEPARTMENT OWNED VEHICLE POST-ACCIDENT PROCEDURES

717.1 PURPOSE

The Lafayette Police Department is firmly committed to the principles of public service and public safety. Per Policy 603, the Lafayette Police Department provides vehicles to its personnel which enables them to fulfill their assigned duties and enhance the mission of providing a safe community. In instances of accidents that occur while Lafayette Police Department personnel are operating department owned vehicles, in both on-duty and off-duty capacities, the integrity of the department must be safeguarded by ensuring that all personnel are free from the misuse of drugs and alcohol.

717.2 POLICY

717.2.1 Post-Accident Policy

This policy provides guidelines for the actions that will take place when traffic accidents occur during the operation of Lafayette Police Department owned vehicles.

717.3 PROCEDURES

717.3.1 Accidents Involving Police Department Owned Vehicles

When a police vehicle is involved in an accident, the on-duty Shift Commander will be notified of such and conduct a preliminary crash investigation.

a. If the accident involves an injury, death or any monetary damage to private property a crash report will be required to be completed.
b. Accidents that occur within the jurisdiction of the Lafayette Police Department will be investigated by Lafayette Police Department personnel.
c. Shift Commanders will request assistance from the appropriate law enforcement agency in instances of accidents that occur outside of the Lafayette Police Department's jurisdiction.
d. If the accident only involves City Owned property and the damage is minimally cosmetic in nature, a crash report may be completed but is not mandatory. In these instances, the on-duty Shift Commander is required to notify the Captain of the involved Division to determine whether a crash report will be completed.

717.3.2 Post-Accident Chemical Intoxicant Screening Determination

Drug and alcohol (chemical intoxicant) testing shall be required after motor vehicle accidents involving a Lafayette Police Department vehicle when the member is determined to be the at-fault driver and one or more of the following factors are present:

a. The accident involves an injury to, or death of, any party involved in the accident. Injury will be defined to include the complaint of pain.
b. The on-duty Shift Commander determines that the accident resulted in combined damage to the vehicle, vehicles or other property that is greater than $5,000.
c. If the on-duty Shift Commander can document articulable facts, that support a reasonable belief, that the operator of department owned vehicle had consumed chemical intoxicants prior to the accident.

717.3.3 Chemical Intoxicant Screening

The following procedures will be followed if the determination has been made that a post-accident chemical intoxicant screening is required:

a. Chemical intoxicant screening will be completed within two hours of the accident.
b. The on-duty Shift Commander, or his/her designee, will remain with the driver of the vehicle involved in the accident until the screening has been completed.
c. If the accident occurs between 8am and 6pm, Monday through Friday, the driver will be escorted to the approved medical facility for screening and Human Resources will be notified.
d. If the accident occurs between 6pm and 8am, Monday through Friday and weekends, the on-duty Shift Commander will contact Human Resources. Human Resources will make the arrangements for the on-call nurse to meet at the approved facility.
e. Lafayette Police Department personnel involved in a vehicle accident that meets the above criteria for a chemical intoxicant screen shall not return to driving a Lafayette Police Department owned vehicle until notified by Human Resources.

717.3.4 Accident Review Board

The Deputy Chief of Police, or his/her designee, will review all accidents that involve Lafayette Police Department owned vehicles. Accidents that are determined to be at-fault by Lafayette Police Department personnel will be reviewed for policy applicability, training considerations and severity of damage and/or injury. Those accidents that are deemed to be in need of review, for any or all of the aforementioned factors, will require an Accident Review Board (ARB) to be convened. Accidents that occur at the Captain level or higher will be reviewed by the Chief of Police or his/her designee.

a. Each ARB will consist of the following: The affected Division Captain (chairperson), the affected Shift or Administrative Lieutenant, the Traffic Unit Sergeant and a member of the Emergency Vehicle Operation instructor cadre.
b. The Lafayette Police Department employee, whose involvement in the police vehicle traffic accident being reviewed, shall be present at the meeting of the ARB when their

case is being reviewed. The purpose of the employee's presence is to provide further explanation about the incident and to answer questions.
c. The ARB shall meet and review cases no later than 30 calendar days after the original accident report has been completed; unless an extension is granted by the Deputy Chief.
d. The ARB shall review all information, including any applicable chemical intoxicant screening results, and make a determination of cause, responsibility and applicable policy and training considerations. The ARB shall also recommend changes in policy or suggestions to prevent that type of accident from occurring again.

717.3.5 Discipline Considerations

Chemical Intoxicant Screening:

Any member of the Lafayette Police Department who refuses to submit to a post-accident chemical intoxicant screening request, that meets the above criteria, will be placed on immediate, paid administrative leave pending an investigation by the Administrative Services Division that will parallel and/or contribute to the Accident Review Board.

It will be considered prima facie evidence of a violation of this policy if any levels of chemical intoxicants are found in the results of the required chemical intoxicant screen (See Policy 603.3.5). Recommended departmental discipline, up to and including termination, will be determined by the Office of the Chief of Police.

Accident Review Board:

The ARB will develop findings regarding policy and/or rules violations, if any, and forward them to the member's direct chain of command for disciplinary recommendations. Sanctions should generally follow a model of progressive discipline, however, nothing in this section prohibits the imposition of discipline at a level greater than what is normally progressive and the severity of each incident should be weighed to determine the proper level of discipline imposed.